

The Town of James Island held its regularly scheduled meeting at 7:00 p.m. at the James Island Town Hall, 1122 Dills Bluff Rd., James Island, SC, Thursday, November 18, 2021. Councilmembers present: Boles, Mignano, Milliken, Mullinax, and Mayor Woolsey presided. Also, Town Administrator, Ashley Kellahan, Town Attorney, Bonum S. Wilson, Finance Director, Merrell Roe, Island Sheriff s Patrol, Lt. Shawn James and Deputy Chris King, Planning Director, Kristen Crane, Planner II, Flannery Wood, Public Works Director, Mark Johnson, and Town Clerk, Frances Simmons. A quorum was present to conduct business.

Opening Exercises: Mayor Woolsey called the meeting to order leading Council in prayer and followed with the Pledge of Allegiance. FOIA: This meeting was published and posted in accordance with the Freedom of Information Act and the requirements of the Town of James Island.

Public Hearing: Ordinance#2021-11: Request to Rezone Property at 1622 Camp Rd. from General Office (OG) to Community Commercial (CC) for Beverage and Related Products Manufacturing and Retail Sales and Services Uses: Mayor Woolsey opened the Public Hearing and informed speakers of the allotted time of three (3) minutes for comments. The majority of persons who spoke were residents of Rivers Point Row.

Allison Hanf, Opposed: having a brewery in her back yard. She commented that whatever legal ramifications she has to take to fight this she will do. The brewery will be 20 ft. from her property and did not purchase her condo to have a brewery in her backyard.

Terry Wallace, Opposed: expressed concern about noise and privacy, even with having a high fence. She said the establishment would be too close to her property and would affect her quality of life.

Melissa Golden, Opposed: she is a registered nurse and her toddler's room would be 15 ft from the brewery. She expressed concern about equipment and storage of hazardous supplies. She said if this request is allowed then money would be more important than the quality of life for the residents.

Jason Felan, Opposed: he does not want to come home at 1 a.m. to hear loud music. He is not opposed to a business, but not a brewery; it's not positive. It may be good for the Town but not for the residents.

Matt Woolsey, Opposed: Mr. Woolsey is the VP of the HOA at Rivers Point Condo. He saw the meeting notice on Facebook and the proximity of the business to the condos. He is concerned about music, even if played indoors, it would have a base. He is also concerned about people whooping and hollering or wandering to the back of the property to relieve themselves. The building at the back does not cover the entire property and that would be an invasion of privacy.

Hilary Rozek, Supports having a family friendly place for neighbors to go and relax with friends.

Roman Rozek, Supports: the brewery would be a place for people to gather on James Island. He does not aim to have a business like the "Pour House" or with loud music. It is a family friendly gathering place; he has children and want to do something positive for the neighborhood.

Abraham Garcia, Supports: the brewery would not be rowdy. James Island is in need of bringing people together. This will be a great building, safe and inviting. Comments are being made about a business that does not exist yet.

Emily Payne, Opposed: recently purchased her property. She has two young children and is concerned about loud noise and her property's value by having a brewery behind it.

Laura Mason, Supports: the concerns expressed by others are valid, but the brewery will be family-friendly and a gathering spot for the neighborhood. She knows Roman and Hilary.

Laura Platt, Oppose: showed pictures to Council of when the Fire Station was at that location. She felt safe

when it was there. The brewery would be 14 ft. from her property and would impede on her peace and quiet. She is single and would not feel safe by having people near her property line. She likes the brewery, but not in her back yard.

Public Hearing closed at 7:19 p.m.

Public Hearing: Ordinance #2021-12: An Ordinance Amending the Town of James Island Zoning and Land Development Regulations Ordinance, Number 2013-07, Table 153.110 Replacing the Special Exception (S) Requirement in the RSL Zoning District for apiculture (beekeeping) with Conditions (C) and Corresponding Applicable Ordinances in Livability Regulations (90.18) and ZLDR Section 153.211, Adding Provisions for Apiculture (beekeeping) on Residential Property: No one signed in to speak.

Public Comment: No one signed in to speak.

