

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 on Thursday, October 21, 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, Sgt. Herman Martin (for Lt. Shawn James), 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. Councilwoman Mignano lead 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.

Councilman Milliken brought forth a Point of Order under Rules of Procedure, Ordinance #2017-10, Section 30.19, Agendas, that Ordinances up for First Reading is disposed of first and on the agenda that Council received, the Second Reading appears first.

Public Hearing: Ordinance #2021-08: Proposed 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 opened the Public Hearing for comments.

Joel LeVine, 1128 Mariner Dr., Red Fin Charters, the applicant, addressed Council on the rezoning request. He stated growing up on James Island. He has two young sons and would like to have his business here. He expects to gross \$2 million. He also spoke of his commitment to sustainability on the island.

Cate Cusick, 941 Stone Crab Ct., architect for Mr. LeVine's request, spoke of her excitement about the project and Mr. LeVine's commitment to sustainability. She asked Council to support the request.

David Turner, Speedee Auto Service, submitted letter in support.

Presentation of Community Assistance Grant Requests: Cynthia Smalls and Sharon Shaw with Alpha Tent #212, requested the grant in order to continue their work in the community. Both ladies spoke that their organization has been instrumental before COVID by helping to provide food, cleaning supplies, transportation, and other services as well as materials and PPE to the schools on James Island.

Public Comment: Marlene Augustin, 1775 Sol Legare Rd., requested information on the criteria for septic tanks. She asked what consideration would be given for a one person household up to six, and the costs.

Comments via Email: Mrs. Susan Milliken requested that Town Council keep the mask requirement in effect.

Mr. Mike Green, Ms. Emily Cedzo, and Mr. Andrew Wunderley submitted emails re: the Septic Ordinance and JI Creek.

Consent Agenda:

Minutes of September 16, Regular Town Council Meeting: Councilman Milliken moved to approve the September 16 minutes; seconded by Councilman Mullinax. Passed unanimously.

Information Reports:

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

Administrator's Report: Town Administrator, Ashley Kellahan gave an overview and reminded Town Council

that the Phase 1 Groundbreaking for Brantley Park will be held Wed. Nov. 1 @ 4:00 p.m. Mrs. Kellahan will begin to provide reports for JI Arts & Cultural Center. She said the Moja Arts Festival had a great turn out; that a visitor as far as Arizona attended; information on Earthquakes will be featured Dec- Mar; the Textiles exhibit will run through Dec. 1 and a Gingerbread house decorating event will be held in conjunction with the Town's Tree Lighting on Dec. 2.

Public Works Report: Public Works Director, Mark Johnson announced that the Public Works Department will be hosting its first Public Works Expo and Water Quality event at the Town Hall on Thurs., Nov. 4, 57 p.m. He said at the Neighborhood Council meeting, Oct. 28, Dr. Steven Jaume (College of Charleston, Dept. of Geology & Environmental Geosciences) will give a talk on Earthquakes. An Earthquake Drill was held today to promote Earthquake Safety Awareness Week, "the Great Southeast Shakeout". Councilman Milliken asked if Dr. Jaume's presentation was open to the public and Mr. Johnson confirmed that it is. Councilman Mullinax asked the status of the AT&T issue. Mr. Johnson said it has not been resolved and Mrs. Kellahan commented that the sidewalks can be used.

Island Sheriffs' Patrol Report: Sgt. Herman Martin (for Lt. James) reported that crime in the Town has been low but often ramps up around the Thanksgiving and Christmas holidays.

Requests for Approval by Staff:

Undiscovered SC Grant Work - Brantley Park Dock Replacement: Mrs. Kellahan presented for approval a request for Global Partners for Fathers and Families to secure an undiscovered SC Grant for the Brantley Park Dock. Motion in favor by Councilman Mullinax, seconded by Mayor Woolsey. Councilwoman Mignano asked the cost of a new dock and Mrs. Kellahan said she did not have a good estimate; however, it should be less by having a grant. Councilman Boles asked if the \$2,000 would be paid to the grant writer and Mrs. Kellahan confirmed. Councilman Milliken asked if the money could be used to get rid of the old dock and Mrs. Kellahan said yes. Passed unanimously.

