

TOWN COUNCIL
Municipal Center Council Chambers
October 1, 2024, 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*

Also Present: Stephanie Tillerson, *Town Administrator*
Mac McQuillin, *Town Attorney*
Ross Appel, *Consulting Attorney*
Dorota Szubert, *Finance Director*
Jim Jordan, *Town Biologist*
Erin Pomaranke, *Communications Manager*
Michael Nardelli, *Public Works Assistant*

IV. **Approval of Minutes:**

A. Minutes of the Town Council Meeting of September 10, 2024

Mayor Belt stated that Council Members had been provided with a copy of the minutes of the Town Council Meeting of September 10, 2024, and asked if there were any additional comments or changes to the minutes.

Mayor Pro Tem Berner pointed out that on page six, under subparagraph B, a correction was identified: the phrase "the beach club would need to see their beach operation" required a grammatical correction.

With no other comments, the minutes were accepted.

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

Dane Barnes, Co-founder of Shibumi from Raleigh, North Carolina

Mr. Barnes presented the benefits of the Shibumi shade, a wind-driven shading device, highlighting that the Shibumi shade is lightweight, portable, and durable, making it a popular choice on beaches from Maryland to Mexico, with the exception of one location in the Grand Strand, and has near universal public safety support. He emphasized that the Shibumi shade does not negatively impact beach space or visibility compared to traditional umbrellas, supported by drone and side-by-side photos. He cited examples from Sunset Beach and Ocean Isle Beach in North Carolina, where the adoption of Shibumi shades was considered a unanimous success by local officials, enhancing beach safety. Mr. Barnes concluded by noting the popularity of Shibumi shades on Kiawah Island, attributing it to its ease of use and environmental friendliness.

Larry Wolohan – 406 Snowy Egret

Mr. Wolohan distributed handouts expressing concerns regarding a proposal to authorize the Mayor to negotiate Beach Club operations on the beach, which includes the use of emergency beach access vehicles, the sale of food, snacks, and alcohol, and the placement of beach furniture. He highlighted

discrepancies between the August draft agreement and current proposals, such as changes in the length of the beach operations area, buffer zones, and the number of items allowed on the beach during normal and holiday periods.

Mr. Wolohan expressed worries about the potential overcrowding of the beach with items and vehicles, safety passage during high tide, and the breach of current ordinances. He referenced the 2020 Beach Management Plan, emphasizing the importance of dune protection and wildlife preservation, and stated that permitting alcohol sales and blocking the beach was not beach management.

Carol Medendorp - Parkside

Ms. Medendorp also voiced concerns about the Beach Club agreement, focusing on the community's lack of support for adding more items to the beach and the potential impact on wildlife, specifically turtle nesting. She suggested that all business contracts related to the beach should end simultaneously to prevent competitive escalation that could lead to further clutter on the beach. She advocated for a solution that allows businesses to operate without permanently leaving items on the beach, thus preserving the natural environment.

Patrick Gordon, COO of Island Sports, Owner and Operator of Seacoast Sports and Outfitters in Freshfields

As a distributor, Mr. Gordon spoke in favor of Shibumi shades, highlighting their popularity, their ability to move and flow, and, when wind direction changes, the ease with which they can be maneuvered back into position. He also noted the introduction of a new quiet canopy technology that addresses previous noise concerns.

Sherry Gallagher – 119 Spartina Court

Ms. Gallagher expressed dissatisfaction with a beach agreement, noting a reduction in the beach fee and concerns about future implications.

VI. Updates:

A. Mayor

Mayor Belt thanked Town Staff and contractors, the Resort, the Community Association, and the Club for their extraordinarily prompt response to cleaning up the island following Helene. He noted the tragic situations in the upstate, North Carolina, Florida, and Georgia, remarking on the extraordinary outpouring of support reflected in the community.

Mayor Belt addressed concerns about the now removed traffic control devices outside the front gate. To gather information, the community was asked to provide information regarding any incidences of tire or other damage as a result of encountering the devices.

