

A regular meeting of the James Island Public Service District (JIPSD) Commission was held at 7:00 p.m. on February 26, 2024, at James Island Fire Station #1 located at 1108 Folly Road, James Island, South Carolina.

Present at the meeting were the following members: Marilyn Clifford, Chair, who presided; Inez BrownCrouch, Paul Cantrell, Brenda Grant, Ronald Ladson, Susan Milliken and Kathy Woolsey.

Also present were: Tim Muller, District Attorney; Dave Schaeffer, District Manager; Joanne Tucker, Administration Manager; Shawn Engleman, Deputy Fire Chief of Administration and JIPSD Safety; Brad Smiley, Deputy Fire Chief; Steve Aden, Director of Fleet Services; Joe Marcinkus, Director of Wastewater Services; Kevin Lavaughn, Assistant Director of Wastewater Services; Ed Kilcullen, Director of Finance; Jeff Nimmons, Assistant Director of Solid Waste Services; Bob George, District Engineer and Charleston County Officer McKinnon and SP James.

Commissioner Clifford called the meeting to order and led the invocation and the pledge to the flag of the United States of America.

1. The Freedom of Information Act Report – In compliance with the Freedom of Information Act, notice of this meeting and its agenda were provided to all news media and persons requesting notification.
2. The roll was called.
3. Oral and Written Petitions

Public Comment Rule 22: Purpose of Public Comment. Public comment is for the purpose of permitting the public to address the Commission; not to debate or berate the Commission or its employees. No person, including the Commissioners and any person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission during this period. No question shall be asked of a Commissioner or staff person for the purpose of eliciting a response during this portion of the meeting. All matters will be recorded, and the Commission will determine if the citizen shall receive a direct response at a later time.

- **Melissa and James Luby**, 1330 Whitehouse Boulevard, asked for a compromise on the sale of the Dills Bluff property to Taylor Properties. She asked if the JIPSD would renegotiate the contract with KT Properties so the developer would not purchase the commercial property. She doesn't want to see a three-story storage facility on Dills Bluff. If he did not buy the commercial property, this would allow the town to purchase that portion of the property with greenbelt funds to preserve that amount greenspace.
- **Ken Godwin**, 950 Valley Forge Drive, asked the JIPSD to consider the following points concerning the commercial and residential development. He was concerned about the increased flooding in the neighborhood, the loss of trees, the safety of first responders going onto streets with dead ends or cul-de-sacs and having to turn around, and parking on the street. He stressed that the Town of James Island doesn't have a police force and uses the county which can only enforce state laws and county ordinances. It would be hard to enforce "No Parking" signs on the street. His other concern was the fact that Whitehouse Boulevard would become a cut through road to avoid the Camp and Dills Bluff intersection. Lastly, he stated that a three-story building is not compatible with the neighborhood.

