



Town of James Island, Regular Town Council Meeting
May 18, 2017; 7:00 PM; 1238-B Camp Road, James Island, SC 29412

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.

Members of the public addressing Council during the Public Comment period must sign in. Comments should be directed to Council and not the audience. Please limit comments to three (3) minutes.

1. Opening Exercises
2. Public Comment
3. Consent Agenda
 - a. Minutes: April 20, 2017 Regular Town Council Meeting
 - b. Proclamation for National Police Week
 - c. Proclamation for National Public Works Week
4. Information Reports
 - a. Finance Report
 - b. Administrator's Report
 - c. Public Works Report
 - d. Island Sheriffs' Patrol Report
5. Requests for Approval: None
6. Committee Reports
 - Land Use Committee
 - Environment and Beautification Committee
 - Children's Commission
 - Public Safety Committee
 - History Commission
7. Resolutions
 - a. Resolution # 2017-07: Request for CTC Funding for **Seaside Lane Sidewalk**
 - b. Resolution # 2017-08: A Resolution Pertaining to a Moratorium in the Town of James Island
8. Ordinances up for Second Reading:
 - a. Ordinance # 2017-05: An Ordinance to Adopt the Fiscal Year 2017-2018 Annual **Budget** for the Town of James Island
 - b. Ordinance #2017-06: To Amend Ordinance #2012-16: Establishing Purchasing Procedures for the Town of James Island, SC
9. Ordinances up for First Reading: None

10. New Business:

11. Executive Session: The Town Council may/will enter into an Executive Session in accordance with 30-4-70(a) Code of Laws of South Carolina.

12. Return to Regular Session

13. Adjournment:

The Town of James Island held its regularly scheduled meeting at 7:00 p.m. in Council Chambers, 1238-B Camp Road, James Island, SC on Thursday, April 20, 2017. The following members of Council were present: Garrett Milliken, Joshua P. Stokes, and Mayor Bill Woolsey, who presided. Absent: Mayor Pro-Tem Leonard Blank, and Darren "Troy" Mullinax. A quorum was present to conduct business. Also present: Ashley Kellahan, Town Administrator, Bonum S. Wilson, Town Attorney, Merrell Roe, Senior Finance Clerk, Mark Johnson, Public Works Director, Sergeant Shawn James, Island Sheriff's Patrol, and Frances Simmons, Town Clerk.

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

Public Hearing: Proposed Fiscal Year 2017-2018 Annual Budget: No one signed in to speak. Mayor Woolsey closed the Public Hearing.

Public Comments:

Alan Laughlin, 847 Darwin Street, spoke about the election ordinance on tonight's agenda. He stated that he has a problem with the general idea about it. In 2014, one of the things he felt was a problem was there were no staggered terms for members of Council. Since there are two/two Councilmembers that does not change the election. If changes were made, he would like to see staggered election terms so there are two Councilmembers replaced/re-elected; or two years after that the other two; and four-year terms from that point on. This way, terms will always be staggered.

Courtney Chavis, Community Outreach Coordinator with Windwood Family Services thanked Mayor, Council, and staff for a Proclamation recognizing Child Abuse Prevention Month and displaying a pinwheel garden the month of April.

Consent Agenda:

- a. Minutes of March 16, 2017 Regular Town Council Meeting
- b. Fair Housing Month Proclamation

Councilman Milliken moved to approve the consent agenda; Councilman Stokes seconded. Passed unanimously.

Information Reports:

- a. Finance Report: Written report provided by Senior Finance Clerk, Merrell Roe and accepted as information. Ms. Roe announced a shred day event on Monday, May 22, 10-1 p.m. in the parking lot at the Town Hall.
- b. Administrator Report: Written report provided by Town Administrator, Ashley Kellahan and accepted as information. Mrs. Kellahan announced that Charleston Magazine would be publishing an article about Pinckney Park to run in the June or July edition. Council was reminded about a Ribbon Cutting Dedication for Harbor View Road, Friday, April 21. Taste of James Island will be held on Saturday, April 29, and the Department of Social Services will have a meet and greet for adoptive parents on Saturday, April 29 at James Island County Park. The Town and the Island Sheriffs' Patrol has partnered with DSS by providing food and fun for the event.
- c. Public Works Report: Written report provided by Public Works Director, Mark Johnson and accepted as information. Mr. Johnson gave an update on upcoming CERT activities. Next meeting CERT meeting is Monday, May 15 on the topic of Hurricane Preparedness.
- d. Island Sheriffs' Patrol Report: Sergeant James reviewed crime statistics and March Island Sheriffs' Patrol report. Councilman Milliken commented on a safety concern at James and Waites Drive.

Requests for Approval:

Request for Waiver of one-year waiting period for submittal of Application for Special Exception for the demolition of three (3) historic structures at 221 Fort Johnson Road: Mrs. Kellahan explained the process by which an applicant appears before the Board of Zoning Appeals (BZA). She said if an application is denied the applicant has option to reapply after one year or could request to have the one-year waiting period waived. MUSC's request has been denied by the BZA and they are requesting to waive the one-

year waiting period. MUSC believes the BZA could have considered their application for the three (3) historic structures separately as opposed to considering them together. Mayor Woolsey asked for a motion in favor. Councilman Stokes moved, seconded by Mayor Woolsey. Councilman Milliken said he was curious and he had heard that the application was incomplete. He asked if this was the issue. Mrs. Kellahan said she attended the BZA meeting and they questioned the thoroughness of one of the structures- that there was not a lot of information about the condition of the warehouse. She said there was a structural report on the storage building, but not much on the warehouse. Councilman Stokes asked if the waiver is granted, if MUSC would do it differently to make sure each structure is addressed separately. Mrs. Kellahan said she was unsure, and MUSC has the right to apply the same; but she feels they will revise their application. Mayor Woolsey said we would make it clearer to the BZA. He said at the BZA meeting, a statement was made by a member that they had to deal with all of the buildings as one; and could not deal with them separately; which was false. He said in the request submitted by MUSC they said the BZA made a false statement and have asked Town Council for a waiver to return to the BZA. Mayor Woolsey said he presumes this would be partly on the basis that the BZA could at least consider each building separately. In addition, he said anyone who looks at the condition of the buildings could tell they are widely different. Councilman Stokes said this is not an effort to overturn the BZA's decision; it is to allow MUSC to ask the BZA for another chance. Mayor Woolsey agreed, rather than them waiting a year, it could be done right away. Councilman Milliken asked if the situation was that MUSC submitted a single application for the three structures. Moreover, is that normally how it happens at BZA, or is each structure considered individually. He said the Town has not done many demolitions and he is curious how that is done. Mayor Woolsey said he thought MUSC could submit one application for the three buildings and the BZA could consider each building separately by noting substantial justification for one, two, three or none. He said the problem is that the BZA in their discussion said that they were required to deal with all as one, which was a false statement. Councilman Milliken asked if we had received legal counsel that it is a false statement and Mayor Woolsey answered yes. Mayor Woolsey called for the vote and it passed. Councilman Milliken opposed.

Request to change July Town Council Meeting to July 13: Mrs. Kellahan announced that the Municipal Association of SC will hold its Annual Meeting on July 20-23, (July 20 is the regular scheduled Town Council meeting). Mrs. Kellahan made request to change the Town Council meeting to July 13. She noted that every other year this meeting falls on our Town Council meeting. A motion to change the Town Council meeting to Thursday, July 13 was made by Councilman Stokes, seconded by Councilman Milliken and passed. Mayor Woolsey opposed.

IFB #1-2017 Centerville Speed Humps: Asphalt Concepts, LLC: Mrs. Kellahan reported that one bid was received from Asphalt Concepts, LLC. She noted that the Town reserves the right to reject any or all bids. The estimate was \$50,000 and the bid came in at \$49,887 for nine (9) speed humps in the Centerville subdivision. Mayor Woolsey asked for a motion in favor. Councilman Milliken moved, seconded by Councilman Stokes. Passed unanimously to award the bid to Asphalt Concepts, LLC.

Construction Materials Testing & Special Inspections for Town Hall – ECS Southeast, LLP: Mrs. Kellahan explained why the construction materials testing is not included with the bid. She said that has to be independent of the general contractor that is selected. Liollio Architecture has gathered and reviewed three (3) proposals and recommends ECS Southeast, LLP. Mrs. Kellahan said the Town has worked with ECS before. Their services includes inspections beyond what our Building Official would perform, such as earthquake drains and specialized materials testing. The estimate cost is \$10,969 along with the fee schedule. Motion in favor was made by Councilman Stokes, seconded by Councilman Milliken. Councilman Stokes asked if the fee schedule is included in the \$10,969 or in addition to. Mrs. Kellahan said it is a mixture; some costs are included and some are not. Mayor Woolsey said an itemized bill would be provided that should total the estimated cost. Councilman Milliken asked if the service would continue after construction ends. Neither Mrs. Kellahan nor Mayor Woolsey thought that it would continue. Motion passed unanimously.