Mayor Belt acknowledged poor advance communication regarding the installation of the devices and that their intended purpose was speed mitigation and collision avoidance around the Mingo Point curve at Little Rabbit Lane. He explained that instances of cars prematurely cutting across to get into the second left-hand lane to enter the island pose a severe collision risk to drivers exiting Little Rabbit was the incentive for a series of conversations with the Public Works and Public Safety Departments, the chair of the Public Safety Committee, our engineering firm, and an external contractor to explore potential options to avoid those risks and to mitigate speed along that area. The decision was made to install these traffic control buttons to address those issues. He emphasized that there was no intention to cause any damage to tires, and there was no known risk of this occurring. In the interim, white stanchions will replace the buttons until a permanent solution is found. The Mayor also mentioned ongoing discussions about potential reimbursements for damages caused by the traffic control devices but clarified that no decision had been made yet.

Mayor Belt indicated that the Resort had approached the Town about a proposed shoal relocation project at the east end of the island, adjacent to the ocean course and driving range, similar to past projects undertaken in partnership between the town and the resort. A report from Coastal Sciences Engineering, the town's consultant, recommends implementing mitigation measures before proceeding with the project. No council action is required at this time, but the community is being informed about the proposal. A detailed memo comparing past projects, outlining responsibilities, costs, timelines, processes, potential environmental impacts, and funding sources is being prepared. The project may be discussed at the November Council meeting, depending on funding and timing. Mr. Jordan is leading the exploration process with federal and state regulatory authorities for the necessary permits, which could take months to obtain and would be valid for five years. The council is not committing to the project yet; it is simply beginning the exploration process.

Mayor Belt stated that Staff and department updates will include information about ongoing projects or initiatives. Today's meeting includes reports from the Treasurer and Wildlife and Environmental Services and a brief update on the findings of the recent community survey.

Mayor Belt reported that the mediation process discussed in September has seen two sessions led by Council Members Berner and Farrell, the Town Attorney, and an outside lawyer, Ross Appel. He noted that he had recused himself and was not involved in the mediation process.

B. Council Members

Council Member Berner provided updates on the following:

- Later in the meeting, after the Executive Session, there may be a vote and, with approval, an open discussion of the mediation.
- The ongoing public safety concern at the intersection of Little Rabbit Lane was addressed by installing the buttons to mitigate accidents.
- The issue of bicycles not stopping at stop signs on Kiawah Island was highlighted, and discussions are ongoing on how to improve safety at the intersection of Kiawah Island Parkway and Cassique.
- Clarification that a police consultation study is underway not to consider establishing a police force but to gather information to address concerns about police response times, highlighted by a recent incident where the first officer arrived 18 minutes after a 911 call.

Council Member Kaye stated that the final draft of the document to transfer responsibility from the Partners in the current ARB structure over to KICA is nearly complete, with a meeting planned to finalize it. The draft will go to the ARB for their assessment and then to a representative of the Partners. Mayor Belt thanked the members of the task force for the extraordinary amount of work that has gone into that effort and provided additional clarification on the transition process; the Town stepping back from the process after the report is released while continuing to monitor the process moving forward, and addressing the continued confusion surrounding the responsibilities with regard to permitting building projects, zoning projects, between KICA, the Town and the ARB.

Council Member Kaye indicated a focus on community education and enforcement as a priority and provided updates on the following :

- The workshop on Stormwater Management, the first in a series of very comprehensive educational efforts, highlighting the presentations from KICA and the Conservancy
- The Pet Restraint Committee, which is reviewing the dog leash ordinance, has been looking at issues with beach signage. It plans to redesign and increase signage to clarify and address beach safety rules, beach regulations, and seasonal nesting patterns. It is not eliminating the area, but it proposes changes to off-leash seasons to protect shorebirds. Community engagement is sought on these issues, with a forum scheduled for October 21st, in addition to the opportunities at committee meetings, council meetings, and the surveys planned to gather input.
 - Increased efforts to:
 - educate beachgoers on the fragility of the red dot population.
 - increase signage to encourage compliance with existing rules and regulations
 - Consider the implementation of cameras to determine exactly who is violating the current rules and regulations.

