

TOWN COUNCIL
Municipal Center Council Chambers
April 7, 2026, 1:00 pm

Minutes

- I. **Call to Order:** *Mayor Belt called the meeting to order at 1:00 pm.*
- II. **Pledge of Allegiance**
- III. **Roll Call:**

Present at the Meeting: Bradley Belt, *Mayor*
Russell Berner, *Mayor Pro Tem*
Luke Farrell, *Council Member*
Madeleine Kaye, *Council Member*
Lance Spencer, *Council Member*

Also Present: Stephanie Monroe Tillerson, *Town Administrator*
Ross Appel, *Consulting Attorney*
John Taylor, Jr., *Planning Director*

IV. **Approval of Minutes:**

- A. Minutes of the Town Council Meeting of February 3, 2026
- B. Minutes of the Special Call Town Council Meeting of February 26, 2026
- C. Minutes of the Town Council Meeting of March 3, 2026

Mayor Belt stated there were three sets of minutes for approval: the February 4th and March 3rd regular Town Council meetings, and the February 26th Special Call Town Council meeting. These had been circulated in advance to Council Members. He asked whether there were any proposed suggestions or changes. Council Member Kaye indicated she had one change to provide to the Clerk. With that change, the minutes were deemed approved.

V. **Citizens' Comments (Agenda Items Only):**

Mayor Belt invited citizen comments on agenda items only, asking that anyone wishing to discuss the proposed beach overlay district hold those comments for the public hearing, as that would be specifically focused on that topic.

Tom Nevin, Manager of the Kiawah Island Club and full-time resident at 119 Turnberry Drive

Mr. Nevin spoke in opposition to the proposed fee change to the Kiawah Island Club beach operations agreement. He explained that last year, the Town imposed a beach operations agreement on the Kiawah Island Club, specifically the Beach Club and Cape Club, with additional fees beyond the business licenses, permit fees, and hospitality taxes already paid. Mr. Nevin noted the Club had been providing beach access for over 33 years and serves over 40% of the property owner base. He emphasized that the Club serves only members and guests, not tourists; handles its own trash management; and helps with non-club-member trash in the area. Mr. Nevin expressed concerns about the fee increase from \$0 in 2024 to \$13,000 in 2025 to \$63,000 in 2026, representing a 380% increase. He requested that there be no fee associated with the Beach Club and Cape Club beach operations agreements, given that the Club already pays significant fees to the Town and doesn't cater to tourists or the public.

Mayor Belt thanked Mr. Nevin and invited him to stay for the discussion of this agenda item later in the meeting.

VI. **Updates:**

A. Mayor

Mayor Belt deferred his comments, given the anticipated length of the meeting.

B. Council Members

Mayor Pro Tem Berner

Council Member Berner also kept his comments brief, noting that he spent significant time dealing with the Construction Manager at-Risk contract for the new Civic and Cultural Center facility and reviewing the Beachfront Overlay District, both of which would be discussed later in the meeting.

Council Member Kaye

Council Member Kaye chose to reserve time after other business to comment on items she had been working on, deferring her comments until later in the session.

Council Member Farrell

Council Member Farrell reported on two items. First, the State Accommodation Tax Committee held its first meeting with a new member, during which they explained that allocated funds would be significantly lower than in previous years because funds were being used to build the new Civic and Cultural Center. However, following that meeting, he found a way to increase the amount from \$400,000 to \$600,000, though it is still significantly lower than last year for entities other than the Town. Second, the Audit Committee would have its first meeting the next day, with one new member. He expected the committee to conduct another study similar to last year's financial controls review, this time focusing on internet systems and software controls to ensure policies and procedures are robust enough to protect, given current online usage.

Council Member Spencer

Council Member Spencer noted that many people were present, which he felt was great for community and Council engagement, allowing members to hear opinions and perspectives and to understand how deliberations and decisions are made.

C. Administrator

Ms. Tillerson encouraged everyone to sign up for e-news or download the Town app for information updates. She announced that next week, beginning Tuesday, there would be work done on the inbound side of Betsy Kerrison Parkway from Resurrection Road to the roundabout, as the Town would own that section following the second reading of the annexation, which is on the agenda. The work would include some paperwork and the cleanup of crepe myrtles, with flaggers to minimize traffic disruption; it is expected to last one to two days.

