

TOWN COUNCIL
Municipal Center Council Chambers
June 3, 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*
Dorota Szubert, *Finance Director*
Mac McQuillin, *Town Attorney*
Craig Harris, *Public Safety Director*
John Taylor, Jr., *Planning Director*
Brian Gottshalk, *Public Works Manager*

IV. **Approval of Minutes**

A. **Minutes of the Town Council Meeting of May 6, 2025**

Mayor Belt stated that Council Members had received a copy of the minutes of the Town Council meeting of May 6, 2025, in advance for review. Council Member Farrell requested that the letter, which had been asked to be entered into the record at the last meeting, be reinserted into the official record of the minutes. Mayor Belt confirmed this would be done. He also noted that his few minor cleanup items had been given to the Town Clerk and incorporated, and asked if there were any additional comments or changes to the minutes.

With no additional corrections, the minutes were approved.

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

Amanda Mole - Kiawah Partners

Ms. Mole commented on Old Business Item C, to consider approval of Ordinance 2024-24. She noted that when this ordinance was up for second reading in December, it was sent back to the Planning Commission due to discussion items that had been raised. At the February 5th Planning Commission meeting, she shared comments that had not been addressed, so she restated them:

- Secondary coverage is already pervious, so she questioned how the proposed percent reduction benefits the goal of encouraging pervious over impervious surfaces.
- The proposed reduction in coverage for secondary pervious elements minimizes the ability for creative solutions to site-specific challenges without seeking BZA (Board of Zoning Appeals) approval.
- The current allowed percent for secondary pervious elements intentionally aligns with Designing with Nature coverage standards.
- The ordinance and guideline language were crafted cooperatively to reduce the need for BZA submissions.
- Homes are designed for many months prior to submitting for a zoning permit, so if changing coverage parameters, she recommended a substantial time period prior to the effective date to avoid impacting those who have designed to the current parameters.
- The Planning Commission presentation referenced buy-in from the design community, but Ms. Mole stated that the pervious discussion has been under most design professionals' radar. As discussed during

the Planning Commission meeting, she believed that holding a well-advertised workshop with stakeholders would be a good idea.

Ms. Mole expressed concern that none of these issues have been considered as the ordinance comes back for a second reading.

Leigh Stephenson Cobb - 2 Ocean Course Drive

Ms. Cobb commented on agenda item 2 regarding suitable nesting habitat, expressing appreciation for the changes made, but had some comments and concerns:

- She was pleased that the Ocean Course will replenish dunes, which should help return suitable nesting habitat to the critical habitat area beyond the Ocean Course.
- She felt education is the best way to move forward, noting there are now lines marking the area, and emphasized the importance of alerting people when there are nests so that dogs can be kept away. Additionally, it is worth noting that people have responded well to education about red knots.
- She expressed concern about vagueness in the ordinance and the Mayor's discretion, but appreciated the language about detailing evidence before taking action, and asked if there have been any nests found near the Ocean Course with the new warnings in place.

Mayor Belt responded that he gets regular reports from Environmental Services on nesting activity. The most recent report, about a week ago, indicated no nests had yet been identified in that area. He noted that they are optimistic that the dune replenishment will provide ample nesting habitat.

Ms. Cobb acknowledged this and reiterated appreciation for the changes, while expressing some concern about vagueness. She emphasized the importance of the off-leash area to many beach users and the opportunity for education, and thanked the Council for their attention to the issue.

VI. Presentations

A. Justin Pierce – Charleston County Emergency Management Director

Mr. Harris introduced Justin Pierce, the new Director of Emergency Management for Charleston County. He highlighted Pierce's extensive background in homeland security and emergency management, including previous roles with Los Angeles World Airports, the District of Columbia's Homeland Security and Emergency Management Agency, and regional coordinator for Tetra Tech, Incorporated.

Director Pierce provided an overview of how the county responds to hurricanes and supports municipalities. He outlined the county's emergency management functions:

- Public information and warning
- Planning/problem solving
- Operational coordination
- Resource management and support
- Search and rescue teams
- Disaster recovery (damage assessment, debris removal, financial recovery)

Director Pierce explained the hurricane response process, from when a storm enters the cone of uncertainty through recovery. Pierce highlighted enhancements for the upcoming hurricane season, including a 120-hour hurricane guide, a new temporary debris management site, emergency response teams, a critical lifeline dashboard, and new weather forecasting technology.

