

Town of Kiawah Island  
**TOWN COUNCIL MEETING**  
Municipal Center Council Chambers  
June 2, 2020; 2:00 PM

MINUTES

**I. Call to Order: Mayor Weaver called the meeting to order at 2:00 pm.**

**Present at the meeting:** Craig Weaver, Mayor  
Chris Widuch, Mayor Pro Tem  
Maryanne Connelly, Councilmember  
Dan Prickett, Councilmember  
Klaus Said, Councilmember

**Also Present:** Stephanie Tillerson, Town Administrator  
Joe Wilson, Town Attorney  
Stephanie Braswell Edgerton, Town Communications Manager  
Jim Jordan, Town Biologist  
Petra Reynolds, Town Clerk

**II. Approval of Minutes:**

**A. Minutes of the Town Council Meeting of May 5, 2020**

*Mayor Pro Tem Widuch made a motion to approve the minutes of the May 5, 2020, Town Council Meeting. The motion was seconded by Councilmember Said, and the minutes were unanimously approved.*

**B. Minutes of the Special Call Town Council Meeting of May 14, 2020**

*Mayor Pro Tem Widuch made a motion to approve the minutes of the May 14, 2020, Town Council Meeting. The motion was seconded by Councilmember Connelly, and the minutes were unanimously approved.*

**III. Mayor's Update:**

Mayor Weaver stated while everyone is glad to see businesses come back, it needs to be recognized that the health crisis is not over, evident from recent South Carolina statistics for showing a rise in new cases and deaths. For many residents and property owners, the focus has not changed from preventing exposure at all costs by continuing to follow the recommended practices of social distancing and appropriate personal hygiene.

While returning to more normal activity, the responsibility for managing exposure, through what could be the rest of the summer, has returned to each individual. The Town, as part of its Emergency Ordinance, still has in place several orders concerning occupancy limits and requirements in retail establishments along with limitations on the size of group gatherings. With the Ordinance expiration nearing, Mayor Weaver indicated that he would defer asking Council to decide on extending any orders until it is clear what actions the governor takes on rescinding his previous orders.

Mayor Weaver reported on COVID-19 antibody testing, performed by MUSC (Medical University of South Carolina) over three days. The testing program was well-received, and it is anticipated that 1,441 individuals participated with the following estimated results;

- Kiawah full-time residents - approximately 1000 tests performed – 0.8% positive
- Non-resident - approximately 440 tests performed – between 2.5% and 3.0% positive

Mayor Weaver indicated that some residents might have suspected that they were exposed or suffered a mild case, but never sought testing. This testing provided every participant with a greater degree of certainty about whether they had been exposed. It also provided the information that Kiawah, as a community, carries little or no immunity and is still largely susceptible to the future spread of the virus. Follow-up testing will depend on if there are new outbreaks or continuing concerns of another wave in the fall.

On behalf of Town Council, Mayor Weaver expressed distress with the events that have taken place in Minneapolis and are equally disturbed with what occurred in the aftermath around the country and in Charleston. Each member supports peaceful protests, agreed they are important and should occur, but are alarmed at what has precipitated from the protests over the past three nights.

#### IV. Old Business:

- A. To Consider Approval of **Ordinance 2020-04** - An Ordinance to Amend the Municipal Code of the Town of Kiawah Island, South Carolina, Article 15 - General Offenses, CHAPTER 3 – Offenses Against Public Safety, Sec. 15-306. - Prohibited Noise – **Second Reading**

**Councilmember Connelly made a motion to approve the second reading of Ordinance 2020-04 - to amend the Municipal Code of the Town of Kiawah Island, South Carolina, Article 15 - General Offenses, Chapter 3 – Offenses Against Public Safety, Sec. 15-306. - Prohibited Noise. The motion was seconded by Mayor Pro Tem Widuch.**

Mayor Weaver stated that the approval of the second reading of Ordinance 2020-04 at last month's Town Council meeting was deferred. There were concerns that there had not been enough communication to residents and property owners surrounding the language change and the addition of a decibel level impacting the hours of 7 pm to 7 am. He explained that the change was brought about to deal with a very specific issue, not to rewrite or create a new ordinance. The few comments that were received were not directly related to the specific change being made.

**Following further discussion, the motion was unanimously passed.**

#### V. New Business:

- A. To Consider Approval of **Ordinance 2020-05** – An Ordinance to Adopt the Fiscal Year 2020-2021 Budget for the Town of Kiawah Island, South Carolina (7/1/20 through 6/30/21) - **Public Hearing and First Reading**

Mayor Weaver indicated **Ordinance 2020-05** was discussed and recommended for approval by the Ways and Means Committee.

