

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings
Tuesday, January 25, 2005
Second Floor - County Administration Building
212 South Lake Drive, Lexington, SC 29072
Telephone - 803-359-8103 -- FAX 803-359-8101

1:30 p.m. - 2:00 p.m. - Planning and Administration

- (1) Delay of Reassessment
- (2) Old Business/New Business
- (3) Adjournment

2:00 p.m. - 2:30 p.m. - Public Works

- (1) "C" Fund Bond Issue Alternative - Public Works - John Fechtel, Director **A**
- (2) SC Pipeline Easement Request - Public Works - John Fechtel, Director **B**
- (3) Subdivision Regulations - Text Amendment - Bonding - Public Works -
John Fechtel, Director **C**
- (4) Antifreeze Recycling Grant - Solid Waste Management - Joe Mergo, Director **D**
- (5) Cooking Oil Recycling Grant - Solid Waste Management - Joe Mergo, Director **E**
- (6) Sand Mining - Cobb Hill - Mr. Frank Hutchins, 3374 Emmanuel Church Road,
Lexington, SC 29073
- (7) Old Business/New Business
- (8) Adjournment

2:30 p.m. - 2:50 p.m. - Health & Human Services

- (1) Outdoor Burning **F**
- (2) Fireworks **G**
- (3) Funding for Community Health Care Centers - Mr. Chris Lindsay, 1201 Main Street,
Suite 2360, Columbia, SC 29201
- (4) Old Business/New Business
- (5) Adjournment

2:50 p.m. - 3:15 p.m. - Committee of the Whole

- (1) SCDOT Recommendations - Match Program - Public Works - John Fechtel, Director **H**
- (2) Services Offered Through the Community Mediation Center - Ms. Sandra Frances,
Executive Director - P.O. Box 5942, Columbia, SC 29250
- (3) Old Business/New Business
- (4) Adjournment

3:15 p.m. - 4:15 p.m.

Individual Pictures - Council Members

Group Picture - Council

Planning & Administration

J. Owens, Chairman

J. Jeffcoat, V Chairman

J. Carrigg, Jr.

B. Derrick

D. Summers

B. Rucker

Public Works

B. Derrick, Chairman

B. Keisler, V Chairman

S. Davis

J. Owens

T. Cullum

B. Rucker

Health & Human Services

J. Carrigg, Jr. Chairman

D. Summers, V Chairman

J. Owens

B. Keisler

J. Jeffcoat

B. Rucker

Committee of the Whole

B. Rucker, Chairman

T. Cullum, V Chairman

B. Derrick

S. Davis

D. Summers

B. Keisler

J. Jeffcoat

J. Carrigg, Jr.

J. Owens

A G E N D A
LEXINGTON COUNTY COUNCIL

Tuesday, January 25, 2005

Second Floor - Council Chambers - County Administration Building

212 South Lake Drive, Lexington, South Carolina 29072

Telephone - 803-359-8103 FAX - 803-359-8101

4:30 P.M. - COUNCIL CHAMBERS

Call to Order/Invocation

Pledge of Allegiance

Employee Recognition - Art Brooks, County Administrator

Employee of the Quarter

Shining Stars

Mental Illness Recovery Center, Inc. - Designation for MIRIC to Obtain Funds to Transport Persons With Disabilities Through the State Mass Transit Assistance Program I

Appointments J

Bids/Purchases/RFPs

(1) Three (3) Type 1 Ambulance Remounts - Public Safety/EMS K

(2) Installation of Two (2) Generators - Chapin and Swansea - Public Works L

(3) Crime Analysis Software, Configuration, Installation and Annual Maintenance/
Sole Source Procurement - Sheriff's Department M

(4) Aluminum Canopies - Solid Waste Management N

Chairman's Report

Administrator's Report

Approval of Minutes - Meeting of December 14, 2004 O

Zoning Amendments

- (1) Zoning Map Amendment M04-07 - 8065 Irmo Dr., Columbia, SC 29212
SE Corner of Irmo Dr. - Announcement of 1st Reading P
- (2) Zoning Map Amendment M04-09 - 5466 Bush River Rd., Columbia, SC 29212
Announcement of 1st Reading Q
- (3) Zoning Map Amendment M05-01 - 6172 Bush River Rd., Columbia, SC 29212
Announcement of 1st Reading R

Committee Reports

Justice, J. Carrigg, Chairman

- (1) Proposed Multi-jurisdictional Agreement With Chapin Police Department - Sheriff's Department S

Public Works, B. Derrick, Chairman

- (1) Antifreeze Recycling Grant - Solid Waste - (Tab D)
- (2) Cooking Oil Recycling Grant - Solid Waste - (Tab E)

Budget Amendment Resolutions

OLD BUSINESS/NEW BUSINESS

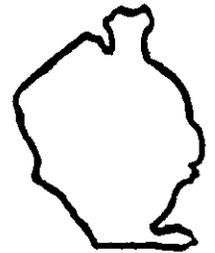
EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

DATE: January 18, 2005
TO: Art Brooks, County Administrator
FROM: John Fachtel, Public Works Director
Asst. County Administrator 
RE: "C" Fund Bond Issue Alternative

Attached are the suggestions I made at the December 14, 2004 Public Works Committee meeting. There was some discussion as to another way to distribute the \$10,515,910 proceeds. Also, expressions were made to divide these proceeds equally among the nine (9) council districts. If this was done, the following would be the per council district share:

$$\$10,515,910 \div 9 = \$1,168,434$$

The reason for this is that each council district has approximately the same number of citizens that pay into the "C" Fund allocation. The following sheet reflects the allocation versus the road paving costs on Exhibit "B" (shown as a total by council districts).

BOND DISTRIBUTION BY COUNCIL DISTRICT

$$\$10,515,910 \div 9 = \$1,168,434$$

<u>Council District</u>	<u>Bond Allocation</u>	<u>Road Paving</u>	<u>Difference</u>
1	\$1,168,434	\$2,368,449	(\$1,200,015)
2	"	2,915,500	(1,747,066)
3	"	114,300	1,054,134
4	"	90,800	1,077,634
5	"	806,095	362,339
6	"	-0-	1,168,434
7	"	-0-	1,168,434
8	"	57,500	1,110,934
9	"	127,000	1,041,434

As shown, there are two council districts with large deficits. I would assume that if this position is taken with the bond proceeds, then it would hold true with the \$1,203,000 annually (after bond repayment). This would mean each council district would have $\$1,203,000 \div 9 = \$133,666$ each.

All of the above would require, in my opinion, a complete change to our countywide Transportation Plan. This plan is a requirement of the "C" Fund Law (Section 12-28-2740) Part B (attached).

Please refer this item to the Public Works Committee for their review.

List of Roads Programmed for Paving by CTC Requiring Construction Funding

CD		Length	current encumb	current budget	proposed cost	funds req'd
1	Victor Road	*	1.1 \$ 63,918.00	\$ 1,000.00	\$ 662,143.00	\$ 597,225.00
1	Elbert Taylor Road, 1		0.97 \$ 59,200.00	\$ 265,700.00	\$ 436,500.00	\$ 111,600.00
1	Jim Rucker Road		2.45 \$ 176,000.00		\$ 1,102,500.00	\$ 926,500.00
1	Pelion Road	*	1.14	\$ 162,829.00	\$ 785,953.00	\$ 623,124.00
1	Martin Neese Road		0.25	\$ 35,000.00	\$ 112,500.00	\$ 77,500.00
1	Shannon Street		0.15	\$ 35,000.00	\$ 67,500.00	\$ 32,500.00
	Total				\$ 3,167,096.00	\$ 2,368,449.00
2	Truex Road		2.61 \$ 126,500.00		\$ 1,174,500.00	\$ 1,048,000.00
2	Elbert Taylor Road, 2		4.15		\$ 1,867,500.00	\$ 1,867,500.00
	Total				\$ 3,042,000.00	\$ 2,915,500.00
3	Payne Lane		0.32 \$ 29,700.00		\$ 144,000.00	\$ 114,300.00
	Total				\$ 144,000.00	\$ 114,300.00
4	Tanya Lane		0.25 \$ 21,700.00		\$ 112,500.00	\$ 90,800.00
	Total				\$ 112,500.00	\$ 90,800.00
5	Roscoe Road		1.3 \$ 42,355.00	\$ 18,550.00	\$ 585,000.00	\$ 524,095.00
5	Dunn Lane		0.41	\$ 35,000.00	\$ 184,500.00	\$ 149,500.00
5	Jayne Lane		0.23	\$ 35,000.00	\$ 103,500.00	\$ 68,500.00
5	Pleasant Court		0.22	\$ 35,000.00	\$ 99,000.00	\$ 64,000.00
	Total				\$ 972,000.00	\$ 806,095.00
8	Sandy Ridge Road, 1		0.16 \$ 14,500.00		\$ 72,000.00	\$ 57,500.00
	Total				\$ 72,000.00	\$ 57,500.00
9	Backman Drive		0.36 \$ 29,800.00	\$ 5,200.00	\$ 162,000.00	\$ 127,000.00
	Total				\$ 162,000.00	\$ 127,000.00
	Grand Total					\$ 6,479,644.00

SCDOT Cost Estimate *

Others estimated at \$450,000 per mile

SECTION 12-28-2740. Distribution of gasoline user fee among counties.

(A) The proceeds from two and sixty-six one-hundredths cents a gallon of the user fee on gasoline only as levied and provided for in this chapter must be deposited with the State Treasurer and expended for purposes set forth in this section. The monies must be apportioned among the counties of the State in the following manner:

(1) one-third distributed in the ratio which the land area of the county bears to the total land area of the State;

(2) one-third distributed in the ratio which the population of the county bears to the total population of the State as shown by the latest official decennial census;

(3) one-third distributed in the ratio which the mileage of all rural roads in the county bears to the total rural road mileage in the State as shown by the latest official records of the Department of Transportation. The Department of Revenue shall collect the information required pursuant to Section 12-28-1390 regarding the number of gallons sold in each county for use in making allocations of donor funds as provided in subsection (H). The Department of Revenue shall submit the percentage of the total represented by each county to the Department of Transportation and to each county transportation committee annually by May first of the following calendar year. Upon request of a county transportation committee, the Department of Transportation shall continue to administer the funds allocated to the county.

All interest earnings on the County Transportation Fund in the State Treasury must be added to the distribution to counties under this section in proportion to each county's portion of the entire County Transportation Fund. Except for those funds being used in connection with highway projects administered by the Department of Transportation on behalf of counties administering their own "C" funds, these distributions of earnings and the calculation required to determine the appropriate amount shall not include those counties administering their own "C" funds.

