



Town of James Island, Regular Town Council Meeting
March 21, 2024; 7:00 PM; 1122 Dills Bluff Road, James Island, SC 29412

IN-PERSON MEETING

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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. Residents wishing to address the Council will be limited to three (3) minutes and must sign in to speak. Comments may also be sent 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) Opening Exercises: (Councilman Mullinax)
- 2) Presentation: Flock Cameras, Jeff Bullpit
- 3) Public Comment:
- 4) Consent Agenda:
 - a) Minutes: Town Council Meeting, February 15, 2024
 - b) Minutes: Town Council Special Meeting, February 26, 2024
 - c) Minutes: Town Council Special Meeting, March 6, 2024
 - d) Minutes: Town Council Special Meeting, March 13, 2024
- 5) Information Reports:
 - a) Finance Report
 - b) Island Sheriff's Patrol Report
 - c) Public Works Report
- 6) Requests for Consideration by Staff: None
- 7) Requests for Consideration by Council:
 - a) JI Arts & Cultural Center: Visual Structural Assessment: GEL Engineering and ADC
 - b) Garland/DBS: JI Arts & Cultural Center Roofing Material and Services Proposal
 - c) Pinckney Park Pavilion Facility Use Request: Learning Co-op, October-May (Tues. & Wed)

d) Landscape Pavers Additional Drainage Work – Oceanview Rd. Project

8) Committee Reports:

- a) Land Use Committee
- b) Environment and Beautification Committee
- c) Children’s Committee
- d) Public Safety Committee
- e) History Committee
- f) Rethink Folly Road
- g) Drainage Committee
- h) Business Development Committee
- i) Trees Advisory Committee
 - Appointment to Trees Advisory Committee
- j) James Island Intergovernmental Council
- k) Accommodations Tax Committee

9) Proclamations and Resolutions:

- a) None

10) Ordinances up for First Reading:

- a) None

11) Ordinances up for Second/Final Reading:

- a) Ordinance #2024-02: To Amend Ordinance #2019-13 Establishing Purchasing Procedures for the Town of James Island: To Increase Purchasing Limits

12) Old Business:

- a) None

13) New Business:

14) Executive Session: The Town Council may enter into an Executive Session in accordance with 30-4-70(A) (1) Code of Laws of South Carolina regarding the appointment to a public body and 30-4-70 (A)(2) regarding discussion of proposed contractual matters and proposed purchase of property. Upon returning to Open Session the Council may act on matters discussed in the Executive Session.

15) Return to Regular Session:

- a) Appointment of Town Attorney

16) Announcements/Closing Comments:

17) Adjournment:

The Town of James Island held its regularly scheduled meeting on Thursday, February 15, 2024, at 7:00 p.m. in person at the Town Hall, 1122 Dills Bluff Rd., James Island, SC. This meeting was also live streamed on the Town's website, www.jamesislandsc.us/livestream-townmeetings and was held in accordance with the SC Freedom of Information Act and the requirements of the Town of James Island

The following members of Council were present: Boles, Dodson, Mignano, Mullinax, and Mayor Lyon, who presided. Also, Brandon Reeser (for Attorney Bonum Wilson), Merrell Roe, Finance Officer, Lt. Shawn James, Island Sheriff's Patrol, Deputy Chris King, and Frances Simmons, Town Clerk.

Opening Exercises: Mayor Lyon called the meeting to order at 7:00 p.m. Councilman Dodson led Council in prayer and followed with the Pledge of Allegiance.

Update on Ft. Johnson @ Jeffords by Charleston Water System, CWS: Mayor Lyon introduced representatives from Charleston Water System, Baker Mordecai, Chief Operations Officer, and Mike Saia, Public Information Officer and asked them to give an update on the broken water line transmission break that occurred at Ft. Johnson & Jeffords Rd. Saturday, February 10.

Mr. Mordecai thanked Council for the opportunity to provide them with an update. He said often it is in emergencies such as this that stakeholders come together and pull out all the stops. He thanked Mayor Lyon for being at the site on Saturday and for the cooperation of the stakeholders: Charleston County Sheriff's Office; Dominion Energy; SC Department of Transportation, and the Town of James Island. Mr. Mordecai said CWS received a call about a leak at Ft. Johnson Rd near Jeffords Rd. at 6:00 a.m. Saturday morning and on-call crews rapidly responded by isolating the main with valves by 7:00 a.m. He said no one lost water and the pressure was maintained the entire time. The break created extensive damage to the road, especially at the intersection of Ft. Johnson and Jeffords Rd.. CWS has been making the repairs but had a setback on Monday due to the weather; on Tuesday and Wednesday, Dominion had to restore their lines first because it runs perpendicular with Dominion's water line and that work had to be done first. Work was completed on Wednesday and continues with Dominion and SCDOT restoring the area. The estimated time for completion is this weekend or worst case scenario would be next weekend. The cause of the break was due to spot corrosion. Measures have been taken to prevent this from happening in that spot again by applying a corrosion resistant epoxy fixture (called a turtleback clamp) wrapped in poly. Mr. Mordecai said when these types of breaks occur, they look at its history and have not had a break as this in the past. The water lines are approximately 25 years old and has a service life of 50 years. Mayor Lyon thanked CWS for their hard work in repairing the area quickly and for sharing this information with the Town.

Public Comment: Mayor Lyon opened the floor to public comments. She asked those speaking to state their name and address for the record; speak into the mics, address Council and limit comments to three (3) minutes. The following persons spoke:

Kathleen F. McFall, 1207 Sea Aire Dr., a resident of 45 years said she would love to see the traffic circle built. It would be easier to make a right turn rather than cross the traffic and get into an accident. In the 45 years she's lived on the island some horrific accidents have occurred there. As a senior that drives at night the traffic circle would make it safer.

Brooke Blosser, 4738 Linfield Lane, N. Chas. Ms. Blosser is a land, water, and wildlife project coordinator with the SC Coastal Conservation League. She works on several types of issues related to wildlife and their habitat that includes plastic debris that ends up in their habitat. She thanked Council for amending the ordinance on environmentally acceptable packaging to close the loophole in allowing the thick plastic bags. Research from the Citadel and College of Charleston has shown that when the initial ordinances were passed the amount of plastic bag litter dropped, except the thick plastic bags increased by 200%. She thanked Council for being proactive leaders in the Town and for the low country marshes of South Carolina.

Kelly Thorralson, 923 Dills Bluff Rd., Conservation Programs Manager, SC Aquarium spoke on the amended ordinance. In its 28 years the Aquarium has been rehabilitating sea turtles. She has seen 44 come to them with plastics in their GI tracts, more than 10%. In eight years, over 80% of those came in so this is an overwhelming majority over the last eight years. When the Aquarium began to see this dramatic increase, they began investing staff time and funding to mitigate a solution for plastic and created a litter journal app in 2017 for tracking. Seven years of data has been collected along the coastline that includes James Island to understand the most problematic types of debris, track trends, and create solutions. In the seven years of James Island's data, she wished that she could report a significant decline in the banned items; but there was a setback during Covid when plastic bags became popular. In 2023, they are finding more banned items in litter sweeps than in 2017 for both thin and thick plastic bags. She encouraged Council to pass the amended ordinance and pledged to work alongside her colleagues to help push this forward, educate the Town, and talk to businesses in any way that she can.

Zack Watkin, 1402 Camp Rd., Charleston Surf Rider. Mr. Watkin stated that he worked with former Councilmember Garrett Milliken and JI Pride litter pickups. Charleston Surf Rider appreciates the work the Town is doing to bring the environmentally acceptable packaging for a second reading. He hope it passes. During litter pickups, they continue to find the thick plastic bags. He thanked the Council for taking pride in the community to make it better.

Brittany Prebis, 700 Daniel Ellis Dr., College of Charleston student is studying for a master's degree in environment and sustainability. Ms. Prebis is also an intern at Charleston Waterkeepers and doing a thesis on microplastic monitoring in the Charleston Harbor Watershed. From July to December 2023, Charleston Waterkeepers did a preliminary six-month trial on microplastic monitoring and found microplastic severe particles at every site where they studied and found that they were from products such as plastic bags. She said Charleston Waterkeepers is in support of the Town passing the ordinance.

Lauren Greenwood, 37 Montague St., intern at Charleston Waterkeepers with Brittany Prebis and is in the same master's program at the College of Charleston. She has participated in community cleanups and has found lots of plastic bags and cutlery. The Town's ordinance is important and she appreciates that it is being done. She works with Brittany on microplastics monitoring because when plastics end up in the marsh, it not only threatens the species that live there but it degrades into smaller microplastics that are nearly impossible to clean up.

Brendan Laubner, 1518 Patterson Ave., a town resident since 2019 spoke about recreational sports for adults, specifically tennis. He said to become a member at a city facility (CTC or Maybank) a town resident must pay an additional 100% membership. He has had discussions with former Town Administrator, Niki Grimbball and the City's Recreation Director, Laurie Yarborough, to learn about this is. He is coming before Council tonight to find a solution for adults that want to play tennis that live in the Town or for reimbursement of the additional membership fees at a city facility. He shared an email from Ms. Grimbball that if the city is willing to offer non-residents a membership, the Town could implement a program to reimburse them. In the same email Ms. Yarborough replied that if the Town would reimburse its residents for the additional fee she was fine with that. Mr. Laubner said both sides stated that it could be done. He also received a reply from Wilson, Heyward & Reeser Attorneys and that response made clear that an inquiry was made to the City about a reimbursement (i.e., as the youth sports) and the City replied that due to the high demand at the Maybank facility of by City residents that was not an option. He said that contradicts what Ms. Yarborough said in the email. He further stated that when someone obtains membership at a City facility they are not asked if they live in the City or Town. He asked Council to help resolve this problem. Mayor Lyon thanked him and asked him to contact her at the Town Hall.

Jenny Welch, 1163 East and West Rd., Ms. Welch read the following statement into the record. Statement Attached.

Paul Cantrell: 1163 East and West Rd., spoke regarding the "round-about" that the stone posts are not being considered at the right location. They should be located at Stonepost and Ft. Johnson. If it is placed at Ft. Johnson and Camp, he echoes Jenny's statements for meaningful conversations to be had about the final placement

because they are important to the neighborhood. Regarding the zero-turn mower, he hopes the Town will eventually move to electric powered.