Presentation of Fiscal Year 2020-2021 Financial Statement: Gary Bailey, Love Bailey CPA, presented a report of the Financial Statements for year ending June 20, 2021. Mr. Bailey complimented the Town and staff for doing a great job with its accounting systems and practices. This is their second year auditing the Town and found no problems with the process. A brief overview of the Balance Sheet and Statement of Revenue and Expenditures was provided. The Town was issued an unmodified opinion for FY 2021 which is the highest level for a Town. The audit was received as information.

Consent Agenda:

Minutes of October 21 Regular Town Council Meeting: Councilman Milliken moved to approve the October 21 minutes, seconded by Councilman Mullinax. Passed unanimously.

Election of Mayor Pro Tem: Councilman Milliken thanked Councilman Mullinax for doing an excellent job during his time as Mayor Pro Tem. He said in keeping with the rotation to allow everyone to serve, he moved to elect Councilman Boles as Mayor Pro Tem, Councilman Mullinax seconded. Passed unanimously.

Information Reports:

Finance Report: Finance Director, Merrell Roe, provided the monthly budget summary of revenue and expenses for the month of October and it was received as information.

Administrator's Report: Town Administrator, Ashley Kellahan gave an overview of the Administrator's Report. She noted that Council was provided the monthly report from Capital Consulting and that a meeting could be arranged with them if needed. Events of the JI Arts & Cultural Center has been added to the Administrator's Report. Upcoming events includes: Tree Lighting, December 2 @ 6:30 p.m., and a Gingerbread house making (JIACC) from 4:30-6 p.m.

Public Works Report: Public Works Director, Mark Johnson reviewed the Public Works Report. He added that the first Public Works Expo was held November 4 with participation from the City, County, James Island PSD, Charleston Water Systems, SC Chapter of American Public Works Assn., and Ashley Cooper Stormwater Consortium. The Expo was a success with plans of becoming an annual event.

Island Sheriffs' Patrol Report: Lt. James gave an update on recent crimes including vehicle break ins including a blessing box. He complimented Sgt. Carol for doing a good job on the Island. The Sheriff's Office will be delivering turkeys on Friday to families in need. If you know of a family, please contact Lt. James.

Requests for Approval by Staff:

Storm Box Repair @ 1342 Bob White Dr: Town Administrator Kellahan presented the repair of a drainage box at 1342 Bob White Dr.@ \$7,482. Motion in favor by Councilman Milliken, seconded by Councilwoman Mignano. Passed unanimously.

Award of RFQ 5-2021 Solar Panel Consultant: Town Administrator Kellahan presented the award for Solar Consulting and Installation Services. Staff recommends awarding the contract to Alder Energy Systems. Motion in favor by Mayor Woolsey, seconded by Councilman Milliken. Passed unanimously.

Support of Pet Helpers Program: Town Administrator Kellahan informed Council that Pet Helpers is one of the organizations that receives a Community Assistance Grant each year. This year they were awarded \$2,000 but due to other programs that the Town partners with them on Mrs. Kellahan is recommending an additional \$3,000. Motion in favor by Councilman Mullinax, seconded by Councilman Milliken. Passed unanimously.

Repeal Resolution 2021-09 Requiring Face Coverings Inside All Public Spaces in Town Hall Facilities with Certain Exceptions: Town Administrator Kellahan presented the request to repeal Resolution #2021-09 requiring face coverings inside all public spaces in Town facilities with the exception that face coverings will continue to be required for the next 30 days in the main lobby of Town Hall and the James Island Arts and Cultural Center. Staff would continue to be authorized to require face coverings for specific events and areas based upon attendance, social distancing, and the prevalence of COVID-19 on James Island and the Lowcountry. Motion in favor by Councilwoman Mignano, seconded by Councilman Mullinax. Councilman Milliken moved to amend that face coverings be extended to the Frances Simmons Council Chambers; seconded by Councilman Mullinax.

