



Town of James Island, Regular Town Council Meeting
October 21, 2021; 7:00 PM; 1122 Dills Bluff Road, James Island, SC 29412

In-Person Meeting

Notice of this meeting was published and posted in accordance with the Freedom of Information Act and the requirements of the Town of James Island.

The Town encourages the public to provide comments prior to its Town Council meeting. For residents wishing to address Council virtually, you will be limited to three (3) minutes and must sign up to speak by noon on Thursday, October 21, by emailing your name and contact information to info@jamesislandsc.us. You may also send in your comments ahead of the meeting by emailing to info@jamesislandsc.us, mail to P.O. Box 12240, Charleston, SC 29422 or placed inside the drop box outside of Town Hall at 1122 Dills Bluff Rd.

1. Roll Call
2. Public Hearing: Ordinance #2021-08: Proposed Zoning Map Amendment @1715 Oak Point Rd. from Low-Density Suburban Residential (RSL) to General Office District (OG) for Fishing/Hunting Guide Services and Office Uses
3. Presentation of Community Assistance Grant Requests
4. Public Comment
5. Consent Agenda:
 - a. Minutes: September 16, Regular Town Council Meeting
6. Information Reports:
 - a. Finance Report
 - b. Administrator's Report
 - c. Public Works Report
 - d. Island Sheriffs' Patrol Report
7. Requests for Approval by Staff:
 - a. Undiscovered SC Grant Work – Brantley Park Dock Replacement
 - b. Repair Care – Funding Match for Two (2) New Roofs

- ▣ Award of Bid for Highland Drainage Improvement Project
- ▣ Driveway Apron Repairs
- ▣ Drainage Box Work on Port Circle
- ▣ IGA Amendment for Building Services
- ▣ Additional Engineering Fees for Proposed Foxcroft Powerline Under-grounding Project
- ▣ 2021 Community Service Grant Awards

8. Action Items

9. Committee Reports:

- Land Use Committee
- Environment and Beautification Committee
- Children’s Committee
- Public Safety Committee
- History Committee
 - Appointment to History Council
- Rethink Folly Road
- Drainage Committee
- Business Development Committee
- Trees Advisory Committee
- James Island Intergovernmental Council

10. Proclamations and Resolutions:

Resolution #2021-12: To Repeal Resolution #2021-09 Calling for Face Coverings in Public Indoor Areas in Town Hall

11. 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)

12. Ordinances up for First Reading:

Ordinance #2021-08: An Ordinance to Amend Zoning Map Amendment @ 1715 Oak Pont Rd. from Low-Density suburban Residential (RSL) to General Office District (OG) for Fishing/Hunting guide Services and Office Uses

Ordinance #2021-09: Town of James Island Business License Ordinance

Ordinance #2021-10: An Ordinance Requiring Baseline Inspections of Septic Systems in the James Island Creek TMDL

13. New Business:

14. Executive Session: The Town Council will/may enter into an Executive Session in accordance with 30-4-70(a) Code of Laws of South Carolina. Upon returning to Open Session, Council may act on matters discussed in Executive Session.

15. Return to Regular Session:

16. Announcements/Closing Comments:

17. Adjournment

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82499856221?pwd=cW9GTHJlVG43NHVCC0FKUjNwYzVNQT09>

Passcode: 577565

This meeting will also be live-streamed and available for public view via the Town's YouTube channel:

<https://www.youtube.com/channel/UCm9sFR-ivmaAT3wyHdAYZqw/>

The Town of James Island held its regularly scheduled meeting on Thursday, September 16, 2021 at 7:00 p.m. by Zoom virtual platform.

Roll Call: Mayor Woolsey called the meeting to order at 7:00 p.m. Councilmembers present: Boles, Mignano, Milliken, Mullinax, and Mayor Woolsey, who presided. Also: Town Administrator, Ashley Kellahan, Town Attorney, Bonum S. Wilson, Finance Director, Merrell Roe, PW Director, Mark Johnson, Island Sheriff's Patrol, Lt. Shawn James and Deputy Chris King, and Town Clerk, Frances Simmons. A quorum was present to conduct business. The public was provided information to participate.

Public Comment: None

Consent Agenda:

Minutes of August 19, Regular Town Council Meeting: Councilman Milliken moved to approve the August 19 meeting minutes; seconded by Councilwoman Mignano.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Unanimous	

Presentation of Annual Report: Town Administrator, Ashley Kellahan presented the Annual Report and highlighted the Town and Department goals for 2020-2021. She said the report was sent to Council in draft to make changes before it is published on the website. Councilman Milliken said the report looked fantastic. Mayor Woolsey encouraged Council to add information they feel is relevant and send to Mrs. Kellahan.

Information Reports:

Finance Report: Finance Director, Merrell Roe, gave an overview of August revenue and expenditures. Councilwoman Mignano had questions about Brantley Park (Davis & Floyd); JI Arts & Cultural Center's final payment, and JI Arts & Cultural Center General Operation expenditures which Ms. Roe answered.

Administrator's Report: Mrs. Kellahan said she provided Council via email a Traffic Study prepared by Stantec/Charleston County PRC for the Festival of Lights. The information included a memo that recapped changes to be implemented as a result of findings in the report; i.e., revised ticket pricing; alternate traffic routes and the marketing team looking into opportunities to educate visitors on peak visitation nights. Mrs. Kellahan noted there are some things the Town could help with such as improved signage and coordinating with the City on the timing of the traffic light at Camp & Folly.

Mrs. Kellahan attended a kick-off meeting for the BCD/COG Chamber Regional Recovery and Resilience Plan. The Town has received a grant from Charleston County Community Services for \$16,000 for the Repair Care Program. She said two roof replacements have been identified that she hopes to bring before Council in October. Mrs. Kellahan complimented staff on the grand opening of the JI Arts & Cultural. She was excited that Development Coordinator, Caroline Self was able to get everything prepared for the event. Special thanks were extended to staff: Frances Simmons, Merrell Roe, Mark Johnson, Douglas Sparling and Thomas McArthur. The Town has been given a unique link to apply for the American Rescue Fund.

Public Works Report: Public Works Director, Mark Johnson gave an overview and update of August PW Report.

Jl Creek Water Quality Testing Data: Councilman Milliken addressed this item stating that he feels it is important to base our decisions on some of the sewer and septic tank issues in the data at hand. He was very encouraged to see that we have a pretty good program of data collection underway and is hopeful to have additional data

with DNA source analyses. He knows that the JI Creek Task Force had Charleston Water Systems do a couple DNA analysis studies which were very helpful. Councilman Milliken spoke of data comparisons of E.coli bacteria found in the creek from human, dog, and avian bird species on two different occasions at two different sites. He expressed appreciation for the information he received but said oftentimes it is good to see this type of data in graph form.

Councilman Milliken displayed a graph of the Ellis Creek Source Tracking of E.coli and shared with Council. He explained that tracking was done in March and in May. Most of the May testing, he said, did not register much E.coli in the testing locations so it made May a moot point. March data showed higher levels of human E.coli at the JIC-1 location and SC-1 location. He noted in discussions with Mark Johnson, PW Director, that numbers should not go beyond 100-104 pieces per 100 milliliters. The graph showed elevated levels of some other species in the March testing. He said the positive thing about the data in bird is consistency in the three different locations. Councilman Milliken said he hopes Council would fund some additional point source tracking of DNA of the contributors of E.coli in the creek because at this point we only have two data points, and it would be good to see what we have moving forward. He further commented on the graph the two different testing dates at the beginning and end of August and two different testing sites at Riley Road, and Harborview Bridge. There were higher levels on the Riley Rd. location compared to the Harborview Bridge. Councilman Milliken said when data is in single numbers it is often hard to visualize how the levels fluctuate in different locations and he is happy to graph the data that we receive from Charleston Water System (CWS) because it would be helpful with our decisions moving forward on how we want to proceed with the practices we are doing to control E.coli and water quality in our creeks.

Mayor Woolsey thanked Councilman Milliken for explaining the graph and asked if the information at the bottom of the chart at R-1 – R-4 were for the same locations. Councilman Milliken said the locations were the same but different samples were taken. Mayor Woolsey said he was unclear why information was gathered in August rather than a long time ago; however, the data in R-1 – R-4 would be measured monthly. He believes a report would be public and shared with Council. The consultant, Wolpert, is responsible for providing quarterly reports and he believes it would be presented in a graph analysis and as larger portions of data are received we should see trends to understand better.

Island Sheriff's Patrol Report: Lt. James announced upcoming events: National Night Out Tuesday, October 5, 6-8 p.m. in the Town Hall parking lot. Cops on the Coop. October 8, 7 a.m.-7 p.m. @ Chick-Fil-A on Folly Rd. This special event raises money for Special Olympics and 100% goes to Special Olympics. Faith & Blue: Charleston County Sheriff's Dept. is partnering with First Baptist Church, James Island, and the Town. The event is an effort to bring law enforcement and local churches in the community together to build relationships. There will be a trunk-or-treat in the Town parking lot on Monday, October 11 6 to 8 p.m. The Town will provide candy. Lt. James expressed excitement as all of these events are taking place on James Island and in a matter of six days. Lt. James provided the monthly crime report. Councilwoman Mignano thanked Lt. James and the Island Sheriff's Patrol for all that they do.

Deputy Chris King shared information that the Sheriff's Office has a Quick Response Team that he and a few other deputies are a part of. The Quick Response Team handles situations related to heroine and substance abuse/overdose. He reported as of April there were 13 overdose cases on James Island, of which 12 were in the Town that he responded to. In addition to the duties of the Task Force they follow-up with individual(s) by helping to get them into a treatment program as a part of their recovery process. Also counseling services and encouragement is given to help them stay on the right track. Deputy King said the program is working favorably. Councilman Milliken asked if the Town could assist by helping to get the word out and Deputy King said he has pamphlets of the services offered in the tri-county area and he would put some in Town Hall. He also mentioned that in the future a forum could be put together for an information exchange. Mayor Woolsey said perhaps some pamphlets could be placed on a table at National Night Out and Lt. James said that would be done. Mayor Woolsey also suggested talking with Mrs. Kellahan to see how we could promote this on social media and thanked Deputy King for his service and work in this area.

Requests for Approval by Staff:

Award of Lobbying Services: Mayor Woolsey requested to move this agenda item to the Executive Session, and it was granted without objection.

Landscaping Maintenance for Camp & Folly Intersection: Mrs. Kellahan requested approval for Heart Pine to provide landscaping services at the Folly and Camp Rd. intersection @ \$350 monthly (biweekly); and a onetime annual fee of \$4,700. Motion to approve by Councilman Mullinax, seconded by Mayor Woolsey. Councilwoman Mignano asked what areas the landscaping would cover, and Mrs. Kellahan said the Camp & Folly intersection project area. Mayor Woolsey further added where the sidewalks were installed some time ago. Mrs. Kellahan displayed a map that showed the areas for landscaping. Councilman Milliken asked if the landscaping would include watering the plants. Mrs. Kellahan said it does not include watering because there is no irrigation along that intersection. She said typically the types of plants there do not require irrigation. Councilman Milliken said one of his concerns with not having irrigation is the need to replace plants that dies. He asked Mrs. Kellahan if Heart Pine could forego some of the trimming and try to irrigate that area. Mrs. Kellahan said she would ask them but also the PW Department has a watering tank, and this could be done in-house.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Unanimous	

Installation Cost for Radar Speed Signs for Lighthouse & Ft. Johnson: Mrs. Kellahan informed Council they have already approved the cost of the actual radar signs, and we also received a (CTC) match. This request is for installation. The Department of Transportation has approved contractors to install the devices in the right-of-way. Cost is \$7,044. Motion to approve by Councilman Mullinax, seconded by Councilwoman Mignano.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Unanimous	

Scope and Fee for Woodhaven Drainage Improvements: Mrs. Kellahan presented the Scope and Fee for Woodhaven Drainage Improvements. She introduced Justin Tye, Stantec, who gave an overview of the project. The proposal includes construction plans for drainage improvements based on an assessment they did in February this year. Scope of services includes: survey, wetland delineation, construction plans, wetland permitting, bidding and construction administration @\$2,600. Mrs. Kellahan added that this project is budgeted and also identified for funding through the American Rescue Funds. Motion to approve by Councilman Milliken, seconded by Councilman Mullinax. Councilwoman Mignano commented about the residents and having their drainage improved.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes

Unanimous

Brantley Park Signage: Mrs. Kellahan presented a request for signage for Brantley Park from Signature Signs. The sign's cost was not included in the contractor's bid so we must pay for it directly. Cost is \$9,880 and the City has committed to fund 50%. She said everyone has been pleased with the sign at the JI Arts & Cultural Center, Pinckney Park, and the Town Hall all with similar theme. She said, as with Pinckney Park, the Town is required to say on the sign that the Park was purchased with funds from the Greenbelt portion of the Transportation Sales Tax. Motion to approve by Councilman Mullinax, seconded by Mayor Woolsey.

Councilman Milliken said the sign looks very nice and he likes that fact that we are getting what he considers to be a Town of James Island brand but asked that consideration be given to Dock St. Park in the future because it has the odd sign.

Vote

Councilman Boles	No
Councilwoman Mignano	No
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes

Passed 3-2

Legal Fees for Drainage Easement Work: Mrs. Kellahan reported on the legal fee for the Greenhill Drainage Project. She said later on the agenda is a Resolution for the remaining easements that the Town needs. She said while none of the easements were contentious, our Right of Way Consultant has not been able to acquire them from the property owners and recommends that the Town move forward to acquire them under eminent domain. Mr. Bradley Mitchell has done the easement work on the prior drainage easements that we have condemned. Motion to approve by Councilman Boles, seconded by Councilwoman Mignano.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes

Unanimous

Action Items:

Town of James Island Funding of Water Quality Testing: Councilman Milliken spoke of wanting to get a few more data points for the DNA Analysis of the E.coli at the three testing locations in JI Creek. He said this is not what we are doing with the County and City but is something above and beyond, and more specific to the type of information on the species contributing to the E.coli levels in the creek. He mentioned having data from March and May but would like a few more data points to determine the contributing factors. He would like samples for October and December during the cooler months and perhaps based on that, move into February next year for a more complete picture of the E.coli in the creeks.

Mayor Woolsey spoke that our agreement with the City and County includes as one of its provisions optional DNA testing for species. He said we could go forward with Wolpert, the consultant, the Town, City and County is working with on this project, though we would need to get a consensus from the County and City to do this. Mayor Woolsey recommended that this discussion be had at the next James Island Water Quality Task Force meeting for a consensus among the group for the City, County, and Town to move forward. He said if we use that approach the Town would pay one-third of the cost; the City about half; and the County perhaps 15% based on the jurisdictional shares in the TMDL area. Mayor Woolsey noted that he spoke to both Councilwoman Honeycutt (County) and Councilwoman Jackson (City), who were both favorable. He hopes the Water Quality

Task Force would ask County staff to provide information about how often the testing should be done. He does not think the Town should bear the entire cost and would like a consensus from the other jurisdictions and advice on the best approach. If this approach does not work, and we are dissatisfied, he said perhaps we could do it ourselves. However, he thinks it is premature to make a decision tonight that the Town pays for this without bringing it before our partners. Councilman Milliken said he understood and would like to have consensus with our Town Council tonight whether it is a good idea and at least agreed in principle. He thinks that is important because we have seen variability in the data from March to May and we are far from being systematic in our approach; also many samples would be better. Councilman Milliken said he would like to have a vote of Council to go before the Water Quality Task Force that the Town is interested in doing this. Mayor Wooley moved to approve that Town Council recommends that the County, Town, and City exercise their options for additional DNA tests to the Water Quality Task Force, seconded by Councilman Milliken.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Unanimous	

Research of Use of American Recovery Act Funds for Homeowner Drainage Relief: Councilman Mullinax gave an overview of homes on Schooner Rd. that were affected by flooding. He noted that this situation placed the responsibility on the homeowners to pay for flooding to their property through no fault of their own. He said these flooding issues totaled in excess of \$70,000; a high amount for normal households. He shared two possible situations that could be explored. 1) the Rescue Recovery Funds. Councilman Mullinax said he would like the staff to research the feasibility of some of this funding to be used based upon household income, severity of the flooding, and other criteria to help alleviate some financial difficulty to the homeowner caused by flooding. 2) He also mentioned that municipalities should be receiving a windfall from a \$1.2 trillion in infrastructure funding that is currently being considered in Congress. Councilman Mullinax moved for the staff to research the use of the American Recovery Funds for homeowner drainage relief; seconded by Councilman Milliken.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Unanimous	

Committee Reports:

Land Use: No Report.

Environment and Beautification Committee: Councilman Milliken announced that James Island Pride Adopt-a-Highway litter pickup was held on Sat. Sept. 4. 30 volunteers gathered 44 bags of litter from JI roadways. He thanked JI Pride, Town, students from JI Charter Communications, Scout Troop #46, JI Exchange Club and JI families that participated. Next pickup is scheduled Sat. Oct. 2, 9-11 a.m. For information on how to volunteer contact Councilman Milliken or Chairwoman Amy Ball. JI Pride meets the third Thurs. at 5:30 p.m. on Zoom. Helping Hands is in need of volunteers. Please contact Chair Stan Kozikowski (860) 847-0544.