Inez Brown-Crouch, 1149 Mariner Dr., Ms. Brown-Crouch stated she is 84 years old and lives on James Island. She supports the roundabout. She has had family and friends killed at that intersection and we need to think about safety. She said when driving from Camp to Ft. Johnson, someone must “almost” get into the middle of the street to see. She reiterated being 84 years old, still drives, and does not want to get killed. She asked Council to support the round-about.

Mayor Lyon thanked everyone that came out to speak and commented that it is great to have so much citizen participation.

Consent Agenda:

Minutes: Special Town Council Meeting, January 16, 2024: Motion to approve by Councilman Boles, seconded by Councilman Dodson. Passed unanimously.

Minutes: January 17, 2024, Town Council Short-Term Rental (STR) Workshop: Motion to approve by Councilwoman Mignano, seconded by Councilman Dodson. Passed unanimously.

Minutes: January 18, 2024, Regular Town Council Meeting: Motion to approve by Councilman Dodson, seconded by Councilman Mullinax. Passed unanimously.

Information Reports:

Finance Report: Finance Officer Merrell Roe commented that under “interest income” the Mayor has worked diligently to increase interest for the Town’s accounts and she expect to see better results next month. She responded to questions from Councilwoman Mignano from a December report.

Island Sheriff’s Patrol Report: Lt. James reported on offenses that occurred in the Town over the last month including, violations and thefts at local establishments and provided an update on the accident that occurred near Ft. Johnson and Camp Rds. Mayor Lyon complemented the Sheriff’s Office for doing a great job with traffic control on Ft. Johnson and Jeffords last Saturday during the water main break there.

Public Works (PW) Report: Mayor Lyon reported in the absence of Mark Johnson, PW Director. She reported that the Quail Run drainage project is scheduled for completion the end of next week. The Town’s lot on Hillman St. used as a staging area will be cleaned up afterward. The Oceanview/Stonepost drainage project continues to move forward. Mayor Lyon reported that the gas line conflict power pole issue was addressed by Dominion Energy. The contractor had asked for a three-month extension through March and now has requested an extension through April 15.

Requests for Consideration by Staff: None.

Requests for Consideration by Council:

Driveway Repair @1750 Pittsford Circle: Mayor Lyon requested approval for the repair of a driveway apron at 1750 Pittsford Circle that was improperly installed by staff. The bid received from Baylock is \$2,850. Another contractor’s bid came in higher @ \$14/square foot vs. \$8.90 and \$8.73, respectively. Motion to approve by Councilman Boles, seconded by Councilwoman Mignano.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Driveway Repair @ 1083 Quail Drive: Mayor Lyon requested approval for a second driveway repair at 1083 Quail Drive @\$2,750. Motion to approve by Councilman Mullinax, seconded by Councilman Dodson.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Gate and Fence Repair @ Pinckney Park: Mayor Lyon described the gates at Pinckney Park as large and heavy, installed on small posts that have fallen off. A part of the fence is damaged and the gate is down. A portion of the quote is to extend the enclosed yard so materials used for landscaping would have its own area and not detract from the beauty of the park. Two quotes were received: 1) McCarty @ \$5,900 and 2) DeCarlo @ \$7,268. Councilman Boles moved for the approval of the McCarty quote @\$5,900, seconded by Councilman Mullinax.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Zero-Turn Mower and Trailer Quotes: Mayor Lyon informed Council that this request has been in the budget for some time. Initially it was intended that Town staff would maintain our parks and rights-of-ways. She said the Town has a contract with another company spending over \$5,000. She said the equipment we could purchase would quickly pay for itself and the Facilities staff is eager take on this responsibility. Mayor Lyon spoke on the importance of having a commercial grade mower that would last. Michael Cryan, Facilities Manager, has informed the Mayor that Corky's Power Equipment offered the Town a discount of \$600 on a demo mower having only a few operating hours and today offered an additional \$100 off totaling \$700. Mayor Lyon said if Council chooses to accept the quote from Corky's it would be \$6,275.99 and would include training on how to operate it. Mayor Lyon said we would also need to purchase a trailer that Lowe's price has better pricing.. Motion by Councilman Mullinax, seconded by Councilman Dodson.

Councilwoman Mignano addressed the options and the difference in price from the other providers (Four Brothers Outdoor Power, and Arco Lawn). Councilman Dodson noted that the additional \$100 discount from Corky's would bring the cost \$6,275.99. Mayor Lyon spoke of the proximity of Corky's on Camp Rd. if service to the equipment is needed. The other providers would have to order the equipment, but we could get the mower from Corky's tomorrow. It was also noted that the quotes did not include sales tax, shipping and handling. Councilwoman Mignano had questions about the trailer and asked to discuss it separately from the mower. The motion by Councilman Mullinax, seconded by Councilman Dodson was withdrawn. Councilwoman Mignano moved for the approval of the mower from Corky's Outdoor Power Equipment, seconded by Mayor Lyon.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Councilwoman Mignano moved for the approval of the carry-on trailer, seconded by Councilman Dodson. Councilwoman Mignano spoke about the capacity of each trailers. She said the Leonard brand has a higher payload capacity (150 lbs.) and asked if that is a significant deciding factor. A comparison was made and it was determined that the trailer from Lowe's was 2,115-lbs. and Leonard's 2,294. Mayor Lyon gave her understanding that the trailer from Lowe's would handle our needs. Councilman Dodson asked if the only purpose is that it hold the zero-turn mower and small landscaping equipment; which was confirmed. The recommendation was to approve the carry-on trailer from Lowe's @\$2,848.00.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Island Sheriff's Patrol Rate Increase: Mayor Lyon reported that beginning February 1, 2024, the Charleston County Sheriff's Office rates will increase for off-duty officers. She said it is prudent that we amend the budget for the increase so we don't lose coverage that our deputies provide. Also, they love working for the Town but if they could earn more money working elsewhere they have to make that decision.

Lt. James said rates were raised several years ago with the City as the first to do so. He explained how officers are being taken from other's municipality in the tri-county area, i.e., so to speak "robbing each other". He explained that a deputy could be paid time-and-a-half to work patrol and earn more than at the off-duty rate; and they are losing deputies. Some other municipalities have raised their rates in order to be competitive. He said the new rate goes into effect February 1, but the Town's contract is in effect until June 30 at the current rate. He commented that the Town, by no means, is forced to increase its rate, but the Sheriff's Office is concerned about losing officers, which he sees. He hopes the rate increase would help retain deputies.

Motion to approve the rate increase (attached) was made by Councilman Boles, seconded by Councilman Dodson.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Roof Bids for James Island Arts & Cultural Center: Roof Coating and Facia Replacement, Infrared Scan for Wet Insulation, and Exterior Wall Coating Bids: Mayor Lyon introduced Seth Klein, with Garland DBS, Inc. to give an overview of the roof at the JI Arts & Cultural Center. Mr. Klein informed Council that the roof was first examined in May, 2023, and it had significant leaks at that time with some repair and patchwork done on it. He said the roof is 25-30 years old and the mineral on it has worn off and is pulled away from the metal edges allowing moister along the perimeter and the field. The goal was to determine if the roof would be a candidate for restoration or if it should be taken off. He explained his findings to Council and the various testing that were performed to make a decision. The initial proposal presented was for a 20 year warranty @ \$163,295 and 10 years @ \$119,051. The exterior portion remained the same @\$38,911.

Councilwoman Mignano asked the difference in cost for a 20 year warranty vs. a 10 year warranty which was \$44,244. Mayor Lyon indicated that there has been more leakage and a moisture scan had been recommended. Mr. Klein noted this was necessary if more than 90 days has passed but this could be included in the contractor's bid. Councilman Dodson asked how much is saved with having solar panels and Mayor Lyon said we could find out.

After further discussion, Councilwoman Mignano moved to approve the 20 year warranty, seconded by Councilman Mullinax. Councilman Boles said he would not vote in favor of the motion because the cost is high for a building the Town doesn't own, but we could do spot coating to keep the building from getting worse. Councilwoman Mignano agreed and expressed concern about the foundation, and whether we could purchase the building. Mr. Klein stated that the proposal included the cost of a 30 year warranty closer to the cost if the roof needed to come off. There was brief discussion regarding an inspection and Mayor Lyon added that if Council decides to move forward that an inspection would be needed to determine if there are substantial repairs.

Councilwoman Mignano commented to Mr. Klein that Council's back/forth in making a decision had nothing to do with his presentation; they are concerned about spendings on a building that the Town does not own.

Vote

Councilman Boles	Nay
Councilman Dodson	Nay
Councilwoman Mignano	Nay
Councilman Mullinax	Nay
Mayor Lyon	Nay
Failed unanimously.	

Committee Reports:

Land Use: No report.

Environment and Beautification Committee: No report.

Children's Committee: Councilwoman Mignano met with Caroline Self, JI Arts & Cultural Center to discuss a program for night bicycle safety and an incident with a youth bicycling at night almost being hit. She is working on a program at the High School for basic carpentry skills (Repair Care) that she hopes will begin this fall.

Public Safety Committee: Councilman Mullinax announced that the Neighborhood Council meeting is Thursday, February 22 @ 7:00 p.m. at the Baxter-Patrick Library.

Appointment to Neighborhood Council: Councilman Mullinax moved for the appointment of Bill Lyon to represent the Lighthouse Point subdivision, seconded by Councilman Boles. Motion passed 4-1; Mayor Lyon abstained.

History Committee: No report.

Rethink Folly Road: Mayor Lyon announced that the Steering Committee will meet on Wednesday, February 28 @ 5 p.m. in person at the Town Hall.

Drainage Committee: No report. Councilman Boles announced that he is looking for members and encouraged those interested to contact him.

Business Development Committee: No report.

Trees Advisory Committee: Mayor Lyon announced that the meeting was cancelled.

James Island Intergovernmental Council: Mayor Lyon announced that Councilwoman Mignano has been elected Vice-Chair for the JI Intergovernmental Council.

Accommodations Tax Committee: Councilman Dodson gave an update on the formation of the Accommodations Tax Committee. He recently attended a meeting with the City of Folly Beach. This would be a seven (7) member board which is required for compliance; and one meeting is held a year to give guidance on where and how monies are spent. The Board must consist of: two (2) people in the hospitality industry; two (2) in lodging; one (1) cultural; and two (2) at-large. Persons interested in serving may contact Councilman Dodson.