Councilman Boles asked, as an example, right now in Council Chambers that masks would not have to be worn. Mrs. Kellahan said yes. Councilman Boles said he was conflicted and hates wearing masks but know that they help and is good for some things. He knows what the staff is asking for and would go with their recommendation because they are heroes and looks to when we no longer have to talk about this issue.

Mayor Woolsey said many things are held in Council Chambers not only Council meetings and noted tonight's meeting is unusually crowded. He said the proposal would give staff authority to determine whether or not masks have to be worn, i.e., as this meeting because of attendance. However, it would not be a general requirement that masks are always worn in Council Chambers. Staff meetings of 8 people are held in Council Chambers with staff spread out. He is opposed to the amendment requiring everyone wear masks in Council Chambers.

Councilman Milliken said he understands the inconvenience of wearing masks as he is pretty tired of it too. Here's the problem... "*where's my mask*" and all of a sudden there is 20 people and our rule say 20. He does not know the number in the proposal, whether it is by room capacity or square footage. However, this can get confusing and dicey. He said unless you know the capacity of each room, post it, and make masks available when that number is exceeded, that would be a reasonable thing. Areas with a lot of traffic (Council Chambers, and JIACC) is where you want to have protection with masks available. He said we may want to set a number on the door but make masks available for the protection of everyone. He noted that we should be specific of what the rules are.

Councilwoman Mignano spoke that cases are low, and people are walking around in grocery stores not wearing masks. She does not think masks should be required in Council Chambers; it should be a personal choice.

Mayor Woolsey brought the amendment to a vote to require that masks be worn in Council Chambers and the lobby at the JI Arts & Cultural Center. Councilman Milliken voted in favor, Councilmembers Boles, Mignano, Mullinax and Mayor Woolsey voted no. Amendment Failed.

Mayor Woolsey offered an apology and stated that the item was placed on the agenda Tuesday and in order for it to be considered, it requires a vote of Council. He asked for a motion to add the item to the agenda, which was made by Councilman Mullinax, seconded by Councilwoman Mignano. Passed. Councilman Milliken voted no.

Mayor Woolsey called for the motion to Repeal Resolution #2021-09. Councilwoman Mignano moved, seconded by Councilman Mullinax. Mrs. Kellahan pointed out a good practice should this item pass, would be to count the number of chairs spaced out in Council Chambers. Councilman Milliken asked if that could be in the Ordinance and Mayor Woolsey said it would be an administrative policy. He noted that the County's policy

and the City did not require action by their Councils, and he has confidence in the staff to develop a policy. Motion passed. Councilman Milliken voted no.

Action Items:

Request that a Plan be created for how the Town would rescind its millage and instead of paying money to the PSD, pay it back to the County as tax relief for residents: Motion in favor by Councilman Boles, seconded by Councilman Milliken.

Councilman Boles presented to Council a request to rescind the Town's millage and pay it back to the County for tax relief for the residents rather than paying it to the PSD. He said it came to his attention that on the City of Walterboro's tax bill, their local option sales tax is given back to residents on a pro rata basis. The purpose of his request is to explore whether the Town could do the same and save money for its residents. Councilman Boles said he attempted to come up with a plan; but we have experts that has dealt with this. He would like Council to approve a plan and decide upon it later with the goal of saving Town residents money by lowering their taxes.

There was in depth discussion between Councilman Boles and Mayor Woolsey who asked who are the experts that would develop a plan. Councilman Boles said the presenters from Columbia (MASC) that attended the Cost Sharing Workshop were very knowledgeable about local option sales taxes; staff, and the Town Attorney. He noted that between all of them a plan could be developed. Councilman Boles further noted that during the workshop it occurred to him that the plan we have now was created as a band aid to fix a problem that was happening then; and it did fix it, but as a Town policy moving forward it can be improved upon.

Mayor Woolsey asked about the cost to develop a plan and Councilman Boles said he has reached out to Hank Amundson, City of Walterboro for a copy of their memorandum of understanding. He noted that we could tweak their plan with what we have in house before going to the outside for help, just as we did with the septic ordinance; and we have the talent in this room to do that. Further Mayor Woolsey questioned whether Councilman Boles wanted the staff to develop a plan rather than use Pope Flynn. Councilman Boles said he would like to use Walterboro as an example as they have an agreement with the City and County, similar to what we have with the PSD.

