

The Town of James Island held its regular meeting at 7:00 p.m. in Council Chambers, 1238-B Camp Road, James Island, SC on Thursday, February 20, 2014: The following members of Council were present: Mary Beth Berry, Mayor Pro Tem Leonard Blank, Sam Kernodle, Darren “Troy” Mullinax, and Mayor Bill Woolsey, who presided. A quorum was present to conduct business.

Also present: Ashley Kellahan, Town Administrator, Jane Hale, Finance Clerk, James Palmer, Code and Safety Officer, Mark Johnson, Public Works Coordinator, Bo Wilson, Town Attorney, 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.

Greenbelt Presentation:

Town Administrator, Ashley Kellahan, announced that the presentation scheduled for the proposed Town Park is withdrawn because we are still in negotiations with the seller of the property. She is hopeful that negotiations will continue and will have an update at the March Town Council meeting.

Public Comments:

Mark Blalock, 415 Fort Johnson Road: Mr. Blalock stated that his property is one house over from the proposed Town Park. He told Council about legal issues he had with the owners of that property over land that ended several years ago in his favor at the SC State Supreme Court.

Lisa Savage, 413 Fort Johnson Road: Mrs. Savage stated that her property directly abuts the park. She has small children and would like to know how a park there would impact her property. She would like to know what the plans are: build a dock, paths, and if there will be lighting. If the plans go through, she would like to know what she will be dealing with.

Consent Agenda: Councilman Blank moved to approve the item under the Consent Agenda:

- a) Minutes of January 16, 2014 Regular Town Council Meeting, passed unanimously

Information Reports:

- a. Presentation of Greenbelt Fund Application: Withdrawn.
- b. Finance Report: Finance Clerk, Jane Hale reported that the percent of the FY budget completed at January 2014 was 58%; revenue was at 40% of the budget. Total expenditures at the end of January were 24%.
- c. Town Administrator Report: The Annexation Election will be held on February 25 for contiguous properties west of Fort Johnson Road and east of the Lighthouse Point area. Voting will be held at the James Island Charter High School. Door hangers will be distributed as a reminder in the areas that are eligible to vote. Mrs. Kellahan and Councilman Blank attended a meeting on Wednesday of the Senate Judiciary Subcommittee regarding Senate Bill 723, introduced by Senator Paul Thurmond. Mrs. Kellahan and Councilman Blank testified in favor of the bill. Mayor Woolsey was unable to attend but provided a written statement. The purpose of the bill is to amend a section of the code of laws on annexation; and provides for municipal annexation initiated directly by a special purpose district where more than half of its population resides in a municipality. If the bill passes, it would allow the Public Service District (PSD) to collectively vote on whether or not to annex its unincorporated population back into the Town. Mrs. Kellahan said the hearing went well and Senator Thurmond represented the Town and our constituents well. Concerns regarding the bill were voiced by the PSD’s legal counsel, Trent Kernodle, and representatives from the Association of Counties and the State Special Purpose District Association. Senator Thurmond seemed optimistic that he

could amend the bill to address those concerns and maintain the purpose of the bill which is to reunite the Town. The Subcommittee will reconvene at a later date. The budget workshop will be held on Thursday, March 6<sup>th</sup> at 6:00 p.m. IT Services: the Town held a pre-bid conference on February 11<sup>th</sup> for Requests for Proposals for IT Services. Several companies attended and expressed interest in bidding. Bids are due on February 28. A meeting has been scheduled for February 24<sup>th</sup> with the County Treasurer, County Auditor, Senator Thurmond, Representative McCoy, Councilman Joe Qualey and Bo Wilson, the Town's Attorney to discuss the feasibility of the Town placing a local option sales tax credit on the Town residents' tax bill. CARTA: Mrs. Kellahan has been in contact with CARTA's Executive Director, Christine Wilkinson, regarding the Town serving on the CARTA Board. CARTA's Rules Committee will meet soon to discuss this and Mrs. Kellahan will inform Council when the meeting is scheduled. Charleston River Dogs have expressed interest in having a "James Island Night" at one of their games. This will be a great event for staff, Council and residents of the Town.

#### Committee Reports:

James Island Land Use Committee: Councilman Blank gave an update from the Board of Zoning Appeals meeting on February 18<sup>th</sup>. The BZA approved with a condition, the Checkers Restaurant on Folly Road. The BZA also approved a mediation settlement agreement for a liquor store, pending Town Council's approval. This request will come before Town Council at its March meeting. The Ropes Course is preparing for construction; White Duck Taco will be submitting plans for a restaurant on the island. A perimeter plan of the Bright property has been submitted. Because the property is close to the marsh, this type of plan must be approved first. Councilman Blank said 30 single family houses are proposed for the development.