Proclamations and Resolutions:

Proclamation Recognizing National Association of Women in Construction Week: Mayor Lyon read the Proclamation designating March 3-9, 2024, as Women in Construction Week. She recognized Allison Crotty, and Eliza Melcon, with the NAWIC Palmetto Chapter for their work and service to the community.

Intergovernmental Agreement for Folly Bike and Pedestrian Improvements/Resolution #2017: Mayor Lyon presented the Intergovernmental Agreement for approval by Council. The previous administration granted municipal consent by passage of a resolution in 2017 and budgeted \$400,000.00 that has not been expended. John Martin, Charleston County, gave an overview of the project that Charleston County will construct the Folly Bike and Pedestrian Improvements Project consisting of approximately 7,000 linear feet with bicycle lanes along Folly Road. The project is close to being advertised as they complete the right-of-way condemnation filings with the court that must be done before advertising. The budget for this project is roughly \$5 million. Motion to approve was made by Councilman Boles, seconded by Councilman Mullinax.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye
Passed unanimously	

Resolution #2024-02: Municipal Consent for Ft. Johnson and Camp Roads (Round-About): (*Presentation could not be shown*). Mr. Martin stated that the purpose and goal of the project is to improve safety at the intersection of Ft. Johnson and Camp and to maintain traffic flow with all modes of transportation, which is least impactful to the grand trees and private property, and to preserve the stone posts. He said over the years the County has come up with a design to meet those goals and purposes. This round-about is one that the SCDOT will approve by its standards, specifications and regulations. The County is at the point of permitting finishing some administrative processes. They are working on the right-of-way acquisition to be completed by April or May. This has been a high priority with the County and SCDOT for safety. Crash data at that intersection from 2016-2023 shows there have been 37 accidents, 20 injuries, and one fatality so there is definitely a need there.

Councilman Boles asked and Mr. Martin agreed to send his presentation to Council as well as the exhibits of the stone posts. Councilman Dodson expressed some concerns raised during public comments and asked if Council would have a chance to amend the location of the stone posts; move back more into the entrance of the neighborhood? Mr. Martin said he doesn't want to say no, but it would be challenging at this point. He described it as a "balancing act" to choose what they did for the location based on safety and working with the property owners. It would not be in the DOT right-of-way and easements will be required as it will be on private property, one of which is the City Fire Department, and the other a private homeowner. *He said a meeting was held with the Town and the City last summer to talk about the placement of the stone posts. Mayor Lyon asked if residents were in attendance at that meeting and Mr. Martin did not think they were but he did meet with residents last May and reviewed three alternatives and after looking at the alternatives, it made more sense to place put them where they have it now. Other factors are utilities and space limitations.

Mayor Lyon commented about citizens' concerns about where the stone posts will be placed before the location is finalized. Mr. Martin agreed that a meeting could be held and reiterated that safety is the #1 priority for this project. Councilman Dodson asked that 3-D renderings be provided to help people see it as is. A meeting will be scheduled with the residents soon. Councilman Mullinax spoke regarding the stone posts to be sure they are preserved. He thanked Mr. Martin for being accommodative. Motion to approve the Municipal Consent was made by Councilman Boles, seconded by Councilman Dodson. Mayor Lyon clarified that the Town's consent is for the project and a check was not being written. Councilwoman Mignano voiced concerns about approving the resolution with regard to the location of the stone posts. Councilman Mullinax said we are close to an agreement; he is pleased that a meeting with the residents will be held. Councilmembers Boles and Mignano encouraged the County to work with residents to determine where the stone posts could be placed.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Nay
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed 4-1

Ordinances up for First Reading:

First Reading: Ordinance #2024-02: To Amend Ordinance #2019-13 Establishing Purchasing Procedures for the Town of James Island to Increase Purchasing Limits: Mayor Lyon brought forth the Ordinance for approval. She noted that the recommended changes are in "red" and approval will amend the Ordinance that passed in 2019. It will also increase the limits for purchases. Motion to approve was made by Councilman Boles, seconded by Councilman Dodson.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Ordinances up for Second/Final Reading:

Amendment to Ordinance #2018-16 Pertaining to Environmentally Acceptable Packaging to Clarify the Definitions of Reusable Carryout Bags: Mayor Lyon introduced the Ordinance for its second and final reading. Motion to approve by Councilman Mullinax, seconded by Councilman Dodson. Following brief discussion, the vote was called.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Old Business:

Rescind Motion for 2024 Town Council Meeting Schedule: Mayor Lyon explained that Council needed to rescind the motion made to change the date and time of Town Council meetings. It was determined that how the dates differ, staff would not be able to provide the necessary reports in a timely manner to Council. Motion to rescind was made by Councilman Boles, seconded by Councilwoman Mignano.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye
Passed unanimously	

New Business: None.

Executive Session: Mayor Lyon announced that Town Council would enter into an Executive Session in accordance with 30-4-70(a) Code of Laws of South Carolina for receipt of legal advice regarding potential land purchases for parks/greenspace, recreation, and discussion regarding 1248 Camp Road, and for personnel matters. Upon returning to open session the Council may act on matters discussed in the Executive Session. Councilman Dodson moved to enter, seconded by Councilwoman Mignano at 8:59 and passed unanimously.

Return to Regular Session: Mayor Lyon asked for a motion to return to regular session. Councilman Mullinax moved that Council return to regular session at 9:39 p.m., seconded by Councilman Dodson and passed unanimously. Mayor Lyon announced that no votes were taken during the executive session.

Councilwoman Mignano moved to initiate the process for the acquisition of green space giving the Mayor the authority to work with staff to identify properties. Motion was seconded by Councilman Boles and passed unanimously.

Announcements/Closing Remarks:

Councilman Boles recognized Frances Simmons, Town Clerk, for the work that she is doing and for filling in where needed. He wanted to let her know that her efforts are not unnoticed and Council appreciates it.

Councilwoman Mignano also recognized Frances for the work that she is doing. She thanked the Sheriff's Office for their hard work with the Town and its citizens.

Councilman Mullinax and Mayor Lyon reiterated the comments made and thanked Frances for filling in thanked her for her service.

Frances asked to speak and shared with Council that she has been working for the Town for 21 years and had planned to retire but when Mayor Lyon was elected decided to stay on and is his happy to work with Mayor Lyon, Council, and this administration.

Adjourn: There being no further business to come before the body, the meeting adjourned at 9:43 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk

Frances Simmons

From: jenny welch <jerdone@gmail.com>
Sent: Tuesday, February 20, 2024 5:45 PM
To: Frances Simmons
Subject: Public comment

CAUTION: This email originated from outside the Town of James Island. Maintain caution when opening external links/attachments

Please let me know you get this bc I didn't write down your email address! Thank you so much Frances!

My comment:

Good evening, my name is Jenny Welch and I live at 1163 E And West Rd in the stone post neighborhood. My family has lived in stone post for the last 100 years and the stone posts are well loved by us and all of our neighbors. They stand tall and strong, welcoming us home each day after work. They are historic and I greatly appreciate the county being so very careful with their relocation.

Today, I went down to see where the proposed site would be and I am concerned with their future placement for a few reasons. I have not seen a 3D version of the plans but from what I can envision, I feel that there is not enough distance between the traffic circle footprint and the stone posts. the stone posts will sadly blend in and become part of the chaos of the traffic circle and no one will notice the stone posts any more. Furthermore, the two posts will be substantially wider apart and no longer frame our road and feel like the landmark they are for our neighborhood residents. Instead, They will look like they are part of the traffic circle with no connection to stone post road at all.

When a group of concerned neighbors met with the project manager last May, we suggested placing the stone posts about 25 feet south of the traffic circle(where the road would narrow and it would still be within DOT right of way) something along these lines would maintain the entrance like feeling to our neighborhood. Mr. Martin seemed to be listening to us that day so I am not sure what happened between then and now but I would love for him to work with us more on securing a location that will feel good to our neighborhood. This is a big change to our home. It is the entrance to our neighborhood of which we are very proud. I am asking that the Town and the County work with the neighborhood residents to find a good site for the stone posts, that will once again feel like home. Thank you very much.

The Town of James Island held a Special Town Council meeting on Monday, February 26, 2024 at 6:00 p.m. in person at the Town Hall, 1122 Dills Bluff Rd., James Island SC. This meeting was also live-streamed on the Town’s website, www.jamesislandsc.us/livestream-town-meetings and was held in accordance with the SC Freedom of Information Act and the requirements of the Town of James Island.

The following members of Council were present: Boles, Dodson, Mignano, Mullinax, and Mayor Lyon, who presided. Also, Frances Simmons, Town Clerk.

Call to Order: Mayor Lyon called the meeting to order at 6:00 p.m. She asked those who wished to join in the prayer and followed with the Pledge of Allegiance.

Mayor Lyon announced that she is excited to gather tonight for the purpose of appointing our new Town Administrator. She is happy to announce that Mike Hemmer has agreed to accept the position. She then called for a motion to make the appointment.

Appointment of Town Administrator: Councilwoman Mignano moved for the appointment of Mike Hemmer, seconded by Councilman Mullinax. Motion withdrawn to include specifics relating to employment.

Councilwoman Mignano moved for the appointment of Mike Hemmer as the Town Administrator for the Town of James Island effective April 1, 2024 based upon his ability to meet the employment requirements of the Town seconded by Councilman Mullinax.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Adjournment: There being no further business to come before the body, the meeting adjourned at 6:05 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk

The Town of James Island held a Special Town Council meeting on Wednesday, March 6, 2024 at 5:32 p.m. in person at the Town Hall, 1122 Dills Bluff Rd., James Island SC. This meeting was also live-streamed on the Town's website at: www.jamesislandsc.us/livestream-townmeetings.

The following members of Council were present: Boles, Dodson, Mignano, Mullinax, and Mayor Lyon, who presided. Also, Michael Hemmer, Town Administrator, and Frances Simmons, Town Clerk. Attorney David Pagliarini, Pagliarini Law Firm.

Call to Order: Mayor Lyon called the meeting to order at 5:32 p.m. She led the Pledge of Allegiance and asked those who wished to join in prayer.

Mayor Lyon welcomed new Town Administrator, Michael Hemmer.