Repair Care: Funding Match for Two (2) New Roofs: Mrs. Kellahan said due to lack of communication and staff changes, that Habitat paid for both roofing projects, where otherwise the Town would pay a match. Mrs. Kellahan recommended that the Town reimburse Sea Island Habitat \$12,800, the cost of one roof. Motion in favor by Councilman Milliken, seconded by Councilman Boles. Passed unanimously.

Award of Bid for Highland Drainage Improvement Project: Mrs. Kellahan presented for approval the qualified low bidder, IPW Construction, for the Highland Drainage Improvement Project @ \$136,900. The Town's portion would be \$71,900 and the City's, \$65,000. Motion in favor by Councilman Milliken, seconded by Councilwoman Mignano. Passed unanimously.

Driveway Apron Repairs: Mrs. Kellahan presented for approval, the following driveway aprons: 847 Darwin, \$9,156; 1423 Penwood, \$5,741, and 1359 Hermitage Ave, \$11,391. Motion in favor by Councilman Milliken, seconded by Councilwoman Mignano. Passed unanimously.

Drainage Box Work on Port Circle: Mrs. Kellahan presented approval the construction of a drainage box in the existing drainage system @\$9,509.63. Motion in favor by Councilman Milliken, seconded by Councilman Boles. Councilman Mullinax asked Attorney Wilson if he needed to recuse himself from vote because he resides on Port Circle. Mr. Wilson asked if he would benefit financially from the installation of the drain box and he answered that he would not because he is a renter and do not own the property. Mr. Wilson replied that he saw no conflict and could vote on the issue. Passed unanimously.

IGA Amendments for Building Services: Mrs. Kellahan presented the 7th Intergovernmental Agreement for Building Services with Charleston County for approval. She reported with the departure of former staff John Porcelli, the Town and the County had been working on ways to improve its service to the public as well as

internal processes. She said the staff desires to have a satellite building permit office at the Town Hall so residents and contractors can come to Town Hall for permits for minor jobs when Plan Reviews are not needed. Motion in favor by Councilman Boles, seconded by Councilman Mullinax. Councilman Milliken asked about other duties Mr. Porcelli had, such as during Town disaster and emergencies. Mrs. Kellahan said the Building Inspection position was not heavily involved in the MEOC operations as some roles were restructured when we moved into this building. Councilwoman Mignano asked about timing/response with having rotating inspectors and Mrs. Kellahan said there should be no problems with that being done. Passed unanimously.

Additional Engineering Fees for Proposed Foxcroft Powerline Under-grounding Project: Mrs. Kellahan presented a request for additional fees for the Foxcroft Undergrounding project. She stated that Dominion needs to revise the agreement to \$7,500 before additional work can be done. Once they are able to further evaluate individual service and metering needs, they will come back to the Town with final project costs and approval. Motion in favor by Councilman Boles, seconded by Councilman Mullinax. Passed unanimously.

2021 Community Service Grant Awards: Mrs. Kellahan presented for approvals the 2021 Community Service Grant Award Recipients. She noted that two new organizations applied this year: Defined Empowerment, and Alpha Tent #212 of JI; the James Island Youth Soccer Club was recently added. Amount to be disbursed is \$37,000 (Community, \$30,000 and Hospitality \$7,000).

Mayor Woolsey requested, and it was granted without objection, to vote separately on the James Island Outreach because he serves as an ex-officio member on the Board.

Councilman Milliken moved in favor of the Community Assistance Grants (excluding JI Outreach), seconded by Councilman Mullinax. Pass unanimously.

Mayor Pro-tem Mullinax moved to approve the James Island Outreach request, seconded by Councilman Milliken. Passed 4-1, Mayor Woolsey recused.

Action Items: None

Committee Reports:

Land Use Committee: No report.