Ms. Szubert gave a brief review of the FY 20-21 budget, stating that there were changes from the budget presented at the Ways and Means Committee meeting, noting that providing a balanced budget was challenging because of the many assumptions.

Ms. Szubert began by stating that revenues had been budgeted about 7% less than the current year based on the assumption that next year the first-quarter revenues are 50% of what was received last year, the second quarter 75% and the third and fourth quarter are at 100%. The projection for the past year's fourth quarter is at 10% of what was budgeted. She highlighted individual revenue sources, pointing out the decreases and assumptions for the reductions. In the expenditures, she noted a 22% decrease from the previous year with line items showing no enhancements, most projects put on hold, and no capital expenditures other than the Parkway landscaping.

Discussion included indicators of the revenues for the upcoming quarters, presentation of revenues monthly, status, and options on potential garage repairs. Mayor Weaver pointed out that the Town imposes no property taxes; therefore has no stable revenue source. The strong economic environment in past years has produced significant revenues. Still, the Town's revenue stream is very much tied to the economic and business activity which generate accommodation taxes, building permit and licensing fees. He noted that this year's budget for revenues is about \$2.4 million less than budgeted in the last year.

Mayor Weaver opened the Public Hearing for any comments on the approval of Ordinance 2020-05, the FY 20-21 Budget.

In the current meeting arrangement, there is not an opportunity for individuals to call-in questions or comments on the budget. Still, people were encouraged to write prior to the meeting. With no public comments, Mayor Weaver closed the Public Hearing.

**Mayor Pro Tem Widuch made a motion to approve the first reading of Ordinance 2020-05 – An Ordinance to Adopt the Fiscal Year 2020-2021 Budget for the Town of Kiawah Island, South Carolina (7/1/20 through 6/30/21). The motion was seconded by Councilmember Said.**

**Following further comments, the motion was unanimously passed.**

**B. To Consider Approval of the Contract Renewal with All South Consulting Engineers**

Mayor Weaver stated the Contract Renewal with All South Consulting Engineers was discussed and recommended for approval by the Ways and Means Committee. He indicated the contract provides for the post-hurricane emergency debris monitoring and management.

**Mayor Pro Tem Widuch made a motion to approve the Contract Renewal with All South Consulting Engineers. The motion was seconded by Councilmember Said and was unanimously passed.**

**C. To Consider Approval of the FY 2020-2021 State ATAX Funding Amounts**

Mayor Weaver stated The State Accommodations Tax Committee (SATAX) met on May 21. Chaired by Mayor Pro Tem Widuch, the SATAX Committee reviewed the submitted applications and recommended funding allocation amounts to the Ways and Means Committee.

**Mayor Pro Tem Widuch made a motion to approve the recommended FY 2020-2021 State ATAX funding amounts. The motion was seconded by Councilmember Prickett.**

Town of Kiawah Island SATAX Funding Recommendations FY 2020-2021								
Category #	Project	Applicant Sponsor	2018/2019 Funded Amount	2019/2020 Funded Amount	2020/2021 Application Request	SATAX Committee Funding Recommendation	Ways & Means Funding Recommendation	Percentage Funding Recommendation
2	Events Promotion	Freshfields Village	\$ 15,000	\$ 15,000	\$ 20,000	15,357	11,357	55
1	Marketing & Advertising Promoting Tourism	Freshfields Village	\$ 35,000	\$ 31,000	\$ 55,000	32,071	32,071	45
1	Public Access Events	Kiawah Island Golf Resort	\$ 435,000	\$ 435,000	\$ 435,000	332,143	332,143	45
6	2021 PGA Championship	Professional Golfer's Association of America	\$ 120,000	\$ 120,000	\$ 120,000	120,000	120,000	65
4	Booth Patrol	Town of Kiawah Island	\$ 100,000	\$ 100,000	\$ 50,000	95,429	48,429	75
4	Charleston County Sheriff's Deputies	Town of Kiawah Island	\$ 385,000	\$ 331,000	\$ 190,000	186,000	186,000	25
	Cars of Kiawah	Kiawah Island Motoring Retreat	\$ 10,000	\$ 15,000	\$ -	-	-	-
		<b>Totals for Year Ending</b>	<b>\$ 1,100,000</b>	<b>\$ 1,100,000</b>	<b>\$ 870,000</b>	<b>710,000</b>	<b>710,000</b>	<b>100%</b>
Total Available for Funding			\$ 860,000	\$ 730,000	\$ 730,000	730,000	\$ -	
Anticipated 2019/2020 Reduction in Funding Amount for the Kiawah Island Golf Resort			\$ (107,000)					
Total in excess of Funding			\$ (133,000)	\$ (141,000)	\$ -	\$ -	\$ -	