- Consider additional Town personnel to monitor and help with enforcement activities

Mayor Pro Tem Berner commented that in addition to dogs off leash disturbing the Redbirds, children, and bicyclists commonly ride through the flocks of birds as they eat along the beach. Everybody who uses the beach has to be aware of the fragile nature and ecosystem of these birds.

Council Member Kaye indicated that a good amount of data shows that dogs are perceived as a greater threat to the nesting bird population than kids or bicyclists. In an upcoming meeting with specialists, we will try to collect harder evidence of all that data to take to the community so that everybody is working off of legitimate information.

Council Member Farrell stated that, as a shorebird steward, he had also witnessed more bicyclists and kids running through the birds, agreeing with Council Member Kaye's efforts to inform people with better education and signage.

Council Member Farrell stated that Ms. Szubert has been looking at the Town's investment management to investigate if there are better investment opportunities in addition to those currently made with the state. In July, the Finance Department sent out a Requests for Proposals (RFP) and received ten responses. After reviewing the responses, the scope of the project had been narrowed down, and Ms. Szubert would report further details.

Council Member Farrell stated the ongoing mediation was still under a gag order, expressing satisfaction with the engagement from Partners and their associates. Discussion in Executive Session could result in potential actions or further delays. As part of the agreement, a decision deadline has been set for October 15th, and the aim is to update the community on the progress of the negotiation, goals, and agreements by then. He emphasized the productive nature of these interactions and the goal of benefiting not just a specific group but all residents of Kiawah, expressing optimism about the near conclusion of their efforts.

Mayor Belt stated that the council was focused on enhancing transparency and communication with the community, addressing concerns about the town's transparency, and emphasizing the importance of a robust public process for discussing issues of interest or impact on the broad community. He also tackled misconceptions about decisions being made prematurely based on committee discussions, clarifying that such discussions are part of a process that includes ample opportunity for public input.

C. Administrator

a. Finance Director - Monthly Budget Report

Ms. Szubert reported that for the first two months, ending September 30th, the Town's consolidated revenues totaled \$2.1M, representing \$1.3M, a 60% increase compared to YTD totals for the last fiscal year, FY2024. This amount accounts for 14% of the total budgeted revenues for the current year. All the revenues are as expected at the beginning of the fiscal year. Since this report is prepared on a cash basis, the majority of tourism-generated revenues reflect only one month of collection. The primary contributors to this positive variance include building permits, business licenses, and environmental services. When comparing the same period last year, building permit revenues show an increase of \$183K, or 185%. We issued 217 permits this year, compared to 440 through August 31, 2023; however, the significant rise in construction cost has also led to increased permit fees. Additionally, we have issued approximately 160 more business licenses, resulting in an increase of \$322k, or 311% over last year. Environmental fees have risen by \$278K, or 51%, reflecting an increase in annual garbage collection fees.

At the end of August 2024, the expenditures amounted to \$1.9M, representing \$328K, or a 21% increase compared to fiscal year FY2024. This accounts for 13% of the current year's budget. While expenditures are generally in line with the budget, several line items have seen notable increases from last year:

- Employee Cost: Increased \$165K, or 33%, from last year due to an increase in FTEs and annual salary increases.

- Public Safety/Off Duty Deputies: Increased by \$66k, or 138%, primarily due to a 38% increase in hourly rate to \$55, approved in February 2024.
- Waste Management: Increased by \$244K, or 234%, driven by increased contract cost for garbage collection by Trident Waste.
- Professional Services: Increased by \$61K, or 158%, reflecting a higher number of legal service engagements.

Mayor Pro Tem Berner addressed community concerns regarding the increase in garbage collection fees, explaining it resulted from increased pricing in the new contract established through a competitive bidding process after the previous contract expired.