Committee Reports:

Environment and Beautification Committee: Councilman Milliken announced that James Island Arts had concluded the art auction and 12 art teachers would receive \$275.00 along with a \$25 gift card from Artist and Craftsman. Kenneth Johnson is sponsoring a car wash on Saturday, April 22, 1:30-3:30 p.m. at Modern

Glass for \$10.00 per vehicle, proceeds goes to Helping Hands. Next James Island Pride Adopt-a-Highway litter pickup is Saturday, May 6; 9-11 a.m. Mayor Woolsey complimented the Arts Committee on a successful Art Auction and their service to our children and the community.

Children's Commission: Councilman Stokes announced that the first annual Easter Egg Roll was a resounding success. He said many children attended and their parents were very appreciative. Special thanks to staff for helping to ready the event. Next Children's Commission meeting is Thursday, May 11 at 5 p.m.; Mayor Woolsey complimented Councilman Stokes on a successful event that he thoroughly enjoyed.

History Commission: No report

Resolution #2017-05: Participation in Police Officers Retirement System (PORS): Mrs. Kellahan reported that the FY 2017-2018 Annual Budget includes contributions to the Police Officers Retirement System. Police Officers are currently enrolled under the SC Retirement System. They are eligible to participate in PORS however; a resolution must be passed by Town Council. A motion in favor was made by Councilman Stokes, seconded by Councilman Milliken. Motion passed unanimously.

Resolution #2017-06: Island Sheriffs' Patrol Officer of First Quarter: Mayor Woolsey recognized and read a resolution for Deputy Michael Buenting, Island Sheriffs' Patrol Officer for the first quarter of 2017. Resolution passed unanimously.

Proclamation for Child Abuse Prevention Month: Mayor Woolsey read a Proclamation recognizing April as Child Abuse Prevention Month. A motion in favor was made by Councilman Stokes, seconded by Councilman Milliken. Motion passed unanimously.

Ordinances up for Second Reading

Ordinance #2017-04: Amending the Town of James Island Zoning and Land Development Regulations Ordinance, §153.336 Architectural and Landscape Design Guidelines (c) (3) Building Color (c) Murals: Motion in favor was made by Councilman Stokes, seconded by Councilman Milliken. Councilman Milliken said he was in receipt of a memo from legal counsel and wondered how far Council should go into discussing it. Mayor Woolsey said his concern relates to the placement of this amendment in the overall ordinance; and how it relates to site place development and his inclination is to vote no. Councilman Milliken said if Council votes no, it would mean there would be no regulations on murals, and Mayor Woolsey agreed. Councilman Stokes said it would also mean that the same standards apply to other portions of our ordinance that has limits on the number of colors on the outside of a building. Mayor Woolsey said that would still be a requirement for site plan review. Mayor Woolsey called for the vote and all opposed. The amendment failed.

Ordinances up for First Reading:

Ordinance #2017-05: An Ordinance to Adopt the Fiscal Year 2017-2018 Annual Budget for the Town of James Island: Motion in favor was made by Councilman Stokes, seconded by Mayor Woolsey. Councilman Milliken asked how the estimate for the construction of the Town Hall would affect the budget; once we know what that cost will be. Mayor Woolsey said when we determine what the estimates are; we will have a better idea. He said any effect on the budget or possible amendment would relate to the difference between the amounts we are authorized to pay through the lease purchase agreement and any extra costs beyond that amount. He said that could require a change in the budget but we will not know it until the estimate comes in. Mayor Woolsey called for the vote and it passed. Councilman Milliken abstained from voting until he has more information about the costs of Town Hall.

Ordinance #2017-06: To Amend Ordinance #202-16: Establishing Purchasing Procedures for the Town of James Island, SC: Mrs. Kellahan said the amendments were primarily patterned after the Municipal Association's model ordinance and the Isle of Palms'. The Isle of Palms revised their ordinance in February this year. She said the changes were reviewed and approved by Mr. Wilson, legal counsel, and permissible under state law. Mrs. Kellahan said she felt comfortable with the proposed amendments. Some changes: combine the second and third section due to redundancy; threshold raised from \$2,500 to \$5,000 for quicker

quotes, collaboration on the types of bonds required for procurement; section on cooperative government purchasing, and a section on real estate procurement. Motion in favor was made by Councilman Stokes, seconded by Mayor Woolsey. Councilman Milliken asked if small procurements would be quicker by doubling the cost to \$5,000. Mrs. Kellahan explained the process that requires three (3) quotes and that sometimes there is no one to do the type of work we need to have done. Councilman Milliken asked if a quicker response has an effect on price to make it more expensive. Mrs. Kellahan said this is the only area that increased and requests \$10,000 and above are approved by Town Council. Mayor Woolsey added that the current ordinance is repetitive; and unclear about who is responsible for making decisions and other types of professional services are not specified. He said the changes would be consistent with other municipalities, specifically with the Isle of Palms. Mayor Woolsey called for the vote and it passed. Councilman Milliken opposed.

Ordinance #2017-07: Date of Town Election: A motion in favor was made by Councilman Milliken, seconded by Councilman Stokes. Councilman Milliken said when he ran for Council in 2014 the Notice of Election was for a four-year term - that is what he signed for. When the BCD COG manual came out this year, he found out that 15 months were added to Council's term to 2019. He said it is a good idea to have elections in odd numbered years because we are non-partisan, and it is a tremendous benefit to continue that kind of tradition. If we follow the ordinance that was passed, prior to his coming on Council the next election would be 2015; and 2017 would be the odd year to begin the process. He said Mount Pleasant wrestled with this issue to extend terms to get to odd numbered years. They acquired several opinions from the Attorney General (AG) Office. Councilman Milliken said a body can extend or diminish the length of its term and both are permissible and within the law (2006 Opinion). He said logically 2017 might be a good time to begin the process. He noted that Mr. Laughlin raised a good point during public comments that this could be an opportunity to stagger terms and add two seats, but for our purposes now, we could follow the ordinance that passed by having an election in 2017.

Councilman Stokes said he does not agree that the next election should have been in 2015. He said Council was elected in 2014 and the term changed to four years to 2018. He said the residents voted for those four-year terms; and it should be that, not shorter than that. He does not think an election should happen earlier than November 2018. He commented that if an election in 2019 increase terms, an election in 2017 does the same thing in reverse by shortening the terms unilaterally and he does not agree with that. Councilman Stokes said he has legal concerns about the ordinance overall. He commented that Mr. Laughlin mentioned staggered terms, and this ordinance does nothing to stagger terms. He does not agree with changing someone's term while in office. There is a precedence that the same might be in place if there was compensation with an office. If compensation is changed, it does not take effect until the next election occurs. He does not see the point in doing this now. It is not the right time to move an election forward to 2017.

Councilman Milliken said the opinion was clear about compensation and it was not a problem as long as someone received the same as before, if they chose to extend the term. He said a body can chose to extend or limit its terms, which he takes little exception with; but when it comes down to what the people voted for, it is better to err on the side of caution and limit terms rather than extend them. He said arguments could be made either way but it is not what the people voted for. Councilman Stokes reiterated that the people voted for four years at least to November 2018. The issue for him is do we change this to something prior to November 2018? His answer to that is no.

Mayor Woolsey said State law plainly says that municipalities have two types of terms - - two or four years. The Incorporation laws states that when an incorporation election or referendum occurs, a decision is made whether those terms will be for two or four years. In his view, the people who were elected the end of July 2014 serves at least until the end of July 2018. If an election were held in November 2017, it would create lame ducks for nine months. He said we could hold an election in 2017, but it would not shorten anyone's terms, it would continue until terms are up and the new people come on. Forever we would have a lame duck nine months situation, which is not desirable. He said those ordinances were passed in 2014 and his view was in keeping four year terms and shifting the date was to let the terms end. The incumbents would continue to serve until their replacements were elected in November 2019. Mayor Woolsey commented that his preference was to have an election in 2018; however, the County Election Commission said no.