Request for Consideration by Council:

Mayor Lyon stated the purpose of tonight's meeting is to receive consideration from Council to correct the damage done to citizens' yards from the Quail Run drainage project. She noted the complaints from citizens' and did not think the repairs should wait to approve at our next meeting. The Town is responsible to make things right.

Mayor Lyon reviewed two bids that were received for sod estimates that was not a part of the contractor's original cost:

She said Pleasant Places, Inc. (Mt. Pleasant) was recommended by the contractor performing the drainage project. The price is \$16,835; (\$19,921/additional square footage). Mayor Lyon said the cost is for the Town to manage the project (she and staff Melissa Flick) to make sure it is done correctly.

J. Evans Services, LLC (James Island) bid of \$23,690 is slightly higher. Mayor Lyon noted there were some discrepancies in the square footage. She, Councilwoman Mignano, Melissa Flick, and her spouse, Bill Lyon, measured the properties when J. Evans did their assessment. The additional square footage was factored in to compare it with Pleasant Places bid.

Councilman Dodson moved to approve the bid from Pleasant Places for sod replacement, seconded by Councilman Mullinax.

Councilwoman Mignano asked who recommended Pleasant Places and Mayor Lyon replied IPW, the Quail Run contractor. Councilwoman Mignano shared her thoughts about the company performing the job, (and not doing a good one), leaving the Town with "a mess" and offering a recommendation. She is sure that Pleasant Places is a fine company but she would rather go with a local company. She added that J. Evans Services is located on James Island in Lighthouse Point; Mr. Evans is responsible and has an excellent business reputation and is not attached to the contractor that has caused these issues. Councilwoman Mignano said she personally walked Quail Run and commented on the issues there, such as the large sinkholes covered with rotted wood with rusty nails sticking out of it. She also mentioned an 8ft diameter, 6ft deep sinkhole having only a caution tape around it. She stated that Pleasant Places is not a reference that she is comfortable with and would rather recommend J. Evans Services.

Mayor Lyon commented that she is all about saving the Town money but reiterated the comments made by Councilwoman Mignano. She said another factor for Council's consideration is one of the

other yards in question involves the next bid for the outfall. She recapped meetings held with the engineer who indicated that the outfall was dug back too far and has created extreme erosion. She mentioned that no rip rap repairs were included in the contract so the Town is responsible for paying to replace this. J. Evans Services is able to provide an estimate and can get the job done quickly. She briefly shared an incident where a small child apparently fell in and fortunately was not hurt. Mayor Lyon stated her opinion is to award the bid to J. Evans Services as he is someone with whom we are familiar. Councilman Dodson expressed his support for local James Island businesses and awarding the bid to J. Evans Services works for him. He then withdrew his motion to award the bid to Pleasant Places, Inc. for \$19,921 for sod replacement; Councilman Mullinax withdrew his second.

Councilwoman Mignano moved to award the bid for sod replacement to J. Evans Services, LLC for \$23,690, Councilman Mullinax seconded. Councilman Boles, was delayed in traffic and upon arriving was given a recap of the discussion on the floor.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Outfall:

J. Evans Services, LLC @ 1233 Chuka Court, \$3,400: Mayor Lyon said the damage to the Terelak's yard was enhanced because the contractor dug back too far when installing the drainpipe. She commented that the erosion was bad, and reiterated a small child had fallen into the side of the drainpipe as it was not properly covered or protected and is a big concern. The cost is not included in the contract so the Town is responsible for paying for the repairs. The contractor has agreed to put in the marsh grass necessary to restore the area. Motion to award repair of the outfall at 1233 Chuka Court to J. Evans Services, LLC @ \$3,400 was made by Councilman Boles, seconded by Councilwoman Mignano.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Driveway and Pipe Replacement:

J. Evans Services, LLC, \$5,450
Charleston County Public Works, \$13,601.25

Mayor Lyon reported that a resident called the Town Hall to report that her driveway pipe is crushed and the driveway is a huge mess. Mayor Lyon spoke with the resident personally and she is concerned about safety issues as well as insurance. The resident was told in October last year this would be completed. It was marked for utilities but the repair did not take place. When the resident called to

inquire and staff researched, the request had been closed by a former staff member. Charleston County has provided an estimate of \$13,601.25 that is high and the other bid was received from J. Evans Services, LLC @ \$5,450 and can perform the work quickly. Charleston County's timeline is a month out. Mayor Lyon stated that that she would like to save the Town money and also wants to get this repair done. Councilman Dodson moved to approve J. Evans Services, LLC @ 5,450 for the driveway and pipe replacements, seconded by Councilman Boles.

Vote

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye

Passed unanimously.

Executive Session: The Town Council entered into an Executive Session in accordance with 30-4-70(A) (2) Code of Laws of South Carolina for discussions of proposed contractual matters, and proposed purchase of property.

Councilman Boles moved to enter the Executive Session at 5:48 p.m., Councilman Dodson seconded and passed unanimously.

Return to Regular Session: Council returned to regular session at 6:48 p.m. upon motion by Councilwoman Mignano and a second by Councilman Mullinax. Mayor Lyon announced that no votes were taken during the Executive Session.

Adjourn: There being no further business to come before the body, the special meeting of Town Council adjourned at 4:50 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk

Town of James Island
Special Meeting
March 13, 2024

The Town of James Island held a Special Town Council meeting on Wednesday, March 13, 2024 at 6:00 p.m. at the Town Hall, 1122 Dills Bluff Rd., James Island SC. This meeting was also live-streamed on the Town's website at: www.jamesislandsc.us/livestream-townmeetings.

The following members of Council were present: Boles, Dodson, Mignano, Mullinax, and Mayor Lyon, who presided. Also, Michael Hemmer, Town Administrator, and Frances Simmons, Town Clerk.

Call to Order: Mayor Lyon called the meeting to order at 6:00 p.m. and welcomed those in attendance. She announced that the purpose of tonight's meeting is to interview the candidates who applied for the position of Town Attorney in an executive session.

The following candidates submitted proposals for the position of Town Attorney:

Barnwell Whaley (Justin Novak)
Clawson & Staubes, LLC (Timothy Domin)
Clement Rivers, LLC (Brian Quisenberry)
Halversen & Halversen (Sterling Halversen)
Haynsworth, Sinkler, Boyd (Joseph Dickey, Jr.)
Kernodle & Coleman Law Firm (Trent Kernodle)
Wilson Law Firm (Joe Wilson)

Executive Session: Councilman Boles moved to enter into an executive session at 6:01 p.m. in accordance with 30-4-70(A) (1) Code of Laws of South Carolina to conduct interviews for an appointment to a public body; Councilwoman Mignano seconded. Motion passed unanimously.

Return to Open Session: A motion to return to open session was made by Councilwoman Mignano, seconded by Councilman Dodson at 8:39 p.m. Mayor Lyon announced that no votes were taken during the executive session.

Adjourn: There being no further business to come before the body, the meeting adjourned at 8:40 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk

March 4, 2024

Mayor Brook Lyon
Town of James Island
1122 Dills Bluff Road
James Island, SC 29412

Re: 1248 Camp Road Visual Structural Assessment
James Island, South Carolina

Dear Mayor Lyon:

GEL Engineering, LLC (GEL) is pleased to submit this proposal to the Town of James Island (the Town) to provide professional engineering services regarding the James Island Arts & Cultural Center located at 1248 Camp Road in James Island, South Carolina. It was reported to GEL that the Town is considering purchasing the building and would like a structural assessment performed due to previous water infiltration through the roof at multiple locations.

GEL performed a preliminary site visit on February 22, 2024 to determine the access requirements for inspection and obtain an understanding of the building's structural system. The building is a one-story structure that was constructed with a main atrium space and wings which extend to the north, east, south, and west of the atrium. Please refer to Figure 1 below for a satellite view of the structure.



Figure 1. Satellite View of James Island Arts & Cultural Center. Image Courtesy of Google®.

GEL temporarily removed isolated acoustical ceiling tiles below the atrium and at two wing locations and observed the underside of the roof from a ladder to develop our inspection methodology. Preliminary observations of the exterior of the building were performed from the ground. Solar panels were installed on the roof of the atrium portion of the building which appear to be attached to the standing seams of the building's metal roof.

SCOPE OF WORK

Following is the scope of work that GEL proposes to perform:

I. SERVICES

- A. GEL will perform one (1) site visit to perform a visual structural assessment of the accessible portions of the structure. GEL will perform its inspection from the ground and via ladders; GEL will temporarily remove acoustical ceiling tiles to ensure thorough review of the structural elements at all portions of the building. GEL anticipates that the review will require one (1) day on site.
- B. GEL will prepare a report that includes a description of the structure, a summary of our observations, a list of observed deficiencies, and conceptual recommendations for repair of deteriorated items. The report will also include photographs of observed deficiencies.

II. PROJECT SCHEDULE

GEL anticipates performing the site visit within ten (10) business days of receipt of a Purchase Order, weather permitting.

GEL anticipates providing the report within fifteen (15) business days of the site visit.

III. CLIENT RESPONSIBILITIES

- A. Provide GEL with access to the site.
- B. Provide GEL with any available construction documents or documentation regarding the building.

IV. SERVICES NOT INCLUDED

All services not listed under "Services" are considered Additional Services. The compensation for these services will be in addition to that for "Services." Additional services include, but are not limited to, the following:

- A. Engineering services incidental to project scope changes beyond GEL's control.
- B. Services in connection with change in government requirements instituted after the date of this Agreement.
- C. Visits to the site in excess of those noted under "Services".
- D. Performing structural modeling/analysis.
- E. Preparing sketches, repair documents, or repair details.
- F. Preparing as-built documents or performing any surveys.
- G. Material or geotechnical testing.

Mayor Brook Lyon

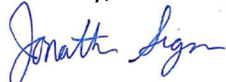
March 4, 2024

Page 3

- H. Permitting.
 - I. Control over or charge of safety procedures, precautions, and programs.
 - J. Construction phase services (i.e. procurement, pre-bid meetings, construction meetings, material or product submittal reviews, construction inspections, etc.).
 - K. Preparing a cost estimate for recommended repairs.
 - L. Environmental assessment or testing.
- V. COMPENSATION
- 1. The items listed under "Services" will be provided on a lump sum basis for a fee of **\$8,650**.
 - 2. The fee above includes all reimbursable expenses necessary to complete the work; this may include, but is not limited to travel, meals, lodging and equipment.