Director Pierce addressed questions about the county's independence from federal changes, noting they rely on some federal grants but have strong local support to fill gaps. He explained how the county coordinates with local emergency operations centers and prioritizes road clearing after storms.

Director Pierce also discussed the county's role in evacuation decisions, noting the governor has final authority to issue an evacuation order, but the county provides recommendations based on local input. He explained that when the governor decides on the state's evacuation plan, the state police are responsible for implementing the plan.

Mayor Belt inquired about the prioritization of debris removal. Director Pierce said opening roads is the top priority, followed by power, communications, and hospitals. He said they have a map of

major arteries to prioritize, but incident commanders ultimately make decisions based on conditions.

Council Members asked follow-up questions about evacuation authority, debris removal contracting, and how the county is preparing for potential changes in FEMA (Federal Emergency Management Agency) support. Pierce noted there is uncertainty around FEMA's plans, but the county is taking steps to be prepared, including building up local capabilities.

VII. Updates

A. Mayor

Mayor Belt provided several updates:

- The Town Hall community forum, which he hosted last week, highlighted some lack of clarity among residents about the responsibilities of different entities on Kiawah. Many of the questions posed, including those related to gate access, should be directed to KICA (Kiawah Island Community Association) because they fall outside the Town's purview.
 - The KICA Board meeting discussed boardwalks, gate access, and other policies under review.
 - There was a suggestion to hold a joint Town Hall with KICA to address residents' questions. He indicated that the Town would be open to it, noting that more conversation, cooperation, and collaboration were needed.
 - Boardwalk issues and beach management ordinance topics, like the off-leash area, were prominent discussion points.
- Leaf blowers were a topic of debate on social media.
 - The Town's new landscaping contract requires the use of electric leaf blowers, with the current vendor using all-electric equipment. The Mayor hoped that other entities would voluntarily move in this direction.
- KICA approved a policy on speed enforcement for contractors behind the gate. The Town has had conversations with the CCSO (Charleston County Sheriff's Office) to increase enforcement on roads outside the gate and has added speed monitoring devices on Beachwalker Drive. It will also be placing these devices on the Parkway.
- The initial stages of Ocean Pines development are starting with an expected increase in commercial activity along Beachwalker Drive. As part of the recently adopted encroachment ordinance, the Town imposed a number of conditions to manage the time and volume of construction traffic.
- Architectural review transition from the developer to KICA has not progressed as expected. The Mayor may propose to the Town Council the establishment of a Town architectural review board for commercial and multi-family development if the transition does not occur.
- The RFQ (Request for Qualifications) for the Civic Center addition design competition received strong interest from several architectural firms.

B. Council Members

Mayor Pro Tem Berner discussed his roles in improving the Kiawah experience and public safety. He noted:

- An emergency/hurricane tabletop exercise was recently conducted at Town Hall.
- The Swim Across America event is taking place on Saturday, with CERT (Community Emergency Response Team) providing protection services for the swimmers in the ocean.
- He attended a sobering disaster awareness presentation about Hurricane Ian's impact on Sanibel Island, emphasizing the importance of heeding evacuation orders.

Council Member Kaye provided updates on:

- The Coastal Science and Engineering (CSE) report on the state of the beach noted an overall good condition, but with dynamic changes.
 - CSE invited to present at the next Environmental Committee meeting, which will include members from the Resiliency Committee. Also invited were members of the Infrastructure and Public Works and Public Safety Committees.
 - Discussion will include more specifics on what is going on at the far eastern end and the western end of the island, and provide preliminary suggestions on how to approach the problems.
- Acknowledgement of the Resort's continuing efforts to advance dune protection efforts, including signage and golfer education that the dunes were out of bounds.
- Plans to discuss capital improvement projects with the Council and community this fall.