Mayor Pro Tem Widuch explained that the presented allocation recommendations included a dollar figure along with a percentage distribution, which would authorize the distribution of SATAX funds up to the dollar figure consistent with a percentage of the SATAX funds collected by the Town. He

explained that during the FY 2020 funding year, the dollar amount budgeted and allocated was greater than the total amount of SATAX revenues generated on the island and received by the Town. He recommended the development, approval, and implementation of a policy incorporating a percentage allocation is considered at a future meeting as a control mechanism going forward.

**Mayor Pro Tem Widuch amended his motion to include the approval of the percentage funding recommendations up to the recommended FY 2020-2021 State ATAX dollar figure funding amounts with any excess fund to be used in the following fiscal year. The motion was seconded by Councilmember Connelly and was unanimously passed.**

**D. To Consider Approval of the of the Kiawah Island Parkway Landscape Project**

Mayor Weaver stated the Parkway landscape project was reviewed by the Ways and Means Committee, who recommended to award the project contract to Artiques with an amount not to exceed \$500,000.00. After discussing the project, which was broken down into four segments, the committee asked staff to define better the spending recommendation and priority provided for each segment.

Mr. Jordan presented the landscaping pricing scenarios for each of the four areas, including pricing of the full project as bid, pricing of the staff recommendation to the Ways and Means Committee, revised pricing based on committee discussion, and the pricing of the staff recommendation to Town Council.

Pricing Scenarios	Area 1	Area 2	Area 3	Area 4	Total
Full Project	\$140,545.25	\$281,209.85	\$96,753.25	\$98,252.35	\$616,760.70
Staff Recommendation to Ways and Means 5/26	\$30,000.00	\$281,209.85	\$87,033.25	\$98,252.35	\$496,495.45
Ways and Means Recommendation to Town Council w. only required trees, sod and irrigation in Area 2	\$30,000.00	\$222,000.00	\$87,033.25	\$98,252.35	\$437,285.60
Staff Recommendation to Town Council	\$30,000.00	\$263,209.85	\$87,033.25	\$98,252.35	\$478,495.45

Mr. Jordan stated;

- The staff recommendation to the Ways and Means Committee was to complete the work in all areas with a reduction of the work done in Area One to landscaping of the four islands and trimming of vegetation in the round-about along with the removal of the Plantation Mix Pathway in Area Three, for a project cost of \$496,495.45.
- Following discussion, the Ways and Means Committee requested that staff price Area Two with only the landscaping required to restore damage from the repaving project, only sod, trees, and irrigation, reducing the project cost to \$437,285.60. He noted that the additional request to remove the cost of the plantings on private properties is approximately \$18,000.00
- The staff recommendation to Town Council is to complete the project in Areas One, Three, and Four as recommended to the Ways and Means Committee. Mr. Jordan indicated that with the cost of replacing only the sod, trees, and irrigation, and the loos?? [not sure] of projected savings, it was his recommendation to complete Area Two as designed with the reduction of the plantings on private properties, for a total project cost of \$478,495.45.

Councilmembers engaged in conversation of the project areas discussing the specifics of what work would be included.

**Mayor Pro Tem Widuch made a motion to award the bid for the Kiawah Island Parkway Landscape Project to Artiques Landscape & Maintenance with a not to exceed amount of \$500,000.00. The motion was seconded by Councilmember Prickett and was unanimously passed.**

**Mayor Pro Tem Widuch made a motion to approve the staff recommendation to Town Council for the Kiawah Island Parkway Landscape design in Area One (1) for an amount up to \$30,000.00. The motion was seconded by Councilmember Said and was unanimously passed.**

**Councilmember Prickett made a motion to approve the staff recommendation to Town Council for the Kiawah Island Parkway Landscape design in Area Two (2) for an amount up to \$263,209.85. The motion was seconded by Councilmember Connelly.**

Mayor Pro Tem Widuch expressed his opposition to the expenditure of the \$263,209.85 in Area Two but did agree with the expenditure of the \$222,000.00.

