



TOWN OF *Kiawah Island*

Mayor

John D. Labriola

Council Members

Maryanne Connelly
John Moffitt
Scott M. Parker, MD
F. Daniel Prickett

Town Administrator

Stephanie Monroe Tillerson

TOWN OF KIAWAH ISLAND TOWN COUNCIL MEETING Virtually Via Zoom January 5, 2021; 2:00 PM

AGENDA

- I. Call to Order:
- II. Pledge of Allegiance
- III. Approval of Minutes:
 - A. Minutes of the Town Council Meeting of December 1, 2020 [Tab 1]
 - B. Minutes of the Special Call Town Council Meeting of December 4, 2020 [Tab 2]
 - C. Minutes of the Town Council Workshop of December 14, 2020 [Tab 3]
- IV. Mayor's Update:
- V. Citizens' Comments (Agenda Items Only):
- VI. Old Business:
 - A. To Consider Approval of **Ordinance 2020-14** - An Ordinance to Amend Article 14, General Regulations, Chapter 1, Flood Damage Prevention, Division 1 - General Standards, Division 2 - Administration and Enforcement, and Division 3 - Provisions for Flood Hazard Reduction - **Second and Final Reading** [Tab 4]
 - B. Approval of the Amended Dates for the 2021 Ways and Means Committee and Environmental Committee Meetings [Tab 5]
- VII. New Business:
 - A. Discussion of Building Base Height Elevation and Roof Heights
 - B. Discussion of the Town's COVID Emergency Ordinance
 - C. To Consider Approval of the Amendment to the Town of Kiawah Island Employee Handbook [Tab 6]
 - D. Appointment of Mayor Tempore
 - E. Appointment of Town Attorney [Tab 7]
 - F. Appointment of Town Treasurer [Tab 8]
 - G. Appointment of Town Clerk [Tab 9]
 - H. Appointment of Municipal Judge [Tab 10]
 - I. 2021 Committee Appointments [Tab 11]
 - Arts Council & Cultural Events Council
 - Audit Committee
 - Environmental Committee
 - Public Safety Committee
 - Public Works Committee
 - SATAX Committee
 - J. Council Committee and Liaison Assignments
- VIII. Town Administrator's Report:
- IX. Council Member:
 - a. Committee Updates
 - b. General Comments
- X. Citizens' Comments:
- XI. Adjournment:



Tab | **1**

TOWN COUNCIL

Agenda Item

TOWN COUNCIL MEETING
Municipal Center Council Chambers
December 1, 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
Bruce Spicher, Community Services Director
Stephanie Braswell Edgerton, Communications Manager
Petra Reynolds, Town Clerk

II. Approval of Minutes:

A. Minutes of the Town Council Workshop of November 3, 2020

Councilmember Said made a motion to approve the minutes of the November 3, 2020 Town Council Meeting. Mayor Pro Tem Widuch seconded the motion, and the minutes were unanimously approved

III. Mayor's Update:

Mayor Weaver deferred his update to the end of the meeting due to the length of the agenda.

IV. Citizens' Comments (Agenda Items Only):

Miller Harper – East West Partners

Mr. Harper indicated that East West Partners was the development company who purchased Lot 2 of Parcel 13. He commented on the agenda item New Business; A, relating to the adoption of the flood maps asking for clarification of the proposed ordinance's meaning. He expressed concern with the intent of the ordinance and possible implications on the development of their property. He asked for consideration of a deferment of the approval until there is a clear understanding of the intent since it will influence strategy as project design efforts near completion.

Mayor Weaver stated that when the agenda item is discussed, Mr. Spicher will give an overview of the ordinance, which may provide answers to questions on what the Town is doing, why, and the impact. He noted that the ARB and some of the new home building had been the primary driver of the ordinance changes. He also pointed out the ordinance's approval required two readings, which provides the ability to make changes before the final reading.

Luke Farrell – 101 Goldeneye

Mr. Farrell thanked the Mayor and Ms. Tillerson for providing a better understanding of the proposed ordinance. He indicated that he was pleased that the proposed ordinance did not place restrictions on remodeling.

Andy Capelli – 160 Governors Drive

Mr. Capelli spoke to the agenda item for the Adaptive Management Report submitted. He indicated in the dune system discussion; it suggests that the Town's Beach Management Plan can provide a vehicle for defining thresholds and collectively put in one place all issues related to beach and dune flooding. He pointed out that in the area of salt marshes, implementation of Marsh Management Plan, already encompassed in the Town's Comprehensive Plan, was discussed but not a focus of the task force in the report submitted as a vehicle to support the marsh management goals. He stated that a Marsh Management Plan should be put in place and thresholds to monitor and manage the plan. This plan would accompany the Town's Beach Management Plan and KICA's Flood Management Plan.

V. Presentation:

A. Sea Level Resiliency/Adaptive Management Report

Ms. Cathy Pumphrey, Adaptive Management Plan Taskforce member, began by stating the surveys' key takeaways and interviews in the Sea Level Resiliency/Adaptive Management Report. There is a high level of concern and interest within the Kiawah community about the impacts of sea-level rise, climate change, and flooding on the island and that the Town and KICA should develop a fully functioning **Adaptive Management Plan (AMP)** and ensure that this plan is institutionalized on behalf of the Kiawah community.

Ms. Pumphrey indicated that the Amp Taskforce was established based on the recommendations of the 2018 Seal Level Rise Report with a primary goal to initiate the development of an AMP to assist in addressing the impacts of sea-level rise, climate change, and flooding on the island. She highlighted the key components of an AMP: Threshold, Trigger Point, Monitoring Program, and Response Plan. Threshold identification, which was completed as part of Phase 1, required community engagement with focus groups, surveys, interviews to provide information to develop threshold areas and key concerns.

Mr. Lucas Hernandez, KICA Resilience Specialist, provided a detail of the community survey results with graphs and the key elements. He indicated eight threshold areas were identified but not the measurable numbers needed to use in the monitoring program and require more investigation or research for development.

Ms. Pumphrey stated the development of a fully functioning AMP was a joint venture and is dependent on all Kiawah entities participating and working together. She reviewed recommendations, which included completing Phase 1 to define thresholds by identifying frequency, duration, and other indicators, the completion of remaining key components, community education, an annual report and survey, and continued collection of information.

Mr. Hernandez highlighted how the information obtained in Phase 1 would be used.

- Identifying what concerns need more attention
- Communicating areas we already monitor heavily
- Understanding links between measurable parameters and physical conditions (e.g. what factors influence marsh health)
- Prioritizing research/monitoring on under-covered areas
- Developing an **Adaptive Management Plan** with community concerns at its core

Mayor Weaver commented that the Sea Level Rise report contained many detailed recommendations and made the case that sea-level rise was a legitimate, important issue but wasn't a crisis. The right approach was to understand the causes of necessitating urgency and, at the same time, take a more measured and thoughtful approach in those cases where urgency was not required. The results of this report show that property owners agree on the importance of the issue while not expecting immediate solutions.

When questioned about what would be expected from the next Town Council, Mr. Hernandez stated the information required to complete Phase 1 from the Town, Community Association, and the

Conservancy studies, sharing the results with the community for feedback then moving to the monitoring program phase.

VI. Old Business:

A. To Consider Approval of Ordinance 2020-12 - An Ordinance to Amend the Fiscal Year 2020-2021 Budget for The Town of Kiawah Island, South Carolina (7/1/20 Through 6/30/21) - Second and Final Reading

Mayor Weaver indicated the ordinance was initially reviewed and discussed by the Ways and Means Committee and approved on first reading at the November Town Council meeting.

Councilmember Said made a motion to approve the second and final reading of Ordinance 2020-12 - An Ordinance to Amend the Fiscal Year 2020-2021 Budget for The Town of Kiawah Island, South Carolina (7/1/20 Through 6/30/21). Councilmember Connolly seconded the motion.

Ms. Szubert reviewed the items in the budget amendment and items added since the first reading;

1. Add salaries for the Mayor, Council members, and the Judge for the six months 1/1/2021 to 6/30/2021. An increase of \$14K. (contingent approval of ordinance)
2. Adjust increase in the Town's contributions from 50% to 100% to optional deferred compensation plans to reflect a six-month period from 01/01/2021 to 6/30/2021—a decrease of \$10K.
3. Website redesign – placeholder of \$100k.
4. Air Purification System for Town Hall- \$16k.
5. Environmental Projects - a total of \$16,400
6. Portable Radios for Beach Patrol and Town Staff - \$66k.
7. Add repayment of the outstanding balance on GO Bond issued for the Town Hall construction. An increase of \$1,668,000. (contingent on approval of resolution)

Ms. Szubert explained that in the current budget is one payment to the General Obligation Bond of \$333,000.00 plus \$50,000.00 in interest. The additional 1,668,000.00 requested is the outstanding debt that would be coming out of the Capital Fund. The Town issued the \$3M General Obligation Bond in 2016 for the construction of the new Town Hall. She indicated that with the interest rate so low, there was an opportunity to save money by paying off the bond without a prepayment penalty.

Following the discussion, the motion for the approval of the second final reading of Ordinance 2020-12 was unanimously passed.

B. To Consider Approval of Ordinance 2020-13 - An Ordinance to Set the Salaries for the Mayor and Council Members of The Town of Kiawah Island - Second and Final Reading

Mayor Weaver indicated the ordinance was initially reviewed and discussed by the Ways and Means Committee and approved on first reading at the November Town Council meeting.

Mayor Pro Tem Widuch made a motion to approve the second and final reading of Ordinance 2020-13 - An Ordinance to Set the Salaries for the Mayor and Council Members of The Town of Kiawah Island. Councilmember Said seconded the motion.

Ms. Tillerson stated that additional language regarding health benefits for Councilmembers was added to ensure that the salaries or stipend did not create any unintended consequences by making those benefits available. Working with the Town Attorney, additional language was added to Section one of the ordinance that clarifies and defines the monthly salaries as a stipend. Councilmembers are not entitled to any employee benefits offered by the Town.

Councilmember Connolly made a motion to amend ordinance 2020-13 to add the clause; These salaries shall be paid as monthly stipends, and the Mayor and Council Members are not considered employees of the Town and are not entitled to any employee benefits, including health insurance, offered by the Town to its employees. The motion was seconded by Councilmember Said and was unanimously passed

Councilmember Prickett made a motion to approve the second final reading of Ordinance 2020-13 as amended. The motion was seconded by Mayor Pro Tem Widuch and was unanimously passed

C. A Discussion of the Draft Language for a Tourism Committee

The Town has been exploring the potential of establishing some mechanism that would allow the Town, in partnership with its tourism committee, to use some of the State Accommodations Funds received by the Town and otherwise forwarded to the Charleston Visitors Bureau (CVB) and use those funds locally where it could be focused on Kiawah specific promotional work. Ms. Braswell Edgerton has been working with the Town Attorney on the legal mechanisms and what the approach would look like for members to provide feedback.

Ms. Braswell Edgerton provided an outline summary of establishing an internal tourism committee,.

Membership

Ideally, the Tourism Committee membership would be comprised of at least five members for voting purposes, representative of the Kiawah Island entities, and approved by Town Council.

The Tourism Committee will be comprised of the following voting members:

1. One (1) member from the Town of Kiawah Island, designated as the Chairman
2. One (1) member from the Kiawah Island Community Association – preferably the Communications Manager
3. One (1) member from Kiawah Island Golf Resort – preferably the Marketing Director
4. One (1) member from Kiawah Island Real Estate – preferably the Marketing Director
5. One (1) member from Freshfields Village – preferably the Marketing Director

Optional Membership Appointments: Up to two (2) additional non-voting advisory members:

6. One (1) additional lodging member
7. One (1) additional merchant member

Scope of Work

The Tourism Committee is tasked with:

- a. Developing an effective tourism promotion program to develop and increase tourist presence through the generation of publicity
- b. Evaluating market data and prepare strategic planning
- c. Working with agencies for the creation of marketing assets and campaigns
- d. Sourcing advertising and marketing outlets
- e. Assisting with the development and distribution of promotional materials
- f. Developing relations with industry partners
- g. Evaluating program effectiveness
- h. Presentation of annual expenditures to Town Council at the beginning and end of the fiscal year.

Councilmembers discussed the outline asking questions on representation and if the outlined committee would be a separate 501(c)(3) or under the Town, which can function as a non-profit in this instance. Mayor Weaver indicated there is a very strong interest in exploring whether this is something that will benefit the community. Also discussed was if there was a strategy to communicate with CVB in advance of establishing an alternative option, estimated implementation being a year away if approved by Council.

Councilmember Connelly expressed thought that the outline was a good foundation to start from, and the new Mayor and Council will have to further the discussion.

VII. New Business:

- A. To Consider Approval of Ordinance 2020-14 - An Ordinance to Amend Article 14, General Regulations, Chapter 1, Flood Damage Prevention, Division 1 - General Standards, Division 2 – Administration and Enforcement, and Division 3 - Provisions for Flood Hazard Reduction - First Reading**

Mr. Spicher provided an overview of the proposed ordinance. During the extensive review of the current flood ordinance to identify any modifications that need to be made based on the new flood map, several typographical errors were discovered in addition to the language changes.

- Various sections of the ordinance still reference the original two-digit format instead of the current three-digit format.
- Article 14 Section 178 would be amended with the addition of limit of moderate wave action language, which applies to V zone requirements for construction purposes and the new delineation line in the flood maps.
- Addition of a new definition. New flood maps are utilizing a new datum - the National American vertical datum of 1988

Mr. Spicher indicated the last language addition was due to the adverse effect on current construction practices by adopting the new flood maps regarding roof heights and the ability to park under a home. He gave a detailed explanation of the issue and the request for resolution. Discussions with the ARB (Architectural Review Board) produced possible solution options. The site-specific evaluation option would incur a lengthy permitting process and submit for a variance to the BZA (Board of Zoning Appeals). The purposed option was to possibly have all-new ground-up construction be governed under the current flood maps. Approval for the change and language was given by the State FEMA (Federal Emergency Management Agency) office and State NFIP (National Flood Insurance Program) coordinator.

Mayor Pro Tem Widuch made a motion to approve the first reading of Ordinance 2020-14 - An Ordinance to Amend Article 14, General Regulations, Chapter 1, Flood Damage Prevention, Division 1 - General Standards, Division 2 – Administration and Enforcement, and Division 3 - Provisions for Flood Hazard Reduction. Councilmember Said seconded the motion.

Councilmembers engaged in an in-depth clarification discussion, after which Mayor Weaver pointed out that the ordinance would require a second reading allowing for any questions to be answered and to make sure there are no unintended consequences that have not been considered.

Following further discussion, the motion to approve the first reading of Ordinance 2020-14 was unanimously passed.

- B. To Consider Approval of Resolution 2020-06 - A Resolution Authorizing the Mayor of the Town of Kiawah Island to Execute an Easement Agreement by Which Haulover Creek Development Company, LLC, is Deeding a Landscape, Recreation and Utility Easement to the Town of Kiawah Island**

Ms. Tillerson stated the resolution was reviewed and recommended for approval by the Ways and Means Committee. She indicated that the improvement made by adding a new right-turn lane on the Parkway into the Andell tract required the shifting of the bike path to the edge of the Town's current right-of-way. She worked with Haulover Creek, the Kiawah Island Golf Resort's parent company, on a request to give the Town, at no cost, a twenty-foot easement behind the bike path to allow future adjustment of the bike path or additional landscaping as designated in the documents.

Councilmember Said made a motion to approve the Resolution 2020-06 - A Resolution Authorizing the Mayor of the Town of Kiawah Island to Execute an Easement Agreement by Which Haulover Creek Development Company, LLC, is Deeding a Landscape, Recreation and Utility Easement to the Town of Kiawah Island. The motion was seconded by Mayor Pro Tem Widuch and was unanimously passed.