 (B) The funds expended must be approved by and used in furtherance of a countywide transportation plan adopted by a county transportation committee. The county transportation committee must be appointed by the county legislative delegation and must be made up of fair representation from municipalities and unincorporated areas of the county. County transportation committees may join in approving a regional transportation plan, and the funds must be used in furtherance of the regional transportation plan. This subsection does not prohibit the county legislative delegation from making project recommendations to the county transportation committee. A county transportation committee may expend from the funds allocated under this section an amount not to exceed two thousand dollars for reasonable administrative expenses directly related to the activities of the committee. Administrative expenses may include costs associated with copying, mailings, public notices, correspondence, and recordkeeping but do not include the payment of per diem or salaries for members of the committee.

Name of Issue: S.C. COUNTIES C FUND POOL BONDS
SERIES 2004

Exhibit A

Coverage Factor: 1.50x

Dated: DECEMBER 1, 2004

Average Interest Rate: 3.50%

Calendar Year	Principal Due June 1	Interest Rate	Interest Due June 1	Interest Due Dec. 1	Total Due
2005	\$7,195,000	3.50%	\$675,062.50	\$549,150.00	\$8,419,212.50
2006	7,445,000	3.50%	549,150.00	418,862.50	8,413,012.50
2007	7,705,000	3.50%	418,862.50	284,025.00	8,407,887.50
2008	7,975,000	3.50%	284,025.00	144,462.50	8,403,487.50
2009	8,255,000	3.50%	144,462.50	0.00	8,399,462.50
TOTAL	\$38,575,000		\$847,350.00	\$428,487.50	\$25,210,837.50

PROCEEDS DISTRIBUTION

Aiken	Calhoun	Chester	Darlington	Florence	Kershaw	Lexington	Newberry	Total
\$6,542,161	\$1,649,488	\$2,714,974	\$3,393,708	\$7,026,063	\$3,723,522	\$10,515,910	\$3,009,174	\$38,575,000

DEBT SERVICE REQUIREMENTS

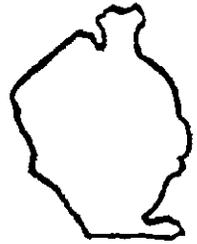
Calendar Year	Debt Service	Debt Service Aiken	Debt Service Calhoun	Debt Service Chester	Debt Service Darlington	Debt Service Florence	Debt Service Kershaw	Debt Service Lexington	Debt Service Newberry	Debt Service Total
2005	\$8,419,213	\$1,427,864	\$360,010	\$592,558	\$740,696	\$1,333,478	\$812,680	\$2,295,157	\$656,769	\$8,419,213
2006	8,413,013	1,426,812	359,745	592,122	740,150	1,532,349	812,081	2,293,467	656,286	8,413,013
2007	8,407,888	1,425,943	359,526	591,761	739,700	1,531,415	811,587	2,292,070	655,886	8,407,888
2008	8,403,488	1,425,197	359,338	591,452	739,313	1,530,614	811,162	2,290,870	655,543	8,403,488
2009	8,399,463	1,424,514	359,166	591,168	738,958	1,529,881	810,773	2,289,773	655,229	8,399,463

RESIDUAL FUNDS

Calendar Year	Residual Aiken	Residual Calhoun	Residual Chester	Residual Darlington	Residual Florence	Residual Kershaw	Residual Lexington	Residual Newberry
2005	\$746,643	\$188,252	\$309,854	\$387,317	\$801,869	\$424,958	\$1,200,158	\$343,431
2006	747,694	188,518	310,290	387,862	802,999	425,556	1,201,848	343,914
2007	748,563	188,737	310,651	388,313	803,932	426,051	1,203,245	344,314
2008	749,310	188,925	310,961	388,700	804,734	426,475	1,204,445	344,657
2009	749,992	189,097	311,244	389,054	805,467	426,864	1,205,542	344,971



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

DATE: December 1, 2004
TO: Art Brooks, County Administrator
FROM: John Fechtel, Public Works Director
Asst. County Administrator 
RE: "C" Fund Bond Proceeds Suggestions

Per County Council's request, I offer the following items for discussion:

Based on the attached (Exhibit A) 1.5x coverage table Lexington County would receive \$10,515,910 in bond proceeds and have an annual repayment amount of about \$2,292,000 for five (5) years. This would leave an estimated residual or uncommitted funds of \$1,203,000 annually.

Our suggestion on the \$10,515,910 bond proceeds would be as follows:

- **Dirt Road Paving - \$6,500,000.** This would provide funding for all dirt roads programmed at the present time. The attached sheet (Exhibit B) is a recap of the approved roads showing the funds required to complete. We are estimating \$450,000 per mile on the roads we are keeping and SCDOT provided estimates on two (2) roads.
- **Resurfacing - \$3,600,000.** This would allow us to utilize about \$1,200,000 annually for the next three (3) years for resurfacing County maintained paved roads. We presently have around 400 miles to maintain with at least 15 miles added to our system annually.
- **Special Projects (drainage) - \$415,910.** There are quite a few major drainage projects we need to prioritize and provide Council with cost estimates. Hopefully, most of these can be funded 50% through FEMA. This will take some time to put together and confirm through FEMA, but it would be a good start.

Memorandum – Page 2
December 1, 2004
“C” Fund Bond Proceeds Suggestions

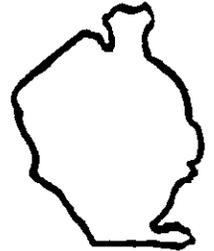
The above suggestions would exhaust the bond issue. As to the estimated \$1,203,000 annual residual funds, we offer the following suggestions:

\$1,203,000 Annually

- 1) \$600,000 for SCDOT Match Programs. Limited only to SCDOT maintained roads, this would allow assistance to SCDOT for various projects. Example: This year's match program is a \$1.00 to \$1.00 (1:1) match. If Council elected to apply these funds for resurfacing, then our \$600,000 would mean \$1,200,000 in projects.
- 2) \$120,000 for economic development. This would be used on an as needed basis and could be redirected if needed.
- 3) \$483,000 for enhancement grant matches and project contingencies. We have averaged about \$100,000 annually matching various municipal and county SCDOT enhancement grants. Due to unknown construction cost increases, we normally maintain a contingency account to cover shortfalls after bids are received.



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



M E M O R A N D U M

DATE: January 18, 2005

TO: Art Brooks, County Administrator
Larry Porth, Finance Director
Asst. County Administrator

FROM: John Fachtel, Public Works Director 
Asst. County Administrator

RE: SC Pipeline Easement Request

SC Pipeline has contacted me about a fifty-foot by fifty-foot (50' x 50') easement (see attached map) on county-owned property (Irmo Fire Station Headquarters). The purpose of this easement is to install a mainline valve and metering station to serve SCE&G with natural gas. A twenty-five foot (25') wide easement already exists at this point and parallels the western property line. Since the twenty-five foot (25') gas line easement exists, their request is actually twenty-five foot by fifty-foot (25' x 50') or twelve-hundred-fifty (1250) square feet.

I have met with Chief Mike Sonefeld, Irmo Fire District, on-site about this. Chief Sonefeld stated as long as this did not create a noise or other adverse effects he did not have a problem with it. Jeff Anderson has been supplied with a copy of the easement request.

Please place this on the Council agenda for consideration.

Attachment

State of SOUTH CAROLINA

Station Number _____

County of LEXINGTON

TMS Number 2799-04-01

Meter & Regulating Easement

INDENTURE made this _____ day of _____, 2004, by and between **The County of Lexington** (hereinafter called "Grantor") and **South Carolina Pipeline Corporation** (hereinafter called "Grantee").

Know all men by these presents: That the undersigned, for and in consideration of the sum of **One (1.00) Dollar(s)** in hand paid by **South Carolina Pipeline Corporation**, receipt of which is hereby acknowledged, do grant and convey unto Grantee, its successors and assigns forever, the right to construct operate, maintain, replace and remove the structures and appurtenances described below on those certain tracts of land situated in County and State aforesaid, and being described as those certain parcels of land conveyed by **Irmo Fire District** to Grantor by Deed dated **August 22, 2003**, and recorded in the **Lexington R.M.C. office in Deed Book 8902 at page 230** containing **3.31 acres**, more or less. The easement area is described as follows:

An area measuring approximately fifty feet by fifty feet (50' X 50') located overlooking the Irmo Fire Station on St. Andrews Road and adjoining a South Carolina Pipeline right-of-way to the west.

The above described area is as more fully shown on a survey entitled "South Carolina Pipeline Corporation Mainline Valve and Metering Station, Irmo, SC" prepared by Mark E. Mills for South Carolina Pipeline Corporation dated (to be prepared after construction) _____.

The easement area shall be used for the construction, installation, maintenance, repair, replacement and removal of a gas valve and/or meter and regulating station and all facilities and appurtenances necessary thereto, including the right to install a fence around the easement area.

Grantor grants Grantee a temporary easement over Grantor's property adjacent to the permanent easement area for and during construction of the facilities described above, provided, however, that the area of temporary easement will be restored as nearly as reasonably possible to its original condition after construction.

Included in and as part of the permanent easement granted herein are the right of ingress and egress over Grantor's property where necessary for access to the easement area and the right to clear and keep clear such trees, underbrush, structures and other obstructions, upon said easement and such trees beyond the same as in the judgment of Grantee may interfere with or endanger said appurtenances when erected.

Grantee's rights shall be subject to the lien of and in accordance with the provisions of the Indenture of Mortgage dated December 1, 1977, from South Carolina Pipeline Corporation to Citibank, N.A., as Trustee, and all other instruments supplemental thereto and amendatory thereof or any manner not inconsistent or interfering with the easement granted herein

The rights herein granted may be assigned in whole or in part.

To have and to hold the said easements unto said Grantee, its successors and assigns, so long as said structures are maintained.

IT is agreed that this grant covers all the agreements between the parties and no representations or statements, verbal or written, have been made, modifying, adding to, or changing the terms of the agreement.

