

A regular meeting of the Town of James Island was held on Tuesday, October 2, 2007 at 7:00 p.m. at the James Island Public Service District, 1739 Signal Point Road, James Island, South Carolina.

Present at the meeting were the following: Council Members: Leonard Blank, Mayor Pro-Tempore, who presided, Joe Qualey, Bill Wilder and Parris Williams. Absent: Mayor Mary Clark.

Also present were: Bonum (Bo) Wilson, Attorney, Roy DeHaven, Planning Consultant, Charlie Rhodes, Disaster and Emergency Coordinator, and Frances Simmons, Town Clerk.

Councilman Williams gave the invocation and led in the pledge to the flag.

Councilman Blank announced that this meeting was being held in accordance with the Freedom of Information Act, and would be conducted under Roberts Rules of Order.

Mayor's Comments: None

Fire Prevention Week Proclamation – October 7-13, 2007: Read by Charlie Rhodes, former Fire Chief for the James Island Public Service District. The following Proclamation was read into the Minutes:

Town of James Island
Fire Prevention Week
October 7-13, 2007

WHEREAS, the Town of James Island is committed to ensuring the safety and security of all those living in and visiting our Town; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, James Island's fire fighters are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, our residents are responsive to public education measures and are able to take personal steps to increase their safety from fire; and

WHEREAS, public safety will have a positive effect on the home fire problem; and

WHEREAS, education awareness is an opportunity to prevent painful injury and costly property damage; and

WHEREAS, the James Island Public Service District has declared October 7-13, 2007 as Fire Protection Week to remind us all of the simple actions we can take to stay safer from fire during Fire Prevention Week and year-round.

THEREFORE, I, Mary Clark, Mayor, do hereby proclaim October 7-13, 2007 as Fire Prevention Week throughout the Town, and I urge all the people of the Town of James Island to heed the important safety messages of Fire Prevention Week, and to support the many public safety activities and efforts being held for fire and emergency services.

Public Comments: The following individuals addressed Council:

Greg VanDerwerker, 510 Ruddy Turnstone, Johns Island: represented the Concerned Citizens of the Sea Islands. Mr. VanDerwerker reminded Council about interviews with the Glatting Jackson firm on October 8-10. This firm is producing a study which will focus on traffic congestion in James Island, Johns Island and the West Ashley areas.

Todd Hulseberg, 781 Jordan Street: Mr. Hulseberg expressed concerns about loud music from the Oasis Bar that continues well into the night. He said even though the Town's Attorney met with the Oasis manager, the problem has not been resolved. He said large crowd still gather on the back porch and the music that is played is not suitable for young children to hear – the loud noise can be heard throughout the neighborhood. The Sheriff's Office is called nearly every weekend about disturbances. He was told by the County that they cannot enforce the Town's ordinances. Mr. Hulseberg asked Council to look into a Noise Ordinance to help resolve the situation for the residents. Councilman Blank asked where Mr. Hulseberg lived in relation to the bar, to which he responded that he lived directly behind the Oasis. Councilman Blank assured that the matter would be investigated and addressed.

Chris Dowling, 1132 Shoreham Road: Mr. Dowling also addressed Council last month regarding the cleaning of the drainage ditches between Folly Road and Pauline Avenue. He expressed concern about flooding, should a tropical depression occur, because of tall grass and weeds growing in the ditches. He asked the status of the Town entering into a contract for this work to be done. Since this is a major problem he asked that the main drainage ditches be given high priority on the Town's list.

Councilman Blank asked the status of an agreement with a contractor; Mr. DeHaven said this will be discussed tonight during the executive session.

Consideration of Minutes - September 18, 2007: **A motion to approve the minutes of September 18, 2007 was made by Councilman Qualey, seconded by Councilman Wilder and unanimously approved.**

Town Counsel Report:

Mr. Wilson said during the executive session discussion will take place regarding an agreement with a contractor that is willing to provide maintenance services to the Town.

Mr. Wilson met with Charleston County regarding Storm Water and general public works issues. He hopes to have a series of Ordinances for Storm Water drainage that needs to be adopted by Council. After the passage of these Ordinances, the County agrees to administer the program for the Town.

Councilman Qualey expressed concern that the public works issues are resolved as soon as possible; there are volumes of projects that have been on-hold for some time now and they need to be completed.

Planning Consultant Report:

The Planned Unit Development mediation proposal for the Five Points area will be heard by the Planning Commission at their October 11th meeting at 6:30 P.M. The meeting has been advertised in the media.

The BZA did not meet in September.

There is no update on the Charleston County Code Enforcement list.

The Architects plans for the Town Hall that meets the US Justice Department's ADA compliance is in its final form and should be available this week. Mayor Clark will need to signoff on the plans and send them to the Justice Department.

Complaints for road issues and drainage have been passed along to the Town's Engineer for investigation and reporting back to Council. In the executive session the contract for one of the contractors will be reviewed.

An intern from Germany will begin work on Monday, October 8th as part of an Exchange Program. She will help prepare for the final phase of construction which will establish the walls for the Town Council chambers and staff areas by organizing the first year's worth of plans, plats and other planning and zoning requests.

