TOWN COUNCIL MEETING
Kiawah Island Municipal Center
Council Chambers
January 10, 2017; 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 6, 2016

IV. Mayor's Update:

V. Citizens' Comments (Agenda Items Only):

VI. Old Business:
   A. KIU Rate Increase – Intervention Options

VII. New Business:
   A. Appointment of Mayor Tempore
   B. Council Committee Assignments
   C. Council Liaison Assignments
   D. Appointment of Town Treasurer
   E. Appointment of Town Clerk
   F. Appointment of Town Attorney
   G. 2017 Committee Appointments
      - Arts & Cultural Events Council
      - Construction Board of Appeals
      - Municipal Center Committee
   H. Municipal Construction Committee Charter Amendment
   I. Public Works Charter Amendment

VIII. Town Administrator's Report:
   a. Update on Debris Removal and Costs
   b. Council Workshop
   c. Boardwalk Repairs

IX. Council Member:
   a. Committee Updates
   b. General Comments

X. Citizen Comments:

XI. Executive Session:
    None

XII. Adjournment:

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.
I. Call to Order: Mayor Lipuma 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: Charles R. Lipuma, Mayor
            John D. Labriola, Mayor Pro-Tempore
            Mary Q. Johnson
            John Wilson
            Craig Weaver
            
            Also Present: Stephanie Monroe Tillerson, Town Administrator
                           Dorota Szubert, Town Treasurer
                           Sally Rhoad, Town Attorney
                           Petra Reynolds, Town Clerk

V. Approval of Minutes:
   A. Minutes of the Town Council Meeting of November 1, 2016

       Mr. Wilson made a motion to approve the minutes of the November 1, 2016 Town Council Meeting. The motion was seconded by Mr. Weaver and the minutes were unanimously passed as amended.

VI. Citizens’ Comments (Agenda Items Only):

   Wendy Kulick – 38 Marsh Edge Lane

   “Since today is the last meeting of this Town Council, I would like to thank you all for your service. Some of the issues you have faced during these two years have been extraordinarily complex – such as the alleged embezzlement committed by the former Town Administrator and Treasurer.

   While we may have disagreed about decisions TC has made during this term, I thank you for the time and effort you have devoted to your job.

   Looking forward, as you all know, Kiawah Island Utility (KIU) has applied to the State Public Service Commission (PSC) for a 25.57% increase in water and sewer rates. I have asked both the Town and KICA to request the PSC hold a public hearing on Kiawah, and appreciate the e-mail the Town Administrator has sent to the PSC doing just that. Has the Town received a response to its request from the PSC?

   The Town has until December 28, 2016, to file to intervene. I urge you, as I also urge the new mayor and council, to step up to this challenge. The Town Council has a bully pulpit. Please use it to address the proposed rate increase, which will affect ALL property owners on Kiawah, including the Town, until it moves to its new building off the island.”
It is my understanding KICA intends to file a motion to intervene to put itself in the position of learning more about the requested increase. If the Town and KICA were to partner in an intervention and share the same legal counsel, the cost to each would be cut in half. If the Resort were also to partner in this action, each entity would pay only one-third of the cost.

It may be that the proposed rate increase is not excessive, but that cannot be determined without filing to intervene and compelling the Utility to justify its request.

I urge the Town to preserve its options and begin to prepare itself to file to intervene as soon as the new Council is sworn into office. Such an action does NOT commit the Town to spending time and money objecting to the rate increase. It does, however, ensure that should the Utility not provide satisfactory justification for such a large increase, the Town can and will act to protect property owner interests."

Mayor Lipuma responded the Town had not received a response from the PSC to the Town’s request to hold a public hearing on Kiawah.

John Connolly – 1020 Scaup Court

Mr. Connolly, as one of the Fire commissioners representing Kiawah Island, encouraged Town Council to recommend to Charleston County Council the nomination of Mr. Bill Thomae as a St. Johns Fire Commissioner. He stated Mr. Thomae was very experienced, dedicated and would make a good replacement to fill the seat vacated by John Olsen.

VII. Old Business: None

VIII. New Business:
A. 2017 Meeting Schedule

Mayor Lipuma recommended the December 2017 Ways and Means Committee meeting be moved from the 26th to the 19th.