IN WITNESS WHEREOF, this instrument is signed on this the _____ day of _____, 2004.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

STATE OF SOUTH CAROLINA)
COUNTY OF LEXINGTON)

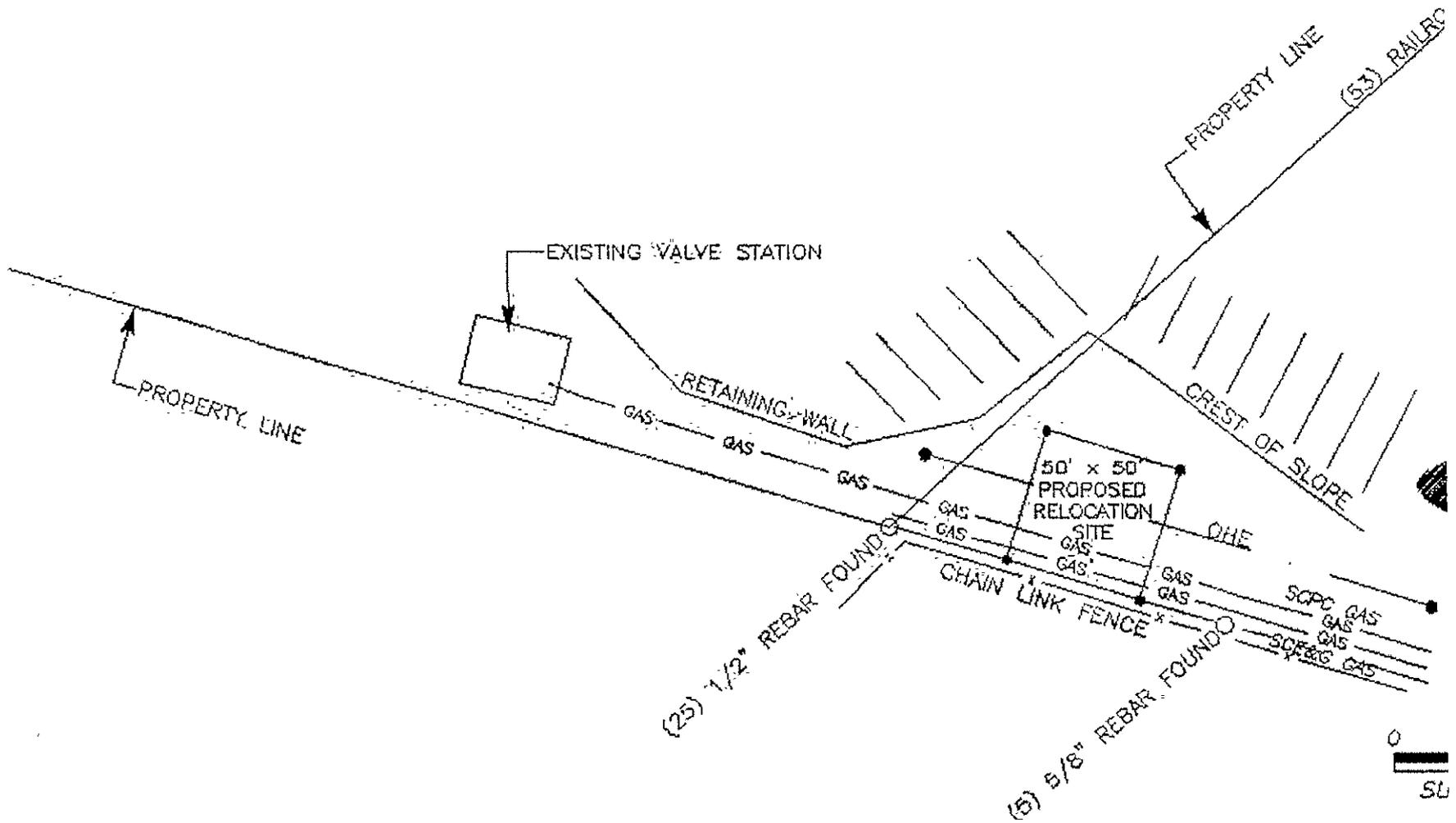
PERSONALLY appeared before me _____ and made oath that he/she saw the within-named Grantor(s) _____ by _____ its _____ sign, affix the corporate seal, and as the act and therein mentioned, and that he/she with _____ witnessed the execution and subscribed their names as witnesses thereto.

SWORN to before me this _____ day of _____, 2004.

(SUBSCRIBING WITNESS SIGNATURE)

(L.S.)
Notary Public for South Carolina
My Commission Expires: _____

STATE GRID NORTH
NAD83 (2001)
BY GPS



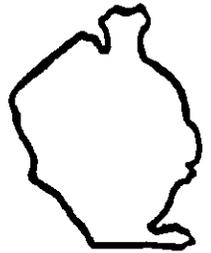
1/18/2005



Red square depicts location.
LOCATED IN Council District 7,
INSIDE IRMO TOWN limits.



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

DATE: January 18, 2005

TO: Art Brooks, County Administrator

FROM: John Fecht, Public Works Director
Asst. County Administrator 

RE: Subdivision Regulations – Text Amendment - Bonding

County Council indicated that they want bond requirements on any subdivision that will have twenty-five thousand (25,000) cubic yards or more removed to off-site locations. They also indicated this would be a two-fold material process.

First, before a subdivision is granted a grading permit with this amount of waste material, it would be bonded. Secondly, before the first bond is allowed to be removed, the subdivision must be bonded as in Section 6 – Status of Subdivisions.

The purpose behind this requirement is to ensure that a subdivision project that has this much excess material is completed as a subdivision for which a grading permit is issued for, not as a loophole between state mining laws and county regulations.

Attached is a copy of Section 6 – Status of Subdivisions with the new requirements in bold italics. I request this go before the Public Works Committee on January 25, 2005 to be reported out at the next meeting. If approved, the proposal will require an Ordinance. In addition, the issue of the percentage of bond we require needs to be increased to 125%.

SECTION 6 – STATUS OF SUBDIVISIONS

The legal status of subdivisions determines when in the process lots can be sold, conveyed or transferred; when individual lots can be improved with buildings; or when improvements to the infrastructure can be installed. This section describes the various stages and what privileges they each confer to the developer.

6.10 Preliminary Plat

6.11 Prior to Preliminary Plat submission, the tract shall be considered as a legal building site under single ownership and shall be accorded all rights and privileges for development as a single unit of land with regard to land disturbance and building permits and the transfer of ownership.

6.12 At the time of Preliminary Plat submission, the intent of the subdivider is officially recognized. No building permits may be issued until such time as the Preliminary Plat is approved. No ownership transfer, save of the entire tract, shall be recognized until Bonded or Final Plat approval is received.

6.13 Upon the granting of Preliminary Plat approval, building permits may be issued for lots within the subdivision, provided such lots front on an existing publicly maintained road, or on a road substantially constructed in accordance with the approved Preliminary Plat.

6.131 Preliminary Plat approval shall grant approval to the subdivider for the installation of all improvements within the subdivision and he may proceed to so install roads, water lines, sewer lines, and the like, in accordance with the Preliminary Plat.

6.20 Bonding

In Lieu of completing the physical development and installation of the required improvements prior to Final Plat approval and recording, County Council may accept a bond with surety and conditions satisfactory to it, providing for actual construction and installation of such improvements and utilities within a specific period of time expressed in the bond.

6.21 The nature of the surety and procedures shall be as determined by the County Council to ensure that, in the event of default by the developer, funds will be used to install the required improvements at the expense of the developer.

6.211 A Subdivision Agreement and Surety Bond document will be executed for all bonded projects in an amount equal to at least 150% of the cost of the improvement. In addition, a Supplemental Surety shall be posted in the form of a letter of credit, reservation of funds, certified check, or other instrument readily convertible to cash in an amount equal to 100% of the cost of the improvement.

6.22 The bonding of a subdivision project prior to Final Plat approval shall authorize the sale, conveyance or transfer of lots within the subdivision, in addition to the use of the lots as legal building sites.

6.221 Reduction of the bond amount prior to Final Plat approval may be accomplished upon the recommendation of the Planning Engineer based upon portions of the public improvements being adequately installed.

6.23 *The bonding of a subdivision that has 25,000 cubic yards or more of waste dirt (defined as being removed from the project for any reason) shall be bonded as in Section 6.211 for 75% of the cost of improvements before a grading permit shall be issued.*

6.231 *The bond required in 6.23 shall not be released until the subdivision is bonded as in Section 6.211.*

6.30 Final Plat

Upon the approval and recording of the Final Plat, the subdivision lots are granted full privileges as individual building sites and may be sold, conveyed, or transferred as legal properties.

6.31 The acceptance by the County for maintenance of the required public improvements shall be a fact at or before the recording of the Final Plat. All improvements to be accepted by the county for public maintenance shall be indicated as such on the Final Plat.

COUNTY OF LEXINGTON
FINANCE DEPARTMENT

interoffice
MEMORANDUM

to: County Council

from: Evelyn Babbitt, Manager of Grants Administration

subject: Recycling Waste Reduction Grant Application
Program 1. Antifreeze Recycling

date: January 19, 2005

Solid Waste Management is requesting your approval to submit an application to the South Carolina Department of Health and Environmental Control (DHEC) for an Antifreeze Recycling Grant in the amount of \$1,500.00.

This is a 100% State funded grant and requires no matching funds and there are no additional personnel required.

Memorandum
Solid Waste Management
Lexington County, South Carolina

Date: January 17, 2005

To: Evelyn Babbitt, Manager of Grants Administration

From: Donna Hendrix, Project/Recycling Coordinator

Reference: Recycling Waste Reduction Grant Application

Enclosed is a copy of two applications for the above referenced grant. Please note that though these grants are being submitted separately, they are both coming from the Solid Waste Reduction funding which we treat at County level as two programs within the one grant. Included is a budget for the proposed grant and all correspondence for obtaining the grant.

Please review and request placement on County Council's January 25, 2005 agenda for their approval.

The signature page is required and must be completed and returned to me prior to the February 1, 2004 in order to meet the February 4th deadline.

If you need additional information, please call.