VII. **Public Hearing**

A. To Consider Approval of **Ordinance 2025-21** - An Ordinance to Amend Chapter 12 – Land Use Planning and Zoning Ordinance Article II. - Zoning, Division 2. - Zoning Map/Districts, Establishing Section 12-81. - Beachfront Overlay Zoning District, to Protect the Integrity, Natural Function, and Resilience of Beaches, Dunes, and Coastal Systems. - **Public Hearing**

Mayor Belt made a motion to move into the Public Hearing on Ordinance 2025-21. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.

Mayor Belt explained the hearing process, stating he would first ask the Planning Director and Chair of the Planning Commission to provide background and context, then invite community comments. He limited comments to three minutes to allow everyone an opportunity to speak, making an additional allowance for Mr. O'Kelly if he intended to comment.

Mary Belt indicated that the ordinance is a recommendation from the Planning Commission, which voted unanimously after several months of Planning Commission meetings, public workshops, and deliberations.

Planning Commission Background

Joanne Hennessy, Chair of the Planning Commission and resident at 12 Blue Heron Pond Road, provided background on the Beachfront Overlay District proposal. She explained that protecting the Town's beachfront had been discussed for a couple of years, including Council Member Farrell when he was on the Planning Commission, and through the Comprehensive Plan, with which Council Member Kaye was very involved. Throughout the process, the community repeatedly expressed concerns about the significant incursion of building closer to the beachfront by both single and multifamily dwellings. The dune structure serves as a key protective feature for the island, benefiting everyone, not just beachfront property owners. The comprehensive plan discusses resiliency and habitat protection in detail, and how we can protect our island in the future.

Looking at the whole 8 plus miles of the Kiawah beach front and dune system, Ms. Hennessy described the Planning Commission's research process, including public forums attended by the Resort, Kiawah Island Community Association (KICA), and Regime Council Members, with follow-up adjustments based on concerns. The Planning Commission conducted extensive research using satellite imagery and Coastal Science and Engineering Reports to understand what was happening along Kiawah's dynamic beachfront, which varies across different areas. The result was the creation of buffer zones to protect Kiawah for everyone's benefit, with dunes providing storm protection and habitat.

Ms. Hennessy clarified key points about non-conforming structures, noting that once the overlay takes effect, houses with pools or portions of homes within the overlay district become non-conforming but can be rebuilt after natural disasters without limitations. They cannot increase their non-conformity but can rebuild on their current footprint. For lots where the footprint is significantly affected, special provisions allow exceptions to front setbacks and the overlay buffer standards, ensuring everyone can still build houses. The Planning Commission voted unanimously to recommend the ordinance to the Town Council.

Planning Director Presentation

Mr. Taylor provided a detailed presentation on the Beachfront Overlay Zoning District ordinance. He outlined the timeline, noting the original proposal dated back to March 2025, with many public meetings and workshops held over nearly a year. The proposal was reinforced by KiawahNext, the Town's Comprehensive Plan adopted in fall 2025.

Mr. Taylor explained the seven-part purpose and intent of the Beachfront Overlay Zoning District: protecting the integrity and natural function of the beachfront; supporting coastal resilience; balancing public interests; preserving wildlife habitat and ecosystems; adapting to coastal conditions; practicing environmental stewardship; and minimizing flood damage and erosion effects. All these priorities work together to preserve the dunes.

Mr. Taylor described how the proposed ordinance directly responds to the Comprehensive Plan's priorities of development and growth, community experience, and resiliency. The plan specifically recommended incorporating native vegetation and buffers into land development regulations, which this ordinance addresses.

Mr. Taylor presented key factors that led to the proposal, including loss of vegetation and habitat, changes in wildlife behavior, frequent storm events, and shifting development patterns, with houses being built closer to the ocean. He presented statistics showing the distribution of parcel types along the beachfront, including single-family, multifamily, resort, and parks and recreation parcels.

The presentation included time-stamped images from 2001 to 2025 showing vegetation loss along different sections of the island's oceanfront, demonstrating habitat loss over time. Mr. Taylor explained the ordinance uses the 2018 South Carolina jurisdictional lines as a foundation, noting that when the state updates these lines in 2026, the Planning Commission will review and potentially recommend adjustments.

Ordinance Structure

Mr. Taylor detailed the ordinance structure, explaining that it establishes two buffer zones. Buffer Zone A, at 50 feet, is closest to the ocean and the most restrictive. Buffer Zone B is the second 50 feet landward. The overlay addresses properties within 150 feet of the baseline, though this doesn't mean all properties are necessarily impacted. The two buffer zones collectively cover 100 feet.

