

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, September 21, 2017. 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. Also, Ashley Kellahan, Town Administrator, Bonum S. Wilson, Town Attorney, Merrell Roe, Finance Officer, Mark Johnson, Public Works Director, Sergeant Shawn James, Island Sheriff’s Patrol, and Frances Simmons, Town Clerk.

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

Public Comments: The following persons spoke about flooding from Hurricane Irma.

Paulette Mikell, 880 Fort Johnson, amusingly referred to her property as “Woolsey’s water park”, across from the soccer field. She needs help badly. Mrs. Mikell was accompanied by her husband and neighbors affected by the flood. Asked Council to consider the pond at the old Rogers Nursery when the study is done and on the other side of her property on Three Trees Rd. Submitted letter from neighbor Ken and Carolyn Grace.

Arlene Branham, 1181 Bradford Avenue, her yard was bad, but she knows people who were affected worse than she was. She had 12 inches of water in her backyard; fortunately, it did not come into her house. The other end of her subdivision has had extreme flooding for many years. Showed pictures of the flood to support neighbors who could not attend. She hopes it will help FEMA pay for some drainage studies. Informed Council about a culvert at the back corner of her house and a neighbor at 1175 Bradford that has been crushed for quite some time. She does not know what municipality owns it. Submitted pictures.

Stuart Wallace, 1521 Camp Road, His yard flooded between 12-1 p.m., earlier in the day than many others. A drainage ditch runs parallel to his property and a lot of that water comes from the subdivision behind him. The water was unreal. He has a one ½ year old and is thankful this happened mid-day rather than at 3 a.m. He met with B&C Land Development to find out what can be done about the ditch. Directed Council’s attention to information he provided about Tide Plate Valves and asked for consideration. Documents submitted.

Matt Blood, 1176 Shoreham Rd., purchased his home last year and he understands it flooded before he purchased it. Irma caused seven houses on his street to flood, including a friend with a two year old. It was devastating to see people’s belongings on the street. The drainage ditch at the rear of his property runs parallel to the houses on Shoreham. Sewer overflowed onto his property because the ditch has not been cleaned in some time. Flooding have occurred three times in 5 years and should be recognized as a FEMA claim. Asked if anything could be done by street or community.

Lisa Ross, 830 Piccadilly Circle, two weeks prior to Irma there was water in her ditch from prior rains; then Irma came and water is still in the ditch. Her back yard backs up to Ft. Johnson. The Ft. Johnson/Mikell intersection is about in her back yard, and there is the lake next to the sister lake on the Lighthouse Point curve. She and a neighbor’s ditch combined had three inches of water in it. This is not the first time and it is upsetting because they have had to replace ductwork and may need to again. She urged Council to figure out and fix the problem. This is a big problem and it is getting old.

Tom Ross, 830 Piccadilly Circle, reiterated his spouse, Lisa Ross’ comments about water on their property. His crawl space floods 1-2 times a year for the past 3-4 years; not only from catastrophic amounts of rains from hurricanes and tropical storms, but the water sits in the ditch for long periods of time causing the ground to become so saturated that 1-2 inches of rain gets into his crawl space. The flooding this time was more intense than Hurricane Matthew. He has spent thousands of dollars replacing ductwork to prevent water from coming into his house by swales and berms but it does not help because of the force of the water. Offered to talk with surveyors or researchers for the Town. He lives behind Ft. Johnson, close to the intersection of Ft. Johnson/Mikell; no sidewalks or storm drains were put in during the sidewalk project. Several years ago, his ditch was dugged deeper and the machine cleared out the pipes but it did not help.

He hopes someone will not come back and dig his ditch deeper causing it to hold more water and mosquitoes. Asked Council to investigate and take the proper steps to put infrastructure in place; this is more than cleaning ditches, homes and properties are at stake.

Peggy Oxendine, 873 Quail Drive, lived in her house for 13 years and has never seen anything like this. Her yard flooded and not knowing how to deal with the flood she was chewed up by fire ants. A storm drain runs along her property but she does not know if it needs to be cleaned or even if that would help. Submitted Pictures.