*Mayor Lipuma motioned to accept and approve the amended 2017 Meeting Schedule Dates. The motion was seconded by Mr. Weaver and was unanimously approved.*

B. 2017 Holiday Schedule

*Mr. Wilson motioned to accept and approve the amended 2017 Holiday Schedule Dates. The motion was seconded by Mr. Labriola and was unanimously approved.*

C. Recommendation for St. John’s Fire District Commissioner

Mr. Weaver gave a brief overview of the Fire Commissioner appointment process in which the Town would make a recommendation to Charleston County. Based on the applications received, Charleston County Council then make a recommendation to the Governor, who makes the appointment. The current Commissioner, Mr. Olson has selected not to seek reappointment leaving a vacant position.

Mr. Weaver stated Mr. Thomae has indicated his plans to submit his application as soon as the vacancy is posted by the County. As a member of the Public Safety Committee along with his extensive fire and EMS background makes him the perfect candidate and is the choice of the St. John’s Fire District (STJFD) and the Public Safety Committee’s recommendation. Mr. Weaver noted
his year the County has not yet posted the vacancy so Council will have to make a decision on making a recommendation now, which will not allow the Town time to review other residents who may apply or waiting until after the posting, which will make it difficult to allow the new Council to make their recommendation to members of Charleston County Council.

Following discussion Council agreed to nominate Bill Thomae to be appointed to the STJFD Fire Commission.

**Mayor Lipuma made a motion to nominate Bill Thomae for recommendation to Charleston County Council for appointment to the STJFD Fire Commission. The motion was seconded by Mr. Labriola and unanimously passed.**

D. Approval of Kiawah Conservancy Funding Requests

Mrs. Johnson state the Town has financially supported a variety of Kiawah Conservancy programs and activities in recent years. Financial support has come from a number of different sources, including the Environmental Committee line item in the Conservation department. During the current fiscal year (2016-17) budgeting process, Town Council created a Kiawah Island Conservancy line item in the Environmental Department budget. This line item contains $58,000 to support Kiawah Conservancy programs and activities. In the process for funding, proposals from the Conservancy are first reviewed by the Environmental Committee. After this review, the Environmental Committee then makes a recommendation to the Ways and Means Committee and Town Council for final funding approval.

At the November 8th Environmental Committee, Ms. Donna Windham from the Kiawah Conservancy, presented a total of 7 proposals for funding. The Committee Members reviewed each proposal and voted unanimously to recommend funding. Proposal titles and costs are listed below:

1. Naturally Kiawah Demonstration Garden Update $5,000
2. Naturally Kiawah Pathways App Brochures $5,000
3. 2016 Alligator Research Symposium $7,000
4. New Trail Signage for Rhett’s Bluff, Falcon Point, and Marsh Island $10,000
5. 20th Anniversary Kiawah Conservancy Book $10,000
6. Documentary Film on Shorebirds $11,000
7. Naturally Kiawah Magazine, Spring Addition $10,000

**TOTAL** $58,000

Mrs. Johnson made a motion to approve the funding of seven proposals from the Kiawah Conservancy in the amount of $58,000.00. Mr. Labriola seconded the motion.

Following further discussion the motion was unanimously passed.

E. Kiawah Island Utility Rate Increase Application to Public Service Commission

Mayor Lipuma stated Kiawah Island Utility (KIU) filed with the Public Service Commission (PSC) an application for a 25% rate increase. He noted the PSC was responsible for investigating to determine the basis as well as justification for the increase and the Town has petitioned for a Public Hearing to be held on Kiawah to allow residents the opportunity to ask questions on this matter. The Town
has until later this month to file as an intervener and will be gathering information in order to make the determination if the Town should file, and by this Council or to defer to the new Council.

Mayor Lipuma stated Mr. Green, the new Town Attorney, will be speaking today along with Mr. Frank Ellerbe, who monitors PSC activities for the Town, along with Mrs. Rhoad to provide background information and to answer questions.

Mr. Green introduced Mr. Ellerbe who will be able to provide information on based on his extensive credentials as a litigator of Utility and Environmental Law. Mr. Ellerbe outlined the two options available to Council as submitting to the PSC a letter of protest and participate informally in the Public Hearing requested on Kiawah or filing a petition to intervene to participate with the office of regulatory staff negotiations after their investigation of the KIU request.