- C. To Consider Approval of Resolution 2020-07 - A Resolution Authorizing the Redemption of the General Obligation Bond Issued by the Town of Kiawah Island on October 12, 2016**

Mayor Pro Tem Widuch made a motion to approve the Resolution 2020-07 - A Resolution Authorizing the Redemption of the General Obligation Bond Issued by the Town of Kiawah Island on October 12, 2016. Councilmember Said seconded the motion.

Mayor Weaver stated that the Town intentionally did not pay off the bond because it was earning more or the same money in the State General Investment Fund, allowing those funds to be available in the event of a major storm event. After the evaluation of the projected interest rates, the redemption of the bond made good financial sense. Mr. Prickett added that state restrictions severely limit the Town investment options, and paying off the bond will pick-up a minimum of 100 basis points and save money otherwise paid in interest.

Following discussion, the motion to approve the Resolution 2020-07 and was unanimously passed.

D. To Consider Approval of Resolution 2020-08 - A Resolution to Allow Emergency Repair Noise

Mayor Weaver stated the resolution would provide a short-term fix to the current noise ordinance and should be considered by the new Council regarding a permanent ordinance change. The revision to the current noise ordinance earlier in the year relating to noise between 11:00 pm and 7:00 am. established a specific decibel level. This does not allow any latitude to wave or not enforce the ordinance decibel level on occasions when unexpected emergency circumstances arise that in the public interest need to be addressed. The resolution will allow the Town Administrator and/or the Mayor to address any noise complaints arising from emergency construction or repair measures necessary to safeguard or restore public or private utilities within the Town.

Mayor Pro Tem Widuch made a motion to approve the Resolution 2020-08 - A Resolution to allow Emergency Repair Noise. The motion was seconded by Councilmember Said and was unanimously passed.

E. To Consider Approval of the Funding Requests from the Kiawah Island Conservancy for Phase II of the Groundwater Table and Marsh Vulnerability Studies

Mr. Lee Bundrick, Kiawah Conservancy, gave an update on the first phase of the Conservancy's Groundwater Table and Marsh Vulnerability Studies proposed last year and reviewed the request from the Conservancy in detail to fund the second phase of both of the research projects. The funding amount of \$32,000.00 is requested for the Groundwater Table, and the funding amount of \$17,000.00 is requested for the Marsh Vulnerability Study.

Mayor Weaver asked for a clarification on the projected outcome or recommendations and the number of phases and potential costs for each of the projects. Mr. Bundrick clarified that both projects were first proposed in two phases and planned to end with completing the second phase. The information is provided to the public and allows planning, designing, and implementing future projects.

Councilmember Said made a motion to approve the Funding Requests from the Kiawah Island Conservancy for Phase II of the Groundwater Table Study in an amount up to \$32,000.00 and Marsh Vulnerability Study in an amount up to \$17,000.00. The motion was seconded by Mayor Pro Tem Widuch and was unanimously passed.

F. To Consider Approval of the Town Attorney Contract for Joseph Wilson

Mayor Weaver stated the Ways and Means Committee discussed the contract, and an Executive Session was convened to inform and discuss the agreement. The Ways and Means Committee recommended the approval of an additional one-year contract for Mr. Wilson similar to the current contract in scope of work and basic requirements with a new compensation level of \$90,000.00 or \$7,500 to be paid in monthly payments.

Ms. Tillerson indicated a small change in the contract indicates Mr. Wilson would consult with staff in terms of any preparation, but any criminal matter for the court would be handled by another attorney.

Councilmember Prickett made a motion to approve the Town Attorney Contract for Joseph Wilson. The motion was seconded by Councilmember Connelly and was unanimously passed.

G. To Consider Approval of the 2021 Meeting Dates

Mayor Weaver stated the meeting dates' approval for the upcoming year is to communicate when committees will occur but come with the disclaimer that many of the dates are related to committees that other people manage. The committee chairman can alter the dates if necessary.

Councilmember Connelly made a motion to approve the 2021 Meeting Dates. The motion was seconded by Mayor Pro Tem Widuch and was unanimously passed.

VIII. Town Administrator's Report:

Ms. Tillerson reported that the Municipal Judge search received seventeen letters of interest reviewed by the selection group that included Mr. Wilson, Judge Strauch, and herself. The candidates were narrowed to five, one of which withdrew, leaving two local candidates and two in the tri-county area. She indicated that when the new Mayor and Council are in place, she will consult with the Mayor on how to proceed with the selection process. She also noted that Judge Strauch's term does not expire until March 1st, allowing the new judge to work with him for two months.

Ms. Tillerson reported on the Parkway Landscaping project. She stated that Artigues Landscaping was awarded the contract and by their timeline was to have completed the work by the end of this year. Due to unforeseen complications or circumstances with the irrigation being worse than anticipated, additional time will be spent on the repairs or replacement required. When the contract was signed, Artigues placed an order for the plantings with the grower, and they are ready for installation. The installation will begin at the Mingo Point end of the Parkway, working towards the roundabout with trees being planted first, followed by the plantings. No problems are anticipated with the time of year that the plants will be installed, and completion is expected by the end of January 2021. The goal is not only to have a beautiful Parkway for residents and visitors but also not to have work still going on during the heavy traffic of the PGA.

Mr. Wilson reported that he had personally received an annual employee disclosure statement from every employee and one council Member with no disclosed conflict of interest or concern reported.

IX. Council Member:

- a. Committee Updates
- b. General Comments

Councilmember Connelly reported that at the Public Safety Committee meeting Chief Abrams reported that in recognition of Kiawah response times due to dispatch and staffing issues in his department, they are opening Medic 10 along with budget approval to acquire three additional ambulances. She indicated that for Medic 10, the department would be offering overtime shifts as an incentive. Councilmember Connelly thanked Mayor Weaver and Mayor Pro Tem Widuch for their contributions and work with the community.

Councilmember Prickett reported that the BZA and the Planning Commission have remained active. The Arts Council remains on the 90-day delay on events. Until the virus situation is under control, there can not be any public events. He also added his compliments to Mayor Weaver and Mayor Pro Tem Widuch, stating that the great job was appreciated.

Mayor Pro Tem Widuch wished good luck to all the candidates on today's ballot, along with thanking the staff and Mayor Weaver for his strategic vision and more than a decade of service to the Town.

Councilmember Said also thanked Mayor Weaver and Mayor Pro Tem Widuch for great leadership, stating that the Town and its citizens should feel very fortunate and honored to have served with them.

Mayor Weaver gave an update on;

- Roads – the opportunity to influence the County and take a strong role in bringing about a good solution for the road issues by making Kiawah citizens aware of the County's request for citizen input. For many years, work has been taking place on trying to get some reasonable solutions to have safer and more functional roads getting on and off Johns Island. He indicated that because of the half-cent sales tax, for the first time, there is a process and mechanism that allows Kiawah, Seabrook, and Johns Island to try to influence the project. He strongly encouraged the next Council to strategize and get on top of the issue of importance to Kiawah commercial entities, Freshfields, the Resort, to the developers and its citizens. He noted that Mr. Taylor would be taking the lead and tracking what is going on to provide input along with former Mayor Charlie Lipuma and Mr. Paul Roberts.
- Second Generation Coagulants (SGA) in bobcats - Mayor Weaver indicated that most people probably have no idea how much work Jim Jordan, the Town's biologist, and Ms. Braswell Edgerton have been doing for the past four months on the SGA issue. Work has been going on with whether the Town should take legislative action to get a moratorium to stop the use of SGAs. The Town has been holding off to give the pest control industry and the State Regulatory Department the latitude to determine how to approach the issue. Still, the time is coming where the next Council will have to evaluate the success of steps taken and decide if working with the industry entities will be fruitful or go back to pursuing the legislative option.
- COVID – Mayor Weaver, reminded that the new Council would have a Special Call meeting on December 4th to consider approving the continuation of the exiting emergency ordinance in place or is open to taking further steps if necessary.
- Stay on top of the landscape contractor to complete the project and stay on top of Sea Level Rise and how it moves forward.

Mayor Weaver also thanked the staff and gave them a round of applause.

X. Citizens' Comments:

None

XI. Adjournment:

Mayor Pro Tem Widuch motioned to adjourn the meeting at 4:18 pm. The motion was seconded by Councilmember Connelly and carried unanimously.

Submitted by,

Petra S. Reynolds, Town Clerk

Approved by,

John D. Labriola, Mayor

Date



Tab | 2

TOWN COUNCIL

Agenda Item

TOWN COUNCIL
SPECIAL CALL MEETING
Municipal Center Council Chambers
December 4, 2020
Immediately Following the 10:00 am. Swearing-In

MINUTES

I. Call to Order: Mayor Labriola called the meeting to order at 10:10 am.

Present at the meeting: John D. Labriola, Mayor
Maryanne Connelly, Councilmember
John Moffitt, Councilmember
Dr. Scott Parker, Councilmember
Dan Prickett, Councilmember

Also Present: Stephanie Tillerson, Town Administrator
Joe Wilson, Town Attorney
Petra Reynolds, Town Clerk

Mayor Labriola, conducting his first meeting at Mayor of Kiawah, congratulated his newly elected members of the Council and thanked them for their service. He asked that councilmembers look at their calendars for a date that the annual retreat could be held. He indicated that retreat was a time to get caught up on things already done as well as but may not be completed, things that are important to councilmembers and become the work plan for 2021

II. New Business:

A. To Consider Approval of Emergency Ordinance 2020-09.2 - An Amended Emergency Ordinance of the Town Council of the Town of Kiawah Island Regarding Face Coverings, Restrictions on Restaurants, Establishments that Possess a State Permit to Sell Alcohol, Other Businesses, and Facilities, and Essential Businesses

Mayor Labriola stated that the current ordinance, which expires tomorrow, mirrors past ordinances that address the past conditions that still exist. The request to extend the current emergency ordinance for an additional sixty days expiring in February 2021.

Councilmember Prickett made a motion to approve - An Amended Emergency Ordinance of the Town Council of the Town of Kiawah Island Regarding Face Coverings, Restrictions on Restaurants, Establishments that Possess a State Permit to Sell Alcohol, Other Businesses and Facilities, and Essential Businesses. The motion was seconded by Councilmember Connelly.

Councilmember Prickett indicated in his opinion, conditions today were worse than sixty days ago, and to renew the emergency ordinance was more than appropriate to protect the Town's residents who are at risk.

Councilmember Dr. Parker pointed out that in Section 1(c), it stated the public would not be allowed to attend Council meetings. Since public meetings are taking place at present, he suggested adding the provisions under Section 8(b) and (c) requiring face coverings as a condition of admission and enacts social distancing, cleaning, and hygiene practices as recommended by the accelerate South Carolina Act.

Councilmember Parker made a motion to amend the motion to add the requirements outlined in Section 8(b) and (c) requiring face coverings and enacts social distancing cleaning and hygiene practices as recommended by the Accelerate South Carolina Act to Section 1(c) as a condition of admission to attend public meetings. The amended motion was seconded by Councilmember Connelly.

Councilmember Connelly questioned if all Town meeting will be live-streamed or just Town Council meetings. Ms. Tillerson clarified that along with Town Council, any meetings that are held virtually would be live-streamed. Councilmember Connelly also agreed with the opinion that conditions in South Carolina are serious, with positive testing steadily increasing. Councilmembers also discussed if any extra measures are being taken in other communities, the communication of the ordinance via eBlast, and dissemination of a highlighting the ordinance to renters entering the island.

Following the discussion, Councilmembers voted unanimously to approve the motion to amend Emergency Ordinance 2020-09.2.

Councilmembers voted unanimously to approve Emergency Ordinance 2020-09.2 as amended.

III. Adjournment:

Councilmember Connelly motioned to adjourn the meeting at 10:23 am. The motion was seconded by Councilmember Prickett and carried unanimously.

Submitted by,

Petra S. Reynolds, Town Clerk

Approved by,

John D. Labriola, Mayor

Date



Tab | 3

TOWN COUNCIL

Agenda Item

TOWN COUNCIL WORKSHOP
Municipal Center Council Meeting Room
December 14, 2020; 9:00 AM

MINUTES

I. Call to Order: Mayor Labriola called the meeting to order at 9:00 am.

Present at the meeting: John D. Labriola, Mayor
Maryanne Connelly, Councilmember
John Moffitt, Councilmember
Dr. Scott Parker, Councilmember
Dan Prickett, Councilmember

Also Present: Stephanie Tillerson, Town Administrator
John Taylor, Planning Director
Petra Reynolds, Town Clerk
Stephanie Braswell Edgerton, Communications Manager
Charles Lipuma, Kiawah Resident
Paul Roberts – via Zoom

II. New Business:

A. Discussion of Charleston County Main Road Corridor: Segment C (Bohicket Road Improvements – Maybank Highway to Betsy Kerrison Parkway)

In the past week, Mayor Labriola stated that Mr. Taylor prepared a series of questions in response to the request for questions/comments on the Charleston County Main Road Corridor- Segment C road improvement project. As part of the project's public comment period, the County held a virtual public meeting on December 10th. All questions/comments from interested parties are to be submitted to the County by December 16th and as an interested party, the Town will be submitting comments. Mayor Labriola indicated that the workshop's purpose was to provide the Council an opportunity to review the information and offer feedback on the comments Mr. Taylor prepared prior to submission to the County. Both Mr. Roberts and Mr. Lipuma, also in attendance at the workshop, have a great deal of experience and have been involved in improving Johns Island roads for many years.

Mr. Taylor stated after the information presented was reviewed, any feedback would be included in a more formal document, he would send members before submission to the County. He indicated that after attending the public session with the County and their consultants, he learned there is still much data that needs to be obtained before deciding which alternative would be best for Kiawah, Seabrook, and Johns Island. He noted that after the December collection of questions/comments are received, it is expected that the alternatives will be narrowed, adjustments made, and then re-presented for public review.

Mr. Taylor discussed in detail the potential “next steps” for the Town that include:

- Bolstering Community engagement –
 - Encouraging residents and property owners to get involved within the public review process by submitting comments and questions to Charleston County.
- Scripting the narrative –
 - Johns Island Taskforce, a collection of a cross-section of Johns Island stakeholders with representation from Kiawah, Seabrook, and Wadmalaw, large and small property owners, Coastal Conservation League, Lowcountry Land Trust, City, and County Planners, and Transportation.
- Bridge Building –

- Work toward agreement on points that benefit all entities, including Johns Island, Kiawah, and Seabrook; and
- Understanding Political Will –
 - Driver – Planned Development and Subdivisions on Johns Island

Along with Mr. Roberts and Mr. Lipuma, Councilmembers engaged in an in-depth discussion of the questions Mr. Taylor prepared. Some of the discussion points included:

- John Island Taskforce is a diverse group with a primary focus on conservation to mitigate future development. Still, the Town may need to find a way to compromise with the Taskforce on issues for the greater good.
- Approval of the complete project (Segments A, B, and C) was based on the criteria that it must alleviate the traffic and congestion on Main and Bohicket Roads. Traffic studies have determined that without the I-526 Extension, Segments A and C must be completed and are funded.
- Problems posed by the Alternatives and the impact of traffic studies on the Alternatives.
- The report that was done by Mr. Roberts, “Using the CHATS Model to Understand Alternatives on Johns Island,” and the information summarizing three alternatives presented at the workshop. History of the “Sea Island Greenway” and issues encountered over the past years in obtaining approval.
- Consideration of Alternative 3 or 4 or a Cross Island Parkway as an alternative supported by facts, and appears to relieve traffic on Bohicket, saves money in proposed construction costs, and does not create an interim construction crisis on River Road or Bohicket. Still supporting I-526. Preserve the integrity of Bohicket Road.
- Encourage everyone to submit comments by December 16th
- Additional metrics that are needed for review.