We appreciate the opportunity to work with the Town of James Island. If you have any questions concerning this proposal or if you need additional information, please contact me at 843-670-4506 or jonathan.sigman@gel.com.

Sincerely,



Jonathan Sigman, P.E.
Managing Engineer



Bryan J. Williams, P.E.
Principal

- cc. Frances Simmons, Town of James Island Town Clerk
Keith McCulloch, P.E.
Daniel Campbell, P.E.

March 12, 2024

Via Email
Page 1 of 2

Brook Lyon, Mayor
Town of James Island
1122 Dills Bluff Road
James Island, SC 29412

Subject: **Proposal for Structural Engineering Services**
1248 Camp Road – Condition Assessment
James Island, SC
ADC Project No. 24094

Dear Brook:

ADC Engineering, Inc. appreciates the opportunity to submit the following proposal for your consideration. Our understanding of the scope of services and proposed fee are as follows:

SCOPE:

ADC Engineering will perform a condition assessment of the existing single-story building at 1248 Camp Road on James Island SC. The condition assessment inspection will include the accessible areas of the exterior and the interior. This will include looking above lay in tile ceilings. There will be no destructive investigation or material testing done in the performance of this inspection. This investigation is relevant to the structural systems of the building and does not include the roof or any waterproofing components. ADC Engineering will summarize the results of the inspection in a written report which will also include some general commentary concerning the code compliance of the structure. The proposed effort is not a seismic study nor a code upgrade study.

FEES:

The proposed fee for this scope of work is **\$4,000.00** plus expenses. Expenses may include mileage, reproduction, photography, and/or delivery with a ten percent overhead fee affixed.

Services other than those outlined in the Basic Services Scope will be provided as requested as an additional service. Unless agreed upon otherwise, additional services will be billed as hourly services in accordance with ADC Engineering's hourly rate schedule plus 1.1 times actual expenses.

In the absence of any other executed contract this letter shall incorporate the general conditions of the architect – engineer AIA standard contract C401, except as noted otherwise by this proposal.

If acceptable, please sign where indicated below, keep one copy, and return one copy to our office. Your signature will serve as our *Notice to Proceed*. **For all purchase orders, billing/invoices, and payments, please make sure to always reference the ADC project number.**



Thank you for considering ADC Engineering, Inc. If you have any questions or comments, please do not hesitate to call.

Sincerely,
ADC Engineering, Inc.



Mark Dillon, P.E.

ACCEPTED BY: _____

Town of James Island

Date

This Proposal may be accepted by executing where indicated herein and returning the executed Proposal within ninety (90) days of the date of this Proposal. After ninety (90) days, this Proposal and its contents become invalid and will be voided.



Garland/DBS, Inc.
3800 East 91st Street
Cleveland, OH 44105
Phone: (800) 762-8225
Fax: (216) 883-2055



ROOFING MATERIAL AND SERVICES PROPOSAL

Town of James Island
Art Center Repair
1248 Camp Rd
Charleston, SC 29412

Date Submitted: 03/07/2024
Proposal #: 25-SC-240333
MICPA # PW1925

SC General Contractor License #: CLG.116405 GC

Purchase orders to be made out to: Garland/DBS, Inc.

Please Note: The following budget/estimate is being provided according to the pricing established under the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with Racine County, WI and OMNIA Partners, Public Sector (U.S. Communities). The line item pricing breakdown from Attachment C: Bid Form should be viewed as the maximum price an agency will be charged under the agreement. Garland/DBS, Inc. administered an informal competitive process for obtaining quotes for the project with the hopes of providing a lower market-adjusted price whenever possible.

Scope of Work:

1. Carefully power wash all roof surfaces with greater than 2,000 psi pressure to remove debris, rust, scale, dirt, dust, chalking, peeling or flaking coatings, etc. Do not force water into the roof system or damage roof surfaces.
2. Wearing personal protective clothing and equipment, remove algae, mildew or fungus scrubbing with a push broom scrub brush. Rinse at least twice to be sure all cleaning agents or contaminants are completely removed to prevent adhesion issues.
3. If the roof surface becomes contaminated with dirt, dust or other particles at any time during the application of the LiquiTec system, cleaning measures must be taken to restore the surface to a suitable condition.
4. Ensure roof is dry prior to application
5. Contractor is to store Liquitec in a temperature controlled area above 50 degrees and below 80 degrees.
6. Contractor shall mix the two components for 2 minutes. Always mix the two components together in the full amounts, do not break down into smaller quantities.
7. Mixed pot life if 25-35 minutes, depending on ambient temperature and humidity levels.
8. Three course all vertical seams using Grip Polyester Soft 6" and Liquitec and allow to dry.

9. Apply Liquitec Base Coat and Top Coat on the vertical flashings at rate of 2gal per square each coating.
10. Apply Liquitec coating to all field seams 8" across seam at a rate of 2gal per square.
11. Apply Liquitec around perimeter edge where membrane has pulled away from edge metal.
12. Liquitec Flashing grade shall be used in designated areas where cap sheet has pulled away 2" or greater. Contractor to embed Grip Polyester Fabric in these areas.

Attachment C: Bid Form - Line Item Pricing Breakdown

Item #	Item Description	Unit Price	Quantity	Unit	Extended Price
	Labor - Eskola Roofing & Waterproofing	\$ 6,250.00	1	Total	\$ 6,250
	Sub Total Prior to Multipliers				\$ 6,250
23.167	Additional repair options: Option 1: Cost of Quote Plus Mark-Up (Used when repair and installation services line item pricing is not available and services performed are to be performed by a contractor. Requires a quote on corporate letterhead that cannot exceed \$25,000) Cost plus added to quote		14	\$ 6,250 %	\$ 875
	Sub Total After Multipliers				\$ 7,125
	Materials and Freight	\$ 10,209.92	1	Total	\$ 10,210
	Garland General Conditions	\$ 1,431.18	1	Total	\$ 1,431
	Total After Multipliers				\$ 18,766

Base Bid Total Maximum Price of Line Items under the MICPA: \$ 18,766

Proposal Price Based Upon Market Experience: \$ 18,766

Garland/DBS Price Based Upon Local Market Competition:

1 Eskola Roofing & Waterproofing	\$ 18,766
2 TeamCraft Roofing	\$ 24,792

Please Note – The construction industry is experiencing unprecedented global pricing and availability pressures for many key building components. Specifically, the roofing industry is currently experiencing long lead times and significant price increases with roofing insulation and roofing fasteners. Therefore, this proposal can only be held for 30 days. DBS greatly values your business, and we are working diligently with our long-term suppliers to minimize price increases and project delays which could effect your project. Thank you for your understanding and cooperation.

Clarifications/Exclusions:

1. Bonds are included.
2. Plumbing, Mechanical, Electrical work is excluded.
3. Masonry work is excluded.
4. Interior Temporary protection is excluded.

If you have any questions regarding this proposal, please do not hesitate to call me at my number listed below.

Respectfully Submitted,

John Petersen

John Petersen
Garland/DBS, Inc.
216-302-3777



From: Laura Mohan <laura.jamesislandlearningcoop@gmail.com>

Sent: Friday, February 2, 2024 1:17 PM

To: Robin Sanders <rsanders@jamesislandsc.us>; Brook Lyon <blyon@jamesislandsc.us>; Niki Grimball <ngrimball@jamesislandsc.us>

Subject: Re: Pavilion Approval Receipt

CAUTION: This email originated from outside the Town of James Island. Maintain caution when opening external links/attachments

Hi Robin, Niki, and Mayor Lyon,

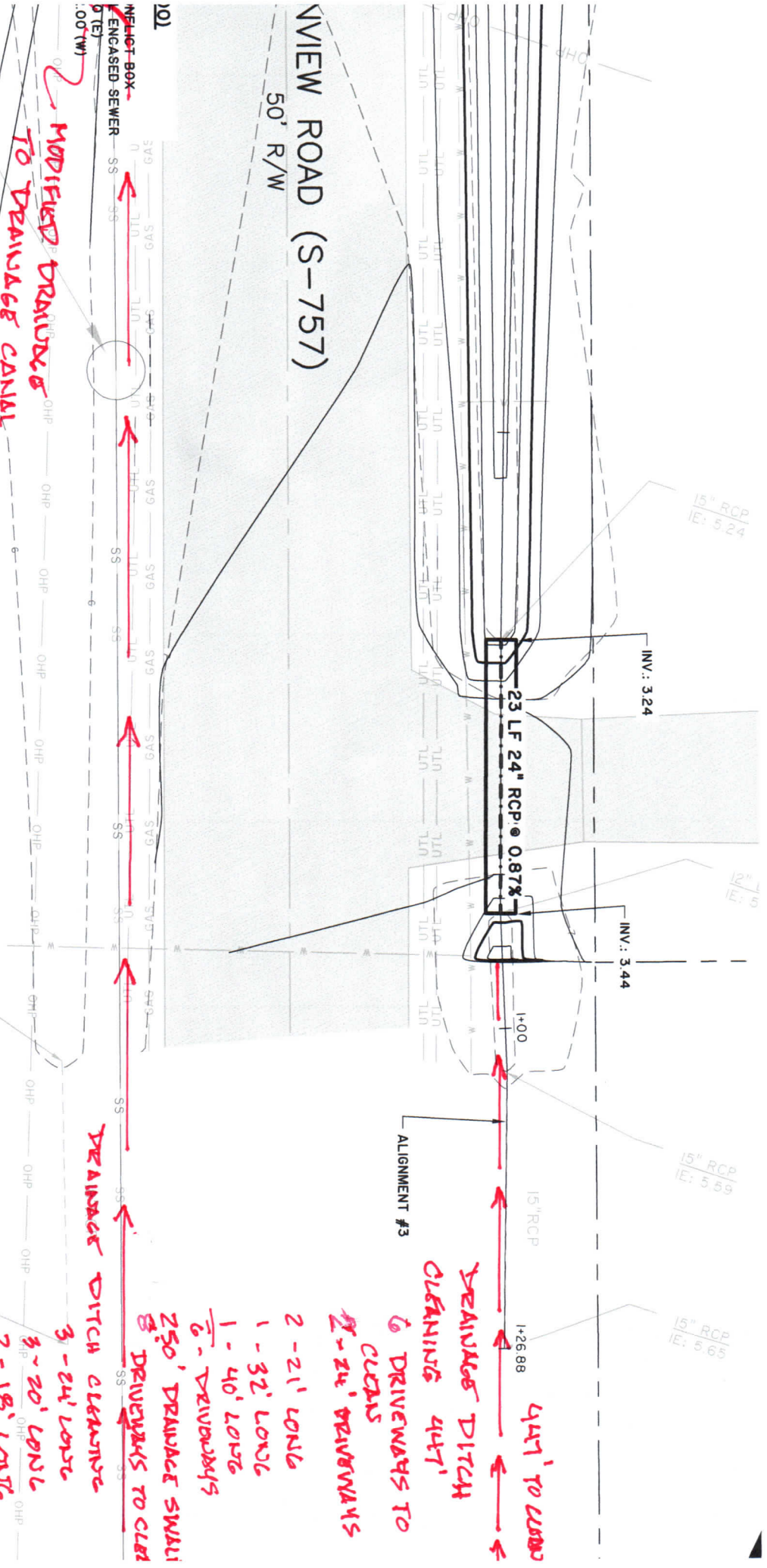
The James Island Learning Co-op has been loving our meetups at Pinckney Park, thank you so much for facilitating this! The kids look forward to our time there, especially exploring the marsh together and eating lunch in the sunshine. Our only problem has been that there is never any soap in the bathrooms. I would like to request the same reservation for next school year, except we'll avoid mosquito season and just meet at Pinckney October through May on Tuesdays and Wednesdays.

