

WAYS & MEANS COMMITTEE MEETING
Kiawah Island Municipal Center
Council Chambers
February 25, 2014; 2:00 PM

MINUTES

- I. Call to Order:** *Mr. Labriola called the meeting to order at 2:00 pm.*
- II. Pledge of Allegiance:**
- III. FOIA:** Notice of this meeting has been published and posted in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.
- IV. Roll Call:**
- Present:** **John D. Labriola, Mayor Pro Tempore**
 Charles R. Lipuma, Mayor
 Mary Q. Johnson
 Lauren N. Patch
 Richard D. Murphy
- Also Present:** **Tumiko Rucker, Town Administrator**
 Ken Gunnells, Town Treasurer
 Petra Reynolds, Town Clerk
- V. Approval of Minutes:**
- A. Minutes of the Ways & Means Committee Meeting of January 30, 2013

Mr. Labriola asked Committee Members for clarification on two items that were recorded in the minutes; 1) page 4, Charleston Symphony Orchestra (CSO) – Mr. Labriola stated that it was his recollection that during the CSO application discussion, he specifically asked Mr. Smith if the requested funding was to be used for the CSO General Fund. Members agreed with Mr. Labriola and recounted other comments that were made in the conversation with Mr. Smith. Ms. Reynolds was asked to review the recording and amend the minutes if necessary. 2) page 9/10, Special Events Procedure Forms and Fees - Mr. Labriola stated that it was his recollection that the Special Events Procedure Form had not been approved but had been tabled by the committee at the meeting. Mayor Lipuma and Mrs. Johnson were in agreement with Mr. Labriola. Mr. Murphy stated that he remembered the discussion and that the Committee agreed that the form required modification. Mrs. Rucker stated that the minutes were correct. The Committee recommended approval of the form and fees with modifications that were discussed to be presented at the next Town Council meeting. She noted that it was at the Town Council meeting that the Special Events Procedure Forms and Fees item was tabled.

Mayor Lipuma motioned to approve the minutes of the January 30, 2014 Ways and Means Committee Meeting. The motion was seconded by Mr. Murphy and the minutes were approved unanimously with amendments.

VI. Citizens' Presentations or Comments:

Wendy Kulick – 38 Marsh Edge Lane

Mrs. Kulick called attention to the first item that is listed for discussion in the Executive Session, *(To discuss the acquisition of property adjacent to Town Hall)* and questioned if there needed to be more specificity in terms of the detail of the items that are listed for discussion prior to Council going into Executive Session.

VII. Old Business:

A. None

VIII. New Business:

A. Business Interruption Policy

Mrs. Rucker stated that while going through the Emergency Planning process the Town's consultant requested a review of all insurance policies that are held by the Town for its protection and noted that the Town did not carry Business Interruption Insurance. She indicated that a policy had been explored in the past but was not included in the annual budget.

Mrs. Rucker stated that the consultant highly recommended that Council look into a policy. The quote from the State presented for Council's consideration would be at an annual cost of \$3075 for \$1.5 million of coverage.

Mr. Murphy questioned what types of interruptions that would be covered under the policy. Mrs. Rucker and Mr. Gunnells stated that the policy would cover loss of income when disaster struck and to cover the cost of additional expenses incurred by the Town in order to become operational again.

Committee Members discussed the need to have this kind of policy and more formal information on what the policy would cover. Mr. Patch stated that what was presented was co-insurance which required the Town insurance and annual revenue that would be audited annually for a premium adjustment. He suggested "extra expense coverage" that would cover the additional expenses incurred but more economically.

Committee Members discussed the need for a Business Interruption Policy and what options could be found as an alternative. Members agreed to table a decision until further research could be done.

B. Emergency Purchasing Ordinance

Mrs. Rucker stated that in going through the Emergency Preparedness Planning process it was identified that a few ordinances required updating in order to coincide with the Emergency planning. She stated that the current Emergency Purchasing Ordinance is limited and the need for greater flexibility to make purchases in an emergency or in the case of extenuating circumstances where the Mayor or his designate were not available.

Mayor Lipuma questioned the need to address the ordinances in advance of the completed Emergency Plan instead of doing it all at one time. Mrs. Rucker explained the time line involved and the difficulty in approving ordinance retroactively.