Environment and Beautification Committee: Councilman Milliken reported a successful litter pick-up on Riverland Drive, Sat. Oct. 2, and thanked Mark Johnson and Lt. James for traffic control. An Adopt-A-Highway litter pick up will be held Sat. Oct. 23. Volunteers are asked to meet at the Town Hall at 9 a.m. Councilman Milliken announced that James Island Pride meets the 3rd Thurs. of the month @ 5:30 p.m. on the porch at Town Hall. He serves as the contact along with Amy Ball. James Island Pride will be hosting a workshop with elected officials, representatives from law enforcement, conservation groups, and citizens to discuss and propose solutions to the growing litter problem. The workshop will be held Wed. Nov. 10 at 6 p.m. at the Town Hall. He announced that Helping Hands, (committee that clean yards for those unable to) has helped 5 people this month and November 11 will be the last day of service for this year. Anyone interested in volunteering may contact Stan Kozikowski, 860-847-0544. Councilman Milliken recognized former Town Councilwoman Mary Beth Berry, the founder of the Helping Hands Committee.

Children's Committee: No report

Public Safety Committee: Councilman Mullinax announced the Neighborhood Council meeting on Thurs. Oct. 28 @ 7 p.m. and Dr. Jaume will give a presentation on Earthquake Awareness.

History Committee: Mayor Woolsey announced the History Council met this month and are working on a new History Marker for the Three Trees School. They are also working on installing Historical Markers to identify the

sites in the James Island History Guide. A Commemoration of the Stamp Defiance Act will be held at Ft. Johnson on Sunday, Nov. 7, 1-3 pm. Revolutionary War Re-enactors will perform a demonstration and local Revolutionary War expert, Ken Scarlett, will give a talk. Next meeting is schedule for Tues Nov. 2nd at 6 pm.

Appointment to History Council: None made.

Rethink Folly Road: Mayor Woolsey reported that Toole Design presented an overview at the Intergovernmental Council meeting last night including an update on Folly Rd Phase I. Other projects they are working on includes establishing a Business and Property Owners Group and an interactive project map on the Rethink website. The Steering Committee will met Wed. Oct. 27th at 3:30 and immediately following will be the first meeting of the Business and Property Owners Group.

Drainage Committee. No report.

Business Development Committee: Councilman Boles noted that the committee did not meet in September.

Trees Advisory Committee: Councilman Milliken reported that the Trees Advisory met on Tues. Oct. 12 and discussed designating the winner for the Canopy Tree Award. The photo will be posted on the website with the owner. Discussions were also held on the Town's tree ordinance and protections and interns for updating the tree survey.

James Island Intergovernmental Council: Mayor Woolsey reported that the JI Intergovernmental Council met last night which included a presentation from Toole Design on Rethink Folly Rd. The discussion centered around the proposed sewer expansion project and cleaning up the James Island Creek. Mayor Woolsey stated that Chairwoman Honeycutt has a desire to appoint a representative from the JI Constituent School Board and the Charleston Water Systems Board. The date for the next meeting has not been scheduled but will likely occur in January.

Proclamations and Resolutions:

Resolution #2021-12: To Repeal Resolution #2021-09 Calling for Face Coverings in Public Indoor Areas in Town Hall: Motion in favor by Mayor Woolsey, seconded by Councilwoman Mignano. Councilman Milliken asked if the Resolution would repeal face coverings at Town Hall only and voiced concern about not wearing masks at the JI Arts & Cultural Center. Mayor Woolsey said the Resolution would repeal face coverings at Town facilities. Councilman Milliken stated that we are at 70% vaccination, but he still has concerns because face covering protection has made a big difference in the number of people not getting COVID. He is going to vote no' to repealing the Resolution simply because it is good to keep it in place until we are out of the woods.

Councilman Boles asked if staff wears face coverings in their offices. Mrs. Kellahan answered that all staff has been vaccinated. Staff does not have to wear masks in their office but does wear them in common areas (lobby, hallway, meeting customers, and at the JIACC) as well as social distance.

