

**TOWN COUNCIL**  
**Municipal Center Council Chambers**  
**February 4, 2025, 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 Tillerson, *Town Administrator*  
Mac McQuillin, *Town Attorney*  
Dorota Szubert, *Finance Director*  
Brian Gottshalk, *Public Works Manager*  
Jim Jordan, *Wildlife Biologist*  
Patrea St. John, *Planner 1 / Landscape & Tree Specialist*

IV. **Approval of Minutes:**

A. Minutes of the Town Council Meeting of January 7, 2025

Mayor Belt stated that Council Members had been provided with a copy of the minutes of the Town Council Meeting of January 7, 2025, in advance. He asked if there were any additional comments or changes to the minutes.

Council Member Kaye noted that a minor change had been made directly to the Town Clerk.

***With no other comments, the minutes were accepted.***

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

None

VI. **Updates:**

A. Mayor

*Mayor Belt commended the Town, KICA (Kiawah Island Community Association), CCSO (Charleston County Sheriff's Office), and contracted individuals for their quick response to Snowmageddon and discussed some of the challenges the island faced during the storm.*

Mayor Belt discussed the delayed strategic planning meetings held in the past week. Council Members covered various issues that the Town would be looking at and addressing throughout 2025. Some of those issues and others were addressed at the Town Hall meeting hosted by Mayor Belt last week. Both are viewable on the Town's YouTube website.

Mayor Belt provided an update on the long-awaited mediation agreement that was entered into last October. After a lengthy period, all the attachment documents have been confirmed, and this past

- Budget Season –
  - healthy budget and growing revenues and income
  - emphasized the need for prudent management and strategic planning.
  - prioritization of capital projects
  - do a reserve analysis
- The process of committee restocking is underway, with a focus on diversification and filling needs.
- Expand State Accommodation Tax projects to help increase tourism
- Strategic planning sessions covered various issues, including State Accommodation Tax and budgeting.

Mayor Pro Tem Berner stated that in the past, concerns were raised about the sustainability of building permit revenue due to construction ending. Ms. Szubert indicated that an increase in building permit fees had increased the revenues. Mayor Belt added that as primary development ends, some decrease in permit revenue is probable over time.

#### *Council Member Spencer*

- Infrastructure and Public Works Committee - broad oversight and involvement in various service providers, utility projects, and infrastructure projects.
- Finalizing meetings with three cellular providers looking for ways to improve coverage on the island.
- Public Safety Communications - transition to the FirstNet network for priority and preemption for first responders.
- Net-Zero stormwater management practices – best practice for many communities, especially coastal communities. Explore if something could be accomplished here based on the best practices of other communities.
- Encouraged to fast-track the stormwater management ordinance to the March agenda for the second reading.

#### **C. Administrator**

##### *Stephanie Tillerson*

- The FY 2026 budget process has begun, with the information submitted by departments being pulled together and reviewed. The first draft of the budget is anticipated to be presented at the March Ways and Means Committee meeting.
- The Building Services Department is reviewing revised drawings for the Ocean Pines project, and the West End/Upper Beachwalker Drive plans are still under review.
- Clemson, the state regulatory agency for second-generation anticoagulants (SGAs), made a statewide requirement to restrict the use of SGAs by individuals who are not licensed,
- The importance of encouraging residents to sign the Bobcat pledge is emphasized.
- A number of Charitable Grant funding applications have been received. Staff members have volunteered to interview applicants and make funding recommendations.

#### **VII. Old Business:**

None

#### **VIII. New Business:**

##### **A. To Consider Approval of *Ordinance 2025-01* - An Ordinance To Amend Article 16 – Beach Management, Chapter 5. - Control Of Pets – *First Reading***

Mayor Belt introduced Ordinance 2025-01 as a narrow amendment to the beach management ordinance regarding off-leash dog rules. It is not the broad changes to the off-leash rules that have been discussed, but they would be addressed, along with some other changes, at a future Council meeting.

Mr. Jordan stated that the Environmental Committee had been studying the issue of pet restraints on the beach and critical habitat impacts to shore birds for a year and is now examining the entire Article 16, Beach Management, because many things need to be fixed.

Mr. Jordan explained changes, which focused on the impact of off-leash dogs on endangered Red Knots.

- The new off-leash period will shift two weeks earlier, from October 16 to February 28, to protect migrating Red Knots.
- It does not impact critical habitats where dogs are never allowed. It also does not impact the current dog use area, where dogs are allowed off-leash year-round.