Mayor Belt added that many residents professed to be unaware of the reason for the change in the amount charged, noting that the Town had communicated extensively about the change. He encouraged residents to sign up for the Town's e-blasts for timely updates on such issues.

Ms. Szubert stated that the recommendation from the Investment Management Services Group will be provided at the next Council meeting in November.

b. Conservation Director – Wildlife and Environmental Update

Mr. Jordan discussed various environmental and wildlife management efforts.

- Closure of the nuisance alligator program. Weekly checks of 18 different ponds that have had issues with nuisance alligators in the past resulted in successfully removing 14 alligators and significantly reduced public complaints.
- Turtle patrol's season is ending with 363 nests, a decrease from last year but still above the long-term average, despite challenges from sand buildup and Hurricane Debbie.
- The Kiawah River bridge access is in a data collection phase, with new signage to be installed to protect critical habitats. Monitoring of the two camera logs will shift to being viewed weekly.
- The Town has addressed the issue of Second-Generation Anticoagulants (SGAs) affecting bobcats by sending a letter to the Clemson Department of Pesticide Regulation (DPR) along with letters of support from local representatives. Discussions with DPR are ongoing, with hopes for a formal response from DPR in the next couple of weeks.
- The fall migration monitoring program conducted on Kiawah since 2009 marked a milestone by banding its 100,000th bird.
- The second Bobcats and Bluegrass event was announced, taking place on November 15th at 2:00 pm.
- For the last three years, the town has conducted deer harvesting due to increased populations following a decline in bobcats. A decision for this year will be based on the density data collected from the upcoming spotlight surveys.

Mayor Belt stated that he was cautiously optimistic that DPR would be willing to work with the Town more extensively than it has in the past on some potential regulatory measures to address the use of SGAs on the island. He encouraged participation in the Bobcat Guardian Program. The fact that the Town has a robust voluntary program helps strengthen the case with the department, but that needs to be supplemented or augmented with additional regulation as well.

Ms. Pomranke highlighted the results of a community survey sent out to gather feedback on Town services and interactions with Town Staff. Participation from 773 community members, primarily part-time and full-time residents or property owners, revealed 70% satisfaction levels with the Town's overall services and over 74% of respondents expressing satisfaction with interactions with Town Staff.

Emergency preparedness, communications, Beach Patrol, and environmental and wildlife support were highly rated. Areas identified for improvement included planning and development projects, permitting processes, and code enforcement.

Concerns raised involved solid waste management, public safety, and traffic management, with specific mentions of the main gate lanes and pedestrian and bike safety. The Bobcat Guardian and wildlife volunteer programs received high praise. Suggestions for new services included additional

transportation options, local emergency and medical access, and an art center. Future focus areas highlighted were planning and development management, flooding, beach management, traffic congestion, and environmental and wildlife concerns. Full survey results will be released in an upcoming e-newsletter and on the Town's website.

Mayor Belt expressed dissatisfaction with a 70% satisfaction rate regarding town issues, emphasizing the need for improvement. A significant portion of the narrative responses focused on traffic management and gate access problems. It was clarified that gate access issues fall under the Community Association's responsibility, not the Town's. However, it can work cooperatively with KICA to address traffic flow issues around the gate.

Ms. Tillerson provided updates on two projects:

- The Town has issued the MUSC project conditional approval. Still awaiting some documentation, they are free to proceed with prep work.
- Progress on the Seafields project is moving smoothly. Interior walls are being constructed, and a site visit is planned.
- Town Staff is addressing complaints about poor cell service, particularly behind the second gate, by working with major cell tower companies to improve coverage, including the potential placement of a temporary tower.

Mayor Belt addressed periodic inquiries he received on the topic of Andall West's development process, noting that it falls under Charleston County's responsibility, not the Town's, and no recent updates are available.

Following up on collaboration with major cell providers to enhance service on the island, Major Pro Tem Berner provided a photograph of a unique cell tower design observed in Egypt, which resembles a palm tree, which could be more aesthetically pleasing.