England Enterprises has reconfigured the building permit process that began on the first of October. Mr. Wilson was able to work out a permit fee schedule that keeps the Town competitive with other Charleston County municipalities.

Jule Clark has updated the website and added the Comprehensive Plan and many of the forms required of the public.

Councilman Qualey asked about the Five Points mediation - if one or both of the parcels would be mediated. Mr. DeHaven explained that should the Planning Commission accept the mediation, (held September 25th) at its meeting in October, it would then go to Council for consideration.

Councilman Qualey made reference to a letter from J.L. Woode to Mayor Clark asking the Town's interest in purchasing the 1.495 acre parcel for a park. Mr. Wilson clarified that the former "Hucks" site will go to the Planning Commission on October 11th, then to Council. Councilman Qualey asked if the second parcel would be mediated or if it could be considered by the Town for purchase. Mr. DeHaven explained that as of today, both parcels will go to the Planning Commission for mediation. Mr. DeHaven further relayed that the mediation team came to a position on the Hucks property and J.L. Woode wanted to wait until November 30th to complete mediation on the other parcel. However, J.L. Woode has since requested this mediation take place before the Planning Commission on October 11th. Mr. Wilson confirmed that he too was informed today that the attorneys for Woode requested mediation this week. He said he was unsure if it would occur because Ms. Palmer (Planning Commission Chairperson) was not aware of their request. After some discussion, Councilman Qualey asked Mr. Wilson to look into the status of the letter sent to the Town.

Second and Final Reading: Ordinance #2007-08: Franchise Fee Rate for Cable Service Providers upon Expiration/Termination of Existing Service: **A motion to approve Second and Final Reading was made by Councilman Qualey, seconded by Councilman Williams.** As Mayor Pro-Tempore, Councilman Blank called for the vote, the roll was called and votes recorded as follows:

Councilman Blank -	Yes	Councilman Qualey -	Yes
Councilman Wilder -	Yes	Councilman Williams -	Yes
Mayor Clark -	Absent		

The vote passed 4-0 to approve Second and Final Reading of Ordinance #2007-08 Franchise Fee Rate for Cable Service Providers upon Expiration/Termination of Existing Service.

Public Hearing: Ordinance 2007-10: To Amend Existing Business License Rate for 2008: Mr. DeHaven opened the Public Hearing. No comments were made. The Public Hearing closed.

Second and Final Reading: Ordinance #2007-10: To Amend Existing Business License Rate for 2008: **A motion to approve Second and Final Reading was made by Councilman Qualey, seconded by Councilman Williams.** Mayor Pro-Tempore Blank called for the vote, the roll was called and votes recorded as follows:

Councilman Blank -	Yes	Councilman Qualey -	Yes
Councilman Wilder -	Yes	Councilman Williams -	Yes
Mayor Clark -	Absent		

The vote passed 4-0 to approve Second and Final Reading of Ordinance #2007-10 To Amend Existing Business License Rate for 2008.

Appointment/Reappointment of Planning Commission Members: Mayor Clark's appointee, Marguerite Neal, was introduced and welcomed by Council. Councilman Qualey **made a motion to re-appoint the members whose terms of office were due to expire and to appoint Marguerite Neal, the motion was seconded by Councilman Williams.** Mayor Pro-Tempore Blank called for the vote, the roll was called and votes recorded as follows:

Councilman Blank -	Yes	Councilman Qualey -	Yes
Councilman Wilder -	Yes	Councilman Williams -	Yes
Mayor Clark -	Absent		

The vote passed 4-0 to Appoint Marguerite Neal to the Planning and Zoning Commission for a 2 year term; and to Re-appoint: Garrett Milliken and Ernest Parks to 2 year terms.

Appointment to Election Commission: Mr. DeHaven offered the appointment of Nathan Johnson and Loretta Rhodes to the Town's Election Commission. The election is slated to take place the last Tuesday of August, 2008.

A motion to accept the appointment of Nathan Johnson and Loretta Rhodes to the Town of James Island's Election Commission was made by Councilman Williams, seconded by Councilman Qualey. Mayor Pro-Tempore Blank called for the vote, the roll was called and votes recorded as follows:

Councilman Blank -	Yes	Councilman Qualey -	Yes
Councilman Wilder -	Yes	Councilman Williams -	Yes
Mayor Clark -	Absent		

The vote passed 4-0 for the acceptance of Nathan Johnson and Loretta Rhodes to serve on the Town's Election Commission.

Executive Session: Mr. Wilson asked for a motion to enter into executive session to discuss a Maintenance Contract and an Agreement with the Municipal Association regarding Business License Taxes from Insurance Companies and Brokers. **The motion was made by Councilman Qualey, seconded by Councilman Williams and carried.**

At the conclusion of the executive session, Mayor Pro-Tempore Blank stated that no action or votes had been taken while Council was in executive session. Council reconvened to regular session at 7:44 p.m.

There being no further business to come before the body, **a motion to adjourn was made by Councilman Qualey, seconded by Councilman Wilder and carried.** The meeting adjourned at 7:45 p.m.