He clarified non-conforming structures, explaining that the ordinance references existing non-conforming regulations, allowing property owners to rebuild structures after involuntary destruction (hurricane, act of God) with the same dimensional standards - same size, shape, footprint, height, and density.

The ordinance prohibits oceanfront erosion-control devices such as bulkheads and seawalls. For landscaping and tree preservation, it increases native species requirements from 70% to 100% for mitigation, while maintaining existing allowances for routine pruning and maintenance. Golf courses receive an exemption based on feedback from the Resort.

Administrative Relief

Mr. Taylor explained built-in administrative relief provisions for properties meeting specific criteria: properties with no greater than half an acre of buildable area, requiring current surveys showing property lines and jurisdictional lines, and where buffer zones collectively impact at least 30% of the building area. Relief includes a potential reduction in the front setback and an increase in allowable coverage in Buffer Zone B from 20% to 30%.

Public Comments

Multiple property owners from Eugenia Avenue spoke in opposition to the ordinance:

Hamlin O'Kelly, the attorney representing numerous clients on Eugenia Avenue, indicated that property owners from 25 to 77 Eugenia strongly objected to the ordinance. He characterized it as a solution in search of a problem, arguing that existing regulations, including flood zone requirements, are sufficient. Mr. O'Kelly indicated his clients would incur hundreds of millions in damages and threatened litigation if the ordinance passed, calling it inverse condemnation and reverse spot zoning. He referenced a letter from KICA dated April 6th opposing the ordinance and representing approximately 4,500 property owners. Mr. O'Kelly expressed concerns about the use of non-conforming-use language and administrative discretion, calling the timing premature given the state's reexamination of baseline setbacks in 2026.

Council Member Spencer questioned Mr. O'Kelly about KICA's position, noting that their letter expressed concerns that needed to be addressed rather than outright opposition. He also asked about the hundreds-of-millions-in-damages calculation and how Mr. O'Kelly's clients would feel if other homeowners damaged the dune system, causing financial impact on their properties. Mr. O'Kelly responded that existing protections prevent such damage and that his clients' property values are based on development potential rather than existing structures.

Robert Myers from 65 Eugenia Avenue presented survey documentation showing that the proposed buffers go through the middle of his house, restricting over 50% of his current home. He argued that this affects property values for future sales or changes in value. He noted inconsistencies in enforcement relative to the ARB, describing his experience of being unable to rebuild a non-conforming deck after a storm. Mr. Myers expressed concerns about insurance difficulties and rebuilding costs that could exceed \$15 million, stating that he cannot obtain excess

flood insurance due to potential zoning issues. He questioned the urgency of passing the ordinance before the state takes action on jurisdictional lines.

Andy Wagner from 55 Eugenia Avenue had a survey showing that Buffer Zone B cuts through his property. He described purchasing the property three years ago, specifically for its unique lack of regulations and restrictions, paying a premium for retirement plans. Mr. Wagner argued that the ordinance creates real value destruction because future buyers won't have the same building capabilities. He questioned the connection between buffer zones and vegetation protection, suggesting the ordinance was motivated by aesthetics rather than environmental protection. He requested grandfathering provisions that would apply to future buyers, not just natural disasters.

Ron Fielding from 42 Surf Song Road, while not financially impacted by the current ordinance, expressed philosophical concerns about multiple governmental authorities creating overlapping regulations. He described complex boardwalk regulations from the State, KICA, Architectural Review Board, and potentially the Town, creating "Catch-22" situations. Mr. Fielding worried about the geometric increase in bureaucratic complications with each additional layer of regulation.

Andy Francis from 7 Turtle Beach Lane discussed nonconforming property issues, raising concerns about the 50% improvement threshold and potential complications with variances for future owners. He opposed passing the ordinance immediately, advocating waiting until state guidelines are established.

Mike John, from 67 Eugenia Avenue, speaking with his family present, described buying their property in 2008 with the expectation of potential expansion as their family grew. With 50% of their home in restricted areas, the ordinance removes expansion possibilities that existed when they purchased the home. Mr. John expressed uncertainty about rebuilding assurances amid multiple layers of administrative oversight and potential future leadership changes.

