

**MAYOR:**  
Bradley D. Belt

**TOWN ADMINISTRATOR:**  
Stephanie Tillerson

**TOWN ATTORNEY:**  
Stafford J. McQuillin III



**MAYOR PRO TEMPORE:**  
Russell A. Berner

**COUNCIL MEMBERS:**  
E. Luke Farrell  
Madeleine Kaye  
Lance Spencer

**TOWN COUNCIL**  
**Municipal Center Council Chambers**  
**January 7, 2025, 1:00 pm**

**AGENDA**

- I. **Call to Order:**
- II. **Pledge of Allegiance**
- III. **Roll Call:**
- IV. **Approval of Minutes:**
  - A. Minutes of the Town Council Meeting of December 3, 2024 [Tab 1]
- V. **Citizens Comments (Agenda Items Only):**
- VI. **Updates:**
  - A. Mayor
  - B. Council Members
  - C. Administrator
- VII. **Old Business:**

None
- VIII. **New Business:**
  - A. To Consider Approval of the Purchase of Traffic Monitoring Devices [Tab 2]
  - B. To Consider Approval of the Infrastructure and Public Works Committee Charter [Tab 3]
  - C. To Consider Approval of Revisions to the following Charters:
    - a. Arts and Cultural Events Council [Tab 4]
    - b. Audit Committee [Tab 5]
    - c. Environmental Committee [Tab 6]
    - d. Public Safety Committee [Tab 7]
- IX. **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 the settlement of claims in Case No. 2024-CP-10-00451.  
  
The Council may take action after the Executive Session.
- X. **Citizens Comments:**
- XI. **Council Member Comments:**
- XII. **Adjournment:**

\*Each speaker shall be limited to five minutes. No more than 30 minutes shall be allowed for citizen presentations, comments, and/or questions, and the time shall be divided equally among those requesting to speak.

FOIA: Notice of this meeting has been published and posted in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.



**TAB 1**

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# **TOWN COUNCIL**

**Agenda Item**

**TOWN COUNCIL**  
**Municipal Center Council Chambers**  
**December 3, 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*  
Dorota Szubert, *Finance Director*  
Brian Gottshalk, *Public Works Manager*

IV. **Approval of Minutes:**

- A. Minutes of the Town Council Meeting of November 5, 2024

Mayor Belt stated that Council Members had been provided in advance with a copy of the minutes of the Town Council Meeting of October 1, 2024. He asked if there were any additional comments or changes to the minutes.

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

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

**Alex Fernandez - 418 Snow Egret**

Mr. Fernandez discussed the approval of the updated accounting policies and procedures manual, recommending the implementation of a 45-day limit for quarterly financial reports to be accomplished and made available to the Council and the public.

**Christopher Ibsen - Dolphin Architects and Builders and the Charleston Home Builders Association**

Mr. Ibsen addressed the loose materials ordinance, appreciating citation dismissals and the new wording that was crafted but still advocating for the elimination of the provision within the ordinance that addresses dumpster requirements. Mr. Ibsen shared a personal anecdote about issues with trash and waste bags on dumpster tarps, noting it was a regular issue reported on the island. He also advocated for a warning system provision within the ordinance, allowing code enforcement the ability to offer a warning before citations are issued.

Mr. Ibsen appreciated the town's cooperation and mentioned efforts with Ms. Tillerson to establish a Builder's Council. The Builder's Council plans to meet with Town officials in January and then again throughout the year to provide a forum for the builders' community and the Town to communicate and address concerns proactively.

Mayor Belt thanked Mr. Ibsen and fellow builders for their cooperation in meeting with the Town to express their concerns and considerations. He mentioned developing code enforcement policies and procedures that would hopefully address some of the issues that were raised and encourage compliance with Town ordinances. He looked forward to development discussions involving the

builders and the Town's zoning, building, and code enforcement departments and to ongoing dialogue with the builders' association.

### **Maura McIlvain - 146 Blue Heron Pond Road**

Ms. McIlvain indicated her support for the ordinance, acknowledging sympathy for builders who may have been taken by surprise due to lack of awareness. She highlighted issues with debris from construction site dumpsters that end up scattered on the ground, affecting hygiene and aesthetics, recognizing tarps as a solution.

## **VI. Presentations:**

### **A. Communication Towers and Cellular Coverage on Kiawah Island**

- American Tower Corporation, Mark Landers
- Crown Castle, Kimberly Adams

Mayor Belt stated that one of the initiatives or projects being undertaken by the Town was to explore if there were ways to improve cell coverage. Town staff had initially taken the lead in working with both the cell tower owners and the service providers, but given his professional career in the telecommunications industry, Council Member Spencer will oversee the initiative.

Mr. Vincent introduced a series of presentations focusing on addressing the cellular coverage on the island with the objective of gaining an understanding of the existing cellular coverage challenges and exploring potential strategies that the Town can pursue to improve connectivity on the island.

Mr. Vincent began with a staff-prepared video presentation detailing the island's cellular towers, including locations, heights, carriers, and upgrade dates. Following the video, representatives from American Tower and Crown Castle provided presentations, and representatives from AT&T, T-Mobile, and Verizon were present to answer questions.

Mr. Landers, a sales account manager, provided an overview of American Tower, which has a global presence with 45,000 U.S. towers and supports 30,000 projects annually. Services include leasing, environmental checks, project management, engineering, structural analysis, site acquisition, construction management, and a 24/7 network operations center that aids carriers and technicians. Mr. Landers stated that only Kiawah Island tower, a 159-foot monopole located on Sora Rail Road, hosts Verizon, T-Mobile, and AT&T.

Dave Yanni, Technical Sales Manager for American Tower, stated that his job was to use data to make informed decisions about our portfolio of assets and any new assets that we're looking to build or acquire. He outlined how Ookla scrapes data from 3 million devices that can guide asset portfolio decisions. This data shows RF coverage, identifies areas with good or poor coverage, and assesses carrier interest.

Spencer Patterson reviewed American Tower's analysis of Kiawah Island's telecom coverage. He provided a summary of current coverage and carrier limitations, emphasizing strategic investment needs. Tower heights and capacity issues were noted, along with existing assets failing to provide sufficient coverage.

Kimberly Adams, external affairs manager for Crown Castle, discussed modernizing the telecom ordinance to support technology and coverage needs, considering rebuilding or replacing towers while balancing aesthetics and functionality.

Mr. Taylor stated that the current ordinance places a high priority on co-location as opposed to establishing newer towers, which are complicated by having to meet characteristics and nuance regarding height limitations, which have historically been along the tree line. Per current ordinance, it limits tower height to a 120-foot maximum. Ms. Adams noted that the height and the concealment clause definitely make it a challenge to modernize the existing infrastructure on the island.

Further discussion included consideration of small cell solutions and running fiber to the home, with Council Member Spencer requesting feedback on working with the Kiawah stakeholders to create an environment conducive to wanting the tower companies and the carriers to invest. AT&T's LTE coverage issues are highlighted as a significant concern.

Council Members discussed the public safety concerns arise from coverage gaps affecting emergency services during high-demand events, improving cell coverage on an island for events like the 4th of July the Marathon, and improving coverage on the beach. Also discussed was the need to collect better data from the community, and to have broader discussions with providers on Town ordinances.

Councilmember Berner's public safety portfolio, including law enforcement and EMS, was discussed. Councilmember Kay's natural environment portfolio, focusing on wildlife protection, was highlighted. Citizen participation in committees was encouraged.

## **VII. Updates:**

### **A. Mayor**

Mayor Belt reviewed the areas of responsibility assigned to each Council Member.