Council Member Farrell provided updates on:

- Eleven months into the fiscal year, the budget is healthy, with revenues ahead of expectations and expenses lower than budgeted.
 - For the next year, another conservative budget in terms of revenue and expenses has been proposed.
 - Revenues for building permits and interest exceed expectations.
- State Accommodation Tax applications hit a record high with 15 submittals, exceeding available funds.
 - The Ways and Means Committee postponed its vote, requesting more information about the specifics.
 - The SATAX committee is working to develop a more structured allocation process.
- In regard to the previous conversation of setbacks, he shared information from BCM (Bureau of Coastal Management) about jurisdictional uncertainty regarding critical lines for ponds/lagoons.

Council Member Spencer provided updates on:

- Thanks to Mr. Gottshalk and the Public Works Department for their work on the leisure trail. He noted that after a downpour, they did not flood.
- The Planning Commission would be taking up the cell tower zoning recommendation from the Infrastructure and Public Works Committee, also thanking the different stakeholders who have been participating.
- Ongoing discussions about how to extend fiber to the home for broadband access.
- Efforts to make Kiawah more attractive for service providers to invest in infrastructure.
- Plans to assess the bridge to extend its life and keep it functional, and work with the Public Works Department on some repairs that were recommended from the last inspection.
- A renewed look at stormwater rise issues at Mingo Curve
- Concerns about waterway impacts have initiated a look into what has happened to date, what needs to be refreshed, what could or should be done, and the potential no-wake zone designation.

C. Administrator

Ms. Tillerson provided updates on:

- The redesign of the Town's website is in progress
- The upcoming Food Truck Friday event
- A KiawahNext workshop is scheduled for June 20th at 11:00 am with the goal of having a polished document ready for the Planning Commission at their July meeting.
- A new communications assistant, Danielle Hensley, has been hired and will be starting on June 23rd.

VIII. Old Business

A. To Consider Approval of Ordinance 2025-08 - An Ordinance To Adopt The Fiscal Year 2025-2026 Budget For The Town Of Kiawah Island (7/1/25 Through 6/30/26) – Second and Final Reading

Council Member Farrell made a motion to approve the second and final reading of Ordinance 2025-08 to Adopt the Fiscal Year 2025-2026 Budget for the Town of Kiawah Island (7/1/25 Through 6/30/26). Council Member Kaye seconded the motion.

Mayor Belt noted that there had been no significant changes from the first reading, and the Town's financial position had improved modestly. He described the budget philosophy as conservative on both the revenue and expenditure sides.

Council Member Farrell highlighted that they were being fiscally responsible in examining items with larger percentage increases, mostly characterizing them as one-time items.

Mayor Pro Tem Berner noted that this was his third budget cycle and expressed concern about the 31.7% increase in salaries and benefits over that time, averaging 10% per year, as well as the overall 31% increase in expenses. He stated that a 10% annual trend was too high, and there was a need to take a closer look.

Council Member Spencer suggested exploring other funding sources, such as county grants, when considering project expenditures, given Kiawah's significant contribution to county revenues.

Mayor Belt addressed the salary increases, noting factors such as cost-of-living and salary adjustments, benefits costs outside of Town control, and some headcount additions. He noted that the HR consultant would present an overview of compensation at the July meeting.

Following the discussion, the motion was unanimously approved.

B. To Consider Approval of Ordinance 2025-09 - An Ordinance To Repeal And Replace Article 16 – Beach Management – Second and Final Reading

Council Member Farrell made a motion to approve the second and final reading of Ordinance 2025-09 to repeal and replace Article 16 – Beach Management. Council Member Kaye seconded the motion.

Mayor Belt provided background on the ordinance revisions, noting that it was a comprehensive update aimed at providing clarity, addressing jurisdictional issues, and strengthening the Town's ability to protect the beach and dune system. He acknowledged there had been significant focus on the off-leash dog area and boardwalk issues.

Regarding the off-leash area, Mayor Belt recapped the over-year-long process, which included numerous discussions in the Environmental Committee, public hearings, and outreach throughout the community.