Mayor Woolsey reviewed and explained the Town's cost sharing agreement that we have with the PSD and its benefits to Town residents. Councilman Boles said we can do this better by having the \$1 million from the PSD go to residents in lowering their taxes. He said we are fixing or trying to solve a problem that no longer exists. As discussion continued, Mayor Woolsey asked if Councilman Boles want the Town Administrator and Town Attorney to look at a plan to take away the Town's millage. Councilman Milliken spoke that he is curious by looking at an alternative plan and sketch out what can be done. He is for exploring an alternative hypothesis. Councilwoman Mignano agreed. Councilman Mullinax said he would like the Auditor's office and County Council's opinion. He is skeptical about it but would like more information. Mayor Woolsey said the current plan works well and if it's not broke, don't fix it and strongly opposed. Councilman Boles added that if this request passes, he is not asking for a plan that relates to the Mayor's beliefs; but a plan to do it better. Motion Passed. Mayor Woolsey voted no.

Committee Reports:

Land Use Committee: No Report.

Environment and Beautification Committee: Councilman Milliken gave an update on the Oct. 23 litter pickup. James Island Pride hosted a Forum on Litter, Wed. Nov. 10. Citizens, elected officials, members of law enforcement and conservation groups gathered to discuss solutions to litter control on James Island. Councilman Milliken thanked staff for setting up the room, Mrs. Kellahan for preparing the minutes, the Sheriff's Office, Mayor Woolsey, and Councilman Mullinax. James Island Pride will be participating in a SC Arbor Day on Fri. Dec. 3. Mayor Woolsey and Kathy Woolsey will plant a tree in recognition of Arbor Day. JI Pride will be hosting a gorilla pickup for adults and older youths on Sat. Dec. 11 on Riverland Drive, 8:30-11:30 a.m.

Children's Committee: No Report.

Public Safety Committee: Councilman Mullinax announced that no meeting would be held in Nov. and he will confirm with Chair Quinn whether the committee will meet in Dec.

History Committee: Mayor Woolsey announced that the History Committee will meet on Tues. Dec. 7 and reported a successful Stamp Act Commemoration on Nov. 7 @ Ft. Johnson.

Rethink Folly Road: Mayor Woolsey announced the next meeting on Wed. Dec. 15 @3:30 p.m. at Town Hall.

Drainage Committee: Councilman Mullinax announced a successful meeting of the Drainage Committee on Tues. where an update on the use of ARP Funds for homeowner flooding relief was shared. He said progress is slow but still moving forward. He thanked staff for looking into this. Next meeting to be announced.

Business Development Committee: No Report.

Trees Advisory Committee: Councilman Milliken announced that the committee met on Tues. Nov. 9 and reviewed a recommended tree list for small and large trees. This list will be posted on the Town's website.

James Island Intergovernmental Council: Mayor Woolsey announced the next meeting will be held in Jan. date and time to be announced.

Proclamations and Resolutions

Small Business Saturday Proclamation: Motion in favor by Mayor Woolsey, seconded by Councilman Milliken. Passed unanimously.

Resolution #2021-13: Recognition of Arbor Day: Motion in favor by Councilman Milliken, seconded by Councilman Mullinax. Passed unanimously.

Ordinances up for First Reading:

Ordinance #2021-11: Request to Rezone Property @1622 Camp Rd. from General Office (OG) to Community Commercial (CC) for Beverage and Related Products Manufacturing and Retail Sales and Services Uses: Motion in favor by Councilman Milliken, seconded by Councilwoman Mignano. Mayor Woolsey announced that the Planning Director (Kristen Crane) is present to answer questions of Council.

Councilwoman Mignano asked if there would be a fence at the property and if that was discussed at the Planning Commission meeting. Mrs. Crane answered that it was not discussed at the Planning Commission, however if the request is approved, the use would then need to go to the Board of Zoning Appeals (BZA) and through Site Plan Review for requirements such as fencing or buffers. Councilman Milliken asked if the BZA could put restriction on amplified music. Mrs. Crane said yes they can and usually do as they have done with past cases. Motion passed. Mayor Woolsey voted no.

