

WAYS & MEANS COMMITTEE MEETING
Kiawah Island Municipal Center
Council Chambers
July 22, 2014; 2:00 PM

MINUTES

- I. Call to Order:** *Mr. Labriola called the meeting to order at 2:10 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 E. 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 Budget Workshop of May 27, 2014
- Mayor Lipuma motioned to approve the minutes of the May 27, 2014 Ways and Means Committee Budget Workshop. The motion was seconded by Mr. Patch and the minutes were approved unanimously as amended.*
- VI. Citizens' Presentations or Comments:**
A. Library Referendum Update and Request
- Mayor Lipuma stated that he received a letter from Ms. Janet Segal, Chairman for the *Vote Yes! For Charleston Libraries* Committee. Mayor Lipuma indicated that he was asked to be an Honorary Co-Chair of the Committee along with Mayors Riley and Summey. Mayor Lipuma stated that Ms. Segal was invited to attend the Ways and Means Committee meeting but was unable to attend. He noted that Ms. Segal was informed that the Town has a Contributions Budget that is acted on once a year and advised to submit an application.
- VII. Old Business:**
None

VIII. New Business:

A. Collins Engineering – Post Emergency Professional Services

Ms. Rucker stated that during the Town’s Comprehensive Planning process the need was identified for the inspection of roads and bridges on the Island post emergency or disaster situation. She indicated that Collins Engineering had agreed to submit a proposal to provide Post Emergency Professional Services. The services would be to inspect the Town’s infrastructure to include the Municipal Center, Kiawah Island Parkway, Kiawah Bridge and other bridges on the Island if requested by the Community Association. Ms. Rucker stated that proposal included a standard fee structure that would be incurred only if the services were rendered and did not require a retainer fee.

Committee members discussed the Town’s responsibility for the inspection of infrastructure, areas of the proposal that required further clarification and queried as to the company’s ability to mobilize staff and equipment to an event quickly. The representative of Collins Engineering assured that the company has adequate capabilities and staff to allow for a swift response.

Mr. Patch made a motion to postpone consideration of the Collins Engineering proposal until further clarification is obtained and represented to Council. The motion was seconded by Mayor Lipuma and was unanimously passed.

B. Carolina Waste Solid Waste Contract Fee Adjustment

Ms. Rucker stated that the current contract with Carolina Waste to provide solid waste collection services for the Town began on July 1, 2012 and runs for 5 years with 2 additional one year automatic renewals. The Town received a written request from the Carolina Waste requesting a 3% cost of living increase. Ms. Rucker indicated the present contract provided that Carolina Waste could request yearly CPI increases but in the third year of the contract, this is the first request that had been received. She indicated that staff recommended the approval of the request at this time and based on the current year's costs, the expected increase for solid waste can be absorbed in the 2015 budget.

Ms. Rucker also identified additional services that will be provided by Carolina Waste to include the installation of cameras with Wi-Fi capabilities on the trucks to better track visuals of crew encounters and to address resident’s concerns and complaints. She noted that these services were not a requirement of the original contract and an added feature would be beneficial in the resolution of complaints. Mrs. Johnson posed the question if the visual taping created any privacy concerns. Ms. Rucker, along with Mayor Lipuma responded by noting that the visuals would only include the right-of-way along the street and driveway when retrieving the receptacles for backdoor service. Committee members discussed some of the solid waste issues that are encountered by staff and the members’ concerns with the incidental benefit of the addition of the camera.

Mr. Murphy made a motion to recommend to Council the 3% cost of living increase to the Carolina Waste contract. The motion was seconded by Mr. Patch and was unanimously passed.