Children's Committee: No Report.

Public Safety Committee: Councilman Mullinax announced the next meeting on Thurs. Sept. 23 at 7 p.m. and the National Night Out on Tues. Oct. 5, 6-8 p.m. in the parking lot at Town Hall.

History Committee: Mayor Woolsey announced that the History Committee met Sept. 7. Among topics discussed was communication from Chair Hedden to SC Archives and History re: Civil Air Patrol (CAP) on JI and an update on historical markers was given.

Appointment to History Council: No nominations made.

Rethink Folly Road: Mayor Woolsey announced the next meeting on Wed. Oct. 27 @ 3:30 p.m.

Drainage Committee: Councilman Mullinax announced the committee met Tues. Aug. 21 and had discussions on the JI Creek Basins. Next meeting in Nov. to be announced.

Business Development Committee: No Report.

Trees Advisory Committee: Councilman Milliken announced the Trees Advisory Committee met on Tue. Sept. 14 and reviewed the Town's Tree Ordinance, tree seedling update, and plans for tree interns in Nov.

James Island Intergovernmental Council: Mayor Woolsey announced the next meeting on Wed. Oct. 20 @ 7 p.m. A report will be heard by Toole Design with updates on the Rethink Folly Rd. project.

Proclamations and Resolutions:

Proclamation Recognizing October 2021, as Breast Cancer Awareness Month: Councilman Milliken presented a Proclamation recognizing October, 2021 as Breast Cancer Awareness. Motion to approve by Councilman Milliken, seconded by Councilman Mullinax.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Unanimous	

Resolution #2021-11: Authorizing the Exercise of Eminent Domain for the Purpose of the Greenhill Community Drainage Improvements Project: Mrs. Kellahan reported on four remaining parcels that the Town needs to condemn. She said in speaking with the R-O-W agent, these were not controversial, rather a matter of getting in touch with property owners or family members. Motion to approve by Councilwoman Mignano, seconded by Councilman Milliken.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Unanimous	

Ordinances up for Second/Final Reading:

Ordinance #2021-06: Regulations on Routine Inspection and Maintenance of Private Septic Tank Systems: Motion to approve by Councilman Milliken, seconded by Councilman Boles. Mayor Woolsey moved to amend the Ordinance by *deleting the definition of baseline inspection (under Definitions "B"); Section 8B, deleting baseline and adding inspection as recommended by SCDHEC; and delete baseline throughout the document.* The amendment was seconded by Councilman Mullinax.

Mayor Woolsey gave an overview of SCDHEC's recommendation for septic tank cleanouts. He said it was recommended in the past for every 2-3 years; more recently, every year to two years. A part of the inspection was to determine whether the septic tank needed to be cleaned out. He said if the inspection showed that it needed to be cleaned out, it would be. Mayor Woolsey said the way the version of the current Ordinance is written is that baseline inspections are defined in such a way to require pumping out the septic tank, and the general recommendation for pumping them out is every 3-5 years; so every three years we would be requiring people to pump out; and, for the most part 4-5 years would be appropriate. He said on the SCDHEC website, whether they clean out every 3-5 years depends on the size of the septic tank and family size. It is 3-5 years for large families having small septic tanks. He gave an example of someone with a large septic tank and single, that it would not need to be cleaned out. He said we want people to check their septic tanks as recommended by SCDHEC and not have unnecessary cleanouts every time it is checked. Mayor Woolsey said this the reason for his amendment.

Councilman Milliken spoke in opposition to the amendment stating that we are coming into this as a new thing and haven't had regulations of septic tanks on James Island. He said it seems a baseline mechanism is essential; especially since we may have septic systems that may be due 10 years for an inspection or a pump out. He said it makes sense that if we pass the Ordinance everyone starts from zero with a good baseline inspection where it is pumped out and tested to ensure everything works as it should and this would be done by having a baseline inspection. He thinks it would not be a terrible thing if we could use some funds from the American Rescue Plan to pay for the initial pump out and inspection process and going forward this would allow us to identify septic systems that are working well and those that are not. This would be a good first step in the evaluation process, also as a part of the JI Creek cleanup because we could identify systems that are working well and give attention to those that are not. Councilman Milliken said he was encouraged that the Ordinance went through first reading and thought it was a good idea of making sure everyone has a well- functioning system as we launch into the process of having monitored inspections of septic systems.

Councilman Boles agreed that the baseline inspection is important and thought some of the Mayor's concerns could be addressed. He asked if the Ordinance could be amended to every 5 years instead of every 3 years as we would still be getting the pump outs and measurements done. He said perhaps if every 3 years is too onerous we could push it to the end of the recommended range of 5 years and noted the importance of doing this if we are talking about the JI Creek and other waterways that are polluted from non-serviced septic systems.

Mayor Woolsey said the baseline language is from the City of Folly Beach that do not require baseline inspections but when houses are sold. He further said SCDHEC recommends inspections every 2-3 years, but an inspection does not mean the septic tank needs to be pumped out; they are inspected to determine if its needed. He said a requirement that we pump all out, or any that have not been done in the last 3 years would be a requirement beyond what SCDHEC requires. He agrees that 5 years would be an improvement. On the SCDHEC website is a schedule based on the size of the septic tank and the family size to determine how often it should be pumped out. In some instances it is not necessary to pump out every year but should be inspected at a reasonable time. He said 3 years is reasonable and that is why he is proposing the amendment. Councilwoman Mignano spoke of the need to have baseline inspections, where they are, for efficiency, and leaks. She said perhaps we could amend the Ordinance that if someone hasn't had a baseline inspection in the last year they needed to have one. Or, the Ordinance could be amended to say that the first inspection is a baseline inspection and every 3 years a non-baseline inspection would be required. Councilman Milliken said he agreed with those options. Councilwoman Mignano moved to amend the Mayor's amendment; Councilman Milliken seconded. As discussion ensued, Councilman Boles said that everyone is close in agreement and with a little more time we

could do one Ordinance well instead of stacking amendments on top of one another. Councilman Boles moved to defer voting to the October meeting to allow time to go through the Ordinance and make changes that everyone feels good about. Councilman Milliken seconded. Councilwoman Mignano agreed with the deferral stating that it would give time to address the needs of citizens that has been diligent in maintaining their septic systems and re-work the language in the Ordinance to address that. Councilman Milliken volunteered to help rewrite the Ordinance. Mayor Woolsey commented that Council had a proposal six months ago to have a consultant work on an Ordinance that would be appropriate for our community and it was rejected because they wanted the Town Attorney to come up with something.

Motion Defer

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Unanimous	

Ordinance #2021-07: Amending the Fiscal Year 2021-2022 Annual Budget: Motion to approve by Councilman Mullinax, seconded by Councilman Milliken. Councilman Milliken stated that it might be premature since the previous Ordinance (#2021-06) did not pass. He would like to consider revising the Fiscal Year Amendment to include the cost of pump outs of the septic systems if we choose to do that. He feels we are in a hard place unless we defer this Ordinance and have consideration for the cost of pump outs. Councilman Milliken moved to defer, seconded by Councilwoman Mignano. Mayor Woolsey recommended moving forward with the budget amendment because there are items in it for various drainage projects that we need to move forward with that are not inconsistent with adding funds to the budget for sewer pump outs. He said the budget could be amended again to add sewer pumps out if Council determines it is appropriate or is something that could be funded under other existing budget line items, and is not in favor of deferring.

Councilwoman Mignano asked if we could approve the drainage portion of the budget amendment and defer the portions for sewer until the October meeting. After some discussion, Councilman Milliken requested to withdraw his motion to defer, and it was granted without objection.

Councilwoman Mignano moved to amend to approve the drainage portion of the budget amendment and defer the sewage portion to October, seconded by Councilman Milliken. Councilman Boles said we would be ok with passing the amended budget because we are amending it to reflect that we are accepting the \$3,709,261 funds from the American Rescue Plan. He agreed with the Mayor that if we were going to use subsequent funds for pump outs that it would probably qualify under Capital Projects. Councilwoman Mignano gave her understanding that a portion of the amended budget was designated for drainage improvement and the other for sewer infrastructure projects. Mayor Woolsey explained that amending a budget does not tie Council's hands. He said any requests would come before Council for approval. He does not think the budget amendment restricts us from spending monies from the American Rescue Plan on sewer pump outs if Council wants to do that and he does not believe any part of the budget amendment should be deferred. Councilman Milliken was given clarification on the Budget Amendment Summary (Exhibit B) that no checks had been written for any specific projects; (i.e., PSD/sewer). Mayor Woolsey said that has not come before Council for approval. Councilwoman Mignano said if Council has flexibility in where the funds are designated she would withdraw her amendment and return to the original motion. Councilwoman Mignano withdrew her amendment without objection.

Original Motion: Amending FY 2021-2022 Annual Budget

Vote:

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes

Councilman Mullinax Yes
Mayor Woolsey Yes
Unanimous

Ordinances up for First Reading: None

New Business: None

Executive Session: Mayor Woolsey moved that Council enter into an Executive Session in accordance with 30-4-70(a) Code of Laws of South Carolina for contractual matter regarding consulting contract, seconded by Councilman Milliken.

Vote:

Councilman Boles Yes
Councilwoman Mignano Yes
Councilman Milliken Yes
Councilman Mullinax Yes
Mayor Woolsey Yes
Unanimous

Council entered the Executive Session at 8:48 p.m.

Return to Regular Session: Council returned to regular session at 9:03 p.m., Mayor Woolsey announced that no votes or decisions were made during the Executive Session.

Award of Lobbying Services: Councilman Milliken moved for the hiring of the Capitol Group, seconded by Councilman Mullinax.

Councilman Milliken said we were very fortunate to have two very good applicants who were flexible and willing to work with the Town. He said both firms had a similar course of action on how they would proceed but it led to cost and that is what he based his decision on.

Councilman Boles said in discussions with our area representatives it has led him to believe that the bill the Town is interested in has a low chance of being a priority on their list. He said if we do not have our representatives advocating for it, it would be a very hard sell, even for the most talented lobbyist to get legislators from other parts of the state to vote in favor of it. He noted from the Town's Cost Share Workshop that James Island is the only municipality that is contained in a Special Service District and the bill we are hoping to grow the Town would only apply to James Island. To him, that would make it less interesting for anyone anywhere else because it could not help anyone anywhere else. He said it is helpful to have people in Columbia because when he reaches out to our Senators and Representatives they call him back and answer his questions. He thinks we could spend this money on something that would directly benefit the residents in the Town. The need may arise later for a lobbyist, and it was a healthy exercise to interview the applicants and keep their information in the rolodex. He intends to vote against hiring any lobbyist.

Councilman Mullinax stated that the lobbyist could help the Town with other things, such as use of the American Recovery Funds and down the road, the PARD infrastructure funds.

Vote

Councilman Boles No
Councilwoman Mignano No
Councilman Milliken Yes
Councilman Mullinax Yes
Mayor Woolsey Yes

Passed 3-2

Announcements/Closing Comments:

Councilman Boles thanked staff for their work, to stay safe and he is looking forward to meeting again in person.

Councilwoman Mignano thanked the staff for their work.

Councilman Milliken encouraged everyone to stay safe, wash hands and wear masks because the numbers are high.

Councilman Mullinax thanked the staff.

Mayor Woolsey urged everyone to get vaccinated and that 70% of eligible persons on JI has had at least one shot.

Adjournment: There being no further business to come before the body, the meeting adjourned at 9:11 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk

Town of James Island

% FY Complete 25%

Monthly Budget Report

Fiscal Year 2021-22

1st Quarter

4th Quarter

July

August

September

June

TOTAL

BUDGET

GENERAL FUND REVENUE

Accommodations Tax					-	25,000
Brokers & Insurance Tax			346		346	952,000
Building Permit Fees		884	812		1,696	11,000
Business Licenses	8,456	8,067	17,323		33,846	375,000
Contributions/Donations-Park					-	
Grant Reimbursement					-	
Franchise Fees	135,813				135,813	332,500
Interest Income	29	29			59	500
Alcohol Licenses -LOP					-	10,000
Local Assessment Fees			1,226		1,226	2,000
Local Option Sales Tax (PTCF)			121,262		121,262	1,100,050
Local Option Sales Tax (rev)			49,487		49,487	442,000
Miscellaneous	1		588		589	500
Planning & Zoning Fees	1,586	2,140	1,058		4,784	12,500
State Aid to Subdivisions					-	273,228
Telecommunications					-	17,000
Homestead Exemption Tax Receipts					-	50,000
Facility Rentals	302	606	152		1,060	5,400
Storm water Fees	900	700	300		1,900	
ARP Allocation			1,854,631		1,854,631	3,709,261
	146,188	11,726	192,255	Total	2,206,699	7,317,939
				% of Budget		30%

ADMINISTRATION

Salaries	31,627	21,068	21,261		73,957	289,306
Benefits, Taxes & Fees	12,966	8,742	8,898		30,607	107,562
Copier	330	337	609		1,276	5,500
Supplies	104	478	604		1,187	7,000
Postage		314	200		514	6,000
Information Services	412	4,398	4,133		8,942	67,800
MASC Membership					-	5,500
Insurance	15,216		1,563		16,779	48,615
Legal & Professional Services		660	7,759		8,419	69,000
Town Codification		1,493	110		1,602	1,400
Advertising			524		524	5,000
Audit	4,000				4,000	15,500
Mileage Reimbursement	27	30	27		84	800
Employee Training & Wellness		540			540	3,800
Dues and Subscriptions	60				60	1,500
Training & Travel					-	2,000
Grant Writing Services		500			500	16,000
Employee Appreciation	22	25	25		72	800
Mobile Devices	118	171	219		508	2,620
Credit card (Square)	116	180	113		409	
Bank Charges (Payroll Expenses)	309	319	322		950	2,000
	65,308	39,254	46,366	Total	150,928	657,703
				% of Budget		23%

ELECTED OFFICIALS

Salaries	5,654	3,769	3,769		13,192	50,000
Benefit, Taxes & Fees	6,464	4,328	4,347		15,140	49,000
Mayor Expense	60				60	1,000
Council Expense					-	2,000
Mobile Devices	38	38	38		114	500
	12,216	8,136	8,154	Total	28,506	102,500
				% of Budget		28%

GENERAL OPERATIONS

Salaries	39,468	27,807	28,013	95,288	393,157
Benefits, Taxes & Fees	13,969	10,093	10,634	34,696	139,500
				129,985	532,657
				% of Budget	24%

PLANNING

Supplies				-	600
Advertising			105	105	1,500
Mileage Reimbursement				-	200
Dues and Subscriptions				-	715
Training & Travel				-	1,000
Mobile Devices	(109)	(59)	(70)	(239)	660
Equipment/Software	178	199	221	598	1,960
Uniform / PPE				-	500
Planning Commission		150	200	350	4,000
Board of Zoning Appeals	150	50		200	4,000
	218	340	456	Total 1,015	15,135
				% of Budget	7%

BUILDING INSPECTION

Mileage Reimbursement					-	500
Community Outreach					-	250
Mobile Devices	50	41	30		120	780
Supplies					-	600
Equipment / Software					-	300
Uniform / PPE					-	250
Dues & Subscriptions					-	800
Travel & Training					-	1,400
	50	41	30	Total	120	4,880
				% of Budget		2%

PUBLIC WORKS

Mileage Reimbursement					-	300
Training & Travel					-	1,925
Public Outreach					-	500
Projects		770	303		1,073	120,000
Signage	69	1,616			1,685	8,000
Mobile Devices	6	132	32		170	1,345
Uniform / PPE					-	700
Supplies	136	252	220		608	8,000
Emergency Management	492	552	590		1,634	25,000
Dues and Subscriptions		225			225	425
Asset Management	25,000	39	39		25,078	35,000
Tree Maintenance and Care					-	20,000
Groundskeeping	9,453	118	4,175		13,746	70,000
	35,156	3,705	5,359	Total	44,219	291,195
				% of Budget		15%

CODES & SAFETY

Mileage Reimbursement					-	100
Equipment					-	900
Radio Contract		342			342	1,400
Training					-	500
Supplies			828		828	250
Uniform / PPE					-	250
ISP Dedicated Officer Annual Expense					-	64,830
ISP Programs & Supplies	30	665	1,040		1,734	15,000
ISP Salaries	13,174	15,570	16,515		45,259	188,955
Benefits, Taxes & Fees-ISP	3,545	4,294	4,531		12,370	56,270
Unsafe Buildings Demolition		9,950			9,950	10,000
Overgrown Lot Clearing					-	2,000
Animal Control					-	500
Crime Watch Materials					-	250
Mobile Devices	30	30			59	360
Membership/Dues					-	250
	16,779	30,850	22,914	Total	70,542	341,815
				% of Budget		21%

PARKS & RECREATION

JIRC Contribution					-	4,750
Park Maintenance	1,170	4,868	559		6,597	12,000
Special Events			507		507	5,000
Youth Sports Program					-	14,725
		4,868	1,066	Total	7,104	36,475
				% of Budget		19%