Items discussed with Mr. Ellerbe included the legal cost of being an intervener, if municipalities typically intervene in these cases or rely on the decision of the regulatory staff, if there is criteria by which the regulatory staff evaluates allowable recovery of expenses and profit margins, does an intervention have any influence or impact on the final decision and is there any advantage for a home owners association and municipality to jointly file to intervene.

Mrs. Becky Dennis with KIU along with Mr. Craig Sorensen with Southwest Water Company gave an update on the status of the new water line project along with reasoning for the rate filing, rate adjustment process and an area rate comparison. Mrs. Dennis stated that except for slight increases in the cost of purchased water, KIU has not adjusted rates since 2012. Approximately 13% of the 25% requested rate increase is due the $10 million cost of the pipeline construction.

Mayor Lipuma indicated that with the information presented his preference is for this Council to move forward with a petition to intervene using Mr. Ellerbe as the attorney. Mr. Wilson surveyed incoming Council Members to find they were in support of moving forward with the petition. Mr. Weaver indicated he was in support of this Council filing the petition to preserve the right to intervene and allowing with the new Council discussion of future options.

Mr. Weaver made a motion to instruct the Town Administrator and Attorney to file the necessary papers to intervene recognizing that any and all decisions moving forward after the fact will be wholly determined by the new Council. The motion was seconded by Mr. Wilson.

Following further discussion, the motion was unanimously passed.

IX. Committee Reports:

Mr. Wilson reported he attended the BCDCOG meeting at which time the annual audit was presented along with a presentation on the I526 corridor and future projects.

Mr. Labriola reported the MCC met on December 1st. The project is proceeding very well with an estimated physical and expenditure completion of 60% by year end. He reviewed the projected project cost $9,090,000.00, under budget, and stated that at this time there were no change orders pending.

Mrs. Johnson reported on the upcoming Arts Council events for the month of December and into New Year. She reported the Environmental Committee will continue to work on projects with the
Conservancy as well as the Alligator tagging and study project. She also noted the Turtle Patrol logged the second best nesting season this year.

**Mr. Weaver** reported the St. Johns Fire District has put a hold moving forward with the demo and rebuilding for Station 6 due to bids coming in at almost double the budgeted amount.

Mr. Weaver reported the workgroup designated to look at the Town’s employment policies, salaries, and programs has nearing completed their work with a draft of a new employee manual and policy is 95% finished and a new salary structure created. The changes are expected to be reviewed and then approved by the new Council.

Mr. Weaver reported the review of the Town’s handling of Hurricane Mathew is nearing completion. Interviews with the major entities and stakeholders have taken place and an online resident survey is taking place. The completed report will be reviewed by the Public Safety Committee.

Mr. Weaver reported the economic impact study done in coordination with Seabrook and students form the Citadel is nearing completion with the new Council having an initial draft of the study in the next two weeks.

**X. Town Administrator’s Report:**

**Ms. Tillerson** reported that following a FEMA (Federal Emergency Management Agency) audit of the Town’s Community Rating System, the Town has been notified its rating with the National Flood Insurance Program has dropped from a 7 to a 5 resulting in lower flood insurance rates for Kiawah residents.

**Ms. Tillerson** reported cleanup efforts following Hurricane Mathew were nearing completion. She stated FEMA completed three site visits and were impressed with the efficiency of the cleanup and with the completion coming within the 30-day tier that will reimburse at an 85% level. She noted a repayment time frame could not be confirmed.

**Ms. Tillerson** reported Mr. Lameo has met with W.K. Dickson for a pre-construction meeting to begin the drainage project along Beachwalker Drive and the Parkway. The inspection of the Kiawah Parkway Bridge is also taking place with a cost estimate that will be presented to the Ways and Means Committee and Council for approval.

**XI. Mayor’s Report:**

Mayor Lipuma, this being his final Town Council meeting, reflected on his past 23 years of volunteer service to the Town of Kiawah. He stated over the years the Town has grown in size and stature into a successful and noted South Carolina municipality, an outstanding residential community, and visitor destination. He also highlighted several major Town milestones that have taken place over the years. He noted that even with growth expenditures the Town does not impose a property tax and has healthy reserve funds that are forecasted to grow in the future. He thanked each member of Council individually for their tireless work by highlighting contributions they made over the last two years. Mayor Lipuma thanked Mr. Rhoad for his 27 years of service to the Town. He also thanked Town staff and all of the many volunteers who selflessly serve the Town.
XII. Citizen Comments:

Diane Lehder – 306 Palm Warbler Road

Mrs. Lehder, speaking on behalf of the citizens who wrote to Council and the PSC, thanked Council for voting to file a petition to intervene. She stated at this point there is not enough information to form an opinion on the rate increase but this step is necessary to assure any rate increase in the future is justified.