C. Coyote Trapping Costs

Mr. Labriola stated that he was requested to address the community's concerns regarding coyotes depredate Loggerhead Turtle nests. He stated that there had been several discussions at the Environmental Committee meeting that included Committee members, residents and representatives of the Department of Natural Resources (DNR). The discussions centered on issues relative to actions that should be taken to protect the turtle nests. Mr. Labriola indicated DNR representatives gave a presentation in which the trapping and disposal of coyotes was used as a means of predation control. He noted that trapping of coyotes and transportation off the Island was the only legal method allowed by state law. With that in mind, Mr. Labriola stated that he had great respect for all residents and members of the Turtle Patrol in their continued vigilance and passion in trying to protect the turtle nests. He requested that Mr. Jordan, Town Biologist, look into the cost, time, and implications, etc, in trapping coyotes on the Island.

Mr. Patch called attention to the written documentation and questioned if it was the Environmental Committee's position to not hire a trapper to kill coyotes and also questioned what role the Town Council Members have if that is the case. Mr. Murphy stated that as a high priority concern of many residents, it is the misconception that the Town has not shown proper concern in response to this issue. He indicated that it was the hope that residents would see that the Town heard their issue, addressed and discussed the issue and then voted on a plan of action.

Mrs. Johnson referred to the numerous passionate requests she hears from residents on the Turtle Patrol asking for the Town to do "something" to resolve this issue. Mr. Patch agreed and stated that not being knowledgeable on coyotes; his only response was to advise those residents to attend the Environmental Committee meetings or to speak to the Town's biologists. He noted that there is not a clear-cut answer to resolve the issue. Mr. Patch noted that information that is distributed to the Turtle Patrol by DNR regarding the best way to protect the turtle nests constantly changes.

Committee members discussed the theory that the removal of a single coyote could bring several more in its place to establish their own territory. At this point there have been virtually no coyote sightings this year.

Ms. Rucker stated that the greatest benefit to the Town would be for members to defuse the misinformation that the Town's position has been "to do nothing". She stated that Mr. Jordan and Mr. Given have spent a great deal of time over two months trapping and only were able to trap and collar one coyote. The information supplied from that collar has given the opportunity for the study of the coyote's movements and habits with regard to their depredation of the turtle nests. Ms. Rucker also added that Mr. Jordan has been working more closely with the members of the Turtle Patrol and that she, and Mr. Jordan, have had meetings with DNR in an effort to find a solution. She stressed that both Mr. Jordan and Mr. Given are following the recommendations of the Environmental Committee and the directives of the Town.

Mr. Jordan reported that approximately 10% of the turtle eggs laid this year have been lost to predation but, when looking at losses for the last three years they seem to be stable and the effect on the loggerhead turtle seemed to be the same. He discussed that many concerns are driven by the misconception that the amount of predated nest is larger this year (1 out of 4 nests). Last year there were approximately three hundred more nests, but the amount of eggs predated is comparable (1 out of 16 nests). Mr. Jordan stated that another factor that had driven the concern was the position of DNR Turtle Program in March. At that time the only solution was the elimination of coyotes, now the position has been revised to recommend the use of screening, cages and more nonlethal methods leaving elimination as a last resort.

Mr. Jordan suggested that it is important to keep in mind;

1. *Coyotes live everywhere in the country,*
2. *They are technically a native species,*
3. *They are doing what mother nature intended them to do,*
4. *They are eating things in their environment,*
5. *They are not bothering and make every effort to avoid people*
6. *The Town and the Turtle Patrol are investigating a variety of non-lethal techniques to reduce depredation rates, including: plastic screens to prevent coyotes digging into nests, the installation of flashing red light deterrents, motion activated sensors that make noise and flash a light when a coyote approaches a nest, and night patrols to limit coyote activity on the beach.*

Mr. Jordan reported on inquiries that were made into the cost of trapping services. He indicated to have found that the going rate is approximately \$3500 per week. The fee includes the setting of 50 to 80 traps and checking those traps daily. Committee members discussed the merits of hiring a trapper verses let nature take its course. Mrs. Johnson made the request that the Town Biologists work more closely with the Turtle Patrol and also noted that she made inquires with companies for trapping services with substantially different rates.