Mr. Taylor summarized the points to be incorporated to maximize opportunities:

1. Funding is in place
2. Wanting to protect the cultural and historical integrity of Bohicket Road
3. The alternative having the least interim interruption of everyday traffic by construction
4. Wanting to identify the metrics specifically on traffic data - where the traffic is generated
5. Moving forward with the support of the I-526 extension
6. The number of people impacted should be minimized
7. The willingness of the County to engage property owners
8. Not advocating for sprawling development on the southern end of Johns Island
9. Preservation of cultural sites

Mayor Labriola suggested that once the comments are approved and sent, they are released to the community and encourage support for the Town's position. It was suggested that both Seabrook Island and the Johns Island Taskforce also receive a copy.

Taking into consideration all feedback from the workshop and consensus of the Town Council, Mr. Taylor submitted the following:

The Town of Kiawah Island believes reducing congestion and providing necessary traffic relief along the Main Road, and Bohicket Road corridor is critical for the safety of individuals living and working on Kiawah.

Additional data metrics are necessary to determine a Preferred Alternative that will be most effective in relieving traffic along the Main Road and Bohicket Road corridor. It is important that the County provides more data metrics as Level of Service, estimated costs, the number of parcels impacted including acreage and potential displacements, heirs' property affected, number of grand trees and canopies loss from each of the alternatives being considered. The makeup of traffic, the utility of the

Main Road and Bohicket Road corridor, and their travel patterns entering and exiting Johns Island are critical metrics in making any decision.

Charleston County should prioritize preserving the existing character of Bohicket Road. Its natural character and historical significance cannot be replicated. Significant disruption to the canopy and removal of many grand trees along Bohicket Road would destroy the scenic highway that provides an important experience to Islanders. Additionally, the potential displacement of long-standing residents and businesses along Bohicket Road would negatively impact the cultural dynamic of Bohicket Road to Johns Island.

We recognize the current timetable of the Mark Clark Extension (MCX) is unpredictable, but its development should not impede on Johns Island traffic improvements since relief is needed now. However, with Charleston County's assumption that the MCX will be built, which the Kiawah community supports, we believe a Preferred Alternative should exist to remain a viable option for a future connection if possible.

The large workforce and employment center that Kiawah and Seabrook communities are to the area must also be considered in aiding relief along the corridor.

The Preferred Alternative should provide the least disruption in the construction of any road enhancements and the least impact to daily traffic patterns for Johns Islanders. The overall time it would take to provide necessary traffic relief must be a critical consideration.

Analyzing previous data metrics and current data will demonstrate that a limited access cross-island concept will be most effective and least impactful to the area. As the alignment of a new cross-island road would be built primarily along undeveloped lands, which would save a significant number of trees, limit disruptions to existing development and could be completed in less time than other alternatives.

In conclusion, we believe that developing a limited access cross-island concept must be given careful consideration. Charleston County should prioritize limited access to ensure its effectiveness and to prevent further development on the southern end of Johns Island. Charleston County and the City of Charleston should work to codify the Urban Growth Boundary. This should be completed before the development of any traffic improvements on Johns Island. This will guide where urban/suburban development and rural development occurs on Johns Island.

III. Adjournment:

The meeting was adjourned at the meeting at 10:18 am.

Submitted by,

Petra S. Reynolds, Town Clerk

Approved by,

John D. Labriola, Mayor

Date



Tab | 4

TOWN COUNCIL

Agenda Item

TOWN OF KIAWAH ISLAND

Ordinance 2020-14

AN ORDINANCE TO AMEND ARTICLE 14, GENERAL REGULATIONS, CHAPTER 1, FLOOD DAMAGE PREVENTION, DIVISION 1 - GENERAL STANDARDS, DIVISION 2 – ADMINISTRATION AND ENFORCEMENT, AND DIVISION 3 - PROVISIONS FOR FLOOD HAZARD REDUCTION.

WHEREAS, the Town of Kiawah Island Municipal Code currently contains Article 14, General Regulations, Chapter 1, Flood Damage Prevention; and

WHEREAS, the Town Council believes that it is appropriate to amend Division 1, General Standards, Section 14-114, Basis For Establishing The Areas Of Special Flood Hazard to add an exception to the recently adopted flood insurance rate map, dated January 29, 2021, to address concerns raised by the new flood insurance rate map; and

WHEREAS, the Town Council wishes to amend Chapter 1 – Flood Damage Prevention to add a definition adopt this exception and correct typographical errors.

NOW, THEREFORE, BE IT, AND IT HEREBY IS, RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1 **Purpose**

The purpose of this Ordinance is to amend Article 14, General Regulations, Chapter 1, Flood Damage Prevention, Division 1, Sections 14-114, and 14-115, Division 2, Section 14-131(b)(5), (6), (8), (9), and (11), Division 3, Section 14-170, Section 14-175, Section 14-175(2), Section 14-177 and Section 14-178(4).

SECTION 2 **Ordinance**

~~Article 14 – General Regulations, Division 1 – General Standards, Section 14-114 – Basis for Establishing the Areas of Special Flood Hazard, shall be amended with addition of the Exception as follows:~~

~~The areas of special flood hazard identified by the federal emergency management agency in its flood insurance rate map (FIRM), dated January 29, 2021, with accompanying maps and other supporting data that are adopted by reference and declared to be a part of this chapter.~~

Exception: All new construction plans and construction of single family dwellings, multi-family dwellings, and commercial buildings shall adhere to the more restrictive of the base flood elevations established in the FIRM dated November 17, 2004 or the FIRM date January 29, 2021.

Article 14 - General Regulations, Division 1 - General Standards, Section 14-115 – Definitions shall be amended with addition of the new definition for North American Vertical Datum of 1988 (NAVD 88):

National American Vertical Datum of 1988 is a vertical datum established in 1991 by the minimum constraint adjustment of the Canadian-Mexican-United States leveling observations.

Article 14, General Regulations, Division 2, Administration and Enforcement, shall correct typographical errors as follows:

Section 14-131(b)(5) - Verifying and recording the actual elevation, in relation to mean sea level, of the lowest floor, of all new or substantially improved structures, in accordance with section ~~14-32(b)(2)~~ **14-132(b)(2);**

Section 14-131(b)(6) - Verifying and recording the actual elevation, in relation to mean sea level, to which the new or substantially improved structures have been floodproofed, in accordance with section ~~14-32(b)(2)~~ **14-132(b)(2);**

Section 14-131(b)(8) - In coastal high hazard areas, the building official shall review plans for adequacy of breakaway walls in accordance with section ~~14-73(7)~~ **14-173(h);**

Section 14-131(b)(9) - When floodproofing is utilized for a particular structure, the official shall obtain certification from a registered professional engineer or architect, in accordance with section ~~14-32(d)(2)~~ **14-132(b)(2);**

Section 14-131(b)(11) - When base flood elevation data or floodway data have not been provided in accordance with section ~~14-14~~ **14-114**, the official shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer the provisions of chapter 3, division 2 of this chapter; and

Article 14 - General Regulations, Division 3 - Provisions for Flood Hazard Reduction shall correct typographical errors as follows:

Section 14-170(a)(2) - Pool pumps and associated pool equipment shall be exempt from meeting the requirements of subsection ~~14-70(c)~~ **14-170(c);**

Section 14-175 - Located within the areas of special flood hazard established in section ~~14-14~~ **14-114**, where small streams exist but where no base flood data have been provided or where no floodways have been provided, the following provisions apply:

Section 14-175(2) - New construction or substantial improvements of structures shall be elevated or floodproofed to elevations established in accordance with section ~~14-31(b)(11)~~ **14-166(a) and or section 14-166(b).**

Section 14-177 - Located within the areas of special flood hazard, as established in section ~~14-14~~ **14-114**, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

Article 14 - General Regulations, Division 3 - Provisions for Flood Hazard Reduction, Section 14-178 – Elevated Buildings shall be amended as follows:

Section 14-178(4) – Exception: Non-structural partitioning is acceptable provided these areas are engineered to diminish the effects of hydrostatic forces by the use of hydrostatic flood vents. This exception shall not apply to properties designated on a FEMA FIRM map as "V" zone **and or any property designated as an area of Limit of Moderate Wave Action (LIMWA), and or a Coastal A zone.** Properties designated as V-zones shall be permitted to have a maximum of 300 square feet of an enclosure with an engineered designed breakaway wall system to be utilized for storage, any other enclosures are prohibited. Exception: Elevator shafts are excluded from this requirement.

SECTION 3 Severability

If any part of this Ordinance is held unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 4 Effective Date and Duration

This Ordinance shall be effective upon its enactment by Town Council for the Town of Kiawah Island.

PASSED, APPROVED, AND ADOPTED BY COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS ____ DAY OF _____ 2021.

, Mayor

Petra S. Reynolds, Town Clerk

First Reading Approval: December 1, 2020

Second Reading Approval:

TOWN OF KIAWAH ISLAND

Ordinance 2020-14

AN ORDINANCE TO AMEND ARTICLE 14, GENERAL REGULATIONS, CHAPTER 1, FLOOD DAMAGE PREVENTION, DIVISION 1 - GENERAL STANDARDS, DIVISION 2 – ADMINISTRATION AND ENFORCEMENT, AND DIVISION 3 - PROVISIONS FOR FLOOD HAZARD REDUCTION.

WHEREAS, the Town of Kiawah Island Municipal Code currently contains Article 14, General Regulations, Chapter 1, Flood Damage Prevention; and

WHEREAS, the Town Council wishes to amend Chapter 1 – Flood Damage Prevention to adopt this exception and correct typographical errors.

NOW, THEREFORE, BE IT, AND IT HEREBY IS, RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1 **Purpose**

The purpose of this Ordinance is to amend Article 14, General Regulations, Chapter 1, Flood Damage Prevention, Division 1, Section 14-115, Division 2, Section 14-131(b)(5), (6), (8), (9), and (11), Division 3, Section 14-170, Section 14-175, Section 14-175(2), Section 14-177 and Section 14-178(4).

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Section 14-131(b)(6) - Verifying and recording the actual elevation, in relation to mean sea level, to which the new or substantially improved structures have been floodproofed, in accordance with section ~~14-32(b)(2)~~ **14-132(b)(2);**

Section 14-131(b)(8) - In coastal high hazard areas, the building official shall review plans for adequacy of breakaway walls in accordance with section ~~14-73(7)~~ **14-173(h);**

Section 14-131(b)(9) - When floodproofing is utilized for a particular structure, the official shall obtain certification from a registered professional engineer or architect, in accordance with section ~~14-32(d)(2)~~ **14-132(b)(2)**;

Section 14-131(b)(11) - When base flood elevation data or floodway data have not been provided in accordance with section ~~14-14~~ **14-114**, the official shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer the provisions of chapter 3, division 2 of this chapter; and

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Section 14-177 - Located within the areas of special flood hazard, as established in section ~~14-14~~ **14-114**, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

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Section 14-178(4) – Exception: Non-structural partitioning is acceptable provided these areas are engineered to diminish the effects of hydrostatic forces by the use of hydrostatic flood vents. This exception shall not apply to properties designated on a FEMA FIRM map as "V" zone **and or any property designated as an area of Limit of Moderate Wave Action (LIMWA), and or a Coastal A zone**. Properties designated as V-zones shall be permitted to have a maximum of 300 square feet of an enclosure with an engineered designed breakaway wall system to be utilized for storage, any other enclosures are prohibited. Exception: Elevator shafts are excluded from this requirement.

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If any part of this Ordinance is held unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of

persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 4 **Effective Date and Duration**

This Ordinance shall be effective upon its enactment by Town Council for the Town of Kiawah Island.

PASSED, APPROVED, AND ADOPTED BY COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS 5TH DAY OF JANUARY 2021.

John D. Labriola, Mayor

Petra S. Reynolds, Town Clerk

First Reading Approval: December 1, 2020

Second Reading Approval: January 5, 2021



Tab | 5

TOWN COUNCIL

Agenda Item



Mayor

John D. Labriola

Council Members

Maryanne Connelly
John Moffitt
Scott M. Parker, MD
F. Daniel Prickett

Town Administrator

Stephanie Monroe Tillerson

**2021
WAYS AND MEANS COMMITTEE
MEETING DATES**

<u>MONTH</u>	<u>DATE</u>	<u>TIME</u>
January	25 th	3:00 PM
February	22 nd	3:00 PM
March	22 nd	3:00 PM
April	26 th	3:00 PM
May	24 th	3:00 PM
June	28 th	3:00 PM
July	26 th	3:00 PM
August	23 rd	3:00 PM
September	27 th	3:00 PM
October	25 th	3:00 PM
November	*29 th	3:00 PM
December	*20 th	3:00 PM

Kiawah Island's
Ways and Means
Committee
regularly meets on
the fourth Monday of
each month at 3:00pm in
the Municipal Center's
Council Chambers.

If you should have any
questions regarding this
schedule, please call
Town Hall (843) 768-9166.

Meeting agendas will be
available 24 hours in
advance of meetings.

* Rescheduled due to holiday conflicts



TOWN OF *Kiawah Island*

Mayor

John D. Labriola

Council Members

Maryanne Connelly

John Moffitt

Scott M. Parker, MD

F. Daniel Prickett

Town Administrator

Stephanie Monroe Tillerson

2021 ENVIRONMENTAL COMMITTEE MEETING DATES

<u>MONTH</u>	<u>DATE</u>	<u>TIME</u>
January	13 th	2:00 PM
March	10 th	2:00 PM
May	12 th	2:00 PM
July	14 th	2:00 PM
September	15 th	2:00 PM
November	10 th	2:00 PM

Kiawah Island's Environmental Committee regularly meets on the second Wednesday, bi-monthly at 2:00pm in the Municipal Center's Council Meeting Room.

If you should have any questions regarding this schedule, please call Town Hall (843) 768-9166.

Meeting agendas will be available 24 hours in advance of meetings.



Tab | 6

TOWN COUNCIL

Agenda Item

IMPORTANT NOTICE

DISCLAIMER & ACKNOWLEDGEMENT

THIS DISCLAIMER IS INTENDED TO COMPLY WITH

S.C. CODE ANN. § 41-1-110.

THIS HANDBOOK SHALL NOT CREATE

AN EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT.

I CERTIFY THAT I HAVE RECEIVED THE TOWN OF KIAWAH ISLAND (THE "TOWN") EMPLOYEE HANDBOOK DATED (04/17). I CERTIFY THAT I HAVE READ THE ABOVE DISCLAIMER AND EXPRESSLY UNDERSTAND THAT THE EMPLOYEE HANDBOOK DOES NOT CREATE AN EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. I UNDERSTAND THAT THE EMPLOYMENT RELATIONSHIP IS "AT-WILL" AND CAN BE TERMINATED BY EITHER THE TOWN OR ME AT ANY TIME, FOR ANY REASON, OR FOR NO REASON.

