

ENVIRONMENTAL COMMITTEE MEETING

Kiawah Island Municipal Center

4475 Betsy Kerrison Parkway

Council Chambers

August 22, 2017; 10:00 AM

Minutes

I. **Call to Order:** *Mr. Jordan called the meeting to order at 10:00 am.*

II. **Roll Call:**

Present: Jim Jordan, Chairman
David Elliott
Jim Chitwood
Lynne Sager
Jim Sullivan
Jane Ellis
Lynette Schroeder
Sandra Williams
John Leffler
ARB: Amanda Mole
KICA: Matt Hill
KINHC: Justin Core
TOKI: Aaron Given

Absent: Marilyn Olson
Robert Simmons

KIGR: Liz King
KINHC: Jack Kotz

Also Present: Diana Mezzanotte, Council Liaison

III. **Presentations**

A. **Jimmy Bailey/KICA**

Mr. Bailey, COO of the Kiawah Island Community Association, gave a presentation on the proposed land swap with Kiawah Partners. He gave a background of the 4.6 parcel which was deeded to the Community Association in 1995. The parcel was part of a conveyance of a 10-mile beach strip to protect the oceanfront against development of more homes. Years later, it was discovered by Kiawah Development Partners that the parcel was mistakenly deeded to the Community Association and requested it be given back. The Community Association Board, with legal counsel's advice, chose not to return the properly deeded parcel.

Mr. Bailey stated the governing documents of the Community Association stated the only way to sell, trade, or transfer common property is by a by a vote of the members of the Community, that's why the discussion of a potential land swap.

Mr. Bailey went on to explain the legal maneuvers through the judicial system which transpired over the years ending with a decision still having to be rendered. He indicated the Community Association Board was growing weary of the legal battle and began conversations with Kiawah

Partners on a possible trade of other properties. Following a complex three party negotiation, an agreement was reached that will be an immense benefit to the Community. Properties would be placed in conservation as well as operational parcels received that will benefit the Community Association.

B. Donna Windham/Kiawah Conservancy

Mr. Fishburn, past Chairman of the Conservancy's Habitat Committee, gave a history of the Conservancy's quest to obtain the parcels on the Northern side of the Island through a grant transfer process which would have given control to the State and thereby declined. He indicated the continuing importance of preserving the entrance to the Island was brought to the forefront with the possible development of the properties adjacent to Oyster Rake. He discussed in detail the Conservancy's deliberations of the unintended consequences, resolution agreements, and environmental issues related to the property transaction. He, along with Mr. Bailey, engaged in an in-depth discussion addressing the questions and concerns of those in attendance.

IV. New Business

C. Discussion of proposed KICA/Conservancy and Kiawah Partners Land Swap

Committee Members engaged in discussion of the Environmental aspects of the proposed land swap which included the million dollar grant application for the marsh property, leverage the Community Association has with the ownership of the 4.7 acre parcel, the public misconception that the transfer of the parcel would accelerate the availability to develop Captain Sam's Spit when in reality it could be developed at any time. Members also discussed Council's position and if a resolution from the Environmental Committee, requesting Council to endorse the land swap was appropriate.

Mr. Sullivan made a motion the Environmental Committee request that Town Council endorse the proposed KICA/Conservancy and Kiawah Partners Land Swap. The motion was seconded by Mrs. Sager.

With the members of the Conservancy abstaining from voting, the motion was passed with seven members voting yes. Members agreed the trade would be environmentally beneficial to the Kiawah community.

V. Citizen Comments:

Wendy Kulick – 38 Marsh Edge Lane

Mrs. Kulick stated that the original PDD-1A agreement designated the property where the Beach Club sits as a second Sandcastle facility. She stated the property was taken from the Community Association by the developer without compensation and with the developer desperately wanting this parcel, she felt that the Community Association, Conservancy and Town collectively should be able to pressure Kiawah Partners to gain more than what is now being offered.

Mr. Sullivan responded that the Environmental Committee is not responsible for the negotiations of the proposed land swap but supports the environmental benefits.

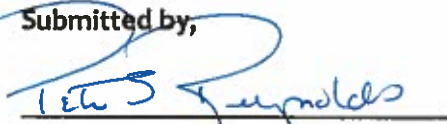
VI. Chairman's Comments:
None

VII. Committee Member Comments:
None

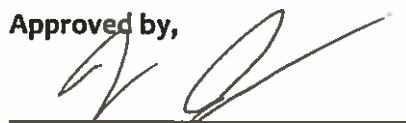
VIII. Adjournment:

Mrs. Sager made a motion to adjourn the meeting at 4:15. The motion was seconded by Mr. Chitwood and unanimously passed.

Submitted by,


Petra S. Reynolds, Town Clerk

Approved by,


Jim Jordan, Chairman

9-21-17

Date