Richard Dority, 753 Grimsley Drive, apologized for not knowing that Council had approved drainage work on Grimsley Drive. His concern is about a break in the pipe. He has met with Mark Johnson (Public Works Director) 3 or 4 times about it. Explained that the pipe was installed in 1958 when there were three houses on a dirt road. He moved into his house in 1970 and the road was still dirt. It is now paved and the houses are built out. Everyone does their best to keep the ditch, driveways, branches, etc. clean on Grimsley and Cutter, but over the years, the water has gotten worse. He is concerned that putting in a liner will not be adequate and believes that someone need to investigate covering the ditch and put in boxes to keep out debris. His other concern began 2-3 years ago when they found that the pipes were clogged. A scope was run through it and the force of the water that was blocked in the back found its way through a crack and washed underneath his boat ramp, pad, and now under his house foundation. He said there are breaks in the concrete, all of the pads, and his ramp is literally hanging. Water flows under it no matter if it rains or not because there is a constant flow of water from the creek. There was a terrible smell after storm from the septic tanks; and there is still a bad smell. He knows nothing can be done about the smell, but his concern is that he does not see anything addressed to repair the house. His children cannot walk behind the house because the patio is falling in. He commented for the record that he built an addition 7 years ago. The plans were approved by the County and the Town of James Island. He had a structural engineer, Jason Broadway, design the foundation and he (Mr. Dority) was the builder. If the plan said to use 3 pieces of rebar, he used 6), doing everything over. Now, there are cracks in the walls and slabs and his boat ramp is literally hanging. He would really appreciate if someone would take responsibility to look at his house. He would prefer working that way and have the Town see the house, look at the damage, and talk about it. This has been going on for 3 years and is getting a lot worse. Pictures submitted.

Terry Benton, 1000 Benton Bend Rd., hopes as the study comes to fruition that Council will allow the public to talk with the engineering group doing the research. He has worked with engineering for 20 years at the VA and saw a lot of money spent on engineering projects. If we need dollars go as far as they can, we should look at the Legacy Drain System; particularly related to the pond on Benton Bend Rd. (old Rogers Nursey). Many accidents occurs on the dangerous curb at Ft. Johnson @ Lighthouse Point because he hears them and the flooding at the corner makes it worse.

Jeff Dent, 872 Ft. Johnson Rd., reiterated the comments of Terry Benton. He has not been on the island long enough to know history of the area and did not expect the thousand-year flood. Shared an incident of a woman driving at the intersection of Ft. Johnson @ Lighthouse Point and cautioned kids driving the area, especially when it floods. The problem he encountered during the flood was from the lake. He is here to help and he respects Council for listening to the comments. Before money is spent, the ditches need to be cleaned.

Lennie Woods, 489 Ft. Johnson Rd., is working with Mark Johnson and Chris Wannamaker about a blown out drain box on her property. She has emails dating back 18 months about this problem. A few months ago, work was done on a property three doors away. She feels they could have come three doors down and fix her drain box. She looks forward to what Mr. Dority has going. Her husband could stand in the blown out drain box and would not been seen. The foundation piers of the house are beginning to be exposed. Her property runs from Ft. Johnson back to the creek. She was told that someone in Ft. Johnson Estates tied in another PVC pipe before she purchased her home so that water comes onto her property also. She is willing to pay for the drainage box and has people to it but they cannot without the Town's consent. Submitted pictures.

Barbara Atwater, 834 Ft. Johnson Rd., said she appeared before Council last year. This is the second time in two years she was flooded. She recently paid Service Masters \$2,700 and last year paid \$1,600 to pump

off water. She has spoken to five landscapers to find out about French drains and sump pumps and have had to replace four appliances. She was told last year that the ditches along Lighthouse Point would be taken care of. She removed five wheel barrels of debris from the clogged ditches along Eaglewood Retreat. She asked Council to come together for a solution. She does not want to pump off her backyard because it will go onto a neighbor's property.

Melissa Dority, 753 Grimsley Drive, her heart goes out to everyone that had flooding and recovering from it. She thanked the Mayor and Council for approving the drainage work on Grimsley Drive. Spoke on behalf of several neighbors on Grimsley that were flooded at least three times in their garages over the last two years. Not only does it flood during massive rains; it does whenever it rains because water drains down that pipe. As her husband mentioned the water has gone onto their personal property. She thanked Mark Johnson and the Mayor for coming to look at their property. The DOT and the County has also come out in the past to wash the drainage out but the problem is more extensive. She realizes that Mark Johnson is a one-man team for Public Works and asked Council to get help for him. The problem is not going away quickly.

Patty F. Daniel, 1549 Grimbail Rd., Ext. has had three major floods in her yard in three years. This time she used sandbags to keep water out of the crawl space. She has a limited knowledge of hydrology, but the ditches always have water in them and wonders if regular ditch maintenance might improve it. She asked local government work together and provide regular ditch maintenance.