Ordinance #2021-12: An Ordinance Amending the Town of James Island Zoning and Land Development Regulations Ordinance. Number 2013-07, Table 153.110, Replacing the Special Exception (S) Requirement in the RSL Zoning District for Apiculture (bee keeping) with conditions (C) and Corresponding Applicable Ordinances in Livability Regulations (90.18) and ZLDR Section 153.211, Adding Provisions for apiculture (bee keeping) on Residential Property: Motion in favor by Councilman Mullinax, seconded by Mayor Woolsey. Councilman Boles asked if we have anything that speaks to beekeeping now. Mrs. Crane said currently what is in the Ordinance is allowed in residential areas with a Special Exception from the BZA. She commented that we have never had an application for beekeeping, and in 2013-2014 it was not allowed, but was added later with the thought that the BZA could add special conditions for keeping bees. Mrs. Crane said she has spoken to local bee experts and the conditions they recommends were added. Also, this change would eliminate the \$250.00 fee that

an applicant would pay to appear before the BZA and the public hearing process.

Councilman Milliken asked about property owner rights, in that homeowners within 150 feet of the property of the requesting party must sign a letter consenting to the number of additional hives to be housed at the location. He asked how many hives would be allowed and Mrs. Crane answered that two (2) hives per 10,000 sq. ft. would be allowed per ¼ acre. Councilman Boles spoke about bee keeping and not having a lot of rules stacked up for them. He had bees, but no longer have them, and was unaware of needing to have a Special Exception for them. He suggested deferring the Ordinance and vote later to take away the Special Exception responsibility from the BZA unless there are complaints. Mayor Woolsey said if that is done, the request goes back to the Planning Commission. He added that five years ago, this request was prohibited in residential areas, and it was changed to a Special Exceptions with the BZA on a case-by-case basis. Councilman Milliken asked if the Ordinance could be modified to say that keeping beehives shall be allowed. He said he cannot support this because permission is needed from neighbors and thinks it is easy to just allow bees. Mrs. Crane stated that with the proposed changes, a permit and permission from neighbors would not be required unless the homeowner wanted more than 2 hives per ¼ acre of land. After the discussion, Councilman Boles moved to defer Ordinance #2021-12, seconded by Councilman Mullinax. Motion to defer passed. Mayor Woolsey opposed.

Ordinances up for Second/Final Reading

Ordinance #2021-09: An Ordinance to Amend Zoning Map Amendment @1715 Oak Point Rd. from Low-Density suburban Residential (RSL) to General Office (OG) for Fishing /Hunting Guide Services and Office Uses; Mayor Woolsey said the applicant has asked that Council defer this request to its next meeting. Mayor Woolsey moved to defer, seconded by Councilman Mullinax. Passed unanimously to defer.

Ordinance #2021-09: Town of James Island Business License Ordinance; Motion in favor by Councilman Milliken, seconded by Councilwoman Mignano. Passed unanimously.

Ordinance #2021-10: Requiring Baseline Inspection of Septic Systems in the James Island Creek TMDL; Motion in favor by Councilman Milliken, seconded by Councilwoman Mignano. Passed unanimously.

New Business: None.

Executive Session: None Needed.

Announcements/Closing Comments:

Councilman Boles recognized and complimented staff for doing a good job on the audit. He wished everyone a safe and happy Thanksgiving. Town Administrator Kellahan complimented Merrell Roe for her hard work in the production of a successful audit.

Councilwoman Mignano thanked staff and wished everyone a good Thanksgiving.

Councilman Milliken thanked staff for their hard work and lots of good work is being done. He wished everyone a happy Thanksgiving.

Councilman Mullinax wished everyone a happy Thanksgiving.

Mayor Woolsey wished everyone a happy Thanksgiving.

Adjournment: There being no further business to come before the body, the meeting adjourned at 8:30 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk