

The Planning Commission met in the Council Chambers of the Town of James Island, 1238-B Camp Road, James Island, SC on Thursday, August 13, 2015 at 6:00 p.m. Commissioners present: Vice Chair, Lyndy Palmer, Bill Lyon, Warren Sloane, Ed Steers, and Chairman David Bevon, who presided.

Also present: Councilman Leonard Blank, and Kristen Crane, Planning Director.

Call to Order: Chairman Bevon called the meeting to order at 6:00 p.m.

Prayer and Pledge: Chairman Bevon led the prayer, which was followed with the Pledge of Allegiance.

Compliance with the Freedom of Information Act: Chairman Bevon announced that this meeting was noticed in compliance with the South Carolina Freedom of Information Act.

Approval of June 11, 2015 Minutes: Chairman Bevon moved to approve the June 11, 2015 meeting minutes; Commissioner Lyon seconded, and the minutes were unanimously approved.

Public Comments:

Susan Milliken, 762 Fort Sumter Drive: Mrs. Milliken said she was looking at what the Planning Commission is doing tonight and at their rules. She questioned, just to put it out there, that it seems Town Council would write the rules for all commissions; as it is state mandated, but the Planning Commission doing their own rules, she thought was interesting. She thought it would be done by Town Council but maybe it will come to Town Council for approval. She questioned why it wasn't coming from Town Council. She knows that Town Council had passed a stipend for the Planning Commission for meetings in the budget this year; and she would think that would be done, and it would be a part of the budget. She said in looking at the Rules of Procedures; (which is watched really closely because development is such a big issue on James Island; and frankly we are distraught over so many developments that other entities are doing right now); in terms of the agenda, and having watched it closely for a few years now, she doesn't know that it has ever been posted five days in advance. That would be the Friday afternoon by 5 p.m. From what she sees, the agenda is coming up a couple of days before the meeting, or the Monday before the meeting. She urged the Planning Commission to have Town staff to strictly adhere to the five days prior. She said that is not Monday because that is not five days prior; it would have to be the Friday by 5 p.m. beforehand. She is really concerned that items may be added to the agenda at a meeting by a majority vote and asked the Planning Commission to consider and discuss striking this tonight. She noted that statewide there's been a lot of talk about FOIA; and a lot of talk about the requirements for postings meetings (the open meetings act statute). The courts have kind of slid way back on that, but to be able to come in and add anything to an agenda by majority vote she said would be shocking to James Island. On the stipend, \$50.00 is quite substantial. She doesn't know if the Planning Commission can set it or if Town Council settles on the \$50.00 per meeting. She think it is important that Planning Commissioners and BZA appointees are independent and don't feel any kind of; the word isn't loyalty"; but they don't feel they need to do what Town administration or Town staff necessarily want them to do. \$50.00 is pretty substantial; \$25 seems to be something that is more reasonable. She thanked the Planning Commission.

Staff Comments: None

Discussion and Vote of Amendment to Planning Commission Bylaws to Provide Stipend for Commissioners: Chairman Bevon said the budget that was approved by Town Council in June became effective on July 1st and it includes a stipend for Planning Commissioners for attending meetings and workshops. He then read the proposed amendment to the Bylaws:

Article VI, Finances; Section 4. Stipend: Planning Commissioners shall receive a stipend of \$50.00 for each monthly meeting they attend. Work Sessions will be considered a meeting. Stipends will not be given for cancelled meetings.

Chairman Bevon moved to adopt the amendment to the Planning Commission's Bylaws to provide a stipend for Commissioners; Commissioner Palmer seconded.

In discussion, Commissioner Steers said he would give back his \$50.00 or \$25.00 to the Town if it were contentious. He also commented that in the interest of transparency, maybe we should wait and have the information posted so if there are other people who are concerned about it, they will know. Chairman Bevon asked when the agenda was posted; to which Ms. Crane replied she would check into when it was.

Commissioner Sloane asked if the Planning Commission has the authority to reject what Town Council has approved in the budget. Chairman Bevon said the Planning Commission could not reject the Town's budget; but as Commissioner Steers mentioned, no one has to take the money if they do not want to. Chairman Bevon thought it was a nice recognition that Town Council would do this. Commissioner Steers said he did not want to appear to be unappreciative, but he does not want this to be contentious. Chairman Bevon explained that the stipend was a part of the Town's budgeting process and it is not the first time the Town has included a stipend in their budget for Planning and BZA members. Councilman Blank spoke and recalled in 2002 that Commissioner Palmer served on the Planning Commission and the Town gave stipends then. He said this was also done in the second and third towns to help compensate commissioners for the gas they use when visiting various sites and attending training or workshops. He commented that often time meetings are held during supper time and these board members are away from their families during that time. The \$50.00, he said is the cost of a tank of gas and the Town is not paying the Planning Commission or BZA for their service on these boards. He noted the reason the stipends were discontinued is because some Planning Commissioners offended the former mayor and she discontinued it. He reiterated that this is not a payment, it is minor compensation to give to people for the gas they use. He said anyone who does not want to accept the stipend do not have to and they should let Town Clerk, Frances Simmons know that they choose not to accept it. Chairman Bevon reiterated that no one has to accept the stipend if they do not want it, but he is not going to say that future members will not be allowed to get it. He said the Commission cannot disapprove of Town Council budgeting the stipends.

Commissioner Palmer commented that the money would not sway any decisions that the Planning Commission makes. She said everyone has taken oaths and have served on the Planning Commission without receiving any money. Chairman Bevon spoke highly of all Planning Commissioners who have served the Town, now and in the past. He noted that Council has selected individuals who have represented the entire island well. Chairman Bevon said he is in favor of voting for the amendment. Commissioner Sloane agreed with Councilman Blank's comments; and what each individual do with their money (whether they give it back to the Town or use it for gas is left up to them). He asked again whether the Planning Commission has the authority to strike a portion of the Town's budget; and that is essentially what we're saying yes or no to. And, he does not know if there is anything for them to vote on. Chairman Bevon explained that they are amending Article VI, Finances; Section 4, to include Stipends. At the conclusion of the discussion, the motion passed unanimously.

Chairman's Comments: None

Commissioners' Comments: There were several questions that the Planning Commission asked staff to research for the next Planning Commission meeting:

Article II – Section 5. Voting

- Disqualified by law: is it the same as a recusal

Article III – Public Hearings and Public Meetings

Section 2. Procedure: f: Application review,

iii. Opponent's presentation (limited to 2 minutes) is the 2 minutes per person or the total amount of time allocated for opponents to speak. It appears that the intent is 2 minutes per person but the wording is somewhat ambiguous.

Next Meeting Date: The next meeting of the Planning Commission will be held on Thursday, September 10, 2015 at 6:00 p.m.

Adjourn: There being no further business to come before the Planning Commission, the meeting adjourned at 6:35 p.m.

Respectfully submitted:

Frances Simmons

Town Clerk and Secretary to the Planning Commission