FACILITIES & EQUIPMENT

Utilities		3,476	3,139		6,615	42,000
Security Monitoring	76	91	152		319	1,000
Janitorial	587	550	617		1,754	7,920
Equipment / Furniture					-	5,700
Facilities Maintenance			75		75	6,500
Vehicle Maintenance Expense	339	427	1,692		2,458	6,500
Fees and Taxes					-	
Generator Maintenance		1,566			1,566	2,410
Street Lights		12,983	12,971		25,954	154,000
	1,002	19,093	18,646	Total	38,741	226,030
				% of Budget		17%

COMMUNITY SERVICES

Repair Care Program	500		500	35,000
Teen Cert Program			-	500
Drainage Council			-	500
History Council	618		618	3,780
Neighborhood Council	34		34	3,750
Childrens Council			-	500
Business Development Council			-	3,500
James Island Pride		75	75	3,500
Helping Hands	375		375	500
Tree Council		299	299	3,500
Community Service Contributions			-	30,000
	1,152	375	Total 1,902	85,030
			% of Budget	2%

CAPITAL PROJECTS

<u>INFRASTRUCTURE</u>			-	
Dills Bluff Sidewalk Phase III			-	174,570
Dills Bluff Sidewalk, Phase IV			-	28,000
Lighthouse Point & Ft. Johnson Intersection			-	38,000
Lighthouse Point Blvd Sidewalk and Drainage Phase I			-	55,000
Regatta Road Sidewalk			-	133,500
Town Hall Solar Panels			-	100,000
Capital Improvement Projects			-	25,000
Secessionville to Ft. Johnson Sidewalk Connector			-	13,000
Nabors Phase I			-	25,500
Underground Power Lines			-	60,636
Traffic Calming Projects			-	30,000
Water Quality / Sewer Infrastructure Projects			-	1,854,630
			Total	2,537,836
			% of Budget	0%

<u>Capital Equipment</u>					
LPR Camera - HBVR				-	24,510
<u>PARK IMPROVEMENTS</u>					
Pinckney Park		11,792		11,792	14,030
Park Projects				-	69,000
<u>DRAINAGE PROJECTS</u>					
Greenhill/Honey Hill Drainage Phase I-II		5,600		5,600	261,000
Lighthouse Pt. Sdwalk & Drainage Phase 1				-	55,000
Oceanview Stonepost Drainage Basin -I-II	3,728	141		3,869	59,000
Drainage Outflow Valve Devices				-	48,000
Drainage Improvement Projects				-	2,004,631
James Island Creek Basin Drainage Improvements				-	145,500
Highwood Circle Drainage Improvements				-	29,600
Quail Run Drainage Improvements		5,125		5,125	35,000
Highland Ave Drainage Improvements				-	90,975
	0	3,728	22,658	Total	26,386
				% of Budget	1%

JIPSD FIRE & SOLID WASTE SERVICES

JIPSD Tax Relief	89,000	89,000	89,000		267,000	1,068,000
Auditor Expense					-	5,000
				Total	267,000	1,073,000
				% of Budget		25%

HOSPITALITY TAX

Hospitality Tax Revenue		58,426	57,651		116,077	540,000
Hospitality Tax Transfer In					-	210,600
TOTAL				Total	116,077	750,600
				% of Budget		0
<u>GENERAL</u>						
The Town Market					-	2,975
Rethink Folly Phase I-III, Staff Cost-Sharing					-	20,000
Santee Street Public Parking Lot	14,400				14,400	28,200
James Island Arts & Cultural Center Ops	1,339	6,584	10,662		18,585	105,200
Promotional Grants					-	20,000
Public Safety of Tourism Areas	5,583	6,802	7,362		19,747	108,101
Camp and Folly Landscaping Maintenance					-	5,400
Community Events		2,000			2,000	5,000
Total Non-Capital Expense				Total	54,731	294,876
				% of Budget		19%

<u>PROJECTS</u>						
Camp/Folly Bus Shelter						- 25,000
Wayfinding Signage						- 12,000
Folly Road Beautification						- 10,000
Brantley Park		4,156				4,156 234,837
Brantley Park Ops			600			600
James Island Arts & Cultural Center	365	76,263	9,429			86,057 200,000
James Island Arts and Cultural Center Solar Panels						- 100,000
Ft. Johnson						- 100,000
Decorative Banners						- 8,400
Park Projects						- 23,000
Intersection Improvement at Camp/Dills Bluff						- 55,200
1248 Camp Center-Civil & Landscape						- 150,000
Folly Road Multi Use Path Wilton-Ft. Johnson						- 42,000
Other Tourism-Related Projects						- 50,000
					Total	1,010,437
	21,687	95,805	28,053	% of Budget	316,353	0%

TREE MITIGATION FUND

Tree Mitigation revenue						1,392 500
Tree Mitigation expense						- 500
					Total	1,392
	-	-	-			

ADMINISTRATOR'S REPORT

Oct-21

ADMIN NOTES

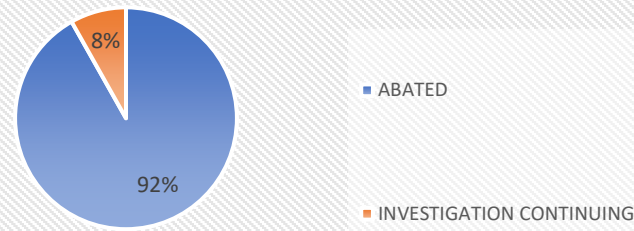
- 1) Conducted a kick-off meeting with Capitol Consulting Group to familiarize them more with our projects and requests for funding assistance as well as background on annexation history
- 2) Working with HW Exhibits/Brockington on 2nd phase of Historical Exhibits for JIACC - **See attached timeline**
- 3) Brantley Park - slight revision to location of handicap space due to permitting but have received final DOT approval - No cost increase for change by contractor.
- 4) Annual Town newsletter mailed out to 5,119 homes. **See attached.**
- 5) Received DOT permit for LPR cameras. Working through a few more items before installation.
- 6) Have received first disbursement of ARP funds.
- 7) Survey work moving forward for Dills Bluff final phase (oct) and Nabors Drive (scheduled for Nov).

Business Licenses	69
*33 of those processed at Town hall	
Code Enforcement Cases	
TOTAL CASES	747
ABATED	686
INVESTIGATION CONTINUING	61
RANK VEGETATION / SOLID WASTE	188
INOPERABLE VEHICLE	132
TREE CASES	50
NUISANCE PROPERTY	63

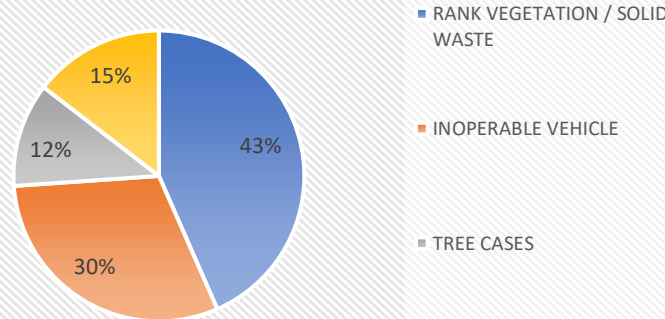
*23 new cases since July 1

Building Permits & Inspections	Permits
Current Month	116
Previous Month	97

Code Enforcement - Case Status



Code Enforcement - Case Type

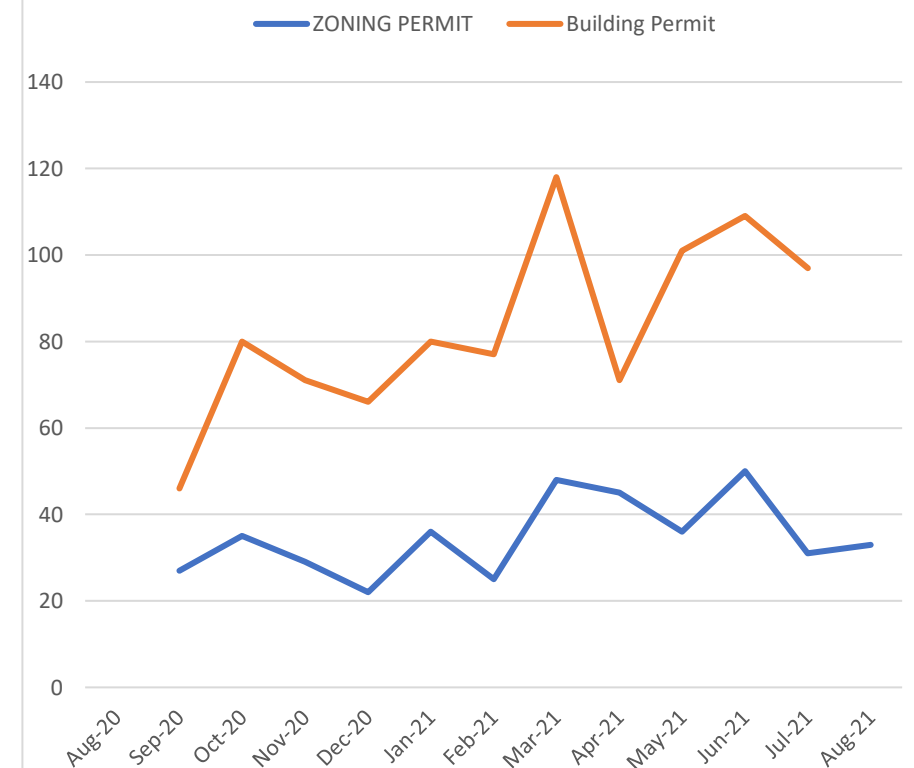


PERMIT TYPE	Sep-21
ACCESSORY STRUCTURE	
CLEARING & GRUBBING	
DEMOLITION PERMIT	-
EXEMPT PLATS	
FIREWORK STAND	
HOME OCCUPATION	7
LSPR	
NON-EXEMPT PLAT	
PD AMENDMENT (REZONING)	
RESIDENTIAL ZONING	19
REZONING	
SPR	
SIGN PERMIT	4
SITE PLAN REVIEW	
SPECIAL EVENT	-
SPECIAL EXCEPTION	
TEMPORARY ZONING	1
TREE REMOVAL	7
TREE TRIMMING	
VARIANCE	
ZONING PERMIT	1
TOTAL	39

PUBLIC WORKS NOTES

- 1) There were 2 new requests for service in September. Neither was drainage related. Staff has responded to all requests.
 - 2) Staff held the monthly meeting of stormwater managers.
 - 3) Staff has been monitoring the Lighthouse Blvd Drainage and Sidewalk project.
 - 4) Staff met with SCDOT on Secessionville and Greenhill to discuss pavement issues.
 - 5) Staff met with the contractor to install the radar feedback signs on Fort Johnson Road.
 - 6) Staff made final preparations for the opening of the JIACC.
 - 7) Staff participated in road maintenance meeting with County and City.
 - 8) Staff arranged for fire extinguisher training for Town staff.
 - 9) Staff participated in the BCDCOG tri-county stormwater meeting.
 - 10) Staff aided in coordination of repairs to SCDOT outfall on Dills Bluff at Fort Sumter.
 - 11) Staff arranged for the Boy Scouts of Troop 50 to do some service projects at Pinckney Park.
- Staff cleaned 6 signs in September and installed 3 new STOP signs and used 8 bags of pothole patch on 4 potholes.
- Staff cut vegetation on right of way to improve driver vision in various locations.
- NOTE: The Town of James Island Public Works Department will be hosting a Public Works Expo and Water Quality Event at Town Hall in the parking lot, Thursday, November 4th from 5 to 7 PM.

PERMITS - 13 MONTH HISTORY



James Is. Arts & Culture Center Exhibit Planning

PROJECT SCHEDULE

October 11, 2021

Meeting Notes, Oct. 6: HWE, Ashley K., Caroline S.

- JIACC is planning to keep the Historic Sites exhibit intact as a permanent feature.
- HWE will consider the Sites exhibit as a ‘jumping off’ point to explore other aspects of James Island history in more detail in a thematic approach.
- Central open space is available for exhibits. Displays must be kept below head height for room visibility. Mobility of displays is preferred if possible.
- Artifacts and digital interactives may be considered as part of exhibit features.
- HWE will conduct another site visit to review spaces and exhibit opportunities.

Planning Schedule

NOTE: Time allowances are expressed in calendar days starting Oct. 11.

Tasks	Deliverable	Time Allowance	Completion Dates
Re-boot Zoom Meeting			6 Oct
- Project Timeline & Site Visit tbd	Project Schedule	7 Days	18 Oct 2021
- Draft One Concept	Draft Exhibit Plan with Themes, Goals, Content Outline, & Initial Sketches	35 Days	22 November 2021
Client Review		21 Days	22 Nov. – 13 Dec. 2021 (Thanksgiving 11/25)
- Draft Two Concept	Preliminary Final Draft, Drawing Iterations, & Initial Budget Assessment	42 Days	24 January 2022 (Holiday Break 12/20-1/3)
Client Review		21 Days	24 Jan. – 14 Feb. 2022
Final Concept Plan	Planning Documents incl. Exhibits Overview, Structure Concepts, & Narrative Walk-through	25 Days	11 March 2022



Town of James Island
1122 Dills Bluff Rd.
Charleston, SC 29412

PRSRT STD
U.S. Postage
PAID
Charleston, SC
Permit No. 1057

September
2021

in this issue >>>

- American Relief Funds
- COVID-19 Vaccinations
- Island Sheriff's Patrol
- James Island Arts and Cultural Center
- New Infrastructure Projects



An Annual Town of James Island Publication

Newsletter



Subscribe to Town weekly notices by sending an email to info@jamesislandsc.us



current topics >>>

COVID-19 Pandemic – GET VACCINATED!

Did you know that your risk of death or hospitalization drops to nearly zero once you've been vaccinated? Get the facts at scdhec.gov/vaxfacts. To find a COVID-19 Vaccine location near you: Search <https://vaxlocator.dhec.sc.gov>, text your ZIP code to 438829, or call 1-866-365-8110



Pets need their vaccines too! Contact Pet Helpers located at 1447 Folly Road.

American Relief Funds

How the Town is planning to invest in infrastructure

H.R. 1319, better known as the American Rescue Plan, has officially been signed into law. The \$1.9 trillion emergency relief bill provides \$65.1 billion to municipal governments to respond to the COVID-19 pandemic and bolster economic recovery.

The Town of James Island's projected allotment is \$3,709,261 and I've already asked Council to amend our budget for these funds and move ahead on necessary infrastructure improvement projects. Managing our stormwater and implementing drainage relief, particularly to flood-prone areas, continues to be our top priority. The Town already has several drainage projects that are shovel-ready.

Following the Town/City/County partnership on an Island-Wide Drainage study in 2019, the Town has been better able to prioritize projects and identify areas for improvements. The Town has projects either underway or in the planning stages across all areas of the Town, including Greenhill, Oceanview, Woodhaven, Quail Run, and Bayfront.



Town Council has budgeted the remaining half of these funds for improving the water quality of James Island Creek.

Implementing drainage relief continues to be our top priority.

The JI Creek Water Quality Taskforce, comprised of multiple agencies, has been diligently working towards implementing improvements. One likely cause of contamination is failing septic tanks along the watershed.

The James Island Public Service District has a \$7 million dollar plan to extend sewer to homes along JI Creek, and the Town will be looking at assisting in this effort with matching funds. The Town is also working towards a requirement for regular monitoring and inspection of existing septic systems to insure they're in good working order.

Thank you, Mayor Bill Woolsey

Get Involved!

The Town has many ways our citizens can take part and make a difference in important ways. Our Citizen's Advisory Councils offer unique opportunities for residents to help guide the Town's future.

- Board of Zoning Appeals
 - Business Development Council
 - Children's Council
 - Helping Hands
 - History Council
 - James Island Pride
 - Neighborhood Council
 - Planning Commission
- Visit our website to learn more about each group and fill out an interest form. www.jamesislandsc.us/forms-and-documents

Contact us at 843-795-4141 or at info@jamesislandsc.us. Visit our website for a complete staff contact list.

Mayor Bill Woolsey

Town Council

- Darren "Troy" Mullinax, Mayor Pro Tem
- Daniel C. Boles
- Dr. Cynthia Mignano
- Garrett Milliken



Town Market and Upcoming Events

The Town Market & Movie Night will be hosting a Fall Market on Friday, Nov. 5th from 6 to 9 pm and then a Holiday Market is scheduled for Friday, Dec. 3rd from 6 to 9 pm. Come enjoy local vendors, produce, food trucks and a free movie on the big screen!

The History Council is planning a Stamp Act Remembrance Day at Fort Johnson on Sunday, Nov. 7th at 1 pm. For more details and future meetings & events, visit our online calendar at www.jamesislandsc.us/meetings-and-events

Project Updates >>>

Safety & Pedestrian Improvements

Many infrastructure projects are currently underway on James Island and funded through a variety of ways, including transportation sales dollars and matches from local entities, such as the Town, City, Charleston County, SCDOT, etc. These partnerships leverage your dollars to make James Island a safer, more pedestrian-friendly community.