VII. Discussion:

A. Discussion of Beach Safety Issues and the Enforcement of Town Ordinances on the Beach

Mayor Belt stated that a number of different concerns were raised about various beach-related safety matters, such as Shibumi Shades, e-bikes, sail carts (blow carts), vehicles on the beach, and dogs off-leash, with a particular incident of a dog bite reported.

Mayor Pro Tem Berner indicated that the Public Safety Committee (PSC) discussed the issues presented with Shibumi Shade. A significant debate on the visibility obstruction caused by Shibumi Shades led to a majority vote in favor of banning them for safety reasons. However, after further observation, Councilmember Berner expressed that umbrellas could pose a similar visibility issue as Shibumi Shade, indicating no improvement in sightlines without them.

Mr. Rob Edgerton from Beach Patrol discussed the challenges posed by shade devices, specifically Shibumis, on beach surveillance and ordinance enforcement. The devices obstruct the view of beach patrol units, making it difficult to spot people in distress or enforce beach rules. Mr. Trevor Cyrulik with Barrier Island Beach Services discussed the safety aspect, stating that rules on the placement of umbrellas require them to be set up in a certain area in a certain format, creating an emergency lane behind the umbrellas. He noted that there didn't seem to be any requirements for the placement of the Shibumis.

Mayor Pro Tem Berner stated the PSC considered options to regulate Shibumis, such as designating specific zones for their placement, but ultimately voted against allowing them. However, no ordinance draft has been created yet.

The discussion highlighted the need for a balance between ensuring public safety and allowing beachgoers to use shade devices. Suggestions included exploring alternative beach patrol methods and improving ways to identify and assist people in distress. The debate also touched on the broader issue

of beach safety, including the risks associated with traditional umbrellas. The discussion concluded with a decision to explore other solutions before imposing restrictions on Shibumis.

Mayor Pro Tem Berner raised concerns about the safety of beachgoers due to the presence of silent, fast-moving vehicles on the beach. These vehicles, described as having a sailboat-like operation but with a go-kart frame, can reach very high speeds and pose a danger, especially to children, due to their speed and silence. The council discussed the enforcement of existing ordinances that restrict vehicle speeds to 20 miles per hour on the beach, considering whether to allow these vehicles on the beach under certain conditions or to implement stricter controls. The discussion concluded with sending the issue to the PSC, continuing to explore the issue with a request to figure out a way to manage it rather than restrict or prohibit it.

The Council engaged in an in-depth discussion of the enforcement of other beach-related ordinances, including those pertaining to leash laws and the prohibition of motorized vehicles or electric bikes. Mr. Edgerton stated that the focus was on education and explained compliance through verbal warnings, written warnings, and citations.

B. Discussion and Potential Action on EV Charging Station Operations and Fees

Mr. Nardelli discussed the electric vehicle (EV) charging stations installed at the back of the Municipal Center. Since their installation, the stations have been used for 740 hours, saving over 17,000 pounds of CO₂ emissions. The stations were free to use for the 90-day trial period, so he reviewed in detail the options for future charging policies.

The Council considered various fee options to cover the costs of electricity, warranty, network fees, and maintenance. The options included charging the rate from Berkeley Electric, a market rate to cover all costs, a flat rate of 25 cents per kWh to break even, and differentiated rates for residents and visitors with additional idle fees, also reviewing charging rates from nearby locations for comparison. The discussion also touched on the charging stations' usage trends, the potential need for a marketing campaign to increase awareness, and the question of whether the town should subsidize EV charging.

Following an in-depth discussion, the Council recommended adopting option three, charging 25 cents per kWh, to cover variable costs while remaining competitive with nearby charging rates. It also agreed to revisit the fee structure as necessary.

Mayor Belt made a motion to approve the staff's recommendation to charge 25 cents per kilowatt-hour. Mayor Pro Tem seconded the motion, and it was unanimously approved.