Ms. Rucker stated that with a large part of the misinformation stemmed from DNR, they have agreed that sharing with Turtle Patrol new recommendation for pursuing nonlethal deterrents may calm many concerns on this issue. Ms. Rucker also stated that there will be a post season meeting to determine future policies and practices for the next season. She indicated that the Town is not only looking at understanding and managing the coyote issue but also looking for collaborative solutions.

IX. Chairman's Report:

Mr. Labriola stated he had no further report.

X. Treasurer's Report:

A. FY2014 Audit Update

Mr. Gunnells present to Committee Members the required notification letter from Webster Rogers that informs them the Town is entering into an audit process. He stated that if there are any questions that members can contact him or Webster Rogers directly.

Mr. Gunnells reports that his staff was in the process of closing out FY 2013/2014 and completing the required year end reports and forms. He stated that the auditors are anticipated to begin the typical yearly audit in late August with an audit statement completed by the end of September that would be presented to Council at the October Town Council Meeting.

Mr. Gunnells reported that interest rates on the Town's investments have shown a slight increase. He also stated that staff was in the process of gathering the information through June 30th to report on the financial impact of Freshfields.

XI. Citizen Comments:

None

XII. Committee Member's Comments:

Mr. Murphy reported that the Emergency Services Consultant, PSSi, had completed their fact gathering interviews with the Charleston County Consolidated 911 Center, Charleston County EMS, and with Sheriff's Office. He noted that Sheriff Cannon provided unique ideas in which the Town could provide more cost effective police protection and a better level of service.

Mr. Murphy reported the Consultants contacted the St. John's Fire District and were notified that no data would be released without a Freedom of Information Act (FOIA) request or complying with conditions set forth by the District. Mr. Murphy indicated that one of the conditions was that the District reviews the findings of the Consultant before they are released to the public. He stated that the District's request was contrary to the intent of having independent evaluations.

Mr. Murphy informed members that based upon impending delays anticipated by the District; it is predicted that the Consultant's schedule/timeline will have to be modified. Ms. Rucker added that it is also likely that there will be additional costs associated with the supplemental work and time that will have to be expended for the additional requests.

Mayor Lipuma stated that STJFD Fire Commissioner, Craig Weaver contacted him concerning the information that PSSi requested from the District. The Mayor indicated Commissioner Weaver restated that per District policy, the only way information could be made available would be with an FOIA request and asked that the Town comply with the District's conditions. Mayor Lipuma stated that he requested Commissioner Weaver email his requests so that he may respond.

Committee members engaged in an in-depth discussion of the requests made by Commissioner Weaver for the STJFD. Members deliberated the best course of action and/or response to achieve the best outcome for both the Town and the District and also discussed the appropriate respondent.

Mr. Patch brought to the attention of Committee members an issue that came to light after a recent Board of Zoning & Appeals (BZA) meeting. He explained that there is a state statute for the BZA that stated in order for an applicant to seek a variance; the applicant must first demonstrate that their issue creates a hardship that is not created by the applicant. Mr. Patch

further explained that there are twelve conditions that must occur, and all have to be met in order for the variance to be considered by the board. He indicated that if all twelve are not met, the board has no real jurisdiction to grant a variance.

Mr. Patch explained to members the specifics of the case that was presented to the BZA and the County's as well as his surprise at the approval. He described what he felt were egregious errors in the judgment of the board members and legal counsel in not following statutes. He requested that members consider the suggestion of a workshop of some kind for members of the BZA, County Planning, Town Planning and Legal Counsel to discuss and clarify the qualifications of a variance.

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. The motion was seconded by Mr. Murphy, and motion carried unanimously.

XIII. Executive Session:

A. To discuss a contractual matter related to the acquisition of the KIU and to receive legal advice on the same.

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 4:12 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

8-26-2014
Date