



Town of James Island, Regular Town Council Meeting  
September 17, 2015; 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.

1. Opening Exercises
2. Presentation: Bret Gillis, Stantec  
Camp Road Phase III Concept Plan
3. Public Comments
4. Consent Agenda
  - a. Minutes of August 20, 2015 Regular Town Council Meeting
  - b. Constitution Week Proclamation
5. Information Reports
  - a. Finance Report
  - b. Administrator's Report
  - c. Island Sheriffs' Patrol Report
6. Requests for Approval
  - Purchase of 3 Burgundy Redbud Trees for Arbor Day Celebration
  - Emergency Management-Related Expenses
  - Quotes from Palmetto Tree Service re: Pinckney Park and Ft. Johnson Rd.
7. Committee Reports
  - Land Use Committee
  - Environment and Beautification Committee
  - Children's Commission
  - Public Safety Committee
  - History Commission
8. Resolutions:
  - a. Resolution 2015-19: Authorization for Mayor to enter into Intergovernmental Agreement with Charleston County for Disaster Debris Removal
9. Ordinances up for First Reading:
  - a. Ordinance #2015-10: An Ordinance to Regulate the use of Fireworks in the Town of James Island (**a motion to remove from the table needed**)
  - b. Ordinance #2015-11: Recovery of Collection Costs as a part of Delinquent Debts Collected Pursuant to the Setoff Debt Collection Act
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, August 20, 2015. The following members of Council were present: Mayor Pro-Tem Leonard Blank, Garrett Milliken, Darren “Troy” Mullinax, Joshua P. Stokes, and Mayor Bill Woolsey, who presided. A quorum was present to conduct business. Also present: Ashley Kellahan, Town Administrator, Bo Wilson, Town Attorney, Merrell Roe, Senior Finance Clerk, Mark Johnson, Public Works Coordinator, and Frances Simmons, Town Clerk.

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

Presentation: Johnna Murray, Charleston County Community Development Director, gave a presentation on the 2017-2021 Consolidated Plan for Charleston County. The Community Development Department manages the Housing and Urban Development Funds (HUD) and they are seeking input from the community for the 2017-2021 Consolidated Plan. Input is gathered every five years on what communities want to see HUD monies spent. Services suggested are: critical needs for infrastructure, housing rehabilitation, affordable housing, homeless services etc.). Household qualification range from low to moderate income levels. Ms. Murray encouraged the public to complete a short on-line survey at <https://www.surveymonkey.com/r/charlestoncountyconsolidatedplan> or to contact Victoria Marshall at [ymarshall@charlestoncounty.org](mailto:ymarshall@charlestoncounty.org) (843) 202-6986. The link will be available until October 9<sup>th</sup>.

Public Comments: The following individuals addressed Town Council:

Kent Bosworth, 1668 Shortwood, Harbor Creek Homeowners Association (HOA): Mr. Bosworth said he attended a Town Council meeting last May on behalf of the Harbor Creek Home Owners Association (HOA) and the surrounding neighborhoods; and has returned tonight to ask the Town’s help in creating a passive park on Harbor View Road. He said the park will help to prevent development and commercial exploitation to some of the last marsh front views on Harbor View Road. There are two properties; one at 1387 Harbor View Road that shares the same address as the business Food Staff. He said the HOA would like to have the property appraised to determine its market value. Mr. Bosworth said because of the effectiveness of Councilman Milliken, Charleston Water System has agreed to pay for half of the appraisal; they are asking the Town to pay the other half. He is hopeful that the HOA will be able to acquire some time and will be able to obtain both properties, making them contiguous, to prevent further development.

Mike Ruscio, 1078 Renwood is a Lynwood resident of 10 years. He spoke in favor of preserving the natural landscape for a passive park on Harbor View Road. He talked of changes on James Island due to development over the past ten years. Though development is inevitable; we should be conscious of preserving green space as developments occur. Mr. Ruscio said the location on Harbor View could be a harbinger for people coming into James Island to see green space.

Consent Agenda:

- a. Minutes of July 9, 2015 Regular Town Council Meeting

- b. Minutes of July 23, 2015 Public Hearing and Special Town Council Meeting
- c. Minutes of July 28, 2015 Special Town Council Meeting

Motion to approve the Consent Agenda was made by Councilman Stokes, seconded by Councilman Mullinax and passed unanimously.

Information Reports:

- a. Finance Report: In addition to the monthly budget report, Senior Finance Clerk, Merrell Roe reported that \$165,000 in franchise fees had been received from SCANA. She complimented Town Administrator, Ashley Kellahan, for revising the Finance Report to make it more concise. Councilman Milliken complimented the staff for the change.
- b. Administrator's Report: Mrs. Kellahan commented that the Administrator's Report was also revised. She noted that the Town is three years old and we can now chart history to show growth patterns by department. She reported that the Town closed on the Pinckney Park property; the Open House will be held on Sunday, from 1-5 p.m. A Park Workshop is scheduled for Thursday, August 27<sup>th</sup> at 5:30 p.m. at Town Hall for public input into the development process for Requests for Proposals from design firms. Dock Street Park was awarded a PARD grant for equipment and a water fountain. We have begun to advertise for the Community Assistance Grant Funding. The deadline to receive applications is September 30. The applicants will present their requests to Town Council at the October 15<sup>th</sup> meeting. The Rethink Folly Road Steering Committee will meet on Wednesday, August 26<sup>th</sup> 12:30 p.m. at Town Hall. An Open House will be held that same night to discuss the draft plan for Folly Road at the Low Country Senior Center from 5-8 p.m. SCE&G will be hosting a Community Workshop on a transmission line rebuild on August 26 from 6-7:30 p.m. at the City Fire Station at 358 Folly Road. A ribbon cutting ceremony for Jeffrey Drive and Lemon Tree Lane will be held on Saturday, September 12, 10-2 p.m. Mrs. Kellahan gave the Code Enforcement, Building Services, Planning and Zoning, and Public Works reports.
- c. Island Sheriffs' Patrol (ISP) Report: Sergeant James presented the July crime statistics: ISP deputies worked a total of 593 hours; made 689 stops; wrote 92 tickets; issued 630 warnings; and 19 arrests; 91 calls for service were received, and 15 field interviews were conducted.

Requests for Approval:

RFQ #1-2015: Recommendation to enter into negotiations with Liollo Architecture. Mayor Woolsey asked for a motion in favor. Councilman Blank, moved and Councilman Mullinax seconded. No discussion; the motion passed unanimously.

Bus Shelter Design: Mrs. Kellahan referred to the design of the Walgreen's Bus Shelter. She said Walgreen's has submitted for the building permit. Mayor Woolsey asked for a motion in favor. Councilman Stokes moved and Councilman Milliken seconded. No discussion; the motion passed unanimously.

Donation of Funds Related to the Mother Emanuel Tragedy: Mayor Woolsey requested that a donation of \$500 be given to the TyWanza Sanders Scholarship Fund. TyWanza Sanders was a former James Island High student and one of the victims in the Mother Emanuel tragedy. Mayor Woolsey asked for a motion in favor. Councilman Blank moved and Councilman Stokes seconded. Councilman Milliken expressed gratitude that the Town was able to find a source of assistance close to home. The motion passed unanimously.

50% Contribution for Appraisal of Property with Tax Map #424-070-0027: Councilman Milliken reported that a productive meeting was held with the Harbor Creek residents. He said they are interested in purchasing the lot, and perhaps with some assistance they will be able to purchase the other nearby lot to preserve as a passive park. He said, as Mr. Bosworth stated, that many of the views along Harbor View Road are disappearing along that stretch and it would be wonderful to have a nice gateway to James Island as green space. He said the cost of the appraisal will be split between the Charleston Water System and the Town so an accurate value of the property can be determined to perhaps move forward with a purchase. Mayor Woolsey asked for a motion in favor. Councilman Mullinax moved, and Councilman Stokes seconded. Mayor Woolsey answered Councilman Blank's questions and said the Council is only approving an appraisal. The motion passed unanimously.

#### Committee Reports:

Land Use Committee: No report.

Environment and Beautification Committee: Councilman Milliken reported that James Island Pride held a trash pickup on July 11<sup>th</sup> and another is scheduled on September 12<sup>th</sup> at 9:00 a.m. James Island Pride will have a booth at the Green Fair on Sunday, September 20<sup>th</sup> at the County Park. They hope to have a lottery for a tree giveaway. Arbor Day will be held on December 4<sup>th</sup> and plans are underway with David Parler, the Principal at Fort Johnson Middle School. Councilman Milliken asked everyone to think about nominating individuals for the Community Heroes award. This information will be posted on the Town's website.

Children's Commission: Councilman Stokes announced that Susannah Sheldon is the new Chair for the Children's Commission. He said plans are underway for the Annual Tree Lighting Ceremony to be held on December 3<sup>rd</sup> at 6 p.m. The next meeting of the Children's Commission is September 8<sup>th</sup> at 5:30 p.m.

Public Safety Committee: Councilman Mullinax thanked staff and everyone who participated in the National Night Out. He said the event was successful and they hope to make it an annual event. The Neighborhood Council will meet on be Thursday, August 27<sup>th</sup> at 7 p.m.

History Commission: Mayor Woolsey reported that the History Commission has met twice. The Commission is working on various aspects of James Island's history and discussing plans to erect historical markers each year on the island.

Resolutions:

- a. Resolution #2015-15: Island Sheriffs' Patrol Officer of the Second Quarter: Deputy Michael Buenting received recognition as the Island Sheriffs' Patrol Officer of the Second Quarter. He was joined by Sergeant James and supervisor, Sergeant Jay Christmas. Deputy Buenting has worked 152 hours; made 204 car stops; issued 192 warnings, and made 82 arrests. Mayor Woolsey read the resolution and asked for a motion in favor. Councilman Stokes moved, Councilman Mullinax seconded and the resolution passed unanimously.
- b. Resolution #2015-16: A Resolution Endorsing the Folly Road Water Access Project: Mrs. Kellahan informed Council that the City of Folly Beach asked the Town Council to pass a resolution in support of its Water Access Project. The project supports the placement of two non-motorized paddle craft and small sailboat access points adjacent to the newly constructed Folly River Bridge and Folly Creek Bridge. Mayor Woolsey asked for a motion in favor. Councilman Stokes moved; seconded by Councilman Mullinax. The motion passed unanimously.
- c. Resolution #2015-17: A Resolution to Adopt the Town of James Island Comprehensive Emergency Management Plan: Mayor Woolsey asked for a motion in favor. Councilman Blank moved, and Councilman Mullinax seconded. Councilman Milliken said he met with Mrs. Kellahan and Scott Cave and they answered the questions that he had. He complimented the plan and said we need to get behind it with some financial backing so that all facets of it can be implemented. Mayor Woolsey gave opportunity for Consultant, Scott Cave, to speak.

Mr. Cave said since the draft was delivered to Council in June there have been two rounds of revisions; two training sessions with staff, Mayor Woolsey, and Mayor Pro-tem Blank; and a table top exercise on hurricane preparedness. Mr. Cave said these activities also resulted in updates that further improved the Plan. He referred to Councilman Milliken's remark that to fully implement the Plan is mainly communication. He said in any emergency, communication is a top priority; and while the Town has some County 800 MHZ radios, there are other means communication the Town should consider to have redundant and multiple means of communicating. He said if there is a major hurricane; (such as Sandy and Katrina) it cannot be assumed that 800 MHZ radios, cell phones, or land lines will be available. He believes the best practice is to have multiple backups of redundant equipment and technology so there is always a means to communicate with other entities. He said to purchase what the Town needs does not cost a lot of money; the cost is between \$5-10,000. Mr. Cave recommended that staff continue to have training, table top exercises, and update the Plan often to always be in the best position to respond when needed. He thanked Council for the opportunity to work with them. The motion passed unanimously.

- d. Resolution #2015-18: Amendment of Resolution #2012-05 to add a Citizens Committee to be in Liaison to Town Council "Environment and Beautification Committee:" Mayor Woolsey asked for a motion in favor. Councilman Milliken moved, and Councilman Mullinax seconded.

Councilman Milliken distributed a photocopy of trees on James Island (Fort Johnson Road) encrusted in vines that aligned some of the roadway. He said these trees merit attention to have the vines removed. He noted that these trees are not on town roads, they are also on City and County roadways. He said the tree in the lower left corner of the photocopy was recently planted on Fort Johnson Road and has brown edges on it for the lack of water it needs.

Councilman Milliken said the resolution will form a Citizens Committee to care for trees and it will be a part of the Environment and Beautification Committee; (a facet of James Island Pride). He said the committee could identify locations where new trees have been planted care and care for those trees; identify places where older trees need maintenance; (i.e., removing vines and clearing its underbrush). Councilman Milliken said this is something that could be accomplished with a committee. He said an issue that occurred this summer were the new trees planted along our sidewalk project on Fort Johnson Road. He said many trees are suffering from the lack of water. He commented that Mary White made a call for help to care for the trees but no one stepped forward. There is a swatch of road along Harbor View Road that is going to receive new plantings and someone need to take care of those plantings. He said if we had a committee they could identify these places and figure out a way to hire landscape companies or others to properly care for trees and also for the safety of residents riding down roadways. He mentioned the tree that fell on Camp Road fell tonight that probably had a little rot. If the tree could've been seen, it would've been identified. Councilman Milliken said he thinks this is an important function for a committee; and a function of government is to care for the things that taxpayer's value and the residents of James Island value trees. He asked Council to pass this cost free resolution to take care of the trees on James Island.

During discussion, Councilman Blank said we need to enforce that anyone that plant trees are responsible for nurturing them for a year. He said it is expensive to pull around water tanks to water trees and often hoses are not available where most trees are planted. He said if someone plants a tree; they should nurture it; if not, they should not plant it.

Mayor Woolsey spoke about the trees that were planted on Fort Johnson Road. He said that he asked the County when the trees were planted in mid-summer why were they being planted then. He said the County also thought it was not a good time to plant the trees but contractors that put in the sidewalks did it by their own volition. Mayor Woolsey said since the trees must survive for a year, it is sad that they will probably die and will need to be replaced. He said the Town and government does look into trees, including those with vines growing on them.