Initially, there was some potential interest in eliminating the dog leash area during shorebird season. With concerns raised about the need for a policy change, a subcommittee comprising members of the shorebird community, Turtle Patrol, and dog owners developed compromise proposals. In response to community concerns and an effort to balance competing interests and considerations, the current version grants the Mayor the authority to designate certain areas as suitable nesting habitats based on evidence of nesting activity. He emphasized that this allows for targeted, time-limited restrictions only if nests are found, rather than blanket seasonal closures.

Council members discussed various aspects:

- Council Member Kaye supported the changes, the authority given to the Mayor, and additional language clarifying the evidence required, restrictions, and posting requirements.
- Mayor Pro Tem Burner preferred Council approval rather than the mayor having sole authority for restrictions. He also noted that, along with turtle nest predation, coyotes were also a significant issue for nesting birds and felt the ordinance was not comprehensive enough.
- Council Member Spencer felt that a temporary restriction was well within the Town's capability, but suggested a special call meeting process for restrictions, along with a more visible public process and communications. Also discussed was the need for more proactive notification methods beyond just the Town website.

Mayor Pro Tem Berner presented data on the number of violations and citations issued to date, half of which were for dog leash law violations, and felt that more could be done to inform residents and non-residents about the beach rules. He emphasized his suggestion for registering dogs to visually identify guest dogs. It was noted that many other beach communities had some form of licensing.

Regarding boardwalks, Mayor Belt discussed the issue created when KICA replaced certain ramps on some boardwalks with stairs, which caused a chorus of disapproval. He noted the miscommunication from KICA, which stated that the Town had somehow dictated that stairs be installed instead of ramps. This was not the case; it had identified boardwalks that were either in a state of disrepair or extended beyond 10 feet beyond the dune into the active beach. The Town ordinance did not previously, and it does not currently state whether access to the beach from the dune onto the active Beach is by stairs or ramp, and whether the ramp is perpendicular or parallel to the dune.

Mayor Belt stated that the KICA Board had announced it is pausing any further boardwalk reconstruction and revisiting its boardwalk repair and replacement policy in response to concerns raised.

After the Mayor suggested adding language that encourages ramp use where site conditions allow to enhance accessibility, Council members discussed various boardwalk issues, including the dynamic nature of dunes, the balance between aesthetics and accessibility, and the need for coordination between multiple entities that own and manage boardwalks, as well as safety concerns related to stairs versus ramps. It was decided to revisit potential additional changes regarding boardwalks after further stakeholder discussions.

The Council agreed to approve the ordinance with one minor change in the language regarding beach recovery: removing the word "quickly" and after the word "recover", inserting "within a reasonable period of time".

Following the discussion, Council Member Farrell made a motion to approve the second and final reading of Ordinance 2025-09 - Beach Management with the revision to Section 16-805 removing the word "quickly" and after the word "recover", inserting "within a reasonable period of time". Council Member Kaye seconded the motion.

Mayor Pro Tem Berner expressed concerns about the timeline, from inspection to submission of remediation plans, and the 90 days allowed for construction, which may fall within the period from May to October, when no construction is allowed. Mayor Belt, along with the Town Attorney, agreed that Section 16-808 – Construction Timing states that "The time frame requirements set forth in this section shall not accrue during this time period" is intended to address those issues.

Following the discussion, the motion to approve the second and final reading of the revised Ordinance 2025-09 - Beach Management is approved by a 4-to-1 vote, with Mayor Pro Tem Berner voting "No."

C. To Consider Approval of Ordinance 2024-24 - An Ordinance to Amend Section 12-128. -Access, Parking and Loading Regulations, Section 12-63. Description of Zoning Districts and Regulations, and Section 12-374. Definitions to Modify Driveway and Parking Standards for Pervious Paving Requirements - Second and Final Reading

Mr. Taylor provided background on the timeline of this ordinance regarding pervious surfaces. I received its first reading and Public Hearing in November 2024, followed by a second reading in December 2024. At that time, changes and amendments made by the Town Council were significant enough to send it back to the Planning Commission for review and approval recommendation. The Planning Commission engaged members of the private sector, questioning the benefits and challenges from both positive and negative standpoints. Still, the Planning Commission did not take formal action within the 30 days, so the ordinance was sent back to the Town Council.