Consent Agenda:

- a. Minutes: August 17, 2017 Regular Town Council Meeting: Councilman Stokes moved to approve the consent agenda; Councilman Milliken seconded. No changes. Passed unanimously.

Information Reports:

- a. Finance Report: Presented by Finance Officer, Merrell Roe, and received as information.
- b. Administrator's Report: Presented by Town Administrator, Ashley Kellahan, and received as information.
- c. Public Works Report: Presented by Public Works Director, Mark Johnson and received as information. Mr. Johnson answered questions from Council pertaining to Hurricane Irma recovery.
- d. Island Sheriffs' Patrol Report: Presented by Sergeant Shawn James and received as information.

Requests for Approval:

Authorizing up to \$100,000 from Public Works Budget to spend on Emergency Maintenance of Drainage within DOT Right-of-Way: Motion in favor was made by Councilman Milliken, seconded by Councilman Mullinax. Councilman Milliken said many people need assistance in their lots and asked if the funds would be available for Piccadilly, Pauline or Lynwood. Mayor Woolsey responded that the Town could utilize funds from Public Works budget for maintenance on Town right-of-way. Pauline is DOT right-of-way and Piccadilly and Lynwood are in the Town; but all are available, and the authorization for emergency maintenance is up to \$100,000. Motion passed unanimously.

Pedestrian Crosswalks/Pavement Markings for Camp and Folly Intersection Improvement Project \$69,000 from Hospitality Fund: Motion in favor was made by Councilman Stokes, seconded by Councilman Blank. Mrs. Kellahan said this would be similar to the crosswalk on Harborview Road for Camp and Folly intersection and Eugene Gibbs. This was brought about by Mark Johnson realizing that we have them already on Harborview, that it would be good for these areas also. Charleston County Transportation Development is in favor and it can be done by change order. The price of \$69,000 was quoted by Banks Construction, three fourths of the cost. Mrs. Kellahan said this was proposed at the Rethink Folly Road meeting and they thought it to be great idea. The City of Charleston will take this to their leadership and pay one-third of the cost as they have a third of the jurisdiction on Eugene Gibbs. No discussion. Motion passed unanimously.

Committee Reports:

Land Use Committee: Councilman Blank announced that the Board of Zoning Appeals (BZA) met on Tuesday, September 15 and approved with conditions, a special exception for the Wag Factory at 831 Folly Road. The animal play area will be located at the front towards Folly Road.

Environment and Beautification Committee: Councilman Milliken announced that the Poetry Workshop/Reading featuring Gary Johnson, September 9 & 10 has been cancelled; a date has not been rescheduled. The next Poetry Workshop will be on Saturday, October 21 at Town Hall featuring Kwoya Fagin Maples, 2-4 p.m. The Reading will be on Sunday, October 22, 2-4 p.m. at McLeod Plantation. Ms. Maples is a graduate Cave Canem fellow. Mary Beth Berry and 14 islanders serviced seven clients through Helping Hands. James Island Pride Adopt-a-Highway litter pickup is scheduled Saturday, November 4, 9-11 a.m. with lunch. Plans are underway for the Annual Arbor Day celebration, Friday, December 1 at Camp Road Middle School.

Children's' Commission: Councilman Stokes announced a tentative date of November 4 for the National Lights-On event with the Kaleidoscope after School Program. More information to follow. Children's Commission meeting is Thursday, October 12, 5 p.m. at Town Hall.

Public Safety Committee: Councilman Mullinax thanked staff for doing a good job during recent Hurricane Irma, and Mrs. Kellahan and Mayor Woolsey for their coordination efforts. Neighborhood Council meeting is September 28 at 7 p.m.

History Commission: Mayor Woolsey announced that no meeting was held for lack of a quorum. Next meeting is Tuesday, October 3, 6 p.m.

Proclamations/Resolutions:

Breast Cancer Awareness Month: Motion in favor was made by Councilman Blank, seconded by Councilman Milliken. No discussion. Passed unanimously.

Resolution #2017-12: Resolution in Support of FEMA Pre-Disaster Mitigation Grant: Mrs. Kellahan reported that the resolution is a request for a joint application between the Town, City and County for an island-wide drainage study. A meeting is scheduled next Tuesday with a deadline at the end of the month. If approved, Council will fund a share of the required 25% local match. Motion in favor was made by Councilman Stokes, seconded by Councilman Milliken.

