

A Wastewater Committee meeting of the James Island Public Service District (JIPSD) Commission was held at 6:30 p.m. on May 6, 2024, at James Island Fire Station 1 located at 1108 Folly Road, James Island, South Carolina.

Present at the meeting were the following members: Brenda Grant, Chair, who presided; Paul Cantrell, Kathy Woolsey, and Marilyn Clifford (ex-officio).

Also present: Bob George, District Engineer; Ronald Ladson, Commissioner; Susan Milliken, Commissioner; Tim Muller, District Attorney; Tamara Robinson, Acting District Manager; Joanne Tucker, Administration Manager; Tom Glick, Fire Chief; Ed Kilcullen, Director of Finance; Shawn Engleman, Deputy Fire Chief of Administration and JIPSD Safety; Kendra Smith, Director of Wastewater Services and Ty White, Executive Assistant.

Commissioner Grant called the meeting to order at 7:04 pm, and led the invocation, followed by 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. Service Agreement Status Update for LPSS Sewer Service Extensions within Up On The Hill Road and Oak Point Communities – G. Robert George, Project Engineer

Bob Goerge gave a brief overview of where the whole RIA project stands. This project started about a year ago to include Oak Point, Up On The Hill, and Clark's Point. **Clark's Point** is the largest with 185 lots. Of the 185 lots, 178 are on septic systems. The key point is that 157 lots are in the Town of James Island and 21 are in the City of Charleston. **Up On The Hill** has 13 lots, of which 10 are developed septic tanks. Five of the lots are in the county AND in the PSD service area, but not in the Town of James Island. Five lots are in the City of Charleston. **Oak Point** has a total of 15 lots. Eleven are on septic tanks, 8 are in the Town of James Island and 4 are in the City of Charleston. Bob has worked with Joanne and Lydia Owens with CWS for over a year to try to get people on board in Clark's Point, Up On The Hill, and Oak Point.

**Clark's Point**, initially, was to have been LPPS and we amended the grant to go to a total gravity system. Currently we have all of the permits except one to bid. We have the following permits: Highway Department Permit, The Permit to Construct from DHEC and the Coastal Zone Consistency permit. Drawings and project manuals are at RIA now for review before they give concurrence to bid the project.

**Oak Point:** We have tried, along with CWS, to get the residents to sign up for sewer service. The Welch family and relatives own a lot of the properties. In one year's work, only one lot has signed an agreement, and they are in the City. The Framptons are also in the City and don't want the sewer either. Only the one property has signed and again, they are in the City of Charleston. We have been working hard.

**Up On The Hill:** This is a greater challenge. On the map that was presented, the properties in green were in the county and not in the Town of James Island. The properties that were in blue, were in the City. The only signed agreement received and willing to tie in is in the city of Charleston and it is a vacant lot.

We are at a standstill—Joanne has tried, Bob has tried, and the District hired real estate negotiators, Steve Dooley and John Gaffney, and they tried to get people to sign up. Another complication is that CWS will only give a total of \$2,500 to their customers to tie in—the total incentive. CWS also does not have a mandatory tie in. That money is not enough for tap and impact fees, the tie in and abandoning the septic system. This is where the thin ice is. The Town of James Island received the \$1 million grant for the purpose of providing sewer service within the Town of James Island.

**“WHEREAS, the Town Council, adopted by majority vote, this agreement to dedicate funds from the Town Budget Appropriation to reimburse the District, on behalf of Town property owners, for tap fees, impact fees, and costs associated with the abandonment of septic tanks, and the subsequent connection to, and installation of, the District’s sewer utility system (the “Sewer System Costs”).** (Agreement to Allocate Appropriated Funds / August 28, 2023)

Thin ice is there are 157 lots in Clark’s Point and there is \$1 million dollars. It will be over \$15,000 a property. That is a very large and significant incentive for the residents to tie into the sewer system. The PSD will provide service right to the property line and the residents will get a good deal—tie in point, elder valve, plumbing to the house and the abandonment of the septic system provided the Town of James Island reimburses the district those costs as per the agreement.

The District has a choice to make. Bob has spoken with both Mark Cline from CWS and Jackie Taylor, the Project Manager with RIA and they all agree that this is not cost effective to continue with these two small projects. Even with no grinder pumps at all, just the transmission line and service would cost about \$350K for each project. We only have one service agreement and no money to incentivize the people not unless the District come up with additional funds. It is true that the opposition is not nearly as bad on Up On The Hill as it is in Oak Point with the Welch and Frampton families. We are in a “H\*\*\* No! We are not going to go!” position. They don’t want the service. It doesn’t make sense from an engineering position, nor does it make economical sense with the lack of support we have.

**What do we do?** In speaking with Jackie Taylor with RIA and the District makes the decision to not go with these two projects, we would amend the grant again to drop these two from the service area, but (and this is the big but) we want to keep every penny we have and not give up any money. In the last year, material costs, labor costs and competition have increased. There is RIA money all over the state and everyone wants the same material, same pipes, and equipment. We don’t want to give up the money until we are at the end of the project. As the old country music singer, Kenny Rogers, said, “Know when to hold ‘em, know when to fold ‘em, know when to walk away and know when to run!” We are between a rock and a hard place, and a decision needs to be made.