Council Members engaged in an in-depth discussion of the Planning Commission's review process, an email received from a Planning Commission member requesting that approval be paused and recommending a revisit at the Planning Commission level, as well as the concerns raised by Ms. Mole. Also noted were issues regarding undue hardship and expense to people with longer driveways, as well as regimes that needed to be addressed.

Following the discussion, Council Member Farrell made a motion to table the ordinance and send it back to the Planning Commission. Council Member Kaye seconded the motion, and it was unanimously approved.

IX. New Business

A. To Consider Approval of the Charleston Visitors Bureau Budget

Council Member Farrell made a motion that the Town Council approve the CVB budget. Mayor Pro Tem Berner seconded the motion.

Council Member Farrell noted the CVB had provided more information than ever before in their presentation to the SATAX Committee. He said they have made efforts to be more transparent and responsive to requests.

Mayor Belt explained that state statute requires allocating 30% of accommodations tax funds to a tourism marketing organization, which defaults to the CVB in most communities. He noted the CVB does an extraordinary job marketing the Charleston area, contributing to its status as a top tourist destination.

Following the discussion, the motion was unanimously approved.

B. To Consider Approval of the Fiscal Year 2025/2026 SATAX - State Accommodations Tax Funding Amounts

Council Member Farrell explained that the State Accommodations Tax Committee had received more funding requests than ever before, exceeding available funds. After the STATX Committee discussed the allocation philosophy, it put forth funding recommendations to the Ways and Means Committee.

During the Ways and Means Committee discussion, differing views emerged on the appropriateness of some applications, with some considered clearly appropriate, some marginal, and others possibly not appropriate at all. Consequently, the committee decided to table its recommendations to allow for the creation of executive summaries for each application and to discuss the allocation process further.

Council Members discussed the questions raised regarding the SATAX Committee's allocation calculation and the need to reexamine the rules, specifically what constitutes an acceptance, and how the calculation method works once an item is accepted or recommended by the committee.

A motion was made to defer this item to a future meeting. The motion was seconded and was unanimously approved.

C. To Consider Approval of the Proposal for Comprehensive On-Call Engineering Services

Mr. Gottschalk explained that the Town frequently has projects that require civil, structural, environmental, or traffic engineering services. Without in-house staff, the Town relies on third-party contractors and must undergo a lengthy RFP process to procure these services. Having pre-positioned contracts with engineers would allow for quicker access to those services without requiring a full RFP process each time, significantly shortening a project's timeline. Each contract would have a set hourly consulting rate, and the six firms selected cover a range of specialties.

Council Members discussed the selection and negotiation process and how the on-call system would work in practice.

A motion was made to authorize the mayor to enter into contract negotiations with six engineering firms for on-call services. The motion was seconded and was unanimously approved.

D. To Consider Approval of the purchase of one (1) Toyota Tacoma as a replacement vehicle for the Wildlife Department

Mr. Gottschalk explained that the Town has a fleet of vehicles for use by Town Departments when their responsibilities require them to travel to the island. Typically, they are cycled on a specific rotation; however, one of the aging vehicles in the Wildlife Department's fleet was recommended for replacement due to costly mechanical issues. A Request for Bids was released, and two bids were received. During the discussion of the bids, the Ways and Means Committee recommended a modified procurement approach with a not-to-exceed price of \$52,000, allowing for negotiation with local vendors.

Council Member Farrell moved to approve the purchase of a replacement vehicle for the Wildlife Department at a not-to-exceed price of \$52,000. Council Member Kaye seconded the motion.

The Council Members' discussion included the need for the Wildlife Department to use an internal combustion engine rather than an electric vehicle, as well as the expectation to sell the current vehicle for \$27,000, despite it needing a transmission repair.

Following the discussion, the motion was unanimously approved.

E. To Consider Approval of the Proposal from Mauldin & Jenkins for Internal Controls Assessment

Ms. Szubert presented on the proposed internal controls audit/assessment by the Mauldin & Jenkins, describing the engagement as complementary to the annual financial audit but focusing more deeply on internal financial, accounting, and related controls. The Mauldin and Jenkins Governmental Advisory Group, which presented to the Audit Committee, would evaluate the current internal controls and assess their effectiveness, identify any gaps and risks in financial processes, and provide recommendations for improvements.