IT IS MY RESPONSIBILITY TO READ AND COMPLY WITH THE ENTIRE HANDBOOK AND ANY REVISIONS MADE TO IT. I UNDERSTAND THAT I HAVE THE OPPORTUNITY NOW OR IN THE FUTURE TO ASK MANAGEMENT CONCERNING ANY QUESTIONS REGARDING THE MEANING OR APPLICATION OF ANY PART OF THIS HANDBOOK. I AGREE TO OBSERVE AND SUPPORT THE POLICIES, PROCEDURES, GUIDELINES, AND ALL OTHER PROVISIONS IN THE HANDBOOK AND UNDERSTAND THAT VIOLATING THESE POLICIES, PROCEDURES, GUIDELINES, AND OTHER PROVISIONS MAY RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION OF EMPLOYMENT. I UNDERSTAND THAT THE TOWN EMPLOYEE HANDBOOK WILL BE REVIEWED PERIODICALLY, AND THAT THE TOWN RESERVES THE RIGHT TO ALTER, AMEND, MODIFY, OR TERMINATE ANY BENEFITS OR PROVISIONS CONTAINED IN THE HANDBOOK AT ANY TIME IT CHOOSES.

Employee (Print Name)

Employee (Signature)

Date

TOWN OF KIAWAH ISLAND

POLICY MANUAL

Table of Contents

DISCLAIMER & ACKNOWLEDGEMENT	I-1
DISCLAIMER & ACKNOWLEDGEMENT	I-2
SECTION I. MISSION AND PURPOSE STATEMENT.....	I-7
1.00 Mission Statement	I-7
1.01 Purpose	I-7
SECTION II. EMPLOYMENT POLICIES	II-8
2.00 Americans with Disabilities	II-8
2.01 Equal Employment Opportunity.....	II-8
2.02 Harassment, Sexual Harassment, Hostile Environment, Discrimination, Retaliation	II-8
2.03 Complaint Procedure and Investigation	II-8
SECTION III. ADMINISTRATIVE POLICIES	III-9
3.00 Computer and Other Electronic Devices and Internet Use.....	III-9
3.01 Interaction with the Media	III-10
3.02 Outside Employment.....	III-10
3.03 Smoking Policy	III-10
3.04 Social Networks, Personal Websites and Blogs.....	III-10
3.05 Special Pay Provisions During Inclement Weather or Declared Emergencies.....	III-10
3.06 Use of Town Vehicles	III-12
3.07 Workplace Privacy Expectations/Searches	III-13
SECTION IV. EMPLOYMENT PROCEDURES	IV-14
4.00 Employment of Relatives	IV-14
4.01 Employment Status	IV-14
4.02 Hiring	IV-14
4.03 Introductory Period.....	IV-14
4.04 Performance Evaluations	IV-15
4.05 Personnel Records.....	IV-15
4.06 Resignation and Terminations.....	IV-15

SECTION V. COMPENSATION AND PAYROLL	V-17
5.00 Classification System	V-17
5.01 Compensation	V-17
5.02 Overtime	V-17
5.03 Payment of Wages	V-17
5.04 Periodic Pay Increases	V-18
5.05 Salary Adjustments	V-18
SECTION VI. HOLIDAYS AND LEAVE POLICIES AND PROCEDURES	VI-19
6.00 Holidays	VI-19
6.01 Personal Time Off (PTO)	VI-19
6.02 Bereavement Leave.....	VI-20
6.03 Family Medical Leave ("FMLA")	VI-20
6.04 Jury Duty and Subpoena to Testify	VI-23
6.05 Military Leave	VI-23
6.06 Return to Work	VI-23
6.07 Maternity/Paternity Leave	VI-23
SECTION VII. EMPLOYEE BENEFITS	VII-25
7.00 Deferred Compensation Match Program (Optional).....	VII-25
7.01 Health and Dental Insurance	VII-25
7.02 Money Plus Flexible Spending Accounts.....	VII-25
7.03 Retirement.....	VII-25
7.04 Retiree Health Insurance Policy.....	VII-25
7.05 Tuition Reimbursement.....	VII-26
7.06 Workers' Compensation.....	VII-26
SECTION VIII. GENERAL INFORMATION	VIII-27
8.00 Business Travel and Related Expense	VIII-27
8.01 Gifts and Gratuities	VIII-27
8.02 Political Activity	VIII-27
SECTION IX. A PROFESSIONAL WORKPLACE	IX-29
9.00 Open Communication	IX-29
9.01 Customer Service	IX-29
9.02 Hours of Work/Operation	IX-29
9.03 Meals Period	IX-29
9.04 Attendance and Punctuality	IX-29
9.05 Personal Work Areas.....	IX-30

9.06 Professional Conduct, Work Environment and Personal Appearance	IX-30
9.07 Ethical Conduct and Conflict of Interest	IX-30
 SECTION X. A SAFE & HEALTHY WORKPLACE	 X-32
10.00 Workplace Safety	X-32
10.01 Drugs and Alcohol-Free Workplace	X-32
10.02 Tobacco-Free Workplace	X-32
10.03 Workplace Violence and Weapons Policy	X-33

Welcome

Welcome!

On behalf of the Town Council and your fellow employees, we welcome you to the Town and wish you every success here. We believe that each employee contributes directly to the Town's growth and success, and we hope you will take pride in being a member of our team. We have chosen you to work at the Town because we believe you are an exceptional person. The talents and skills that you possess, and your desire to do your job to the best of your ability, is why we want you on our team.

The strength and vitality that the Town of Kiawah enjoys today is due in no small part to the many contributions of our employees. The Town of Kiawah benefits greatly from the dedication and professionalism that each of you brings to your work. Your unique skills and talents are vital to our ongoing success and your contributions will help us continue to provide services of the highest quality to our customers.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. You should familiarize yourself with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with the Town.

Our vision for the organization is to be a proud workforce that empowers each employee by encouraging creativity, inspiring integrity and promoting excellence. Our core values are pride, integrity and commitment. You should have an idea of what these words mean to you, but you need to take the extra step to make sure you understand what these words mean for the work that you do for our citizens. Not only will everyone be evaluated by these standards, we all need to be on the same page so we can work together to make our vision a reality.

The Town of Kiawah also places a high value on customer service. Customer service is showing your customers by your actions that you value them and you want them to be satisfied with both the outcome of the situation as well as how the situation was handled. Customer service is more than something you offer. Customer service is an attitude and one that all employees should share.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Stephanie Monroe Tillerson, AICP
Town Administrator
Town of Kiawah Island

SECTION I. MISSION AND PURPOSE STATEMENT

1.00 Mission Statement

The mission of Kiawah Town Government is to provide effective public services in a responsible and efficient manner supporting the common good of our community.

1.01 Purpose

It is important that all supervisors, employees and elected officials understand and abide by the expectations of conduct and the work rules that form the employment relationship between the Town and its employees. This Employee Handbook is intended to describe the policies and work rules that apply to all employees of the Town of Kiawah Island.

These policies do not constitute a contract and may be modified, added to or eliminated from time to time, at the discretion of the Town. No supervisor, employee or Council member may make changes to these policies, offer promises or make commitments that conflict with these policies, without the written authority of the Mayor. Additionally, changes or exceptions to certain policies and programs may require approval of the Town Council. The policies included in the Handbook supersede any policies, written or oral, issued prior to August 1, 2017. If you have any questions about any of these policies you should discuss them first with your immediate supervisor, or with the Town Administrator if your supervisor is not able to address your question or concern.

These policies are intended to cover the most common and routine personnel actions as well as the conduct of employees, temporary employees and volunteers. Policy questions not specifically covered in the Handbook should be brought to the attention of the Town Administrator.

If any section, subsection, or provision of these policies is found to be invalid or unlawful, that ruling shall not affect the validity, intent and effect of any other sections.

Approved policy changes are generally distributed via memorandum or e-mail. While there is no guarantee that all changes will be distributed in writing, the Town will notify employees of changes to the policies described in this Handbook. Employees are encouraged to access the Handbook located on the Town's intranet for the most current version of personnel policies and procedures.

SECTION II. EMPLOYMENT POLICIES

2.00 Americans with Disabilities

The Town is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA") and the Americans with Disabilities Act Amendments Act (ADAAA). It is the Town's policy not to discriminate against any qualified employee or applicant regarding any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the Town will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the Town aware of his or her disability, provided that such accommodation does not constitute an undue hardship to the Town. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job must contact the Town Administrator. If the employee has a complaint regarding a request for accommodation that involves the Town Administrator s/he can refer their complaint to the Mayor or Town Attorney.

2.01 Equal Employment Opportunity

The Town is committed to equal employment opportunities for all. Equal Employment Opportunity has been, and continues to be, a fundamental principle at the Town of Kiawah Island. Employment and promotion are based upon personal capabilities, qualifications and contractual guidelines without regard to race, color, religion, age, sex, national origin, sexual orientation, or disability or any other protected characteristic as established by law. This policy applies to all terms and conditions of employment including policies and procedures relating to recruitment and hiring, compensation, working condition, benefits, and termination from employment. The Town also prohibits retaliation against employees who have reported discrimination. Any employee who believes they have been discriminated against in violation of this policy should report the matter to the Town Administrator.

2.02 Harassment, Sexual Harassment, Hostile Environment, Discrimination, Retaliation

The Town is committed to maintaining a work environment in which all individuals are treated with respect and dignity. The Town prohibits unlawful discriminatory practices, including sexual harassment and inappropriate sexual conduct, harassment, creating a hostile work environment and retaliation. The Town has a zero tolerance for these behaviors and violation of this policy constitutes grave misconduct and may lead to disciplinary action including termination.

2.03 Complaint Procedure and Investigation

The Town does not tolerate harassment of any kind and forbids retaliation against anyone who has reported harassment. The Town will promptly investigate any complaint of discrimination, harassment or other violation of Town policy and take appropriate corrective action.

If you believe that the Town's policies regarding harassment have been violated by anyone with whom you come in contact on the job, regardless of whether it is by a fellow worker, a supervisor, a member of Town Council or a member of the public, you have a responsibility to report the incident(s) to your supervisor or to the Town Administrator. Complaints against the Administrator or a member of Town Council should be made to the Mayor. Complaints against the Mayor should be made to a member of Town Council or the Town Attorney. Timeliness of reporting an allegation of harassment is extremely important and will allow for a more complete investigation. All employees are expected to cooperate in any investigation.

Any supervisor who observes an incident of, or receives a complaint of, harassment has an obligation to investigate and/or report the incident or complaint to the Town Administrator or Mayor as appropriate.

SECTION III. ADMINISTRATIVE POLICIES

3.00 Computer and Other Electronic Devices and Internet Use

The workplace is intended to be a place of work. An important part of work is communications and recordkeeping. No employee is at work 24 hours a day, seven days a week, and there are times when management needs access to communications or records maintained by employees in their individual workplaces. Personal items and personal communications received or stored on Town property are not entitled to privacy.

Management may search Town property and documents in Town-owned vehicles, employee desks, file cabinets, electronic devices, etc. Further, to help provide for the safety and security of Town employees, guests and property, the Town conducts video surveillance of Town property.

Electronic media raise similar issues. The Town provides electronic and telephone communication and, when necessary, computers and mobile devices to employees. Although assigned to the employee, these items still belong to the Town. Similarly, any electronic files created on or software downloaded on, a Town computer or mobile device belong to the Town. Employees may not destroy or delete files from Town computers or mobile devices except pursuant to the General Records Retention Schedules for Municipal Records.

Unacceptable and prohibited uses of the Town computer and other electronic devices include, but are not limited to the following:

1. Communicating, disseminating, downloading, or printing any threatening abusive, rude, disrespectful, discriminatory, sexually suggestive, or obscene material;
2. Political lobbying;
3. Communicating, disseminating, downloading, or printing any illegal material or material for use in or that furthers illegal activities;
4. Tampering or bypassing in any way software, security devices or security procedures installed on any Town computer in order to control, monitor and filter unwanted Internet information or communication;
5. Unauthorized viewing or transferring of material that is confidential or proprietary to the Town; and
6. Disseminating, downloading, or otherwise using destructive programs (i.e., viruses and / or self-replicating code).

You are also expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to the following:

1. Assume that all communications accessed via the Internet and e-mail create an audit trail of activity and that the Town monitors that audit trail. The employee has no expectation of privacy whatsoever related to the use of the systems.
2. Be polite. Never send messages that contain threatening, abusive, or defaming language, obscenity, or profanity.
3. Prevent dissemination of information or communication of any kind – including e-mail – containing threatening, abusive, or obscene material, inappropriate communications, or encoded files dangerous to the integrity of the network.
4. Maintain the privacy of the systems. Do not give out the name, address, or telephone number of anyone unless required in the furtherance and normal course of the Town's business. Do not share passwords with others.
5. Monitor all e-mail received under your account.
6. If you receive any e-mail or attachment that you believe violates this policy or the Town's policy against harassment, you should notify the Town Administrator.

The Town reserves the right to review voice mail, electronic mail, computer and mobile device files, text messaging, and other electronic information generated by or stored in the Town's electronic systems. The Town also reserves the right to report the finding of such reviews to appropriate agencies. The Town consents to the reasonable personal use of its computers and mobile devices. Although the Town consents to the "reasonable" use of its computers and mobile devices for personal business, what is "reasonable" is determined in the sole discretion of the Town.

3.01 Interaction with the Media

The official spokespersons of the Town are the Mayor, Town Administrator, Town Attorney, and the Communication ~~Specialist~~Manager, and are generally the only persons authorized to speak on behalf of the Town. Employees may not act or speak on behalf of the Town without express authorization.

3.02 Outside Employment

The Town expects an employee's work for the Town to take precedence over any outside employment engaged in by an employee. Employees must receive prior written approval from the Town Administrator before engaging in other employment. Should the Town, in its sole discretion, determine that the outside employment interferes with or is otherwise incompatible with employment for the Town, the employee may be asked to choose between the jobs.

Employees may not engage in any private business or activity while on Town work time or at Town workplaces.

3.03 Smoking Policy

To help ensure a safe and healthful working environment, smoking is prohibited in Town buildings and vehicles, and any place on Town Property. E-Cigarettes are permitted outside Town buildings.

3.04 Social Networks, Personal Websites and Blogs

Social networking, personal websites, and blogs have become common methods of self-expression.

Employees must understand that material posted on these media may be read by persons other than those for whom it is intended. Employees are cautioned that they are responsible for the contents of social media posts they make. Posts that contain obscene or harassing material, that are unlawful, that contain personal attacks on coworkers, that reasonably call into question the employee's judgment, or that reasonably cause concern among the public may result in discipline, up to and including termination. Similarly, conduct that would violate Town policies if done in person also violates Town policy if done through social media.

Employees who post on media sites and who have identified themselves, or are identifiable, as an employee of the Town on those sites must make it clear that they are expressing their own views and not those of the Town.

The Town recommends that you always pause before posting. Do not publish information in haste or without thinking carefully about the impact of the statement you are about to make.

3.05 Special Pay Provisions During Inclement Weather or Declared Emergencies

All Town employees are essential to Town operations. This policy describes special pay provisions applicable to employees whether performing their regular responsibilities or reassigned because of inclement weather or a declared emergency.

Inclement Weather

- A.** The Town Administrator, upon the approval of the Mayor, may close Town Hall due to inclement weather or other short-term emergency situation. During such closures employees will receive their regular straight time earnings during the hours of the closure. Employees with approved time off will continue to use their PTO until they are scheduled to return to work.
- B.** When operations at the work location resume, employees are expected to return to work. Employees who are unable to return at that time, will have leave charged to their available accrual balances or be placed on unpaid leave.