#### **Council Member Berner:**

- Mayor Pro Tem
- Chair of the Public Safety Committee
  - Law Enforcement
  - EMS
  - Beach Patrol
  - Code Enforcement
  - CERT - Community Emergency Response Team

#### **Council Member Kaye:**

- Protecting or preserving our natural environment and protecting our native wildlife
  - Consideration of the off-leash rules and potential impacts on our migrating shorebird population and nesting shorebirds
  - Implementation of the Marsh Management Plan
  - Kiawah River Bridge

#### **Council Member Farrell:**

- Chair of the Ways and Means Committee
- Chair of the SATAX Committee
- Chair of the Audit Committee
- Involved with
  - Updating of accounting policies and procedures
  - Exploring more expansive ways how to utilize our State Accommodations Tax, Hospitality Ta, or Local Options Tax revenues
  - Review of investment policy

#### **Council Member Spencer:**

- Infrastructure and public works
  - Telecommunications
  - Roads and leisure trails
  - Relationship with infrastructure providers

Mayor Belt stated that the Town continues to look for engaged citizens to participate in all the Town's standing committees. There may be limited opportunities on statutory committees which have defined terms. All other Standing Committees have one-year terms ending January 31st. Applications will be reviewed through January, possibly involving interviews, and recommendations will be made to the Town Council in February.

Mayor Belt stated that a joint Town Hall Meeting with Seabrook's Mayor, Bruce Kleinman, is set for December 9th to discuss the proposed Island Park Place development. The developers resubmitted the

same application that had been previously rejected by the Charleston Council Council in February. The meeting will provide community members the opportunity to get together and raise any questions or concerns that they have about the development. Charleston County Councilmember Honeycutt will be participating, and the developer has also been invited to participate. A public hearing is scheduled for the following day, with the Charleston County Council considering the following week.

The Kiawah Arts Council and staff members Erin Pomrenke and Ruthie Foster were praised for two recent extraordinary events featuring Andrew Armstrong and Zora. January's program includes Grammy nominee Judy Carmichael and Liquid Pleasure.

## **B. Council Members**

Mayor Pro Tem Berner provided details on the Community Emergency Response Team (CERT) on the island, a volunteer group activated during emergencies when local services like EMS and fire are overburdened. CERT prepares the island for hurricanes, secures the area, and is the first to return post-evacuation to assess damage and clear roads. They also assist in planned events, such as an upcoming marathon, where volunteers will monitor for distressed runners and unattended packages. CERT members will be attending training provided by the Charleston County Sheriff's Department for the upcoming Marathon.

Mayor Pro Tem Berner emphasized the need for more volunteers to expand the current team of 20 to 30 or 40 members as they work on retraining and preparing for future emergencies.

**Council Member Kaye** indicated that at the last meeting Mayor Pro Tem Berner and Council Member Farrell had raised concerns about costs of replacing driveways with pervious surfaces. In advance of the second reading of the pervious surfaces ordinance, Mr. Babinec and Cynthia Hadley, leading projects at Inlet Cove and Greenslake Cottages, were invited to answer questions and share insights as part of an informal discussion.

Mr. Babinec discussed his neighborhood project for driveway renovations using permeable pavers, which was initiated in July, with 40% of 108 households interested. Working with the Ocean Woods Contractor, the cost is between \$20-\$23 per square foot, similar to traditional pavers. Other options, like permeable concrete and asphalt, are not approved. The project addresses water runoff issues affecting marshes and inlets.

Concerns about high costs and the financial burden on residents were raised. Discussion included the significant difference in material costs, creating incentives, data on permeable surfaces' impact, and highlighting environmental benefits to encourage voluntary adoption. Concerns were raised about mandating permeable, not semi-permeable, surfaces and grandfathering existing projects.

Updates on beach signage, community drop-ins, and a public meeting on December 16th were provided. Emergency response experiences and staff updates, including a council drop-in on December 11th, were shared. The meeting also covered mediation progress and investment presentations.

Council Member Kaye provided updates on the following:

- Work on the beach signage continues
- The suggestion of having more of a topic-driven community drop-ins
- ARB - Meeting planned for Monday, December 16<sup>th</sup>, at 2 pm; the latest draft of the phase three recommendations is going to be presented to the community

**Council Member Farrell** reported on the following:

- The SATAX meeting took place in November, during which the community was encouraged to look for more ways to ask for funds to support tourism.
- The investment presentation will discuss how to best invest town resources.
- Mediation is very close to the conclusion - finalizing the language of the consent order

**Council Member Spencer** shared his experience with the emergency response to his wife's accident on the beach. After calling 911, they made multiple dispatches and then stayed on the phone and talked through what needed to be done pending the arrival of first responders. He was very impressed that EMTs in an ambulance, the Fire Department, the Beach Patrol, and both KICA and Resort Security arrived on the scene, all coordinating to get them on the road to the hospital.

### C. Administrator

Ms. Tillerson provided updates on the following:

- The Community Drop-In with Mayor Pro Tem Berner and Council Member Spencer is scheduled for December 11<sup>th</sup> in the KICA office Bobcat Room
- Brown Trash, Hazardous Waste and Shred Day is December 5<sup>th</sup>
- The Charitable Grant application and guidelines are on the Town's website. The submission deadline is January 17, 2025.
- Mr. Jordan will be reaching out to committee members to begin work on the beach walkover/boardwalk ordinance
- The leash ordinance, possibly for consideration at the January Town Council meeting
- Coyote sightings have occurred in the eastern region near Ocean Park. All sightings are reported to Mr. Jordan, and further communication is planned to address the issue.

Mayor Pro Tem Berner raised concerns about coyotes disturbing nesting birds in the dunes and felt strongly from his observations with the Turtle Patrol that the dog leash ordinance has to be comprehensive and include coyotes.

- The Planning Commission continues to work on the KiawahNext project with a community drop-in, hopefully, to be scheduled for December 17<sup>th</sup> or 18<sup>th</sup>
- Kiawah Island Parkway and Beach Walker Drive improvements;
  - Funding was received through the County's Sea Fund,
  - SATAX application was submitted to request the Town's portion
  - Mr. Gottshalk has been working with the county engineer to create an RFP (Request for Proposals) and is finalizing it to put the project out for bid.
- The Seafields project construction is underway. Rough-ins have begun, and completion is still expected by late spring or early fall next year.
- The disabled watercraft issue is being addressed by DNR (Department of Natural Resources), which knows the owner of the watercraft and is working on having it removed.

### D. Treasurer's Report

- a. Review the Town's Reserves investment in LGIP (Local Government Investment Pool) and Other Alternatives

Mayor Belt stated that the Ways and Means Committee discussed the review of the Town's Reserves investment.

Ms. Subert and Council Member Farrell reviewed the presentation on the extensive process taken to evaluate the Town's reserves, how they were managed, if there were better options, and to define an understanding of the risks being taken. After the analysis, Council member Farrell indicated that the Town continues with the current investment policy of relying on investments in the state local government investment pool.

As part of the discussion, Council Members addressed concerns raised by a resident about the safety and security of the investments, whether they were appropriate investments, and whether the town should be doing more with the money.

## VIII. **Old Business:**

- A. To Consider Approval of the Employee Medical Insurance Premium Structure

Council Member Farrell stated that a recommendation to change the compensation for the medical insurance premiums for the Town Staff was discussed by the Ways and Means Committee. The Committee decided to defer consideration until March and look at the whole compensation package rather than look at one component.

Members reviewed the alternatives that were presented and discussed continuing with the current 80/20 policy until an assessment is made of what benefits are considered to be of greatest value to the individual employees and then review the full compensation package as part of the budget review process.

**Council Member Farrell made a motion to approve continuing the current employee medical insurance premium structure. Council Member Kaye seconded the motion, and it was unanimously approved.**

**B. Review and Recommendation to the Town Council to enter into an Engagement Agreement with Maynard Nexsen for legal services pertaining to the Kiawah Island Golf Resort Development Agreement**

Mayor Belt stated that the Ways and Means Committee recommended the approval of an engagement agreement with the law firm of Maynard, Nixon, for legal services pertaining to the Kiawah Island Golf Resort Development Agreement. The questions regarding the process and the requested additional information were provided, and it was noted that in the interim, a 20% reduction if the proposed fee level was negotiated.