Emily Heisley Stoke, representing her family's ownership of 59 and 61 Eugenia Avenue and over 30 years on Kiawah, acknowledged conservation importance while expressing investment concerns. She clarified that while involuntary destruction permits rebuilding, voluntary changes must comply with non-conformance restrictions, which have significant implications for property investment and generational transfer. Ms. Stoke described their extensive conservation involvement, including participation in Turtle Patrols, while arguing against punishing long-established properties on Eugenia Avenue for approved developments elsewhere on the island.

Greg Ueler from 41A Eugenia Avenue, the newest property owner in the group, having completed construction four and a half years ago, supported dune and habitat protection but argued the ordinance was overreaching and premature. While his home isn't in either overlay zone, he expressed concerns about future development restrictions that could affect property values for potential investors or the ability to make improvements, such as additional structures for household staff.

Mayor Pro Tem Berner made a motion to exit the Public Hearing and return to regular session. Council Member Kaye seconded the motion, and it was unanimously approved.

Council Discussion

Following public comments, Council Members engaged in detailed discussion about the ordinance's implications and next steps.

Mayor Belt summarized key clarifications: storm-destroyed residences could be fully rebuilt in existing footprints, including both buffer zones; nothing alters current residential-use capabilities; no alteration requirements for existing structures in zones A or B; and non-conforming status travels with the property, not the owners.

Mayor Pro Tem Berner noted his extensive property inspections along Eugenia Avenue, observing that some current homes are already non-conforming under existing regulations, and that the

Beachfront Overlay does not change anything about existing non-conforming structures. He emphasized his sincere desire to understand and help address financial hardships beyond rebuilding rights.

Council Member Farrell clarified jurisdictional distinctions among the Town, KICA, and the Architectural Review Board (ARB), emphasizing the focus on Town-controlled issues. He noted that virtually all buffer zone coverage areas are in severe flood zones AV-12 and AV-11, which are among the most wave-affected, where 100-year and 500-year floods occur frequently and are accompanied by significant wave action.

VIII. Executive Session

A. Pursuant to S.C. Code Ann. § 30-4-70 (a)(2), to Receive Legal Advice Protected by the Attorney-Client Privilege Concerning **Ordinance 2025-21 - Beachfront Overlay Zoning District**

Council Member Farrell made a motion to move into Executive Session to receive legal advice protected by the attorney-client privilege concerning Ordinance 2025-21 - Beachfront Overlay Zoning District. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.

Mayor Pro Tem Berner made a motion to exit the Executive Session and return to the Regular Session. Council Member Kaye seconded the motion, and it was unanimously approved.

Mayor Belt announced that the Council took no action and made no decisions during the Executive Session, but had a robust discussion receiving legal advice on a wide range of issues related to the Beachfront Overlay ordinance.

IX. Old Business:

A. To Consider Approval of **Ordinance 2025-21 - An Ordinance to Amend Chapter 12 – Land Use Planning and Zoning Ordinance Article II. - Zoning, Division 2. - Zoning Map/Districts, Establishing Section 12-81. - Beachfront Overlay Zoning District, to Protect the Integrity, Natural Function, and Resilience of Beaches, Dunes, and Coastal Systems. - Second and Final Reading**

Council Member Farrell made a motion to approve Ordinance 2025-21 on second and final reading. Mayor Pro Tem Berner seconded the motion.

Mayor Belt opened the discussion, recapping the extensive public engagement process, including 13 public meetings since the proposal was made. He noted that the issue originated over two years ago during Council Strategic Planning meetings, which discussed additional regulatory tools needed to protect beach and dune systems.

Mayor Belt acknowledged legitimate questions raised during the public hearing regarding the clarity of administrative waivers, the application of non-conforming provisions, and other issues requiring attention. He reiterated that this overlay district is intended to protect 8.5 miles of beachfront across 200 parcels, 600 residences, and 7 zoning districts, providing consistency and protection along the entire beachfront, addressing limitations revealed by recent developments, and also addressing future development and redevelopment to protect maritime forest habitat and island character, noting overlay districts are standard planning tools used in historic districts and waterfront areas.

Mayor Belt highlighted the beachfront's dynamic nature and significant vegetation loss over the past decade, emphasizing the need to protect ecosystems for the benefit of natural wildlife. He distinguished Kiawah's environmental interests from state jurisdictional lines, noting that state lines protect tourism interests but don't address unique municipal concerns. Mayor Belt referenced Myrtle Beach as an example of development without dune protection or habitat consideration, arguing that Kiawah should maintain its distinctive character.