Lighthouse Point Sidewalk & Drainage

The Town and Charleston County have jointly funded pedestrian and drainage improvements along Lighthouse Blvd, terminating at Brigantine Dr. A multiuse path is being constructed under the grand oaks running along the soccer fields, and on the opposite side drainage pipes are being installed to alleviate ponding at the Ft. Johnson and Lighthouse intersection. This project is currently under construction and expected to be completed early this fall.

Intersection Improvements

Improving the intersection at Camp and Fort Johnson Rds is a priority because of the high number of traffic incidents. Charleston County Transportation is moving forward with plans for an Urban Compact Roundabout, pictured right, which will not contain landscaping so larger vehicles can safely move across. The historic Stone Posts will be relocated within the right-of-way. In lieu of a roundabout due to right-of-way impacts, the Fort Johnson and Secessionville intersection will have a traffic light to improve traffic safety and flow.



Other Projects

Additional ongoing projects across James Island include intersection improvements at Riverland and Central Park, Maybank Corridor improvements, sidewalk along Camp Rd from Folly to Riverland and a multiuse path along Riverland to the County Park. For more information on these projects and others, please visit <https://roads.charlestoncounty.org/projects/james-island/>.

Drainage & Other Infrastructure Improvements

In addition to the American Rescue Funds the Town will have available for new infrastructure, the Fiscal Year 2021/ 2022 budget already included a little over \$2.1 million dollars for new projects.



James Island Creek Basin

already begun making improvements in this area. An outfall under Simpson's Creek was determined to be undersized for the basin, and in conjunction with the SCDOT, a new larger pipe was installed. This has relieved the previously flood-prone area of Kentwood and Kentwood Circle. These are the types of projects the Town will continue to undertake and prioritize for island residents.

In addition to stormwater improvements, the Town continues to invest in its network of sidewalks with Phase III of Dills Bluff moving into construction soon and design of the final phase, ultimately connecting to Harbor View Rd. Regatta Rd. sidewalk is also scheduled to be under construction in 2022, and the Town is moving forward with plans for sidewalk and drainage improvements along Nabors Drive.



Hazard Mitigation

The Town recently completed a Hazard Mitigation project from a grant awarded by FEMA in which a repeat-flood property in the Clearview subdivision was converted into preserved greenspace. By restricting development here, future property owners are protected from flood impacts.

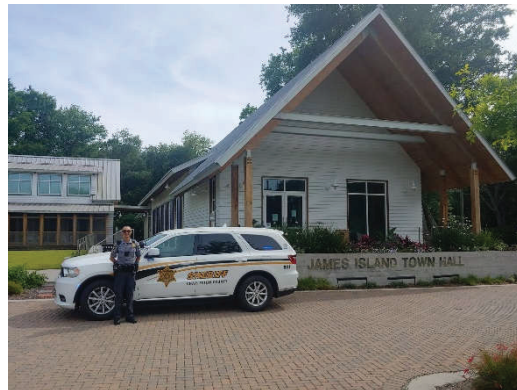
Now Open >>>

The James Island Arts & Cultural Center

The Town has officially opened the new James Island Arts & Cultural Center (JIACC), located at 1248 Camp Rd. The facility features local James Island artists, James Island history exhibits, meeting and classroom space, tutoring areas and public computers. There is currently a traveling exhibit from the State Museum on Textile history in SC that runs through Dec. 1st and an Exhibition for Jonathan Green's illustrations for "The Freedom Ship of Robert Smalls" for the MOJA festival, running through Oct. 10th. In addition, Opportunity Calls Everyone will be hosting a Youth Leadership Program through Nov. 2nd. For more information, stop by, call 843.823.3413 or email Caroline Self at cself@jamesislandsc.us.



Pictured from left to right: Town Clerk Frances Simmons, Councilman Garrett Milliken, Councilman Dan Boles, Councilwoman Cynthia Mignano, Mayor Bill Woolsey, Councilman Troy Mullinax, JIACC Coordinator Caroline Self, Charleston County Councilwoman Jenny Honeycutt, Town Administrator Ashley Kellahan



Deputy Christopher King with the Town of James Island's newest addition to its fleet

Island Sheriff's Patrol Update

October will be a busy month for community engagement events and the Island Sheriff's Patrol. Join us first for **National Night Out on Tuesday, Oct. 5th from 6 to 8** at Town Hall and get to know your deputies and see their equipment and vehicles. Then again on **Monday, Oct. 11th from 6 to 8 for Faith in Blue, a Trunk or Treat** in the First Baptist / James Island Town Hall parking lot. This event looks to build bridges with the community through partnerships with our local churches. Wear your costume!

Public Works – Online Citizen Requests

Have a pothole on your street, or see that your street sign is missing? Or do you want to request your drainage ditch to be cleaned out, a streetlight be added or you notice a sidewalk that needs repairing? Many of these requests can be taken care of by submitting an online work order request at www.jamesislandsc.us/work-order-request.



ReThink Folly Rd

The Town, City, County and BCDCOG have partnered together for pedestrian improvements along Folly Road. The Phase I project, a widened 8 ft sidewalk, will run from Ellis Creek to George Griffith Blvd. The project will also include safety improvements at key intersections and transit stop improvements including new bus shelters. Bike improvements along the corridor will consist of green pavement markings which will better alert traffic to the bike lanes. The ReThink Folly Road Steering Committee continues to work with its consultant, Toole Design, on making Folly Road a Complete Streets Corridor. An update on Rethink Folly Rd endeavors will be just one of the topics up for discussion at the next **JJ Intergovernmental Council on Oct. 20th @ 7 pm.**



Date: September 29, 2021

To: Ashley R. Kellahan
Town Administrator
Town of James Island, SC

From: Patrick J. Patterson
President
Global Partners for Fathers and Families, LLC

Re: Budget estimate to complete one grant

This budget proposal is a follow-up to our recent discussion after sharing the funding opportunity listed below with the Town of James Island. Per your request, below is a budget estimate to complete the grant.

Proposed Scope of Work and Budget:

The Global Partners for Fathers and Families, LLC team will provide the following:

Deliverable(s)	Scope of Work	Proposed Budget
1. Complete Undiscovered SC Grant	<ul style="list-style-type: none"> • Purpose: Write and submit Undiscovered SC Grant for the Town of James Island. • Max Grant Award: \$40,000 - \$75,000 • Grant Deadline: December 10, 2021 • Invoicing: Payment is made in two parts: (1) Deposit for 50% to begin grant-writing process and (2) Balance payment for the remaining 50% once proposal submitted. 	<ul style="list-style-type: none"> • \$2,000 (contracted rate for government grant)

Next Steps:

- Please reply via e-mail with your approval or any feedback.
- Once you approve, we will begin working on the application and will send the deposit invoice.

Thanks for the invite to submit this proposal. We look forward to your guidance with respect to next steps. Finally, please call my cell phone with questions at (803) 622 0319 or e-mail me at patrick@globalpartners4ff.com



Building Homes, Improving Lives

October 15, 2021

Town Council

The Town of James Island has been an amazing and vital partner with Sea Island Habitat in our efforts to provide Critical Home Repairs to owner-occupied homes within the Town limits. Over the years of our partnership, we have fixed roofs, repaired windows and doors, and constructed life-saving entry ramps and stairs. These projects have always been absolutely free to low-income residents.

As many other non-profit and for-profit businesses, we halted portions of our activities due to the effects of COVID. A major impact for us was that we stopped repairing roofs, as we were unable to go inside of an applicant's home. This created a major backlog of repair requests- and roof repairs are by far our largest-requested project. To correct this backlog, our organization has launched a concentrated effort to repair 30 roofs this year- which is far more than we typically did prior to COVID. The majority of these repairs will be performed by for-profit roofing companies, engaged by Habitat as a sub-contractor.

Because we are in an accelerated mode, and because we are trying to get as many projects done as possible, I'm afraid two projects that were within the Town of James Island limits were moved to the front of the line and were completed prior to Town Staff having the opportunity to review/approve the proposals for repair from the contractor. Habitat has paid the invoices already, and the work has been accomplished on both projects. We are happy with the results- and the homeowners are thrilled to have a dry home again.

I'm writing now to ask the Town of James Island to consider an additional grant to help us pay for the repair of these two homes. The expense of fixing so many roofs, as well as the recent increase in building material costs have been a burden for Habitat, and we are thankful for every gift or grant that helps us provide more repairs for those in need!

House #1, Seaside Lane, complete re-roof with framing repairs. Amount Paid: \$12,800

House #2, Wellington Drive, complete re-roof with framing repairs. Amount Paid: \$12,785

Yours truly,

A handwritten signature in black ink, appearing to read "John E. Rhoden, Jr.", written in a cursive style.

John E. Rhoden, Jr.

Executive Director

• 2545 Bohicket Road • Johns Island • South Carolina • 29455 •

• 843.768.0998 • F: 843.768.9968 •

• www.seaislandhabitat.org •

FED ID #57-0840667

IFB #4-2021 – Highland Drainage – Bid Tabulation

IPW Construction – 136,900

Truluck Construction – 153,610

Staff recommends *award to the Qualified Low Bidder, IPW Construction.*

The last estimate of probable cost for this project was from 2019 and was for \$130,000.

The Town and City have an executed MOA for a 50% cost-share of the project, with the City's portion not to exceed \$65,000.

Therefore, the Town's share of this project will be \$71,900.



Town of James Island Public Works Department

Mark Johnson, Public Works Director

1122 Dills Bluff Road

James Island, South Carolina 29412

mjohnson@jamesislandsc.us 843-795-4141

September 29, 2021

Driveway Aprons

847 Darwin: culvert to the left of apron has pipe separation which has created a sinkhole that makes access to the mailbox difficult for the elderly folks at this address. Pipe needs to be re-laid and apron replaced.

1423 Penwood: section of culvert was removed during ditch cleaning making apron area smaller and more difficult to navigate. Resident says several drivers have driven into the ditch. This repair will widen the apron area.

1359 Hermitage: culvert failure has resulted in apron damage. Needs to be replaced.

Respectfully submitted,

A handwritten signature in blue ink that reads 'Mark Johnson'.

Mark Johnson

Public Works Director

Town of James Island



Charleston County Public Works Task Estimate

BASIC INFORMATION

Est Start Date _____ Request ID 12271
 Requesting Agency / Billable Dept : Town of James Island
 Contact : Mark Johnson Phone : 843-709-2394
 Details : At 847 Darwin St. reset existing 20' of 12" RCP and lay new 9'x14' asphalt apron.

Total Labor Cost \$4,116.80
Total Equipment Cost \$3,427.00

Material

ID	Description	Usage	Material Cost
			\$0.00

Other

Date	Short Description	Purchase Order	Vendor	Cost
9/15/2021	30' of pipe wrap fabric		CP&P - Concrete Pipe And Precast	\$30.00
9/15/2021	3 ton asphalt		Sanders Bros.	\$500.00
9/15/2021	Macadam Base		Vulcan Material Company	\$250.00
Total Other				\$780.00
Sub Total				\$8,323.80
10% Contingency				\$832.38
Grand Total Estimate				\$9,156.18

Agency Signature : _____ **Date:** _____

Org Key (For non-General Fund Request) : _____ **Obj Code:** _____

(For Public Works Use Only)
F/O Manager/Director Approval : _____ **Date:** _____

Hole @
Pipe Joint









Charleston County Public Works Task Estimate

BASIC INFORMATION

Est Start Date 10/1/2021 Request ID 12733
 Requesting Agency / Billable Dept : Town of James Island
 Contact : Mark Johnson Phone : 843-709-2394
 Details : At 669 Port Cir construct drainage box as needed in existing drainage system. Box approx 4'x4'x4' with bottom and replace top.

Total Labor Cost \$4,855.80
Total Equipment Cost \$2,834.32

Material

ID	Description	Usage	Material Cost
			\$0.00

Other

Date	Short Description	Purchase Order	Vendor	Cost
10/5/2021	5'x5'x4" top slab w/ ring and cover		Knights Precast	\$420.00
10/5/2021	6 bags portland cement		White Cap Cnstruction Su;pply	\$85.00
10/5/2021	1 ton builders sand		White Cap Cnstruction Su;pply	\$75.00
10/5/2021	160 solid concrete block		White Cap Cnstruction Su;pply	\$375.00
Total Other				\$955.00
Sub Total				\$8,645.12
10% Contingency				\$864.51
Grand Total Estimate				\$9,509.63

Agency Signature : _____

Date: _____

Org Key (For non-General Fund Request) : _____

Obj Code:





Town of James Island

Memo

To: Mayor and Town Council
From: Ashley Kellahan, TA
Date: October 15, 2021
Re: Charleston County IGA Amendment #7 re: Building Services

- The last official day of employment with the Town's Building Inspector, John Porcelli, was on Sept. 2, 2021.
- Town and County staff have been working on ways to improve services provided to the public as well as with the internal process between the Town's Planning & Zoning Department, the Town's Business Licensing department and the County's Building Department.
- Town staff desires to have a satellite building permit office here at the Town where residents and contractors can come to Town Hall to receive a permit for minor jobs when plan review isn't required. Currently that process must be remote via the online portal or by visiting in person at the North Charleston office.
- The IGA amendment will allow a permit technician to be staffed here at Town Hall and will help facilitate issuing building permits, inspection scheduling, and be able to assist with the frequent general questions our residents and business often have. Actual building inspections will be performed by rotating inspectors as is recommended through ISO's Building Code Effectiveness Grading Schedule (BCEGS). Charleston County will also continue to provide Floodplain management services.
- The Town will reimburse the County the average salary and fringes of a Charleston County permit technician employee, similar to the contractual relationship the Town has with the Charleston County Sheriff's Office. This would equate to a **\$29,750** annual savings over what the Town was previously paying for a Building Inspector.
- I highly recommend this amendment as it will improve ease of services for our residents and business community, as well help with the Town's Community Rating Score that provides a credit for Flood Insurance Rates.

retrieve from the County the new annual amount and include within its annual operating budget. The Town agrees to provide an adequate workspace and necessary accommodations for the employee to perform assigned duties.

ITEM TWO: All other terms of the IGA and its attachments shall continue in full force and effect unless further amended or terminated by the Parties.

ITEM THREE: If for any reason any party of this Amendment to the IGA is invalidated by a court of competent jurisdiction, the remaining portions of it shall remain in full force and effect.

ITEM FOUR: This Amendment to the IGA shall be governed exclusively by the applicable laws of the State of South Carolina.

IN WITNESS WHEREOF, the Town and the County have caused this Amendment to IGA to be signed in their names under their several seals as of the day and year first written above.

TOWN OF JAMES ISLAND, SC

COUNTY OF CHARLESTON

Bill Woolsey
Mayor

Bill Tuten
County Administrator

Attest:



Memo

To: Mayor and Town Council
From: Ashley Kellahan, TA
Date: October 15, 2021
Re: Foxcroft Undergrounding Project

- A public meeting was held to present this project to the Foxcroft Residents on August 23rd. Letters were mailed to properties within the project area. Dominion staff was in attendance to help answer any questions. A total of 3 residents were present.
- In the actual project limits, there are a total of 41 properties, 9 of those with the City of Charleston’s jurisdiction (22%).
- The service area of this line however impacts 1,592 residents. Below is the breakdown Dominion was able to provide.

Row Labels	Count of OBJECTID
Charleston	1
City of Charleston	393
James Island PSD	21
St. Andrews Public Service District	2
Town of James Island	1175
Grand Total	1592

- Council previously approved spending \$5,000 for the engineering cost associated with this project and has incurred \$5,246.55. Dominion needs to revise the agreement to \$7,500 before any additional work is done. Once they’re able to further design with coordination with communication utilities and evaluate individual service and metering needs, they will come back to us for final project cost and approval.