**Council Member Farrell made a motion to approve entering into an Engagement Agreement with Maynard Nexsen for legal services pertaining to the Kiawah Island Golf Resort Development Agreement. Council Member Spencer seconded the motion.**

Council Member Berner, while not opposed to the selection, again raised concerns about not having gone through the required competitive bidding process. Mayor Belt pointed out the amended ordinance that empowers the town attorney to make a recommendation with regard to specialized expertise and that both the Town Attorney and the outside counsel represented that there are essentially two people who can provide this specialized expertise, and one of them is conflicted providing the basis for sole sourcing. Mr. McQuillin stated that a thorough review of the ordinances confirmed compliance with the procurement process.

Further discussion included the process and timeline of negotiating a new development agreement, the Resort's expectations, and the recovery of the Town's costs.

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

**C. To Consider Approval of Ordinance 2024-26 – An Ordinance to Amend Article 15 – General Offenses, Chapter 2. – Offenses Against Public Peace, Section 15-216. – Loose Materials - **Second and Final Reading****

Mayor Belt stated that the original loose materials ordinance was revised after Mr. Ibsen and industry colleagues raised questions and concerns. The ordinance introduced for the first reading addressed many of the issues raised and was subsequently further revised and recommended for the second reading.

**Mayor Pro Tem Berner made a motion to approve the second reading of Ordinance 2024-26 – An Ordinance to Amend Article 15 – General Offenses, Chapter 2. – Offenses Against Public Peace, Section 15-216. – Loose Materials. Council Member Farrell seconded the motion.**

Mayor Belt discussed the concerns raised by contractor representatives with regard to keeping dumpsters covered and issues with trash management service providers picking up the dumpsters. The revisions made to the language require keeping a tarp on a dumpster when it is inactive and over

weekends and holidays. The ordinance balanced industry concerns with practical issues, ensuring dumpsters are covered when inactive to prevent litter and animal problems.

Council Members discussed encouraging voluntary compliance in waste management at construction sites, focusing on preventing animals from accessing unsecured trash, requiring secure trash receptacles with fitted lids, and debating its inclusion in the ordinance, noting the Town provides free trash cans and curbside service.

**Council Member Kaye made a motion to amend the ordinance to require that at any construction site, all perishable items, food-related containers, and food wrapping shall be deposited in a trash receptacle with secure lids. Council Member Farrell seconded the motion.**

**Following further discussion, the amendment was unanimously approved.**

**The motion to approve the second reading of Ordinance 2024-26 as amended was unanimously approved.**

**D. 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 an overview of the progression of the proposed text amendment ordinance prior to the second reading. He highlighted its alignment with the Comprehensive Plan and the Comprehensive Marsh Management Plan. It received support from the Comprehensive Marsh Management Plan (CMMP) workgroup and received a Planning Commission recommendation for approval, with a 5 to 1 vote.

The ordinance was tabled in July, allowing for more discussion. On September 30<sup>th</sup>, there was a stormwater management workshop that included a presentation from Mr. Bundrick, which provided more details or context regarding the benefits, the cross sections of pervious surfaces that complemented the intent, and why the recommendation was put forth by the CMMP workgroup and supported by the Planning Commission.

Mr. Taylor briefly highlighted some of staffs efforts to continue to educate and provide community awareness regarding pervious and impervious surfaces requested by the members of the Planning Commission.

Before reviewing the proposed amendments, he noted that as part of the initial recommendation, the CMMP workgroup supported taking a dual-prong approach. The regulatory changes should be coupled with incentives as a way not to force unnecessary changes but to incentivize driveway replacement. The ordinance presented, as written, would require any new driveways and parking areas to be of previous materials.

Mr. Taylor discussed amendments to sections 12-63, 12-128, and 12-374, focusing on pervious driveway regulations. He pointed out those items in the proposed amendment and the comments made that should be considered while deliberating the second reading of the ordinance.

Council Members discussed concerns and comments made in the earlier discussion on the effect of the ordinance on projects already permitted and the inclusion of semi-pervious surfaces. There was also an in-depth discussion of whether partial repairs could be made to a driveway without making the entire driveway pervious and the need for language to specify what constitutes a minor repair versus a replacement.

**Council Member Kaye made a motion to approve the second and final reading 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. Council Member Spencer seconded the motion.***

Members debated mandating permeable material replacements, with some opposing regulations:

Mayor Pro Tem Berner indicated he was fine with requiring new and commercial driveways to be pervious but was opposed to any regulation that would require replacement driveways to be pervious, which may put financial burdens on homeowners.

Council Member Farrell indicated that the concept was great but was opposed due to the limited impact on runoff due to high saturation rates and high water tables in the Lowcountry and considered this a baby step.

Mr. Taylor stated that Kiawah's sandy soil types drain well, noting that what is being proposed is consistent with other municipalities' permeable requirements. Also mentioned was investigating incentive ideas such as considering building permit fee credits or incentives for flood-prone areas.

Council Member Kaye indicated that she felt it was imperative for the Town Council to try to take those baby steps when it could take. Only about 18% of the island is now covered with impervious surfaces. If a step can be taken to improve it, then she is one of those people who has to support it. She noted that she did not support the chart that allows for an increase in maximum lot coverage, finding it to be counterproductive to the entire concept.

Council Member Spencer felt that what was being proposed was a good thing. He discussed his views on creating lot coverage incentives and felt an incentive comes with voluntary, not mandatory, adherence. Living on Kiawah requires balancing environmental responsibilities with financial implications.

The discussion also addressed the life cycle of driveway replacements, potential non-conformities, and the impact of compacted subbases on percolation.

Mayor Belt stated that his concerns about the driveway replacement requirements were not the same as those of Mayor Pro Tem Berner and Council Member Farrell. He was mindful there was a good voluntary program going on, not without a mandate, and he felt comfortable deleting, if necessary, the driveway replacement and/or there is an agreed-upon incentive program that everybody is comfortable with.

Mayor Belt suggested, following the lead of two of his fellow council members, to propose deleting required driveway replacement at this point in time. Council Member Farrell questioned if he was suggesting that for single-family residential only or single-family and commercial.

In the discussion of deleting driveway replacement, Council Members engaged in an in-depth discussion of the definition of driveways and whether there are commercial driveways that could require replacement, highlighting the need for precise language in regulations. Also included in the discussion were commercial parking lots, noting that the pervious requirement would apply to both new residential and commercial surface parking; replacement was not considered, but Planning staff would support redevelopment project replacement to become pervious. Council Members debated whether replacement parking has to be pervious and if that would include both commercial and residential.

After several language suggestions, Mr. McQuillin pointed out that under the Local Planning Act, which deals with enacting or amending zoning regulations, it says no change or departure from the text as recommended by the Planning Commission may be made pursuant to the hearing unless the change or departure first be submitted to the Planning Commission for review and recommendation.

The Planning Commission shall have a time prescribed in the ordinance, which may not be more than 30 days, within which to submit its report and recommendation on the change to the governing authority. (Town Council)

The Planning Commission would not be looking at the entire ordinance; only the amendments made by the Council would go to the Commission for review and recommendation. This would also allow the public to have notice and can comment during the process. It would then come back to the Council for approval at a second reading.

Council Members engaged in an in-depth discussion of the options available; vote not to approve, vote to approve as written, or amend it, authorizing Mr. Taylor to make the suggested changes and take them to the Planning Commission for review.

**Council Member Berner made a motion to amend Ordinance 2024-24 with the following changes:**

- Remove driveway replacement
- Insert a date on page 3 of 10 (Section 12-28)
- Amend page 6 of 10 - All new or replacement surface parking facilities shall be constructed of a pervious surface.

**Council Member Farrell seconded the motion.**

Further discussion included the definition of repair versus replacement and that the amended language did not include repairs.