Councilman Stokes asked if this committee will be a subcommittee of Environment and Beautification. He said the Environment and Beautification cab form subcommittees under its umbrella. He sked if an ordinance was needed since one already establishes the Environment and Beautification. Councilman Milliken said an ordinance would help to legitimize the committee in the eyes of Council, and it is good to have a way of recognizing the voice of a group of people that have concerns about trees. He does not like the idea of replacing a tree because we let it die; nor is it good to plant trees in July. Councilman Milliken said he was unsure that the Town has ever removed vines from trees and he is concerned about follow through. He asked last September at a Council meeting for the vines to be removed from the trees at the entrance to Lighthouse Point and they are still there. He think this committee will have a way to follow-up on what is needed to care for our trees. Councilman Stokes said he would like to offer a friendly amendment because the word "in liaison" puts that committee on the same level as the other committees of Council and Councilman Milliken explained what "in liaison" meant. He said he was agreeable to a friendly amendment.

Councilman Stokes moved for a friendly amendment that the Trees Committee function as a subcommittee of Environment and Beautification; Councilman Blank seconded. During discussion, Mayor Woolsey spoke strongly against the committee to be formed as a subcommittee. He said the Environment and Beautification is made up of the members of Council and he does not think they should create a Trees Committee as a subcommittee of themselves. Councilman Blank expressed confusion because he hears reports from Environment and Beautification at Council meetings, but he has done nothing as a member of the committee. Mayor Woolsey explained the committee structure; that the chair of Environment and Beautification is Councilman Milliken and he reports on the activities of the Citizen Committee (of which he is the Council liaison). Councilman Blank commented that if he is a member of that committee he was unaware of it. Councilman Milliken said this is a symptom of a poor way that we have organized our committee structure; and the fact that Council serves on these committees and not show for meetings is sad. He said James Island Pride is essentially the Environment and Beautification Committee, and Council is on that committee; but have we done a lot for environment and beautification? Mayor Woolsey explained that the Chairman of a committee could call a meeting that is separate from Town Council if he felt it necessary. He said the Council committee chair reports on the citizen's committee's activities at Council meetings and he asks them if they have questions. Councilman Milliken said he will vote against the amendment so it to go back to the way it was originally written. He said the Environment and Beautification Committee is already in liaison with James Island Pride, which is a citizens committee, and this committee would be an element of that.

Amendment: Favor: Councilman Blank, Councilman Stokes.

Oppose: Councilman Milliken, Councilman Mullinax.

Amendment failed

During discussion of the main motion, Mayor Woolsey gave his opinion of how the resolution was written. He said it would be appropriate and important for our committee structure for the Chairman of the Environment and Beautification Committee to serve as the Council liaison rather than the way the resolution is written; Councilman Milliken explained that it does.

Main Motion: Favor: Council Milliken, Councilman Mullinax

Oppose: Councilman Stokes, Councilman Blank, Mayor Woolsey

Main Motion failed

Ordinances up for First Reading:

Ordinance #2015-10: An Ordinance to Regulate the Use of Fireworks in the Town of James Island:

Mayor Woolsey asked for a motion in favor. Councilman Mullinax moved, Councilman Stokes seconded, for discussion. Councilman Mullinax said he thought everything had been resolved and properly debated and when he arrived he was informed that the ordinance had not gone to our legal counsel. He asked Mrs. Kellahan to give an update. Mrs. Kellahan recapped that Councilman Mullinax had asked her to look into a fireworks ordinance and the possibility of the Town passing one. She said knowing that we cannot have fireworks (against State law), she looked into other alternatives to determine if we might be able to regulate an ordinance based on hours of use. Mrs. Kellahan talked with the Gaffney City Manager and he provided her with a copy of an ordinance

they passed that regulates the hours that fireworks can be used. He also sent her a copy of an Attorney General's opinion. Mrs. Kellahan forwarded what she had written to Mr. Wilson, our legal counsel which went back and forth several times for comment. She and the Mayor also worked on amending the ordinance based on Mr. Wilson's comments. Mrs. Kellahan said she believes Mr. Wilson still has concern about how the ordinance is written and about enforcing it. In light of these concerns, she recommended that further discussion continue with Mr. Wilson and Sergeant James (Island Sheriffs' Patrol) before presenting the ordinance to Council. Councilman Blank moved to table the ordinance until further information is obtained, Councilman Stokes seconded, and the motion to table passed unanimously.

Adjournment: There being no further business to come before the body, the meeting adjourned at 7:45 p.m.

Respectfully submitted:

Frances Simmons  
Town Clerk

*Proclamation for  
Constitution Week  
September 17-23, 2015*

*Whereas, September 17, 2015 marks the 228<sup>th</sup> anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and*

*Whereas, it is fitting and proper to officially recognize this magnificent document and its memorable anniversary, and to the patriotic celebrations that will commemorate the occasion; and*

*Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17-23 as Constitution Week,*

*Now, Therefore, I Bill Woolsey, Mayor of the Town of James Island, join with the Eliza Lucas Pinckney Chapter, the Rebecca Motte Chapter, the Fort Sullivan Chapter and the Susannah Smith Elliott Chapter, NSDAR, in recognizing and celebrating this important decision, and hereby proclaim the week of September 17-23, 2015 as*

***Constitution Week***

*and further ask the citizens of the Town of James Island to reaffirm the ideals held by the authors and framers of the Constitution as written in 1787 by protecting the freedoms guaranteed to all citizens.*

*Be it so proclaimed this 17<sup>th</sup> day of September, 2015*

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*Bill Woolsey  
Mayor, Town of James Island*

*Attest:*

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*Frances Simmons  
Town Clerk*

# Town of James Island

% FY Complete 17%

## Monthly Budget Report

Fiscal Year 2015 / 2016

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		
<b>GENERAL FUND REVENUE</b>														
Property Taxes	-	-	-	-	-	-	-	-	-	-	-	-	-	1,040,000
Franchise Fees	165,901	-	-	-	-	-	-	-	-	-	-	-	-	420,000
Brokers & Insurance Tax	-	-	-	-	-	-	-	-	-	-	-	-	-	375,000
Local Option Sales Tax (rev)	-	32,331	-	-	-	-	-	-	-	-	-	-	-	327,080
State Aid to Subdivisions	-	-	-	-	-	-	-	-	-	-	-	-	-	256,060
Business Licenses	-	4,636	-	-	-	-	-	-	-	-	-	-	-	190,000
Telecommunications	-	-	-	-	-	-	-	-	-	-	-	-	-	27,500
Liquor Licenses	-	-	-	-	-	-	-	-	-	-	-	-	-	16,500
Building Permit Fees	-	503	-	-	-	-	-	-	-	-	-	-	-	10,000
Planning & Zoning Fees	800	1,201	-	-	-	-	-	-	-	-	-	-	-	10,000
Miscellaneous	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000
Interest Income	96	-	-	-	-	-	-	-	-	-	-	-	-	225
Transfer Funds Balance	-	-	-	-	-	-	-	-	-	-	-	-	-	200,000
		<b>38,671</b>												
													<b>Total</b>	<b>205,468</b>
													<b>% of Budget</b>	<b>7%</b>