Wendy Kulick – 38 Marsh Edge Lane

“What steps are you taking/have you taken to ensure the former Town Administrator and former Town Treasurer are prosecuted to the full extent of the law ... local, state, and federal ... for the laws which were violated by their alleged embezzlement? What will you do to encourage the new Mayor and Town Council to do the same?

Time and again, you have heard me request Town Council demonstrate greater openness and transparency. For more than a year, I have asked when the Town will provide answers publicly to questions and comments posed to it publicly at Town Council meetings. No response has been forthcoming. I therefore ask yet again WHEN will Council provide answers/responses to these public queries.”

XIII. Council Member Comments:

Each member of Council thanked Mayor Lipuma for his many years of service to the Town of Kiawah and also expressed their appreciation to both Town staff and other members of Council.

XIV. Adjournment:

Mr. Weaver motioned to adjourn the meeting at 3:44 pm. The motion was seconded by Mr. Wilson and carried unanimously.

Submitted by,

Petra S. Reynolds, Town Clerk

Approved by,

Charles R. Lipuma, Mayor

Date
We will be sending you the materials for the KIU intervention options electronically when we receive them.

We thank you very much for your patience.

Petra
Chapter 5; Section 2-205 - Mayor Pro Tempore

a) After any general election for council, the council shall, at the first meeting of the newly constituted council, elect from its membership a mayor pro tempore to serve for a term of not more than two years.

b) The mayor pro tempore shall act as mayor during the absence or disability of the mayor. If a vacancy occurs in the office of mayor, the mayor pro tempore shall serve until a successor is elected.

c) In the event of the sickness or temporary absence of the mayor pro tempore, while acting as mayor, the council members present shall elect a presiding officer. In the event of the resignation or permanent absence of the mayor pro tempore, the mayor and council shall elect a council member to serve as mayor pro tempore until the next council election.

(State law reference: S.C. Code of Laws 1976, § 5-7-190)
Chapter 5; 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)

Chapter 5; 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)

Chapter 5; 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

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)

2017 ARTS & CULTURAL EVENTS COUNCIL

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

Diana Mezzanotte, Chairman
99 Rhett's Bluff Road
Kiawah Island, SC 29455
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Jodi Rush
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Marilyn Ferrell
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Staff Support:

Stephanie Braswell Edgerton
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843-768-5113
843-532-3269 cell

Revised 12-14-16
## 2017 ARTS COUNCIL MEETING DATES

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Kiawah Island's Arts Council regularly meets on the 1st Thursday of the month in the Municipal Center's Downstairs Conference 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.
1. The “Arts and Cultural Events Council for the Town of Kiawah Island” (hereinafter, the “ACEC”) shall be a standing committee of the Town Council and shall advise the Town on matters relating to the planning, development, organization and implementation of activities relating to the visual and performing arts.

2. The ACEC shall work to enhance community, visitor and tourist appreciation and involvement in the visual and performing arts within the Town of Kiawah Island and its environs by providing a diversity of planned and budgeted programming, services, support and cultural education for all the members of the Kiawah community.

3. A member of Town Council shall have oversight responsibility and serve as Committee Chairman. The remaining membership shall be comprised of at least five (5) but not more than nine (9) persons appointed by the Mayor with consent of the Town Council. Such appointees shall be volunteers who profess interest in the activities of the ACEC. Terms for the members of the committee shall be for one year and expire annually on January 31. Committee members may be reappointed for successive terms as approved by the Mayor and Town Council.

   a. The Town Council may appoint up to 3 advisory members to the ACEC to assist and support the Committee.

4. In the discharge of its duties, the ACEC shall:

   a. Develop long range plans and budgets annually for review and approval of Town Council.
   b. Work to enhance community appreciation of arts and cultural events and involvement within the town and environments.
   c. Work to enhance visitor and tourist appreciation and involvement within the Town and environments.
   d. Publish an annual report detailing activities, expenditures and impact to the tourist trade on Kiawah for applicable events.
   e. Developing relationships with local, state, regional and national arts organizations.
   f. Developing relationships with schools, businesses and other organizations supporting the arts.