FUND 5722
SOLID WASTE/RECYCLING/SOLID WASTE GRANT
FY 2005-06 BUDGET REQUEST

Page 1

SECTION III - PROGRAM OVERVIEW

Summary of Programs

Program 1 Antifreeze Recycling

Program 2 Cooking Oil Recycling

Program 1 Antifreeze Recycling

Objective:

This program is a proposed grant application with South Carolina Department of Health and Environmental Control (DHEC). Lexington County's Fleet Management Services (LCFMS) currently recycles on-site all ethylene glycol antifreeze, generated from the Lexington County vehicle fleet. LCFMS utilizes the recycled antifreeze in the County's vehicle fleet. We are in agreement with the LCFMS to utilize their small antifreeze filtration system to recycle ethylene glycol collected from residents of Lexington County. Antifreeze is proposed for acceptance at the LCSWM Edmund Landfill/Transfer facility. The LCSWM recycling division will transport the collected ethylene glycol antifreeze to the LCFMS garage for recycling and it will be utilized within the County's vehicle fleet as maintenance is performed by LCFMS. It is proposed within this grant request that one filter will be purchased for the LCFMS filtration equipment for the use of their recycling services. Also within this grant LCSWM is requesting funding to purchase containers for the LCFMS to store the recycled antifreeze until need arises for use in the County's vehicle fleet. Two large containers (fifty-five gallons) are also requested for purchase within this grant. One container is proposed to store any excessive ethylene glycol, which the LCFMS cannot use, along with funding to obtain a contract agreement with a company to recycle the excess. The second large container is proposed for purchase to store any propylene glycol antifreeze along with funding to recycle this type antifreeze through a contract to recycle. We also wish to propose educational information as approved by SCDHEC.

Program 2 Cooking Oil Recycling

Objective:

The Lexington County Department of Solid Waste Management (LCSWM) is proposing to begin residential used cooking oil recycling at six of our twelve Collection Stations. This initial program is proposed for strategic locations throughout Lexington County for our resident's use. This program request is contingent upon a grant through the South Carolina Department of Health Environmental Control Recycling and Reduction Grant during the 2006 fiscal year. Through a proposed contract with a rendering collection and recycling company, LCSWM will be able to obtain within the contractor's agreement containers for the used cooking oil to include: removal, transportation and recycling of the residential used cooking oil. We also wish to propose educational information as approved by SCDHEC

Proposal for Solid Waste Reduction Grant
Submitted by Lexington County Solid Waste Management
February 4, 2005

Requested Amount \$1,500

Federal I.D. Number 57-6000379

Recycling Coordinator & Contact Person

Donna Hendrix, Project/Recycling Coordinator
498 Landfill Lane
Lexington, South Carolina 29073
Telephone (803) 755-3325

Financial Officer/Grant Administrator

Evelyn Babbitt, Grants Administrator
212 South Lake Drive
Lexington, South Carolina 29072
Telephone (803) 359-8100

Authorized Representative (County Administrator)

William A. Brooks, County Administrator
212 South Lake Drive
Lexington, South Carolina 29072
Telephone (803) 359-8100

Address Reimbursement be mailed to:

Evelyn Babbitt, Grants Administrator
212 South Lake Drive
Lexington, South Carolina 29072
Telephone (803) 359-8100

Contractual Service Proposal

The Lexington County Department of Solid Waste Management (LCSWM) is proposing a small-scale antifreeze recycling program contingent upon a grant through the South Carolina Department of Health Environmental Control Recycling and Reduction Grant during the 2006 fiscal year.

Lexington County's Fleet Management Services (LCFMS) currently recycles on-site all ethylene glycol antifreeze, generated from the Lexington County vehicle fleet. LCFMS utilizes the recycled antifreeze in the County's vehicle fleet. We are in agreement with the LCFMS to utilize their small antifreeze filtration system to recycle ethylene glycol collected from residents of Lexington County. Antifreeze is proposed to be accepted at the LCSWM Edmund Landfill/Transfer facility. The LCSWM recycling division will transport the collected ethylene glycol antifreeze to the LCFMS garage for recycling and it will be utilized within the County's vehicle fleet as maintenance is performed by LCFMS. It is proposed within this grant request that one filter will be purchased for the LCFMS filtration equipment for the use of their recycling services. Also within this grant LCSWM is requesting funding to purchase containers for the LCFMS to store the recycled antifreeze until need arises for use in the County's vehicle fleet. Two large containers (fifty-five gallons) are also requested for purchase within this grant. One container is proposed to store any excessive ethylene glycol, which the LCFMS cannot use, along with funding to obtain a contract agreement with a company to recycle the excess. The second large container is proposed for purchase to store any propylene glycol antifreeze along with funding to recycle this type antifreeze through a contract to recycle. We also wish to propose educational printouts for residents.

From the data obtained during the 2006 proposed antifreeze program, LCSWM will be able to make a determination and feasibility study to potentially incorporate this program into the LCSWM Enterprise Budget Fund for future years.

LCSWM wishes to offer this proposed antifreeze program for the overall environmental concerns of soil and water conservation for Lexington County, along with a proper means of disposing antifreeze for the residents of Lexington County.

Historical Data

LCSWM began providing collection stations in 1989 and increased the number of sites to the current 12. We are expanding our sites and plan to continue, as funding allows each year. Our Sandhills site was relocated to (3241 Charleston Hwy) a much larger county owned area and was financed and constructed entirely by LCSWM and Lexington County Public Works Department (LCPW). This year we are expanding, our Ball Park site, with hopes of completing prior to our fiscal year ending. Ball Park too is being financed and constructed entirely by LCSWM along with assistance from LCPW. We have experienced a large increase in the use of the sites over the past years and wish to continue with other expansions to meet the public's need when funding is available.

Along with the drop-off collection sites, LCSWM administers a franchise contract for curbside recycling and 1,018 tons were recycled from the curb service. This was included in our Annual Report for last fiscal year. This program was historically available to only residents in the larger urban areas, but became available to all citizens living in the unincorporated areas of the county around 1996. We anticipate this number to increase as we encourage this service as a convenience to our citizens and as an alternate to driving to our sites for waste disposal. We educate our public about this service in a free brochure distributed at our sites. (See enclosed brochure and SW Guidelines) We encourage additional recycling that is only available within our sites such as scrap metal, textiles, used motor oil, bottles and filters, battery and rechargeable batteries (also noted on the reverse side of our brochure),

Proposed Budget

If LCSWM is awarded the requested funding, plans are to begin upon receipt of funding

Below is a budget based on minimal estimated supplies and contractual cost for the proposed program.

Description	Proposed Location	Per Unit Cost	LCSWM Contributions	Grant Request
(40) 1-gallon plastic containers	LCFMS Garage	1 gal container 40 @ \$5.00 each	(For LCFMS used in County fleet storage of recycled antifreeze - LCSWM will transport)	\$150
(1) Filtration filter	LCFMS Garage	(1) @ \$600 each	(Use of LCFMS equipment)	\$600
(2) 55-gallon poly. Containers for excessive antifreeze storage	Edmund LF/TS	(2) @ \$70.00	Secured Storage Garage	\$140
Contractual removal & recycling of excess antifreeze	Edmund LF/TS	\$30/55 gal. Contractor pickup @ est. 6 times/yr.	Potential assumption next FY by LCSWM	\$180
Public Education	All (12) Collection Sites	As approved by SCDHEC		\$430

I Certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, accurate and complete. I further certify that I possess the authority to apply for this grant on behalf of the applicant.