<b>ADMINISTRATION</b>														
Salaries	15,904	15,935	-	-	-	-	-	-	-	-	-	-	-	205,200
Fringe Benefits	5,299	5,435	-	-	-	-	-	-	-	-	-	-	-	74,000
Copier	351	334	-	-	-	-	-	-	-	-	-	-	-	5,300
Supplies	925	223	-	-	-	-	-	-	-	-	-	-	-	13,000
Postage	223	355	-	-	-	-	-	-	-	-	-	-	-	6,700
IT	2,346	2,740	-	-	-	-	-	-	-	-	-	-	-	35,000
MASC Membership	-	-	-	-	-	-	-	-	-	-	-	-	-	5,500
Insurance	-	11,023	-	-	-	-	-	-	-	-	-	-	-	19,200
Legal Services	2,225	-	-	-	-	-	-	-	-	-	-	-	-	60,000
Town Codification	-	-	-	-	-	-	-	-	-	-	-	-	-	1,500
Advertising	128	-	-	-	-	-	-	-	-	-	-	-	-	5,000
Audit	-	-	-	-	-	-	-	-	-	-	-	-	-	12,000
Elections	-	-	-	-	-	-	-	-	-	-	-	-	-	500
Mileage Reimbursement	-	56	-	-	-	-	-	-	-	-	-	-	-	800
Bonding	-	-	-	-	-	-	-	-	-	-	-	-	-	1,750
Employee Training / Screening	-	-	-	-	-	-	-	-	-	-	-	-	-	850
Dues and Subscriptions	35	-	-	-	-	-	-	-	-	-	-	-	-	1,060
Training & Travel	378	-	-	-	-	-	-	-	-	-	-	-	-	2,460
Mobile Devices	35	35	-	-	-	-	-	-	-	-	-	-	-	660
Children's Commission	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000
Business Development Council	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000
History Commission	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000
Employee Appreciation	-	-	-	-	-	-	-	-	-	-	-	-	-	500
Bank Charges	61	24	-	-	-	-	-	-	-	-	-	-	-	500
		<b>36,160</b>												
													<b>Total</b>	<b>64,069</b>
													<b>% of Budget</b>	<b>14%</b>

# Town of James Island

% FY Complete 17%

## Monthly Budget Report

Fiscal Year 2015 / 2016

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		
<b>ELECTED OFFICIALS</b>														
Salaries	3,769	3,769	-	-	-	-	-	-	-	-	-	-	7,538	50,000
Fringe Benefits	2,129	2,129	-	-	-	-	-	-	-	-	-	-	4,258	17,000
Mayor Expense	551	-	-	-	-	-	-	-	-	-	-	-	551	2,000
Council Expense	-	35	-	-	-	-	-	-	-	-	-	-	35	4,000
Mobile Devices	114	114	-	-	-	-	-	-	-	-	-	-	228	1,410
		<b>6,047</b>												
													<b>Total</b>	<b>74,410</b>
													<b>% of Budget</b>	<b>17%</b>
<b>GENERAL OPERATIONS</b>														
Salaries	15,698	14,942	-	-	-	-	-	-	-	-	-	-	30,641	216,200
Fringe Benefits	5,271	5,021	-	-	-	-	-	-	-	-	-	-	10,293	73,500
		<b>19,964</b>											<b>Total</b>	<b>289,700</b>
													<b>% of Budget</b>	<b>14%</b>
<b>PLANNING</b>														
Supplies	-	-	-	-	-	-	-	-	-	-	-	-	-	500
Advertising	128	225	-	-	-	-	-	-	-	-	-	-	353	2,000
Mileage Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-	-	200
Dues and Subscriptions	-	-	-	-	-	-	-	-	-	-	-	-	-	325
Training & Travel	85	-	-	-	-	-	-	-	-	-	-	-	85	1,000
Mobile Devices	35	35	-	-	-	-	-	-	-	-	-	-	70	660
Uniform / PPE	-	-	-	-	-	-	-	-	-	-	-	-	-	250
Planning Commission	-	250	-	-	-	-	-	-	-	-	-	-	250	4,000
Board of Zoning Appeals	-	-	-	-	-	-	-	-	-	-	-	-	-	4,000
		<b>510</b>											<b>Total</b>	<b>12,935</b>
													<b>% of Budget</b>	<b>6%</b>
<b>BUILDING INSPECTION</b>														
Mileage Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-	-	200
Mobile Devices	35	35	-	-	-	-	-	-	-	-	-	-	70	660
Supplies	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000
Equipment / Software	-	-	-	-	-	-	-	-	-	-	-	-	-	1,500
Uniform / PPE	-	-	-	-	-	-	-	-	-	-	-	-	-	250
Dues & Subscriptions	50	-	-	-	-	-	-	-	-	-	-	-	50	800
Travel & Training	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000
		<b>35</b>											<b>Total</b>	<b>5,410</b>
													<b>% of Budget</b>	<b>2%</b>

# Town of James Island

% FY Complete 17%

## Monthly Budget Report

Fiscal Year 2015 / 2016

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET	
	July	August	September	October	November	December	January	February	March	April	May	June			
<b>PUBLIC WORKS</b>															
Mileage Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	300
Training & Travel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000
Projects	2,260	3,218	-	-	-	-	-	-	-	-	-	-	-	5,478	725,500
Engineering Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	25,000
Permits	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000
Mobile Devices	54	54	-	-	-	-	-	-	-	-	-	-	-	107	660
Traffic Control Devices	-	-	-	-	-	-	-	-	-	-	-	-	-	-	30,000
Uniform / PPE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	500
Supplies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,000
Emergency Management	-	4,714	-	-	-	-	-	-	-	-	-	-	-	4,714	12,000
Groundskeeping	-	180	-	-	-	-	-	-	-	-	-	-	-	180	30,000
		<b>8,165</b>													
														<b>Total</b>	<b>827,960</b>
														<b>% of Budget</b>	<b>1%</b>

<b>CODES &amp; SAFETY</b>															
Mobile Devices	54	54	-	-	-	-	-	-	-	-	-	-	-	108	660
Mileage Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	300
Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000
Radio Contract	-	342	-	-	-	-	-	-	-	-	-	-	-	342	2,740
Training	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000
Supplies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	500
Uniform / PPE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	250
Sheriff's Office Contract	17,648	13,275	-	-	-	-	-	-	-	-	-	-	-	30,923	165,000
Unsafe Buildings Demolition	-	9,622	-	-	-	-	-	-	-	-	-	-	-	9,622	7,000
Overgrown Lot Clearing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,200
Crime Watch Materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-	500
Neighborhood Council	399	589	-	-	-	-	-	-	-	-	-	-	-	988	1,500
Teen CERT Program	-	-	-	-	-	-	-	-	-	-	-	-	-	-	500
		<b>23,882</b>													
														<b>Total</b>	<b>182,150</b>
														<b>% of Budget</b>	<b>23%</b>