**Mayor Belt made a motion to amend Ordinance 2024-24 with the following changes:**

- Delete driveway replacement on page 3 of 10 (Section 12-28)
- Insert a date on page 3 of 10 (Section 12-28)
- Amend page 6 of 10 (Section 12-28(F)) All new construction or replacement of parking facilities shall be a pervious surface
- Counsel and the Planning Director to come up with language to appropriately define replacement.

**Council Member Berner seconded the motion.**

For the record, Mayor Belt stated that the Counsel and the Planning Director would include an appropriately worded clause to make sure that 12-28(1)(F) actually is referenced in concept in 12.28(1).

**Following the discussion, the motion to amend Ordinance 2024-24 was approved by a 4 to 1 vote, with Council Member Kaye voting “No.”**

**The motion to approve the second and final reading of Ordinance 2024-24 as amended was approved by a 4 to 1 vote, with Council Member Kaye voting “No.”**

**E. To Consider Approval of Ordinance 2024-25 - An Ordinance to Amend Section 12-192 - Nonconforming Structures., and Section 12-193. Nonconforming Uses. to Modify Nonconformity Standards. – Second and Final Reading**

Mayor Belt stated that the modifications to the nonconforming use are part of the Timbers settlement. Counsel for The Timbers, the Town Attorney, and Consulting Attorney Ross Appel agreed to the language.

**Mayor Pro Tem Berner made a motion to approve the second and final reading of Ordinance 2024-25 to amend Section 12-192 - Nonconforming Structures and Section 12-193. Nonconforming Uses. to modify nonconformity standards. Council Member Kaye seconded the motion, and it was approved by a 4 to 0 vote, with Council Member Spencer having stepped away.**

## **IX. New Business:**

**A. To Consider Approval of the 2025 Town Meeting Schedule**

**Council Member Kaye made a motion to approve the 2025 Town Meeting Schedule. Council Member Farrell seconded the motion.**

Council Member Kaye indicated that she would like to discuss the Marsh Management Committee in the schedule. Mayor Belt stated that there will be a number of changes made to the charters of standing committees that will be considered at the January meeting, and some action on the Marsh Management Committee could be incorporated in conjunction with those.

Council Member Farrell confirmed that the SATAX and Audit Committee meetings are scheduled as needed.

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

**B. To Consider Approval of the FY 2024-2025 November SATAX Funding Recommendations**

Mayor Belt stated that the SATAX Funding recommendations were reviewed and recommended for approval by the Ways and Means Committee.

**Mayor Pro Tem Berner made a motion to approve the FY 2024-2025 November SATAX Funding Recommendations. Council Member Kaye seconded the motion.**

Council Member Farrell reviewed the three major issues that were discussed:

1. How do we think about the philosophy of providing state tax money?
2. To expand its use to something beyond what we're doing. And three,
3. The is using SATAX money for beach renourishment, which is specifically allowed in the SATAX guidelines.

Mr. Tillerson asked for clarification on how to act on the issue with the application request for Barrier Island Ocean Rescue. The recommendation by our legal counsel is that the Town should own equipment and then lease it to them or put it into their contract.

Discussion included it was recommended that the Town should own the equipment, rent it to them for a dollar a year, and be specific about the uses that it's only for tourism-related uses, or should the funding application be pulled from the SATAX funding and Town funding from restricted funds, or should the application be amended as a joint application. Council Member Farrell indicated that follow-up discussions will be required to resolve the issue. Still, the contract with Barrier Island Ocean Rescue should include that at the end of the contract, the drone would be returned to the Town.

**Council Member Farrell made a motion that the approval of the SATAX funding recommendation will include the caveat that the funding request on behalf of Barrier Island Ocean Rescue is subject to the resolution of ownership and control issues. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.**

**C. To Consider Approval of the Proposal for Comprehensive Landscape Maintenance and Related Services**

The Ways and Means Committee deferred the approval of the proposal.

**D. To Consider Approval of Resolution 2024-05 - Authorizing the Adoption and Implementation of an Updated Accounting Policies and Procedures Manual**

Mayor Belt indicated that the purpose of the update was primarily to tighten up gaps in policies and procedures and implement best practices with regard to expenses and reimbursements and the policies for issuing checks and addressing instances in which there were not two people signing off on expenditures.

The document was revised to more accurately reflect the roles and responsibilities of various parties, including the Mayor, Town Administrator, and the Council under the Town’s form of government. And to better reflect different titles, roles, and responsibilities in the Finance Department.

**Mayor Pro Tem Berner made a motion to approve Resolution 2024-05 - Authorizing the Adoption and Implementation of an Updated Accounting Policies and Procedures Manual. Council Member Farrell seconded the motion.**

The Council Member pointed out typographic errors, suggested changes, followed up on the comment made by Mr. Fernandez earlier, and inquired if the manual now mirrored state statute.

Mayor Pro Tem Berner noted that any procedures or references to performing a controls audit were missing from the manual and felt that it should be done. Mayor Belt indicated that a controls audit was not really an accounting policy or procedure but would be undertaken by the Audit Committee.

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

**X. Citizens Comments:**

None

**XI. Council Member Comments:**

Council Member Kaye, I think the single biggest threat to this community is flooding. I think it's really unconscionable that we don't do everything in our power to mitigate against that single biggest risk. I think that the first thing that we owe to the community is the level of protection that we can provide.

**XII. Adjournment:**

**Mayor Belt adjourned the meeting at 5:26 pm.**

**Submitted by,**

\_\_\_\_\_  
**Petra S. Reynolds, Town Clerk**

\_\_\_\_\_  
**Date**



**TAB 2**

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# **TOWN COUNCIL**

**Agenda Item**



# Request for Town Council Action

**TO:** Mayor and Council Members

**FROM:** Public Works Department

**SUBJECT:** Traffic Monitoring Equipment

**DATE:** January 7, 2024

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## **BACKGROUND:**

The Public Works Department for the Town of Kiawah Island is looking to install speed projection signs, portable digital signage, and speed tracking equipment along the Kiawah Island Parkway and Beachwalker Drive. The town has recognized a need to make motorists aware of their speed as they travel on town roadways. The public works department recently collected speed travel data along the parkway, and the report showed that the vast majority of motorists are traveling about 10mph over the posted speed limit, with some motorists traveling in excess of 20mph over the posted speed limit. Having solar-powered signs that show the real-time rate of speed for motorists along the parkway will help reduce the rate of speed at which cars are traveling, creating a safer environment for motorists and pedestrians enjoying the leisure trail adjacent to the roadway.

## **LOCATION:**

Traffic monitoring equipment and digital signage will be utilized on Town property only along the Kiawah Island Parkway and Beachwalker Drive.

## **PRODUCT:**

Reference the three attached quotes from Stalker Radar Applied Concepts, inc. Stalker Radar Applied Concepts, Inc. has been utilized and vetted by the Charleston County Sheriff's Department and the South Carolina State Sole Source Contract. Lead time is 60 working days minimum on equipment.

## **ACTION REQUESTED:**

Town staff are requesting that, if recommended by the Ways and Means Committee, the Town Council approve the purchase of the traffic monitoring equipment referenced in the three quotes from Stalker Radar Applied Concepts, Inc.

## **BUDGET & FINANCIAL DATA:**

The SATAX Committee has reviewed this same application for this requested equipment and recommended funding of \$25,163. The Ways and Means Committee and the Town Council have approved this SATAX funding recommendation. The remaining amount of \$12,259.43 will come from the General Fund if approved.



QUOTE  
# 2096333

applied concepts, inc.

