

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

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

Public Comment: None

Consent Agenda:

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

Vote

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

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

Information Reports:

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

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

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

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

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

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

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

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

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

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

Requests for Approval by Staff:

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

Landscaping Maintenance for Camp & Folly Intersection: Mrs. Kellahan requested approval for Heart Pine to provide

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

Vote

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

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

Vote

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

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

Vote

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

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

approve by Councilman Mullinax, seconded by Mayor Woolsey.

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

Vote

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

Passed 3-2

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

Vote

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

Unanimous

Action Items:

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

Mayor Woolsey spoke that our agreement with the City and County includes as one of its provisions optional DNA testing for species. He said we could go forward with Wolpert, the consultant, the Town, City and County is working with on this project, though we would need to get a consensus from the County and City to do this. Mayor Woolsey recommended that this discussion be had at the next James Island Water Quality Task Force meeting for a consensus among the group for the City, County, and Town to move forward. He said if we use that approach the Town would pay one-third of the cost; the City about half; and the County perhaps 15% based on the jurisdictional shares in the TMDL area. Mayor Woolsey noted that he spoke to both Councilwoman Honeycutt (County) and Councilwoman Jackson (City), who were both favorable. He hopes the Water Quality Task Force would ask County staff to provide information about how often the testing should be done. He does not think the Town should bear the entire cost and would like a consensus from the other jurisdictions and advice on the best approach. If this approach does not work, and we are dissatisfied, he said perhaps we could do it ourselves. However, he thinks it is premature to make a decision tonight that the Town pays for this without bringing it before our partners. Councilman Milliken said he understood and would like to have consensus with our Town Council tonight whether it is a good idea and at least agreed in principle. He thinks that is important because we have seen variability in the data from March to May and we are far from being systematic in our approach; also many samples

would be better. Councilman Milliken said he would like to have a vote of Council to go before the Water Quality Task Force that the Town is interested in doing this. Mayor Wooley moved to approve that Town Council recommends that the County, Town, and City exercise their options for additional DNA tests to the Water Quality Task Force, seconded by Councilman Milliken.

Vote

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

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

Vote

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

Committee Reports:

Land Use: No Report.

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

Children's Committee: No Report.

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

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

Appointment to History Council: No nominations made.

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

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

Business Development Committee: No Report.

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

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

Proclamations and Resolutions:

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

Vote

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

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

Vote

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

Ordinances up for Second/Final Reading:

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

Mayor Woolsey gave an overview of SCDHEC's recommendation for septic tank cleanouts. He said it was recommended in the past for every 2-3 years; more recently, every year to two years. A part of the inspection was to

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

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

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

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

Original Motion: Amending FY 2021-2022 Annual Budget

Vote:

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes

Yes
Yes

Councilman Mullinax Mayor Woolsey Unanimous

Ordinances up for First Reading: None New Business: None

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

Vote:

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

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

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

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

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

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

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

Vote

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

Passed 3-2

Announcements/Closing Comments:

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

Councilwoman Mignano thanked the staff for their work.

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

Councilman Mullinax thanked the staff.

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

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

Respectfully submitted:


Frances Simmons Town Clerk