# Town of James Island

% FY Complete 17%

## Monthly Budget Report

Fiscal Year 2015 / 2016

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		
<b>PARKS &amp; RECREATION</b>														
Recreation	400	345	-	-	-	-	-	-	-	-	-	-	745	5,000
Pinckney Park	-	(3,150)	-	-	-	-	-	-	-	-	-	-	(3,150)	85,000
Special Events	-	-	-	-	-	-	-	-	-	-	-	-	-	12,000
Youth Sports Program	-	-	-	-	-	-	-	-	-	-	-	-	-	14,000
		(2,805)												
													Total	116,000
													(2,400)	-2%
													% of Budget	
<b>FACILITIES &amp; EQUIPMENT</b>														
Utilities	1,486	1,325	-	-	-	-	-	-	-	-	-	-	2,811	21,600
Rent	6,178	6,178	-	-	-	-	-	-	-	-	-	-	12,357	77,700
Security Monitoring	-	-	-	-	-	-	-	-	-	-	-	-	-	3,000
Janitorial	440	477	-	-	-	-	-	-	-	-	-	-	917	6,620
Equipment / Furniture	-	336	-	-	-	-	-	-	-	-	-	-	336	3,000
Building Maintenance	65	-	-	-	-	-	-	-	-	-	-	-	65	12,000
Vehicle Purchase	-	-	-	-	-	-	-	-	-	-	-	-	-	25,000
Vehicle Maintenance Expense	65	77	-	-	-	-	-	-	-	-	-	-	143	5,000
Generator Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	750
Street Lights	10,437	10,438	-	-	-	-	-	-	-	-	-	-	20,874	120,000
Town Hall	400	-	-	-	-	-	-	-	-	-	-	-	400	200,000
Lease Purchase	-	-	-	-	-	-	-	-	-	-	-	-	-	840,000
		18,832											Total	1,314,670
													37,903	3%
													% of Budget	
<b>COMMUNITY SERVICES</b>														
Repair Care Program	-	-	-	-	-	-	-	-	-	-	-	-	-	30,000
Community Service Contributions	-	500	-	-	-	-	-	-	-	-	-	-	500	20,000
													Total	50,000
													500	1%
													% of Budget	

# Town of James Island

% FY Complete 17%

## Monthly Budget Report

Fiscal Year 2015 / 2016

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		
<b>LOCAL OPTION SALES TAX - PROPERTY TAX CREDIT FUND</b>														
Nonrefundable property tax credit	-	86,720	-	-	-	-	-	-	-	-	-	-	-	841,060
Interest Income	-	-	-	-	-	-	-	-	-	-	-	-	-	475
<b>Total</b>														<b>841,535</b>
<b>TREE MITIGATION FUND</b>														
Tree Mitigation revenue	1,480	1,968	-	-	-	-	-	-	-	-	-	-	4,723	8,732
Tree Mitigation expense	-	-	-	-	-	-	-	-	-	-	-	-	-	(8,732)
<b>Total</b>													<b>4,723</b>	<b>-</b>
<b>ART AUCTION</b>														
Art Auction donations	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Art Auction revenue	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>														<b>-</b>
Art Auction expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>JAMES ISLAND PRIDE</b>														
James Island Pride donations	10	5	-	-	-	-	-	-	-	-	-	-	190	-
Helping Hands donations	-	-	-	-	-	-	-	-	-	-	-	-	426	-
<b>Total</b>													<b>-</b>	<b>-</b>
James Island Pride expense	252	75	-	-	-	-	-	-	-	-	-	-	327	2,500
Helping Hands expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>													<b>327</b>	<b>2,500</b>

# ADMINISTRATOR'S REPORT Aug-15

## ADMIN NOTES

- a. RFQ for Pinckney Park is advertised. Pre-Proposal Conference for Offerors is 9/16 @ 2; Last Day for questions is 9/18. Proposals due 9/25.
- b. Staff Needs Assessment mtg with Liollo went well and a lot of good info was gathered. Workshop with Public scheduled for 9/24 from 6-8
- c. First Staff Emergency training exercise complete
- d. Building Inspection Report for Pinckney Park complete
- e. Attended several community meetings including BCDCOG Board Meeting, Rethink Folly Road, SCE&G Community Workshop, First Baptist Community Outreach Day
- F. Community Service Grant Applications are due to the Town by Sept. 30th
- g. 3 homes identified for first round of Repair Care Program to begin work in October.

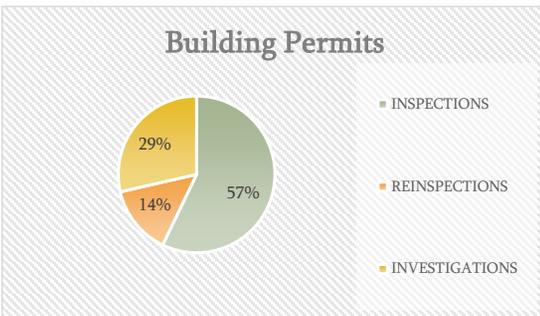
**TOTAL Business Licenses** 4

## Code Enforcement

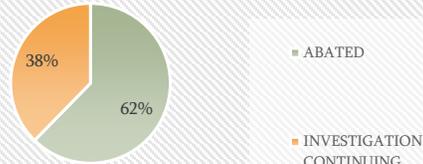
<b>TOTAL CASES</b>	<b>77</b>
<b>ABATED</b>	<b>48</b>
<b>INVESTIGATION CONTINUING</b>	<b>29</b>
RANK VEGETATION / SOLID WASTE	21
NUISANCE PROPERTY	11
TREE CASES	8
INOPERABLE VEHICLE	7

## Building Permits

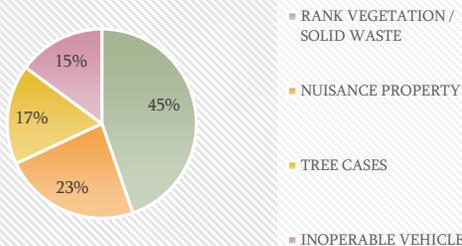
<b>BUILDING PERMITS ISSUED</b>	<b>55</b>
<b>INSPECTIONS</b>	<b>8</b>
<b>REINSPECTIONS</b>	<b>2</b>
<b>INVESTIGATIONS</b>	<b>4</b>



## Code Enforcement - Case Status



## Code Enforcement - Case Type



## PERMIT TYPE

ACCESSORY STRUCTURE	1
DEMOLITION PERMIT	1
EXEMPT PLATS	-
FIREWORK STAND	-
HOME OCCUPATION	1
LSPR	-
PD AMENDMENT (REZONING)	-
RESIDENTIAL ZONING	3
REZONING	3
SPR	-
SIGN PERMIT	1
SITE PLAN REVIEW	1
SPECIAL EVENT	1
SPECIAL EXCEPTION	-
TEMPORARY ZONING	-
TREE REMOVAL	4
TREE TRIMMING	1
VARIANCE	-
ZONING PERMIT	1
<b>TOTAL</b>	<b>18</b>

## PUBLIC WORKS NOTES

- a. Received notice of FY 2016 CTC Project Selection - Camp Rd Sidewalk (Folly to Riverland) approved for TOJI and the City - award is \$301,500
- b. Charleston County will be managing Camp Road sidewalk (Dills Bluff to Secessionville) for the Town with expected construction to begin first of the year
- c. Continued to work on Drainage issues in several basins on James Island, including Yorktown and Centerville.
- d. Oceanview-Sea Aire Basin was finished being cleaned to allow water to drain out and we have gotten positive feedback from the community of a noticable. E.M. Seabrook Engineering is working on Town easements through the system area so the County can better perform routine maintenance.
- e. Continued to perform Stormwater Plan Reviews and monitor SW infrastructure at the Preserve at Dills Bluff
- f. SCDOT has removed 5 of the dead trees along Camp the Town marked, with 1 additional tree DOT has identified still to be removed

## ISLAND SHERIFF'S PATROL REPORT

Forthcoming

## ZONING PERMITS - ANNUAL HISTORY



Program Coordination ♦ Eric Adams, P.E.