Community Assistance Program 2021-2022

Applications

Organization	Contact	Phone	Email	Mission / Reason for Request	Prior Year Received	21-22 Request	Staff Rec:
James Island Exchange	Trey McMillan	843 790-8118	trey@dunesinsurance.com	Tourney Registration to support JICHS Scholarship & Outreach	500	500	500
James Island Outreach	Traci Greer	873 762-3653	jioutreach@yahoo.com	Local Food Pantry Operation	4,000	2,000	4,000
Barrier Island Free Med. Clinic	Brenda Falls	843 266-9800	brenda.falls@gmail.com / bfalls@bifmc.org	Local Medical Clinic Operation	2,000	2,000	2,000
Pet Helpers	Melissa Susko	843 795-8090	msusko@pethelpers.org	Per Services for Spay and Neuter	2,000	5,000	2,000
James Island Band Backers	Cindy Graack		clgraack@gmail.com	Band Expenses with new COVID protocols	3,500	5,000	5,000
Concerned Citizens of Sol Legare	Bill Wilder	843 276-8707	wild7930@bellsouth.net	General Repairs to Sea Shore Farmers Lodge	2,500	2,500	2,500
Race for Achievement	Dominique Gray		dominiquegray@gmail.com	TyWanza Sanders Scholarship Program	1,500	1,500	1,500
Emmanuel Baptist	Rosalee Spehar	843 795-0939	emmanuelbap16266@bellsouth.net	Food Pantry	2,000	2,000	2,000
Lowcountry Comm. Crisis Chaplain	Rev. Rob Dewey	843 693-2718	dewey5@comcast.net	Service/Support to Chaplains	1,500	1,500	1,500
Opportunity Calls Everyone (OCE)	Denise Ladson-Johnson	843 534-9376	deniseladson77@gmail.com	Mentoring Program for Youth	2,000	2,000	2,000
Assn. of Blind/Visually Impaired, SC	Anne Smith Reid	843 212-3040	areid@abvisc.org	Service to blind/visually impaired adults	500	2,000	1,000
Dee Norton Advocacy Ctr.	Kathy Quinones	843-723-3600	kquinoes@deenortoncenter.org	Child Advocacy Support	2,000	2,000	2,000
Our Lady of Mercy	Emory Trouche	843 559-4109	emory.trouche@olmoutreach.org	Support basic needs to Sea Islands	2,000	2,000	2,000
True Vine Tabernacle	William German III, Pastor	843 276-5117	truevine08@yahoo.com	Food Pantry	2,000	2,000	2,000
Backpack Buddies	Allison Hubbard	843 452-1347	ahubbard@jamesislandpc.org	Food Serv. children/families during Covid	2,000	2,000	2,000
Defined Empowerment	Yolanda Gibbs	843 608-8187	yolanda@definedempowerment.org	Youth Developmnt		2,000	1,500
Alpha Tent #212 of JI	Cynthia Smalls	843 324-8482	c.small1293@att.net	Fraternal Order of Christian Women		2,000	1,500

	Budgeted Amount	Total Request	Total Rec:
Community Assistance Funds	30,000	33,000	30,000
* Hospitality - Promotional Grants	20,000	5,000	5,000
	50,000	38,000	35,000

*Recommending we award request for Seashore Farmers Lodge and half of Band Backers (because of local tournaments) from hospitality

Resolution No. 2021-12
RESCIND Resolution No. 2021-09

RESCIND - A RESOLUTION TO FOLLOW CHARLESTON COUNTY, CDC AND SC-DHEC GUIDELINES AT THE TOWN OF JAMES ISLAND REGARDING FACE COVERINGS FOR PUBLIC INDOOR AREAS

WHEREAS, on July 27, 2021, to prevent further spread of the Delta variant, the US Centers for Disease Control and Prevention (CDC) updated mask guidance to recommend that fully vaccinated people wear masks indoors when in areas with “substantial” and “high” transmission of Covid-19, which includes nearly two-thirds of all US counties; and

WHEREAS, on August 12, 2021, the CDC announced that over 90% of the nation’s counties are areas with substantial or high transmission of Covid-19, meaning that most counties in the country now meet the CDC’s guidelines recommending that all people wear masks indoors whether they are vaccinated or not; and

WHEREAS, on July 27, 2021, the South Carolina Department of Health and Environmental Control (SC-DHEC) issued a press release entitled “DHEC Supports Updated CDC Guidance, Recommends Indoor Masking for All Regardless of Vaccination Status”; and

WHEREAS, on July 30, 2021, Charleston County issued a press release entitled “Face Coverings will be required in all Charleston County Government Buildings”; and

WHEREAS, due to the rise in COVID-19 cases in the tri-county area and the increasing threat of the Delta variant, the Centers for Disease Control (CDC) and SC-DHEC is recommending that everyone, regardless of vaccination status, wear a face covering in indoor public spaces; and

WHEREAS, as Charleston County has followed guidance from the CDC and South Carolina Department of Health and Environmental Control (SC-DHEC), the Town of James Island will follow that guidance by requiring face coverings inside specific Town of James Island buildings and public areas regardless of vaccination status;

THEREFORE, BE IT RESOLVED, that beginning Friday, August 20, 2021, visitors and employees (both vaccinated and unvaccinated) will be required to wear face coverings in all indoor, public areas of Town of James Island buildings. These buildings and areas include the Frances Simmons Town Hall, the indoor public reception area and the James Island Arts and Cultural Center.

Bill Woolsey
Mayor

ATTEST

Frances Simmons
Town Clerk

Adopted: August 19, 2021

ORDINANCE #2021-06

REGULATIONS ON ROUTINE INSPECTION AND MAINTENANCE OF PRIVATE SEPTIC TANK SYSTEMS

WHEREAS, the Town of James Island desires to promote public safety and ensure the general welfare of the community and all its citizens.

NOW, THEREFORE, BE IT ORDAINED, the Council of the Town of James Island adopts:

CHAPTER 91.03 PRIVATELY OWNED SEWERAGE SYSTEMS (SEPTIC TANKS AND SEPTIC TANK SYSTEMS)

- A) This subsection of Chapter 91 is to be applied and interpreted, and supplements but does not supplant, those statutes, code sections, ordinances, and administrative regulations currently in effect, or which may be put into effect, by the James Island Public Service District (JIPSD) and South Carolina Department of Health and Environmental Control (SCDHEC), and any successor governmental entity as such may relate to sewage and waste disposal.
- B) Definitions:
- 1) “Baseline Inspection” means a thorough evaluation of an operating private sewage system to determine whether the system is functioning as designed, is not exhibiting signs of failure, and is being operated properly. A pump out of the system is required for a baseline inspection to properly examine the interior of the tank and to check for leaks from the house or saturated conditions in the drainfield. All inspections and pump outs must be performed by inspectors and pumpers with valid SCDHEC licenses.
 - 2) “Building Drain” means the sewer or sewers within a building used to convey sewage and/or industrial waste to building sewers or laterals, and in this ordinance shall relate to the point of connection to the building sewer or laterals.
 - 3) “Building Sewer Lateral” means the extension of the building drain from the building to the public sewer or other place of disposal.
 - 4) “Drainfield” means a system of trenches or beds, or other such seepage systems approved by SCDHEC, designed to disperse septic tank effluent into the soil for treatment.
 - 5) “Failed System” means any private sewage system or sewer to a public sewer that does not adequately convey, treat, and dispose of sewage that consequently creates a public or private nuisance or threat to public health and/or environmental quality, as evidenced by, but not limited to, one or more of the following conditions:
 - a. Failure to accept sewage;

- b. Discharge of sewage to a basement, subsurface drain, surface drain or surface water unless expressly permitted by SCDHEC;
 - c. Sewage rising to the surface of the ground over or near any part of a private sewage system or seeping down-grade from the drainfield at any change in grade, bank, or road cut;
 - d. Any deterioration or damage to any private sewage system that would preclude adequate treatment and disposal of wastewater (for example, damage from a vehicle driven over the drainfield or septic tank);
 - e. A septic tank that is not constructed to be watertight (such as a bottomless tank) as required to hold wastewater for primary treatment prior to discharging to a drainfield;
 - f. The presence of a grease trap to which kitchen waste is discharged and which is not connected to the septic tank or drainfield;
 - g. Exposure, reduction, or elimination of the drainfield area or holding tank through erosion;
 - h. Repeated and prolonged inundation by floodwaters resulting in leakage of sewage;
 - i. Water quality testing of adjacent and nearby waters that reveals a private sewage system as the source of contamination.
- 6) “Good Operating Condition” means a state in which the private system, upon inspection, is determined to function in a sanitary manner, prohibits the discharge of untreated or partially treated sewage onto the ground surface, into surface water, or into groundwater, and allows building plumbing to discharge properly.
- 7) “Grease Trap” means an interceptor tank used to trap grease and oils from kitchen waste. If the tank is not plumbed so that the remaining liquid enters the septic tank or a drainfield, it is in violation of this chapter and chapter 91.02.
- 8) “Improved Property” means any property located within the corporate limits of the Town of James Island upon which there is erected a structure or structures intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure or structures sewage and/or industrial waste shall be, or may be, discharged and accepted by the JIPSD at any time.
- 9) “Licensed Inspector” means an individual who has been approved by SCDHEC to inspect private sewage systems.
- 10) “Owner” means any person vested with ownership, legal or equitable, sole, or partial, of any improved property.
- 11) “Person” means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural, where indicated by the context.

- 12) “Premises Accessible to the Sewerage System” means any improved property when the public sewer abuts, bounds or is adjacent to such improved property.
- 13) “Private Sewerage System” means a septic tank and its associated septic and lateral lines, pipes, vault, and drainfield located in whole or in part on private property intended to be used for the conveyance, storage, treatment, or disposal of sewerage, whether an on-site disposal system or engineered specialized on-site sewage system.
- 14) “Proof of Inspection” means a written, whether electronic or physical, dated statement which include the name, address and findings of a licensed inspector having performed an inspection under such licenses.
- 15) “Public Sewer” means a sewer in which all owners of abutting properties have equal rights and is controlled by public authority. It shall also include sewer within or without the Town limits, which serve one or more persons and discharge into the JIPSD sewerage system.
- 16) “Sanitary Sewer” means a sewer which carries sewage and/or authorized industrial wastes and to which storm, surface and ground waters are not intentionally admitted.
- 17) “Septic Tank” means a watertight receptacle that receives the discharge of sewage from a building sewer and is designed and constructed to permit the deposition of settled solids, the digestion of the matter deposited and the discharge of the liquid portion into a leaching system (such as a drainfield).
- 18) “Sewage” means wastewater, or any substance that contains any of the waste products or excretions of other discharge from the bodies of human beings or animals.
- 19) “Sewer” means a pipe conduit for carrying sewage, industrial waste or storm or surface water.
- 20) “Sewerage System or Sewerage Facility” means all facilities owned and/or operated by JIPSD, which are used for collecting, pumping, transporting, treating, and disposing of sewage and industrial waste.
- 21) “Town” means the Town of James Island, Charleston County, South Carolina.

C) General Sanitary Regulations

- 1) Prior to the issuance of a certificate of occupancy, the owner of any premises accessible to the sewerage system located within the Town of James Island is required at the owner’s expense to install suitable toilet facilities therein, and to connect such facilities directly with the sanitary server in accord with the provisions of this ordinance, JIPSD and SCDHEC.

- 2) It shall be the responsibility of the property owner to ensure that the private sewage system is operated and maintained according to its designed use and capacity.
- 3) The property owner shall maintain the private sewage system so that it is accessible for inspection and maintenance.
- 4) The property owner shall protect all parts of the private sewage system so that it is protected from vehicular traffic and parking.
- 5) The property owner shall protect all parts of the private sewage system from erosion and prolonged inundation.
- 6) Except as hereinafter provided, no person shall construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- 7) When a public sewage system is not available for the premises, which is defined as beyond 300 feet from the foundation of the building premises containing a toilet to be so connected, the building sewer shall be connected to a private sewerage system complying with the provisions of the regulations imposed by JIPSD and SCDHEC. Any tree removal required for compliance shall be performed in accordance with Chapter 153 et. al. of the Town Code.
- 8) The owner of any improved property shall maintain the private sewage system in good operating condition and repair as needed; the building drain, drainfield septic tank, and building sewage lateral connecting lines to the public sewer, at the owner's expense, and shall remove all trees, shrubs, tree and shrub roots and other obstructions to the building drain and sanitary sewage system Any tree removal required for compliance shall be performed in accordance with Chapter 153 et. al. of the Town Code.
 - a) In the event of a complaint or upon notice by the Town, the Town Code Enforcement Officer may inspect the sanitary sewerage system in its entirety to determine the need for maintenance, or repair, including the proximity of the building premises to the public sewer.
 - b) All private sewerage systems must receive a baseline inspection by a licensed inspector for compliance with JIPSD, SCDHEC compliance every 3 years, and the owner thereof shall provide documentation of such inspection upon request by the Town Code Enforcement Officer within 10 calendar days of such request. Property owners shall provide all requested and known information about the private sewage system to the Town and the inspector to facilitate locating and accessing the condition of the system.
 - c) Failure to timely provide acceptable documentation of baseline inspection as referenced in subsection C(8)(b) evidencing a licensed inspection of the

private sewerage system within 3 years prior to such request, or within 10 days after such request, shall entitle the Town to require a baseline inspection through a licensed inspector. Should the owner fail to provide proof of a baseline inspection within 30 calendar days, the Town may perform a baseline inspection through a licensed inspector at the owner's expense.

d) In the event such inspection reveals a failed system, in whole or in part, the Town shall require the owner to perform such repairs or maintenance as may be called for from such inspection, at owner's expense, within 60 calendar days of the earlier of the mailing of or personal receipt of such notice. If the repair(s) are such that 60 days is not sufficient time to complete the repair(s), evidence of the scheduled repair(s) shall be presented to the Town and timeline for repair(s) must be approved by the Town Code Enforcement Officer.

9) In the event the owner has documentation or other acceptable proof of an acceptable inspection with the time prescribed in subsection C(8)(b), yet the Town Code Enforcement Officer has reason to believe additional inspection is warranted, the Town may perform such inspection as is required in the Town's discretion at the Town's expense and impose the necessity of repair or maintenance at the homeowner's expense in accord with and pursuant to subsection C(8)(a) and (d).

D) In the event the owner fails to comply with the directive(s) of the Town Code Enforcement Officer after notice pursuant to Town of James Island Code, Chapter 91.05 the provisions of §91.06 shall apply, and any appeal of such directive(s) shall be in accord with section §91.08.

First Reading: August 19, 2021

Second Reading:

Attest:

Mayor Bill Woolsey

Frances Simmons, Town Clerk

Adopted:

ORDINANCE 2021-08

AN ORDINANCE REZONING REAL PROPERTY LOCATED 1715 OAK POINT ROAD (TMS# 340-09-00-009) FROM LOW-DENSITY SUBURBAN RESIDENTIAL (RSL) ZONING DISTRICT TO GENERAL OFFICE (OG) ZONING DISTRICT (EXHIBIT A)

WHEREAS, property located at 1715 Oak Point Road, identified as Tax Map Number 340-09-00-009 and referenced on the attached exhibit is currently zoned Low-Density Suburban Residential (RSL) Zoning District; and

WHEREAS, the applicant requests this parcel be zoned to General Office (OG) Zoning District to allow for the use of the property as Fishing/Hunting Guide Service and Office Uses; and

WHEREAS, the applicant has submitted a complete application for Zoning Map Amendment (rezoning) pursuant to Section 153.043 of the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR); and

WHEREAS, the Town of James Island Planning Commission has reviewed the proposed Zoning Map Amendment and adopted a resolution, by majority vote of the entire membership, and recommended that the Town of James Island Council (Town Council) approve the proposed Zoning Map Amendment based on the Approval Criteria of Section 153.043 F of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, Town Council held at least one public hearing and after close of the public hearing, Town Council approved the proposed Zoning Map Amendment based on the Approval Criteria of Section 153.043 F of the ZLDR; and

WHEREAS, Town Council has determined the Zoning Map Amendment meets the following criteria;

- A. The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of the Ordinance;
- B. The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property;
- C. The Town and other service providers will be able to provide adequate water and sewer supply, storm water facilities, waste disposal and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development;
- D. The applicant provides documentation that the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tracts or on the environment, including air, water, noise, storm water management, traffic congestion, wildlife and natural resources; and
- E. The subject properties are suitable for the proposed zoning classification considering such things as parcel size, parcel configuration, road access and the presence of natural resources and amenities.

NOW, THEREFORE, be it ordained by the Town of James Island Town Council, in meeting duly assembled, finds as follows:

SECTION 1. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. REZONING OF PROPERTY

- A. Town of James Island Council rezones the property located at 1715 Oak Point Road, identified as Tax Map Number 340-09-00-009 and referenced on the attached "Exhibit A", from Low-Density Suburban Residential (RSL) Zoning District to the General Office (OG) Zoning District; and
- B. Any and all development of the subject parcel must comply with the ZLDR and any and all other applicable ordinances, rules, regulations, and laws; and
- C. The Zoning Map of Tax Map Number 340-09-00-009 referenced on the attached "Exhibit A", is amended to Office General (OG) in accordance with Section 153.043 H of the ZLDR.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately upon approval of Town Council following second reading.

ADOPTED AND APPROVED in meeting duly assembled this 18th day of November 2021.

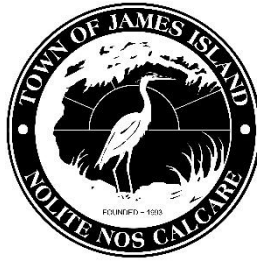
TOWN OF JAMES ISLAND COUNCIL

By: _____
Bill Woolsey
Mayor of the Town of James Island

ATTEST:

By: _____
Frances Simmons
Town Clerk of the Town of James Island

Public Hearing: October 21, 2021
First Reading: October 21, 2021
Second Reading: November 18, 2021



**ZONING/PLANNING
DEPARTMENT**

**Zoning Map Amendment
Case History: ZOG-7-21-011
FIRST READING: OCTOBER 21, 2021
SECOND READING: NOVEMBER 18, 2021**

Case Information:

Area: 1715 Oak Point Road
Parcel Identification: 340-09-00-009

History and Overview:

1715 Oak Point Road (TMS #340-09-00-009) is located close to the intersection of Folly Road and is across Oak Point Road from Harris Teeter grocery store. The property currently has no structures located on it but does contain an access easement to the residential parcel to the south. The parcel included in the current Zoning Map Amendment Request is 0.476 acres in size and is in the RSL Zoning District. The parcel is considered a legal conforming lot.