Signature of Authorized Representative

Date

William A. Brooks, County Administrator
Title

Signature of Financial/Grant Official

Date

Evelyn P. Babbitt, Manager of Grants Administration
Title

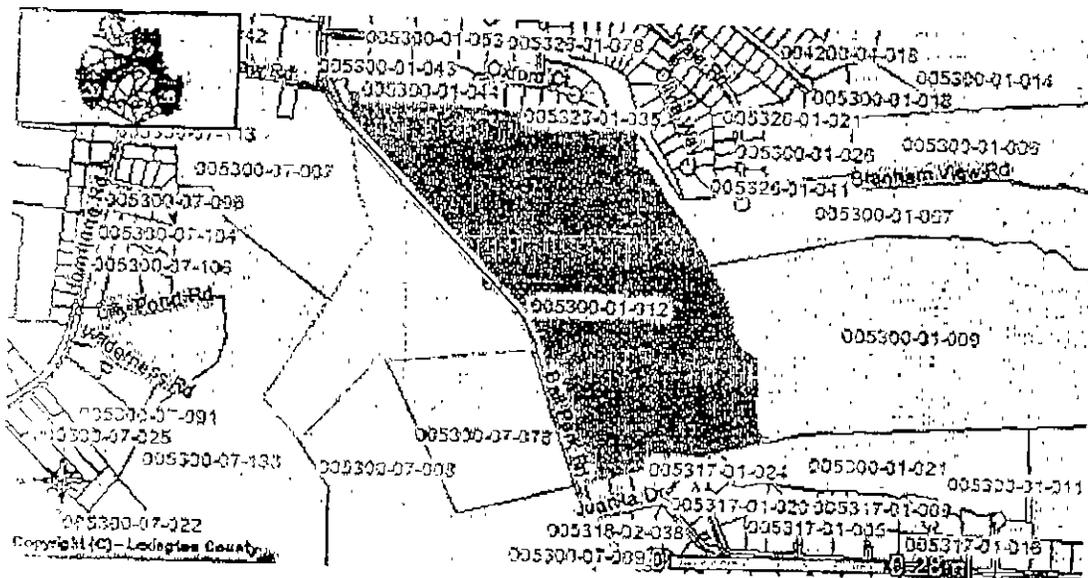
Signature of Contact Person

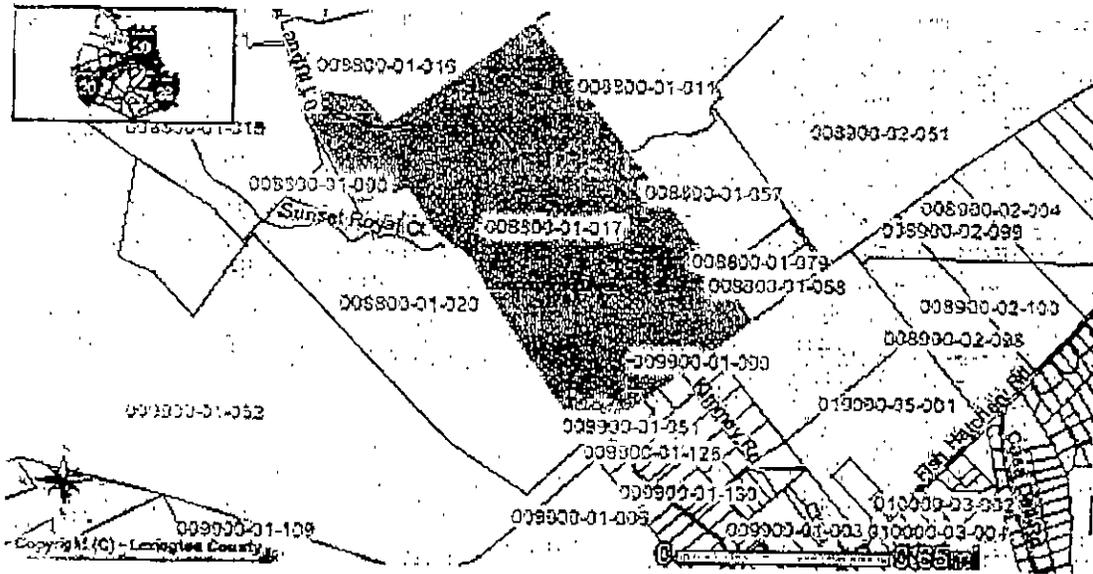
Date

Donna G. Hendrix, Project/Recycling Coordinator
Title

County Land Ownership Information**TMS#: 005300-01-012****TAX YEAR: 2004****OWNER: LEXINGTON COUNTY****ADDRESS: 212 S LAKE DRIVE
LEXINGTON, SC 29072****PROPERTY ADDRESS: BALL PARK ROAD****LEGAL DESCRIPTION: BOTH SIDES HWY 1173, 1 MI S HWY 1****DEED BOOK & PAGE: 007T-0423****PLAT: 71G-144****LAND USE: 9500:COUNTY****TAX DISTRICT: 1****NON TAXABLE 95-NON-TAXABLE COUNTY****TMS#: 008800-01-017****TAX YEAR: 2004****OWNER: LEXINGTON COUNTY****ADDRESS: 212 S LAKE DR
LEXINGTON, SC 29072****PROPERTY ADDRESS: .3 MI S OF SRR, 1.4 MI E OF
LEGAL DESCRIPTION: NONE****EDMUND LANDFILL****DEED BOOK & PAGE: 716-123****PLAT: 201G-109****LAND USE: 9500:COUNTY****TAX DISTRICT: 2****NON TAXABLE 95-NON-TAXABLE COUNTY**

(The above information and enclosed Tax Maps were obtained from Lexington County's GIS Internet Property, Mapping and Data Services)





Collection Station Recycling Commodities and Vendor Information

Collection Station Recycling

Recycling Commodities Collected in Collection Sites	Vendor Information
Aluminum, Cans	Wise Aluminum-Charlotte, North Carolina
Aluminum, Scrap	Columbia Wire-Columbia, South Carolina
Batteries, Lead Acid	Rodgers Batteries-Lexington, South Carolina
Batteries, Rechargeable	RBRC, Ellwood City Pennsylvania
Cardboard	PaperStock Dealers-Columbia, South Carolina
Foam Rubber	David Watkins-Lexington, South Carolina
Glass Bottles/Jars	Strategic Materials Inc, Atlanta, Georgia
Magazines	PaperStock Dealers-Columbia, South Carolina
Metal, Scrap	CMC-Lexington, South Carolina
Newspaper	PaperStock Dealers-Columbia, South Carolina
Nursery Containers	Jan Knight-Lexington, South Carolina
Office Paper	PaperStock Dealers-Columbia, South Carolina
Plastic, Bottles	PaperStock Dealers-Columbia, South Carolina
Textiles	Goodwill Industries, Lexington, South Carolina
Used Motor Oil	Santee Cooper, Monks Corner, South Carolina
Used Motor Oil Bottles	Plastic Revolutions-Reedsville, North Carolina
Used Motor Oil Filters	CMC-Lexington-South Carolina
Waste Tires	US Tire, Concord, North Carolina

Residential Curbside Recycling

Aluminum, Cans Cardboard Glass, Bottles & Jars Metal, Cans Newspaper Plastic Bottles	PaperStock Dealers, Columbia, South Carolina
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COUNTY OF LEXINGTON
FINANCE DEPARTMENT

interoffice
MEMORANDUM

to: County Council

from: Evelyn Babbitt, Manager of Grants Administration

subject: Recycling Waste Reduction Grant Application
Program 2. Cooking Oil Recycling

date: January 19, 2005

Solid Waste Management is requesting your approval to submit an application to the South Carolina Department of Health and Environmental Control (DHEC) for a Cooking Oil Recycling Grant in the amount of \$1,500.00.

This is a 100% State funded grant and requires no matching funds and there are no additional personnel required.

Memorandum
Solid Waste Management
Lexington County, South Carolina

Date: January 17, 2005

To: Evelyn Babbitt, Manager of Grants Administration

From: Donna Hendrix, Project/Recycling Coordinator

Reference: Recycling Waste Reduction Grant Application

Enclosed is a copy of two applications for the above referenced grant. Please note that though these grants are being submitted separately, they are both coming from the Solid Waste Reduction funding which we treat at County level as two programs within the one grant. Included is a budget for the proposed grant and all correspondence for obtaining the grant.

Please review and request placement on County Council's January 25, 2005 agenda for their approval.

The signature page is required and must be completed and returned to me prior to the February 1, 2004 in order to meet the February 4th deadline.

If you need additional information, please call.

FUND 5722
SOLID WASTE/RECYCLING/SOLID WASTE GRANT
FY 2005-06 BUDGET REQUEST

Page 1

SECTION III - PROGRAM OVERVIEW

Summary of Programs

Program 1 Antifreeze Recycling

Program 2 Cooking Oil Recycling

Program 1 Antifreeze Recycling

Objective:

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Program 2 Cooking Oil Recycling

Objective:

The Lexington County Department of Solid Waste Management (LCSWM) is proposing to begin residential used cooking oil recycling at six of our twelve Collection Stations. This initial program is proposed for strategic locations throughout Lexington County for our resident's use. This program request is contingent upon a grant through the South Carolina Department of Health Environmental Control Recycling and Reduction Grant during the 2006 fiscal year. Through a proposed contract with a rendering collection and recycling company, LCSWM will be able to obtain within the contractor's agreement containers for the used cooking oil to include: removal, transportation and recycling of the residential used cooking oil. We also wish to propose educational information as approved by SCDHEC

Proposal for Solid Waste Reduction Grant
Submitted by Lexington County Solid Waste Management
February 4, 2005

Requested Amount \$1,500

Federal I.D. Number 57-6000379

Recycling Coordinator & Contact Person

Donna Hendrix, Project/Recycling Coordinator
498 Landfill Lane
Lexington, South Carolina 29073
Telephone (803) 755-3325

Financial Officer/Grant Administrator

Evelyn Babbitt, Grants Administrator
212 South Lake Drive
Lexington, South Carolina 29072
Telephone (803) 359-8100

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Address Reimbursement be mailed to:

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Lexington, South Carolina 29072
Telephone (803) 359-8100

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From the data obtain during the 2006 proposed cooking oil program, LCSWM will be able to make a determination and feasibility study to potentially incorporate this program into the LCSWM Enterprise Budget Fund for future years.

Historical Data

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Proposed Budget

If LCSWM is awarded the requested funding, plans are to begin upon receipt of funding

Below is a budget based on minimal estimated supplies and contractual cost for the proposed program.

Description	Proposed Site Location	Per Unit Cost	LCSWM Contributions	Grant Request
(6) Containers to include pickup, transportation and recycling	Ball Park Bushriver Chapin Edmund Leesville Sandhills	\$125/year, unlimited number of pickups	LCSWM will propose to incur cost in following years budget and expand to other sites. County will place container in secondary container for cleanliness	\$750
Public Education		As approved by SCDHEC		\$750

I Certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, accurate and complete. I further certify that I possess the authority to apply for this grant on behalf of the applicant.

Signature of Authorized Representative

Date

William A. Brooks, County Administrator
Title

Signature of Financial/Grant Official

Date

Evelyn P. Babbitt, Manager of Grants Administration
Title

Signature of Contact Person

Date

Donna G. Hendrix, Project/Recycling Coordinator
Title

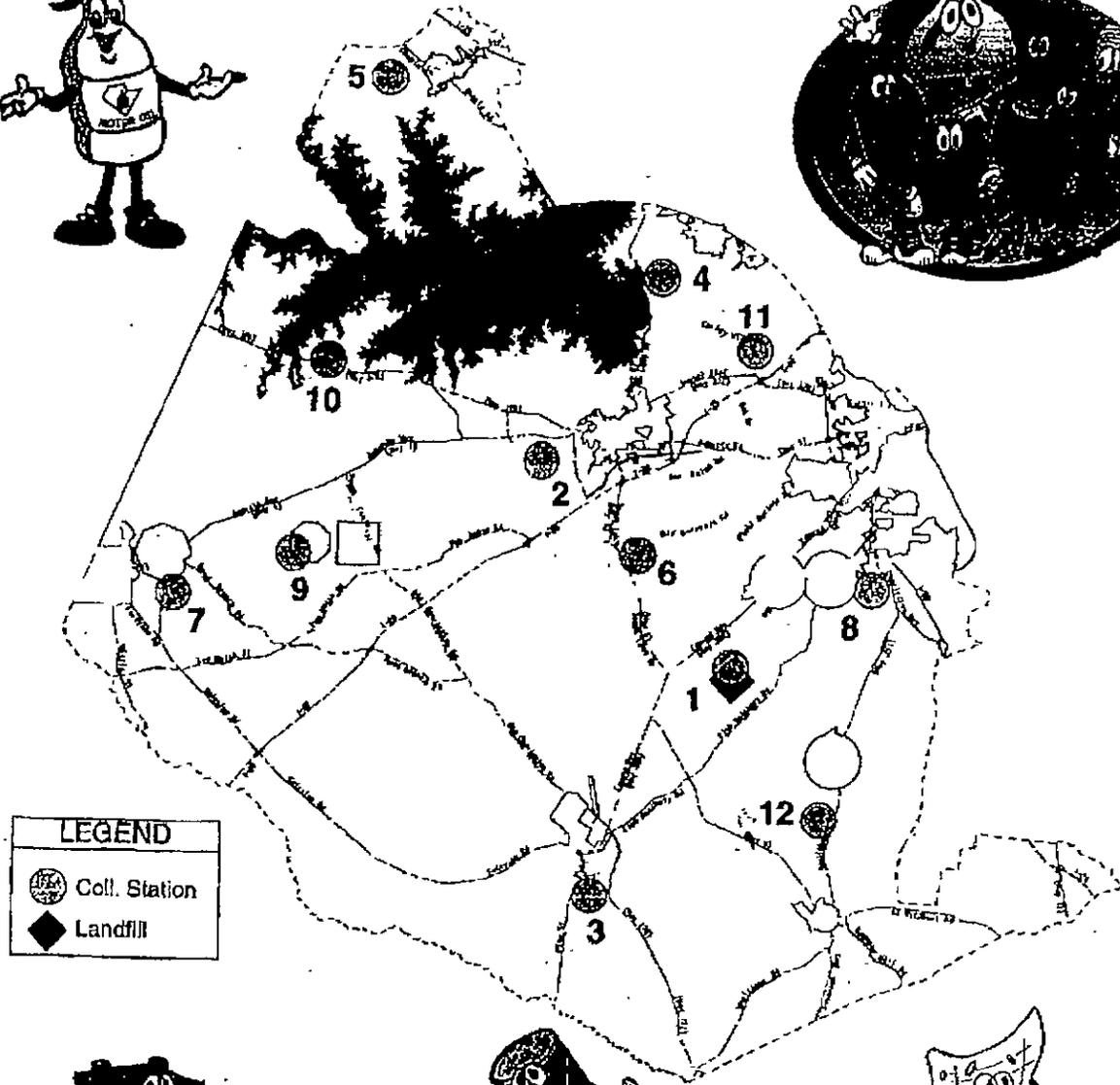
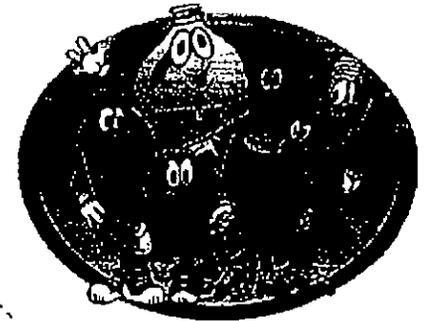
LOCATIONS