Thank you!

Laura Mohan

Lead Teacher - James Island Learning Co-op

VIEW ROAD (S-757)
50' R/W



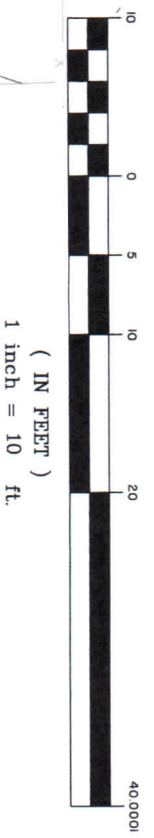
MODIFIED DRAINAGE CANAL TO DRAINAGE CANAL

INSTALL 24 TONS CLASS B RIPRAP
INVERT: 2.00 SCDOT STD. DWG. 804-310-00
APRON LENGTH = 16 LF
DEPTH = 1.5 FT
INSTALL 38 SY CLASS II GEOTEXTILE FABRIC

NO. C1.9

FR 555MH
E 1.55

GRAPHIC SCALE



TMS#428-06-00-026
DUSTIN ANDREW BROWN
P.B. O, Pg. 72

- NOTE:**
1. CONTRACTOR TO COORDINATE WITH PLACEMENT AND INVERTS OF THE
 2. FOR RIP-RAP ALONG CROSS CULV THE FOLLOWING SHOULD BE USED
 - 2.1. 1.5 TONS OF CLASS A RIPRAP
 - 2.2. APRON LENGTH = 6 FT
 - 2.3. DEPTH = 1.0 FT
 - 2.4. INSTALL 3.5 SY OF CLASS II G

447' TO CURB

DRAINAGE DITCH CLEANING 447' & DRIVEWAYS TO CURB

2-24' DRIVEWAYS

250' DRAINAGE SWALI & DRIVEWAYS TO CURB

3-24' DRIVEWAYS

3-20' DRIVEWAYS

2-18' DRIVEWAYS

3-24' LONG

1-32' LONG

1-40' LONG

1/6 - DRIVEWAYS

Proposal



Landscape Pavers, LLC
 Post Office Box 31832
 Charleston, SC 29417
 Phone 766-2363/Fax 766-2226

Proposal Submitted To Thomas and Hutton/Town of James Island	Phone	Date
Street	E-mail	Job Name
City, State, Zip	Job Location	
Architect	Date of Plans	Job Phone

We hereby submit specifications and estimates for:

Item	Description	Unit	Unit Cost	Quantity	Total
Clean existing drainage ditches (East Side of Oceanview Drive)	Clean existing drainage ditches	LF	\$ 6.25	447.00	\$ 2,793.75
Clean Driveway Pipes		LF	\$ 18.00	117.00	\$ 2,106.00
Clean existing drainage ditches (West Side of Oceanview Drive)	Clean existing drainage ditches	LF	\$ 6.25	250.00	\$ 1,562.50
Clean Driveway Pipes		LF	\$ 18.00	62.00	\$ 1,116.00
					\$ 7,578.25

Notes:

All quantities are based on visual observations from existing standing water only.

We Propose hereby to furnish material and labor -- complete in accordance with the above specifications, for the sum of:

dollars

Payment to be made as follows:
 As per contract

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature:

Arthur B. Schirmer, III, EIT

(Arthur B. Schirmer, III, EIT, Member)

Note: This proposal may be withdrawn by us if not accepted within 30 days

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature

Date of Acceptance: _____

Signature

TOWN OF JAMES ISLAND, SC



ADVISORY COUNCIL AND BOARD APPLICATION

Name: Natalie Rumph

Address: 1108 Mariner Drive

Telephone #:
Home: _____ Work: _____ Cell: 843-834-8703

Email Address: natalie.rumph@gmail.com

Advisory Council of Interest: Tree Advisory Committee

Educational Background, Work, or Life Experience Related to Your Interest:

Grew up on James Island, earned an Associates in Horticulture from Trident Tech
20 yrs experience in floriculture, 15 yrs. experience in horticulture
Currently own a DBA doing container gardening for local businesses.
Last year started a small-scale flower farm. I'm passionate about keeping James Island beautiful.

If you are not selected to serve on the Advisory Council or Board of your choice, please list other areas where you would like to serve:

_____ ; _____ ; _____

Signature: Natalie Rumph

Date: 2-20-24

*Advisory Council Members are appointed by Town Council and serve a two (2) year term

*Board members appointed serve 4 years of staggered terms

Thank you for your interest in serving the Town of James Island

AN ORDINANCE TO AMEND ORDINANCE # 2019-13: ESTABLISHING PURCHASING PROCEDURES FOR THE TOWN OF JAMES ISLAND, SOUTH CAROLINA

BE IT ORDAINED, by the Mayor and Council members of the Town of James Island, SC that the following purchasing procedures are hereby amended in **RED**:

The Town recognizes its responsibility to extend equal opportunity in purchasing decisions and encompasses all qualified individuals and companies in protected groups regardless of race, color, creed, religion, association, national origin, sex, age, or disability. The Town makes all purchasing decisions in full compliance with the laws and regulations of both the United States and the state. The Town makes qualifying purchasing decisions in a genuine, open, and competitive selection process, which complies with equal opportunity regulations. Qualifying purchasing decisions made by the Town shall be fair and neutral, provide opportunities to all persons or businesses applying, and strive to prevent and eliminate discriminatory behavior and practices by encouraging and utilizing nondiscriminatory practices in all aspects of its decision-making.

32.02 PURCHASING AGENT DESIGNATED; SPECIFIED DUTIES.

(A) There shall be an employee of the Town designated by the Mayor as the purchasing agent.

(B) The purchasing agent shall be responsible for:

(1) The purchase of supplies, materials, equipment, and contractual services required by any office, department, or agency of the Town government;

(2) Providing for the storage and distribution of supplies, materials, and equipment purchased by the Town and maintaining a perpetual inventory of appropriate items;

(3) Establishing specifications, where deemed necessary and practical, for such supplies, materials, equipment, and services. Such specifications shall be as definite and clear as possible and shall encourage competition wherever practical;

(4) Developing and maintaining an up-to-date list of qualified suppliers, vendors, and service providers, including those who have requested that their names be placed on a bidders list. The purchasing agent shall have the authority to remove the names of vendors who have defaulted on their quotations, attempted to defraud or mislead the Town, or who have failed to meet established requirements, including, but not limited to, established quotations or delivery dates; and

(5) Obtaining the most competitive prices on all purchases, contracts, and services.

32.03 PURCHASING LIMITATIONS AND AUTHORIZATIONS.

(A) To maximize the purchasing value of public funds, all procurement should be competitive where practicable and serve the best interest of the Town.

(B) Upon verification of adequate funds, all supplies, equipment, and contractual services, except as otherwise provided herein, shall be purchased by the following methods:

(1) *For purchases \$0–\$4,999* Requires no formal procurement, but the purchaser will ensure that the lowest cost is sought when possible. Purchases up to \$4,999 must be approved by the Mayor, or his or her designee, provided adequate budgeted funds are available for the purchase;

(2) *For purchases \$5,000 –\$9,999.* Requires that a minimum of two written competitive quotes be obtained with the award given to the lowest qualified bidder. A written quote or informal bid can consist of a fax, email, mailings, or any similar means. Purchases up to \$9,999 must be approved by the Mayor, or his or her designee provided adequate budgeted funds are available for the purchase;

(3) *For purchases \$10,000–\$24,999.* Same requirements as in division (B)(2) above, except purchases up to \$24,999 must be approved by the Mayor and Council, provided adequate budgeted funds are available for the purchase, and

(4) *For purchases \$25,000 and over.* Requires that purchases be made through competitive sealed bids and advertised through local press publications, the Town’s website, and/or the South Carolina Business Opportunities (SCBO) publication or other similar publications. Purchases over \$25,000 must be approved by the Mayor and Town Council.

(C) Nothing in this section shall prohibit a higher level, more stringent procurement method being used if it is determined by the purchaser that the Town’s best interest would be better served.

(D) Formal contracts shall be executed by the Mayor.

32.04 PROCUREMENT LEVELS, LIMITATIONS, AUTHORIZATIONS AND PROCESS.

(A) *Small procurements (\$0–\$4,999).*

(1) Small purchases must be approved by the Mayor or his or her designee or a request may be submitted to the purchasing agent for procurement.

(2) Competition is encouraged and recommended to ensure fair and reasonable pricing. Each purchasing authority shall use professional discretion and good judgment in an effort to maximize the purchasing value of public funds.

(3) Small procurements of less than *\$5,000* Requires no formal procurement, but the purchaser will ensure that the lowest cost is sought when possible. Small procurements must be approved by the Purchasing Agent and shall be accomplished by purchase orders in accordance with Town procedures and forwarded to the Finance Officer, who shall from time to time audit small procurements to validate that small purchases have been executed in accordance with this chapter and entered into the Town’s purchasing system.