**Question (Ladson): What options do we have?** At least, design, permit and bid the main collector line on Up On The Hill Road to serve one vacant lot.

We have no incentive to give to other customers. CWS will give \$2,500 to each City customer, but they are not in the Town or the PSD, therefore they can’t use grant money.

**Utilizing the \$1 million:** The \$1 million is not the JISPD’s money, but the Town of James Island. They passed an ordinance to obligate the money for sewer connections for residents in the Town who were on septic tanks. This money has no time limit; however, the grant money is limited until June of 2026.

**Clarks Point:** It will take about 1.5 years to build and we need to get the project bid out to beat the wave of other projects crashing down all over the rest of the state with all of the funding that was distributed. Once the residents tie in, the District will be reimbursed for the cost of the Tap and Impact fees, connection fees and abandonment of the septic system. The District will put the

gravity system in, and the money is there to reimburse to tie into the system. Each lot may have different costs depending on what may be involved. This will get residents off septic, stop polluting the Watershed and the GOAL will be accomplished. There will be a pump station in the Clark's Point neighborhood.

**Question (Clifford): There was a question with regards to septic tank inspections.** This would not be a District issue / problem, but this would be a responsibility of DHEC.

**Oak Point and Up On The Hill:** We can't make residents sign an agreement that they don't want to sign.

**Question (Milliken): What can we do for the couple of properties that advocate for the service?** \$350K of work--Running the service would be \$350K for each project. CWS can't do the work because they don't have the grant.

**Question (Grant): The ones who won't commit, is it because they feel they are not spilling or doing anything? Is that the only reason or is it also that they don't want to be responsible for paying anything?** Bob gave three reasons why they don't sign:

- 1) The residents don't feel like they directly contribute to the problem
- 2) Additional costs (grinder pump fees and monthly bills)
- 3) Tap and Impact fees and the cost to tie in

We have run out of ways to try to get people to tie in. There is no money for Up On The Hill. Do you want to spend \$350K to serve one or two people? Ultimately, the decision rests with RIA. It is expensive to run the lines for Up On The Hill—we would need money and the money is not there.

**Question (Cantrell): Once the line is there, a forced tie in? It's not "if", it's "when" the septic tank fails.** The PSD has the absolute right to force people to tie in. We (Bob and the District) have tried to explain this. The negotiators, hired by the District (Dooley and Gaffney), have tried. We have absolutely "hit a wall."

**We are asking the Commission to make a recommendation that we amend the grant to drop the two projects.** CWS is of the same opinion. We are barking up a tree.

**Question (Clifford): Could we condemn the easement...?** We could condemn the easement and put the system in, and the District could send a letter out stating that service is available and you have 90 days to tie in. Again, who will pay for the pump? The District has no money unless we find it. Then we force people to spend anywhere from \$15K - \$20K - \$25K to tie in (the pump alone is about \$15K). And this, would be reason #4 why they won't sign.

This is the saddest part of the whole thing. The RIA grant would pay for all of this—the grinder pump, the small force main out to the collector force main, the collector force main. RIA realizes that cost effectiveness has to be considered. If we put the system in now, the next shoe to fall is a letter from the District forcing a mandatory tie-in. If it's before October or November of 2025, you can forget it. It still needs to be designed and put in the ground.

**Commissioner Woolsey made a motion to drop Oak Point and Up On The Hill projects and have the grant amended. Seconded by Commissioner Cantrell. Discussion followed.**

**Question (Ladson): How do you feel about it?** (asked of Bob George)

Wish we had more cooperation. There comes a time when people need to make decisions that are uncomfortable to make, and the options are not attractive. None of these options are attractive. A bad option is not doing the work. There is no money to incentivize Up On The Hill and they are not in the Town. The money would be diverted to the Clark's Point project; therefore it would not be wasted by not using it on the other two projects. The money will be going into Clark's Point.

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Bob was here to present the facts—speaking for the staff, consultants and CWS. A final decision will have to be made. It's easy to design the system—simple straightforward projects. We would have to have the permit to operate by June 2026. It is just not cost effective, and the District will have to justify the decision.

**Commissioner Woolsey amended her motion to the following:**

**Commissioner Woolsey made a motion to drop Up On The Hill Road, have the grant amended and move to the full Commission. Seconded by Commissioner Cantrell. Discussion followed.** There is no incentive for just one lot and Oak Point will be in trouble in 20 years.

Bob stated that we will have to get easements and the design done now and drop off service connections wherever needed. The City will also have to have a say in this since they have \$85K in the project. The results of this meeting will precipitate discussions with CWS because they have a dog in the fight. We would also need to talk with CWS about the wisdom of spending the money to go down Folly to pick up the Frampton property that they stated absolutely no interest in the project—just to serve CWS customers. There needs to be a little bit more communication and this needs to be worked out with the Town of James Island ahead of time to make sure that when the people of Oak Point are told that they would have an incentive to tie that they would know what that incentive would cover without question. **Roll call vote was taken, and the motion passed unanimously.**

4. Executive Session – nothing to discuss
5. Commissioner Grant adjourned the meeting at 7:49 p.m. (Motion made by Commissioner Grant and seconded by Commissioner Woolsey. Motion carried unanimously.)

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Brenda Grant, Chair  
RL/JHT