Mayor Belt acknowledged hearing concerns about certainty and clarity in ordinance provisions and Mr. O'Kelly's request for additional engagement opportunities. He announced plans for another

public workshop on April 21st to provide an additional opportunity for engagement, particularly for Mr. O'Kelly and his clients.

Council Member Spencer emphasized the ordinance's purpose of protecting value by preventing the dune system from being compromised, which could put both individual and neighboring properties at risk. He argued that current mismatched zoning allows individual property owners to accept risk on behalf of many, making inaction the biggest long-term risk.

Council Member Kaye stressed the importance of applying consistent, fair rules across the community, noting that healthy environmental conditions contribute to property values and dune system protection. She expressed interest in working with KICA representatives to improve the ordinance.

Council Member Farrell supported the uniform application across the island's eight-and-a-half miles of beach. He noted the Town's fundamental role in protecting both personal and public property, while providing for aesthetics, the natural environment, and habitat, and ensuring consistency with the Comprehensive Plan.

Mayor Pro Tem Berner expressed his desire to work with individual homeowners to hear their specific concerns and seek solutions, emphasizing a preference for collaborative rather than adversarial approaches.

Mayor Pro Tem Berner moved to suspend the vote on this ordinance for 1 month and remand it to the Planning Commission for the minor tweaks discussed. Council Member Spencer seconded the motion.

Council Members clarified that the remand specifically addresses wording uncertainty and issues raised during the public hearing. Mayor Belt confirmed that the April 21st workshop would be at 2:00 PM and would be available for remote participation via Zoom.

Ms. Hennessy confirmed the Planning Commission would schedule a Special Call meeting following the April 21st Public Workshop to incorporate workshop outcomes and provide a clean ordinance for the May Town Council meeting.

Following the discussion, the motion to suspend the ordinance vote for one month, remand to the Planning Commission for revisions, and schedule a Public Workshop on April 21st was unanimously approved.

B. To Consider Approval of Ordinance 2026-07 - An Ordinance of the Town Council of the Town of Kiawah Island, SC, Annexing a Portion of Road S-20 (Betsy Kerrison Parkway) Right-Of-Way into the Corporate Limits of the Town of Kiawah Island Pursuant to S.C. Code Ann. Section 5-3-110, and Providing for Related Matters – Second and Final Reading

Mayor Pro Tem Berner made a motion to approve the second and final reading of Ordinance 2026-07, annexing a portion of road S-20 (Betsy Kerrison Parkway) Right-of-Way into the Corporate Limits of the Town of Kiawah Island. Council Member Farrell seconded the motion.

Mayor Pro Tem Berner raised a related concern about reducing the speed limit to 25 mph, noting safety issues with vehicles not complying with the law and creating rear-end hazards.

Following the discussion, the motion was unanimously approved.

C. To Consider Approval of Ordinance 2026-01 - An Ordinance to Amend Chapter 12 – Land Use Planning and Zoning Ordinance Article II. Zoning, Division 2. Zoning Map/Districts. Sec. 12-62. Zoning Map to Amend the Key Locations Map to modify the Fixed Dock Designation to allow a Floating Dock at the Subject Property, 245 Eagle Point Road, Kiawah Island, SC (TMS# 265-02-00-167) – Second and Final Reading

D. To Consider Approval of Ordinance 2026-02 - An Ordinance to Amend Chapter 12 – Land Use Planning and Zoning Ordinance Article II. Zoning, Division 2. Zoning Map/Districts Section 12-78.

Dock Key Locations to modify the Fixed Dock Designation to allow a Floating Dock at the Subject Property, 245 Eagle Point Rd, Kiawah Island, SC (TMS# 265-02-00-167) – Second and Final Reading

Mr. Taylor confirmed that these ordinances designate a fixed dock at 245 Eagle Point Road as a floating dock, with no changes from the first reading.

Mayor Pro Tem Berner made a motion to approve both Ordinance 2026-01 and 2026-02, amending Chapter 12 – Land Use Planning and Zoning Ordinance Article II. Zoning on second and final reading. Council Member Kaye seconded the motion, and it was unanimously approved.