**Mayor Pro Tem Berner made a motion to approve the first reading of Ordinance 2025-01 to Amend Article 16 – Beach Management, Chapter 5. - Control Of Pets. Council Member Farrell seconded the motion.**

Council Members discussed compliance and enforcement, the need for a comprehensive plan to ensure compliance, particularly for guest dogs, the Beach Management Act review, and the suggestion of a registration requirement for pets on the beach. Also discussed was a compliance plan that includes better education, more staffing, and looking at signage.

**Following the discussion, the motion was unanimously approved.**

**B. To Consider Approval of Ordinance 2025-02 - An Ordinance To Amend Chapter 12 - Land Use Planning and Zoning Ordinance Section 12-129. – Tree Preservation and Landscaping Standards to Establish Minimum Landscape Standards- Public Hearing and First Reading**

**Council Member Farrell made a motion to move into the Public Hearing for Ordinance 2025-02. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.**

Ms. St. John presented Ordinance 2025 02 as phase two of the landscape and tree preservation ordinance, the first of which was passed in April of last year. Following the same process as phase one, the stakeholder workgroup worked for several months to develop the minimum standards.

Ms. St. John stated that the ordinance aims to preserve and enhance the natural environment, ensure the continuance of the environment and specimen trees and forests we have, and examine the proper care of trees and shrubs that we're implementing and using, utilizing the industry's best standards in that implementation.

Ms. St. John provided an overview of the process from the workgroup presentation of the ordinance to the Landscape and Tree Preservation Board, who recommended it to the Planning Commission, and the approval of the Planning Commission. She further reviewed the applicability standards, the Planning Commission amendment to exclude single-family residential, minimum landscape plan requirements, installation, maintenance and replacement standards, and minimum lot landscape requirements.

Council member discussion included the applicability of the standards, enforcement mechanisms, and minimum lot landscape requirements.

### **Carol Medendorp – Parkside**

Ms. Medendorp questioned whether regimes had to follow the requirements and whether a regime representative was in the workgroup. Ms. St. John clarified that regimes are required to follow the requirements, and regime residents are on the Landscape and Tree Preservation Board.

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

**Mayor Pro Tem Berner made a motion to approve the first reading of Ordinance 2025-02 to Amend Chapter 12 - Land Use Planning and Zoning Ordinance Section 12-129. – Tree Preservation and Landscaping Standards to Establish Minimum Landscape Standards. Council Member Kaye seconded the motion.**

Mayor Pro Tem Berner pointed out some language that needed clarification or revision for the second reading. Members engaged in an in-depth discussion of the mitigation requirements for tree removal, particularly within the building footprint, the concern raised about the feasibility of replanting trees in heavily forested areas, and the use of the “Planning Director’s discretion,” as opposed to the “Board,” with regard to mitigation standards. Also discussed was the importance of public participation in the review process, and the role of the tree preservation board is emphasized.

Following the discussion, Mayor Pro Tem Berner emphasized the need for vigilance and verification rather than trust. Mayor Belt agreed, noting that the Town started implementing the ordinance to ensure compliance.

Council Member Spencer inquired about enforcement through the zoning code compliance process. Ms. St John explained the process, including approved preservation and landscape plans before obtaining a zoning permit.

**Roger Warren – President, Kiawah Island Golf Resort**

Mr. Warren commented on how well the Town has managed this type of tree process to this point, sharing experiences with moving specimen trees and the importance of designing with nature. He suggested not spending too much time on past issues and offered to sign an agreement for future projects.

Mr. Warren emphasized support for the Town's efforts and the need for flexibility in the ordinance. Mayor Belt acknowledged the flexibility and the importance of the Resort's continued practices.

Council Member Farrell commended the Planning Commission and individual members for their comprehensive work on the ordinance.

Mayor Belt mentioned the possibility of changes between the first and second readings. He commended the extraordinary hard work of the staff and the Planning Commission in evaluating the evolution of the ordinance through various comments.

***Following the discussion, the motion was unanimously approved.***

**C. To Consider Approval of the Barrier Island Ocean Rescue One-Year Contract Extension Request for Beach Patrol Services**

Council Member Farrell indicated that the discussion at the Ways and Means Committee meeting included some issues in defining the beach or the jurisdictional coverage area and the Committee's recommendation to move forward with the extension.

Mayor Belt stated that the existing contract allows for the one-year extension. The Mayor’s concerns with the contract form and items requiring greater clarification were discussed with Mr. Ederton and Mr. Sosnowski, who were amenable to addressing those informally. Mayor Pro Tem Berner pointed out the urgency of the contract extension, noting the need for training for the summer season.