That would mean terms would be ended and new people would be elected three months later. It had nothing to do with the offices being partisan or non-partisan. The Election Commission said they would be too busy and it was difficult to have yet another kind of election during that period. He said it is not impossible to schedule elections at other times, and he believes that we could change the election date, though he is not in favor of that. He thinks it is desirable to go to November of odd years because the Election Commission is trying to have a General Municipal Election Day. A preferred solution, if Council wishes to change, is to change it so that it would come into application to the people who are elected in 2019 and be applied to future elections. For staggered terms, he was in favor of staggering terms in 2014, but there was insufficient support on Council and he agreed to defer the matter because if the Town is reunited, its size would increase and it would be appropriate to add to Council that would require a referendum. Mayor Woolsey gave his view on staggered terms and that the proposed ordinance did not address that and he is not in support of it. Councilman Milliken said the issue of getting to an election in 2017 puts the Town with the City, Mt. Pleasant, and other municipalities' in November. It also complies with the ordinance that passed in 2014 an odd year. He said this fits the bill on a number of levels, it is whether it is embraced, and it is not. He thinks we have a problem and we need to come up with solutions to transition and stagger terms. Councilman Milliken said he does not know that we can wait for legislation to reunite the Town. We need to think about staggered terms in the immediate future rather than later. Mayor Woolsey called for the vote and it failed. Councilman Milliken voted in favor.

Adjourn: There being no further business to come before the body, the meeting adjourned at 7:55 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk



Proclamation for National Police Week, 2017

To recognize National Police Week, 2017 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Charleston County Sheriff's Office;

WHEREAS, there have been 15,548 assaults against law enforcement officers in 2015, resulting in approximately 14,453 injuries;

WHEREAS, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including eleven members of the Charleston County Sheriff's Office (Joseph John Matuskovic, William Thomas Cribb, Leon W. Gooding, Hubert Leander Lloyd, Steven Buist Hiott, Jr., William Patrick Messer, John C. Meyers, William Allen Nalley, James Owens, Jr., Joel M. Robertson and Herman G. Stello);

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C. and on the Law Enforcement Memorial monument on the Statehouse grounds in Columbia, SC;

WHEREAS, 394 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 143 officers killed in 2016 and 251 officers killed in previous years;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 29th Annual Candlelight Vigil, on the evening of May 13, 2017, and at the Lowcountry Law Enforcement Memorial Day on May 10, 2017, at Park Circle Community Center;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

THEREFORE, BE IT RESOLVED that this Council formally designates May 14-20, 2017, as Police Week in the Town of James Island, and publicly salutes the service of law enforcement officers in our community and communities across the nation.

Bill Woolsey, Mayor

Frances Simmons, Town Clerk

ATTEST



Proclamation

Whereas, public works services provided in our community are an integral part of our citizens' everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitudes and understanding of the importance of the work they perform,

Now, therefore, I, Bill Woolsey, Mayor of the Town of James Island do hereby proclaim the week of May 21-27, 2017

National Public Works Week

in the Town of James Island and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

Given under my hand and Seal of the Town of James Island, SC this May 18, 2017.

Bill Woolsey
Mayor

ATTEST

Frances Simmons
Town Clerk

Town of James Island

% FY Complete 83%

Monthly Budget Report

Fiscal Year 2016/2017

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		
GENERAL FUND REVENUE														
Accommodations Tax					2,073			2,069					4,142	
Brokers & Insurance Tax		33				445				3,972			4,451	430,500
Building Permit Fees		986	947	98	1,133		998	2,057		1,061			7,278	10,000
Business Licenses	1,688	18,094	8,266	4,092	8,661	28,434	8,020	117,054	93,648	1,746			289,703	230,000
Contributions/Donations-Park				507									1,007	
Franchise Fees	163,859			7,027	50,929		6,434	50,176		6,131			284,558	465,500
Grants					205,000								205,000	
Interest Income													-	
Alcohol Licenses -LOP					4,950			900					5,850	10,000
Local Assessment Fees		421			506				511				1,438	
Local Option Sales Tax (rev)			33,399	26,700	33,665	60,250		29,861	32,878	26,319			243,071	353,000
Miscellaneous	200	200	200	200	200	200				3,000			4,200	1,000
Planning & Zoning Fees	526	553	927	592	1,249	703	623	1,279	1,555	752			8,758	12,000
State Aid to Subdivisions		26			74,544			62,151					136,721	260,000
Telecommunications								23,653					23,653	45,000
Transfer In from Funds Balance													-	477,632
		20,313	43,738	39,216	382,911	90,031	16,075	265,545	152,245	42,982	-	Total	1,219,829	2,294,632
												% of Budget		53%
ADMINISTRATION														
Salaries	16,827	16,875	25,301	16,762	16,853	19,456	16,807	17,170	26,916	17,474			190,441	221,300
Fringe Benefits	5,653	5,664	8,522	5,646	5,657	5,875	5,656	5,722	8,731	5,784			62,909	73,405
Copier	345	75	634	78	73	831	73	757	757	340			3,206	5,300
Supplies	1,155	1,175	283	856	220	430	280	638	789	470			6,296	13,000
Postage	595			545			473	300	86	246			2,244	6,700
Information Services	2,313	2,404	5,064	3,043	289	6,089	2,808	3,212	2,988	158			28,367	40,000
MASC Membership							5,341						5,341	5,500
Insurance		11,922			7,659								19,581	22,000
Legal Services		2,625	223	7,072	650	20,174	2,204	2,000	4,425	1,532			40,905	60,000
Town Codification		203	1,088	68		135			158	1,351			3,002	2,500
Advertising	60	297	187		200	25	648	109	117	119			1,762	5,000
Audit					12,900								12,900	12,500
Elections													-	
Mileage Reimbursement	29	54	28	27		71		53		54			317	800
Bonding			350				700		350				1,400	1,870
Employee Training / Screening			40				92	240					371	850
Dues and Subscriptions	75			75		25	110	883	99	160			1,427	1,060
Training & Travel							92						92	2,500
Mobile Devices	338	108	111	(37)	219	71	110	111	132	109			1,271	1,350
Children's Commission	146	56		330		9			448	608			1,598	1,000
Business Development Council													-	500
History Commission			2,120										2,120	2,500
Employee Appreciation			21	60	60								141	500
Bank Charges	49	79	74	56	56	75	59	53	79	53			632	1,000
	27,586	41,535	44,047	34,579	44,835	53,265	35,454	30,492	46,072	28,458	-	Total	386,322	481,135
												% of Budget		80%

ELECTED OFFICIALS

Salaries	3,769	3,769	5,654	3,769	3,769	3,769	3,769	3,769	5,654	3,769			41,461	50,000
Fringe Benefits	2,196	2,196	3,294	2,196	2,196	2,152	2,060	2,060	3,090	2,060			23,499	30,000
Mayor Expense	28				50				200	64			342	2,000
Council Expense					375		135		35	60			605	4,000
Mobile Devices	166		273		104		104	104	209				960	1,600
	6,159	5,965	9,220	5,965	6,494	5,921	6,068	5,934	9,188	5,953	-	Total	66,868	87,600
												% of Budget		76%

GENERAL OPERATIONS

Salaries	14,133	15,057	27,372	18,331	18,409	20,647	17,512	17,504	25,627	17,065			191,658	241,500
Fringe Benefits	4,603	5,140	9,077	6,111	6,037	6,229	5,859	5,820	8,603	5,739			63,219	93,182
	18,736	20,197	36,449	24,442	24,446	26,876	23,371	23,325	34,230	22,804	-	Total	254,876	334,682
												% of Budget		76%

PLANNING

Supplies		53	100		138				11				301	600
Advertising		127							74		248		448	2,000
Mileage Reimbursement			167										167	100
Dues and Subscriptions			280										280	325
Training & Travel			569		23								592	1,000
Mobile Devices	(18)	35	26	(18)	89	35	35	54	8	54			302	660
Uniform / PPE													-	250
Planning Commission		500	200	150		250	25	200					1,325	4,000
Board of Zoning Appeals	250	250	150	150				150	250	250			1,300	4,000
	232	965	1,343	282	250	285	60	489	258	552	-	Total	4,716	12,935
												% of Budget		36%

BUILDING INSPECTION

Mileage Reimbursement						30							30	200
Mobile Devices		54	54		108	54	54	54	54	54			486	660
Supplies		914	249		170		77						1,410	1,000
Equipment / Software				1,422									1,422	1,500
Uniform / PPE													-	250
Dues & Subscriptions				250				25		50			325	800
Travel & Training				595					750	(300)			1,045	1,000
	-	968	303	2,267	277	84	131	79	804	(196)	-	Total	4,718	5,410
												% of Budget		87%