855 E. Collins Blvd  
Richardson, TX 75081  
Phone: 972-398-3780  
Fax: 972-398-3781

National Toll Free: 1-800- STALKER

Page 1 of 1

Date: 11/04/24

Inside Sales Partner: Robert Mele  
+1-972-801-4882  
rmele@stalkerradar.com

Reg Sales Mgr: Patrick Fagan  
972-213-0351  
patrick.fagan@stalkerradar.com

Effective From : 11/04/2024

Valid Through: 02/02/2025

Lead Time: 45 working days

<b>Bill To:</b> KIAWAH ISLAND Town Public Works 4475 Betsy Kerrison Pkwy Kiawah Island, SC 29455-7126	<b>Customer ID:</b> P43891  Accounts Payable	<b>Ship To:</b> Kiawah Island Town Public Works 4475 Betsy Kerrison Pkwy Kiawah Island, SC 29455-7126	<i>FedEx Ground</i>  Public Works Manager Brian Gottshalk
--	--	--	--

Grp	Qty	Package	Description	Wrnty/Mo	Price	Ext Price
1	1	834-0050-00	Traffic Data Collector 2	24	\$2,335.00	\$2,335.00

Ln	Qty	Part Number	Description	Price	Ext Price
1	1	200-1552-00*	Traffic Data Collector 2		\$0.00
2	1	200-1595-00*	TDC 2 Software Kit		\$0.00
3	1	200-1585-00	TDC 2 Accessory Kit		\$0.00
4	1	200-1581-00	TDC 2 Mount Kit		\$0.00
5	1	035-0370-10	TDC 2 Shipping Kit with Hardcase		\$0.00
6	1	060-1000-24	24-Month Warranty		\$0.00

<b>Group Total</b>					\$2,335.00
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Product	\$2,335.00	Sub-Total:	\$2,335.00
Discount	\$0.00	Sales Tax 9%	\$213.75
Payment Terms: Net 30 days		Shipping & Handling:	\$40.00
		<b>Total: USD</b>	<b>\$2,588.75</b>

001

This Quote or Purchase Order is subject in all respects to the Terms and Conditions detailed at the back of this document. These Terms and Conditions contain limitations of liability, waivers of liability even for our own negligence, and indemnification provisions, all of which may affect your rights. Please review these Terms and Conditions carefully before proceeding.

applied concepts, inc.

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Page 1 of 2

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--	--	--	--

Grp	Qty	Package	Description	Wrnty/Mo	Price	Ext Price
1	3	836-0015-00	PMG 15 Inch Display with Traffic Analyst	24	\$3,900.00	\$11,700.00
	<b>Ln</b>	<b>Qty</b>	<b>Part Number</b>	<b>Description</b>	<b>Price</b>	<b>Ext Price</b>
	1	3	200-1315-00	15" PMG w/Traffic Analyst, configured with:		\$0.00
	2	3	035-0002-21	15" and 18" PMG Shipping Box		\$0.00
	3	12	035-0002-20	PMG Corner Packing Foam		\$0.00
	4	3	060-1000-24	24-Month Warranty		\$0.00
	5	3	006-0076-00	PMG Installation Guide		\$0.00
	6	3	200-1285-00	15"PMG Speed Display		\$0.00
	7	3	200-5542-12	15" PMG Controller, Normal Speed - 4G/Standalone		\$0.00
	8	3	200-1285-10	15" PMG Bezel, White		\$0.00
	9	3	200-1339-10	15" PMG Display - Amber LED, Red/Blue Alert Strobes		\$0.00
	10	3	062-0126-01	PMG Text and Graphics Option		\$0.00
	11	3	200-1285-50	No Flash Selected		\$0.00
	12	3	200-1206-55	12" PMG Pole Mount, 2-Part		\$0.00
	13	3	200-1395-01	PMG Backpack - SLA w/Solar		\$0.00
	14	6	047-0049-00	Cover Plate on Quad Bay Unit		\$0.00
	15	3	047-0044-00	15" PMG Bracket for Battery Backpack		\$0.00
	16	3	047-1003-00	PMG Power Cover Plate		\$0.00
	17	3	200-1567-01	15" PMG - USB Com, USB Memory Stick - v2		\$0.00
	18	3	200-1206-70	PMG Short-Range Wireless Module		\$0.00
	19	3	200-1206-08	PMG Expanded Memory Option, 8GB		\$0.00
	20	3	200-1330-50	PMG 50W Solar Power Package		\$0.00
	21	3	200-1419-00	Battery Backpack Solar Option Kit		\$0.00
	22	3	200-1643-60	15" YOUR SPEED White - Backpack - Diamond Grade		\$0.00
<b>Group Total</b>						\$11,700.00

Grp	Qty	Package	Description	Wrnty/Mo	Price	Ext Price
2	1		Selected Accessories	0		\$0.00
	<b>Ln</b>	<b>Qty</b>	<b>Part Number</b>	<b>Description</b>	<b>Price</b>	<b>Ext Price</b>
	23	6	200-1397-00	PMG Backpack Battery Kit - SLA 22Ah w/Wiring	\$85.00	\$510.00
	24	6	200-1397-01	PMG Backpack Battery Wiring Kit - SLA	\$60.00	\$360.00
	25	1	200-1120-01	PMG Backpack External Charger - SLA 5A	\$225.00	\$225.00
<b>Group Total</b>						\$1,095.00



QUOTE  
# 2096334

applied concepts, inc.

855 E. Collins Blvd  
Richardson, TX 75081  
Phone: 972-398-3780  
Fax: 972-398-3781

National Toll Free: 1-800- STALKER

Page 2 of 2

Date: 11/04/24

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+1-972-801-4882  
rmele@stalkerradar.com

Reg Sales Mgr: Patrick Fagan  
972-213-0351  
patrick.fagan@stalkerradar.com

Effective From : 11/04/2024

Valid Through: 02/02/2025

Lead Time: 45 working days

<b>Bill To:</b> KIAWAH ISLAND Town Public Works 4475 Betsy Kerrison Pkwy Kiawah Island, SC 29455-7126	<b>Customer ID:</b> P43891  Accounts Payable	<b>Ship To:</b> Kiawah Island Town Public Works 4475 Betsy Kerrison Pkwy Kiawah Island, SC 29455-7126	<i>FedEx Ground</i>  Public Works Manager Brian Gottshalk
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Product	\$12,795.00	Sub-Total:	\$12,795.00
Discount	\$0.00	Sales Tax 9%	\$1,188.68
Payment Terms: Net 30 days		Shipping & Handling:	\$412.50
		<b>Total: USD</b>	<b>\$14,396.18</b>

- 15" Display
- Red/Blue Strobes
- SLA Backpack 50W Solar with (2) Batteries
- Graphics and Text
- Bluetooth local Connectivity
- Pole Mount
- White YOUR SPEED Surround
- Wire Connections for extra Batteries
- External Battery Charger

001

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QUOTE # 2096335

applied concepts, inc.

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Page 1 of 1

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patrick.fagan@stalkerradar.com

Effective From : 11/04/2024

Valid Through: 02/02/2025

Lead Time: 60 working days

Table with 2 main columns: Bill To (KIAWAH ISLAND Town Public Works) and Ship To (Coyote Logistics). Includes Customer ID: P43891 and Accounts Payable info.

Main item table with columns: Grp, Qty, Package, Description, Wrrnty/Mo, Price, Ext Price. Includes a detailed sub-table for components like MC360 Message Trailer, Traffic Stats Sensor, etc.

Summary table showing Product (\$16,750.00), Discount (\$0.00), Sub-Total (\$16,750.00), Sales Tax 9% (\$1,687.50), Shipping & Handling (\$2,000.00), and Total: USD \$20,437.50.