5. The funding sources for the ACEC will be derived from:

   a. General Fund.....The primary source of funding for Resident related events
   b. Local, County and Hospitality Tax Funds will be the primary source of funding for Tourist and Visitor related events.
c. Funding levels will be determined through the budget process.

6. The ACEC will utilize a variety of methods, including advertisement in a newspaper of general publication, to attract and solicit interest from local and national talent for events. A comprehensive schedule of events for both residents and tourists will be submitted to the Town Council for their review and concurrence. This submittal should coincide with the budgeting process timetable.

7. Application Process

Applications to the ACEC for tourism and visitor related activities will be published on the Town website at www.kiawahisland.org. The ACEC will review applications to the ACEC Fund annually during the budget process. The committee will recommend events and funding levels in budget format to the Ways and Means Committee. The Ways & Means committee will recommend funding requests to Town Council for final approval. The requesting organization will be notified in writing of the Council’s decision by the Town Treasurer.

8. Contracting

Each funded event shall be bound by a Town of Kiawah Island Special Events contract.

9. Payment Terms

Payment will be made directly to the requesting organizations in the form of check consistent with contract terms. Payment in full shall not be made until after the performances. Payments will not be sent to third parties or individuals.
2017
Construction Board of Appeals

The Committee members serve three year terms which expire on January 31st and are appointed by the Mayor and Town Council.

*All terms expire January 31, 2020

Brooks Fullerton
(architect)
80 Forestay Court
Kiawah Island, SC 29455
Phone: 843-768-9196
Email: brookssff@bellsouth.net

Tom Walkley (builder)
574 Whimbrel Road
Kiawah Island, SC 29455
Phone: 843-768-3415
E-mail: tmwalkley@bellsouth.net

Stephen B. Sager (electrician)
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Kiawah Island, SC 29455
Phone: 768-4865 (H)
Phone: 617-429 0630 (M)
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Marshall Beverly (plumber)
Beverly Plumbing, LLC
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Andrew Lingle
AGL Services
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Johns Island, SC 29455
Phone: 843-297-2475
Email: Andrewlingle@aglair.com

Kevin Haddigan
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Mt. Pleasant, SC 29466
Phone: 843-884-0268
Email: kevin@haddiganelectrical.com

Ryan Kunitzer (fire investigator)
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Johns Island, SC 29455
Phone: 843-559-9194
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Town of Kiawah Island

Construction Board of Appeals

By-Laws

The Construction Board of Appeals was created by Town Council on May 6, 2014. The Construction Board of Appeals is empowered to hear appeals regarding decisions and interpretations made by the town’s Building Official.

Membership: Seven (7) members appointed by Town Council. The membership shall be comprised of the following individuals: building contractor or architect, electrical contractor or electrical engineer, mechanical contractor or mechanical engineer, gas contractor, plumbing contractor, fire service professional, structural engineer/architect. Members shall have a minimum of ten years of experience in their given discipline, be duly licensed by the State of South Carolina as a design professional, fire marshal or fire chief, and contractor. The building official shall serve as ex-officio member. The board shall consist of volunteer members who reside within the jurisdictional boundaries of Charleston County.

Terms: 3 years

Responsibilities:

- Provide educational opportunities for contractors.

Commitment: The Board meets as called. Meetings usually last approximately one hour and are held at a time and place determined by the Chairperson. The board shall conduct annual meeting to remain an active board. Annual meeting shall commence on the second Tuesday in the Month of February.

Staff Liaison: Building Official
Town of Kiawah Island Construction Board of Appeals Rules of Procedure

History and Purpose

An integral part of the town’s system for regulation of construction best practices and island development; is the development of the Construction Board of Appeals. The board is empowered to hear claims that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall not have the authority to waive or grant variances to the requirements of this code.

The board shall hear such claims for all legally adopted codes as pursuant to Chapter 3 of the Municipal Code of the Town of Kiawah Island.