The proposed assessment would run for 16–18 weeks and cost approximately \$35,000. However, it could be expanded at a later time to include HR controls and cyber risks, which would incur additional costs. The assessment would be scheduled to run concurrently with the regular financial audit to enhance efficiency.

Council Member Farrell made a motion to approve engaging Mauldin & Jenkins to conduct an internal controls assessment. Mayor Pro Tem seconded the motion, and it was unanimously approved.

F. To Consider Approval of the Amendment to the Contract with Phillips and Jordan, Inc. for Disaster Debris Removal Services

G. To Consider Approval of the Amendment to the Contract with Southern Disaster Recovery, LLC for Disaster Debris Removal Services

H. To Consider Approval of the Amendment to the Contract with Tetra Tech, Inc., Disaster Debris Monitoring Services

Council Member Farrell stated that the contracts with Phillips and Jordan, as well as Southern Disaster Recovery (SDR), were for disaster debris removal, and the contract with Tetra Tech for disaster debris monitoring was considered together by the Ways and Means Committee and recommended for approval.

Mr. Gottshalk explained that the request was for one-year extensions of existing standby contracts, which are required for FEMA reimbursement eligibility, provided the thresholds of a natural disaster are met. The contracts with Phillips & Jordan and SDR cover debris pickup and transportation to a preauthorized debris staging area, while the contract with Tetra Tech encompasses debris monitoring, verifying the loads to ensure accurate reporting, and providing the necessary documentation to submit to FEMA. There is no financial commitment unless the services are activated during a disaster.

Council Member Farrell moved to approve one-year extensions for all three disaster debris-related contracts. Council Member Kaye seconded the motion.

Mayor Pro Tem Berner questions whether there are different rates for contaminated or potentially contaminated debris and whether the inspector will make the decision on where it is disposed of. Mr. Gottshalk clarified that the debris monitoring firm would inspect loads as they arrive, ensuring that the debris is segregated into two separate locations on the debris site.

Following the discussion, the motion was unanimously approved.

X. Citizens' Comments

Sherry Gallagher, KICA Board Director

Ms. Gallagher sought clarification on the changes to the beach management ordinance regarding boardwalks. She confirmed only the word "quickly" was removed, and no language about ramps was added. She expressed KICA's desire to work with the Town on developing the best policy.

Larry Wolohan – 406 Snowy Egret

Mr. Wolohan made several comments and inquiries:

- He asked about EMS, noting that the service has not increased despite an increase in the number of residents on the island.
- He questioned the fire service's lack of transport capabilities.
- He suggested increasing the charitable donations budget to account for inflation and growth.
- He commented on budget surpluses and conservative budgeting practices.
- He noted the large increase in salary costs and additional staff.
- He asked about unallocated SATAX funds and encouraged allocating some to KICA projects. Council Member Farrell stated that discussions have begun with KICA Land and Lakes to potentially assist with the expenditures associated with dredging lagoons, which could be funded through the SATAX funds under the flood and erosion control allowable expense.
- He inquired about the status of the medical center development and questioned another \$200,000 budgeted. Mayor Belt explained that several years ago, the Town Council approved a \$1 million allocation to MUSC, prorated over five years, and the facility is scheduled to be open before the end of the year.
- He asked about utilization rates for electric vehicle charging stations.

In response to Mr. Wolohan's request to consider increasing the Charitable Grants budget, Mayor Belt noted the budget had just been approved, but agreed to consider some suggestions for future years.

XI. 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 matters related to Captain Sams Spit. The Council may take action after the Executive Session.

Council Member Farrell 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 matters related to Captain Sams Spit. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.

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

Returning to Regular Session, Mayor Belt stated that no actions or votes were taken as part of the Executive Session.

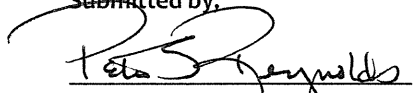
XII. Council Member Comments:

None

XIII. Adjournment:

Mayor Belt adjourned the meeting at 602 pm.

Submitted by,


Petra S. Reynolds, Town Clerk

7/3/2025
Date