ALPR - \$3000 (Extra Battery Bank and Extra Solar Panel)
Modem - \$1095.00
Cloud (Remote) Access - \$275.00 annually

001

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## Sole Source for STALKER SAM 3 (Speed Awareness Monitor) Trailers And Stalker MC360 (Message Center) Trailers

This is to confirm and verify that Applied Concepts, Inc., 855 E. Collins, Richardson, TX 75081 is the sole source supplier of the **STALKER SAM 3 Trailers and STALKER MC360 Trailers**. There is no other trailer instrument being manufactured that meets the specifications below:

- **Fast, Long-Range (Stalker) Radar** - The Stalker Street Dynamics' SAM trailer features the same Stalker radar technology used by over 85% of state law enforcement agencies in the US.
- **Solar/Battery Power** - Top-mounted solar panels recharge a day's worth of battery use with only 2.5 hours of bright sunlight, while our Group 27 & 6V deep-cycle batteries provide 18 to 21 days of continuous operation, yielding longer operational time in reduced sunlight times.
- **Display Graphics and Messages** - The Stalker Trailers feature advanced LED technology that makes the lights brighter without putting additional strain on the battery. The LEDs also remain at consistent brightness throughout the battery's discharge cycle. Consistently Bright Display Legible at 1,000'.
- **Collect Traffic Data** - In addition to measuring speeds, the radar unit in the speed trailers can be used to collect and store traffic data including vehicle speeds, vehicle classification, 85th percentile data, and more.
- Stalker Radar is the sole source supplier for the Speed Awareness Monitor (SAM 3) & the Message Center 360 (MC360) trailers for Law Enforcement & Public Works. All trailers are manufactured by Hill & Smith, Inc. (formally Precision Solar Controls) located in Garland, Texas.
- Applied Concepts, Inc was awarded an ISO 9001:2015 Certificate of Registration for design, manufacture, and service of speed measurement products. This is unique in our market segment.

All Stalker Radar products are made in the USA and are in full compliance with the Buy American Act.

Respectfully Submitted,



William H. Titterington  
Contracts Manager



applied concepts, inc.

StalkerRadar.com | Registered to ISO 9001:2015

855 East Collins Boulevard | Richardson, Texas 75081 | 972.398.3780 | 1-800-STALKER | Fax: 972.398.3781

600-5031-00 Rev E

09/11/2024

## Sole Source for STALKER STREET DYNAMICS Pole Mounted Graphic (PMG) Display

This is to confirm and verify that Applied Concepts, Inc., 855 E. Collins, Richardson, TX 75081 is the sole source manufacturer of the **STALKER STREET DYNAMICS Pole Mounted Graphic (PMG) Display**.

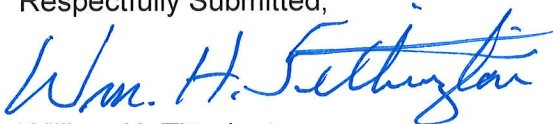
There is no other PMG instrument being manufactured that meets the specifications below:

- **Powerful Radar Speed Sign** - The PMG can be used as a radar speed sign, a traffic data collector, and a variable messaging sign to display virtually any message or graphic that you desire. It is also the only NTCIP-compliant pole-mounted message sign on the market today.
- **Display Vehicle Speeds** - The PMG radar speed sign can accurately record vehicle speeds from 900 ft away, classifications in both directions, & display approaching traffic speed almost instantaneously.
- **Display Graphics and Messages** - The programmable speed settings can be set to trigger excessive speed warnings, animated graphics, colored strobes, and custom messages. The Series is available in 12", 15" and 18" display sizes. There are Low-Speed models available, designed for high-risk high-traffic environments such as school parking lots, bus barns, warehouses, and supply yards.
- **Collect Traffic Data** - Your PMG will automatically gather information about the number of passing vehicles, their speed, and their classification (small car, semi-truck, etc.).
- The Stalker PMG is made in the USA & is in full compliance with the Build America & the Buy American Act. The collective compliance of these provisions qualifies this product for Federal financial assistance in the form of grants or loans made after May 14, 2022.
- Applied Concepts, Inc was awarded an ISO 9001:2015 Certificate of Registration for design, manufacture, and service of speed measurement products. This is unique in our market segment.

All Stalker Radar products are made in the USA and are in full compliance with the Buy American Act.

The **STALKER STREET DYNAMICS Pole Mounted Graphic (PMG) Display** can only be purchased directly from Applied Concepts, Inc. or through one of our Regional Sales Managers.

Respectfully Submitted,



William H. Titterington  
Contracts Manager



applied concepts, inc.

StalkerRadar.com | Registered to ISO 9001:2015

855 East Collins Boulevard | Richardson, Texas 75081 | 972.398.3780 | 1-800-STALKER | Fax: 972.398.3781

600-5036-00 Rev C

02/07/2024



## Sole Source for STALKER Traffic Data Collector 2

This is to confirm and verify that Applied Concepts, Inc., 855 E Collins Blvd, Richardson, TX 75081 is the sole source manufacturer of the **STALKER Traffic Data Collector 2**. There is no other Traffic Data Collector being manufactured that meets the specifications below.

- **Functionality:** Collects data for analysis supporting both policing and public works,
- **Power:** Provides for at least 8 days of unattended data collection with integral battery. Optional solar power kit for indefinite operation with minimum sunlight.
- **Directional Radar:** Collect data for approaching and receding traffic with a detection range of 900 ft.
- **Connectivity:** USB & Short-Range wireless connectivity are standard, with optional 4G
- **Positioning:** GPS positioning is standard and recorded with the survey data.
- **Storage:** local 7 GB of storage for vehicle data, optional cloud-based storage
- **Environmental:** IP65 and NEMA-4 certified, -22°F to +140°F operating temperature.
- **Setup:** On-device and application assisted setup allow for general setup and the ability to easily modify parameters in the field.
- **ISO 9001 Certification:** Applied Concepts, Inc was awarded an ISO 9001:2015 Certificate of Registration for design, manufacture, and service of speed measurement products. This is unique in our market segment.

All Stalker Radar products are made in the USA and are in full compliance with the Buy American Act.

The **STALKER Traffic Data Collector 2** can only be purchased directly from Applied Concepts, Inc. or through one of our Regional Sales Managers.

Respectfully Submitted,

William H. Titterington  
Contracts Manager



**applied concepts, inc.**

StalkerRadar.com | Registered to ISO 9001:2015

855 East Collins Boulevard | Richardson, Texas 75081 | 972.398.3780 | 1-800-STALKER | Fax: 972.398.3781  
600-5057-00 Rev A

2/27/2024



**TAB 3**

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# **TOWN COUNCIL**

**Agenda Item**

## Town of Kiawah Island

### Infrastructure and Public Works Committee Charter

1. The Infrastructure and Public Works Committee is an advisory body to the Mayor and Town Council of Kiawah Island, focusing on critical infrastructure and public services. The committee evaluates and recommends improvements for essential community systems and services, including the Town municipal center, public roads and leisure trails~~infrastructure maintenance~~, solid waste management, water and sewer, electricity, and communication infrastructure~~facility operations, and private utility and transportation services~~. Through strategic oversight and planning, the committee enhances the quality and efficiency of services across Kiawah Island, ensuring the community's infrastructure needs are met effectively and sustainably.
  
2. The Committee shall be chaired by a member of the Town Council, with the support of the Public Works Director. It shall comprise at least three (3), but not more than five (5) persons recommended by the Chair and ~~representatives from Kiawah Island organizations~~ approved by the Mayor and the Town Council. Members' terms shall be one year and expire annually on January 31. The Mayor and the Town Council may reappoint committee members for successive terms. The Committee may also include non-voting representatives of ~~The Committee shall also seek to collaborate with the~~ Kiawah Island Community Association, Kiawah Island Golf Resort, and Kiawah Island Club. ~~including requesting a non-voting representative participate in Committee meetings.~~ Service providers will also be invited and are encouraged to attend Committee meetings.
  
3. Committee functions include:
  - Review and evaluate the effectiveness of Town infrastructure systems and public services, providing recommendations for improvements to Town Council.
  - Evaluate contractor performance and service delivery quality, making recommendations to enhance service efficiency and value.
  - Review utility service performance and reliability, recommending improvements for electric, water/sewer, cable, communications, and cell and transportation services.
  - Review and provide input on long-term infrastructure and facilities planning to align with the Town's Comprehensive Plan.
  - Make recommendations to the Town Council regarding infrastructure projects, maintenance priorities, and service improvements.
  - Assist in monitoring specific infrastructure projects or studies when requested by the Public Works Director and approved by the Mayor.
  