1. Edmund-Landfill Lane, off SC 302 one-half mile north of SC 6 and 302.
2. Lexington-Ball Park Road off US 1, two miles west of Lexington.
3. Pellon-SC 302, approximately one mile south of Pellon.
4. Bush River Road-Bush River Road about one-half mile east of the Lake Murray Dam, across from Coldstream Drive.
5. Chapin-Distant Lane off Westwoods Drive, west of Chapin.
6. Red Bank-SC 6 about one mile south of Red Bank.
7. Leesville-South Lee Street about two miles south of US 1.
8. Sandhills-SC 321, 1 mile south of I-77
9. Summit-Sandpl Road.
10. Hollow Creek-Baulah Church Road off US 378 about 12 miles west of Lexington.
11. Riverchase-Adjacent to the Park-and Ride near I-20 and US 378.
12. Gwendolyn Bailey-US 321 and Theo Jumper Road approximately 3 miles south of Gaston.

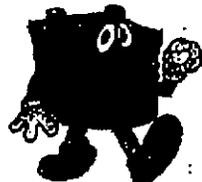


- Newspaper - Newspaper and inserts.
- Plastic Bottles-Clean bottles with the 1 & 2 symbol.
- Aluminum-Clean cans, yard furniture, doors, siding.
- Cardboard-Flattened corrugated boxes.
- Foam Rubber-Foam pillows, carpet and furniture foam cushions.
- Used Motor Oil Products-Used motor oil, filters and bottles.
- Batteries-Vehicle and small lead acid batteries.
- Glass Bottles and Jars-Clean, clear, green or brown.
- Textiles-Clean and dry cloth items to include paired shoes, bath mats and household linens.
- Metal-Empty aerosol cans, food cans and scrap metal.
- Rechargeable Batteries - Small Household Type
- Ink & Toner Cartridges
- Magazines
- Nursery Container - Large Plastic - No Flats

COLLECTION STATIONS



LEGEND	
	Coll. Station
	Landfill



County Land Ownership Information

TMS#: 000600-01-022

TAX YEAR: 2004

OWNER: LEXINGTON COUNTY

ADDRESS: 212 S LAKE DR

LEXINGTON, SC 29072

PROPERTY ADDRESS: N SIDE HWY 268, 1M W JCT HWY

LEGAL DESCRIPTION: NONE

OLD CHAPIN LANDFILL/CONVEN STA

DEED BOOK & PAGE: 022H-0456

PLAT: 123G-59

LAND USE: 9500:COUNTY

TAX DISTRICT: 5

NON TAXABLE 95-NON-TAXABLE COUNTY

TMS#: 007100-06-009

TAX YEAR: 2004

OWNER: LEXINGTON COUNTY

ADDRESS: 212 S LAKE DR

LEXINGTON, SC 29072

PROPERTY ADDRESS: W SIDE OF HWY 245

LEGAL DESCRIPTION: NONE

PUBLIC WORKS CAMP 3

DEED BOOK & PAGE: 005K-0396

PLAT: 12G-47

LAND USE: 9500:COUNTY

TAX DISTRICT: 3

NON TAXABLE 95-NON-TAXABLE COUNTY

TMS#: 006899-03-008

TAX YEAR: 2004

OWNER: COUNTY OF LEXINGTON

ADDRESS: 212 SOUTH LAKE DR

LEXINGTON, SC 29072

PROPERTY ADDRESS: 3331 CHARLESTON HWY

LEGAL DESCRIPTION: TRACT A

DEED BOOK & PAGE: 4257-113

PLAT: 244-181-A

LAND USE: 9500:COUNTY

TAX DISTRICT: 2

NON TAXABLE 95-NON-TAXABLE COUNTY

TMS#: 005300-01-012

TAX YEAR: 2004

OWNER: LEXINGTON COUNTY

**ADDRESS: 212 S LAKE DRIVE
LEXINGTON, SC 29072**

PROPERTY ADDRESS: BALL PARK ROAD

LEGAL DESCRIPTION: BOTH SIDES HWY 1173, 1 MI S HWY 1

DEED BOOK & PAGE: 007T-0423

PLAT: 71G-144

LAND USE: 9500:COUNTY

TAX DISTRICT: 1

NON TAXABLE 95-NON-TAXABLE COUNTY

TMS#: 008800-01-017

TAX YEAR: 2004

OWNER: LEXINGTON COUNTY

**ADDRESS: 212 S LAKE DR
LEXINGTON, SC 29072**

**PROPERTY ADDRESS: .3 MI S OF SRR, 1.4 MI E OF
LEGAL DESCRIPTION: NONE**

EDMUND LANDFILL

DEED BOOK & PAGE: 716-123

PLAT: 201G-109

LAND USE: 9500:COUNTY

TAX DISTRICT: 2

NON TAXABLE 95-NON-TAXABLE COUNTY

(The above information was obtained from Lexington County's GIS Internet Property, Mapping and Data Services)

ORIGINAL

STATE OF SOUTH CAROLINA)

COUNTY OF LEXINGTON)

ADDENDUM TO LEASE

WHEREAS, the South Carolina Electric & Gas Company ("Lessor") and the County of Lexington ("Lessee") did on September 17, 1987, enter into a lease on lands located on the east side of Old Bush River Road, and

WHEREAS, the Lessee now desires to again expand the area of said leased premises to include an additional proposed concrete pad approximately 34 feet in width and 78.5 feet in length situated at the southeast corner of said property, the approximate location of which is shown on the attached sketch designated Exhibit A, and

WHEREAS, Lessor desires to further define the terms of the above lease.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the following amendments shall be made to the above lease:

1. The area of the leased premises shall be expanded to include the additional pad space as described above, and
2. Vegetative screening must be maintained by Lessee.
3. The leased premises shall be used only for a Convenience Center for waste disposal. Any other use may result in the immediate termination of the lease upon written notice from Lessor to Lessee, and
4. Said Convenience Center must be either manned or the gates locked 24 hours a day, 7 days a week.

In all other respects, the Lease shall remain the same.

IN WITNESS WHEREOF, Lessor and Lessee have executed or caused
to be executed this lease on the 30th day of October, 1992.

WITNESS:

Van B. Hoffman
Mary R. [Signature]

William A. [Signature]
Paul B. [Signature]

SOUTH CAROLINA ELECTRIC &
GAS COMPANY

By: [Signature]
Alberto G. Alvarez
Its: General Manager - Facilities,
Land and Environmental Services

COUNTY OF LEXINGTON

By: [Signature]
Its: COUNTY ADMINISTRATOR

ROUTING & REQUEST

Please...

- Read
- Handle
- Approve

And...

- Forward
- Return
- Keep or Toss
- Review with Me

To: DONNA GLENN

755-3833

From: Brenda

Date: 11-9-95

Collection Station Recycling Commodities and Vendor Information

Collection Station Recycling

Recycling Commodities Collected in Collection Sites	Vendor Information
Aluminum, Cans	Wise Aluminum-Charlotte, North Carolina
Aluminum, Scrap	Columbia Wire-Columbia, South Carolina
Batteries, Lead Acid	Rodgers Batteries-Lexington, South Carolina
Batteries, Rechargeable	RBRC, Ellwood City Pennsylvania
Cardboard	PaperStock Dealers-Columbia, South Carolina
Foam Rubber	David Watkins-Lexington, South Carolina
Glass Bottles/Jars	Strategic Materials Inc, Atlanta, Georgia
Magazines	PaperStock Dealers-Columbia, South Carolina
Metal, Scrap	CMC-Lexington, South Carolina
Newspaper	PaperStock Dealers-Columbia, South Carolina
Nursery Containers	Jan Knight-Lexington, South Carolina
Office Paper	PaperStock Dealers-Columbia, South Carolina
Plastic, Bottles	PaperStock Dealers-Columbia, South Carolina
Textiles	Goodwill Industries, Lexington, South Carolina
Used Motor Oil	Santee Cooper, Monks Corner, South Carolina
Used Motor Oil Bottles	Plastic Revolutions-Reedsville, North Carolina
Used Motor Oil Filters	CMC-Lexington-South Carolina
Waste Tires	US Tire, Concord, North Carolina

Residential Curbside Recycling

Aluminum, Cans Cardboard Glass, Bottles & Jars Metal, Cans Newspaper Plastic Bottles	PaperStock Dealers, Columbia, South Carolina
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ARTICLE IV. OUTDOOR BURNING**Sec. 30-106. Penalty for violation of article.**

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and shall be subject to a fine or imprisonment in accordance with section 1-8.

(Ord. No. 94-3, § 12(a), 5-23-94)

Sec. 30-107. Compliance with article provisions.

No person shall kindle or maintain any open burning or authorize any such fire to be kindled or maintained within the unincorporated areas of the county, except as stated in this article.

(Ord. No. 94-3, § 1, 5-23-94)

Sec. 30-108. Location.

The burning must be located not less than 50 feet from any structure and not less than 50 feet from the property line and adequate provision is made to prevent the fire from spreading within 50 feet of any structure. Notwithstanding the above, if the fire is contained in an approved waste burner, it must be located not less than 15 feet from any structure.