VIII. Old Business:

A. To Consider Approval of Ordinance 2024-23 - An Ordinance to Amend Article 9. – Buildings and Building Codes, Chapter 4. – Permits, Licenses and Fees, Division 3. – Fees, Section 9-215. – Schedule of Permit Fees - *Second and Final Reading*

Council Member Kaye made a motion to approve the second reading of Ordinance 2024-23. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.

IX. New Business:

A. To Approve and Authorize the Mayor to Enter into the East Beach Club Operations Agreement

Mayor Belt explained that the agreement aims to bring the Beach Club's operations into compliance with the Town's ordinances regarding beach activities, which include restrictions on vehicles, overnight storage, and commercial activities on the beach. Previously, there has not been any formal approval of the Beach Club's operations. The agreement's duration is aligned with two other existing agreements, with all set to expire in March 2026. The decision to limit the term of the agreement is to synchronize its expiration with the other agreements, allowing future councils to review commercial operations on the

beach comprehensively. The agreement also includes adjustments to the Beach Club's boundaries to align with property lines.

The Council discussion revolved around the specifics of an agreement regarding the operation of vehicles by the Beach Club on the beach to provide services to its members. Concerns were raised about the need for greater specificity in the agreement, particularly regarding the types of vehicles allowed, to prevent potential issues and ensure clarity. The discussion also touched on the storage of equipment on the beach, the impact of vehicular traffic moving equipment, and the decrease in the buffer zone.

Mayor Pro Tem Berner made a motion to approve the East Beach Club Operations Agreement with a condition to verify the consistency of a 25-yard buffer zone with other agreements. Council Member Ferrall seconded the motion, and it was approved by a 3 to 1 vote, with Council Member Kaye abstaining from the vote.

A. To Consider Approval of Resolution 2024-04 - to Adopt a Gift Policy for Municipal Officers and Employees

Mayor Belt stated that the revised gift policy for municipal office employees addressed comments from the previous meeting. A definition of municipal officer and employee was added, along with a reporting and compliance process.

Council Member Ferrall made a motion to approve Resolution 2024-04 to adopt a Gift Policy for Municipal Officers and Employees. Council Member Kaye seconded the motion, and it was unanimously approved.

Council Member Ferrall made a motion to move into Executive Session to receive legal advice protected by the Attorney-Client Privilege (S.C. Code Ann. 34-4-70-(a)(2)) concerning mediation with Kiawah Resort Associates. Mayor Pro Tem seconded the motion, and it was unanimously approved.

X. Executive Session:

- A. Executive Session to receive legal advice protected by the Attorney-Client Privilege (S.C. Code Ann. 34-4-70-(a)(2)) concerning mediation with Kiawah Resort Associates - Upper Beachwalker, Lower Beachwalker, Cape Point Road, CASE NO. 2024-CP-10-03809, CASE NO. 2024-CP-10-00491, and CASE NO. 2024-CP-10-03812.**

The Council may take action after the Executive Session.

Mayor Belt 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.

Council Member Kaye made a motion to approve the mediation settlement agreement. Council Member Ferrall seconded the motion. The motion was approved by a 3 to 1 roll call vote.

Mayor Pro Tem Berner voted "Yes"

Council Member Farrell voted "Yes"

Council Member Kaye voted "Yes"

Mayor Belt abstained from voting due to prior recusal.

Council Member Farrell explained that the goals of the mediation included maintaining or enhancing buffering around developed properties, preventing further reduction of the maritime forest, providing adequate parking for club members, maximizing traffic safety for the contiguous neighborhoods: The Cape, Ocean Pines, and to Upper Beachwalker, and to allow the Club to open and operate safely and efficiently within the context of Kiawah ensuring minimal future complaints about illegal parking, and to maintain whatever access the Partners had to Captain Sam Spit, but not allow any additional potential accesses that would be a concern.

Council Member Farrell stated that in order to reach a long-term solution, issues related to the related developments, plus any other issues, were included in the negotiation's discussion. Also, an important

part of the thought process was that the community wanted all the lawsuits settled, minimizing any future legal costs. Ultimately, what needed to be done was to provide a fair and just outcome for all parties involved, making sure that everyone was as comfortable as possible.