4. The Committee will be responsible to the Town Council and has no authority to spend funds or supervise staff except as approved by the Town Council. Annually, the Committee will prepare a budget request covering committee activities for submittal to the Town Council for approval and inclusion in the overall budget, if appropriate.



**TAB 4**

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# **TOWN COUNCIL**

**Agenda Item**

## **TOWN OF KIAWAH ISLAND ARTS COUNCIL BOARD CHARTER**

- 1.** The Town of Kiawah Island Arts Council Board (ACB) oversees the Arts and Cultural Events Council (ACEC), particularly its budget, policies, and procedures. The Board will also provide periodic reports to the Town Council regarding the ACEC's activities and participate in designing and evaluating the periodic audience survey.
- 2.** The function of the ACEC is to enhance community and tourist appreciation and involvement in performing arts within the Town of Kiawah Island and its environs by providing a diversity of planned and budgeted programs. The committee shall be a standing committee of the Town Council and advise the ACB on matters relating to the planning, development, organization, and implementation of activities relating to the visual and performing arts.
- 3.** The ACEC shall strive to ensure that Kiawah is recognized as an arts and culturally-minded community.
- 4.** Oversight responsibility will be handled by the Arts Council Board comprised of:
  - Chair, Town Council
  - Chair of the ACEC
  - Town Communication Director
  - Town Administrator
  - Arts and Cultural Events Manager

The ACEC will be chaired by a member of the Arts and Cultural Events Council, with the support of the Arts and Cultural Events Manager. The ACEC will annually elect from its members a Chair who will serve as a member of the Arts Council Board. The membership shall be comprised of at least five (5), but not more than eleven (11), approved by the Mayor and Town Council. Member terms shall be for one year and expire annually on January 31. The Mayor and Town Council may reappoint committee members for successive terms. The Town Council may appoint up to three (3) advisory members (non-voting) to the ACEC to assist and support the Committee.

- 5.** The Arts and Cultural Events Manager is tasked with overseeing, scheduling, and coordinating event related aspects as further outlined on page 5 of the Arts Council Member Manual.
- 6.** The ACEC is a “working” committee tasked with collaborating with the coordinator on planning events, reporting on the quality of performances, and establishing and updating policies as further outlined on page 6 of the Arts Council Member Manual.
- 7.** Preferred skill set should include:
  - a.** Cultural arts background and expertise
  - b.** Excellent planning and organizational capabilities
  - c.** Knowledge of performing arts and performing arts groups
  - d.** Ability to work in harmony with performing arts groups, other Arts Council members, and Town staff.

- 8.** The funding sources for the ACEC will be derived from:
  - a.** General Funds – the primary source of funding for the resident-related events.
  - b.** Local, County, and Hospitality Tax Funds – the primary source of funding for the tourist and visitor-related events.
  - c.** Ticket revenue
  - d.** Funding levels will be determined through the budget process
  
- 9.** The ACEC will utilize a variety of methods to propose local and national talent for events. Anyone (ACEC members, Town staff, artists, arts organizations, agents, promoters, Kiawah residents, etc.) wishing to suggest an arts event may do so by writing to the Arts & Cultural Events Manager, who will review all suggestions and bring them to the attention of the ACEC. The Manager and ACEC will propose, compile, and recommend (within the approved budget) a final list of possible season events utilizing the following criteria: Quality, Variety, Balance, and Diversity. A schedule of these events for both residents and tourists/visitors will be submitted to the Arts Council Board, to the Ways and Means Committee and then to the Town Council for final approval during the budgeting process timetable.

Revised 01/07/2025



**TAB 5**

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# **TOWN COUNCIL**

**Agenda Item**

## TOWN OF KIAWAH ISLAND AUDIT COMMITTEE CHARTER

1. The Audit Committee (the "Committee") shall assist the Mayor and the Town Council (the "Council") of The Town of Kiawah Island (the "Town") in fulfilling its responsibility to provide oversight of management regarding: (1) the Town's systems of internal controls and risk management; (2) the integrity of the Town's financial statements; (3) the Town's compliance with legal and regulatory requirements and ethical standards; and (4) the engagement, independence and performance of the Town's independent auditors. The formation and activities of the Audit Committee in no way diminish or replace the preceding responsibilities of the Council.
2. **MEMBERSHIP.** The Audit Committee will be chaired by a Town Council member, with the Finance Director's support. The membership shall comprise at least three (3), but not more than five (5), persons, **nominated by the chair and approved by the Mayor and Town Council.** Member terms shall be for one year and expire annually on January 31. Committee members may be reappointed for successive terms **if nominated, and approved by the Mayor and Town Council.**

Committee members shall have a proven expertise in finance, accounting, and the review of financial statements. At least one member of the Committee shall have a sophisticated understanding of auditing, financial controls, financial reporting and accounting as determined by the Council.

3. **MEETINGS AND QUORUM.** The Committee shall meet at least quarterly. Meetings may be called by the Chair as circumstances dictate. The Committee shall meet at least twice each year with the independent auditor in separate executive sessions to provide the opportunity for full and frank discussion with or without staff members present.

Notice of meetings shall be given to all Committee members and the public. Meetings of the Committee may be held **in person in the Town Hall or by video-conference** or other communications equipment, through which all persons participating in the meeting can hear and speak to each other. A majority of the members of the Committee shall constitute a quorum. The act of a majority of the Committee members present at a meeting at which a quorum is present shall be the act of the Committee.

4. **AUTHORITY.** The Committee's role is one of oversight. The Mayor, with the support of the Treasurer and Administrator ("management"), is responsible for preparing the Town's financial statements, and the independent auditors are responsible for auditing those financial statements. The Committee recognizes that management, including the finance staff and the independent auditors, have more time, knowledge and detailed information about the Town than the Committee members. Consequently, in carrying out its oversight responsibilities, the Committee is not providing any expert or special assurance regarding the Town's financial statements or any professional certification regarding the independent auditor's work.

In discharging its role, the Committee is empowered to inquire into any matter it considers appropriate to carry out its responsibilities, with access to all books, communications in any form, records, facilities and personnel of the Town. In addition to retaining the Town's independent auditor, the Committee shall have the power, to retain outside counsel, other auditors or other advisors to assist it in carrying out its activities. The Town shall provide necessary resources to support the Committee's activities. The Committee shall have the authority, with the approval of the Council, to retain, compensate, direct, oversee and terminate the Town's independent auditor and any counsel, other auditors, and other advisors hired to assist the

Committee, who shall be accountable ultimately to the Committee.

The Committee may request any person, including, but not limited to, any officer or employee of the Town or the independent auditor, to attend Committee meetings or to meet with any members of, or advisors to, the Committee.

## 5. KEY RESPONSIBILITIES

As approved by the Council, the Committee shall undertake the following responsibilities, which are set forth as a guide. The Committee is authorized to carry out these activities and other actions reasonably related to the Committee's purposes or assigned by the Council from time to time.