PUBLIC WORKS

Mileage Reimbursement													-	150
Training & Travel	295	717											1,012	1,000
Projects		86,680	8,295	29,580	1,440	33,255	24,217	480					183,947	325,000
Mobile Devices		54	54		108	54	54	54	54	54			486	660
Traffic Control Devices											91		91	15,000
Uniform / PPE								65					65	500
Supplies		227	45	29	115	75	391		91				973	2,000
Emergency Management			678	9,198	3,000		3,070						15,945	7,000
Groundskeeping	375	7,724	264	1,005	968		12,325	556	513	377			24,107	30,000
	670	95,401	9,335	39,812	5,631	33,384	40,122	1,091	658	522	-	Total	226,626	381,310
												% of Budget		59%

CODES & SAFETY

Mobile Devices													-	660
Mileage Reimbursement													-	300
Equipment													-	500
Radio Contract			342										342	1,400
Training													-	1,000
Supplies					94								94	500
Uniform / PPE													-	250
Sheriff's Office Contract	9,112	21,399	14,400	10,440	10,748	14,324	10,912	12,826	23,133	12,014			139,308	207,500
Unsafe Buildings Demolition				6,320									6,320	20,000
Overgrown Lot Clearing													-	1,800
Crime Watch Materials													-	250
Neighborhood Council	237	348				60							645	1,500
Teen CERT Program					400								400	500
	9,349	21,746	14,742	16,760	11,242	14,384	10,912	12,826	23,133	12,014			147,108	236,160
													Total	
													% of Budget	62%

PARKS & RECREATION

Recreation		1,130	1,415	54				54	165					2,818	5,000
JIRC Contribution											380			380	
Special Events					4,311	515			294		7			5,127	8,000
Youth Sports Program					4,750				6,925					11,675	10,000
	-	1,130	1,415	54	9,061	515	54	7,384	-	386	-	-	Total	20,000	23,000
													% of Budget	87%	

FACILITIES & EQUIPMENT

Utilities	1,290	1,362	1,516	1,710	1,106	1,058	1,021	1,020	1,289	1,177				12,550	21,600
Rent	6,553	6,554	6,849	6,850	6,870	6,885	6,880	6,879	6,878	6,879				68,078	82,000
Security Monitoring										154				154	430
Janitorial	440	515	477	440	477	477	496		880	440				4,643	6,620
Equipment / Furniture	326	116	116	127	127	127	127	127	127	127				1,321	3,000
Facilities Maintenance	466	354	95	515	599	65	140	425	925	65				3,649	8,000
Vehicle Purchase														-	2,500
Vehicle Maintenance Expense	149	169	163	205	178	99	232	119	261	113				1,689	5,000
Generator Maintenance				225										225	50
Street Lights	10,075	10,075	10,089	10,087	10,087	10,088	10,088	10,102	10,101	10,141				100,933	127,000
	19,300	19,144	19,307	20,160	19,446	18,799	18,984	18,672	20,615	18,815	-	-	Total	193,241	256,200
													% of Budget	75%	

COMMUNITY SERVICES

Repair Care Program	-	-	-			3,527	14,500		2,013					20,040	20,000
Community Service Contributions	-	-	-		18,000			2,000						20,000	20,000
	-	-	-	-	18,000	3,527	14,500	2,000	2,013	-	-	-	Total	40,040	40,000
													% of Budget	100%	

EXPENDITURES

General Fund Department Total	82,031	207,052	136,160	144,321	139,681	157,041	149,656	102,292	136,973	89,308	-	-	Total	1,344,516	1,858,432
													% of Budget	72%	

CAPITAL PROJECTS

Quail Drive Sidewalk											\$	-	\$	61,200
Camp Rd to Dills Bluff Sidewalk												-		125,000
Camp Rd Sidewalk, Phase III (Folly to Riverland)								800				800		
Dills Bluff Sidewalk, Design Phase I			8,280	3,340	6,050	2,420						20,090		30,000
Lighthouse Point Blvd Sidewalk & Drainage Phase I		10,460										10,460		110,000
Seaside to Honey Hill Drainage												-		75,000
Tallwood Drainage												-		
Oceanview-Stonepost Drainage									13,650			13,650		
Rembert Road Paving												-		47,500
Seaside Lane Sidewalk Design			7,539	1,000					15,837			24,376		30,000
Pinckney Park	23,985	15,915	10,335	7,850	990	41,671			7,360	35,845		143,951		85,000
Commercial / Park Improvements		6,735							894			7,628		435,000
	23,985	33,109	26,154	12,190	7,040	44,091	-	24,091	-	Total		220,955		998,700
Transfer In from General Fund												-		563,700
Transfer In from Hospitality Tax Fund												-		435,000
										% of Budget				22%

LOCAL OPTION SALES TAX ROLLBACK REVENUE

LOST Rollback			85,092	68,736	90,852	152,742		78,570	86,986	68,878		631,855		870,000
LOST Rollback - Interest Income	248	216	241	277	234	246	242	219	242			2,164		1,000
										Total		634,019		871,000

RESERVE FUND

Transfer In from Rollbank Fund	4,946	85,690										90,636		
Transfer In from Property Tax Credit Fund Balance		109,364										109,364		291,000
										Total		200,000		291,000

LEASE PURCHASE REVENUE BOND - TOWN HALL

Lease Purchase Principal Payments						397,421					397,421	796,570	
Lease Purchase Interest Payments	28,814										28,814	73,430	
Lease Purchase Expense Total											Total	870,000	
Lease Purchase Draws												-	372,000
Town Hall Expenditures	6,854	15,281	37,092	18,369	16,980	27,996	37,781	35,873	23,915			220,142	372,000
												426,235	-

HOSPITALITY TAX

Hospitality Tax Revenue		34,468	34,588	36,246	43,564	34,640	41,169	41,324				266,000	435,000
Hospitality Tax Expense		6,735						894				(7,624)	(435,000)
											Total		

TREE MITIGATION FUND

Transfer In from Funds Balance												-	14,197
Tree Mitigation Income								2,116				2,116	
Tree Mitigation expense	7,400						2,006					9,406	
Net Balance												-	6,907

ART AUCTION

Art Auction donations						100	200					300	-
Art Auction revenue							1,636	2,006	455			4,096	
Arts Committee Grant (Poetry Reading)			(500)	250	250			(117)				(117)	
Transfer In from Funds Balance												-	1,061
Total												-	1,061
Art Auction expense	-	-	-	-	-	10	248	482	3,300	-		4,040	

JAMES ISLAND PRIDE

James Island Pride donations						530						530	-
Helping Hands donations												-	-
Grant-JIP												-	-
Transfer In from Funds Balance													1,275
											Total	530	1,275
James Island Pride expense			48	27	424	26	334	104				963	2,700
Helping Hands expense	45											45	-
Grant-JIP-Expense													-
											Total	1,538	2,700

ADMINISTRATOR'S REPORT

Apr-17

ADMIN NOTES

- a. Pinckney Park Phase I mostly complete with a few items such as fence/lighting remaining. Dedication scheduled for 6/10, 11-1. Met with Architect to move Phase II of the Picnic Shelter along.
- b. 9 bids received for the Town Hall project and Liollo is currently engaged in value engineering with the apparant low bidder.
- c. Permit Technician position to work with P&Z and Bldg Serviecs is currently advertised.
- d. James Island Emergency Preparedness Committee Meeting was held with 16 attendees from various agencies, including the State EMD.**
- e. Intergovernmental Mtg Scheduled for 5/15 @ 7 pm.
- f. Currently working on Annual Town Newsletter
- g. Procurement advertisements scheduled for May include drainage work and groundskeeping RFPs

TOTAL Business Licenses 49

*32 of those processed at Town hall

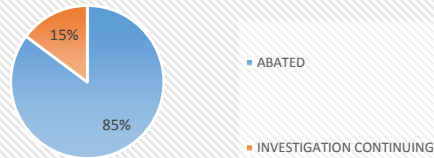
Code Enforcement Cases

TOTAL CASES	287
ABATED	242
INVESTIGATION CONTINUING	42
RANK VEGETATION / SOLID WASTE	65
NUISANCE PROPERTY	45
TREE CASES	28
INOPERABLE VEHICLE	24

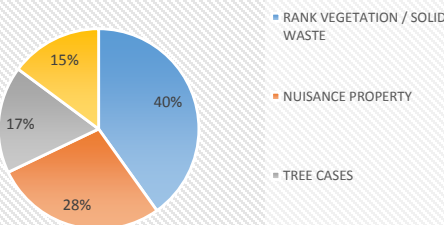
Building Permits

BUILDING PERMITS ISSUED	127
Commercial	
Residential	55
Eletrical	22
Plumbing	16
Mechanical	12
Gas	19
Pool	
Roofing	
Fire System	
Sign	
Trades	3
Previous Month	97