Councilwoman Mignano spoke in favor of repealing noting that cases have been low in Charleston, Berkeley, and Dorchester counties and that we cannot be masked forever. Vote: Favor: Mayor Woolsey, Councilwoman Mignano. Opposed: Councilmen Milliken, Boles, Mullinax. Failed 3-2.

Ordinances up for First Reading:

Ordinance #2021-08: 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: Motion in favor by Councilman Milliken, seconded by Councilman Mullinax. Councilman Milliken spoke that the subject parcel is somewhat blocking the path to a property that can be accessed by water and there is an easement that would allow access. He asked if the easement would remain, and Mrs. Crane answered yes that it would remain. Passed unanimously.

Ordinance #2021-09: Town of James Island Business License Ordinance: Motion in favor by Councilman Milliken, seconded by Councilman Mullinax. Mrs. Kellahan presented the standardization for the Business Licenses to become effective January 1, 2022. The General Assembly passed the SC Business License Standardization Act, 176, to streamline the business license process by creating the same process for taxing all jurisdictions across the state. The Town's Ordinance would mirror that of Charleston County's. Passed unanimously.

Ordinance #2021-10: An Ordinance Requiring Baseline Inspections of Septic Systems in the James Island Creek TMDL: Mayor Woolsey said he is presenting this Ordinance based on concerns that Councilman Milliken had with the previous version. Motion in favor by Councilman Milliken, seconded by Councilman Mullinax.

An overview of the Ordinance states that all septic systems in the James Is. Creek TMDL under Town jurisdiction must have a baseline inspection before June 30, 2022. A baseline inspection would be a thorough evaluation of an operating private sewage system to determine the functionality of the system and that it is not exhibiting signs of failure. A pump out of the system is required for a baseline inspection to properly examine the interior of the tank and checks for leaks from the home or conditions in the drain field. All inspections and pump outs must be done by septic contractors with a valid SCDHEC license. The Town would appropriate \$150,000 to pay for the baseline inspections for septic systems in the James Is. Creek TMDL from its unencumbered capital project funds in the 2021-2022 budget. The Town's PW Department will coordinate with licensed septic contractors, property owners, and residents to provide the required baseline inspection. The required baseline inspection is an additional inspection per Town Code (90.03, Section C 10). Any septic system that received an inspection and is properly documented within the last three (3) years meeting these requirements are exempt from the Ordinance.

Councilman Milliken thanked the Mayor for encapsulating the concerns that he had. Councilwoman Mignano asked if the people that maintained their septic would still be required to have a baseline inspection. Mayor Woolsey said people would still be required to have a baseline inspection because a routine inspection does not guarantee there are no leaks. Councilman Milliken asked, if the Ordinance is approved, would the budget need to be amended. Mayor Woolsey said not necessarily; but if it does, it can be done at a later time. Passed unanimously.

Ordinances up for Second/Final Reading:

Ordinance #2021-06: Regulations on Routine Inspection and Maintenance of Private Septic Tank Systems (Deferred from September 16 meeting): Mayor Woolsey requested without objection to withdraw this Ordinance and it was granted.

Mayor Woolsey moved, seconded by Councilman Mullinax, to amend by substitution Ordinance #2021- 06. Passed unanimously.

New Business: None

Executive Session: Mayor Woolsey moved to enter into an executive session in accordance with 30-4-70(a) Code of Laws for South Carolina for the purpose of discussing a contractual agreement, seconded by Councilman Milliken. Passed unanimously at 8:14 p.m. to enter.

Return to Regular Session: Council returned to regular session at 8:24 p.m. Mayor Woolsey announced that no votes or decisions were made during the executive session.

Announcements/Closing Comments:

Councilman Boles thanked everyone and to be safe.

Councilwoman Mignano thanked staff for their hard work.

Councilman Milliken reminded everyone of the litter pick up Sat. Oct. 23 @ 9 a.m.; to meet at Town Hall.
Mayor Woolsey commented that progress is being made with COVID and encouraged everyone to get vaccinated.

Adjournment: There being no further business to come before the body, the meeting adjourned at 8: 26 p.m.

Respectfully submitted:



Frances Simmons
Town Clerk