- **Megan Dean**, 1243 Cornwallis, being a resident of Whitehouse Plantation for over 15 years, she is strongly opposed the sale and development of Marsh Walk on Dills Bluff. Significant increased flooding is a concern. “As a constituent of James Island, I am disappointed in the JIPSD, which is anything but a public service. Last month’s meeting was an appalling display of professionalism, leadership and a complete disregard for public concern over the looming sale of this public land. It is not too late to act on public comment or for JIPSD to live up to your name and legacy and sell this property back to the Town of James Island who, in turn, would hopefully give it back to its people. The community has advocated for other uses of this property. Accountability lies with the JIPSD.” She urged JIPSD to write into the contract that this storage unit is a public nuisance, and it is unallowable as a contingency of the sale. To her knowledge, the sale price isn’t public. “Save the land, save the trees, and say “no” to the storage units.”
- **Ruby Kvestad**, 1277 Hampshire Road, is in complete opposition to the development and agrees with the other speakers. A three-story, 50,000 sf storage unit is ludicrous and the flooding would be horrendous. She asked the JIPSD to ride through the neighborhood when it floods to see how bad it is. The trees and greenspace need to stay.
- **Wendy Teel**, 1290 Hampshire Road, stated that she was opposed to the Marsh Walk development plan. She urged the JIPSD to please not go through with this sale. Flooding is a real issue. Greenspace is critical for water absorption. Housing is needed, but so is adequate infrastructure, natural area for water absorption and wildlife. She was also worried about the look of a storage unit and the traffic and navigation on Dills Bluff Road. She urged the PSD not to go through with the sale.
- **John Peters**, 1301 Hampshire Road, opposes the sale of the Dills Bluff property. He stated that he has over 1,000 signatures on his online petition of residents that don’t want more development on James Island and want greenspace. The concern is about killing the trees that will be affected by building the unit. He stated that this decision is not logical and is irresponsible. He was disappointed that written public statements are not included in the minutes, as he has submitted his comments to the District. Lastly, he feels that the District should pursue new legal service as he thinks they are robbing the PSD blind and they are not good for the District.
- **Brook Lyon**, 669 Port Circle, has watched for six months the citizens speak out against the sale of the property to a developer. She would like the opportunity for the Town of James Island to be able to purchase the property for greenspace and potential parks. This property was purchased by the first town Mayor, with own funds for the citizens of James Island and when the town was dissolved, properties were disbursed. The PSD and the Honey Hill organization ended up with these properties and then the PSD got all of the property. The Town wants an opportunity to get the property back for “our citizens.”
- **Cynthia Mignano**, 963 Foxcroft, wants the PSD to listen to the citizens of James Island. They don’t want or need a storage unit. They support the first responders, Wastewater and Solid Waste. The JIPSD should listen to the citizens—they pay PSD salaries. The PSD is to listen to, serve and to protect but they are jeopardizing people’s homes. A storage unit is not necessary or appropriate. The JIPSD needs AV equipment because she wants to be able to hear the citizens.

- **Casey Buchanan**, 1022 Yorktown Drive, Observed the following: “The JIPSD entered into a purchase agreement with Kyle Taylor to buy the 6.52 acres for \$1.8 million in March 2023. The contract gives Mr. Taylor 12 months to obtain the needed approvals from the Town to be able to develop the land. Mr. Taylor has had to make quarterly payments during this time of \$25K every three months while he tries to get his development plan approved. The first plan Mr. Taylor brought was for a large shopping center, 85 parking spaces, 25 townhomes. This proposed plan would have enlarged the commercial portion of the acreage and been much more high density residential than anything in the surrounding area and result in the loss of at least 19 grand trees and hundreds of smaller trees. In October 2023, 8 months into Mr. Taylor’s 12-month contract, the Town Council listened to the STRONG community objections and voted against the plan. This would have been an ideal time for Mr. Taylor to meet with the community and work with us to explore a more reasonable plan for the 6.52 acres. Unfortunately, Mr. Taylor and his partners, whoever they may be, decided, instead, to submit an even worse plan for a massive three-story storage unit facility to be built on the commercial zoned part of the property. He did this without engaging the community to show us how this plan would explain how it might benefit the community or explain why it is appropriate for a large storage facility warehouse be built somewhere other than the busy commercial corridor of Folly Road. Mr. Taylor’s second plan is just as environmentally destructive as his first plan, will most certainly cause more flooding for homeowners in Whitehouse Plantation like his first plan and somehow manage to be even uglier than his first plan. Since the fall, the town has expressed interest in using greenbelt funds in the amount of \$750K to purchase all or part of the 6.52 acres which has always been owned by a public entity and was given to the PSD by the Town in 1997. Yet again, we have not heard from Mr. Taylor and when the JIPSD commissioners asked to discuss the status of the plan at the January meeting the lawyer and the minority of commissioners refused to do so. I am also unclear as to why it is not on the agenda tonight as at the end of the recording of the January meeting, after about 20 minutes of lively discussion about this issue, the chairwoman can be heard asking Mr. Schaeffer to put it on the agenda at 2-hour, 22 minute, 58 second mark. So here we are again tonight, again, asking you to please work with Mr. Taylor and the Town to preserve at least part of the land with the greenbelt funds. I am curious to know who is keeping this from happening. The forest is critically important for the storm resilience of our island. I would also like to note that if you sell this land to Kyle Taylor, you will be selling out the working people in Whitehouse Plantation so that a developer and his investors can build a storage unit facility and sell it to a real estate investment trust based out of Charlotte. Please do not sell him this land. Thank you.”