(Ord. No. 94-3, § 2, 5-23-94; Ord. No. 98-11, 12-8-98)

Sec. 30-109. Attendant and fire extinguishing equipment required; notice to state forester; adherence to state law.

The burning must be constantly attended by a competent person until such fire is extinguished. Such person shall have a garden hose connected to a water supply, or other fire extinguishing equipment readily available for use. Proper notification shall be given to the state forester or his duly authorized representative or other persons designated by the state forester. The notice shall contain all information required by the state forester or his representative. The burning must be conducted in accordance with related state laws and regulations including, but not limited to, DHEC Air Quality Regulations 61-62.2 and 61-62.4 and S.C. Code 1976, § 48-35-10 et seq.

(Ord. No. 94-3, § 3, 5-23-94)

Sec. 30-110. Prohibited during hazardous conditions.

The county fire service coordinator may prohibit open burning when atmospheric conditions, local circumstances or other conditions exist that would make such fires hazardous.

(Ord. No. 94-3, § 4, 5-23-94)

Sec. 30-111. Criteria for determining hazards.

Reasonable criteria shall be established by the county council to assist in determining when outdoor fires may be hazardous. This criteria may include air quality standards as well as various fire danger indexes.

(Ord. No. 94-3, § 5, 5-23-94)

Sec. 30-112. Prohibited on county roads, drainage rights-of-way and adjacent areas.

Open burning shall be prohibited on all county roads and drainage rights-of-way, or within an area that may cause damage to such areas.

(Ord. No. 94-3, § 6, 5-23-94)

Sec. 30-113. Exemptions.

(a) This article does not apply to vegetative debris burning related to forestry, wildlife and agricultural burns, as authorized by the state forestry commission.

(b) This article is not meant to restrict open burning in the connection with the preparation of food for immediate consumption, or campfires and fires used solely for recreational purposes, ceremonial occasions or human warmth that are done in a safe manner.

(c) This article does not apply to the burning of debris on site by a licensed contractor during new construction of a home or other building.

(Ord No. 94-3, §§ 7, 8, 5-23-94, Ord. No. 98-11, 12-8-98)

Sec. 30-114. Restrictions; exceptions.

Smoke production must be substantially ended and no combustible material may be added to the fire between official sunset of one day and official sunrise of the following day with the exception of fires in the connection with the preparation of food for immediate consumption, or campfires and fires used solely for recreational purposes, ceremonial occasions, or human warmth and fires where time parameters are already regulated by the Department of Environmental Control Regulation 61-62 2.

(Ord. No. 94-3, § 9, 5-23-94)

Sec. 30-115. Hazardous or toxic materials.

Hazardous or toxic materials shall not be burned.

(Ord No. 94-3, § 10, 5-23-94)

Sec. 30-116. Civil and criminal liability.

The authorization to conduct an open burn does not relieve the individual responsible from civil or criminal liabilities resulting from the burning.

(Ord. No. 94-3, § 11, 5-23-94)

Sec. 30-117. Conflicts of article with state law.

If any conflict arises between the provisions of this article and any state law, the provisions of state law shall prevail and be controlling.

(Ord. No. 94-3, § 12, 5-23-94)



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(Unannotated)

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(Use of stop words in a search will not produce desired results.)

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Fireworks found 86 times.

Legislative Printing, Information and Technology Systems

Code of Laws of South Carolina

(Unannotated)

Current through December 2004



TITLE 23. LAW ENFORCEMENT AND PUBLIC SAFETY

CHAPTER 35. FIREWORKS AND EXPLOSIVES

SECTION 23-35-10. Sale, storage, transportation or use of impermissible fireworks; enumeration of permissible fireworks. [SC ST SEC 23-35-10]

It shall be unlawful for persons to possess, sell, offer for sale, store, transport or use within this State any fireworks other than the permissible fireworks herein enumerated. The permissible fireworks of ICC Class C, "Common Fireworks" only, and shall mean such articles of fireworks as are defined as ICC Class C, "Common Fireworks" in the regulations of the Interstate Commerce Commission for the transportation of explosives and other dangerous articles, and shall include the following:

- (1) Roman candles whose total pyrotechnic composition shall not exceed twenty grams each in weight
- (2) Bottle type rockets whose motor is a minimum one-half of an inch in diameter and a minimum three inches in length, whose stabilizing stick is a minimum fifteen inches in length, and whose total pyrotechnic composition shall not exceed twenty grams each in weight; however, all bottle type rockets smaller than provided for in

not exceed twenty grains each in weight, however, all bottle type rockets smaller than provided for may be stored by licensed wholesale distributors for out-of-state distribution only;

(3) Cylindrical fountains whose total pyrotechnic composition shall not exceed seventy-five grams each and whose inside diameter shall not exceed three-fourths inch;

(4) Cone fountains whose total pyrotechnic composition shall not exceed fifty grams each in weight;

(5) Wheels whose total pyrotechnic composition shall not exceed sixty grams in weight, for each drive there may be any number of drivers on any one wheel and the inside bore of driver tubes shall not be less than one-eighth inch;

(6) Illumination torches and colored fire in any form whose total pyrotechnic composition shall not exceed one hundred grams each in weight;

(7) Sparklers whose total pyrotechnic composition shall not exceed one hundred grams each in weight;

(8) Firecrackers and salutes with casings, the external dimensions of which do not exceed one and one-quarter inch in length and one-quarter inch in diameter, and other items designed to produce an audible effect, total composition not to exceed two grains each in weight; and

(9) Items composed of a combination of two or more articles or devices of the above enumerated articles.

No component of any device listed in this section which is designed to produce an audible effect shall have a pyrotechnic composition in excess of two grains in weight excluding propelling or expelling charges. A pyrotechnic composition containing any chlorate or perchlorate shall not exceed five grains. All other fireworks enumerated in this section are declared contraband, except as herein provided.

SECTION 23-35-20. Permissible fireworks shall be properly identified. [SC ST SEC 23-35-20]

No permissible articles of common fireworks enumerated in § 23-35-10 shall be sold, offered for sale, possessed, stored or used in the State unless they shall be properly named to conform to the nomenclature of § 23-35-10 and unless they are certified as "Common Fireworks" on all shipping cases and by printing thereon in letters of sufficient size and so positioned as to be readily recognized by law enforcement authorities and the public.

SECTION 23-35-30. "Fireworks" shall not include toy pistols or similar devices. [SC ST SEC 23-35-30]

The term "fireworks" shall not include toy paper pistol caps which contain less than twenty-five grains of explosive compounds, toy pistols, toy canes, toy guns or other devices using paper caps and the use of these items shall be permitted at all times.

SECTION 23-35-40. Exceptions to application of chapter. [SC ST SEC 23-35-40]

Nothing in this chapter shall apply:

(1) To the shipping, sale, possession and use of fireworks for public displays, and such items of fireworks which are to be used for public display only and which are otherwise prohibited for sale and use within the State shall include display shells designed to be fired from mortars and display set pieces of fireworks according to the regulations of the Interstate Commerce Commission as "Class B Special Fireworks," and shall include such items of commercial fireworks as cherry bombs, tubular salutes, repeating bombs, aerial bomb torpedoes;

- (2) To the manufacture, storage, sale or use of signals necessary for the safe operation of railroads or private transportation;
- (3) To illuminating devices for photographic use;
- (4) To the military or naval forces of the State or United States;
- (5) To peace officers; and
- (6) To the sale or use of blank cartridges for ceremonial, theatrical or athletic events.

SECTION 23-35-45. Use of pyrotechnic materials indoors; regulation. [SC ST SEC 23-35-45]

Nothing in this chapter or in any other provision of law prohibits the use of pyrotechnic materials inside enclosed entertainment or assembly area before proximate audiences when the indoor pyrotechnics are in accordance with Standard 1126 of the National Fire Protection Association entitled "Standard for the Use of Pyrotechnics Before a Proximate Audience", 1992 edition. The State Fire Marshal Division of the Department of Labor, Licensing, and Regulation is designated as the agency responsible for implementing, administering and enforcing the provisions of this section, including the promulgation of necessary regulations. The State Fire Marshal Division also may establish fees which may be charged on a per performance or other basis to cover the cost of enforcing the provisions of this section, such fees to be the responsibility of the owner or operator of the establishment where the indoor pyrotechnics shall be used.

SECTION 23-35-50. Exception for storage and sale of agricultural and display fireworks by licensed distributor. [SC ST SEC 23-35-50]

(A) Nothing in this chapter prohibits a licensed wholesale distributor from storing for sale where legal fireworks used for display or agricultural purposes after first obtaining a license for that purpose from the State Board of Pyrotechnic Safety. The cost of the license is seven hundred fifty dollars.

(B) Agricultural and display fireworks must be stored in an appropriate building and a record of purchases must be kept for inspection by the State Board of Pyrotechnic Safety.

(C) If Class "B" fireworks used for display or agricultural purposes are returned to the wholesaler for any reason, the unused fireworks must be returned in the same manner they were sold, issued, or stored, including any protective device attached to the fuse or fuses.

SECTION 23-35-60. Permits and other requirements for fireworks displays; penalty for violation. [SC ST SEC 23-35-60]

Any person who desires to hold a fireworks display shall first obtain a permit from the governing municipality or county where such display is to take place, in triplicate. The manufacturer or wholesaler of the fireworks display material shall retain one copy of the permit and the person putting on the display shall retain one copy. One copy shall be forwarded to the State Fire Marshal's office.

All fireworks display materials shall be purchased through a manufacturer or wholesaler licensed in South Carolina who will supply insurance protection for any accidents that might take place during the display, in addition to the otherwise provided for in this chapter.

Any display requiring shells to be fired from mortars or set pieces more than sixteen feet high shall be subject to the provisions of this section.

type A and, when such display is used, an experienced fireworks operator shall be in charge for protection of spectators. Any display commonly called a local or family display, which includes no un and no shells larger than regular 100 aerial or set pieces larger than ten feet, may be fired by persons p display who shall assume responsibility for insurance.

No commercial fireworks item such as "Cherry Bombs," T-N-T, M-80's or other domestic items o fireworks of a similar type shall be considered as display fireworks.

Any person who violates the provisions of this section shall be deemed guilty of a misdemeanor and, u conviction, shall be fined not more than one thousand dollars or imprisoned for not more than thirty d

SECTION 23-35-70. Wholesale distributor's and jobber's licenses; retailer's license or permit. [SC ST 70]

(1) Each wholesale distributor of fireworks in this State is required to purchase an annual license i Board of Pyrotechnic Safety at a cost of one thousand dollars which is subject to regulations of the Sta Marshal's office governing storage of fireworks. A "wholesale distributor" is defined as a person c fireworks to licensed jobbers or licensed retailers.