Code Enforcement - Case Status



Code Enforcement - Case Type



PERMIT TYPE	Apr-17
ACCESSORY STRUCTURE	
CLEARING & GRUBBING	
DEMOLITION PERMIT	
EXEMPT PLATS	
FIREWORK STAND	
HOME OCCUPATION	3
LSPR	
NON-EXEMPT PLAT	1
PD AMENDMENT (REZONING)	
RESIDENTIAL ZONING	8
REZONING	
SPR	
SIGN PERMIT	7
SITE PLAN REVIEW	
SPECIAL EVENT	1
SPECIAL EXCEPTION	
TEMPORARY ZONING	2
TREE REMOVAL	7
TREE TRIMMING	
VARIANCE	
ZONING PERMIT	2
TOTAL	31

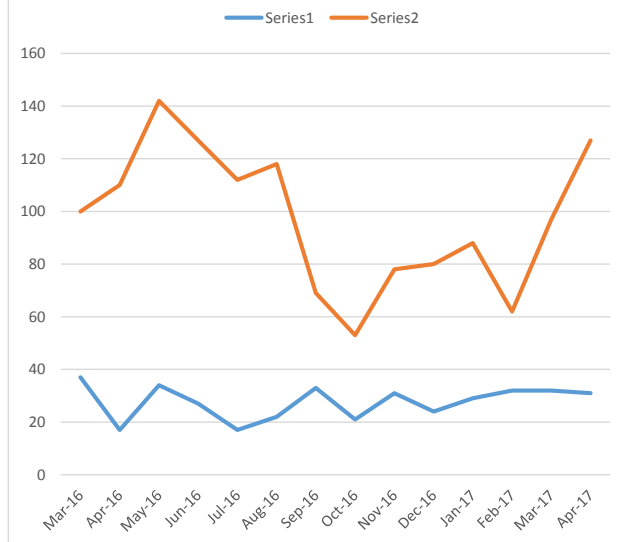
PUBLIC WORKS NOTES

- 1) Attended APWA meeting in Walterboro. Program was on the Disaster Debris
- 2) We had a couple of rain events that resulted in some local area flooding. While a few of these areas have been determined to need drainage maintenance, most areas that experienced flooding were as a result of dense soil conditions due to months of drought. Within hours of the events the soil had absorbed the water.
- 4) Harborview Road ribbon cutting was held.
- 5) Camp-Folly Intersection project continued to install sidewalks and curb and gutter and other right of way improvements. They are also paving and adding depth to the pavement.
- 6) The contract for speed humps in Centerville was awarded to Asphalt Solutions. They began work later in April and now complete.
- 7) Attended a meeting to discuss Transportation Sales Tax projects on James Island.
- 8) Had a meeting with Forsberg Engineering and Charleston County Transportation Development staff to discuss the sidewalk on Lighthouse Blvd. Forsberg Engineering will have the project area investigated with ground penetrating radar to locate depths of utilities.
- 9) Conducted final acceptance walk through for sidewalk on Camp and Dills Bluff.

Island Sheriff's Patrol

Forthcoming

PERMITS - 13 MONTH HISTORY



James Island Emergency Preparedness Committee
April 26, 2017, 1:00 PM

Attendees

Ashley Kellahan, Town of James Island
Frances Simmons, Town of James Island
John Porcelli, Town of James Island
Kristen Crane, Town of James Island
Mark Johnson, Town of James Island
Merrell Roe, Town of James Island
Robert Wise, James Island Public Service District
Mike Metzler, City of Charleston Deputy Director of Operations
Jason Patno, Charleston County Emergency Management Department
Todd McGeorge, Charleston County EMS
Carl Simmons, Charleston County Building Services
Arnold Blanding, South Carolina Dept. of Transportation
Brandon Ellis, South Carolina Emergency Management Division
Anna Pinckney, SCE&G
William Johnson, SCE&G
Scott Cave, Atlantic Business Continuity Services

Agenda

Introductions

Hurricane Matthew Review and Lessons Learned

- Debris Removal – coordination, debris site(s), process to identify eligible debris, etc.
- Sandbags – coordination, locations for distribution, storage of supplies, etc.
- Damage Assessment – coordination, phases, types, and timing of various assessments, etc.
- Other Issues

Review After Action Report from June, 2016 Exercise

- Lessons Learned
- Improvement Plan

Agency Updates Roundtable

- Each agency/entity reports status, questions, or issues for emergency plan coordination
- Updates for 2017

Exercises and Training for 2017

- County and State Exercise(s)
- Other Exercise(s)
- James Island Multi-Agency Exercise
- Training opportunities

Review Action Items, Dates

Closing and Dismissal

Meeting Notes

1. Hurricane Matthew Review and Lessons Learned

- a. Debris Removal – Charleston County Public Works is in the process of scheduling an After Action Review (AAR) meeting regarding debris removal activities associated with Hurricane Matthew.
- b. Sandbags – The following main points were discussed regarding the future use of sandbags:
 - The group expressed a desire to determine the effectiveness of sandbags as a preparedness and/or response activity for expected flooding. Brandon Ellis and Jason Patno agreed to investigate the effectiveness of sandbags in other areas prone to flooding.
 - Better public information is required about the proper use of sandbags to maximize their effectiveness.
 - A tracking system is required for sandbags when the Town and/or County are providing them to the public. Keep track of names, addresses, and number of sandbags per address. The sandbags need to be retrieved after the flooding event in order to qualify for Public Assistance.
 - The Town of James Island and Charleston County Public Works have previously discussed the possible storage of sandbag supplies at County facilities on James Island, although these plans need to be finalized.
- c. Damage Assessment – The following items were discussed regarding the damage assessments after Matthew:
 - The PSD performed a windshield assessment on all properties throughout James Island. However they later found out that they cannot be reimbursed for this work by FEMA, so they are uncertain if they will perform this level of assessment in the future.
 - The City performed their own windshield assessment on City properties on James Island.
 - PSD, County, and City agreed to discuss windshield assessment process in advance of next event (if possible) to minimize or avoid any duplication of efforts.
 - County Building Services will hold a damage assessment training session. Date TBD.
- d. Other Issues – The following issues were discussed:
 - MEOC representative to County EOC – Jason Patno said there is enough room at the County EOC for a municipality to send one MEOC representative. Alternatively, a municipality can contact their MEOC Liaison inside the County EOC. Brock Clary with Charleston County EMD is the primary staff member responsible for this position.
 - Forwarding Town phone lines to County EOC – Jason Patno said the Town may forward their phone lines to the Charleston County Citizens Hotline (when activated), but only during the time that the MEOC is being relocated inland. The MEOC should contact Charleston County EOC when the forwarding is initiated, and again when forwarded is discontinued.

2. Review Action Items from previous meeting (June 29, 2016 Exercise)

- a. Satellite phones – Jason Patno said the County has a listing of Satellite phone numbers that have been reported to the County EMD.
- b. Shelters for displaced residents following a disaster – Jason Patno said that a plan exists for this possible need, and relies heavily on schools with the possible relocation of students to alternate schools.
- c. POD and NDIP operations – Mark Johnson reported that labor is the primary constraint to activating PODs and NDIPs. Several ideas were discussed as potential labor options:
 - CERT Team
 - City (ask Mark Wilbert)

- County Park and Recreation Commission
 - Inmate Labor (ask County Sheriff)
- d. Business Licenses – Ashley Kellahan will talk to the County about possibly using their services for business license processing when the Town is unable to resume this function. Carl Simmons mentioned that the County generally suspends business licenses temporarily following declared disasters.
- e. FEMA Disaster Recovery Center locations – The closest planned DRC location to James Island is the Berkeley Electric office on Johns Island.

3. Agency Roundtable and Updates Discussion

- a. Charleston County EMD -
- Emergency Operations Plan and Hurricane Guides were recently updated
 - Cathy Haynes is retiring in June, 2017 – while she cannot be replaced, a search for her successor is underway
 - State’s WebEOC will be used again this year, but a new system is being developed by SCEMD to replace WebEOC next year
- b. Charleston County Building Services –
- Mitigation Plan update is underway – look for update request sent to municipalities
- c. South Carolina EMD –
- New mass transportation plan being developed
 - Cybersecurity Exercise planned for November 15 – 16
- d. South Carolina DOT
- Arnold Blanding is new Point of Contact for Charleston Maintenance unit
- e. City of Charleston –
- Working on a comprehensive debris management plan
- f. James Island PSD –
- Updating all sections of their Emergency Operations Plan and debris management plan

4. Exercises and Training for 2017

- a. Charleston County WebEOC Training – May 16 and 18
- b. Charleston County Hurricane Exercise – June 7
- c. South Carolina EMD Training throughout the year – see schedule at:
<http://www.scemd.org/training/courses>
- d. James Island Multi-Agency Exercise - TBD
- Exercise Planning Team to be formed to develop objectives, scenario, etc.