Councilman Milliken asked the timeframe for review of the grant and Mayor Woolsey replied that it could be one-year. Councilman Milliken said he is a little concerned about the Grant. We should apply for it, but should not hope to get it. Moreover, if we get it, he is unsure if it would be enough. He believes taking care of many of the drainage issues is going to rest with us and we need to do the best that we can to work with other entities and try to make it happen. He is for the FEMA Grant but does not want to "*put all of our eggs in one basket*"- he will vote for it. Mayor Woolsey said these Grants are extremely competitive and they are not funded from the same pots of money as emergencies, disasters, flood insurance payments, or many things that are stressed. The Federal Government in general is stressed and how much goes to those Grants is determined on an annual basis by Congress. Then, whatever money exists is divided and granted based on the merits of the proposal. He thinks because we have three jurisdictions that are intermixed; we have a good case why this grant would be appropriated but agrees that we cannot depend on this happening. He said in his judgment pursuing this grant is an important first step in working with the other jurisdictions and looking at how we can take action together with our own funds to solve those problems. If we do not get the Grant, perhaps we need to fund an island-wide drainage study in some other fashion. He thinks this is an important approach to get started and the response from the City is good. The City Public Works Director

has taken the first step to apply for the grant. Councilman Milliken said he thinks this is wonderful but worries about the timeline of one-year and we need to get busy soon. Councilman Blank said his understanding is that we never intended to wait until we get the grant. Motion passed unanimously.

Resolution #2017-13: MASC Economic Development Grant: Mrs. Kellahan announced that the Town applied for an Economic Development Grant for the Folly Road, Phase I project last year and was unsuccessful. Based upon the criteria, Mrs. Kellahan is recommending an application for a Hometown Economic Development Grant for Pinckney Park, Phase II, for Picnic Shelter. This will be a 15% local match, of \$3,750. Motion in favor was made by Councilman Stokes, seconded by Councilman Mullinax. No discussion. Motion passed unanimously.

Resolution #2017-14: Town Council Response to Flooding from Hurricane Irma: Motion in favor was made by Councilman Mullinax, seconded by Councilman Milliken.

Councilman Milliken said he thinks it would be in order to offer an amendment since Council has already approved \$100,000 for the maintenance of the DOT right-of-way and the cleaning of ditches. AMENDMENT 1: Strike the Town is authorized to spend \$100,000 from the Public Works budget; Councilman Stokes seconded. No discussion. AMENDMENT Passed.

Councilman Milliken offered an amendment to #2 of the resolution: Bids/request for plan for ditch maintenance and storm water pipe maintenance for Fort Johnson Road. He said since that is implied by the \$100,000 for the DOT right-of-way he would like to change Fort Johnson Road to the Lynwood subdivision, and Pauline Road. Councilman Mullinax seconded. AMENDMENT 2: Bids/request for plan for ditch maintenance and storm water pipe maintenance for Lynwood subdivision and Pauline Road.

Councilman Blank said that many areas on the island were destroyed other than those areas. He thinks the Town needs to do an island-wide study and decide which ones need to be fixed. He is sure there are people in the audience that do not live in those areas and may wonder why their neighborhood is not on the list. To show good stewardship, the Town should an island-wide study and not select certain areas. Mayor Woolsey addressed Councilman Blank's statement. He said he met with the Town Administrator and Public Works Director today to look at areas on the map where flooding occurred to develop priorities where action will be taken, to bring in our outside contractors, and add to the forces of the County to address these issues. He explained that Councilman Milliken had asked to add a set of requests for approval to the agenda. Mayor Woolsey said he explained to Councilman Milliken if he felt the need to demand the Town to respond to the specific things he requested - the way to prepare it was by a resolution. He said if Council feels staff is not competent to make these decisions and want to specify what we to do, Council should support this. He further commented there are people at this meeting to complain about the specific places that Councilman Milliken has mentioned- so the response is the people came to say they wanted something, and we will order to Town to deal with it. He does not agree with Councilman Blank's comment that there are people from different areas on the island; he thinks it specifically worked out that the people here are those that are being responded to. Councilman Blank mentioned a neighbor present whose house flooded; however, she did not speak; again there are many areas on the island that needs attention.