Mr. Jordan clarified that included in the \$222,000.00 was the installation of sod, repair of the irrigation system, and all the trees required for restoration to pre-construction conditions. The \$263,000.00 is to complete the work in Area Two as designed by Outdoor Spatial Design with the exclusion of the plantings on private properties.

Mayor Pro Tem Widuch stated that when considering the current budgetary issues and the potential problems developing, the \$41,000.00 in additional plantings could be added later if deemed necessary.

Councilmember Prickett spoke in support of the expenditure of the \$41,000.00 stating it would provide consistency with Areas Three and Four, and to install the restoration items and replace them at a later time may be more costly. Councilmember Connelly and Councilmember Said also supported the expenditure.

Mayor Weaver indicated he had supported Areas Three and Four specifically as priorities, with Area Two as one needing less work and minimal spending.

**Mayor Weaver asked for a roll call vote to be taken on the motion to approve the staff recommendation to Town Council for the Kiawah Island Parkway Landscape design in Area Two (2) for an amount up to \$263,209.85**

<b>Mayor Pro Tem Widuch</b>	<b>voted “No”</b>
<b>Councilmember Connelly</b>	<b>voted “Yes”</b>
<b>Councilmember Prickett</b>	<b>voted “Yes”</b>
<b>Councilmember Said</b>	<b>voted “Yes”</b>
<b>Mayor Weaver</b>	<b>voted “No”</b>

**The motion was passed by a 3 to 2 vote.**

**Mayor Pro Tem Widuch made a motion to approve the staff recommendation to Town Council for the Kiawah Island Parkway Landscape design in Area Three (3) for an amount up to \$87,033.25. The motion was seconded by Councilmember Prickett and was unanimously passed.**

**Mayor Pro Tem Widuch made a motion to approve the staff recommendation to Town Council for the Kiawah Island Parkway Landscape design in Area Four (4) for an amount up to \$98,252.35. The motion was seconded by Councilmember Said and was unanimously passed.**

## **VI. Town Administrator’s Report:**

Mr. Gottshalk stated the completion of the Parkway Project had been delayed due to permitting issues as well as bad weather but was in the last phase with the construction of the turn lanes taking place at this time. He reported that two recent rain events exposed some vulnerability in the current storm drainage system evidenced by the standing water in the area of the future turn lane and bike path. An investigation of the cause revealed a series of reductions in the size of the drainage pipe, impeding the flow of the water, causing the backup. While a search for a new path for the water to travel, the

contractor and engineer uncovered an existing manhole buried for unknown years and not recorded on the original survey. Tying a new pipe to the manhole will provide for an additional exit and storage during larger rain events and will not completely alleviate standing water in the turn lane. He clarified the engineer has assured that the turn lane will continue to meet the DOT (Department of Transportation) standards and that the thru lane of travel along with the bike path will have no standing water in the heavier storm events. Mr. Gottshalk stated the engineer and contractor recommended the proposed repair as the quickest, most inexpensive option that will keep the timeline. He indicated the cost of the additional earthwork would be a project change order in an amount not to exceed \$5,000.00.

Councilmembers discussed the proposed repair option along with a repair solution that would completely alleviate any standing water. The repair solution would involve the relocation of existing underground utilities, the installation of a new pipe requiring cutting the road just repaved, along with approximately six months of extra time and a cost upwards of \$100,00.00.

- VII. Council Member:**
- a. Committee Updates
  - b. General Comments

Councilmember Prickett reviewed the highlights of the 2020 Kiawah Arts & Cultural Events Council first quarter of events;



**Councilmember Prickett** stated that going forward, the Arts & Cultural Events Council will be faced with the challenges of a more limited budget in the upcoming year, along with restrictions against large gatherings that prevent live performances from being held. Arts & Cultural Events Council activities are well received by the Town and will hopefully come back as a more normal environment returns.

**Councilmember Connelly** gave an update on alligator safety. She stated that last year a Workgroup which included representatives from the Town, Community Association, and the Resort met to review alligator proposals and systems for alligator management on the island. The focus was on reviewing and evaluating awareness efforts, employee training, and training adequacy, along with intervention protocols in use to educate and inform residents and visitors about alligator safety.