Action Item Summary

<i>Action Item</i>	<i>Responsible Party</i>
Announce meeting date for Hurricane Matthew debris management AAR meeting	County Public Works
Investigate sandbag effectiveness in other areas prone to flooding	Jason Patno and Brandon Ellis
Announce meeting date for Damage Assessment training	County Building Svcs
Contact City of Charleston, County PRC, Sheriff, etc. about possible labor sources for POD operations	Town
Contact County about business license processing after a disaster	Town
Form Exercise Planning Team and schedule first planning meeting	Town
Determine your agency’s participation or observation of County exercise on June 7	All Agencies
Determine your agency’s participation in County WebEOC Training classes on May 16 and 18	All Agencies

RESOLUTION #2017-07

A RESOLUTION IN SUPPORT OF FY 2018 CHARLESTON COUNTY TRANSPORTATION (CTC) FUNDS FOR SEASIDE LANE SIDEWALK

WHEREAS, Seaside Lane is a heavily traveled road with a high volume of vehicular and pedestrian activity as it connects Fort Johnson and Dills Bluff Roads, and is directly adjacent to James Island Charter High School; and

WHEREAS, the Town of James Island held a community meeting for residents of Seaside Lane on June 23, 2016, and there was a great amount of public support for a sidewalk; and

WHEREAS, the drainage concerns raised by the residents at this public meeting have been addressed in the project design as well as in the materials used which specifies permeable asphalt; and

WHEREAS, the Town of James Island has funded the engineered drawings of the Seaside Lane Sidewalk project, which was designed by Stantec Engineering and they have submitted the project to SCDOT for comments; and

WHEREAS, the estimated cost for the project is \$408,255 and the Town's match of 50% (\$204,128) is available in the Town's Capital Improvements Budget; and

WHEREAS, one vacant parcel within the project limits will need Right of Way permissions and the Town commits to obtaining that easement before the project can proceed; and

WHEREAS, if awarded, the Town of James Island agrees to acceptance maintenance of this sidewalk once constructed;

NOW, THEREFORE, BE IT RESOLVED BY THE JAMES ISLAND TOWN COUNCIL THAT:

1. The Town of James Island respectfully requests \$204,128 in funding through the CTC Allocation Program for the Seaside Lane Sidewalk project.
2. The Town of James Island commits to funding a 50% match in the amount of \$204,128 that is currently in the Town's Capital Improvement Budget.
3. This Resolution shall become effective upon its adoption and approval.

Adopted this 18th day of May, 2017

Bill Woolsey
Mayor

Frances Simmons
Town Clerk

ATTEST

Seaside Lane Sidewalk
Preliminary Plans
Engineer's Opinion of Probable Construction Cost
2/2/2017

SECTION	ITEM	QUANTITY	UNIT	UNIT PRICE	NET PRICE
1031000	MOBILIZATION	1.000	LS	\$80,000.00	\$80,000.00
1032010	BONDS AND INSURANCE	1.000	LS	\$5,000.00	\$5,000.00
1050800	CONSTRUCTION STAKES, LINES & GRADES	1.000	EA	\$7,500.00	\$7,500.00
1071000	TRAFFIC CONTROL	NEC.	LS	\$30,000.00	\$30,000.00
2023000	REMOVAL & DISPOSAL OF EXISTING PAVEMENT	50.000	SY	\$30.00	\$1,500.00
2031200	SITE EXCAVATION	NEC.	LS	\$80,000.00	\$80,000.00
2036000	GEOTEXTILE FOR SEPARATION OF SUBGRADE&SUBBASE/BASE CR	2,700.000	SY	\$5.00	\$13,500.00
3069900	MAINTENANCE STONE	100.000	TON	\$50.00	\$5,000.00
3105001	PERMEABLE ASPHALT BASE COURSE TYPE - PB57	600.000	TON	\$60.00	\$36,000.00
3105002	PERMEABLE ASPHALT BASE COURSE TYPE - PB789	250.000	TON	\$80.00	\$20,000.00
4011004	LIQUID ASPHALT BINDER PG64-22	15.000	TON	\$500.00	\$7,500.00
4092001	POROUS PAVEMENT OPEN GRADED FRICTION COURSE	300.000	TON	\$100.00	\$30,000.00
6051120	PERMANENT CONSTRUCTION SIGNS (GROUND MOUNTED)	304.000	SF	\$20.00	\$6,080.00
7143615	15" SMOOTH WALL PIPE	16.000	LF	\$100.00	\$1,600.00
7149999	CLEANING EXISTING PIPE	49.000	LF	\$20.00	\$980.00
7192020	DROP INLET (24" X 36")	1.000	EA	\$3,000.00	\$3,000.00
7204900	DETECTABLE WARNING MATERIAL	12.500	SF	\$100.00	\$1,250.00
7209000	PEDESTRIAN RAMP CONSTRUCTION	25.000	SY	\$250.00	\$6,250.00
8091010	RIGHT OF WAY MARKER(REBAR AND CAP)	2.000	EA	\$200.00	\$400.00
8091050	RIGHT OF WAY PLAT	1.000	LS	\$3,000.00	\$3,000.00
8100100	PERMANENT COVER	0.500	ACRE	\$2,000.00	\$1,000.00
8100200	TEMPORARY COVER	0.500	ACRE	\$2,000.00	\$1,000.00
8104005	FERTILIZER (NITROGEN)	1,000.000	LB	\$3.00	\$3,000.00
8104010	FERTILIZER (PHOSPHORIC ACID)	1,000.000	LB	\$3.00	\$3,000.00
8104015	FERTILIZER (POTASH)	1,000.000	LB	\$3.00	\$3,000.00
8105005	AGRICULTURAL GRANULAR LIME	2,000.000	LB	\$1.00	\$2,000.00
8109050	SELECTIVE WATERING	54,300.000	GAL	\$0.20	\$10,860.00
8109901	MOWING	2.000	ACRE	\$500.00	\$1,000.00
8151204	HYDRAULIC EROSION CONTROL PRODUCT (HECP) - TYPE 4	0.500	ACRE	\$5,000.00	\$2,500.00
8152007	SEDIMENT TUBES FOR DITCH CHECKS	12.000	LF	\$7.00	\$84.00
8153000	SILT FENCE	1,030.000	LF	\$3.00	\$3,090.00
8153090	REPLACE/REPAIR SILT FENCE	103.000	LF	\$5.00	\$515.00
8154050	REMOVAL OF SILT RETAINED BY SILT FENCE	258.000	LF	\$4.00	\$1,032.00
8156210	INLET STRUCTURE FILTER - TYPE B	1.000	EA	\$500.00	\$500.00
				SUBTOTAL =	\$371,141.00
				CONTINGENCIES AT 10% =	\$37,114.10
				TOTAL CONSTRUCTION COST =	\$408,255.10

NOTES:

1. COST INCLUDES CONSTRUCTION COST ONLY. IT EXCLUDES PERMITTING, RIGHT-OF-WAY, UTILITY RELOCATIONS, AND CONSTRUCTION ADMINISTRATION COSTS.
2. COST EXCLUDES OUTFALL DRAINAGE IMPROVEMENTS, IF NEEDED.

A RESOLUTION PERTAINING TO A MORATORIUM IN THE TOWN OF JAMES ISLAND

Whereas; James Island has been subject to severe development pressure, adversely impacting the safety, health and welfare of all James Islanders, including the residents of the Town; and

Whereas; the zoning regulations in several of the government jurisdictions on James Island allow for high density residential development in nonresidential zones; and

Whereas; the Town of James Island's zoning ordinance limits residential density in commercial zones to four units per acre;

Whereas, the James Island Town Council seeks to cooperate with the other government jurisdictions on James Island on planning and zoning matters;

Therefore, the James Island Town Council:

- a. Supports the City of Charleston's 180 day moratorium on the issue of new zoning permits for more than four units or 1500 square feet in nonresidential zones on James Island;
- b. Calls for Charleston County and the City of Folly Beach to adopt a similar moratorium in their areas of jurisdiction on James Island;
- c. Instructs the Town's Planning Director to determine what if any moratorium is appropriate given the Town's Zoning Ordinance;
- d. This Resolution shall become effective May 18, 2017.