Definitions

1. "approved" means approved by the Construction Board of Appeals.
2. "board" means Construction Board of Appeals.
3. "building official" means the officer designated by the town, who is charged with the administration and enforcement of town’s adopted building codes and ordinances and their related programs.
4. "code enforcement" means administering a building inspection department, enforcement or rendering interpretation of the building, residential, fire, electrical, mechanical, fuel gas, energy, existing building, swimming pool, and property maintenance code so adopted by the town, performing plan review, or performing inspections on one or more building systems for new construction, or renovation, as or under the supervision of the building official.
5. "codes" means the editions of the International Codes adopted by the town, and defined in Chapter 3 of the Municipal Code for the Town of Kiawah Island.

Public Notice

All Construction Board of Appeal’s meeting and or hearing shall be posted 48 hours prior to such meeting being conducted on the town’s website and in the main lobby of town hall.
**Appeal Procedures**

Any person or organization aggrieved by the decision of the town’s building department shall appeal in writing within thirty days following the date of the action upon which the appeal is based, the request shall contain:

(a) the name and address of appellant; and  
(b) the names and address of all other persons involved; and  
(c) a summary of the action from which the appeal is taken, to include naming of the code and sections that are prudent to the claim; and  
(d) the ground of disagreement with the action from which the appeal is taken; and  
(e) a statement that the appellant desires a hearing or decision based on written arguments and documents submitted; and  
(f) the signature of the appellant or responsible officer if the appellant is an organization; and  
(g) additional documents as the appellant may consider pertinent.

**Call for Hearing**

Once all documents have been properly filed with the Town of Kiawah, the Construction Board of Appeals shall call for hearing to be heard within 30 days of such submittal. The town clerk shall provide written notification to the appellant and all persons indicated on the request: date, time, and place of the requested hearing. The town clerk shall notify all parties in the form of certificated mail addressed to each appellant.

**Ruling**

A quorum of board members must be established in order to conduct all requested hearings. A majority vote of the members present shall constitute a ruling. All rulings provided by the board are final, and appellant acquiesce is mandated thereupon. A record of the meeting, stating the board’s ruling and reasons thereof, shall be maintained for public review in the town clerk’s office and or the town’s library of records.

**Notification of Ruling**

The board ruling and reasons thereof shall be provided by the town clerk to all affected parties within 10 days of the final ruling by the board.
2017
Town of Kiawah Island
Ad-Hoc
MUNICIPAL CENTER COMMITTEE

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**member to be recommended

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Updated 1/5/2017
REQUEST FOR TOWN COUNCIL ACTION

TO: Mayor and Town Council
FROM: Stephanie Monroe Tillerson, AICP, Town Administrator
SUBJECT: Municipal Center Committee Charter Proposed Amendment
DATE: January 10, 2017

BACKGROUND: As the Town Municipal Center Committee transitioned from the Design phase to Construction Phase, the disposition of the committee changed, and the Charter was amended to reflect additional duties as it related specifically to the construction phase of the project.

The current Charter designates the Chair of the Ways & Means Committee to serve as Committee Chair of the Municipal Center Committee. The requested amendment is to allow the Mayor to assign a member of Town Council as the Liaison to the Municipal Center Committee, and allow the Liaison to appoint a member of the Committee as Chair.

ACTION REQUESTED: To approve the proposed amendment as follows:

3. A member of Town Council assigned by the Mayor shall have oversight responsibility and serve as Committee Liaison. The Liaison shall appoint a member of the Committee as Chair. The Mayor shall serve as an ex officio member of the Committee. (What is in Bold highlights the requested change)

BUDGET & FINANCIAL DATA: N/A
1. The Municipal Center Committee (MCC) for the Town of Kiawah shall be an ad hoc committee of the Town and shall advise and recommend the Town Council on matters relating to the design, planning, and construction of the new Municipal Complex to be located on the Betsy Kerrison property.

2. The MCC shall work to develop a design basis for the facility, select contractors, formulate building layout, advise Town Council, solicit community input and oversee construction.

3. A member of Town Council assigned by the Mayor shall have oversight responsibility and serve as Committee Liaison. The Liaison shall appoint a member of the Committee as Chair. The Mayor shall serve as an ex officio member of the Committee.

4. The remaining membership shall be comprised of up to six (6) community members or representatives with experience in construction and engineering. Each volunteer member shall be appointed by the Mayor with consent of the Town Council.

5. Regular meetings of the Committee shall be held not less than once every month. The Committee may hold such special meetings as it deems appropriate.