(B) *Competitive quotes (\$5,000 –\$9,999).*

(1) Competitive quotes may be obtained by the purchasing agent or his or her designee, provided adequate budgeted funds are available for the purchase.

(2) Offers shall be requested and obtained from at least **two** sources whenever possible for purchases costing *\$(5,000)* or more but less than \$10,000.

(3) All suppliers solicited shall be afforded a complete description and requirements of the goods and services being sought, including any special conditions of the expected procurement.

(4) All suppliers solicited shall be afforded time considered reasonable by the purchaser to provide written quotes. Written responses shall be accepted by fax, email, mailings, or other similar means.

(5) All responses received shall be evaluated for price, quality, acceptability as specified, availability of goods or services, past performance, transportation, or any other special cost or factors, which may apply, including any special conditions or exceptions which the vendor may have stipulated.

(6) In all cases, any discussions with vendors after responses have been received shall be limited to clarification purposes. No discussion or disclosure is permissible with any vendors in regard to offers received from others.

(7) Negotiation is generally not applicable to competitive quotes although negotiations may be conducted; however, should any negotiations result in the change of the vendor's ranking, then like negotiations shall be afforded other vendors that have submitted a quote.

(8) Award shall be made to the most responsive, responsible vendor whose response has been evaluated and determined to meet the requirements and to be in the best interest of the Town. The Town shall reserve the right to award the most responsive, responsible vendor by units or projects, whichever is in the best interest of the Town.

(9) All such information received shall be considered confidential and shall not be disclosed to any vendor prior to an award decision. If all offers exceed the acceptable limits and it is determined that the goods or services shall be reprocessed, then all offers shall be rejected and no cost or pricing information shall be disclosed to any vendor for any reason.

(10) Procurements \$5,000 or more but less than \$10,000 shall be accomplished by purchase orders in accordance with departmental procedures with supporting quote documents and source justification and/or written rationale as to why the procurement may be considered under other procurement methods as provided elsewhere within this chapter, or more specifically, considered as a sole source procurement, sensitive procurement, emergency procurement, procurement through the state or one of its agencies, the county, or procurement through an existing Town contract. Supporting documentation should include written quotes submitted by vendors and contain a clear, concise statement as to the services and/or goods offered for the Town's consideration. At a minimum, comparative pricing should be obtained from two sources whenever possible which provide like or similar goods and/or services. Purchase orders \$5,000 or more but less than \$10,000 must be approved by the Mayor or his or her designee.

(C) *Competitive quotes (\$10,000–\$24,999)*. All requirements outlined in above division (B) apply to this purchasing level except that purchase orders require approval by the Mayor and Town Council and a minimum of two written quotes is required.

(D) *Competitive sealed bids (\$25,000 and over)*.

(1) Purchases and/or contracts valued at \$25,000 or greater shall be awarded by competitive, sealed bidding, except as may be provided elsewhere in this chapter.

(2) Full specifications and proposed vendors shall be provided to the purchasing agent to solicit competitive sealed bids.

(3) An invitation for bids shall be advertised through local press publications, the Town's website, and/or the South Carolina Business Opportunities (SCBO) publication or other similar publications, not less than ten days prior to the date set forth therein for the opening of bids.

(4) If necessary, all prospective bidders will be invited to a pre-bid meeting with the purchasing agent to discuss the bid.

(5) All bids received prior to the opening shall be kept secure and unopened. All bids, hand delivered, shall be initialed, indicating date and time received. Any bids not properly identified and opened in error by the Town shall be resealed immediately and initiated by the recipient.

(6) Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The amount of each bid and such other relevant information as may be specified in the invitation, together with the name of each bidder, shall be tabulated. The tabulation shall be open to public inspection at that time.

(7) It shall be the responsibility of all bidders to provide adequate means whereby their bids, whether mailed or hand carried, shall be received by the Town no later than the day and time as stated in the invitation. Late bids will not be accepted.

(8) Bids shall be accepted unconditionally without alteration or correction, except as may be otherwise authorized in this chapter. The invitation for bids shall set forth the evaluation criteria to be used. No criteria may be used in the bid evaluation that is not set forth in the invitation for bids.

(9) The Town shall evaluate the bids solely using the information as supplied by the bidder. However, it is sometimes determined that, for clarification and more professional evaluation, additional information is desirable and often necessary. Therefore, the Town reserves the right to hold discussions, review the specifications as believed offered, and request clarification or any additional technical information, which may provide a fair and impartial evaluation by the Town. All discussions shall be limited to the bidder's products, goods, or services, and no discussion shall be permitted regarding bids by others.

(10) Corrections or withdrawal of inadvertently erroneous bids before bid opening, withdrawal of inadvertently erroneous bids after award, or cancellation of awards or contracts based on such bid mistakes may be permitted by the Town where appropriate.

(11) Any bidder may, by requesting in writing, withdraw his or her bid for any reason prior to the scheduled bid opening.

(12) After bid opening, no changes in bid prices or other provisions or bids prejudicial to the interest of the Town or fair competition shall be permitted.

(13) Properly worded and directed changes or corrections, which do not disclose the total amount may be made by any bidder if submitted to the Town in writing and received prior to bid opening. These changes or corrections may be hand carried, mailed, emailed, or sent via fax transmission as follows.

(a) To increase or decrease a previously submitted lump sum amount, the bidder shall instruct the Town in the amount that his or her bid is to be increased or decreased by.

(b) In case of a bid which contains multiple items, the bidder shall instruct the Town in the amount that he or she desires a given item to be increased or reduced, thereby requesting that his or her total bid be increased or decreased in an equal amount. Changes shall only reflect the amount of adjustment. Changes received which indicate or divulge openly the total amount bid shall not be accepted.

(14) The bid shall be awarded with reasonable promptness by notice to the most responsible bidder whose bid meets the requirements and specifications and any other award criteria set forth in the invitation for bids, and in the best interest of the Town. **The Town reserves the right to reject any or all submittals.**

(15) The Mayor may authorize the purchasing agent, in situations where the Town's best interest precludes re-solicitation of work, goods, or services of a reduced scope, to negotiate an adjustment in the bid price, including change in the requirements, with the low, responsive, and responsible bidder.

(16) In the event that negotiations are unsuccessful in reaching a price or scope of work or services which would be agreeable, the Town, at its discretion, may terminate all negotiations with the lowest bidder, and enter new negotiations with the next lowest bidder, and likewise the third and sequential bidder should negotiations not be productive with the second lowest offeror.

(17) Should subsequent negotiations be conducted, all negotiations shall be conducted in like manner as with the first bidder. No changes or reductions in scope of work or services shall be permitted during negotiations with sequential bidders that was not permitted or offered with the negotiations with previous responsive bidders.

(18) In conducting negotiations, there must be no disclosure of any information derived from bids submitted by competing bidders.

(19) Procurements costing more than \$25,000 shall be accomplished by purchase orders in accordance with departmental procedures with supporting bid award documents and source justification and/or written rationale as to why the procurement may be considered under other procurement methods as provided elsewhere within this chapter, or more specifically, considered as a sole source procurement, sensitive procurement, emergency procurement, procurement through the state or one of its agencies, the county, or procurement through an existing Town contract. Supporting bid award documents should include bid tabulation and a concise statement as to the reasons for the bid award recommendation. Purchase orders worth more than \$25,000 must be approved by the Mayor and Town Council.

(E) Nothing in this section shall prohibit a higher level, more stringent procurement method being used if it is determined by the purchaser that the Town's best interest would be better served.

(F) Written contracts shall be executed by the Mayor.

(G) The Purchasing Agent may also authorize any budgeted expenditure approved in the current fiscal year's budget, where the price does not exceed the budget estimate by more than ten (10%) percent, if the total expenditure does not exceed \$25,000.00. The Purchasing Agent shall

submit a report of the expenditure to the Town Council, which shall be entered in the minutes of Council.

32.05 AWARD TO OTHER THAN LOW BIDDER.

(A) When the award is not given to the lowest responsive bidder, a full and complete list of the reasons therefor shall be filed with the purchase order. Local vendor preference shall be given to those vendors who maintain a principal place of business (owned or rented) within the Town, as registered in official documents filed with the Secretary of State, the Internal Revenue Service, or State Tax Commission, and hold a valid Town business license.

(B) In evaluating the price of eligible local vendor bids, the bids shall be evaluated as though the prices proposed by local bidders were either 5%, 2%, or 1% lower than actually proposed in accordance with the following schedule:

(1) If the local bidder submits a bid costing less than \$2,500, the business or individual shall be evaluated on a 5% reduction basis;

(2) If the local bidder submits a bid cost \$25,000 or less, the business or individual shall be evaluated on a 2% reduction basis; and

(3) For bids \$25,000 or more, the evaluation shall be based on a 1% reduction basis but will not exceed a total reduction of more than \$2,000.

(C) Nothing herein shall be construed as increasing or decreasing the actual price of a bid and the resulting contract; this section is intended only to be used for the purposes of comparing and evaluating bids and proposals for products and services. Nothing within this section shall be construed to create any private rights claims, or cause of action on behalf of any person, including but not limited to bidders.

(D) The requirements of this section may be waived by the Mayor upon a formal finding that the best interests of the Town would not be served by adhering to the provisions of this section.

(E) This section shall not apply in emergency or sensitive procurement situations.

(F) The Town reserves the right to specify brand names based on its experience, current inventory, and other qualifications specified by the user department.

32.06 BID SECURITY DEPOSITS, AND PERFORMANCE-BONDS, AND MATERIALS TESTING.

(A) Bid security deposits and/or performance bonds, including but not limited to performance, payment, labor, material, and/or warranty may be required as described in the invitation to bid as determined by the Town.

(B) The Purchasing Agent shall have the authority to require chemical and physical tests of samples submitted with bids and samples of deliveries, which are reasonably necessary to determine their quality and conformance with the specifications. In the performance of such tests, the Purchasing Agent shall have the authority to make use of laboratory facilities of any agency of the Town or any outside laboratory.