Adopted this 18th day of May, 2017

Bill Woolsey
Mayor

ATTEST

Frances Simmons
Town Clerk

ORDINANCE #2017-05

AN ORDINANCE ADOPTING THE FISCAL YEAR 2017-2018 BUDGET FOR THE TOWN OF JAMES ISLAND, SOUTH CAROLINA

WHEREAS, the Town of James Island requires a budget to guide and direct the receipt of expenditure of revenues during Fiscal Year 2017-2018; and

WHEREAS, Section 5-7-260 South Carolina Code of Laws, 1976, as amended, requires that certain acts by Municipal Councils be done by ordinance, including the adoption of a budget; and

WHEREAS, South Carolina law requires that a duly noticed public hearing be held prior to the adoption of a municipal budget; and

WHEREAS, this duly noticed public hearing was held on April 20, 2017:

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNCIL OF THE TOWN OF JAMES ISLAND, SOUTH CAROLINA:

Section 1: Purpose:

This Ordinance is adopted to provide the Town of James Island with an Operating and Hospitality Tax Budget for Fiscal Year 2017-2018.

Section 2: Creation of the Fiscal Year 2017-2018 Budget for the Town of James Island, South Carolina:

By passage of this Ordinance, the Town of James Island adopts as its Budget for Fiscal Year 2017-2018 "Exhibit A," incorporated fully herein by reference.

Section 3: Severability:

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed valid as if such part had not been included. If said Ordinance, or any provision thereof, is held to be inapplicable to any person, group of persons, property, and kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

Section 4: Effective Date and Duration:

This Ordinance shall be effective from July 1, 2017 to June 30, 2018.

Public Hearing April 20, 2017
First Reading April 20, 2017
Second/Final Reading

Bill Woolsey
Mayor

Frances Simmons
Town Clerk

ATTEST

**TOWN OF JAMES ISLAND
SOUTH CAROLINA**



**DRAFT BUDGET
FISCAL YEAR 2017-2018**

**TOWN OF JAMES ISLAND
SOUTH CAROLINA**



**FISCAL YEAR 2017-2018
DRAFT BUDGET**

MAYOR

W. BILL WOOLSEY

MAYOR PRO-TEM

LEONARD A. BLANK

TOWN COUNCIL

GARRETT MILLIKEN

DARREN "TROY" MULLINAX

JOSHUA STOKES

BUDGET SUMMARY

BUDGET SUMMARY

	2016/2017 ADOPTED BUDGET	2017/2018 DRAFT BUDGET
Revenues		
Operating Revenues	2,984,000	3,182,856
Transfer In from Funds Balance	477,632	326,439
Total Revenues	\$ 3,461,632	\$ 3,509,295

Expenditures	2016/2017 ADOPTED BUDGET	2017/2018 DRAFT BUDGET
ADMIN	481,135	537,600
ELECTED OFFICIALS	87,600	90,100
GENERAL OPERATIONS	334,682	437,050
PLANNING	12,935	13,335
BLDG.INSP	5,410	6,110
PUBLIC WORKS	256,310	289,510
CODE AND SAFETY	236,160	231,250
PARKS AND RECREATION	26,500	49,500
FACILITIES & EQUIPMENT	256,200	282,190
LEASE PURCHASE	870,000	973,000
COMMUNITY SERVICES	40,000	63,120
TRANSFER OUT TO RESERVE FUND	291,000	199,550
TRANSFER OUT TO CAPITAL PROJECTS	563,700	336,980
Total Expenditures	\$ 3,461,632	\$ 3,509,295

Town Funds	2016/2017 ADOPTED BUDGET	2017/2018 DRAFT BUDGET
PROPERTY TAX CREDIT FUND	1,617,058	1,776,323
RESERVE	491,000	690,550
TREE FUND	5,000	2,500
NONREFUNDABLE PROPERTY TAX CREDIT	1,162,000	1,175,550
HOSPITALITY TAX FUND	435,000	448,800
UNEMCUMBERED FUND BALANCE AVAILABLE	1,066,701	1,471,455

REVENUES

	2016/2017 DRAFT BUDGET	YTD 2/7/17	2016/2017 ESTIMATE	2017/2018 DRAFT
Revenues				
LOST Revenue Fund	353,000	154,013	369,631.20	370,000
State Aid to Subdivisions	260,000	74,544	252,256	252,256
Franchise Fees*	465,500	228,250	440,000	440,000
Telecommunications	45,000	-	45,000	43,000
Brokers and Insurance Tax	430,500	478	580,000	580,000
Business Licenses	230,000	70,489	273,000	281,200
Building Permit Fees	10,000	4,655	11,000	11,000
Planning and Zoning Fees	12,000	5,300	12,000	12,000
Liquor Licenses	10,000	4,950	10,000	10,000
Tree Mitigation	5,000	-	2,500	2,500
Miscellaneous	1,000	1,200	1,200	1,000
Property Taxes*	1,162,000	-	1,162,000	1,175,550
LOST Rollback Fund	870,000	397,422	953,812.80	973,000
LOST Rollback Fund - Interest Income	1,000	1,702	2,917.71	3,000
Transfer In from Property Tax Credit Fund Balance	291,000	-	205,269	199,550
Net Property Taxes	(1,162,000)		(1,162,000)	(1,175,550)
State of SC Grant		205,000	205,000	-
Local Assessment Fees		506	1,856	1,850
Accomodations Tax		2,073	2,500	2,500
TOTAL	2,984,000	1,150,582	3,367,943	3,182,856

* 20 mils - \$20 per \$1,000 of assessed property value

EXPENDITURES

	2016/2017 DRAFT BUDGET	YTD EXPENDITURES 2/13/17	ESTIMATED EXPENDITURES	2017/2018 DRAFT BUDGET
Administration				
Salaries	221,300	137,339	224,686	237,700
Fringe Benefits	73,405	46,742	74,495	83,800
Advertising	5,000	1,490	2,554	5,000
Audit	12,500	12,900	12,900	13,000
Bank charges	1,000	448	768	1,000
Bonding	1,870	1,050	2,150	2,150
Business Development Council	500	-	-	-
Children's Commission	1,000	542	1,000	-
History Commission	2,500	2,120	2,120	-
Copier	5,300	2,109	4,218	5,300
Dues and Subscriptions	1,060	345	1,100	1,100
Employee Appreciation	500	140	500	500
Employee Training / Screening	850	372	650	850
Information Services	40,000	22,157	40,000	56,520
Insurance	22,000	19,580	27,380	29,950
Legal Services	60,000	34,948	70,000	70,000
MASC Membership	5,500	5,341	5,341	5,500
Mileage Reimbursement	800	235	635	800
Mobile Devices	1,350	1,066	1,830	2,230
Postage	6,700	1,612	6,263	6,700
Supplies	13,000	4,647	10,000	10,000
Town Codification	2,500	1,493	3,000	3,000
Training and Travel	2,500	331	1,500	2,500
TOTAL	481,135	297,007	493,091	537,600

	2016/2017 DRAFT BUDGET	YTD EXPENDITURES 2/13/17	ESTIMATED EXPENDITURES	2017/2018 DRAFT BUDGET
Elected Officials				
Salaries	50,000	32,038	48,999	50,000
Fringes	30,000	18,077	28,618	32,000
Mayor Expense	2,000	78	1,000	2,000
Council Expenses	4,000	510	2,000	4,000
Mobile Devices	1,600	751	1,487.81	2,100
TOTAL	87,600	51,454	82,105	90,100

	2016/2017 DRAFT BUDGET	YTD EXPENDITURES 2/13/17	ESTIMATED EXPENDITURES	2017/2018 DRAFT BUDGET
General Operations				
Salaries	241,500	148,965	227,458	310,900
Fringe Benefits	93,182	47,589	75,032	126,150
TOTAL	334,682	196,554	302,490	437,050

	2016/2017 DRAFT BUDGET	YTD EXPENDITURES 2/21/17	ESTIMATED EXPENDITURES	2017/2018 DRAFT BUDGET
Planning & Zoning				
Advertising	2,000	201	1,000	1,500
Mobile Devices	660	185	400	660
Dues and Subscriptions	325	280	325	325
Mileage Reimbursement	100	167	200	200
Supplies	600	301	400	600
Training and Travel	1,000	593	800	1,800
Uniform / PPE	250		100	250
Planning Commission	4,000	1,325	2,325	4,000
Board of Zoning Appeals	4,000	650	1,650	4,000
TOTAL	12,935	3,702	7,200	13,335