6. In the discharge of its duties, the MCC shall:

   a. Develop a design basis for review and approval of Town Council.
   b. Work within the constraints of the existing DHEC permit for the site.
   c. Select an architect, landscape architect, and building contractor.
   d. Work with the architect to formulate and structure the building.
   e. Devise a landscape design for the property.
   f. Host public meetings to gain public input.
   g. Work with the project manager, contractors on the construction project.
   h. Periodic review of the project budgets and project costs.

   i. The Project Manager/Owner’s Representative shall submit progress reports to the MCC monthly during the course of construction. The Project Manager shall report directly to the Mayor and the Town Administrator. The Project Manager/Owner’s Representative Roles and Duties are outlined in the Project Manager’s Contract with the Town of Kiawah Island.
j. The Committee shall submit progress reports to the Town Council monthly during the course of construction, including a statement of the estimated completion date, any significant problems which have occurred and the proposed resolution of the same, any anticipated cost overruns or savings and any contemplated modifications to the scope of the project, including the reasons therefor.

k. All change orders must be presented to and reviewed by the MCC for recommendation to approve, approve with condition, or deny.
   i. Change orders under $5,000 can be approved by the Mayor
   ii. Change orders between $5,001 and $10,000 can be approved by the Mayor plus one councilmember.
   iii. Change orders exceeding $10,001 must be presented to the Ways and Means Committee for approval.
REQUEST FOR TOWN COUNCIL ACTION

TO: Mayor and Town Council
FROM: Stephanie Monroe Tillerson, AICP, Town Administrator
SUBJECT: Public Works Committee Charter Amendment
DATE: January 10, 2017

BACKGROUND: The Town established a Public Works Committee to assist Town staff with issues and/or projects related to a wide variety of activities within the Town that could include maintenance of roads, solid waste services, town-owned facilities and utility needs.

After re-evaluating the current Charter mission, function, and member structure the following changes to the Charter are recommended.

1. Under the Mission statement add: (c) to provide advice and assistance to staff on major infrastructure projects.
2. Town Council member that will have oversight responsibility will serve as the Liaison and not Chair. The Committee shall appoint a Chair; and the Support Services Supervisor will be assigned to work with the Committee as staff.
3. The number of committee members changed from no more than seven to no more than five; and added specific professional experience needed to serve on the committee. Such as engineering, construction, public works or similar background.

ACTION REQUESTED: To approve the attached Amended Public Works Committee Charter as presented.

BUDGET & FINANCIAL DATA: N/A
TOWN OF KIAWAH ISLAND
PUBLIC WORKS COMMITTEE CHARTER

I. The mission of the Public Works Committee is to provide advice and assistance to town staff as it: (A) makes recommendations to maintain and improve solid waste services, infrastructure, facilities and utility needs. (B) recommends and consider proposals and methods to upgrade and improve public works related services on the Island. (C) provide advice and assistance to staff with major infrastructure projects.

II. A member of Town Council shall have oversight responsibility for the public works committee serving as Committee Liaison. No less than 3 or more than 5 permanent residents and representatives from organizations with a background in engineering, construction, public works or similar experience shall serve as members. The Committee shall appoint a Chair. The Support Services Supervisor will be assigned to work with the Committee as Staff Liaison.

III. The members of the Public Works Committee shall be approved by the Mayor and Town Council.

IV. The term for the members of the committee shall be for one year and expire annually on January 31. Committee members may be reappointed for successive terms as approved by the Mayor and Town Council.

V. The Committee will perform the following functions:

A. Monitor the infrastructure conditions, repairs and replacement for Town owned infrastructure within its jurisdiction.

B. In conjunction with staff, ensures that all capital projects are completed in a high-quality manner within budget and schedule constraints.

C. Develop a long-term island infrastructure and facilities strategic plan.

D. At the direction of the Mayor and/or Town Administrator, engage in activities, investigations, analyses, engineering studies etc. relating to public works.

E. Make recommendations to Town Council on ways to improve the quality of public works related activities as defined above on the Island.

VI. The Public Works Committee will follow Robert’s Rule of Order to include agendas, quorum, voting and meeting minutes. All meetings are open to the public.

VII. The Committee will be responsible to the Town Council and has no authority to spend funds or supervise staff except as approved by Town Council. Annually, the Committee will prepare a budget request covering committee activities for submittal to Town Council for approval and inclusion in the overall budget, if appropriate. The Committee Chairman shall report to Town Council at least annually.