32.07 PROTEST PROCEDURES.

(A) Any bidder who is aggrieved in connection with the solicitation or award of a bid shall protest to the purchasing agent within five days from the time of award of the goods or services being grieved. Such protest must be in writing and must set forth all specific grounds for the protest in detail and explain the factual and legal basis for each issue raised. No additional issues may be raised or will be considered thereafter.

(B) The purchasing agent shall conduct all inquiries deemed necessary, and a hearing may be held at the discretion of the purchasing agent. The purchasing agent shall issue a decision in writing within ten days. The bid award or contract shall not be stayed pending any such protest.

(C) Any protestant aggrieved by the decision of the purchasing agent may appeal to Town Council within five days of the purchasing agent's decision. No new issues may be raised on such appeal. The Mayor shall issue the decision of the Town Council within 15 days of their hearing. The decision shall state the reason for the action taken. A decision rendered under this section shall be final and conclusive unless fraudulent.

(D) The appeal decision of the Mayor and the Town Council is the final administrative review and the decision of the Town, and such decision can be appealed to the circuit courts of the state.

(Ord. 2012-16, passed 11-15-2012)

32.08 COMPETITIVE BIDDING REQUIREMENT; EXCEPTIONS.

Competitive quotes or bidding is required on all purchases exceeding **\$5,000** with the following exceptions.

(A) *Emergency procurement.* Notwithstanding any other provision of this procedure, the Mayor, or his or her designee, may make an emergency procurement when there exists a threat to public health, welfare or safety under emergency conditions or where normal daily operations are affected. The purchasing limits, as provided for in the informal purchase procedures in division (C) and (D) of this section, will be suspended during the emergency situation to prevent an interruption or delay in emergency response. The maximum amount of the emergency purchase will be limited to \$150,000 for such emergency purposes. Purchases above this amount will require approval by a quorum of Town Council.

(B) *Procurement without competitive bidding.* The state and its agencies, including South Carolina counties and municipalities, write numerous indefinite-delivery-type contracts yearly with manufacturers, service providers, and contractors for regional and/or nationwide items, construction projects, or services. In all cases, Town procurement of equipment, goods, or services may be made from suppliers, which have *current* contracts in place through the state or one of its agencies, including South Carolina counties or municipalities, without seeking competitive bids or proposals. Also, the Mayor, or his or her designee, may procure from the private or public sector supplies, services, or construction items whenever such procurement may be obtained at or below the price established by the state purchasing division for an identical item.

(C) *Sole source procurement.* The purchase has been classified as sole source procurement and documentation, approved by the Mayor, or his or her designee, filed with any quote received by the vendor. As much competition amongst providers shall be sought when possible. A purchase may be classified as sole source for one of the following reasons:

(1) There is only one vendor that can provide a specific product or service;

(2) A brand or make has been established for conformity, to standardize equipment, improve maintenance, or other similar reasons; or

(3) A specific brand has been established based on reviews, testing, availability, ability to work with other owned products, or other similar reasons.

(D) *Sensitive procurement.* When it is determined that unlimited solicitation may jeopardize sensitive operations, a limited solicitation shall be authorized, with such competition as practicable under the circumstances. Unless otherwise authorized by the Mayor, sensitive procurement shall be limited to legal services, financial services to include financial advisors and rate consultants, or administrative services. In all such cases, the Mayor must approve prior to ordering.

(E) *Professional Services (Architect/Engineering Services).* It is the policy of the Town to publicly announce all requirements for architect-engineer and surveying services and to negotiate such contracts based on demonstrated competence and qualifications at fair and reasonable prices. In the procurement of architect-engineer and land surveying services, the Mayor or his or her designee shall request firms to submit a statement of qualifications and performance data.

(1) The Mayor or his or her designee shall conduct discussions with no less than three firms, except when fewer responds. The firm deemed most qualified to provide the required services will be selected.

(2) The selection shall be made in order of preference, based on criteria established and published by the purchasing agent. The Mayor or his or her designee shall negotiate with the highest qualified firm for architect-engineer or land surveying services at a compensation which is considered to be fair and reasonable to the Town. In making this decision, the Mayor or his or her designee shall take into account the established value, the scope, the complexity, and the professional nature of the services to be rendered.

(3) If the Mayor or his or her designee is unable to negotiate a satisfactory contract with the firm considered most qualified, negotiations with that firm shall be formally terminated. The Mayor or his or her designee shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the Mayor or his or her designee shall then undertake negotiations with the third most qualified firm. If the Mayor or his or her designee is unable to negotiate a contract with any of the selected firms, the Mayor or his or her designee may select additional firms in order of their competence and qualifications, and the Mayor or his or her designee shall continue negotiations in accordance with this section until an agreement is reached.

(F) *Professional Services.* The competitive procurement requirements of this section shall not apply to the procurement of professional services where the person employed is customarily employed on a fee basis rather than by competitive bidding such as legal, medical, consulting, real estate, appraiser, auditor or accounting services. The Mayor, or his or her designee, may secure professional services by direct negotiation and selection, taking into account the type of services required, the proximity (location) of the professional providing the services, the capability of the professional to produce the required service within a reasonable time, past performance, and the ability to meet budget requirements, Nothing herein shall be deemed to prohibit the Town from using competitive procurement procedures for professional services if the Mayor or his designee determines it is in the best interests of the Town.

(G) An expenditure may be made without competitive procurement when an item is required for trial use or testing. The Mayor, or his or her designee, shall set forth such determination and the basis therefor in a written statement submitted to Town Council and entered in the minutes of Council.

(H) The following types of expenditures are exempt from the competitive procurement requirements of this section:

- (1) utilities including gas, electric, water, and sewer;
- (2) information technology;
- (3) maintenance and repairs to vehicles, machinery or equipment necessary in providing an essential Town service;
- (4) maintenance or service contracts which are made with the manufacturer or authorized service agent;
- (5) replacement parts of existing equipment supplied by the original equipment manufacturer or authorized dealer;
- (6) routine, recurring purchases (e.g., office supplies);
- (7) works of art and holiday decorations for public display;
- (8) competitive bidding including, but not limited to, reverse auctions.

32.09 LEASES.

(A) *Lease defined.* A **LEASE** is a contract for the use of equipment or other supplies, or real property under which title does not pass to the Town unless there is a purchase option where title may pass to the Town at some future time. A lease period shall be restricted to a maximum of 20 years.

(B) *Entering a lease.* A lease may be entered into provided if:

- (1) It is in the best interest of the Town;
- (2) All conditions for renewal and costs of termination are set forth in the lease;
- (3) The lease is not used to circumvent normal procurement procedures; and
- (4) The lease contains appropriate non-appropriation language.

(C) *Lease with purchase option.* A purchase option in a lease may be exercised only if the lease containing the purchase option was awarded under competitive sealed bidding or competitive sealed proposal, or the leased supply or facility is the only supply or facility that can meet the Town's requirements as determined in writing by the purchasing agent.

(D) *Option provisions.* When a contract is to contain an option for renewal, extension, or purchase, notice of such provision shall be included in the solicitation. Exercise of the option is always at the Town's discretion only and not subject to agreement or acceptance by the contractor.

32.10 SURPLUS STOCK.

(A) The Mayor or his or her designee shall have authority to transfer stock or surplus supplies to other offices, departments, or agencies of the Town.

(B) If the Mayor or his or her designee deems it appropriate, surplus stock and supplies can be given to charity or to another public entity; provided, however, that prior approval is given by the Town Administrator for items with an estimated value up to \$1,000; by the Mayor for items with an estimated value up to \$10,000; and by Council for items with an estimated value over \$10,000, but less than \$25,000.

(C) If deemed appropriate and approved by the Mayor and Town Council, surplus stock and supplies may be auctioned off to the highest bidder at an auction that has been noticed in a paper of general circulation. Written bids will be accepted on all surplus stock and supplies that have been listed in the auction bulletin. The auction bulletin shall describe each item and its fair market value. Employees, Council members, and their immediate families are not eligible to bid on auction items.

(D) Surplus stock and supplies with an estimated value exceeding \$25,000 shall be sold by formal written contract to the highest responsible bidder, after due notice inviting proposals.

32.11 PURCHASES FROM PETTY CASH.

A purchase of less than \$100 may be made from petty cash if approved by the Mayor or Town Administrator.

32.12 GIFTS AND REBATES.

The purchasing agent and every officer and employee of the Town are expressly prohibited from accepting, directly or indirectly, from any person, company, firm, or corporation to which any purchase order or contract is or might be awarded, any rebate, gift, money, or anything of value whatsoever, except where given for the use and benefit of the Town.

32.13 FINANCIAL INTEREST OF TOWN OFFICIALS AND EMPLOYEES.

No member of the Town Council or any officer or employee of the Town shall have a financial interest in any contract or in the sale to the Town or to a contractor supplying the Town of any land or rights or interests in any land, material, supplies, or services; except when a majority of the Town Council determines such exception is in the best interest of the Town, provided that no Council member whose interest is involved shall vote on the question. Any violation of this section shall constitute malfeasance in office and any officer or employee of the Town found guilty thereof shall there by forfeit his or her office or position. A violation of this section by a person or corporation contracting with the Town shall render the contract voidable by the Mayor.

32.14 COOPERATIVE AND INTERGOVERNMENTAL PURCHASING

The Mayor or his/her designee shall have the authority to join with other governmental units in cooperative purchasing plans and to enter into purchase contracts with other governmental units without the formality of publication and receiving competitive bids as otherwise required in this chapter when the best interest of the Town would be served thereby. The Mayor or his/her designee also is given authority to make purchases of supplies and equipment through the property

division of the State Budget and Control Board, without the formality of publication and receiving competitive bids as otherwise required in this chapter.

32.15 OWNERSHP AND DEPOSITION OF PROPERTY

As prescribed in Section 5-7-40 of the State of South Carolina Code of Laws, the Town of James Island may:

- (A) own and possess property within and without the corporate limits, real, personal or mixed, without limitation, through passing a Resolution adopted at a public meeting; and
- (B) sell, alien, convey, lease or otherwise dispose of personal property and in the case of a sale, alienation, conveyance, lease or other disposition of real or mixed property, through passing an Ordinance adopted at a public meeting.

EFFECTIVE DATE: This Ordinance shall become effective upon its enactment by the Town Council for the Town of James Island.

First Reading: February 15, 2024

Second Reading: March 21, 2024

Frances H. Lyon
Mayor

ATTEST

Frances Simmons
Town Clerk