4. Consent Agenda

Commissioner Milliken moved to approve the consent agenda (both sets), seconded by Commissioner Clifford. Discussion followed: Commissioner Grant noted the incorrect voting result tabulation for 14C. After discussion, Chair Clifford made a motion to approve the minutes of the Ad Hoc and Regular Commission meetings on January 22, 2024, with the modifications that Commissioner Grant brought to light along with the revised corrections, seconded by Commissioner Brown Crouch. Chair Clifford withdrew her motion as there was one already on the table. **Commissioner Milliken moved to approve both sets of minutes with the**

modifications; seconded by Chair Clifford (original motion). A roll call vote was taken, and the motion carried unanimously.

- 5. **Commissioner Grant made a motion to add an agenda item (14D) to Executive Session to discuss a personnel matter, seconded by Commissioner Cantrell. A roll call vote was taken, and the motion carried unanimously.**
- 6. **Commissioner Grant made a motion to add an agenda item to Executive Session (14E) to receive legal advice on the property listed as TMS# 4251200185 and TMS# 4251200298 (6.52 acres) on Dills Bluff Road, seconded by Commissioner Cantrell. A roll call vote was taken, and the motion carried unanimously.**

Staff Recommendations

- 7. **Approve Fire Department’s 2024 FEMA AFG Grant, presented by Deputy Fire Chief Shawn Engelman. Commissioner Brown Crouch made a motion to approve. The motion was seconded by Chair Clifford. A roll call vote was taken, and the motion carried unanimously.**
- 8. **Approve resolution to apply to the SC Water Quality Revolving Fund Authority for a loan related to James Island Phase 5 Rehabilitation Collection Facilities SRF 543-24. Chair Clifford made a motion to approve. The motion was seconded by Commissioner Brown Crouch. Discussion followed. A roll call vote was taken, and the motion carried 6 to 1 as follows:**

Commissioner Brown Crouch	Aye	
Commissioner Cantrell	Aye	
Commissioner Clifford	Aye	
Commissioner Grant	Aye	
Commissioner Ladson	Aye	
Commissioner Milliken		Nay
Commissioner Woolsey	Aye	

- 9. **Approve tentative award for JIPSD Phase 5 Rehabilitation Project. Commissioner Clifford made a motion to award the Phase 5 Rehabilitation Project to Dun-Right Services, Inc. for a total bid price not to exceed \$900,000 (nine hundred thousand dollars). The motion was seconded by Commissioner Woolsey. Discussion followed. A roll call vote was taken, and the motion carried 6 to 1 as follows:**

Commissioner Brown Crouch	Aye	
Commissioner Cantrell	Aye	
Commissioner Clifford	Aye	
Commissioner Grant	Aye	
Commissioner Ladson	Aye	
Commissioner Milliken		Nay
Commissioner Woolsey	Aye	

10. Approve the advertisement to bill the Harbor View Road Force Main Project contingent on acquisition of the state easement. **Commissioner Milliken made a motion to approve. The motion was seconded by Chair Clifford. A roll call vote was taken, and the motion carried unanimously.**

11. January 2024 District Manager Report

Members of the Commission will note that we have the upcoming Ways and Means Committee Meeting in two weeks Monday 11 March 2024 at 6:30pm here at Fire Station #1. Lawrence Flynn will be attending to discuss the Intergovernmental Agreement with CWS on the Harbor View Rd Force Main Project. If you have any questions on the issuance of SRF Loans for Phase 5 of the SSES or the Harbor View Rd Force Main Project, please get those questions to me by Noon on Thursday 7 March 2024 so Lawrence can come with answers to your questions.

I would ask that you provide the same questions on the Millage Request for 5 Mills to be incorporated into the FY25 Budget. Lawrence is the subject matter expert on Millage and the components of how JIPSD generates revenue based on the proposed millage.