Mayor Pro Tem Berner reviewed the agreement reached, which includes abandoning the extension of Cape Point Road, enhancing vegetation, creating a new traffic turnaround, and specifying parking arrangements. It reduces the number of dwelling units in certain areas and outlines plans for future development discussions, emphasizing increased buffering and the potential for new facilities. The agreement also ensures no access to Captain Sam Spit from the parcel and includes the dismissal of all related lawsuits with prejudice.

Mayor Belt reviewed his summary of the pending site plan proposals, indicating that now that the Town Council has approved the execution of the agreement, the Partners will file with the Charleston County Clerk of Court a consent order approving the settlement, which would also dismiss all the outstanding litigation with prejudice.

Council Member Farrell indicated that he and Council Member Berner planned a meeting with the Partners team to discuss the site plans in more detail and ensure that everyone agrees that the drawing reflects the verbiage.

Mayor Belt stated that one issue not specifically addressed in the mediation settlement agreement concerns the operational aspects of the Cape Club facility, including issuing a temporary certificate of occupancy contingent on a temporary parking plan.

XI. Citizens Comments:

Larry Wolohan – 406 Snowy Egret

Mr. Wolohan raised concerns about the beach's future appearance and the safety and regulation of a \$14 million investment not backed by the state, highlighting the lack of guarantees and regulatory oversight. He also expressed worries about financial management and the absence of recent Ways and Means Committee meetings. In response, Council Member Farrell clarified that all investments carry risk. Still, the fund in question primarily invests in secure assets like U.S. treasuries and has a short maturity limit, minimizing risk.

Mark Permar – representing Kiawah Partners

Mr. Permar expressed appreciation on behalf of the Partners and the professional team for the effort to collaborate to achieve a better outcome for the greater community. He wanted to communicate to the Council that the Partners looked forward to continuing the collaboration, looking toward refining the exactness and the precision of the plats, as well as the conversation on refining plans for Upper Beachwalker in the same vein as what was represented in the past couple of months.

Council Member Farrell reiterated this to Mr. Permar, the Partners, and their team. We felt you guys negotiated in good faith, and the outcome was great for the community.

Lance Spencer – 40 Sunlet Bend

Mr. Spencer reiterated Mr. Permar's comments. Knowing this had probably been extremely time-consuming and was not easy for Mayor Pro Tem Berner and Council Member Farrell; he thanked them for trying to consider the whole community perspective and represent all the different stakeholders and interests. He hoped this would be a turning point in how we can continue to collaborate across organizations at Kiawah. He also asked if there was going to be some kind of communication that would summarize the agreement.

Council Members, along with Mr. McQuillin, discussed that the settlement agreement was a public document but would probably wait on the formal drawings. They also expressed the intention of making settlement agreements publicly available without the need for formal requests, ensuring transparency and public access to information.

XII. Council Member Comments:

Council Member Kaye expressed gratitude towards the two council members involved in mediation, who were under a gag order and thus unable to share details of their proceedings. She acknowledged learning a great deal from the situation and commended the council members for their exceptional work,

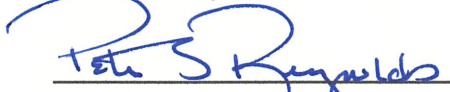
Council Member Farrell expressed gratitude to citizens for their patience regarding undisclosed facts due to restrictions, emphasizing the benefits achieved for the community.

Mayor Belt also commended the efforts of Councilmembers Berner and Farrell, along with attorneys McQuillin and Appel, for their work on behalf of the Town and community and appreciated the fact that the Partners and their team approached this in good faith. The importance of trusting the process to resolve issues was highlighted, with the outcome deemed beneficial for the community.

XIII. Adjournment:

Mayor Belt adjourned the meeting at 4:13 pm.

Submitted by,


Petra S. Reynolds, Town Clerk

11/8/2024
Date