X. New Business:

A. To Consider Approval of the Beach Operation Agreements:

Mayor Belt noted three separate Beach Operation Agreements for consideration: Kiawah Island Inn Company (Golf Resort), Kiawah Island Club Holdings LLC (Beach Club and Cape Club), and Residence Club (Timbers).

1. Kiawah Island Inn Company (Kiawah Island Golf Resort)

Council Member Spencer made a motion to approve the Beach Operations Agreement for the Kiawah Island Inn Company. Council Member Kaye seconded the motion.

Council Member Kaye inquired about the \$44,100 fee, and Ms. Tillerson confirmed the significant increase from \$7,000 in the previous year to \$44,100. Roger Warren from the Resort asked for clarification on the reason for the increase.

Mayor Pro Tem Berner questioned the rationale for the calculation. Mayor Belt, noting that he was the lone dissenter on the fee change at the previous Ways and Means Committee meeting, deferred to Council Member Farrell for an explanation.

Council Member Farrell explained the "fairness doctrine" approach, analyzing various beach-chair providers to establish consistent per-chair pricing rather than area-based pricing. Using Barrier Island Services' competitively bid contract rate of \$1.83 per chair, the Committee decided to apply fair pricing across all entities, rather than allowing some to benefit from lower rates while others are charged similar amounts. The new rate was set at \$1.75 per chair for other entities, calculated over a 90-day period.

Mayor Pro Tem Berner understood the rationale but found the percentage increase exorbitant, suggesting a simpler approach to percentage increases.

Mr. Warren questioned the rationale and reason for the increase, noting that they provide free chairs to guests rather than charging for them, as the for-profit Beach Island Services does. The reason given was to cover beach expenses and/or services, but he emphasized that they contributed through accommodation taxes and by handling their own trash disposal. When asked for his opinion on a reasonable charge, Mr. Warren proposed maintaining the Sanctuary's \$5,000 fee while applying a per-chair basis to rental chairs from villa operations.

After a discussion about fairness between for-profit and non-profit beach services, Mayor Belt offered a compromise: charging for-profit entities on a per-chair basis while reverting to area-based pricing for entities that do not charge guests.

Council Member Spencer supported the compromise approach as fair and consistent.

Mayor Belt moved to amend the motion to approve the Kiawah Island Inn Company Beach Operations Agreement with a bifurcated fee structure - area basis for Sanctuary operations and per-chair basis for Villa Rental operations. Council Member Spencer seconded the motion, and it was unanimously approved.

2. Kiawah Island Club Holdings, LLC

(a) Beach Club

(b) Cape Club

Council Member Farrell made a motion to approve the Kiawah Island Club Holdings Beach Club and Cape Club Beach Operations Agreement based on the same economics as last year, calculated on an area basis relative to Barrier Island Services. Council Member Kaye seconded the motion, and it was unanimously approved.

3. Residence Club at Southern Pines Property Owners Association, Inc (Timbers Kiawah)

Ms. Tillerson noted this would be the first-time agreement for Timbers Kiawah with a very small area-based fee since they only provide chairs, umbrellas, and storage without commercial activity.

Council Member Farrell made a motion to approve the Residence Club at Southern Pines Property Owners Association, Inc. (Timbers Kiawah) beach operations agreement on an area basis. Council Member Spencer seconded the motion, and it was unanimously approved.

B. To Consider Approval of the Contract for Construction Management at Risk Services for the Civic and Cultural Center

Mayor Belt explained that the Ways and Means Committee recommended approving a contract for Construction Manager at Risk services with Edifice Construction, and authorizing the Mayor to enter into a pre-construction services totaling \$28,000 plus \$2,000 in reimbursable expenses. The contract would require Council Members' review and input, particularly from Mayor Pro Tem Berner, who serves on the Civic and Cultural Center Building Committee.

Mayor pro Tem Berner added that Edifice Construction committed to providing a list of control tools and steps as a contract attachment.

Mayor Pro Tem Berner made a motion to approve Edifice Construction as the Construction Manager at Risk and to negotiate a contract as described. Council Member Spencer seconded the motion, and it was unanimously approved.

C. To Consider Approval of 2026 AirMedCare Contract Extension

Ms. Tillerson explained that this eight-year relationship costs the town \$8,163 annually for airlift services to residents. The Town is grandfathered into a Municipal Plan with no cost increase. The service determination is made by medical personnel on the ground.