	2016/2017 DRAFT BUDGET	YTD EXPENDITURES 2/21/17	ESTIMATED EXPENDITURES	2017/2018 DRAFT BUDGET
Building Inspection				
Mobile Devices	660	432	660	660
Dues and Subscriptions	800	275	800	1,000
Equipment/Software	1,500	1,422	1,500	1,500
Mileage Reimbursement	200	30	100	200
Supplies	1,000	1,410	1,410	1,000
Travel and Training	1,000	600	1,000	1,500
Uniform / PPE	250		250	250
TOTAL	5,410	4,169	5,720	6,110

	2016/2017 DRAFT BUDGET	YTD EXPENDITURES 2/21/17	ESTIMATED EXPENDITURES	2017/2018 DRAFT BUDGET
Public Works				
Dues and Subscriptions	-		200	200
Mobile Devices	660	377	660	660
Emergency Management	7,000	15,945	25,000	15,000
Groundskeeping	30,000	22,786	30,000	40,000
Mileage Reimbursement	150			150
Projects	200,000	58,894	125,000	200,000
Supplies	2,000	678	1,000	2,000
Traffic Control Devices	15,000	-	50,000	30,000
Training and Travel	1,000	1,012	1,012	1,000
Tree Fund Expense	-	7,400	7,400	
Uniform / PPE	500	65	100	500
TOTAL	256,310	107,157	240,372	289,510

	2016/2017 DRAFT BUDGET	YTD EXPENDITURES 2/21/17	ESTIMATED EXPENDITURES	2017/2018 DRAFT BUDGET
Codes & Safety				
Memberships/Dues			250	250
Crime Watch Materials	250	-	250	250
Equipment	500	-	250	500
Mileage Reimbursement	300	-	100	300
Mobile Devices	660	-	-	-
Neighborhood Council	1,500	645	1,000	-
Overgrown Lot Clearing	1,800	-	500	1,800
Radio Contract	1,400	342	1,368	1,400
ISP Salary	167,500	85,532	134,232	165,000
ISP Fringes	40,000	18,614	27,704	40,000
Supplies	500	94	200	500
Teen CERT Program	500	400	400	-
Training	1,000		200	1,000
Uniform / PPE	250		100	250
Unsafe Buildings Demolition	20,000	6,320	6,320	20,000
	TOTAL	236,160	111,947	172,874
			172,874	231,250

	2016/2017 DRAFT BUDGET	YTD EXPENDITURES 2/21/17	ESTIMATED EXPENDITURES	2017/2018 DRAFT BUDGET
Parks & Recreation				
James Island Pride	3,500	1,452	3,500	-
JIRC Contribution	-	-	7,500	15,000
Parks	5,000	2,653	5,000	8,000
Special Events	8,000	4,853	8,000	15,000
Youth Sports Program	10,000	4,750	10,000	11,500
TOTAL	26,500	13,708	34,000	49,500

	2016/2017 DRAFT BUDGET	YTD EXPENDITURES 2/21/17	ESTIMATED EXPENDITURES	2017/2018 DRAFT BUDGET
Facilities & Equipment				
Equipment/Furniture	3,000	1,194	2,500	2,500
Facilities Maintenance	8,000	2,658	4,556.57	5,620
Generator Maint.	50	225	425	500
Janitorial	6,620	3,323	5,696.57	6,000
Rent	82,000	54,320	81,840	86,640
Security Monitoring	430	430		430
Street Lights	127,000	80,691	121,036.50	130,000
Utilities	21,600	10,026	16,391	17,500
Vehicle Maint.Expense	5,000	1,196	3,000	5,000
Vehicle Purchase	2,500			28,000
TOTAL	256,200	154,063	235,446	282,190

	2016/2017 DRAFT BUDGET	YTD EXPENDITURES 2/21/17	ESTIMATED EXPENDITURES	2017/2018 DRAFT BUDGET
2016 Lease Purchase Bond - \$3.19 M				
Town Hall Lease Purchase Payments	840,000	397,421	840,000	973,000
TOTAL	840,000	397,421	840,000	973,000

	2016/2017 DRAFT BUDGET	YTD EXPENDITURES 2/21/17	ESTIMATED EXPENDITURES	2017/2018 DRAFT BUDGET
Community Services				
Community Service Contributions	20,000	20,000	20,000	20,000
Repair Care Program	20,000	18,026	20,039	30,000
Teen CERT Program	-	-	-	500
Business Development Council	-	-	-	500
Children's Commission	-	-	-	2,500
History Commission	-	-	-	4,620
James Island Pride	-	-	-	3,500
Neighborhood Council	-	-	-	1,500
TOTAL	40,000	38,026	40,039	63,120

	2016/2017 DRAFT BUDGET	YTD 1/31/17	2016/2017 ESTIMATES	2017/2018 DRAFT BUDGET
Hospitality Tax Fund				
Hospitality Tax Revenue	435,000	183,507	440,000	448,000
Hospitality Tax Expense	435,000	6,734	11,700	448,000
TOTAL	-	176,773	428,300	-

	2016/2017 DRAFT BUDGET	YTD 2/21/17	ESTIMATES	2017/2018 DRAFT BUDGET
Tree Fund				
Tree Mitigation Revenue	5,000	-	2,500	2,500
Tree Mitigation Expense	5,000	-	2,500	2,500
TOTAL	-	-	-	-

FIVE YEAR CAPITAL IMPROVEMENT PLAN FY2017/2018 - FY2020/2021

	FY 2016/2017 ES	FY 2017/2018	FY 2018/2019	FY 2019/2020	FY 2020/2021	FY 2022/2023	5 Year Total
Infrastructure							
Quail Drive Sidewalk		61,200					61,200
Camp Rd to Dills Bluff Sidewalk	125,000						125,000
Dills Bluff Sidewalk, Design through Phase III	35,625	93,830	156,000	232,375	30,000	157,080	704,910
Camp Rd Sidewalk Phase III (Folly Rd to Riverland Dr)			82,500				82,500
Lighthouse Point Blvd Sidewalk and Drainage, Phase I	20,460	130,000					150,460
Seaside to Honey Hill Drainage		125,000					125,000
Tallwood Drainage Easements			85,000				85,000
Oceanview-Stonepost Drainage Basin	15,000	15,000					30,000
Rembert Road Paving		47,500					47,500
Seaside Lane Sidewalk	39,500		204,128				243,628
Folly Road Improvements, Phase I	11,700	40,000	196,000				247,700
Folly Road Improvements, Phase II and III		80,000					80,000
Folly and Camp Landscaping, Bus Shelter		95,000					95,000
Total	247,285	687,530	723,628	232,375	30,000	157,080	2,077,897

	FY 2016/2017 ES	FY 2017/2018	FY 2018/2019	FY 2019/2020	FY 2020/2021	FY 2022/2023	5 Year Total
Pinckney Park							
Park Improvements Phase I	346,750						346,750
Park Improvements Phase II		335,000					335,000
Park Improvements Phase III							-
Park Improvements Phase IV							-
Total	346,750	335,000					

Anticipated Funding:

Stormwater Funds		140,000					
Charleston County Transportation Committee (CTC) Funds		54,350	126,000	232,375			
Charleston County Transportation Sales Tax (TST) Funds	210,584	291,200	204,128				
Anticipated SC Trails Grant		100,000					
Enhancement Funds			784,000				
Awarded PARD Grant	10,000						
State Grant		100,000					
Total	220,584	685,550	1,114,128	232,375			

Transfers In:

General Fund	572,335	336,980
Hospitality Tax Fund	11,700	244,700

AN ORDINANCE TO AMEND ORDINANCE # 2012-16: 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 procurements 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–\$2,499 Requires no formal procurement, but the purchaser will ensure that the lowest cost is sought when possible. Purchases up to \$ 2,499 must be approved by the Mayor, or his or her designee, provided adequate budgeted funds are available for the purchase;~~

~~—(2) For purchases \$2,500–\$9,999. Requires that a minimum of three 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–~~\$2,499~~ (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 ~~\$2,500~~ (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* (~~\$2,500~~ (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 ~~three~~ (two) sources whenever possible for purchases costing ~~\$2,500~~ (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 to 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 ~~\$2,500~~ (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 ~~three~~ (two) sources whenever possible which provide like or similar goods and/or services. Purchase orders ~~\$2,500~~ (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 three 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 initialed 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 offerer.

(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 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 interest 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 \$~~2,500~~ (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 purpose. 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 respond. 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 thereby 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 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 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: April 20, 2017

Second Reading: _____

Bill Woolsey
Mayor

ATTEST

Frances Simmons
Town Clerk