Declared Emergencies

- A.** Applicability of Special Pay Provisions. These provisions become effective once all the following conditions are met:
 - a.** The Mayor of the Town of Kiawah Island has declared that a State of Emergency exists in the Town.
 - b.** The Town has suspended normal operations and is operating under emergency conditions.
 - c.** The Town has activated its Emergency Operations Center.
- B.** Pay During First 112.5 hours of Declared Emergency
 - a.** Non-exempt employees receive their regular pay and overtime pay consistent with the overtime regulations set forth in Section 5.01
 - b.** Exempt employees required to work during this period may receive special compensation as approved by Town Council.
 - c.** Employees who are scheduled to work but instructed not to report because of the declared emergency will receive their regular rate of pay for regularly scheduled work hours. Since Town Hall is subject to opening at any time if conditions improve, employees are expected to remain in a work-ready status during normal working hours and be reachable by phone or email during those hours.
- C.** Pay Following First 112.5 hours of Declared Emergency
 - a.** Employees not assigned responsibilities during the first 112.5 hours of a declared emergency may receive work assignments by the end of that period. Once they report to work, these employees will be paid consistent with pay provisions described below. Pay for employees who remain unassigned at the end of the 112.5 hour period will cease until they are assigned new responsibilities. These employees may use accrued paid time off to receive compensation during this period.
 - b.** Non-exempt employees receive their regular pay and overtime pay consistent with the overtime regulations set forth in Section 5.01

- c. Exempt employees receive their regular pay for their normal work hours. Town Council may approve special compensation to exempt employees during response and recovery.

The duration of such payments will vary by department and/or function. On a weekly basis, the Town Administrator will determine and report to the Mayor which department/functions are still working overtime.

- D. Since all employees are considered essential to town operations prior to, during and following declared emergencies, failure to check in when required or report when scheduled will result in disciplinary action up to and including termination.
- E. **Payroll During Emergency Closings.** If payday falls within a week a disaster is anticipated (such as a hurricane); everything possible will be done to pay employees on or before schedule.

3.06 Use of Town Vehicles

If an employee's job entitles or requires him or her to use a Town vehicle, the employee is responsible for the proper care of the vehicle. Abuse of or carelessness in the use of Town property is prohibited.

Under no circumstances shall a Town-owned vehicle be operated by an employee, whether on official or unofficial duty, if the employee has consumed alcohol or illegal drugs or legal drugs which adversely affect his or her ability to operate the vehicle. Additionally, the use of tobacco and smokeless tobacco in Town vehicles is prohibited. Operators are responsible for fines and damages resulting from his or her own negligence.

Any employee involved in an accident or receives a traffic citation must immediately notify the Town Administrator. In case of an accident, the employee must submit to a drug test. Upon review of the accident, if the Town Administrator determines that negligent or improper use contributed to the accident, the employee responsible for the vehicle may be subject to disciplinary action up to and including termination.

Employees, Council members, and volunteers who operate Town-owned vehicles must maintain and carry a valid driver's license for the class of vehicle being operated. Vehicles requiring special licenses or endorsements may only be driven by employees possessing the proper license or permit.

The Town performs driving record checks for prospective employees, and volunteers who will hold positions requiring a valid driver's license. Employment in the position is contingent upon receipt of satisfactory results.

Driving record checks may be conducted at any time for employees holding positions requiring a valid driver's license. At a minimum, checks are run January of every year.

Persons driving a vehicle and all authorized passengers must wear seat belts while driving or riding in Town-owned vehicles or while driving their personal vehicle on Town business.

Employees who must use a cell phone to make or receive calls while driving a Town vehicle or their own personal vehicle on Town business must obey federal, state or local laws related to use of cell phones while driving. Absent such laws, the Town encourages employees to pull off the road to a safe area to conduct business on the cell phone.

Texting or reading texts while driving a Town vehicle or their own personal vehicle on Town business is prohibited.

Vehicles assigned on a 24-hour basis are to be used for business purposes only. Business use is intended to include accomplishing work assignments and only those personal activities that can be accomplished en-route to and from work with minimum departure from direct route. **Use of Personal Vehicle for Town Business**- Employees traveling on authorized Town business on or off island may use their personal vehicle and request reimbursement of mileage. To use their personal vehicle on Town business, employees must have proof of insurance coverage and possess a current driver's license.

An employee must have auto liability insurance (for both bodily injury and property damage) and proof of a minimum policy for liability coverage of \$100,000 per person/\$300,000 per accident. Proof of such insurance is required upon hire and on an annual basis thereafter. If an employee's liability insurance lapses, the employee must immediately notify the Town Administrator.

3.07 Workplace Privacy Expectations/Searches

The workplace is intended to be a place of work. An important part of work is communications and recordkeeping. At times, management needs access to communications or records maintained by employees in their individual workplaces. Each employee should understand that personal items and personal communications received or stored on or in Town property, facilities and/or premises ("Town property") are not entitled to a guarantee of privacy.

Additionally, in the interest of a safe and drug free workplace, to safeguard property or for other legitimate business purposes, the Town may search Town property at any time, at its discretion and without notice. Such searches may take place while an employee is on or off the job. The search may include any property which belongs to the Town even though it may be loaned to the employee. In this connection, please know that all equipment and storage areas are Town property and are issued for the use of employees only during their employment with the Town. The Town reserves the right to search employee offices, desks, file cabinets, book cases, computers, laptops, etc.

At its discretion, the Town may also question employees. Employees are expected to cooperate in the conduct of such searches.

SECTION IV. EMPLOYMENT PROCEDURES

4.00 Employment of Relatives

People in the same immediate family may not be employed or continue to be employed if one directly or indirectly supervises another or interacts with another in the handling of money or compensation. For purposes of this policy, immediate family is defined as spouse, parent, child, grandparent, grandchild, brother or sister, parent-in-law, grandparent-in-law, brother-in-law and sister-in-law. The immediate family is also considered to include stepparents, stepchildren, stepbrothers and stepsisters when the employee and the step-relative have lived together regularly in the same household. Unrelated employees residing together or otherwise engaged in a close personal relationship (such as domestic partner, co-habitant or significant other) are treated as being within the immediate family of each other for the purposes of this policy. Members of the immediate family of elected officials of the Town are not eligible for Town employment.

Situations not specifically addressed in this policy that, in the Town's opinion, create a conflict of interest or give the appearance of a conflict of interest, will be handled at the Town's discretion.

4.01 Employment Status

Regular Full-Time employees are those who are regularly scheduled to work the Town's full-time schedule, which is thirty-seven and one-half hour (37.5) hours per week. Generally, these employees are eligible for the Town's benefits package, subject to the terms, conditions, and limitations of each benefit program.

Regular Part-Time employees are those who are filling a part-time position and are normally scheduled to work less than thirty (30) hours per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for all of the Town's other benefit programs.

Introductory Employees are part-time and full-time employee who have not yet completed their introductory period.

Temporary Employees are those hired for a limited period or until completion of a project or projects. Such employees may work part-time or full-time hours depending on the needs of the town. Temporary employees are not eligible for benefits.

4.02 Hiring

The Town endeavors to hire the most suitable candidate for open positions and encourages current employees to apply for positions for which they are qualified. The Town may also solicit and consider applications from external applicants. Decisions to fill an open position require prior approval by the Town Administrator.

4.03 Introductory Period

Every new employee, including former employees who have been rehired, goes through an initial period of adjustment to learn about the organization and about his or her job. During this six-month introductory period, the employee will have an opportunity to find out if he or she is suited to, and likes, his or her new position. In addition, the initial employment period gives the employee's supervisor a reasonable period to evaluate his or her performance and suitability for the position.

This period is not a guarantee of employment for six months. If the supervisor concludes at any time that an employee is not suited for the position, the employee may be terminated or may continue in an extended introductory period if approved by the Administrator.

The introductory period ends successfully when the supervisor, not sooner than six months after the employee was hired, evaluates the new employee in writing and authorizes the new employee to be re-classified as a “regular” employee.

4.04 Performance Evaluations

Formal performance evaluations are conducted regularly, but the exact timing is at the Town’s discretion. Generally, the Town will provide an evaluation no later than June 30th of each year. If the employee has not received an annual performance evaluation, the employee should notify his or her immediate supervisor. Evaluations are a factor in determining merit pay increases and promotability; however, favorable evaluations do not mean an employee is entitled to either. The evaluation is intended to provide you and management with an opportunity to work together toward improved job performance. The evaluation also offers an opportunity for achieving greater job satisfaction. The evaluation will be documented, and will require the signature of both you and the Town Administrator to confirm that it has occurred.

You should make your supervisor or the Town Administrator aware of any performance problems that you may be having. Oftentimes, the performance problem may not be readily recognizable.

Ultimately, the Town’s objective in encouraging and supporting frequent open discussion on performance is to: maintain satisfactory performance; foster outstanding performance; identify candidates for promotions and provide opportunity for career counseling and development; provide a means for early interception and resolution of performance problems; and create greater job satisfaction.

4.05 Personnel Records

The Town Administrator maintains an employee file on each employee. The Town treats personal information about employees as confidential and respects the need for protecting each employee's privacy.

The Town collects and retains only such personal information as it needs to conduct business and to effectively administer its employment and benefit programs. The Town takes all possible steps to make sure that personal and job-related information about employees is accurate, complete, and relevant for its intended purpose. Wherever possible, the Town notifies affected employees if it needs additional personal information and gives these employees an opportunity to supply the requested data.

An employee should promptly report to the Town Administrator any change in information that affects employment such as: marital status, newborn children, change of address, change in telephone number, change in driver’s license and car insurance status, change in tax exemptions, insurance and retirement beneficiaries.

4.06 Resignation and Terminations

A voluntary separation from Town employment is generally considered a resignation and is initiated by the employee. An employee should submit his or her resignation in writing to their supervisor or the Town Administrator at least two weeks prior to their last day of work. An employee providing the required notice shall receive his or her final paycheck on the payroll date immediately following their last day of work provided all Town property has been returned in serviceable condition. Paid Time Off (PTO) earned but unused shall be paid in the employee’s final paycheck.

The Town generally initiates an involuntary separation from Town employment. An employee may be involuntarily separated from Town employment for many reasons including but not limited to discharge for cause, failure to report to work, failure to obtain or maintain the qualifications

for their position, poor performance, lack of work, and other appropriate reasons. Paid Time Off Leave earned, but unused is forfeited.

SECTION V. COMPENSATION AND PAYROLL

5.00 Classification System

Town Council may develop a system for classifying positions within the Town, including pay ranges for those positions. Classification systems and pay ranges are subject to change at any time. The establishment of pay ranges or grades for any position does not guarantee the employee of that position any rate of pay.

5.01 Compensation

It is the Town's intention to provide employees with competitive total compensation and the opportunity to earn higher pay commensurate with their skills, experience and performance. The Town's compensation philosophy encompasses a pay-for-performance approach. Individual salaries are determined after consideration of external competitive pay levels, internal equity and position in range, performance level, and the availability of funds.

As part of the Town's compensation program, a salary range structure is established. Salary ranges may be adjusted periodically to maintain external competitiveness. Each position is assigned to a salary range and associated salary grade based on an evaluation of job content.

Salaries represent only a portion of an employee's total compensation. Total compensation also includes the value of various employee benefits

5.02 Overtime

As defined in the Fair Labor Standards Act ("FLSA"), all employees, except those in positions exempted by the Act, will receive overtime pay at the rate of one and one-half (1 ½) times their hourly rate for all hours worked in excess of forty (40) hours per workweek. Our workweek is 12:01AM Sunday through 12:00PM Saturday. If you have a question, you may ask the Town Administrator.

Non-exempt employees may not work overtime without the advance authorization of their supervisor or the Town Administrator except in cases of emergency. Any employee working in excess of forty (40) hours in a workweek without obtaining prior approval from their immediate supervisor or the Town Administrator may be subject to disciplinary action, up to and including termination from employment.

PTO and Holidays are not "actual hours worked," therefore, they are not included in calculating the forty (40) hour week for purposes of calculating overtime under the FLSA.

5.03 Payment of Wages

Non-exempt employees are paid bi-weekly on a Friday and Exempt employees are paid on the first of every month by direct deposit. If a payday falls on a holiday or weekend, the direct deposit will be made prior to the holiday or the next business day. Employees should examine their online paystubs immediately to ensure they have been properly paid for all hours and that no improper deductions have been made. Any payment errors must be reported to payroll within 14 days after a pay period.

If an employee receives pay more than their approved amount, the Town has the right to recoup the full overpayment amount regardless of discovery date.

The Town deducts from employees' gross pay taxes and withholding required by the taxing authorities. The Town may also deduct from employees' pay the employees' share of any premium or plan contribution for insurance, retirement and similar plans that are elected by the employee. The Town may make other deductions as required by law or court order. The Town

does not make unauthorized deductions and will reimburse employees if such deductions are made inadvertently and reported to payroll.

Debts owed the Town, benefits, uniforms, tools, equipment, vehicles, keys, and other items belonging to the Town that are advanced or issued to an employee but not repaid or returned by the employee at the time of the employee's termination will be deducted from the employee's pay.

5.04 Periodic Pay Increases

Employees will generally be considered annually for an increase to pay. Annual merit increases, if provided, are intended to reflect an employee's performance and maintain market competitiveness. Once fiscal year performance has been evaluated, merit increases are generally received in July for non-exempt employees and August for exempt employees.

5.05 Salary Adjustments

Adjustments for promotion, reclassification or other job changes are subject to budgetary constraints and other factors as determined by the Mayor and Town Administrator. Adjustments are generally effective on the date of the event triggering the adjustment.

SECTION VI. HOLIDAYS AND LEAVE POLICIES AND PROCEDURES

6.00 Holidays

The following days are observed as paid holidays for the employees of the Town of Kiawah Island:

New Year's Day
President's Day
Memorial Day
Fourth of July
Labor Day
Veteran's Day
Thanksgiving Day; and the
Day after Thanksgiving
Christmas Day
Two Personal Holidays – Days of your choice

Holidays that fall on Saturday are observed the preceding Friday. Holidays that fall on Sunday are observed the following Monday. If a recognized holiday falls during an eligible employee's paid absence (e.g., PTO, scheduled paid leave), pay will be provided as Holiday instead of the PTO benefit that would otherwise have applied.

6.01 Personal Time Off (PTO)

Paid Time Off (PTO) is an integral part of the overall benefits package and is granted to all eligible employees (see below) of the Town. We value our employees and recognize the need for time off to be with family and friends and to take a break from the requirements of their job. Employees are expected to take their allowable time off during the calendar year. This PTO schedule also provides for short term absences due to illness or a non-job related accident. Except when due to illness, employees are encouraged to plan their PTO and provide a notice to their supervisor at least two weeks in advance. The Town reserves the right to deny requested paid time off. Additionally, in the case of conflicts, the employee with the most service will determine the schedule for the period of conflict.

New employees are entitled to 5 days/37.5 hours after completing the six months Introductory Period. The effective date for qualifying for an increased level of PTO is January 1 of the year following the anniversary year.

<u><i>Length of Continuous Service</i></u>	<u><i>Days/Hours credited per calendar year</i></u>
1 – 9 Years	20 days/150 hours
10 – 20 Years	25 days/187.5 hours
20+ Years	30 days/225 hours

It is intended that employees use all their time off in the calendar year. If an employee has unused PTO at year end, a maximum of 15 days/112.5 hours may be carried over to the following calendar year. An employee's total carryover is limited to 15 days/112.5 hours, and any days more than 15 will be forfeited. If an employee resigns by giving the Town two (2) weeks written notice, employee will be paid for any unused PTO that was credited for the calendar year of termination. If employment ends by any other manner, including termination, employee forfeits their accrued PTO balance.

6.02 Bereavement Leave

An employee will be paid up to 22.5 hours (3 consecutive working days) for time lost from straight time scheduled work due to attendance at the funeral of a member of their immediate family, which is defined as spouse, domestic partner, parent, child, grandparent, grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law and sister-in-law. The immediate family will be considered to include stepparents, stepchildren, and stepbrothers and stepsisters only when the employee and the deceased had lived together regularly in the same household at or prior to the time of death. The Town may require proof of relationship and attendance at the funeral.