The applicant, (Mr. Joel LeVine) and Representative (Ms. Catherine Cusick), are seeking to rezone the parcel from the RSL Zoning District to the OG Zoning District to enable the use of the property for his existing boat charter business, "Redfin Charters". The property may also be utilized for leased office space.

Adjacent Zoning:

The adjacent parcel to the east is in the Town of James Island and is zoned Community Commercial (Speedee Oil Change & Auto Service). The adjacent parcel to the west is in the City of Charleston's jurisdiction and is zoned General Office (Oak Point Pediatric Dentistry). To the south, the adjacent parcel is in the Town of James Island and zoned RSL and is under the same ownership as the subject parcel. The remaining surrounding area includes parcels in the City of Charleston zoned General Office, SR-1 and General Business, as well as several parcels in the Town of James Island zoned RSL.

Approval Criteria:

According to Section §153.043 F of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for Zoning Map Amendment (Re-zoning) approval may be approved only if Town Council determines that the following criteria are met:

A. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance.

Staff's response: *The Comprehensive Plan*, Land Use Element states a need as, "encouraging sensitive and sustainable development practices." by "encouraging commercial structures that are in character with and maintain the suburban nature of the area". Additionally, the Economic Development states a strategy as "encouraging a variety of diverse commercial uses that will benefit the Town as a whole". The applicant states in his letter of intent that "we will build a beautiful, sustainable and environmentally friendly space. RedFin will benefit our community via increasing the tax base and creating future partnerships". Therefore, this request may be consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance.

B. The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property;

Staff's response: Nearby properties have a wide range of existing uses (vehicle service, offices, grocery store, and residential) and zoning (commercial, general business, general office, and residential). The immediate adjacent properties are mixed between commercial, office and residential uses. Uses that are allowed in the OG Zoning District are compatible with existing uses in the vicinity, therefore, the proposed amendment may allow development that is compatible with existing uses and zoning of nearby property.

C. The Town and other service providers will be able to provide adequate water and sewer supply, storm water facilities, waste disposal and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development;

Staff's response: The Town and other service providers will be able to provide adequate water supply, stormwater facilities, waste disposal and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development, as the applicant's representative's letter of intent states. The applicant has started the process of septic installation.

D. The applicant provides documentation that the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, storm water management, traffic congestion, wildlife and natural resources; and

Staff's response: The applicant's letter of intent states the intent of using stormwater mitigation and natural resource best practices such as pervious pavement, rain barrels and gardens, graywater recycling, low volume plumbing fixtures, solar panels and lighting, and energy efficient lighting fixtures. Additionally, the applicant's letter states that they "will pay special attention to any oaks and other significant trees or tree clusters" while they will also "work with a Landscape Architect to plant South Carolina native grasses, shrubs and trees".

E. The subject property is suitable for proposed zoning classification considering such things as parcel size, parcel configuration, road access and the presence of resources and amenities.

Staff's response: The subject property is a legal conforming lot in its current zoning designation of RSL. The subject property also meets the minimum standards for a General Office zoning designation including parcel size and parcel configuration. The parcel has direct access from Oak Point Road.

Planning Commission Meeting: September 9, 2021

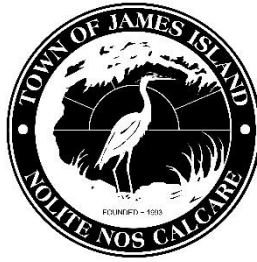
Recommendation: Approval (4-0 vote)

Speakers in support: 2

Speakers in opposition: 0

Notifications:

A total of 92 notification letters and emails were sent to owners of property within 300 feet of the boundaries of the proposed zoning map amendment and to the James Island Interested Parties List on October 1, 2021. Additionally, this request was noticed in the Post & Courier on October 6, 2021 and the property was posted on October 1, 2021. The meeting notice was also sent to the Town News email recipients and was posted on the Town's Facebook page.



**ZONING/PLANNING
DEPARTMENT**

**Zoning Map Amendment
Case History: ZOG-7-21-011
FIRST READING: OCTOBER 21, 2021
SECOND READING: NOVEMBER 18, 2021**

Case Information:

Area: 1715 Oak Point Road
Parcel Identification: 340-09-00-009

History and Overview:

1715 Oak Point Road (TMS #340-09-00-009) is located close to the intersection of Folly Road and is across Oak Point Road from Harris Teeter grocery store. The property currently has no structures located on it but does contain an access easement to the residential parcel to the south. The parcel included in the current Zoning Map Amendment Request is 0.476 acres in size and is in the RSL Zoning District. The parcel is considered a legal conforming lot.

The applicant, (Mr. Joel LeVine) and Representative (Ms. Catherine Cusick), are seeking to rezone the parcel from the RSL Zoning District to the OG Zoning District to enable the use of the property for his existing boat charter business, "Redfin Charters". The property may also be utilized for leased office space.

Adjacent Zoning:

The adjacent parcel to the east is in the Town of James Island and is zoned Community Commercial (Speedee Oil Change & Auto Service). The adjacent parcel to the west is in the City of Charleston's jurisdiction and is zoned General Office (Oak Point Pediatric Dentistry). To the south, the adjacent parcel is in the Town of James Island and zoned RSL and is under the same ownership as the subject parcel. The remaining surrounding area includes parcels in the City of Charleston zoned General Office, SR-1 and General Business, as well as several parcels in the Town of James Island zoned RSL.

Approval Criteria:

According to Section §153.043 F of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for Zoning Map Amendment (Re-zoning) approval may be approved only if Town Council determines that the following criteria are met:

A. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance.

Staff's response: *The Comprehensive Plan*, Land Use Element states a need as, "encouraging sensitive and sustainable development practices." by "encouraging commercial structures that are in character with and maintain the suburban nature of the area". Additionally, the Economic Development states a strategy as "encouraging a variety of diverse commercial uses that will benefit the Town as a whole". The applicant states in his letter of intent that "we will build a beautiful, sustainable and environmentally friendly space. RedFin will benefit our community via increasing the tax base and creating future partnerships". Therefore, this request may be consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance.

B. The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property;

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C. The Town and other service providers will be able to provide adequate water and sewer supply, storm water facilities, waste disposal and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development;

Staff's response: The Town and other service providers will be able to provide adequate water supply, stormwater facilities, waste disposal and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development, as the applicant's representative's letter of intent states. The applicant has started the process of septic installation.

D. The applicant provides documentation that the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, storm water management, traffic congestion, wildlife and natural resources; and

Staff's response: The applicant's letter of intent states the intent of using stormwater mitigation and natural resource best practices such as pervious pavement, rain barrels and gardens, graywater recycling, low volume plumbing fixtures, solar panels and lighting, and energy efficient lighting fixtures. Additionally, the applicant's letter states that they "will pay special attention to any oaks and other significant trees or tree clusters" while they will also "work with a Landscape Architect to plant South Carolina native grasses, shrubs and trees".

E. The subject property is suitable for proposed zoning classification considering such things as parcel size, parcel configuration, road access and the presence of resources and amenities.

Staff's response: The subject property is a legal conforming lot in its current zoning designation of RSL. The subject property also meets the minimum standards for a General Office zoning designation including parcel size and parcel configuration. The parcel has direct access from Oak Point Road.

Planning Commission Meeting: September 9, 2021

Recommendation: Approval (4-0 vote)

Speakers in support: 2

Speakers in opposition: 0

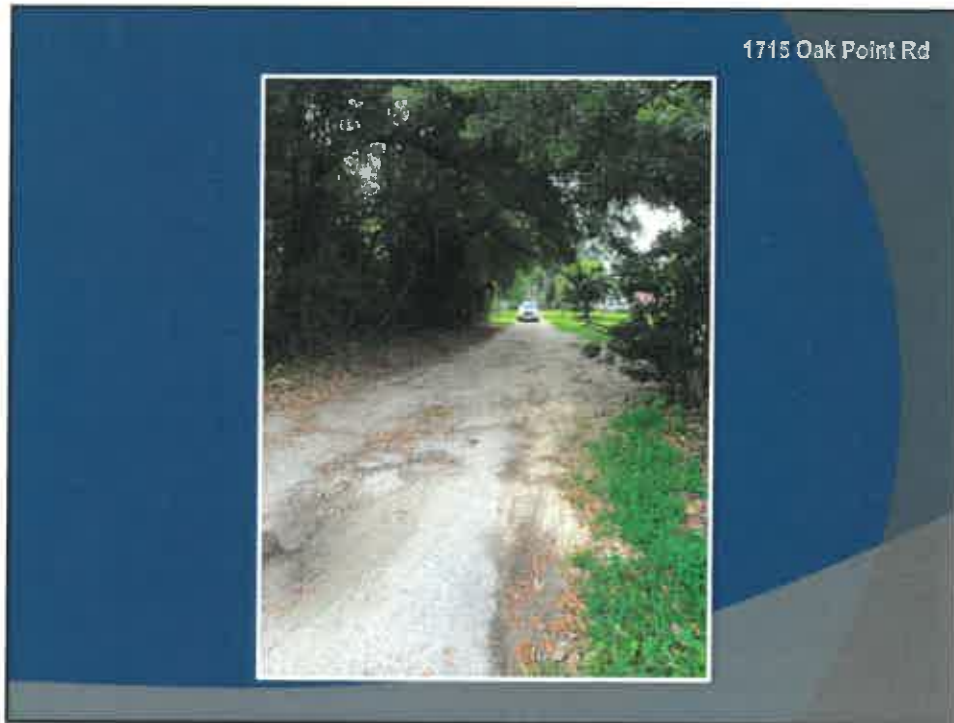
Notifications:

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August 26, 2021

Town of James Island Planning Commission Board Members
Deborah Bidwell, Bill Lyon, Mark Maher, Zennie Quinn & Ed Steers

Esteemed Planning Commission Board Members,

My name is Joel LeVine, owner of RedFin Charters. It's my hope to relocate our main office from downtown Charleston to a beautiful new building at 1715 Oak Point Drive. Born in South Carolina I moved to Charleston for college and never left. James Island is home for my wife, Rachel and our two young sons. James Island is the center of our family life and we hope to make many, many memories here! You might say I'm connected to James Island: the Robert E Scarborough bridge, aka the Connector, is named after a great cousin.

RedFin Charters was founded in 2013. Since then, we've won Charleston City Paper's "Best Fishing Charter" for the last 4 years! Our clientele includes locals, tourists from around the world and major corporations including Google, Ford and Whirlpool. We've been featured on The Discovery Channel, ABC and Bravo. This week we are filming with The Discovery Channel (again) highlighting RedFin Charters and the Charleston fishery.

RedFin is thriving: we expect to gross approximately 1.2 million this year, a 35 percent increase from our busiest year. By the numbers, we are the largest fishing charter in the country with 2500 charters expected this year. Our tight-knit team consists of myself, a business manager, a general manger, and our Captains. RedFin pays well, including bonuses, benefits and paternity leave so employees can spend time with their little ones as I was able to with our own two sons.

Balancing Redfin's success with generosity and a commitment to the environment are priorities for me. Giving back to the community is integral to our business model. We donate to multiple silent auctions benefiting local non-profits and community organizations. A favorite is "The Taste of James Island" benefiting James Island Outreach which does so much to provide needed assistance to James Island people. We've partnered with Charleston Aquarium to introduce children to our vibrant, aquatic community. Environmentally, I started a fund with the Community Foundation of the Lowcountry, Trout Eye and ZMAN to promote environmental sustainability. Together, we launched "Project ReSpeck" and raised enough money to purchase several mariculture tanks for the Waddell Mariculture Center. With these tanks they doubled their fish reproduction of Speckled Trout, Redfish or Cobia from 600,000 to releasing 1.2 million trout into Lowcountry waters. Toadfish Conservation Coalition, of which I'm a Board member, is building an acre of oyster habitat at Pitt Street Bridge. We plan a similar habitat on James Island Creek, which will positively impact the marine environment and habitat on James Island.

Redfin's proposed office on Oak Point Drive will enable us be more efficient and effective with our daily operations and allow us to continue doing the work we love. With your approval of our rezoning request and Town Counsel's agreement we will build a beautiful, sustainable and environmentally friendly space. RedFin will benefit our community via increasing the tax base and creating future partnerships. We will continue to be a good neighbor and citizen to the island I love. Please feel free to reach out with any questions or concerns you may have. I eagerly await your determination.

Sincerely,

Joel LeVine, Owner
RedFin Charters
843-323-6650



WATER © 21



WATSON



30 August 2021

Town of James Island Planning Commission
Letter of Intent: Rezoning Application for 1715 Oak Point
RedFin Charters, Joel Le VIne

To Town of James Island Planning Commission Members:

Thank you for allowing us to present this information regarding 1715 Oak Point.

(1) The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of this chapter;

The Town of James Island will encourage the orderly and environmentally sound development of the land with special consideration to maintaining the suburban character of the area. (TOJI Comprehensive Plan Land Use Element Goal)

Protect, preserve and enhance the natural environment.

Continue to encourage sustainable development practices to protect the environment from negative impacts of development. (TOJI Comprehensive Plan Natural Resources Element Goal)

We have reviewed the Comprehensive Plan and believe our rezoning request is consistent with the intent of TOJI's Comprehensive Plan.

(2) The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property;

The size and scale of the proposed project for 1715 Oak Point bridges the existing neighborhood's current and future commercial/residential make up. 1715 Oak Point is bound by a large Harris Teeter to the north (City of Charleston zoned GB), a Speedy Lube to the east (TOJI zoned CC), a Dental Office to the west (City of Charleston zoned GO). Three lots to the southeast, 685, 693 and 699 Folly Road are City of Charleston zoned GO. The lots directly south and southwest are residential lots. (Please see TOJI Zoning Map and City of Charleston Zoning Maps). A large commercial parcel (5+ acres) just south of James Island Creek is zoned Community Commercial and will be developed soon. The existing and future commercial enterprises surrounding 1715 Oak Point render it significantly less desirable for residential projects. We believe rezoning this property to OG is more compatible with adjacent existing and future uses.

(3) The town and other service providers will be able to provide adequate water and sewer supply, storm water facilities, waste disposal, and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development.

Cusick Hazeltine Architects LLC

941 Stone Crab Court Charleston . South Carolina 29412

843 . 768 . 0862 cusickhazeltine . com

(3) Cont'd

Water: Charleston Water System has an 8" water main in the right of way on Oak Point Road which can serve this project. Letter from Linda Owens, CWS dated 6 August 2021

Sewer supply: We have a letter from Stephanie Boatwright at JIPSD stating there is no sewer connection available. Onsite Septic Engineering has been hired to classify the soils on 1715 so we can determine the permeability of the soil for a septic system.

Storm water facilities: Oak Point is an SCDOT Road and they manage the storm water as well. Email from Steven Canaday, SCDOT dated 5 August 2021.

Waste disposal: Town of James Island will provide containers for waste and will collect the waste on a weekly basis.

(4) The applicant provides documentation that the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, storm water management, traffic congestion, wildlife, and natural resources;

No significant adverse impacts on other property in the vicinity of the subject tract. As previously stated, there are several existing commercial uses immediately adjacent to 1715 Oak Point. RedFin Charters will have a low traffic load with generally 2 or 3 employees on site at any given time.

Noise: There will be minimal noise escaping into the neighborhood.

Water and Storm water management: We plan to use pervious pavement for the majority of the hardscape: walkways, parking areas, etc. Additionally, we plan to use rain barrels and other water recovery systems for landscape irrigation. Depending on soil permeability we may need an onsite water retention pond which could become a rain garden. We plan to use several water saving options throughout the project including graywater recycling and low volume plumbing fixtures.

Natural Resources: When possible and practical we'll use sustainable and/or recycled material and energy saving options throughout the project. Solar panels affixed to the roof will provide for some of Redfin's electrical needs. We plan to use motion sensor lighting control, energy efficient fixtures and solar powered lighting throughout the project.

On the west side of the property there is a significant stand of trees separating 1715 Oak Point from the adjacent Dental office. These will remain intact and be supplemented by buffer planting on the east side of the easement fence.

We will pay special attention to any oaks and other significant trees or tree clusters on the site. We will work with a Landscape Architect to plant South Carolina native grasses, shrubs and trees while avoiding all invasive species.

[An Introduction to Native Plants for SC Landscapes | Home & Garden Information Center \(clemson.edu\)](#)

[Native Plant List — South Carolina Wildlife Federation \(scwf.org\)](#)

[invasive plants sc south carolina \(scnps.org\)](#)

(5) The subject property is suitable for proposed zoning classification considering such things as parcel size, parcel configuration, road access, and the presence of natural resources and amenities.