Councilmember Connelly's report included areas of investigation and improvements made:

- **Signage:** Alerts visitors and residents
  - KICA - + 50 signs
  - Docks & Bridges – new signage ordered

- Leisure Trails – Design phase
- Andell Inn overlook
- River Course
- Small placards
- **Communications: Increase Awareness**
  - Visitor passes
  - Business licenses
  - Resort visitor guides
  - Town communications
  - Conservancy video
  - Rental package
  - Training video
- **Separating Alligators from People: Avoiding Encounters**
  - Leisure Trails
  - Fencing and vegetation –
    - Wooden fencing – 4 locations
- **Alligator Population Management:**
  - Alligator population of approximately 700 changes little from year to year with alligators self-regulate their population.
  - Nuisance alligators, those that exhibit aggressive behavior or have been domesticated by being fed, are removed immediately and disposed of.
  - A large alligator can be 50 – 60 years old, provide a sense of order among the population, balance the Eco-system, and impact countless other species. Removal could be more disruptive than realized.

Councilmember Connelly indicated that over 50 nuisance alligator calls were received over the past four weeks by the Town and the Community Association, resulting in 15 alligators being removed and euthanized.

Mayor Weaver stated that the recent event involving an alligator prompted a follow-up on the recommendation and reassessment of the need for additional actions to promote responsible behavior around alligators. He stated the most common questions he received from residents is on controlling the island's alligator population. Even though scientific information indicates that larger alligators do not inherently pose a higher risk, they are a constant concern to residents;

- Is it safe to have the very largest alligators in the ponds
- Should it be a policy that after certain size alligators are culled across the island or reduced in areas with a large public exposure
- If the alligator population should be reduced regardless of size across the island or in public areas.

Councilmember Connelly provided information from DNR (Department of Natural Resources), responsible for the state's American alligator activities, stating that they only provide two programs for harvesting alligators. One is a very short hunting season, providing 1000 tags per year. The second is a private lands alligator harvesting program for properties having a significant excess of alligators, providing only one tag per fifty acres. Kiawah would only receive seven to eight tags per year.

Councilmember Said asked Mr. Jordan if he was aware of any communities with policies that require the culling of alligators after they reached a certain size and asked his opinion on if any advantages of self-regulation would be eliminated.

Mr. Jordan stated that DNR was not aware of any community in the state with that policy but acknowledged there are communities in which efforts are made to keep specific lakes and ponds free of alligators. He gave a brief overview of alligator behavior, pointing out that with the way alligators move from place to place, the elimination of the larger alligators would be difficult. Councilmember Connelly added that alligators are territorial and cannot be relocated because they will make their way back to their original home.

Mr. Jordan explained the internal protocol for evaluating and determining if an alligator has become a nuisance, loses its fear of humans, and must be removed. He noted that the number of alligators removed directly correlates to the number of calls received. With the number of ponds and pond edges in a residential setting, there is no way to monitor all areas. Mr. Jordan stated that problem locations are checked annually, but he relies heavily on residents and others to report unusual alligator behavior to be investigated. In a typical year (March to October), there are twenty-five to thirty calls. In the past four weeks, fifty calls been received and investigated showing from their behavior that many of the alligators have been fed and lost their fear of humans.

Mayor Weaver added that with the large number of people and alligators on the island, along with resident concerns, continual monitoring of alligator issues is essential along with ensuring that policy is evaluated to consider the science as well as public safety.

Mr. Jordan, in answer to Councilmember Connelly's question, stated that there had been twenty alligator attacks in the state of South Carolina over the past fifty years. Three of the attacks were fatalities, all taking place in the past four years.

Mayor Weaver thanked Mr. Roger Warren and The Resort's West Beach Conference Center facility for graciously hosting the MUSC (Medical University of South Carolina) COVID testing. Mayor Pro Tem Widuch added that Mayor Weaver was the individual responsible for coordinating the testing.

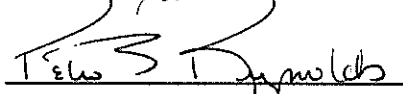
Mayor Weaver also thanked all the members of the Town's CERT (Citizens' Emergency Response Team). They managed the entrance to the COVID testing by setting expectations and make sure that social distancing was followed.

**VIII. Executive Session:**

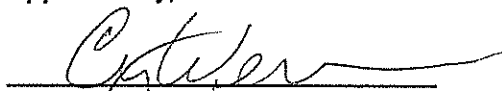
**IX. Adjournment:**

*Councilmember Said motioned to adjourn the meeting at 3:33 pm. The motion was seconded by Councilmember Connelly and carried unanimously.*

Submitted by,

  
Petra S. Reynolds, Town Clerk

Approved by,

  
Craig E. Weaver, Mayor

7-9-2020

Date