Employees may be excused from work to attend the funerals of other family members and, upon request, may be paid for such absences from accrued annual leave balances.

6.03 Family Medical Leave (“FMLA”)

Basic Leave Entitlement

The Family Medical Leave Act (“FMLA”) requires covered employers to provide up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee’s job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their twelve (12) week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered service member during a single twelve (12) month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, The Town is to maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees are to be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one (1) year, if they have worked at least one thousand two hundred fifty (1,250) hours over the previous twelve (12) months, and if at least fifty (50) employees are employed by the employer within seventy-five (75) miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use FMLA leave in one block. It can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. FMLA leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

The Town requires employees to use accrued paid leave while taking FMLA leave. Under law, to use paid leave for FMLA leave, employees must comply with the Town's normal paid leave policies.

Employee Responsibilities

The FMLA requires that employees provide thirty (30) days advance notice of the need to take FMLA leave when the need is foreseeable. When thirty (30) days advance notice is impossible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Additionally, under the FMLA, employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

The FMLA requires covered employers to inform employees requesting leave whether they are eligible under FMLA. If they are, the notice is to specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer is to provide a reason for the ineligibility.

Additionally, the FMLA requires covered employers to inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave

entitlement. If the employer determines that the leave is not FMLA-protected, the employer is to notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement and Questions

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

Of course, as always, we hope you will help us address any questions or concerns internally. Any concern about application of or violation of this policy should be addressed to the Administrator.

Upon you expressing a need for leave that may qualify under the FMLA, you should receive a notice of eligibility and specific expectations and obligations associated with the leave (“Notice of Eligibility and Rights & Responsibilities”) after which The Town provides a “Designation Notice” with additional information. Any available paid leave is substituted and runs concurrently with FMLA leave designated as approved. You are expected to follow all previously established call-in guidelines for unforeseeable leave and to cooperate in providing complete and sufficient medical certification of a serious health condition and / or fitness for duty certification as requested by The Town.

Any questions regarding this general statement of FMLA rights and responsibilities may be directed to the Practice Manager. The Town encourages open communication.

Outside Employment

Employees who are on approved leave of absence (paid or unpaid) may not perform work for any other employer, including self employment, during that leave period.

Extended Leave of Absence

Employees who seek temporary disability or family emergency extended leave of absence and have been employed for more than thirty days, but have not been employed for a sufficient amount of time or worked sufficient hours for FMLA, as applicable, may be considered for unpaid leave. Also, under certain conditions, limited unpaid leave may be considered as a reasonable accommodation for a qualified individual with a disability, despite length of service.

Granting of any leave and the amount of such leave is at the sole discretion of The Town. Periodic updates regarding intent and / or ability to return to work may be expected as a condition of such leave and / or holding a job open. Additionally, receipt of a physician’s release to return to work may be necessary, if applicable.

Granting of any additional leave is also discretionary. If additional leave is not granted and the employee does not return to work on the day leave ends, the employee is terminated.

Extended Disability

Employees who are on continuous disability leave for the longer of: (1) the exhaustion of any FMLA rights or (2) the lesser of three (3) months or the period allowed by the insurance plan or

applicable law, may continue their medical insurance coverage, at their own expense, as stipulated in the COBRA law. Benefits do not accrue during such prolonged leaves and job security is not guaranteed beyond any FMLA rights. If the disability leave, excluding FMLA leave, exceeds three (3) months and the employee is unable to return to work with or without reasonable accommodation, employment is terminated. Upon recovery, the employee may be considered for rehire.

6.04 Jury Duty and Subpoena to Testify

The Town encourages employees to fulfill their civic responsibilities by serving jury duty when required. An employee will be paid for wages lost from scheduled straight time work due to jury service up to a maximum of 80 hours per calendar year. If additional leave is needed beyond 80 hours, the Town Administrator can approve additional paid time to not exceed an additional 80 hours without the Mayor's approval.

To qualify for this payment, an employee called for jury service must:

- a. Give the employee's supervisor notice of such service within two work days of the time the employee is called for such service; and
- b. Report for work when released by the court on any day of jury service, or contact supervisor if released in the afternoon.

Either the Town or the employee may request an excuse from jury duty if, in the Town's judgment, the employee's absence would create serious operational difficulties.

If you are subpoenaed to attend legal proceedings that involve the Town, you will be paid your regular pay during your absence. If you are involved in court proceedings that do not involve the Town, you are to take PTO.

6.05 Military Leave

Employees are entitled to leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) to the full extent required by the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA").

Employees on military leave will receive paid leave for up to 15 days per military fiscal year for training or call-up. In addition, if an employee is called upon to serve during an emergency the employee will receive paid leave of absence not to exceed 30 additional days.

Every reasonable effort will be made to return eligible employees to their previous position or a comparable one. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service, such as the rate of PTO accrual and job seniority rights.

6.06 Return to Work

In the event an employee's return to work following an illness or injury may put the employee and/or other employees at risk, the Town Administrator may require the employee to submit a statement from the employee's health care provider indicating that the employee is able to return to work either with or without restrictions. In the event there are restrictions, the Town Administrator in consultation with the appropriate Supervisor will determine whether the employee will be allowed to return to work.

6.07 Maternity/Paternity Leave

Any Employee that is employed fulltime with the Town of Kiawah is entitled to up to eight (8) weeks of paid leave during any twelve-month period for the following:

- a. The birth of a child of the employee and in order to care for such child; or

b. The placement of a child with the employee for adoption or foster care.

Paid leave under this section is compensated at the following levels:

- Less than one full year of service—40 percent of salary.
- After one full year of service—60 percent of salary
- After five full years of service—100 percent of salary.

The entitlement to leave under ~~subsection (a)~~ this section may be taken continuously or intermittently and expires at the end of the twelve-month period beginning on the date of such birth or placement. If the leave is not used by the employee before the end of the twelve-month period to which it relates, it does not accumulate (or rollover to the next year) for subsequent use. [OPTIONAL] If both parents are employees of the Town, only one may access the paid benefits of this policy. Both parents, however, continued to be entitled to FMLA leave (above) if eligible.

Requirements for Obtaining Paid Leave

[OPTIONAL] The employee must provide to the department head 30 days' advance notice of the requested leave (or as much notice as practicable if the leave is not foreseeable), complete the necessary forms and file them with the human resources department.

Leave granted under this section is with pay and is not PTO leave. Stated differently, maternity/paternity leave under this policy is not charged against the employee's other paid leave credits. After 8 weeks of maternity/paternity leave have been exhausted, subsequent leave will be covered under appropriate policies. The Family and Medical Leave Act (FMLA) allows employees up to 12 workweeks of unpaid leave annually. Paid leave under this policy will run concurrently with FMLA leave. After paid maternity/paternity leave is exhausted, the employee is required to apply any other available paid leave, which will also run concurrently with FMLA leave.

Employees not eligible for FMLA leave should refer to the other leave policies provided by this Employee handbook after the eight (8) weeks of paid maternity/paternity/adoption leave and any other paid leave have been exhausted regarding continuation of insurance coverage for employees on unpaid leave of absence.

[OPTIONAL] Continuation of Benefits

Health insurance benefits will continue to be provided during the paid maternity/paternity leave under this policy at the same rate as in effect before the leave was taken regardless of length of service, provided the employee has at least one full year of service. See also Section 7.01 below, which will remain applicable during any paid leave taken pursuant to this policy. PTO benefits will continue to accrue during this leave.

SECTION VII. EMPLOYEE BENEFITS

7.00 Deferred Compensation Match Program (Optional)

The Town of Kiawah Island matches ~~50%~~100% of an eligible employee's contribution to a 401(~~kk~~) or 457(b) plan up to \$3,000 maximum - (or as may amended by Town Council from time to time) on the employee's anniversary date. The Town's match is applied to the employee's account quarterly. This program runs by calendar year.

To be eligible for the Town match, the employee is to be actively employed in a regular, full-time capacity, have completed one year's continuous service, and be enrolled in the 401K program prior to January 1 of the match year.

Should this overview conflict with any benefit plan, the terms of the plan control.

7.01 Health and Dental Insurance

Regular full-time and part-time employees who work more than thirty (30) hours per week on a twelve (12) month basis are eligible for comprehensive group medical insurance for themselves and dependents in the Town's group medical, prescription drug and dental insurance plan. The terms of the Town's medical, prescription drug, and dental insurance benefits plans are subject to change. Contact the Town Administrator for specific information on the Town's benefit plans.

It has been the Town's practice, subject each year to town Council approval, to additionally subsidize a portion of the remaining employee's insurance contribution. There is no guarantee that the Town will provide this subsidy in any future years. The Town pays as a minimum the employer rate as provided for by the SC Public Employee Benefits Authority (PEBA).

Should this overview conflict with any benefit plan, the terms of the plan control. Under COBRA, Town employees and their dependents may also have the right to continue, for a designated period, health and dental insurance coverage upon separation from employment.

7.02 Money Plus Flexible Spending Accounts

Regular full-time employees, through MoneyPlus, can enroll in the Pretax Group Insurance Premium Feature, which means your premiums are paid before taxes are taken out of your paycheck. You can also select pretax payroll deduction options for different kinds of spending accounts. Dependent Care Spending Accounts (DCSAs) are available to all SC Public Employee Benefits Authority (PEBA) insurance eligible members for the payment of eligible day care expenses. Medical Spending Accounts (MSAs) are available to Standard Plan participants to pay eligible medical expenses. For more information about this optional benefit, contact the Town Administrator.

7.03 Retirement

All regular full time Town employees are members of the South Carolina Retirement System (SCRS). The SCRS is a defined benefit retirement plan PEBA administers for employees.

Both the Town and the employee make contributions to the retirement program. You contribute a tax-deferred percentage of your gross pay. Employee contributions, benefits and participation are regulated and managed by the SCRS. In all cases, the plan of the S.C. Retirement System controls.

7.04 Retiree Health Insurance Policy

Employees classified as fulltime with at least five (5) years of service before they retire from the Town of Kiawah Island, not Medicare eligible, and meet the requirements for retirees as defined under the South Carolina Retirement System, may be eligible for post-employment supplementing health insurance benefits. The percentage amount of the monthly insurance

payment to be paid by the Town of Kiawah shall be based upon the actual number of years of continuous employment with the Town as follows:

Years of Service with the Town	Employer Share	Retiree Share
Less than 5 Yrs of Service	0%	100%
6-10 Yrs of Service	15%	80%
11-20 Yrs of Service	30%	70%
More than 20 Yrs of Service	50%	50%

The retiree must be in good standing to include no debt owed to the Town to receive the supplementing health insurance benefit offered by the Town. Provisions of the coverage are subject to change according to the decisions of the Town Council. (Adopted 12.5.2017)

7.05 Tuition Reimbursement

All regular, full-time employees are eligible for tuition reimbursement for classes for which the employee earns a grade of "C" or better. Tuition reimbursement is limited up to \$5,000 per FY. Full-time employees may request reimbursement for courses toward an academic degree or professional certification. Prior approval by the Town Administrator is necessary before enrolling in a course. The course taken is to be of relevant value to the Town as determined by the Town Administrator. This reimbursement is fifty percent (50%) of the allowable expenses. Tuition, all course related fees, and the cost of required books are considered allowable expenses.

Tuition reimbursement requests must be forwarded to the Town Administrator with documentation of the completed course, the final grade and tuition costs. To receive this benefit, the employee agrees to work for the Town at least one year after the reimbursement is granted, or reimburse the Town for such expenses at the time of involuntary or voluntary termination.

Allowable expenses do not include the cost of tools and supplies that the employee may retain after completing the course; meals, lodging, or transportation; or education involving sports, games, or hobbies. The educational expenses of spouses and other family members are not qualified for reimbursement under this program.

No time off is allowed to take a course, but schedules may be rearranged, if conditions permit, with the Town Administrator's approval. No other remuneration may be offered or provided to employees in lieu of benefits under this plan.

7.06 Workers' Compensation

The Town carries insurance to cover the cost of work-incurred injury or illness. Benefits may help pay for your medical treatment and part of any income you may lose while recovering. Specific benefits and qualifications for benefits are prescribed by law depending on the circumstances of each case. Report work-related accidents immediately to your supervisor and the Town Administrator for them to file a timely claim. It is expected that all injuries and/or damages, no matter how minor or slight, be reported immediately to your supervisor and/or the Town Administrator and in any case within no more than 24 hours. The Town pays the entire cost of this coverage.

SECTION VIII. GENERAL INFORMATION

8.00 Business Travel and Related Expense

Town employees and officials will occasionally attend schools, business meetings, conferences, etc. All reasonable and necessary expenses (mileage, meals, lodging, etc.) will be reimbursed on a per diem basis in accordance with the IRS guidelines.

- A. Business travel, including accommodations, must be approved in advance by the immediate supervisor or Town Administrator.
- B. Lodging.
 - a. Where approved travel dictates that the employee secure overnight lodging, the lodging may be paid on the Town credit card. Payments made with the Town credit card must be accompanied by a receipt.
- C. Meals.
 - a. Per diem allocation for breakfast will be made for days of departure and return if departure from the Town is prior to 7:00 a.m. or if return to the Town is after 8:00 a.m.
 - b. Per diem allocation for lunch will be made for days of departure and return if departure from the Town is prior to 12:00 noon or if return to the Town is after 1:00 p.m.
 - c. Per diem allocation for dinner will be made for days of departure and return if departure from the Town is prior to 5:00 p.m. or return is after 7:00 p.m.
- D. In lieu of actual costs for meals, and employee may be reimbursed the IRS annual approved amount for meals.
- E. Travel costs are limited to the employee's costs and does not include a spouse, nor incidental entertainment or other costs.
- F. On an exception basis, travel advances may be made to cover anticipated travel expenses. Advance requests must be made at least 5 business days before travel.
- G. Travel expenses must be reported accurately and documented with required receipts on a travel expense form. Documentation must be provided to Finance within 5 business days of returning from a trip. Falsifying documentation or knowingly filing for and receiving reimbursement for travel expenses not covered by this policy may result in disciplinary action up to and including discharge.

8.01 Gifts and Gratuities

The acceptance of gifts is discouraged and should be declined unless doing so would be uncomfortable or disrespectful to the person offering the gift. The acceptance of any monetary gratuity or any gift of value worth Twenty-Five (\$25.00) Dollars or more in a day or anything of value worth Two Hundred (\$200.00) Dollars or more in the aggregate in a calendar year by a Town employee is prohibited.

8.02 Political Activity

Each employee has a civic responsibility to encourage good government. Town employees, on their own time, may attend political meetings and may support principles and policies of political

organizations in accordance with the United States Constitution and applicable state and federal laws.

SECTION IX. A PROFESSIONAL WORKPLACE

9.00 Open Communication

Supervisors and employees are encouraged to communicate openly and honestly on a regular basis. The Town Administrator and supervisors are committed to the success of our employees. Open communication should allow everyone to feel comfortable doing the following things:

- Communicating needs and expectations
- Asking questions and discussing problems
- Sharing any suggestions to improve work processes and team performance

Supervisors are an important link to many of the resources available for an employee's personal and professional development. When assistance or support is needed, employees should begin with their supervisor. The Town Administrator can also provide information or answer questions regarding Town policies or other work-related issues.

9.01 Customer Service

We are a customer service-oriented organization that prides ourselves in providing the best services for our citizens. Therefore, the ability to provide excellent customer service is critical to the success of each employee, whether the customers are inside or outside the organization. The Town relies on each employee's expertise, commitment, dedication and team spirit to provide stellar service to everyone.