Maybe some of the Commissioners saw Carla's post on Social Media, but 8 members of the JIPSD Leadership Team attended the John Maxwell Leadership Summit at Columbia International University last Thursday 22 February 2024. At 77 years old, I don't know how many more times Maxwell will make the rounds through Columbia, so I jumped at the opportunity for the JIPSD Leadership Team to hear him lecture on High Road Leadership. Maxwell emphasized the importance of High Road Leadership in an ever-polarizing society – that will be heightened during the upcoming 2024 Presidential Election. Maxwell's shared his insights on High Road Leaders striving to unify people, valuing people, rising above division, and bringing people together. Maxwell reminded us that choosing to be part of the solution is that leadership is more than guiding others, it's about lifting them up to a better life as the world seems increasingly divided. Maxwell's message was timely last Thursday as I'm getting robo text after robo call about the upcoming Primary Election and statewide issues last Saturday. I don't know how I can't seem to block enough numbers to get off the political robo communication, but I was happy to hear the Leadership Team's positive response to Maxwell's message. If only for an hour and a half, members of the JIPSD Leadership Team got to hear an uplifting message on how High Road Leaders bring people together versus Low Road Leaders tear people apart. High Road Leaders help to create positive relationships and attracts other to them; High Road Leaders set a positive agenda with others that even negative people find it difficult to undermine. Simply put, if you're slinging mud then you're losing ground. Leaders have 3 options when responding to Mud-Slinging Efforts; Low Road Leaders treat others worse; Middle Road Leaders treat others the same; However, High Road Leaders treat others better. The Low Road Route damages relationships and alienates others. The Middle Road may not drive people away, but it won't attract people either; it is reactive rather than proactive and allows others to set the agenda. The High Road Leader helps to create positive relationships and attracts others to them; it sets a positive agenda with others that even negative people find it difficult to undermine.

12. Committee and JIPSD Representative Reports – BCDGOG Meeting Update / Chair Clifford

13. Correspondence and/or Newspaper Articles – none

14. Oral and Written Petitions

- **Karen McGee**, 1134 Sigsbee Road, agrees with all of the comments made earlier. She has been a resident of James Island for her whole life. She knows we can't stop development, but we can stop some things and thinks the ugliness of that building will be awful—just upsetting.
- **Jacqueline Long**, 1133 Sigsbee Road, reiterated what everyone else had said earlier. She opposes the storage unit. She pleads with the board regarding the contract and possibly looking at it. She knows there are a lot of storage units on the island. She has been her 5 years and implored the board to look more at the storage unit to be built.
- **John Peters**, 1301 Hampshire Road, applauded the social media initiative and enjoys seeing what is being posted and feels he connects with the employees by following these platforms.

15. Resident Appeal – Barbara Hutchison, 727 Waterloo Street

- Not present
- **Commissioner Milliken made a motion to defer this agenda item until the next Regular Commission Meeting. Commissioner Cantrell seconded. A roll call vote was taken and the motion carried unanimously.**

16. Executive Session

Chair Clifford made a motion to enter into executive session. Commissioner Milliken seconded the motion. A roll call vote was taken, and the motion carried unanimously.

Moved to Executive Session to receive legal advice associated with the following:

- Personnel matter to discuss the transition of the District Manager
- Purchase agreement to TMS# 426 09 00 021
- Discussion of process for Wastewater utility bill appeal for Barbara Hutchison, 727 Waterloo Street
- Personnel matter involving a present and former JIPSD employee
- Discuss negotiations relating to a real estate contractual matter regarding properties with the TMS# 4251200185 and TMS# 4251200298 (6.52 acres) on Dills Bluff Road
(After Executive Session, the Commission shall return to open session and may take action on matters discussed in Executive Session)

17. Discussion of process for Wastewater utility bill appeal for Barbara Hutchison, 727 Waterloo Street

- Resident did not show and will be put on the agenda for the next Regular Commission meeting – no action taken

18. Purchase Agreement for TMS# 426 09 00 021

- **Chair Clifford made a motion to accept the purchase agreement for TMS# 426 09 00 021; seconded by Commissioner Woolsey. A roll call vote was taken, and the motion carried unanimously.**

19. Adjournment:

- Chair Clifford adjourned the meeting at 9:42pm (Chair Clifford made the motion and Commissioner BrownCrouch seconded. Roll call vote was unanimous.)



Ronald Ladson
Secretary
RL/JHT