Technical Members ♦ Laura S. Cabiness, P.E.  
City of Charleston

Vice Chairman ♦ David Purcell

Michael D. Dalrymple, P.E.  
City of N. Charleston

Members-At-Large ♦ Robert Miller, Jr.  
Howard R. Chapman, P.E.  
Bill Hanahan

Joel P. Ford  
Town of Mt. Pleasant

Chairman ♦ W. O'Brien Limehouse

James D. Armstrong  
James R Neal, P.E.  
County of Charleston

August 26, 2015

RECEIVED

The Honorable Bill Woolsey  
Mayor Town of James Island  
P.O. Box 12240  
James Island, SC 29412

AUG 31 2015  
BY: 

Subject: Project Selection Notification - FY 2016 Charleston County Transportation Committee (CTC), "C" Fund Projects

Dear Mayor Woolsey

New construction projects funded under the CTC 2016 "C" Fund Road Improvement Program have been approved and the list of projects is attached to this letter. Project requests were evaluated on an individual merit basis and approved by the Committee.

Additionally, the County's resurfacing contract for FY 2016 is being developed. Selection of the roads included in the contract is prioritized by utilizing our computerized Pavement Management System which is based on the technical evaluation of the overall condition of each road. Once the road list is finalized we will notify the appropriate agencies (i.e. public works departments, utility companies, etc...) to ensure there are no conflicting projects which may require deferral of resurfacing.

If you should have questions regarding the CTC Program or the County's Pavement Management System, please contact me at 202-6140.

Sincerely,



Eric Adams, P.E.  
Charleston CTC Program Coordinator

### FY 2016 Small Project Construction Program

Project Name	Requestor	Project Amount
Tort Liability Insurance	Staff	\$10,000.00
Calhoun St (Pine to Smith) and W. Hamilton (Mason to Greenwood)	Town of Lincolville - Carry Over funding needed for construction	\$275,000.00
Pelzer Drive Sidewalk	Town of Mount Pleasant- Carry Over funding needed for construction	\$75,000.00
Porcher School Road Paving	Town of Awendaw / CCPW	\$100,000.00
Camp Road Sidewalk (Camp/Folly Project to Riverland Dr)	City of Charleston and Town of James Island	\$301,500.00
East Montague Ave Crosswalks	City of North Charleston	\$250,000.00
Park West Blvd Sidewalk (Stockdale to Rec Center)	Town of Mount Pleasant	\$210,000.00
Ravenel Intersection Safety Improvements	Town of Ravenel	\$45,000.00
46th to 52nd Avenue Drainage Ph 2	City of Isle of Palms	\$100,000.00
Parkers Ferry Right Turn Lane at US 17	CCPW	\$225,000.00
Scotia Street	Town of McClellanville	\$50,000.00

### FY 2016 Pavement Management Program

CTC FY 2016 Pavement Management	County Wide (including municipalities)	\$2,814,000.00
---------------------------------	--	----------------

**Request for Approval – Tree Plantings for Arbor Day - \$165 from Tree Fund**

**Request from Councilmember Milliken**

- 3 Burgundy Redbuds at approximately \$55 each (\$165 Total) for Arbor Day Celebration at Fort Johnson Middle School

## Request for Approval – Emergency Management Expenses for current FY - \$5,540

### Staff Recommendation

HAM Radios and Station – \$1,290

Consulting Services - \$4,250

- Consultant Services for James Island Emergency Preparedness Committee Meeting –(\$750) Recommend scheduling this around October/November. Fee to prepare an agenda, facilitate the meeting, and then write a short report afterwards documenting the action items and issues
- Next Exercise – ( \$3,500) To be conducted during the first of the year. This will be a longer, more involved exercise

**Budget - \$12,000**

**Current funds remaining - \$7,287**

---

### List from Atlantic Business Continuity Services

#### Items for Purchase to Implement Plan

Item	Estimate
HAM Radio Base Station for Town Hall	\$1,000
HAM Radios for staff (10)	\$500
Satellite Phones (2)	\$2,500*
Hosted PBX Phone System (Cloud)	\$3,000*
GIS System	\$2,500*
Misc. Supplies	\$500

\*Note: These items have recurring monthly or annual costs in addition to those presented.

#### Ongoing Funding and Time Commitment

Plan Training

Plan Exercises

Plan Updates

James Island Emergency Preparedness Committee

Memoranda of Understanding (MOUs) with other agencies

**Request for Approval – Quotes from Palmetto Tree Service totaling \$14,000 charged to Grounds Maintenance**

- Removing vines, removing dead vines, fallen trees, Live Oak care at Pinckney Park – \$10,500
- Cleaning up vines on 11 oaks along Ft. Johnson near intersection of Lighthouse Point – \$3,500
- Spoke with 5 different Tree companies, received quotes from 3. Palmetto Tree Service was lowest quote and was also thorough on their scope of services

**PALMETTO TREE SERVICE LLC**  
**ROBERT THOMPSON**  
**1010 CASSEQUE PROVINCE**  
**MOUNT PLEASANT, SC 29464-9505**  
**PHONE (843) 345-0579**

# Quote

Date	Quote #
9/10/2015	2014748

**ISA Certified Arborist**  
**License Number**  
**SO-6008A**

Name / Address
Mark Johnson James Island Public Works P.O. Box 12140 Charleston, S.C. 29422-2140

Project:
461 Ft.Johnson Road

Description	Total
<p>Location: 461 Fort Johnson Road            Clear all vines and underbrush along Fort Johnson Rd. between Deerwood Drive and 424 Fort Johnson Road(southeast side of road). Vines will be cleared in all trees, as well. Trees will be trimmed and cleaned where necessary removing deadwood to improve health and enhance view. Also, large Live Oak tree will be cleaned removing deadwood, sucker growth and Spanish Moss (leaving a portion for aesthetic value) located at 461 Fort Johnson Road.</p>	10,500.00
<p>Thank you for this opportunity. Please call Robert 843-345-0579 with any questions.</p>	<b>Total:</b> \$10,500.00

**PALMETTO TREE SERVICE LLC**  
**ROBERT THOMPSON**  
**1010 CASSEQUE PROVINCE**  
**MOUNT PLEASANT, SC 29464-9505**  
**PHONE (843) 345-0579**

# Quote

Date	Quote #
9/10/2015	2014749

**ISA Certified Arborist**  
**License Number**  
**SO-6008A**

Name / Address
Mark Johnson James Island Public Works P.O. Box 12140 Charleston, S.C. 29422-2140

Project:
Eaglewood Retreat Soccer C...