Georgia Allen joined virtually from AirMedCare, explaining that the plan established in 2016 covers transport within Charleston County for residents (including part-time residents) and works closely with MUSC. She noted the value during peak tourism season when ground transport may be impeded. Additional upgrade options are available for broader coverage.

Ms. Tillerson added that the upgraded option is available at a discounted rate using the Town's code.

Council Member Kaye made a motion to approve the AirMedCare contract extension. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.

D. To Consider Approval of the Fiscal Year 2026/2027 Charitable Grants Funding Amounts

Council Member Farrell explained that 21 organizations applied for approximately \$250,000 in Charitable Grants, an increase from last year's \$200,000, to address inflation and the needs of lower-income households on greater Johns Island and Wadmalaw. The grants broadly cover four areas: housing, medical, food, and educational, and the Ways and Means Committee accepted all of the staff's recommendations for Council approval.

Council Member Farrell made a motion to accept the staff's recommendations for Charitable Grant funding. Council Member Spencer seconded the motion, and it was unanimously approved.

E. To Consider Approval of Board Appointments:

1. Board of Zoning Appeals

Council Member Spencer recused himself from this discussion.

Mr. Taylor recommended Ms. Melissa Yeardon, currently serving on the Landscape Tree Preservation Board, to fill one of the vacancies created by the departures of Mr. Cassidy and Ms. O'Leary. Mr. Taylor noted Ms. Yeardon's background and existing service engagement, though the Tree Preservation Board hasn't met as regularly as anticipated.

Council Member Kaye made a motion to appoint Ms. Yeardon to the Board of Zoning Appeals. Mayor Pro Tem Berner seconded the motion, and it was approved with Council Member Spencer abstaining.

2. Design Review Board

Mr. Taylor recommended Mr. Bill Marshall, a practicing architect with previous Architectural Review Board experience, for a three-year appointment. Mr. Marshall has met with staff and the Mayor to understand the Design Review Board's purpose and vision.

Council Member Kaye asked about Mr. Marshall's current residential work on Kiawah, and Council Member Spencer clarified that he is an architect.

Council Member Spencer asked about operational aspects, with only one board member present. Taylor explained that Mr. Marshall would help advance the development of design guidelines. At the same time, staff continues to recruit for the remaining positions, hoping to fulfill the board quickly rather than stagger appointments over three years.

Mayor Pro Tem Berner made a motion to appoint Mr. Marshall to the Design Review Board. Council Member Kaye seconded the motion, and it was unanimously approved.

XI. Citizens' Comments:

No citizens requested to comment.

XII. Council Member Comments:

Mayor Belt provided an update on developments related to the settlement agreement with Kiawah Partners regarding Cape Ocean Pines and Upper Beach Walker.

- Zoning and building permits have been issued for Upper Beachwalker's two parcels as specifically contemplated in the settlement agreement.
- No encroachment permit has been issued, and the Town is unaware of immediate construction intentions.
- The permit issuance resulted in the final resolution and dismissal with prejudice of two outstanding legal matters against the town.
- The approved site plans from the settlement reduced buildings on the larger parcel by half a floor and removed one or two buildings from the church parcel, with 16 overflow parking spaces designated near the gas station.

Council Member Kaye asked about the plan timing, with Mayor Belt explaining that developers have 180 days before a permit reapplication is required, though the Town has no control over their construction timeline or whether they'll proceed with the approved site plans or seek planned development designation.

Council Member Kaye raised concerns about a previous Council action regarding the St. John's Fire District Commission appointment. Despite the Council's approval of her motion to accept the Public Safety Committee's unanimous recommendation for Stuart Wallman, he did not receive the position. Ms. Tillerson explained that while the Town submitted its recommendation letter to Charleston County as usual, another candidate who missed the Town's deadline applied directly through the County's portal, attended County Finance Committee and Commission meetings to campaign for the position, and ultimately received the County Council's recommendation to the Governor despite the Town's official recommendation. It was noted that this was the first time in Ms. Tillerson's ten years that the County went against the Town's recommendation.

Mayor Belt expressed concern about the County's decision to disregard the Town's recommendation. He indicated he would raise this issue with the County Council Chairman regarding deference to Kiawah Island's municipal input.

Council Members noted the unusual nature of this development and the importance of honoring the Town's recommendations in the appointment process.

XIII. Adjournment:

Mayor Belt adjourned the meeting at 4:04 pm.

Submitted by,



Petra S. Reynolds, Town Clerk

5-6-2026

Date