James Island Environmental and Beautification Committee: Councilwoman Berry announced that the Art Auction will be held on Saturday, February 22, 5-8 p.m. She expressed gratitude for all of the donations and art that were received. Some pieces will be auctioned during the silent auction. Everyone is invited to attend. Food and beverage will be served and music will be provided by the James Island Middle School Strings, the Chamber Orchestra, and Max Milliken will play the guitar. The art displayed in the hallway of the Town Hall was submitted by middle and high school students. There are also several pieces in the window at Jimmy's Island Treasures. An art contest will be held in conjunction with the auction. Councilwoman Berry also reported that James Island Pride will be participating in the Clean Sweep on April 6. The next Adopt-a-Highway litter clean-up is scheduled for May 3<sup>rd</sup>.

James Island Children's Commission: Councilman Kernodle reported on the Garden Project at Fort Johnson Middle School. The school received a state grant for a garden and the Children's Commission gave them \$50.00 to purchase seeds for Mrs. Sharkey's six grade class. Plans are now underway for the Memorial Day event to be held in May.

James Island Public Safety Committee: Councilman Mullinax moved to nominate Vance Alexander to the Neighborhood Council to represent the Harbor Woods subdivision; Mayor Woolsey seconded, and the motion passed unanimously. Mr. Alexander replaces Chuck Laughlin. The next meeting of the James Island Neighborhood Council is February 27<sup>th</sup> at 7:00 p.m.

#### Special Order of Business:

- a. Commission of Code Enforcement Officer: Mayor Woolsey administered the oath and commissioned Jim Palmer as the Code Enforcement Officer.

Resolutions:

- a. Resolution 2014-04: James Island Pride Named Outstanding Adopt-A-Highway Group for 2013: Mayor Woolsey asked the members of James Island Pride to stand. He then read a resolution recognizing the James Island Pride Committee as the Outstanding Adopt-a-Highway Group for 2013. Councilman Blank moved to approve the Resolution, seconded by Councilman Mullinax and it passed unanimously.
- b. Resolution 2014-05: Texting while Driving is Careless Driving: Mayor Woolsey asked for a motion in favor; Councilman Mullinax moved, seconded by Councilwoman Berry. Mayor Woolsey explained that Ordinance 2013-17A is up for second reading and it would amend our Ordinance on Careless Driving to include Texting While Driving as Careless Driving. Mayor Woolsey said he met with Charleston County and during the meeting the County Attorney said if the Town amends its ordinances to make them different from the County's Ordinances; the County would not enforce any Town ordinances; including careless driving. The County Attorney said that while the Island Sheriff's Patrol may enforce some ordinances in the Town, the County would not enforce any that referred to public roads where the jurisdiction changes because of possible liability or false arrests. Mayor Woolsey submitted Resolution 2014-05 as a substitute to show that the Town believes that texting while driving is an act of careless driving.

Councilwoman Berry said we have done everything that we can to encourage people not to text while driving. She said the only reason we would have passed an ordinance would be for that reason; not for enforcement, but to educate people to change their attitudes about texting while driving. She said when the County passes its ordinance all will be well; and we need to do all that we can to encourage them to do what is responsible for the safety of the citizens. After discussion, the motion passed unanimously in favor of Resolution 2014-05.

- c. Resolution 2014-06: Application in Support of Greenbelt Application: Withdrawn without objection.

Ordinances up for Second Reading:

- a. Second/Final Reading: Ordinance 2013-17A" An Ordinance to Amend Ordinance #2012-14: Regarding Careless Driving; including a Provision Regarding Texting while Driving: Mayor Woolsey asked for a motion for discussion. Councilwoman Berry moved, seconded by Councilman Mullinax. Mayor Woolsey asked to table the item. He said it would not be placed on next month's agenda; however, a member of Council could ask the Town Clerk to place it on a future agenda then Council would vote to remove it from the table. Councilman Blank moved to table Second/Final Reading. Mayor Woolsey stated that a motion to table is not debatable and it does not require a second. The motion to table passed unanimously.
- b. Second/Final Reading: Ordinance 2014-01: Residency Requirements for Planning Commission and Board of Zoning Appeals Members: Councilman Blank moved to approve; seconded by Mayor Woolsey. Mayor Woolsey commented that this is a desirable change in our ordinance; that the people who serve on our Planning Commission and Board of Zoning Appeals should be residents of the Town and the SC Constitution requires that. Councilwoman Berry commented that the ordinance does not appear to be retroactive, so it is fine. The roll was called and votes were recorded as follows:

Councilwoman Berry	yes
Councilman Blank	yes
Councilman Kernodle	no
Councilman Mullinax	yes

