

KIAWAH PROPERTY OWNERS GROUP, INC.
BOARD OF DIRECTORS MEETING, JANUARY 7, 2009

The regular monthly meeting of the Kiawah Owners Property Group (KPOG) was held at the Sandcastle on Wednesday, January 7, 2009 starting at 9:00AM. Board members in attendance were President Art Morgenstern, Vice President Arie deZanger, Treasurer Pete Silveston, Secretary Ron Ritchie, Past President Diane Lehder, Blasé Keegel and Katie Kotz. Joining by phone was Board Member Bob Oakman. Also in attendance were TALK Editor Barbara Winslow, Data Manager/Membership Chair Kathy Heikes, Laurie Burpee and Wendy Kulick.

After a few frustrating minutes attempting to connect with Bob Oakman by phone the meeting began. Pete Silveston stated that he could not give an immediate treasurer's report but one would be forthcoming later. When this was given to the secretary it showed \$2,083. in the checking account, \$25,430 in the savings account, \$58,041 in a BB&T CD, and, \$95,000 in a CD with Sun coast Savings.

Kathy Heikes reported that given the push to get more members signed up for the KPOG Alert System we now have 141 people who have registered. The increase is attributed to the fine instructions that Kathy sent out with the Annual Meeting Notification to all group members. Membership is now at 2078.

Art asked for clarification from Kathy as to whether we had double paid V-Soft for the work that they did for us last year. It appears that we were double billed for two months of usage. Kathy is working with the vendor to correct this error.

OLD BUSINESS

Safety/Security: Bob Oakman surprised the Board when he stated that the traffic counts at both gates were almost exactly the same for December '08 as they had been for December '07. The difference at the Main Gate was exactly 8 vehicles.

Roads: The Board was appraised that Charleston Mayor Joe Riley had now come out in favor of the Cross Island Expressway and Riley also is planning to put this on his "wish list" for funding under the federal economic stimulus package now starting to work its way through Congress. On a related subject Ron advised the Board that TOKI had been notified that they would receive the necessary permit to proceed with the modifications to the Kiawah Island Parkway and the construction of the bike path between Freshfields and the Main Gate. The next step will be reopening discussions with the developer on the design of the bike path, curbing etc. What is not known is whether TOKI will have to pay the developer for the land which the developer is allegedly going to provide to the town for the mitigation of the wetlands that will have to be replaced for the project to proceed.

Freedom of Information Act: As a follow up to the continuing saga of trying to get the TOKI to comply with the act it was agreed that Arie would informally meet with the Mayor of Kiawah Island and advise him that the entire issue could be resolved if the town agreed to go back to what they were doing prior to January, 2007.....namely that any individuals who request to receive notification of regular and special town council meetings, and the meeting agenda, be notified in advance via E-Mail provided they advise the town clerk that they wish to receive such advanced notification.

Confidentiality Agreement: As a follow up to an action item from last month Art stated that he had approached TOKI and requested, under the Freedom of Information Act, a copy of the confidentiality agreement which we believed had been signed by TOKI and the Resort at the outset of discussions on a new Development Agreement. He was informed by the Town Administrator that no such written agreement existed. Evidentially the agreement was strictly oral in nature.

Ocean Course Parking: It would appear from all indications that negotiations on this issue are continuing between TOKI and the Resort.

KPOG Non-advisory Motion to KICA: Art reported, that while the KICA Board had not supported our motion, they did agree that at future KICA Board Meetings there would be 30 minutes devoted to hearing input from KICA members prior to the meeting itself.. Such input would be limited to three minutes per person.

PARCEL 23 Vote: The Board spent several minutes discussing the failure of KICA members to approve the purchase of this parcel with several theories being advanced as why it failed. During the course of this discussion it was pointed out that most KICA members were probably under the impression that how they voted on this issue was probably secret given the fact that the ballots were mailed into a group at the College of Charleston for tabulation. It turns out that at some point after the voting is finished all the ballots are given to KICA which means that how everyone voted (or failed to vote) is known to the organization. In addition, several board members stated that they, or someone they knew, had been contacted by KICA personnel during the voting period and urged to cast their ballot. Question obviously is: How did KICA know who had not voted if the entire process is in the hands of a third party and allegedly is confidential? One Board member even stated that they had been called by a real estate agent who worked for the developer. Given this information it was agreed that the process would be a subject in the President's Corner Column in the next issue of TALK. In addition, the Board (after much discussion) decided that a few questions would also be prepared for distribution at KPOG's Annual Meeting on February 21st. The questions would ask members how they voted on the Parcel 23 issue and why they voted the way they did. Members would not be asked to identify themselves in any way on the questionnaire. Pete, Diane Barbara and Wendy Kulick all volunteered to work as a group to draft the questions for subsequent review at the February Board Meeting.

Annual Meeting: Ron and Arie advised that a speaker had been secured namely James Byrd, Deputy Director of the South Carolina Department of Insurance. Since he is

coming from Columbia it was reaffirmed that we would pay for his lodging at the Sanctuary the night before the meeting. Arie will follow up with Byrd and review with him the topics that we believe would be of most interest to the membership. Barbara will also highlight his presentation in the upcoming issue of TALK.

While on this topic Art stated that the resort will make a presentation, TOKI would have a member there to answer questions, and, KICA, (according to their President Paul Roberts), would also make some brief comments. The developer declined to participate.

NEW BUSINESS

Captain Sam's Spit/Revetment: Barbara advised the Board that DHEC had agreed Kiawah Development Partners (KDP) can construct a 270 foot bulkhead adjunct to Beachwalker Park but they did not approve the 2,783 foot erosion barrier that KDP had requested. KDP had wanted the barrier to be built to facilitate the eventual sale of lots on Captain Sam's Spit. It was stated in the POST & CORRIER that KDP planned to appeal this ruling.

Note: The day after this meeting the DHEC Board turned down KDP's appeal.

TOKI Proposed Zoning Changes: Art stated that a public hearing would be held on January 22nd on some proposed changes to the TOKI Zoning Map. He indicated that the changes seemed to update the current status of zoning on the island and do not involve any major changes of interest to property owners.

There being no further business the meeting adjourned at 12:30 PM.

Respectfully submitted,

Ron Ritchie
Secretary