OG <i>Density/Intensity and Dimensional Standards</i>	
Minimum lot area	4,000 square feet 20,715 sf
Minimum lot width	50 feet 154.88'
Minimum setbacks	
Front/street side	25 feet
Interior side	10 feet
Rear	15 feet
OCRM critical line	50 feet
Maximum building cover	40% of lot
Maximum height	35 feet

Red notation are 1715 Oak Point lot size and width.

Thank you for considering our request for the rezoning of 1715 Oak Point Road. Please let us know if we can answer any of your questions.

Best regards,

Catherine M. Cusick
Cusick Hazeltine Architects LLC
941 Stone Crab Court
Charleston, South Carolina 29412
843.324.6202

August 31, 2021

To Whom It May Concern:

I am Harriet Selander, and live at 1754 Oak Point Road. I am selling the property on Oak Point Road. After seeing the design of the building Mr. Levine is going to build I think it will fit in with our homes.

Sincerely,

Harriet Selander

Lisa Myers

1717-B Oak Point Road Charleston, SC 29412 | 843-480-8475 | Lisa.myers2007@comcast.net

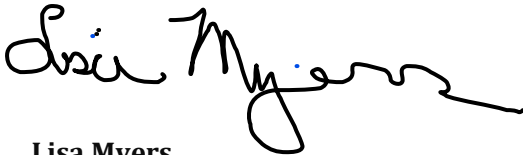
8/31/2021

Planning Committee
Town of James Island
1122 Dills Bluff Road
Charleston, SC 29412

**Dear Planning Committee
Town of James Island:**

I am in full support of Joel Levine's owner/applicant for his business Redfin Charters to be built on 1715 Oak Point Road. I have seen his proposed architectural drawings and I believe it to be a great addition to the area.

Sincerely,

A handwritten signature in black ink that reads "Lisa Myers". The signature is written in a cursive style with a large, sweeping flourish at the end.

Lisa Myers

Kristen Crane

From: Kristen Crane
Sent: Wednesday, September 1, 2021 10:06 AM
To: Kristen Crane
Subject: FW: Property sale and zoning change request

----- Forwarded message -----

From: Tom Selander <tom.selander3@gmail.com>
Date: Wed, Sep 1, 2021 at 9:17 AM
Subject: Property sale and zoning change request
To: Ryan Tisdale <rtisdale@carolinaone.com>
CC: <joel@redfincharters.com>

August 31, 2021

To whom it may concern:

I am in support of the project and zoning change to *General Office* from *Residential* on Oak Point Rd James Island SC as requested by Joel leVine. I have also seen the concept renderings presented by Joel leVine of RedFin Fishing Charters, and I believe this project will make a nice addition to the area.

Please reach out to me if you need any further information.

Regards,

Thomas Selander
1757 Oak Point Rd
Charleston, SC 29412
843.345.3084

--

Best Regards,
Joel LeVine

RedFin Charters
145 Lockwood Dr.
Charleston, SC 29403
o: 843-277-5255
c: 843-323-6650
F: 843-998-7022
<http://InshoreFishingCharters.com>
<http://FlyFishingCharters.Com>

Business License Standardization

For many years, businesses raised concerns with legislators about the inconsistencies and complicated processes found around the state among the local governments that collect business license taxes. Legislators came together with the business community and the Municipal Association of SC to remedy these issues.

This process led to the General Assembly passing the SC Business License Standardization Act, Act 176, in September 2020. Act 176 streamlines the business license process, creating the same process for taxing jurisdictions across the state. As of January 1, 2022, all municipalities in South Carolina with a local business license must comply with the law.

Details of Act 176

- Standard due date: April 30
- Standard license year: May 1 – April 30
- Gross income is based on the prior calendar year or business fiscal year
- Standard application as approved by SC Revenue and Fiscal Affairs Office
- All businesses will be listed in the class schedule according to their North American Industry Classification System code, or NAICS code
- Standard class schedule as approved by the SC RFA
- Creation of the Local Business License Renewal Center, an online portal available where businesses can renew all local licenses at one time

Act 176 mandates a standard license year for all business licenses in South Carolina: May 1 to April 30. For municipalities to transition from their existing license years, some will temporarily use a shortened license period and others will use a lengthened license period. A business license tax is based on the gross income from the prior calendar year regardless of the due date or license period. Businesses will only pay once on the full calendar year's gross income no matter the length of the transitional license year.

Cities and Towns must update its license ordinance to comply with the new law, effective January 1, 2022. The Association advises you to repeal your existing business license ordinance and replace it with Association's new model ordinance. The law creates numerous, specific requirements of cities and towns collecting the tax, and attorneys carefully vetted the model ordinance to comply with all of them. Because of the complexities of the law, it's important that cities and towns do not attempt to redline and correct their current ordinance.

The city must also rebalance the business license tax rates to ensure revenue neutrality during the 2022 business license cycle — in other words, achieving compliance with the law during the first year cannot have the effect of creating a revenue windfall relative to 2020 revenue. The Association is available to assist cities and towns through the process.

TOWN OF JAMES ISLAND
BUSINESS LICENSE ORDINANCE #2021-09

Section 1. License Required. Every person engaged or intending to engage in any business, calling, occupation, profession, or activity engaged in with the object of gain, benefit, or advantage, in whole or in part within the limits of the **Town of James Island**, South Carolina, is required to pay an annual license tax for the privilege of doing business and obtain a business license as herein provided.

Section 2. Definitions. The following words, terms, and phrases, when used in this ordinance, shall have the meaning ascribed herein. Defined terms are not capitalized when used in this ordinance unless the context otherwise requires.

“Business” means any business, calling, occupation, profession, or activity engaged in with the object of gain, benefit, or advantage, either directly or indirectly.

“Charitable Organization” means an organization that is determined by the Internal Revenue Service to be exempt from Federal income taxes under 26 U.S.C. Section 501(c)(3), (4), (6), (7), (8), (10) or (19).

“Charitable Purpose” means a benevolent, philanthropic, patriotic, or eleemosynary purpose that does not result in personal gain to a sponsor, organizer, officer, director, trustee, or person with ultimate control of the organization.

“Classification” means that division of businesses by NAICS codes subject to the same license rate as determined by a calculated index of ability to pay based on national averages, benefits, equalization of tax burden, relationships of services, or other basis deemed appropriate by the Council.

“Council” means the [**Town**] Council of the [**Town**] of **James Island**.

“Domicile” means a principal place from which the trade or business of a licensee is conducted, directed, or managed. For purposes of this ordinance, a licensee may be deemed to have more than one domicile.

“Gross Income” means the gross receipts or gross revenue of a business, received or accrued, for one calendar or fiscal year collected or to be collected from business done within the Municipality. If the licensee has a domicile within the Municipality, business done within the Municipality shall include all gross receipts or revenue received or accrued by such licensee. If the licensee does not have a domicile within the Municipality, business done within the Municipality shall include only gross receipts or revenue received or accrued within the Municipality. In all cases, if the licensee pays a business license tax to another county or municipality, then the licensee’s gross income for the purpose of computing the tax within the Municipality must be reduced by the amount of revenues or receipts taxed in the other county or municipality and fully reported to the Municipality. Gross income for business license tax purposes shall not include taxes collected for a governmental entity, escrow funds, or funds that are the property of a third party. The value of bartered goods or trade-in merchandise shall be included in gross income. The gross receipts or gross revenues for business license purposes may

be verified by inspection of returns and reports filed with the Internal Revenue Service, the South Carolina Department of Revenue, the South Carolina Department of Insurance, or other government agencies. In calculating gross income for certain businesses, the following rules shall apply:

- A. Gross income for agents shall be calculated on gross commissions received or retained, unless otherwise specified. If commissions are divided with other brokers or agents, then only the amount retained by the broker or agent is considered gross income.
- B. Except as specifically required by S.C. Code § 38-7-20, gross income for insurance companies shall be calculated on gross premiums written.
- C. Gross income for manufacturers of goods or materials with a location in the Municipality shall be calculated on the lesser of (i) gross revenues or receipts received or accrued from business done at the location, (ii) the amount of income allocated and apportioned to that location by the business for purposes of the business's state income tax return, or (iii) the amount of expenses attributable to the location as a cost center of the business. Licensees reporting gross income under this provision shall have the burden to establish the amount and method of calculation by satisfactory records and proof. Manufacturers include those taxpayers reporting a manufacturing principal business activity code on their federal income tax returns.

“License Official” means a person designated to administer this ordinance. Notwithstanding the designation of a primary license official, the Municipality may designate one or more alternate license officials to administer particular types of business licenses, including without limitation for business licenses issued to businesses subject to business license taxes under Article 20, Chapter 9, Title 58, and Chapters 7 and 45, Title 38, of the South Carolina Code.

“Licensee” means the business, the person applying for the license on behalf of the business, an agent or legal representative of the business, a person who receives any part of the net profit of the business, or a person who owns or exercises control of the business.

“Municipality” means the **Town of James Island**, South Carolina.

“NAICS” means the North American Industry Classification System for the United States published under the auspices of the Federal Office of Management and Budget.

“Person” means any individual, firm, partnership, limited liability partnership, limited liability company, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principal.

Section 3. Purpose and Duration. The business license required by this ordinance is for the purpose of providing such regulation as may be required for the business subject thereto and for the purpose of raising revenue for the general fund through a privilege tax. ***The 2021 license year shall extend to end on April 30, 2022. Thereafter, the license periods shall be established as follows.*** Except as set forth below for business licenses issued to contractors with respect to specific construction projects, each yearly license shall be issued for the twelve-month period of

May 1 to April 30. A business license issued for a construction contract may, at the request of the licensee, be stated to expire at the completion of the construction project; *provided*, any such business license may require that the licensee file, by each April 30 during the continuation of the construction project, a statement of compliance, including but not limited to a revised estimate of the value of the contract. If any revised estimate of the final value of such project exceeds the amount for which the business license was issued, the licensee shall be required to pay a license fee at the then-prevailing rate on the excess amount. The provisions of this ordinance and the rates herein shall remain in effect from year to year as amended by the Council.

Section 4. Business License Tax, Refund.

- A. The required business license tax shall be paid for each business subject hereto according to the applicable rate classification on or before the due date of the 30th day of April in each year, except for those businesses in Rate Class 8 for which a different due date is specified. Late payments shall be subject to penalties as set forth in Section 12 hereof, except that admitted insurance companies may pay before June 1 without penalty.
- B. A separate license shall be required for each place of business and for each classification or business conducted at one place. If gross income cannot be separated for classifications at one location, the business license tax shall be computed on the combined gross income for the classification requiring the highest rate. The business license tax must be computed based on the licensee's gross income for the calendar year preceding the due date, for the licensee's twelve-month fiscal year preceding the due date, or on a twelve-month projected income based on the monthly average for a business in operation for less than one year. The business license tax for a new business must be computed on the estimated probable gross income for the balance of the license year. A business license related to construction contract projects may be issued on a per-project basis, at the option of the taxpayer. No refund shall be made for a business that is discontinued.
- C. A licensee that submits a payment greater than the amount owed may request a refund. To be considered, a refund request must be submitted in writing to the Municipality before the June 1 immediately following the April 30 on which the payment was due and must be supported by adequate documentation supporting the refund request. The Municipality shall approve or deny the refund request, and if approved shall issue the refund to the business, within thirty days after receipt of the request.

Section 5. Registration Required.

- A. The owner, agent, or legal representative of every business subject to this ordinance, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year; *provided*, a new business shall be required to have a business license prior to operation within the Municipality, and an annexed business shall be required to have a business license within thirty (30) days of the annexation. A license for a bar (NAICS 722410) must be issued in

the name of the individual who has been issued the corresponding state alcohol, beer, or wine permit or license and will have actual control and management of the business.

- B. Application shall be on the then-current standard business license application as established and provided by the Director of the South Carolina Revenue and Fiscal Affairs Office and shall be accompanied by all information about the applicant, the licensee, and the business deemed appropriate to carry out the purpose of this ordinance by the license official. Applicants may be required to submit copies of portions of state and federal income tax returns reflecting gross receipts and gross revenue figures.
- C. The applicant shall certify under oath that the information given in the application is true, that the gross income is accurately reported (or estimated for a new business) without any unauthorized deductions, and that all assessments, personal property taxes on business property, and other monies due and payable to the Municipality have been paid.
- D. The Municipality shall allow application, reporting, calculation, and payment of business license taxes through the business license tax portal hosted and managed by the South Carolina Revenue and Fiscal Affairs Office, subject to the availability and capability thereof. Any limitations in portal availability or capability do not relieve the applicant or Licensee from existing business license or business license tax obligations.

Section 6. Deductions, Exemptions, and Charitable Organizations.

- A. No deductions from gross income shall be made except income earned outside of the Municipality on which a license tax is paid by the business to some other municipality or county and fully reported to the Municipality, taxes collected for a governmental entity, or income which cannot be included for computation of the tax pursuant to state or federal law. Properly apportioned income from business in interstate commerce shall be included in the calculation of gross income and is not exempted. The applicant shall have the burden to establish the right to exempt income by satisfactory records and proof.
- B. No person shall be exempt from the requirements of the ordinance by reason of the lack of an established place of business within the Municipality, unless exempted by state or federal law. The license official shall determine the appropriate classification for each business in accordance with the latest issue of NAICS. No person shall be exempt from this ordinance by reason of the payment of any other tax, unless exempted by state law, and no person shall be relieved of liability for payment of any other tax or fee by reason of application of this ordinance.
- C. Wholesalers are exempt from business license taxes unless they maintain warehouses or distribution establishments within the Municipality. A wholesale transaction involves a sale to an individual who will resell the goods and includes delivery of the goods to the reseller. It does not include a sale of goods to a user or consumer.
- D. A charitable organization shall be exempt from the business license tax on its gross income unless it is deemed a business subject to a business license tax on all or part of its gross income as provided in this section. A charitable organization, or any affiliate of a charitable organization, that reports income from for-profit activities or unrelated

business income for federal income tax purposes to the Internal Revenue Service shall be deemed a business subject to a business license tax on the part of its gross income from such for-profit activities or unrelated business income.

- E. A charitable organization shall be deemed a business subject to a business license tax on its total gross income if (1) any net proceeds of operation, after necessary expenses of operation, inure to the benefit of any individual or any entity that is not itself a charitable organization as defined in this ordinance, or (2) any net proceeds of operation, after necessary expenses of operation, are used for a purpose other than a charitable purpose as defined in this ordinance. Excess benefits or compensation in any form beyond fair market value to a sponsor, organizer, officer, director, trustee, or person with ultimate control of the organization shall not be deemed a necessary expense of operation.

Section 7. False Application Unlawful. It shall be unlawful for any person subject to the provisions of this ordinance to make a false application for a business license or to give or file, or direct the giving or filing of, any false information with respect to the license or tax required by this ordinance.

Section 8. Display and Transfer.

- A. All persons shall display the license issued to them on the original form provided by the license official in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident shall carry the license upon his person or in a vehicle used in the business readily available for inspection by any authorized agent of the Municipality.
- B. A change of address must be reported to the license official within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification by the license official and compliance with zoning and building codes. Failure to obtain the approval of the license official for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license. A business license shall not be transferable, and a transfer of controlling interest shall be considered a termination of the old business and the establishment of a new business requiring a new business license, based on old business income.

Section 9. Administration of Ordinance. The license official shall administer the provisions of this ordinance, collect business license taxes, issue licenses, make or initiate investigations and audits to ensure compliance, initiate denial or suspension and revocation procedures, report violations to the municipal attorney, assist in prosecution of violators, produce forms, undertake reasonable procedures relating to the administration of this ordinance, and perform such other duties as may be duly assigned.

Section 10. Inspection and Audits.

- A. For the purpose of enforcing the provisions of this ordinance, the license official or other authorized agent of the Municipality is empowered to enter upon the premises of any person subject to this ordinance to make inspections and to examine and audit books and records. It shall be unlawful for any such person to fail or refuse to make available the necessary books and records. In the event an audit or inspection reveals that the licensee has filed false information, the costs of the audit shall be added to the correct business license tax and late penalties in addition to other penalties provided herein. Each day of failure to pay the proper amount of business license tax shall constitute a separate offense.
- B. The license official shall have the authority to make inspections and conduct audits of businesses to ensure compliance with the ordinance. Financial information obtained by inspections and audits shall not be deemed public records, and the license official shall not release the amount of business license taxes paid or the reported gross income of any person by name without written permission of the licensee, except as authorized by this ordinance, state or federal law, or proper judicial order. Statistics compiled by classifications are public records.

Section 11. Assessments, Payment under Protest, Appeal.

- A. Assessments, payments under protest, and appeals of assessment shall be allowed and conducted by the Municipality pursuant to the provisions of S.C. Code § 6-1-410, as amended. In preparing an assessment, the license official may examine such records of the business or any other available records as may be appropriate and conduct such investigations and statistical surveys as the license official may deem appropriate to assess a business license tax and penalties as provided herein.
- B. The license official shall establish a uniform local procedure consistent with S.C. Code § 6-1-410 for hearing an application for adjustment of assessment and issuing a notice of final assessment; provided that for particular types of business licenses, including without limitation for business licenses issued to businesses subject to business license taxes under Article 20, Chapter 9, Title 58, and Chapters 7 and 45, Title 38, of the South Carolina Code, the Municipality, by separate ordinance, may establish a different procedure and may delegate one or more rights, duties, and functions hereunder to the Municipal Association of South Carolina.