9.02 Hours of Work/Operation

Town staff generally work 7.5 hours per day or 37.5 hours per week. Core business hours are 8:00 a.m. to 5:00 p.m. on weekdays with 30 minutes for lunch. However, some departments may operate outside of the Town's normal hours of business, and schedules of employees of those departments may differ from the Town's normal hours from time-to-time. Each department is responsible for scheduling its employees to meet the needs of the Town. Employees may be required to work overtime.

9.03 Meals Period

Breaks and meal periods are intended to provide an opportunity for rest and relaxation. Accordingly, they should be enjoyed away from employee work spaces where available, or in appropriate designated areas.

A meal period is provided to non-exempt employees scheduled to work 7.5 or more hours in a day. Meal periods are not considered hours worked and therefore are not compensated. A meal period consist of thirty consecutive minutes during which the employee is completely relieved from work.

9.04 Attendance and Punctuality

The quality of services the Town provides depends heavily upon its employees. Punctual and consistent attendance is a condition of employment. The Town expects employees to report to work in a timely manner. If unable to report to work, you must notify your supervisor prior to the start of your workday. If you intend to be away from work for personal reasons you are required to obtained advanced approval from your supervisor. The Town reserves the right to request from employees who exhibit a pattern of absenteeism or in the Town's judgment abuse of leave time, appropriate documentation from a health care professional verifying the absence. Abuse of leave time may constitute misconduct and lead to disciplinary action.

9.05 Personal Work Areas

Each employee's workspace and surrounding areas should be safe, neat and free of clutter, conforming to the work environment of each department's activities and appearance.

Employees should be mindful of others. Anything displayed in the workspace and surrounding areas should be in good taste and should not violate any Town policy or be perceived by others as offensive. Employees must also be respectful of the work space of other employees.

The Town is not responsible for any articles that are placed or left in any employee area that are lost, damaged, stolen, or destroyed.

9.06 Professional Conduct, Work Environment and Personal Appearance

It is expected that every employee will conduct themselves in a professional manner consistent with the Town's policies. Employees are expected to be courteous and respectful to the public and their co-workers.

Employees are also expected to keep their work areas clean and orderly. Employees have a responsibility to ensure that confidential information is treated accordingly and that any materials of a confidential nature are kept out of public view and are properly secured at the end of the work day.

Erratic attendance and excessive tardiness or absence are disruptive and cannot be tolerated. It is an employee's responsibility to notify his or her supervisor personally and as far in advance as reasonable of any unanticipated absence.

It is the policy of the Town that each employee's dress, grooming and personal hygiene should be appropriate to the work situation. While it is not the Town's intention to dictate the personal wardrobe of its workforce, the appearance and dress of employees are important in creating a favorable image supportive of the public confidence. Any person representing the Town as an employee, elected official or volunteer are expected to maintain their personal appearance in a manner which will reflect a good image to the public in accordance with departmental rules and reflective of job requirements.

9.07 Ethical Conduct and Conflict of Interest

Acting in a manner that promotes and maintains the public's trust is a requirement of every employee. Employees must act always in accordance with the highest ethical standards and comply with all State ethics laws. Actions by employees, on and off the job, that represent a conflict of interest with the Town, or give the appearance of such, are prohibited and will result in corrective action, possibly including immediate discharge from employment.

Town employees are covered by state ethics laws that prohibit public employees from using their public position for their own personal gain or to benefit a family member or business associate. State law also prohibits employees from making governmental decisions on matters in which they, their family or business associates have an economic interest. Employees must notify their supervisors in writing of any matter in which they, their family or business associates have an economic interest and in which they must act on behalf of the Town. The supervisor must send the notification to the Administrator for review. If the Town determines a potential conflict or appearance of conflict of interest exists, the matter will be reassigned to another employee.

Duty of Disclosure – Employees have an affirmative duty to promptly disclose to their supervisor any action or situation on their part, current or pending, that may constitute a conflict of interest or reasonably give the appearance of a conflict of interest, or any activity that might reflect negatively on the Town or community. Employees have a similar duty to make their supervisor aware of any action by another employee, elected official, or person or entity doing business with the Town that may constitute a conflict of interest, prohibited activity, or violation of this policy.

Distribution of the Employee Disclosure Statement – The Town distributes annually the Employee Disclosure Statement to all employees (except Charleston County Deputies) and Elected Officials to sign and return to the Town Attorney. Completion of this Disclosure is a requirement of continued employment.

SECTION X. A SAFE & HEALTHY WORKPLACE

10.00 Workplace Safety

The Town is committed to the safety and health of all employees. Maintaining a safe work environment, however, requires the continuous cooperation of all employees. Employees are expected to observe all safety procedures, wear required safety equipment, practice safety in the work areas, report any unsafe conditions or equipment and report all on-the-job injuries.

If you are ever in doubt about how to safely perform a job, it is your responsibility to ask your supervisor or the Town Administrator for assistance. All employees are expected to report any suspected unsafe conditions and all injuries that occur on the job immediately.

The Town strongly encourages you to communicate with your supervisor regarding safety issues. The Town may adopt separate safety, health and/or emergency policies and/or procedures with additional details. It is your responsibility to check with your supervisor.

Reporting Safety Issues, Accidents and Injuries

All accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues should be reported immediately to your supervisor or the Town Administrator. If you or another employee is injured, you should contact outside emergency response agencies, if needed. Whether or not an injury requires medical attention, a report of accident form should still be completed incase medical treatment is later needed as well as to assist with the correction of any existing safety hazards. If you fail to report an injury, you may jeopardize your right to collect workers' compensation payment as well as health benefits.

10.01 Drugs and Alcohol-Free Workplace

The Town is committed to providing employees with a safe, productive working environment and also providing our citizens with services of the highest quality.

The Town recognizes substance abuse as threat to the health and safety of employees as well as the public and is committed to maintaining a safe, healthy and productive drug- and alcohol-free workplace.

The Town has adopted a zero-tolerance policy and reserves the right and discretion to take actions it determines appropriate based solely on its reasonable suspicion of current on-the-job use or being under the influence of drugs and/or alcohol and/or to test employees and applicants for the detectable presence of such substances. An employee or applicant may refuse to consent to testing, but if he or she does, employment or the employment process may be terminated. Accordingly, the Town reserves the right to test for the presence of alcohol and illegal or illegally obtained drugs under designated circumstances. The Town has established a Substance Abuse and Testing Policy which is provided to all employees and applicants.

10.02 Tobacco-Free Workplace

Tobacco use is prohibited at all times in all locations of all work areas, facilities and vehicles operated, owned, leased, occupied, managed or controlled by the Town. Employees who wish to use tobacco products will be permitted to do so outside of the building in areas at least 50 feet away from any entry of any facility. The Town is committed to promoting healthy living.

10.03 Workplace Violence and Weapons Policy

The Town does not tolerate any type of workplace violence committed by or against employees by other internal personnel, visitors or anyone else in the Town's workplace including physical and/or verbal threats assaults or intimidations. Employees are prohibited from actual or implied violence, threats of violence or menacing behavior. Possession of firearms or weapons of any sort on Town property or grounds, and Town vehicles by anyone other than sworn County Deputies and Town employees associated with wildlife management authorized to possess firearms is absolutely prohibited. Any employee who violates this policy is subject to disciplinary action, up to and including termination from employment.

Effective July 24, 1996, the State of South Carolina allows qualified citizens to carry concealed handguns (S.C. Code Ann. 23-31-205, et seq.). The law specifically states that having a concealable weapons permit under this section does not authorize a person to carry a concealable weapon on the premises of the "office of or the business meeting of the governing body of a county, public school district, municipality, or special purposes district." S.C. Code Ann. 23-31-215(M)(5). Therefore, South Carolina law prohibits those with a concealable weapons permit issued under this section from possessing concealable firearms or other weapons on Town property.



Tab | 7

TOWN COUNCIL

Agenda Item

Article 2; Section 2-504 - Town Attorney

- (a) At the first regular meeting of the council following the inauguration meeting, the council shall appoint an officer to be known as the town attorney, who shall hold office at the pleasure of council or until a successor is duly appointed and qualified.
- (b) The town attorney must be a member of the South Carolina Bar and be admitted to practice law in South Carolina.
- (c) It shall be the duty of the town attorney whenever called upon by council, or the necessity arises, to give his advice and direction to the council, or any member thereof, or to the town clerk on any and all legal questions which may arise in the course of the administration of the town government, or in the discharge of the duties of their respective offices; and whenever required to do so by the council, he shall give his legal opinion in writing. He shall draw or supervise the drawing or drafting of all ordinances, and other instruments of writing relative to the business of the town when required to do so by the council or any member thereof; and shall, whenever notified to do so, attend the meetings of the council and shall perform such other duties as required by the council. The town attorney shall receive such compensation for the discharge of his duties as fixed by the council.

(Code 1993, § 2-504)

State Law reference— Municipal attorney, S.C. Code of Laws 1976, § 5-7-230.



Tab | 8

TOWN COUNCIL

Agenda Item

Article 2; Section 2-505. - Town Treasurer

- (a) At the first regular meeting of the council following the inauguration meeting, the council shall appoint an officer to be known as the town treasurer, who shall hold office at the pleasure of council or until a successor is duly appointed and qualified.
- (b) Before entering upon the duties of office, the town treasurer shall enter into a bond in such sum as shall be approved by the council for the faithful performance of the duties of the office.
- (c) The town treasurer shall perform the following duties:
 - (1) Collect all claims and accounts that may be due and payable to the town;
 - (2) Receive all money belonging to the town;
 - (3) Issue all licenses and badges for which provision may be made and collect all fees for licenses that may be imposed;
 - (4) Pay all bills owed by the town when approved by council;
 - (5) Deposit funds in banks as designated by council;
 - (6) Make statements as to the financial condition of the town as ordered by the council;
 - (7) Keep account of all money and accounts and inventories of town property, real and personal, and report to council as requested;
 - (8) Maintain a record of all town capital assets;
 - (9) Prepare a town budget as requested by the town; and
 - (10) Perform such other duties as may be required by the council.

(Code 1993, § 2-505)

State Law reference— Municipal treasurer, S.C. Code of Laws 1976, § 5-9-40.



Tab | 9

TOWN COUNCIL

Agenda Item

Article 2; Section 2-503 - Town Clerk

- (a) At the first regular meeting of the Council following the inauguration meeting, the Council shall appoint an officer to be known as the Town Clerk, who shall hold office at the pleasure of the Council or until a successor is duly appointed and qualified.
- (b) The Town Clerk shall perform the following duties:
 - (1) Give notice to the members of the Council of regular and special meetings of the Council;
 - (2) Attend all meetings of the Council, keep minutes of the proceedings of the Council, and maintain the minutes in a book to be known as "The Minutes of the Meetings of the Town Council of the Town of Kiawah Island, South Carolina";
 - (3) Have custody of the seal of the town; and
 - (4) Schedule the use of public buildings.
- (c) The Town Clerk shall act as secretary for the Mayor and Council. As such, the Town Clerk must have sound secretarial skills.
- (d) The Town Clerk shall handle other clerical duties as required by the Mayor or Council.
- (e) The Town Clerk shall perform such other duties as may be required by the Council.

(Code 1993, § 2-503)

State Law reference— Municipal clerk, S.C. Code of Laws 1976, § 5-7-220.



Tab | 10

TOWN COUNCIL

Agenda Item

Article 6; Section 6-104. - Appointment of Municipal Judge

The Town Council shall appoint a Municipal Judge who shall serve for a fixed term of not less than two years but not more than four years and until his successor is appointed and qualified. Such municipal judge may be a county magistrate, as provided by law.

(Code 1993, § 6-104; Ord. No. 2004-5, 9-14-2004)

Article 6; Section 6-105. - Jurisdiction

The Municipal Judge shall hear and determine all cases within the jurisdiction of municipal courts under state law, including violations of municipal ordinances.

(Code 1993, § 6-105)

SANFORD K. AIN

CURRICULUM VITAE

Founding Partner of Ain & Bank, P.C. with offices in the District of Columbia, Maryland and Virginia

Partner in the law firm of Sherman, Meehan, Curtin & Ain, P.C. (1972-2003)

Georgetown University Law Center, J.D. 1972

University of Wisconsin, B.A. *Cum Laude* 1969

Recipient of University of Wisconsin Distinguished Alumni Award 2008

Member of District of Columbia, Virginia and Maryland State Bars

Member of the Supreme Court of the United States

Fellow, American College of Trial Lawyers

Faculty, Houston Family Law Trial Institute at South Texas College of Law

Fellow, American Academy of Matrimonial Lawyers

Member, Board of Governors of the American Academy of Matrimonial Lawyers 2002-2005

Counsel to the American Academy of Matrimonial Lawyers 1999-2000; 2005-2006

President, District of Columbia Chapter of the American Academy of Matrimonial Lawyers

Fellow, International Academy of Matrimonial Lawyers

Diplomate, American College of Family Trial Lawyers

Fellow, American Bar Association

Listed in both the Family Law and Real Estate Law sections of The Best Lawyers in America, Woodward White

Family Lawyer Magazine, February 2015 – “Business Valuation & Divorce”, article regarding valuation issues in divorce

Washingtonian Magazine, December 2013 – named as one of the Top Divorce Lawyers in Washington, DC

Town & Country Magazine, February 2011 – named as one of the Top Divorce Lawyers in the United States.

Washingtonian Magazine, December 2009 – named as one of the Five Best Lawyers in Washington, DC

Washingtonian Magazine, February 2009 – named as one of the Top Divorce Lawyers in Washington, DC

Super Lawyers, Washington DC – named as one of the Top Divorce Lawyers in Washington, DC

Washingtonian Magazine, December 2007 – named as one of the Top Divorce Lawyers in Washington, DC

Washington Life Magazine, May 2007 – named as one of the Washington's Power 100.

Washingtonian Magazine, February 2004 – named as one of the Top Divorce Lawyers in Washington, DC

Washingtonian Magazine, March 2000 – named as one of the Top Divorce Lawyers in Washington, DC

Town & Country Magazine, January 1998 - named as one of the Top Ten Divorce Lawyers in the United States

Washingtonian Magazine, February 1997 – named as one of the “50 Washington Lawyers Who Really Get Results”

Washingtonian Magazine, October 1995 – named as one of the Top Divorce Lawyers in Washington, DC

Frequent lecturer: Virginia Trial Lawyers Association, Maryland State Bar, District of Columbia Bar, Virginia State Bar and American Academy of Matrimonial Lawyers

Author of numerous articles and papers, including the following:

Professional, Personal & Celebrity Goodwill Valuation: Forecasting an Uncertain Future, Aspen Publishers, Valuing Professional Practices and Licenses, Third Edition, 2007 Chapter 44B.

A Comparison of the Domestic Relations Laws - Maryland, Washington, D.C. and Virginia, May 2001, 2002, 2003, 2008 & 2013.

Divorce – The Valuation and Division of Stock Options, District of Columbia Bar, Family Law Division, presentation, January 2001.

Complex Family Matters, Editorial on Troxel v. Granville, U.S. Supreme Court, The National Law Journal, January 2000.

Classifying and Valuing Employee Stock Options Upon a Marital Dissolution, Virginia State Bar presentation, April 1999.

Professional, Personal & Celebrity Goodwill Valuation: Forecasting an Uncertain Future, American Academy of Matrimonial Lawyers presentation, November 1998, Annual Meeting, Chicago, Illinois.

How To Value Goodwill As Marital Asset, “The National Law Journal”, March 1998.

What You Should Know About Divorce Taxation Involving The Elderly, “The Practical Tax Lawyer”, Spring 1994.

Recent Developments in Issues Relating to Fee and Retainer Arrangements, American Academy of Matrimonial Lawyers presentation, November 1993, Annual Meeting, Chicago, Illinois.