**Council Member Farrell made a motion to approve the Barrier Island Ocean Rescue One-Year Contract Extension Request for Beach Patrol Services. Mayor Pro Tem Berner seconded the motion.**

Council Member Farrell questioned the status of the contract for purchasing the software associated with the drone. He also mentioned the recent video posted by Barrier Island Ocean Rescue after the storm. It was interesting to see what they could provide the Town in terms of safety and security after the storm and what the storm looked like. Mayor Belt noted that they provide a high-quality level of service to the community.

**Following the discussion, the motion was unanimously approved.**

**D. To Consider Approval of the Proposal for the Leisure Trail Project on Kiawah Island Parkway and Beachwalker Drive**

Council Member Farrell introduced the recommendation from the Ways and Means Committee to pave two sections of the town-owned bike path on the Kiawah Island Parkway and Beachwalker Drive. These areas are flooded during rain or high tides, and this proposal mitigates those two issues by tearing up, regrading, raising, and then repaving.

Mr. Gottshalk explained the RFP process and the proposals received from Proper Paving, LLC and Truluck Construction. The proposal being recommended was confirmed as qualified to do the work and would complete the project ahead of the spring season.

**Council Member Farrell made a motion to approve the proposal from Proper Paving, LLC. for the Leisure Trail Project on Kiawah Island Parkway and Beachwalker Drive. Council Member Kaye seconded the motion.**

Council Member Kaye questioned the length of the project and raised concerns about traffic diversion during the construction process. Mr. Gottshalk stated that the work would take between eight and ten days and assured that traffic would be diverted by creating a barrier on the road or other traffic control option.

Mayor Pro Tem Bener indicated that he had concerns about the low bidder. He reviewed several issues he found with the proposal, in detail, and the potential for change orders. Council Members engaged in an in-depth discussion of issues raised by Mayor Pro Tem Berner, the gap in the proposals, previous experiences with the bidders, and the work done for the Town and Seabrook by the low bidder.

Mayor Belt stated that the recommendation from the Ways and Means Committee was modified to allow for a change order amount up to \$30,000 that he and the staff would have the authority to review and approve; anything more than that would have to come back to Council. This was to accommodate a 50 or 100-foot section of the leisure trail that was not within the scope of this project and that tends to flood closer to the bridge. Also, there is the timing consideration to get all this work done before the busy season.

Council Members deliberated Mayor Pro Tem Berner's suggestion of holding a Special Call meeting in two weeks, which would allow for more due diligence on the proposal and the issues he raised.

**Council Member Farrell withdrew his pending motion for approval.**

**Council Member Kaye made a motion to defer consideration of the agenda item until a subsequent special call meeting. Council Member Spencer seconded the motion, and it was unanimously approved.**

## E. 2025 Committee and Board Appointments

Mayor Belt stated that there had been a lot of community interest in serving on the Town's Boards and Committees, resulting in far more qualified applicants than there were positions. He noted that for the one-year terms, there is always going to be an opportunity for those who are interested in serving to be able to do so.

### a. Arts & Cultural Events Council

***Council Member Kaye made a motion to approve the appointment of the current Arts and Cultural Events Council members. Council Member Farrell seconded the motion.***

Mayor Belt stated that he is the Council Member who chairs the Arts Council Board; the subordinate body, the Arts and Cultural Events Council, is chaired by David Wall. All of the current members indicated that they were interested in continuing to serve, noting the extraordinary amount of work that goes into this particular committee by its volunteer members.

***Following the discussion, the motion was unanimously approved.***

### b. Audit Committee

Council Member Farrell, Chair of the Audit Committee, commented on the number of individuals who wanted to participate in the committee. He discussed the expanded scope of the Audit Committee from a focus on the integrity of the town's financial statements to include the integrity of the system of internal controls and risk management, compliance with legal and regulatory requirements and ethical standards, and the quality of the auditor's engagement.

***After reviewing their backgrounds and qualifications, Council Member Farrell made a motion to approve the appointments of Peter Ashton, Paul Kurth, Bill McDonald, and John Wilson to the Audit Committee. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.***

### c. Environmental Committee

Council Member Kaye stated that all of the committee members indicated they were interested in continuing to serve despite an interesting year that included some unanticipated work. She commended Mr. Jordan on running a highly functioning committee and the members for the diligence they've shown and their willingness to continue serving.

She noted that Jennifer Hays had replaced Tommy Manual and nominated Bob Martineau and Fran Williams as new members.