### ***A. Independent Audit***

1. Recommend the appointment and review the terms of independent auditor(s) retention, engagement and scope of the annual audit, pre-approve any audit-related and non-audit services (including the fees and terms thereof) to be provided by the independent auditor, and, in connection with any pre-approval of services related to internal control over financial reporting, discuss with the independent auditor the potential effects of such services on the independence of the auditor and hire a separate audit firm for the internal controls audit, if necessary. The committee will evaluate and oversee the work of, the independent auditor(s) who shall report directly to the Committee, and, if appropriate, terminate the independent auditor's engagement;
2. Review and confirm the independence of the independent auditor annually by obtaining and reviewing a report from the independent auditor delineating all relationships between the independent auditor and the Town and discussing with the independent auditor any such disclosed relationships and their impact on the independent auditor's independence, and by obtaining the auditor's assertion of independence in accordance with professional standards;
3. At least every five years, review and recommend to Council the terms of the independent auditor's retention, including a review of fees charged by the auditors for the annual audits;
4. At least annually, review a report from the independent auditor describing the auditing firm's internal quality-control procedures and any material issues raised by the most recent quality-control review of the firm, or by any inquiry or investigation by governmental or professional authorities within the preceding five years, with respect to one or more independent audits carried out by the firm and any steps taken to deal with any such issues;
5. Review with the independent auditor any problems the auditor has encountered performing the audit, any limits to the audit and potential corrective actions, any management letter provided and the Town's response to that letter, and matters that the independent auditor is required to communicate to the Committee; and
6. Review and discuss with Council and senior staff, the independent auditor any significant findings during the year, any restrictions or limits on the scope of activities or access to required information, any changes required in the scope of the audit plan, the audit budget and staffing and, coordination of audit efforts.

**B. Internal Control and Risk Oversight**

1. Review and discuss with management and the independent auditor the adequacy of the Town's internal controls and the Town's major financial risks or any significant exposures and assess the steps management has taken to minimize such exposures. If the auditor does not possess the skillset to audit the Town's financial controls, at the discretion of the Audit Committee, a second audit firm may be retained to focus on an audit of internal controls;
2. Review and discuss with management and the independent auditor the Town's policies with respect to risk assessment and risk management, including the Town Reserves' investment and compliance risk;
3. Oversee compliance with and review the effectiveness of the Town's internal control systems, including through regular executive sessions, whether internal control recommendations identified by internal and independent auditors have been implemented by management; and
4. Establish and oversee procedures for the receipt, retention and treatment of complaints regarding accounting, internal controls, or auditing matters and the confidential, anonymous submission by employees of concerns regarding questionable accounting or auditing matters.

**C. Financial Reporting**

1. Review and discuss with management and the independent auditor all critical accounting policies and practices used by the Town and any significant changes in the Town's accounting policies;
2. Review with the independent auditor significant accounting and reporting issues, including recent professional and regulatory pronouncements, understand their impact on the financial statements, and ensure that all such issues have been considered in the preparation of the financial statements;
3. Review issues related to judgments made involving valuation of assets and liabilities, and commitments and contingencies;
4. Review with management the annual financial statements, the annual audit report and recommendations of the independent auditor, including any audit problems or difficulties, and management's response;
5. Review with management and the independent auditor any complex and/or unusual transactions or other significant matters or events not in the ordinary course of business; and
6. Annually review with management and the external tax advisor any issues or judgmental areas relating to the Town's tax compliance.

**D. Oversight of Legal and Ethical Compliance**

1. Review periodically with the Town's legal counsel the scope and effectiveness of the Town's legal and regulatory compliance policies and programs, and ethical standards and policies;
2. Oversee legal and regulatory compliance and compliance with ethical standards and policies, including the Conflict of Interest Policy, and forward reports of non-compliance to Council;
3. Review and discuss with management and the auditors any possible areas of noncompliance with laws or policies and ensure that management follows up with relevant procedures where appropriate;
4. Ensure through inquiry and other appropriate means that management is communicating to the Town's staff the importance of the Town's values, code of conduct and ethics, and internal controls; and
5. Review, discuss with management and the independent auditor, and recommend a course of action to Council regarding any transactions or courses of dealing with related persons (e.g., including elected officials, executive officers, their immediate family members) that are significant in size or involve terms or other aspects that would likely be negotiated with independent parties, involving any safeguards or additional procedures to be applied in such circumstances.

**E. Other Responsibilities**

Maintain minutes of meetings and periodically report Committee findings, recommendations and actions to the Council, including on any issues that arise with respect to the quality or integrity of the Town's financial statements, the performance and independence of the independent auditors and the performance of the internal audit function, the Town's compliance with legal or regulatory requirements and its ethical standards and policies, and any other matters the Committee deems appropriate for the Council.

Revised 01/03/2025



**TAB 6**

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# **TOWN COUNCIL**

**Agenda Item**

# TOWN OF KIAWAH ISLAND

## ENVIRONMENTAL COMMITTEE CHARTER

1. Kiawah Island Environmental shall assist the Mayor and Town Council with proactively managing and advising on various environmental issues, including those of the Wildlife Committee, which it replaced.
2. The Committee shall be chaired by a member of the Town Council, with the support of the Wildlife Biologist. The Committee shall comprise at least six (6), but not more than eighteen (18), people and representatives from Kiawah Island organizations with interests in environmental issues approved by the Mayor and the Town Council. Member terms shall be for one year and expire annually on January 31. The Town Council may reappoint committee members for successive terms.
3. Committee functions include:
  - Study and report on environmental issues, as may be referred by Town staff, Town Council, or self-generated.
  - Advocate for protecting island wildlife and their habitat, including, but not limited to, birds, fish, reptiles, amphibians, plants, trees, and invertebrates.
  - Provide and/or support educational programs to increase public awareness of Kiawah's natural environment and wildlife.
  - Support efforts to maintain a healthy island ecosystem, including beaches, ponds, marsh, dunes, and maritime forests.
  - Support efforts to control invasive species on Kiawah Island.
  - Support ocean, river, and pond water quality monitoring efforts.
  - Make recommendations to the Town Council on ways to improve the quality of environmental services, the cost-effectiveness of such services, and whether contractors or town staff should perform such services.
  - Request, review, and selectively approve applications for funding of natural resource and environmental initiatives. Approved initiatives will be presented to the Town Council for funding approval.
4. The Committee shall coordinate its efforts, as appropriate, with the activities of County, State, and Federal agencies and with other organizations sharing a similar purpose.
5. The Committee may solicit the assistance of other persons or organizations in carrying out the committee activities.
6. The Committee will be responsible to the Town Council and has no authority to spend funds or supervise staff except as approved by the Town Council. Annually, the Committee will develop a budget request for Committee activities for review and approval by the Ways and Means Committee and final approval by the Town Council, if applicable.

Revised 01/07/2025



**TAB 7**

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# **TOWN COUNCIL**

**Agenda Item**

# Town of Kiawah Island

## Public Safety Committee Charter

1. The mission of the Public Safety Committee is to assist the Town in meeting its state-mandated responsibilities to its citizens with regard to providing for the health, safety, and welfare of its citizens, as set forth in Title 5 of the State of South Carolina Code of Laws, and to initiate and consider proposals and methods to upgrade and improve public safety on the Island.
2. The Committee shall be chaired by a member of the Town Council, with the support of the Public Safety Director. It shall comprise at least four (4), but not more than seven (7) persons and representatives from Kiawah Island organizations approved by the Mayor and the Town Council. Members' terms shall be one year and expire annually on January 31. The Mayor and the Town Council may reappoint committee members for successive terms.
3. Committee functions include:
  - Coordinate the town's public safety and security activities with all other island security services.
  - Serve as liaison with the St. Johns Fire District, Charleston County Emergency Medical Services, and the Charleston County Sheriff's Office Supervisor of the Town's contracted CCSO deputies.
  - Monitor the performance and activities of the Town's contract beach patrol service.
  - Monitor the Code Enforcement activities of the Town for all areas within its jurisdiction.
  - Devise a long-term island security plan.
  - Ensure that appropriate plans are in force to accommodate evacuation, emergency law enforcement, and any other services required to ensure the personal safety of all citizens, property owners, and visitors to Kiawah Island.
  - At the will and direction of the Town Council, engage in any activities, investigations, analyses, etc., relating to public welfare and safety.
  - Make recommendations to the Town Council on ways to improve the quality of public safety on the Island.
4. The Committee will be responsible to the Town Council and has no authority to spend funds or supervise staff except as approved by the Town Council. Annually, the Committee will prepare a budget request covering committee activities for submittal to the Town Council for approval and inclusion in the overall budget, if applicable.

Revised 1/07/2025