Description	Total
Location: Eaglewood Retreat - Soccer Club Live Oak trees in front of Eaglewood Retreat Soccer Club will have vines removed to improve overall health of trees and appearance.	3,500.00
Thank you for this opportunity. Please call Robert 843-345-0579 with any questions.	<b>Total:</b> \$3,500.00

RESOLUTION 2015-19

A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF JAMES ISLAND TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH CHARLESTON COUNTY FOR DISASTER DEBRIS REMOVAL

Charleston County will perform the initial road clearing, debris removal, and monitoring services for disaster related debris; and

Charleston County has competitively bided contracts that cover the geographical extents of the entire County, including all municipalities and public service authorities for these activities;

**BE IT RESOLVED** by the Town of James Island Town Council in a meeting duly assembled, that:

1. Town Council authorizes the Mayor to enter into an Intergovernmental Agreement with Charleston County for the provision of Disaster Debris Removal
2. This Resolution shall take effect and be in force upon its enactment by Town Council
3. A full copy of the Intergovernmental Agreement for Disaster Debris Removal is attached to this Resolution

---

Bill Woolsey  
Mayor

ATTEST

---

Frances Simmons  
Town Clerk

Date: September 17, 2015

STATE OF SOUTH CAROLINA ) INTERGOVERNMENTAL AGREEMENT -  
 ) DISASTER DEBRIS REMOVAL TO THE  
COUNTY OF CHARLESTON ) TOWN OF JAMES ISLAND

THIS INTERGOVERNMENTAL AGREEMENT (hereinafter "Agreement") is entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2015 by and between the County of Charleston through its Department of **Public Works** (herein called "Charleston County" or the "County") and the Town of James Island, South Carolina (herein called the "Town").

WITNESSETH:

WHEREAS, the Town desires Charleston County to render certain technical and professional services related to planning and administering the debris removal operations in the aftermath of a severe event; and

WHEREAS, during the debris recovery mission, County staff is given the direction to pick up debris that is reimbursable through the Federal Emergency Management Agency, hereafter referred to as "FEMA"; and

WHEREAS, during these events, the incorporated area of the Town is covered as part of the debris recovery effort; and

WHEREAS, funds may be expended by the County to collect, monitor, and dispose of debris in this incorporated area; and

WHEREAS, the County has a concern that there may be an incident or occasion where FEMA may not reimburse the County for its work and effort; and

WHEREAS, the County and the Town believe it is in the best interest of their citizens to avoid duplication of services with respect to disaster debris management by entering into an agreement for the County to provide for the Town the services identified herein for the effective and efficient handling of these services in the Town; and

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the County and the Town hereby agree as follows:

**Section 1: Findings.** The above recitals and findings are incorporated herein by reference and made a part of this Agreement.

**Section 2: Delegation of Authority.** The Town hereby authorizes the County, and the County hereby agrees to provide the services within its municipal jurisdiction as herein set forth. The County will perform all services hereunder; however, if the Town does not adopt ordinances necessary for the County to perform all services hereunder, the County may terminate this Agreement at its sole discretion.

**Section 3: Scope of Services.** Charleston County shall perform in a satisfactory manner the services designated below. Specific work activities to be undertaken by Charleston County include:

**Obligations of the County:**

1. Following the occurrence of a debris generating event, the County will undertake to remove disaster debris from both the unincorporated and incorporated areas of the County.
2. In the event of a federal declaration in which the County becomes eligible for reimbursement by FEMA for the cleanup and removal of debris, the County shall endeavor the following:
  - a. County staff and contractors shall use their best efforts to remove only debris that is eligible for reimbursement by FEMA.
  - b. County staff and contractors shall provide debris monitoring services to the Town for debris removal work performed by Town staff.
  - c. County shall be the Public Assistance Applicant and Subgrantee to FEMA for debris operations.

**Obligations of the Town:**

1. Should the Town wish to have debris removed that the County has determined to be ineligible for State or FEMA reimbursement, the Town agrees to reimburse the County no later than thirty (30) days from the invoice date for the removal not reimbursed and disposal of this ineligible debris.
2. Should some debris removed from the Town be deemed ineligible for reimbursement by the State or FEMA, the Town will reimburse the County for the cost of the removal not reimbursed and disposal of this debris no later than thirty (30) days from invoice date.
3. Should FEMA or State not reimburse the County 100% for eligible debris and monitoring services, the Town will reimburse the County for the percentage excluded by the State and FEMA.
4. Following a natural disaster, the Town will inform the County, and follow-up with a written notice within five (5) calendar days, if the Town does not wish to have debris removed from the Town by the County.

**Section 4: Term.**

1. This Agreement will become effective as of the date listed above, upon execution by authorized representatives of both parties.

2. The term of this Agreement shall be through the end of FY 2016 (July 1 – June 30). This Agreement will automatically renew each fiscal year, in part or in whole, unless either party provides notice of termination pursuant to Section 5.

**Section 5: Termination for Convenience.** The County, by advance written notice, may terminate this Agreement when it is in the best interests of the County. If this Agreement is so terminated, the County shall be compensated for all necessary and reasonable direct costs of performing the County's Obligations. The Town will not be compensated for any other costs in connection with a termination for convenience. The Town will not be entitled to recover any damages in connection with a termination for convenience.

**Section 6: Termination for Cause.**

1. If the Town or County breaches any of its obligations under this Agreement, the non-breaching party shall give written notice to the other of such default, specifying with particularity the nature of such default. If the breaching party fails within thirty (30) days of receipt of such notice of default to cure such default, or if such default cannot reasonably be cured in a thirty (30) day period, and the breaching party fails to substantially begin such cure within such thirty (30) day period or fails thereafter to diligently pursue completion of such cure, the breaching party shall be deemed to be in default under this Agreement.
2. If either the Town or County defaults, the non-defaulting party shall have the option, in its sole discretion, to terminate this Agreement, effective upon written notice of such termination to the Designated Representative of the Party that is in default, and upon such termination, the non-defaulting Party shall have no further obligation or liability under or pursuant to this Agreement.

**Section 7: Notices.** Any notice required of one party to the other under this Agreement shall be deemed given upon request of written notice in the U.S. mail to the following address:

To the County:  
Charleston County Administrator  
4045 Bridgeview Drive  
North Charleston, SC 29405

To the Town:  
Mayor of James Island  
1238-B Camp Road  
James Island, SC 29412

**Section 8: Successors and Assigns.** This Agreement and all covenants thereof shall be binding upon and insure to the benefit of the successors and assigns of the parties hereto.

**Section 9: Severance.** Should any part of the Agreement be determined by a court of competent jurisdiction to be invalid, illegal, or against public policy, said offending section shall be void and of no effect and shall not render any other section herein, nor this

Agreement as a whole, invalid. Any terms which, by their nature, should survive the suspension, termination, or expiration hereof shall be deemed to so survive.