***After emphasizing their extensive experience in environmental law and management, Council Member Kaye made a motion to approve the appointment of Bob Martineau, Fran Williams, and the current members to the Environmental Committee. Council Member Farrell seconded the motion, and it was unanimously approved.***

### d. Infrastructure and Public Works Committee

Council Member Spencer expressed his satisfaction with the slate of volunteers interested in serving on the reconstituted Infrastructure and Public Work Committee, noting their diverse backgrounds and willingness to work. He stated that the next challenge was addressing the Mayor's long list of initiatives.

**Council Member Spencer made a motion to approve the appointment of Warren Stannard, Philip Mancusi-Ungaro, John Shippee, Dave DeStefano, and Brad McIlvain to the Infrastructure and Public Works Committee. Council Member Farrell seconded the motion, and it was unanimously approved.**

e. Planning Commission

Mayor Belt stated that, unlike the standing Committee established by the Council, the Planning Commission is a statutory committee under both state law and Town ordinance. A committee consisting of members of the Council and the Planning Commission, with the assistance of the Planning Director, reviewed the candidates. The committee recommended that Sandy Devine and Maribeth Schmersal be put forward to the Council.

**Council Member Farrell made a motion to approve the appointment of Sandy Devine and Maribeth Schmersal to the Planning Commission. Council Member Kaye seconded the motion, and it was unanimously approved.**

f. Public Safety Committee

Mayor Pro Tem Berner stated that all of the current members of the Public Safety Committee, who have all served for multiple years and include representatives of Freshfields, KICA, and the Resort, confirmed that they wanted to serve another term.

**Council Member Kaye made a motion to approve the appointment of the current members to the Public Safety Committee. Council Member Farrell seconded the motion, and it was unanimously approved.**

g. SATAX Committee

Council Member Farrell stated that the current members of the State Accommodations Tax (SATAX) Committee confirmed their willingness to serve another term. In addition to the very strong SATAX Committee membership, which is mandated by the state, he recommended Lauren Beadle as a new member, highlighting his extensive experience in hospitality and business.

**Council Member Farrell made a motion to approve the appointment of Lauren Beale and the current members to the SATAX Committee. Mayor Pro Tem Berner seconded the motion.**

Mayor Pro Tem Berner raised concerns about potential conflicts of interest with committee members being representatives of the entities requesting funding. It was explained that those representatives are recused from funding request votes.

Mayor Belt explained that the State Accommodations Tax Statute requires that four of the seven members be from the hospitality industry and two be from the lodging industry, so the Town does not have a lot of latitude in the composition. He further explained that there are two different types of committees, the Planning Commission and the Board of Zoning Appeals, which are referred to as statutory committees, which are empowered under state law, or state statutes, and govern some of their activities and their construction. All the other committees, the non-statutory committees, are simply creatures of the Council and are not matters of state, but all have a one-year term.

Council Members further discussed the new process implemented to ensure that those wishing to volunteer on a Committee had the opportunity to participate.

**IX. Citizens' Comments:**

**Carol Medendorp – Parkside**

Ms. Medendorp raised questions about the excess revenues being used to fund community projects discussed at the Town Hall meeting, whether there were any restrictions in using the funds, and whether there would be any community involvement in decision-making.

Mayor Belt explained the sources of unrestricted and restricted funds, the unrestricted funds held in general, and capital funds for the replacement of town assets in the event of a catastrophic event, as well as the process for using restricted funds for capital projects. Mr. Szubert further clarified the designation of funds for beach renourishment and other capital projects.

Ms. Medendorp stated that with the recent discovery of significant unrestricted funds, she suggested ideas for community projects, such as an indoor pool and pickleball courts, and emphasized the need for community input.

Mayor Belt and Council Member Farrell agreed to conduct a community survey to gather ideas and feedback for future projects. Council Member Ferrall also reminded Ms. Medendorp that those projects could not be behind the first gate, making it difficult.

**Maura McIlvain – 146 Blue Heron Pond Road**

Ms. McIlvain commented on the idea of a potential pool. She noted some complications because the Municipal Center building was on a septic field, but there may be a possibility of getting the Town connected to the Seabrook sewer system.

Ms. McIlvian stated that having attended the strategic workshops, she appreciated the work undertaken in arranging the staff and presentations at the meeting and commended all the Council Members and staff who made it possible.

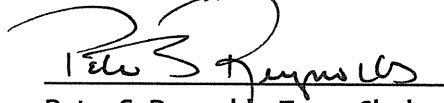
**X. Council Member Comments:**

None

**XI. Adjournment:**

*Mayor Belt adjourned the meeting at 3:53 pm.*

Submitted by,

  
Petra S. Reynolds, Town Clerk

3-5-2025

Date