Councilman Milliken acknowledged that staff is competent and asked that no one think otherwise. His reason in pointing out these particular places is they are particularly problematic in a recurring manner. Mayor Woolsey distributed a drainage map of Piccadilly Circle. In further discussion of the resolution, Mayor Woolsey said we do not need to authorize intergovernmental agreements to work with local governments because we already do that. Councilman Milliken said the resolution helps to solidify the request and gives more resolve in getting them done. Mayor Woolsey announced that the James Island Intergovernmental Council (JIIC) meeting will be on October 11 at 6:30 p.m. and drainage is a topic on the agenda. He noted the importance of elected officials giving support in the government incorporation that

already exists. Councilman Blank gave an overview of the JIIC's makeup and purpose. Councilman Milliken said the resolution is a commitment by the Town for these neighborhoods to get relief in the immediate future. He said the JIIC is a great vehicle for doing things, but it has no real standing and authority. He thinks it is important to have standing authority in the form of a resolution to get things done.

Councilman Stokes said he does not necessarily disagree with Councilman Milliken to figure out the problem and fix it. However, we cannot do it by ourselves because not only our portion of the island was affected. He said we have to work with all of the entities and we cannot do it by our own resolution. He feels we should discuss this at the JIIC meeting and get the other entities on-board. He said we would all have to contribute to the cost of the study; maintenance and repair work, or new work that needs to be done to move forward. Councilman Stokes said he did not think some things in the resolution is practical for us to be able to do now by ourselves without support of the other entities.

Councilman Milliken said he would like to see a specific list of drainage that we will work on at the JIIC meeting. He encouraged the audience to attend the meeting at Town Hall on Wednesday, October 11 at 6:30 p.m. He said there needs to be inertia, action, and specify what the problems are and what we wish to accomplish. He said the resolution's purpose is to specify some things that are within the Town's control and purview that we need to fix.

Mayor Woolsey said he agreed with Councilman Stokes' comments; however, we are not waiting until October 11 to pursue emergency repairs in the DOT right-of-ways or on Town roads, we will pursue those immediately. Councilman Milliken discussed Harbor View Road, flooding that occurs across the road, gutters/culverts along it, and the maintenance thereof. Mayor Woolsey noted that Harbor View is state-maintained; whether they do it, he is unsure; this is why we need to work with the other governments to develop a plan. He does not believe it is appropriate for us to come up with a plan for them. Councilman Milliken said it is good to have a rough draft of something to bring to the table to look at it and make suggestions; the only way to move things forward is to start, and the resolution is meant to be a start. Councilman Mullinax asked if subsequent neighborhoods could be added to the list later and Mayor Woolsey answered. Both Councilmembers Blank and Stokes reiterated the need for an island-wide study with the other entities. Mayor Woolsey called for the vote:

AMENDMENT 2: Bids/request for plan for ditch maintenance and storm water pipe maintenance for Lynwood subdivision and Pauline Road.

In Favor: Councilman Milliken, and Councilman Mullinax

In Opposition: Councilman Blank, Councilman Stokes, and Mayor Woolsey

FAILED

Mayor Woolsey called for the vote on the Main Motion and Councilman Milliken asked for a roll call.

Councilman Blank commented that he is personally upset that his neighborhood is not represented on the list. He said there are numbers of people who had water in their homes and lost appliances and believes they will be upset that their neighborhood is not on the list.

Councilman Stokes reiterated the need for this to be done in a global fashion. He will vote against it because of that; not because he thinks the ideas behind it are bad. The ideas behind it are good, but we cannot focus on small pockets in the Town and leave others out. He supports continuing to work with the other jurisdictions and with the DOT. He is happy to ask the DOT to send a representative to the JIIC meeting on October 11. He is also happy to speak with state legislators to encourage them to attend. Councilman Stokes said we should look at the entire picture before we begin to do anything. Councilman Blank commented on the statement from the resident that did not want to pump off her yard and have it go onto her neighbor.

Mayor Woolsey said we would begin immediately working on clearing ditches and fixing problems. He commented that he would appreciate Council not coming to meetings every month with a list of neighborhoods that we should do by those who show up at a meeting or contacts Council. He said Council will take action under requests for approvals and believes that is appropriate, including work on DOT right-of-way.

In Favor: Councilman Milliken, and Councilman Mullinax

In Opposition: Councilman Blank, Councilman Stokes, Mayor Woolsey

FAILED

Ordinances up for Second Reading:

- a. Ordinance #2017-10: Amend Ordinance #2012-07 – An Ordinance to Introduce Procedures, General Government and Administration: Motion in favor was made by Councilman Blank, seconded by Councilman Stokes. No discussion. MOTION PASSED. Councilman Milliken opposed.

Adjournment: There being no further business to come before the body, the meeting adjourned at 8:19 p.m.

Respectfully submitted:
Frances Simmons
Town Clerk