**Section 10: Entire Agreement.** This Agreement constitutes the entire understanding between the County and Town and supersedes all prior and contemporaneous written and oral agreements regarding the subject of this Agreement. This Agreement may not be changed, altered, amended, modified, or terminated orally. Any change, alteration, amendment, or modification shall be effective only if written and executed by both the County and the Town.

**Section 11: Responsibilities and Limitation of Liability.** This Agreement is made upon the express condition that the County, its agents and employees, shall be free from any and all liabilities and claims for damages and/or suits for or by reason of any injury, death to any person or property, or failure of the Town, its agents or employees, or third parties (for any reason) to provide services within the Town, or any part thereof during the term of this Agreement.

**IN WITNESS WHEREOF**, the parties hereto by their authorized representative have signed, sealed, and delivered this Agreement at Charleston, South Carolina, on the day/year written above.

**WITNESSES:**

\_\_\_\_\_

\_\_\_\_\_  
County Administrator, Charleston County

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor, Town of James Island

\_\_\_\_\_

\_\_\_\_\_  
Date

**AN ORDINANCE TO REGULATE THE USE OF FIREWORKS IN THE TOWN OF JAMES ISLAND, SC**

**WHEREAS**, South Carolina Code of Laws 5-7-30 as amended gives municipalities the power to enact regulations respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it; and

**WHEREAS** South Carolina Code of Laws 23-35-60 requires a permit from the local governing body for a fireworks display; and

**WHEREAS**, the Council finds that the discharge of fireworks at certain times or places is a public nuisance that disturbs the peace and good order of the community;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of James Island, SC:

**1. Permits and other requirements for public display**

Any person who desires to hold an fireworks display shall first obtain a permit from the town at least ten days prior to the date of the display.

**2. Prohibited times for discharge of fireworks**

Notwithstanding any other provisions of the Town of James Island Municipal Code, it shall be a public nuisance for any person to discharge or permit the discharge of any fireworks between the hours of 11:00 p.m. and 9:00 a.m. of the following day, except that on December 31st the permitted hours shall be from 9:00 a.m. until 1:00 a.m. of the following day; provided, however, that the town council may issue a permit allowing discharge of such fireworks for special events, when said event is for the benefit and enjoyment of the attending public.

**3. Penalty**

- (a) The civil penalty for creating a public nuisance by discharging fireworks contrary to the provisions of this ordinance is \$50.
- (b) The Town authorizes the Charleston County Sheriff's Office and the Town's Code Enforcement Officer to enforce this ordinance.

**Effective Date:** This Ordinance shall become effective upon its enactment by the Town Council of the Town of James Island.

First Reading: \_\_\_\_\_  
Second/Final Reading: \_\_\_\_\_

\_\_\_\_\_  
Bill Woolsey  
Mayor

ATTEST: \_\_\_\_\_  
Frances Simmons, Town Clerk  
Town Clerk

AN ORDINANCE TO REGULATE THE USE OF FIREWORKS IN THE TOWN OF JAMES ISLAND, SC

WHEREAS, South Carolina Code of Laws 5-7-30 as amended gives municipalities the power to enact regulations respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it; and

~~WHEREAS South Carolina Code of Laws 23-35-60 requires a permit from the local governing body for a fireworks display; and~~

WHEREAS, the Council finds that the discharge of fireworks at certain times or places is a public nuisance that disturbs the peace and good order of the community;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of James Island, SC:

**1. Permits and other requirements for public display**

Any person who desires to hold an outdoor fireworks display shall first obtain a permit from the town at least ten days prior to the date of the display.

**2. Prohibited times for discharge of fireworks**

Notwithstanding any other provisions of the Town of James Island Municipal Code, it shall be a public nuisance for any person to discharge or permit the discharge of any fireworks between the hours of 11:00 p.m. and 9:00 a.m. of the following day, except that on December 31st the permitted hours shall be from 9:00 a.m. until 1:00 a.m. of the following day; ~~provided, however, that the town council may issue a permit allowing discharge of such fireworks for special events, when said event is for the benefit and enjoyment of the attending public.~~

**3. Penalty**

(a) The civil penalty for creating a public nuisance by discharging fireworks contrary to the provisions of this ordinance is \$50.

~~(b) The Town authorizes the Charleston County Sheriff's Office and the Town's Code Enforcement Officer to enforce this ordinance.~~

**Effective Date:** This Ordinance shall become effective upon its enactment by the Town Council of the Town of James Island.

First Reading: \_\_\_\_\_

Second/Final Reading: \_\_\_\_\_

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Bill Woolsey

Mayor

ATTEST

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Frances Simmons

Town Clerk

AN ORDINANCE RELATING TO THE RECOVERY OF COLLECTION COSTS AS A PART OF DELINQUENT DEBTS COLLECTED PURSUANT TO THE SETOFF DEBT COLLECTION ACT

WHEREAS, the Town of James Island is a claimant agency as defined in the Setoff Debt Collection Act, S.C. Code Ann. § 12-56-10, et seq. (the Act) and is therefore entitled to utilize the procedures set out in the Act to collect delinquent debts owed to the Town of James Island;

AND WHEREAS, “delinquent debt” is defined in the Act to include “collection costs, court costs, fines, penalties, and interest which have accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum which is legally collectible and for which a collection effort has been or is being made;”

AND WHEREAS, the Town of James Island has contracted with the Municipal Association of South Carolina to submit claims on its behalf to the SC Department of Revenue pursuant to the Act;

AND WHEREAS, the Municipal Association of South Carolina charges a fee for the services it provides pursuant to the Act;

AND WHEREAS, the fee charged by the Municipal Association of South Carolina is a cost of collection incurred by the Town of James Island that arises through contract, and is therefore properly considered as a part of the delinquent debt owed to the Town of James Island as that term is defined in the Act;

AND WHEREAS, the Town of James Island also incurs internal costs in preparing and transmitting information to the Municipal Association, which costs are also collection costs that are a part of the delinquent debt owed to the Town of James Island;

AND WHEREAS, the Town of James Island desire to recover its internal costs of collection by charging a fee that will be added to the delinquent debt;

NOW THEREFORE, be it enacted by the Mayor and Council of the Town of James Island as follows:

1. The Town of James Island hereby impose an administrative fee in the amount of \$25.00 to defray its internal costs of collection for any delinquent debts that are sought to be collected pursuant to the provisions of the Setoff Debt Collection Act, S.C. Code Ann. § 12-56-10 et. seq. This fee is hereby declared to be a collection cost that arises by operation of law and shall be added to the delinquent debt and recovered from the debtor.

2. The Town of James Island hereby declares that the administrative fee charged by the Municipal Association of South Carolina is also a collection cost to the Town of James Island, which shall also be added to the delinquent debt and recovered from the debtor.

3. All Ordinances in conflict with this Ordinance are hereby repealed.

This Ordinance shall be effective on the date of final reading, provided however, that this ordinance is declared to be consistent with prior law and practice and shall not be construed to mean that any fees previously charged to debtors as costs of collection under the Act were not properly authorized or properly charged to the debtor.

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Bill Woolsey  
Mayor

Attest:

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Frances Simmons  
Town Clerk

First Reading Approval: \_\_\_\_\_

Final Reading Approval: \_\_\_\_\_