Section 12. Delinquent License Taxes, Partial Payment.

- A. For non-payment of all or any part of the correct business license tax, the license official shall impose and collect a late penalty of five (5%) percent of the unpaid tax for each month or portion thereof after the due date until paid not to exceed 100% of original license fee. Penalties shall not be waived. If any business license tax remains unpaid for sixty (60) days after its due date, the license official shall report it to the municipal attorney for appropriate legal action.

- B. Partial payment may be accepted by the license official to toll imposition of penalties on the portion paid; *provided*, however, no business license shall be issued or renewed until the full amount of the tax due, with penalties, has been paid.

Section 13. Notices. The license official may, but shall not be required to, mail written notices that business license taxes are due. If notices are not mailed, there shall be published a notice of the due date in a newspaper of general circulation within the Municipality three (3) times prior to the due date in each year. Failure to receive notice shall not constitute a defense to prosecution for failure to pay the tax due or grounds for waiver of penalties.

Section 14. Denial of License. The license official may deny a license to an applicant when the license official determines:

- A. The application is incomplete or contains a misrepresentation, false or misleading statement, or evasion or suppression of a material fact;
- B. The activity for which a license is sought is unlawful or constitutes a public nuisance *per se* or *per accidens*;
- C. The applicant, licensee, prior licensee, or the person in control of the business has been convicted within the previous ten years of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods;
- D. The applicant, licensee, prior licensee, or the person in control of the business has engaged in an unlawful activity or nuisance related to the business or to a similar business in the Municipality or in another jurisdiction;
- E. The applicant, licensee, prior licensee, or the person in control of the business is delinquent in the payment to the Municipality of any tax or fee;
- F. A licensee has actual knowledge or notice, or based on the circumstances reasonably should have knowledge or notice, that any person or employee of the licensee has committed a crime of moral turpitude on the business premises, or has permitted any person or employee of the licensee to engage in the unlawful sale of merchandise or prohibited goods on the business premises and has not taken remedial measures necessary to correct such activity; or
- G. The license for the business or for a similar business of the licensee in the Municipality or another jurisdiction has been denied, suspended, or revoked in the previous license year.

A decision of the license official shall be subject to appeal as herein provided. Denial shall be written with reasons stated.

Section 15. Suspension or Revocation of License. When the license official determines:

- A. A license has been mistakenly or improperly issued or issued contrary to law;
- B. A licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this ordinance;

- C. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, or evasion or suppression of a material fact in the license application;
- D. A licensee has been convicted within the previous ten years of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods;
- E. A licensee has engaged in an unlawful activity or nuisance related to the business; or
- F. A licensee is delinquent in the payment to the Municipality of any tax or fee,

the license official may give written notice to the licensee or the person in control of the business within the Municipality by personal service or mail that the license is suspended pending a single hearing before Council or its designee for the purpose of determining whether the suspension should be upheld and the license should be revoked.

The written notice of suspension and proposed revocation shall state the time and place at which the hearing is to be held, and shall contain a brief statement of the reasons for the suspension and proposed revocation and a copy of the applicable provisions of this ordinance.

Section 16. Appeals to Council or its Designee.

- A. Except with respect to appeals of assessments under Section 11 hereof, which are governed by S.C. Code § 6-1-410, any person aggrieved by a determination, denial, or suspension and proposed revocation of a business license by the license official may appeal the decision to the Council or its designee by written request stating the reasons for appeal, filed with the license official within ten (10) days after service by mail or personal service of the notice of determination, denial, or suspension and proposed revocation.
- B. A hearing on an appeal from a license denial or other determination of the license official and a hearing on a suspension and proposed revocation shall be held by the Council or its designee within ten (10) business days after receipt of a request for appeal or service of a notice of suspension and proposed revocation. The hearing shall be held upon written notice at a regular or special meeting of the Council, or, if by designee of the Council, at a hearing to be scheduled by the designee. The hearing may be continued to another date by agreement of all parties. At the hearing, all parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by Council or its designee shall govern the hearing. Following the hearing, the Council by majority vote of its members present, or the designee of Council if the hearing is held by the designee, shall render a written decision based on findings of fact and conclusions on application of the standards herein. The written decision shall be served, by personal service or by mail, upon all parties or their representatives and shall constitute the final decision of the Municipality.

- C. Timely appeal of a decision of Council or its designee does not effectuate a stay of that decision. The decision of the Council or its designee shall be binding and enforceable unless overturned by an applicable appellate court after a due and timely appeal.
- D. For business licenses issued to businesses subject to business license taxes under Article 20, Chapter 9, Title 58, and Chapters 7 and 45, Title 38, of the South Carolina Code, the Municipality may establish a different procedure by ordinance.

Section 17. Consent, franchise, or license required for use of streets.

- A. It shall be unlawful for any person to construct, install, maintain, or operate in, on, above, or under any street or public place under control of the Municipality any line, pipe, cable, pole, structure, or facility for utilities, communications, cablevision, or other purposes without a consent agreement or franchise agreement issued by the Council by ordinance that prescribes the term, fees, and conditions for use.
- B. The annual fee for use of streets or public places authorized by a consent agreement or franchise agreement shall be set by the ordinance approving the agreement and shall be consistent with limits set by state law. Existing franchise agreements shall continue in effect until expiration dates in the agreements. Franchise and consent fees shall not be in lieu of or be credited against business license taxes unless specifically provided by the franchise or consent agreement.

Section 18. Confidentiality. Except in accordance with proper judicial order or as otherwise provided by law, no official or employee of the Municipality may divulge or make known in any manner the amount of income or any financial particulars set forth or disclosed in any report or return required under this ordinance. Nothing in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns. Any license data may be shared with other public officials or employees in the performance of their duties, whether or not those duties relate to enforcement of this ordinance.

Section 19. Violations. Any person violating any provision of this ordinance shall be deemed guilty of an offense and shall be subject to a fine of up to \$500.00 or imprisonment for not more than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties, and costs provided for in this ordinance.

Section 20. Severability. A determination that any portion of this ordinance is invalid or unenforceable shall not affect the remaining portions. To the extent of any conflict between the provisions of this ordinance and the provisions of the South Carolina Business License Tax Standardization Act, as codified at S.C. Code §§ 6-1-400 *et seq.*, the standardization act shall control.

Section 21. Classification and Rates.

- A. The business license tax for each class of businesses subject to this ordinance shall be computed in accordance with the current business license rate schedule, designated as Appendix A to this ordinance, which may be amended from time to time by the Council.

- B. The current business license class schedule is attached hereto as Appendix B. Hereafter, no later than December 31 of each odd year, the Municipality shall adopt, by ordinance, the latest standardized business license class schedule as recommended by the Municipal Association of South Carolina and adopted by the Director of the South Carolina Revenue and Fiscal Affairs Office. Upon adoption by the Municipality, the revised business license class schedule shall then be appended to this ordinance as a replacement Appendix B.
- C. The classifications included in each rate class are listed with NAICS codes, by sector, sub-sector, group, or industry. The business license class schedule (Appendix B) is a tool for classification and not a limitation on businesses subject to a business license tax. The classification in the most recent version of the business license class schedule adopted by the Council that most specifically identifies the subject business shall be applied to the business. The license official shall have the authority to make the determination of the classification most specifically applicable to a subject business.
- D. A copy of the class schedule and rate schedule shall be filed in the office of the municipal clerk.

APPENDIX A: BUSINESS LICENSE RATE SCHEDULE

RATE CLASS	INCOME: \$0 - \$2,000	INCOME OVER \$2,000
	BASE RATE	RATE PER \$1,000 OR FRACTION THEREOF
1	\$ 30.00	\$ 1.15
2	\$ 35.00	\$ 1.40
3	\$ 40.00	\$ 1.65
4	\$ 45.00	\$ 1.90
5	\$ 50.00	\$ 2.15
6	\$ 55.00	\$ 2.40
7	\$ 60.00	\$ 2.65
8.1	\$ 45.00	\$ 1.50
8.2	Set by state statute	
8.3	MASC Telecommunications	
8.4	MASC Insurance	
8.51	\$12.50 + \$12.50 per machine	
8.52	\$12.50 + \$180.00 per machine	

NON-RESIDENT RATES

Unless otherwise specifically provided, all taxes and rates shall be doubled for nonresidents and itinerants having no fixed principal place of business within the Municipality.

DECLINING RATES

Declining Rates apply in all Classes for gross income in excess of \$1,000,000, unless otherwise specifically provided for in this ordinance.

<u>Gross Income in \$ Millions</u>	<u>Percent of Class Rate for each additional \$1,000</u>
0 - 1	100%
1 - 2	90%
2 - 3	80%
3 - 4	70%
OVER 4	60%

CLASS 8 RATES

Each NAICS number designates a separate subclassification. The businesses in this section are treated as separate and individual subclasses due to provisions of state law, regulatory requirements, service burdens, tax equalization considerations, and other factors that are deemed sufficient to require individually determined rates. In accordance with state law, the Municipality also may provide for reasonable subclassifications for rates, described by an NAICS sector, subsector, or industry, that are based on particularized considerations as needed for economic stimulus or for the enhanced or disproportionate demands on municipal services or infrastructure.

Non-resident rates do not apply except where indicated.

8.1 NAICS 230000 – Contractors, Construction, All Types [Non-resident rates apply].

Resident rates, for contractors having a permanent place of business within the Municipality:

Minimum on first \$2,000	\$ 45.00 PLUS
Each additional 1,000.....	\$ 1.50

Non-resident rates apply to contractors that do not have a permanent place of business within the Municipality. A trailer at the construction site or structure in which the contractor temporarily resides is not a permanent place of business under this ordinance.

No contractor shall be issued a business license until all state and municipal qualification examination and trade license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job.

Sub-contractors shall be licensed on the same basis as general or prime contractors for the same job. No deductions shall be made by a general or prime contractor for value of work performed by a sub-contractor.

No contractor shall be issued a business license until all performance and indemnity bonds required by the Building Code have been filed and approved. Zoning permits must be obtained when required by the Zoning Ordinance.

Each prime contractor shall file with the License Official a list of sub-contractors furnishing labor or materials for each project.

For licenses issued on a per-job basis, the total tax for the full amount of the contract shall be paid prior to commencement of work and shall entitle the contractor to complete the job without regard to the normal license expiration date. An amended report shall be filed for each new job and the appropriate additional license fee per \$1,000 of the contract amount shall be paid prior to commencement of new work. Only one base tax shall be paid in a license year. Licensees holding a per-job license shall file, by each April 30 during the continuation of the construction project, a statement of compliance, including but not limited to a revised estimate of the value of the contract. If any revised estimate of the final value of such project exceeds the amount for

which the business license was issued, the licensee shall be required to pay a license fee at the then-prevailing rate on the excess amount.

8.2 NAICS 482 – Railroad Companies (See S.C. Code § 12-23-210).

8.3 NAICS 517311, 517312 – Telephone Companies.

With respect to “retail telecommunications services” as defined in S. C. Code § 58-9-2200, the Municipality participates in a collections program administered by the Municipal Association of South Carolina. The Municipality has approved participation in the collections program by separate ordinance (the “Telecommunications Collections Ordinance”). The rates, terms, conditions, dates, penalties, appeals process, and other details of the business license applicable to retail telecommunications services are set forth in the Telecommunications Collections Ordinance.

8.4 NAICS 5241 – Insurance Companies:

Independent agents, brokers, their employees are subject to a business license tax based on their natural class. With respect to insurers subject to license fees and taxes under Chapter 7 of Title 38 and to brokers under Chapter 45 of Title 38, the Municipality participates in a collections program administered by the Municipal Association of South Carolina. The Municipality has approved participation in the collections program by separate ordinance (the “Insurers and Brokers Collections Ordinance”). The rates, terms, conditions, dates, penalties, appeals process, and other details of the business license applicable to insurers and brokers are set forth in the Insurers and Brokers Collections Ordinance.

8.51 NAICS 713120 – Amusement Machines, coin operated (except gambling). Music machines, juke boxes, kiddie rides, video games, pin tables with levers, and other amusement machines with or without free play feature licensed by SC Department of Revenue pursuant to S.C. Code §12-21-2720(A)(1) and (A)(2) **[Type I and Type II]**.

For operation of all machines (not on gross income), pursuant to S.C. Code §12-21-2746:

Per Machine	\$12.50 PLUS
Business license	\$12.50

Distributors that sell or lease machines and are not licensed by the state as an operator pursuant to §12-21-2728 are not subject to Subclass 8.51.

8.52 NAICS 713290 – Amusement Machines, coin operated, non-payout. Amusement machines of the non-payout type or in-line pin game licensed by SC Department of Revenue pursuant to S.C. Code §12-21-2720(A)(3) **[Type III]**.

For operation of all machines (not on gross income), pursuant to S.C. Code §12-21-2720(B):

Per Machine \$180.00 PLUS
Business license \$12.50

Distributors that sell or lease machines and are not licensed by the state as an operator pursuant to §12-21-2728 are not subject to Subclass 8.52.

8.6 **NAICS 713990 – Billiard or Pool Rooms, all types.** (A) Pursuant to SC Code § 12-21-2746, license tax of \$5.00 per table measuring less than 3½ feet wide and 7 feet long, and \$12.50 per table longer than that; PLUS, (B) with respect to gross income from the entire business in addition to the tax authorized by state law for each table per the rate for NAICS subsector 71 in Appendix A and the class schedule in Appendix B.

Business License Class Schedule by NAICS Code

Appendix B

2021 BUSINESS LICENSE CLASS SCHEDULE BY NAICS CODE

NAICS Sector/Subsector	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	2.00
21	Mining	4.00
31	Manufacturing	2.00
32	Manufacturing	2.00
33	Manufacturing	2.00
42	Wholesale trade	1.00
44	Retail trade	1.00
45	Retail trade	1.00
48	Transportation and warehousing	2.00
49	Transportation and warehousing	2.00
51	Information	4.00
52	Finance and insurance	7.00
53	Real estate and rental and leasing	7.00
54	Professional, scientific, and technical services	5.00
55	Management of companies	7.00
56	Administrative and support and waste management and remediation se	4.00
61	Educational services	4.00
62	Health care and social assistance	4.00
71	Arts, entertainment, and recreation	3.00
721	Accommodation	3.00
722	Food services and drinking places	1.00
81	Other services	5.00
Class 8		
23	Construction	8.10
482	Rail Transportation	8.20
517311	Wired Telecommunications Carriers	8.30

517312	Wireless Telecommunications Carriers (except Satellite)	8.30
5241	Insurance Carriers	8.40
5242	Insurance Brokers for non-admitted Insurance Carriers	8.40
713120	Amusement Parks and Arcades	8.51
713290	Nonpayout Amusement Machines	8.52

Note: Class Schedule is based on 2017 IRS data.

This appendix will be updated every odd year based on the latest available IRS statistics.

AN ORDINANCE REQUIRING BASELINE INSPECTIONS OF SEPTIC SYSTEMS IN THE JAMES ISLAND CREEK TMDL

WHEREAS, James Island Creek has been designated as an impaired waterway by the South Carolina Department of Health and Environmental Control; and

WHEREAS, Microbial Source Tracking has shown that human waste is a major cause of pollution in James Island Creek; and

WHEREAS, Failed septic systems are a frequent source of contamination of stormwater; and

WHEREAS, There exist two hundred twenty-four septic systems in the James Island Creek TMDL under Town of James Island jurisdiction, most of which were initially installed more than fifty years ago; and

WHEREAS, Town Council finds that an effective targeted response to the impairment of James Island Creek requires a baseline inspection of the septic systems in the James Island TMDL;

THEREFORE, TOWN COUNCIL HEREBY ORDERS AND ORDAINS:

1. All septic systems in the James Island Creek TMDL under Town jurisdiction must have a baseline inspection at Town expense before June 30, 2022.
2. A “baseline inspection” means a thorough evaluation of an operating private sewage system to determine whether the system is functioning as designed, is not exhibiting signs of failure, and is being operated properly. A pump out of the system is required for a baseline inspection to properly examine the interior of the tank and to check for leaks from the house or saturated conditions in the drainfield. All inspections and pump outs must be performed by septic contractors with valid SCDHEC licenses.
3. Town Council appropriates \$150,000 to pay for baseline inspections for septic systems in the James Island Creek TMDL under Town jurisdiction from unencumbered capital project funds in the 2021/2022 budget year.
4. The Town Public Works Department shall coordinate with one or more licensed septic contractors and property owners and residents to provide for the required baseline inspection.
5. The required baseline inspection is an “additional inspection” as provided for in Town of James Island Code 91.03 Section C 10.
6. Any septic system that received a baseline inspection that is properly documented within the last three years meeting these requirements is exempt from the ordinance.

First Reading: October 21, 2021

Second Reading: _____

ATTEST

Bill Woolsey, Mayor

Frances Simmons, Town Clerk