The Use of Professional Consultants, Advisors, and Experts in Pre-Litigation Resolution of Marital and Custody Disputes, District of Columbia Bar presentation, September 1993.

Taxation Issues Affecting the Older Divorce Client, American Bar Association “Family Advocate”, Summer 1993.

Selected Other Presentations:

Speaker, Virginia Trial Lawyers Association 53rd Annual Convention, March 2012.
When Lawyers Divorce: Protecting the Law Firm and the Lawyer.

Speaker, American Bar Association Annual Meeting, Family Law Section, Atlanta, Georgia, August 2004. Celebrity Divorce: the Good, the Bad, and the Value.

Speaker, Virginia Trial Lawyers Association Annual Family Law Seminar, four-city program throughout the State of Virginia, June 2001. Divorce – The Valuation and Division of Stock Options and A Comparison of the Domestic Relations Laws in Maryland, Washington, D.C. and Virginia.

Speaker, District of Columbia Bar, Family Law Division, January 2001. Divorce - The Valuation and Division of Stock Options.

Trial demonstration regarding expert witnesses in business valuation, American Academy of Matrimonial Lawyers, Maryland Chapter, Fifth Annual Symposium, October 2000, Ellicott City, Maryland.

Maryland State Bar Association 13th Annual Hot Tips in Family Law, February 2000.
Trial demonstration regarding business valuation – differential of personal and professional goodwill.

Virginia Trial Lawyers Association Annual Family Law Program, July 1999. Panel discussion comparing filing in Virginia, Maryland and the District of Columbia.

Virginia State Bar 15th Annual Advanced Family Law Program, April 1999. Trial demonstration - business valuation and stock options issues, including presentation of expert testimony.

Speaker, Professional, Personal & Celebrity Goodwill Valuation: Forecasting an Uncertain Future, American Academy of Matrimonial Lawyers Annual Meeting, November 1998, Chicago, Illinois.

Speaker, Second Annual Institute on Family Law, American Academy of Matrimonial Lawyers, November 1997, Rockville, Maryland.

Trial demonstration regarding expert witnesses in business valuation, Maryland Association of Certified Public Accountants, Inc., Joint 1997 Litigation Support Services Conference, May 1997, College Park, Maryland.

Speaker, Maintaining Good Client Relations, Retaining Clients and Collecting Fees, American Academy of Matrimonial Lawyers Mid-Year Meeting, March 1997, Cancun, Mexico.

Speaker, First Annual Institute on Family Law, American Academy of Matrimonial Lawyers, November 1996, Rockville, Maryland.

Speaker, Handling Big Cases and Dealing with the Media, Montgomery County Bar Association presentation, April 1995.

Speaker, Divorce Taxation Involving The Elderly, American Academy of Matrimonial Lawyers presentation, November 1992, Annual Meeting, Chicago, Illinois.

Featured speaker, South Carolina Trial Lawyers Association Annual Convention, August 1992.

Virginia Trial Lawyers Association Annual Family Law Program, July 1990. Trial demonstration of business division case and presentation of expert testimony.



TOWN COUNCIL

Agenda Item

Included under this tab is committee description and membership list requesting your consideration and approval for their reappointment to the committee.

A highlighted member is requesting your consideration and approval of their appointment as a new member to the committee.

Arts & Cultural Events Council

The Arts and Cultural Events Council work to enhance community appreciation and involvement in the visual and performing arts within the Town of Kiawah Island and its environs by providing a diversity of planned programs. They work to develop relationships with arts organizations, plan; implement an arts calendar and inform the community of planned events.

MEETING TIMES

Monthly, every 1st Thursday at 2:00pm



4475 Betsy Kerrison Parkway | Kiawah Island, SC 29455 | (843) 768-9166 | Fax (843) 768-4764 | www.kiawahisland.org

2021

ARTS & CULTURAL EVENTS COUNCIL

*Committee members are appointed by Town Council and serve one year terms.
All terms expire on January 31.*

David Wohl, Chairman

157 Governors Drive
Kiawah Island, SC 29455
304-552-9060 cell
Dwohl23@gmail.com

Bill Blizzard

736 B Virginia Rail Road
Kiawah Island, SC 29455
843-768-3303
843-906-7666 cell
billblizzard@gmail.com

Judy Chitwood

4817 Green Dolphin Way
Kiawah Island, SC 29455
843-693-4565 cell
j_e_chitwood@yahoo.com

Becky Hilstad

33 Marsh Edge Lane
Kiawah Island, SC 29455
843-469-3271 cell
bthilstad@aol.com

Van McCollum

508 Ruddy Turnstone
Kiawah Island, SC 29455
404-401-0678
vanmccollum@bellsouth.net

Jodi Rush

143 Flyway Drive
Kiawah Island, SC 29455
843-641-0096
703-966-5351 cell
jrush25@comcast.net

Joan Collar

194 Sanderling Court
Kiawah Island, SC 29455
843-768-0474
843-224-9455 cell
jcfromsc@aol.com

Richard M. Ames

147 Blue Heron Pond Rd
Kiawah Island, SC 29455
843-814-0423 cell
amesrm2@yahoo.com

Gary Rice, Member Emeritus

52 Blue Heron Pond Road
Kiawah Island, SC 29455
843-243-0253
212-203-8903 cell
garryrice@gmail.com

Staff Support:**Stephanie Braswell Edgerton**

843-768-5113
843-532-3269 cell
sbraswell@kiawahisland.org

Keely Laughlin

843-768-9976
330-605-5424 cell
klaughlin@kiawahisland.org

Audit Committee

The Audit Committee assist the Mayor and the Town Council in fulfilling its responsibility to provide oversight of management regarding the Town's systems of internal controls and risk management; the integrity of the Town's financial statements; the Town's compliance with legal and regulatory requirements and ethical standards; and the engagement, independence and performance of the Town's independent auditors.

MEETING TIMES

As needed, usually during the annual audit

**Mayor**

John D. Labriola

Council Members

Maryanne Connelly

John Moffitt

Scott M. Parker, MD

F. Daniel Prickett

Town Administrator

Stephanie Monroe Tillerson

2021 AUDIT COMMITTEE

Members are appointed by the Mayor and Town Council and serve for one year terms. Terms expire on January 31, 2022

Maryanne Connelly, Chairman

4927 Green Dolphin Way

Kiawah Island, SC 29455

(973) 610-4889

mconnelly@kiawahisland.org

John P. Ross

429 Sea Lavender

Kiawah Island, SC 29455

(843) 718-9999

johnpross@icloud.com

Andrew J. Capelli

160 Governor's Drive

Kiawah Island, SC 29455

(843) 768-9113

acapelli35@hotmail.com

James A Williams

37 Burroughs Hall

Kiawah Island, SC 29455

843/243-0423(h)

843/412-0672(c)

jamesalbertwilliams@msn.com

Dorota Szubert, Town Treasurer

4475 Betsy Kerrison Parkway

Kiawah Island, SC 29455

(843) 768-9166

dszubert@kiawahisland.org

Alexander (Alex) F. Fernandez

4976 Green Dolphin Way

Kiawah Island, SC 29455

(954) 850-9989

alex@flmsfoods.com

Environmental Committee

The Environmental Committee's primary objectives are to study and report on environmental issues, serve as an advocate for the protection of wildlife and their habitat, provide and/or support educational programs to increase public awareness of the Kiawah's natural environment, and make recommendations as appropriate to Town Council.

MEETING TIMES

Bi-Monthly, every 2nd Wednesday at 2:00 pm, beginning in January



TOWN OF *Kiawah Island*

Mayor

John D. Labriola

Council Members

Maryanne Connelly

John Moffitt

Scott M. Parker, MD

F. Daniel Prickett

Town Administrator

Stephanie Monroe Tillerson

2021

ENVIRONMENTAL COMMITTEE

Committee members are appointed by the Mayor and Town Council to serve one-year terms. All terms expire on January 31, 2022.

Jim Jordan - TOKI - Chairman

4475 Betsy Kerrison Parkway

Kiawah Island, SC 29455

768-9166

jjordan@kiawahisland.org

Jim Chitwood

49 River Marsh Lane

Kiawah Island, SC 29455

768-0838

jlchitwood04@yahoo.com

Jim Sullivan

79 Blue Heron Pond Rd.

Kiawah Island

843-768-2605

sullivanjv@aol.com

Lynne Sager

582 Oyster Rake Road

Kiawah Island, SC 29455

843-768-4865

lynnesager@me.com

Jane Ellis

261 Sea Marsh Drive

Kiawah Island, SC 29455

864-378-1004

jellis@presby.edu

David Pumphrey

525 Bufflehead Drive

Kiawah Island, SC 29455

703-967-9420

dpumphrey71@gmail.com

John W. Leffler

60 Sunlet Bend

Kiawah Island, SC 29455

843-768-9528

LefflerJ@comcast.net

Pam Wilson

1 Grey Wigeon Lane

Kiawah Island, SC 29455

610-324-5574

Pamwilson813@gmail.com

Scott Nelson

65 Persimmon Ct

Kiawah Island, SC 29455

864-277-2823

cscottnels@gmail.com

John (Jack) Kotz

31 Greensward Rd.

Kiawah Island, SC 29455

768-3239

johnkotz@me.com

Lee Bunrick, KINHC

80 Kestrel Court

Kiawah Island, SC 29455

(843) 768 2029

lee@kiawahconservancy.org

Matt Hill - KICA Lakes Management

23 Beachwalker Drive

Kiawah Island, SC 29455

(843) 768-2315

matt.hill@kica.us

Lucas Hernandez - KICA

23 Beachwalker Drive
Kiawah Island, SC 29455
(843) 768 2029
lucas.hernandez@kica.us

Sara Senst - ARB

130 Gardeners Circle, Suite 123
Johns Island, SC 29455
768-3419
Amole@kiawah.com

Liz King - KIGR

1Sanctuary Drive
Kiawah Island, SC 29455
768-6001
liz_king@kiawahresort.com

Aaron Given - TOKI

4475 Betsy Kerrison Parkway
Kiawah Island, SC 29455
768-9166
agiven@kiawahisland.org

Dr. Scott M. Parker

Council Liaison
4475 Betsy Kerrison Parkway
Kiawah Island, SC 29455
(843) 768-9166
sparker@kiawahisland.org

Public Safety Committee

The Public Safety Committee is responsible for assisting the Town in meeting its state-mandated responsibilities with regard to maintaining order and law enforcement and to initiate and consider proposals and methods to upgrade and improve public safety on the Island and to manage our beach safety.

MEETING TIMES

Monthly, every 2nd Wednesday at 2:00pm



Mayor

John D. Labriola

Council Members

Maryanne Connelly
John Moffitt
Scott M. Parker, MD
F. Daniel Prickett

Town Administrator

Stephanie Monroe Tillerson

2021 Public Safety Committee

*Members are appointed by the Mayor and Town Council and serve for one year terms. A member of Town Council shall serve as Committee Chairman.
Terms expire January 31, 2022.*

Maryanne S. Connelly, Chairman

4927 Green Dolphin Way
Kiawah Island, SC 29455
973-610-4889
Fanwood1@gmail.com

Julie Beier

Northwood Retail
Kiawah Island, SC 29455
(843) 768-6491
jbeier@northwoodretail.com

Tony Elder

Kiawah Island Community Association
23 Beachwalker Drive
Kiawah Island, SC 29455
843-768-9194
tony.elder@kica.us

Dwight Williams

95 Wax Myrtle Court
Kiawah Island, SC 29455
(703) 608-9235
DWilliams@greyskylc.com

Yvonne Johnstone

Kiawah Island Golf Resort
Kiawah Island, SC 29455
864-480-2509
yvonne_johnstone@kiawahresort.com

Bonnie MacDonald

146 Hooded Merganser Court
Kiawah Island, SC 29455
978-387-0081
btooshoes@comcast.net

Bill Thomae

112 Governors Drive
Kiawah Island, SC 29455
843-576-4083
william.thomae@yahoo.com

Public Works Committee

The Public Works Committee assists the Town in monitoring and making recommendations to improve solid waste services, infrastructure, facilities and utility needs and to recommend and consider proposals and methods to upgrade and improve public works related services on the Island.

MEETING TIMES

Monthly, every 2nd Monday at 10:00am



Mayor

John D. Labriola

Council Members

Maryanne Connelly
John Moffitt
Scott M. Parker, MD
F. Daniel Prickett

Town Administrator

Stephanie Monroe Tillerson

2021 PUBLIC WORKS COMMITTEE

Members are appointed by the Mayor and Town Council and serve for one year terms. Terms expire on January 31, 2022

David DeStefano

31 Burroughs Hall
Kiawah Island, SC 29455
401-487-3282
davedestef@cox.net

James (Jim) Gilliam

224 Eagle Point Road
Kiawah Island, SC 29455
843-202-0298
Jigilliam0928@gmail.com

Warren Stannard

294 Surfsong Road
Kiawah Island, SC 29455
768-1452
wgstannard@bellsouth.net

Stephen Sager

582 Oyster Rake
Kiawah Island, SC 29455
843-768-4865
ssager@sbsager.com

Will Connor

KICA, Director of Major Repairs
23 Beachwalker Drive
Kiawah Island, SC 29455
768-2315
william.connor@kica.us

Stephanie Monroe Tillerson, AICP, Town Administrator

4475 Betsy Kerrison Parkway
Kiawah Island, SC 29455
(843) 768-5103
stillerson@kiawahisland.org

Brian Gottshalk

Public Works Director
4475 Betsy Kerrison Parkway
Kiawah Island, SC 29455
(843) 768-5111
bgottshalk@kiawahisland.org

State Accommodations Tax Committee

The Accommodations Tax Committee meets annually to consider SATAX applications and make recommendations to the Ways and Means Committee on how the Town's tourism-related funding should be allocated during the following budget year.

MEETING TIMES

Annually, usually in April, date and time determined by Administrator and Treasurer



TOWN OF *Kiawah Island*

Mayor

John D. Labriola

Council Members

Maryanne Connelly

John Moffitt

Scott M. Parker, MD

F. Daniel Prickett

Town Administrator

Stephanie Monroe Tillerson

2021 SATAX Committee STATE ACCOMMODATIONS TAX

The members serve a one-year term expiring on January 31, 2022 and are appointed by the Mayor and Town Council

Dan Prickett, Chairman

Non-Voting Member

573 Whimbrel Road

Kiawah Island, SC 29455

dprickett@kiawahisland.org

Phone: (843) 768-0584

Diana Mezzanotte

Property Owner

99 Rhett's Bluff Road

Kiawah Island, SC 29455

dmezza444@gmail.com

Phone 407-346-6238

Gary Rice

Arts Council

52 Blue Heron Pond Road

Kiawah Island, SC 29455

garyrice@gmail.com

Phone: (843) 243-0253

John Wilson

Property Owner

749 Glossy Ibis Lane

Kiawah Island, SC 29455

jrwilson749@msn.com

Phone 768-3303

Roger Warren

Kiawah Island Golf Resort

1 Sanctuary Drive

Kiawah Island, SC 29455

Roger_Warren@kiawahresort.com

Phone: 768-2121

Amy Anderson

South Street Partners

Vice President, Marketing

Kiawah Island, SC 29455

aanderson@southstreetpartners.com

Phone: 864-365-0702

Pam Harrington

Harrington Exclusives

4343 Betsy Kerrison Parkway

Johns Island, SC 29455

pamh@pamharringtonexclusives.com

Phone 768-0273

Don Semmler

Andell Inn

300 Farm Lake View Road

Kiawah Island, SC 29455

donald.semmler@gmail.com

Phone: 843-801-125