Committee Members engaged in an in-depth discussion of what spending limits were currently in place. The discussion also included that a spending cap and a hierarchy listing should be included in the ordinance. Mrs. Rucker noted that the hierarchy is in the Emergency Power of Council Ordinance, the next item on the agenda.

Mayor Lipuma made a motion to return the ordinance back to Mr. Murphy and staff to set a recommendation on the amount of the spending cap for the ordinance for review and discussion at the next Town Council meeting and the first reading. Mr. Patch seconded the motion.

Following further discussion, the motion was unanimously passed.

C. Article II – Emergency Power of Council Ordinance

Mayor Lipuma read Section 2-208(a) to give an ordinance definition of “emergency”;

Upon the probable happening of any one or more of the following events, to wit:

- (1) The formation of any unruly mob;*
- (2) The existence of a state of war, whether declared or not, or of any insurrection;*
- (3) The occurring of any tornado, hurricane, cyclone, major fire, earthquake, flood, or any other act of God or force which disrupts or threatens to disrupt the normal activities of the community; (acts of terrorism)*
- (4) The occurrence of multiple acts of arson or of any acts which unduly alarm and/or threaten the public;*
- (5) The occurrence of a nuclear accident; and/or*
- (6) Any other threatening event designated as an emergency by council;*

Mr. Patch suggested that Emergency Purchasing, which was discussed in the last ordinance, be added to the list of Emergency Powers of Council.

Mayor Lipuma made a motion to recommend to Town Council for the first reading; Ordinance 2014-04 – Emergency Powers of the Mayor. The motion was seconded by Mr. Patch and was unanimously passed.

IX. Chairman’s Report

None

X. Treasurer's Report

Mr. Gunnells stated that it was his intention to bring a budget amendment to the Committee but decided to delay it by a month due to some information not being available or effects of possible events not being known at this time.

XI. Citizen Comments

Janneke Vreede-Schaay, one of the owners of Tidal Trails, stated that her company had a franchise agreement with the Town to rent kayaks to residents and their guest through the Community Association and the Kiawah Island Club. She stated the agreement was on the agenda several months ago during a time when she and her family were out of the country. She stated that the agreement has expired and wanted to come before the Committee to answer any questions that they may have.

Committee Members discussed with Mrs. Vreede-Schaay that the Committee would have to review the terms that would be required for a new franchise agreement and agreed to add her request to the next Ways and Means agenda. Mrs. Vreede-Schaay agreed to attend the meeting.

XII. Committee Member's Comments

Mr. Patch – no further comment

Mrs. Johnson – no further comment

Mayor Lipuma stated that tomorrow he and Mrs. Rucker would be attending the Coastal Communities meeting set up by the Mayor at the Isle of Palms. He stated that included on the agenda were ATAX, Beachfront Management Act, availability of grants, status of beach preservation, beach access, beach parking, golf carts, living with wildlife and coyotes.

Mr. Murphy stated he and Mrs. Rucker had been working on designing the RFP proposal for the Public Safety consultant that was discussed at the Council Retreat. He stated that the proposal was in the final stages of completion and distribution.

Mayor Lipuma motioned to discuss a contractual matter related to the acquisition of the Kiawah Island Utility and to receive legal advice on the same and to discuss the acquisition of real property and to receive legal advice on the same. The motion was seconded by Mr. Murphy, and motion carried unanimously.

XIII Executive Session:

- A. To discuss the acquisition of property adjacent to Town Hall.
- B. To discuss a contractual matter related to the acquisition of the KIU and to receive legal advice on the same.

Mayor Lipuma made a motion to return form Executive Session. The motion was seconded by Mr. Murphy and was unanimously passed.

Returning from executive session, Mr. Labriola stated that no decisions were made and no votes were taken.

XIV. Adjournment

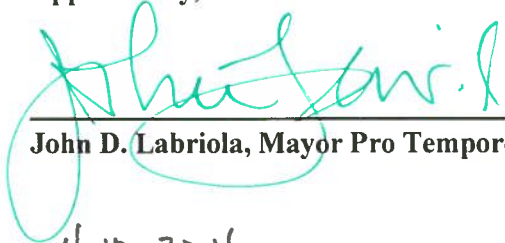
Mr. Patch made a motion to adjourn the meeting at 3:41 pm. Mr. Murphy seconded the motion and it passed unanimously.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



John D. Labriola, Mayor Pro Tempore

4-10-2014

Date