(2) Each jobber selling fireworks in this State is required to purchase an annual license from the S Pyrotechnic Safety at a cost of four hundred dollars which is subject to regulations of the State Fire M governing storage of fireworks. A "jobber" is defined as a person or firm selling fireworks to retailers.

(3) Each retailer is required to procure an annual license or permit at a cost of fifty dollars which shall licensee to sell permissible fireworks. The license or permit must be obtained from the municipal comparable municipal official, for retail sales within a municipality, after approval of the applicant an business by the municipal fire chief serving such municipality; or, from the county clerk of court for re the county outside a municipality after approval of the applicant and his place of business by the count permit may be issued to an applicant until the premises where the fireworks are to be kept for the sale have been inspected and it is determined that the building and the facilities within the building me standards for the storage and sale of permissible fireworks. The issuance of the permit is subject to promulgated by the State Board of Pyrotechnic Safety governing the storage, safekeeping, and sale of fireworks. No person or firm may be issued a retail license who is not already licensed by the Stat of Revenue for sales tax purposes and who has not held the sales tax license for at least sixty days. Per retailers must be prominently displayed. No permit provided for herein may be transferred nor shall a] permitted to operate under a permit issued to any other person.

(4) The respective licenses and permits must be issued on the form or forms as the State Board of Pyrc Safety may determine.

All funds derived from the sale of permits as prescribed in item (3) must be retained by the county or r collecting the funds.

SECTION 23-35-80. Sales to and purchases from unlicensed persons prohibited; records shall be kep ST SEC 23-35-80]

No wholesaler is allowed to sell fireworks to any nonlicensed jobber or retailer, and the records of licensed jobbers, and wholesalers must be open for inspection by authorized officials to check sales or Retailers may purchase fireworks only from a manufacturer, jobber, or wholesaler licensed to do l this State. Licensed jobbers may purchase fireworks only from a manufacturer or wholesaler licen business in this State.

SECTION 23-35-90. Manner in which **fireworks** shall be stored by wholesalers. [SC ST SEC 23-

Fireworks to be sold at wholesale shall be stored in a room set aside for the storage of **firework**. Over the entrance to this room shall be posted a sign reading, "**FIREWORKS** - NO SMOKING - FLAMES AWAY."

SECTION 23-35-100. Manner in which **fireworks** shall be stored and displayed by retailers. [SC 35-100]

All retailers shall store permissible **fireworks** in the original unbroken containers in which such **fireworks** were shipped and received. Any such **fireworks** that are displayed or offered in bulk outside such containers shall be displayed in accordance with rules and regulations promulgated and adopted by the Marshal. No **fireworks** shall be displayed in windows or where the sun may shine through glass or **fireworks**. At all places where **fireworks** are stored or sold, the area used by the patrons shall be unobstructed, with clear access to an outside door. Such areas where **fireworks** are stored must have signs containing the words "**Fireworks** for Sale - No Smoking Allowed" in letters not less than four feet high. No person under the age of eighteen years shall be employed as a salesman or handler of **firework**

SECTION 23-35-110. **Fireworks** shall not be kept for sale near certain flammable substances. [SC 23-35-110]

Fireworks shall not be sold or kept for sale in a place of business where paint, oils, varnishes, turpentine, gasoline or other flammable substances are kept in unbroken containers, unless in a separate and distinct department of the store.

SECTION 23-35-120. Sale of **fireworks** to minors and discharge of **fireworks** in certain circumstances shall be unlawful. [SC ST SEC 23-35-120]

It shall be unlawful:

- (1) To offer for sale or to sell permissible **fireworks** to children under the age of fourteen years unless accompanied by a parent;
- (2) To explode or ignite **fireworks** within six hundred feet of any church, hospital, asylum or public building;
- (3) To explode or ignite **fireworks** within seventy-five feet of where **fireworks** are stored, sold or offered for sale;
- (4) To ignite or discharge any permissible **fireworks** within or throw the same from any motor vehicle;
- (5) To place or throw any ignited **fireworks** into or at any motor vehicle.

SECTION 23-35-130. Manufacture, storage, transportation or possession of certain **fireworks** and assembly of public display material; penalty. [SC ST SEC 23-35-130]

(A) It is unlawful to manufacture, store, transport, or possess **fireworks** containing pyrotechnic compositions in excess of two grains, designed to produce a loud and piercing effect, including, but not limited to, **fireworks** commonly called 'ground salutes' or 'cherry bombs', M-80's, T-N-T salutes, and 'bulldog salutes'. A manufacturer shall obtain a permit to store or assemble materials for public **fireworks** displays. No manufacturer shall store or assemble public display material in the same building where legal **fireworks** are offered for sale to retailers.

(B) The provisions of this chapter do not prohibit continuous interstate commerce through this State in state of any item of **fireworks** permitted for shipment by the regulations of the Interstate Commerce Commission or the United States Department of Transportation, or their successors. It is unlawful to sell through this State or possess, sell, or use, under any circumstances, any article of **fireworks** that is transportation by regulations of the Interstate Commerce Commission, the United States Department of Transportation, or their successors.

(C) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, is fined not more than ten thousand dollars or imprisoned not more than two years, or both.

SECTION 23-35-140. Issuance of rules and regulations concerning permissible **fireworks**. [SC ST SEC 23-35-140]

Notwithstanding any other provisions of law, the Division of the State Fire Marshal shall issue rules and regulations regarding the storage, transportation, sale and use of permissible **fireworks** within this State. Such rules may prescribe, but shall not be limited to, quantity of **fireworks** that may be kept, the manner of transportation of **fireworks** within the State, the type of buildings or structures where such **fireworks** may be kept, the manner of storage of **fireworks** within such buildings or structures and such other matter necessary to protect lives and property. Violations of such regulations when duly promulgated shall be provided for in Section 23-35-150.

SECTION 23-35-150. Penalties. [SC ST SEC 23-35-150]

Any person violating any provisions of this chapter or regulations promulgated by the State Fire Marshal or the State Board of Pyrotechnic Safety, unless otherwise specifically provided in this chapter, is guilty of a misdemeanor and, upon conviction, must be punished:

- (1) for a first offense, by a fine of not more than two hundred dollars or imprisonment for not more than two years, or both;
- (2) for a second offense, by a fine of not less than five hundred dollars nor more than twenty-five hundred dollars or imprisonment for not less than sixty days, or both;
- (3) for a third offense, by a fine of not less than one thousand dollars or imprisonment of not less than one year nor more than one year, or both.

In addition to the above penalties, the license of any wholesaler, jobber, or retailer must be permanently suspended upon conviction for a third offense.

SECTION 23-35-160. Sale, possession, discharge or use of **fireworks** prohibited in certain counties. [SC ST SEC 23-35-160]

(1) In any county having a population of between two hundred five thousand and two hundred fifteen thousand according to the latest official United States census, the sale, possession, discharge or use of **fireworks**, sparklers and toy caps commonly used in toy cap pistols, is prohibited.

(2) Any person violating the provisions of this section shall be guilty of a misdemeanor and, upon conviction, is fined in an amount not to exceed one hundred dollars or imprisoned for a term not to exceed thirty days, or both.

SECTION 23-35-170. Manner in which powerful explosives shall be sold or delivered; reports; penalties. [SC ST SEC 23-35-170]

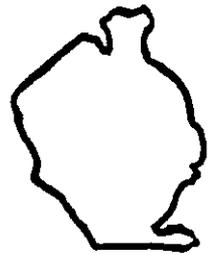
No person shall sell, deliver or dispose of dynamite or similar powerful explosives, except ordinary gunpowder, unless such person knows the purchaser or the person to receive such explosive and is satisfied that the explosive is not to be used for killing fish, and then only upon a written application from the person desiring to purchase for the purpose for which he desires to use such explosives. A person selling, delivering or disposing of such explosives shall keep a book in which shall be recorded the name of the purchaser or person to whom the explosive is delivered, the quantity sold or so delivered and the date of such sale or delivery. No sale shall be made to a person under the age of eighteen or a person who has been convicted of a felony. Such person selling or disposing of such explosives shall make sworn quarterly reports of such sales, the name of the purchaser, the amount sold and the date of sale to the county auditor of each county. The auditor of each county shall forward a copy of all reports to the South Carolina Law Enforcement Division. Any person who violates this section shall be guilty of a misdemeanor, punishable by fine not to exceed one hundred dollars or imprisonment not to exceed thirty days.



Legislative Printing, Information and Technology Systems



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

DATE: January 18, 2005

TO: Art Brooks, County Administrator

FROM: John Fecht, Public Works Director
Asst. County Administrator 

RE: SCDOT Recommendations – Match Program

Attached is a list of roads recommended by SCDOT that is in two (2) parts. Lexington SCDOT maintains state roads in Lexington County except for the Chapin area, which are maintained by Richland SCDOT. These roads are prioritized and have cost estimates. I have also included maps showing these roads and the associated council districts.

Since we initially discussed this with Council as a Committee of the Whole, I recommend we continue the discussion that way. As it stands now, we have a total of \$1,152,000 available for this year's match. This does not include any other type of qualifying projects (turn lanes, sidewalks, etc.), only resurfacing.

Prioritized SCDOT Recommendation for CTC Resurfacing - Lexington Office

CD	Pri	Road Number	Road Name	From	To	Length Miles	Width Feet	to Widen	Estimated Cost	Per Mile Cost
4	1	S-337	Parker St	Swartz Rd	SC 6	0.59	24	0	\$60,180	\$102,000
8	2	S-864	Hooksen Cir	Leaphart Rd.	Hooksen Cir	0.75	26	0	\$81,750	\$109,000
6	3	S-38	River Rd	SC 6	End State Mt	1.74	20	4	\$255,780	\$147,000
3	4	S-855	Bruton Smith Rd.	US 1	US 378	0.23	24	0	\$23,460	\$102,000
3	5	S-28	Hope Ferry Rd.	Midway Rd	US 378	0.57	20	4	\$83,790	\$147,000
3	6	S-874	Hope Ferry Rd	Midway Rd.	Corley Mill Rd.	1.92	20	4	\$282,240	\$147,000
2 / 5	7	S-278	Calks Ferry Rd.	Two Notch Rd.	Nazareth Ch. Rd.	3.3	22	4	\$514,800	\$156,000
7	8	S-1307	Broken Hill Rd.	Piney Grove Rd.	Pitney Rd	0.46	35	0	\$67,160	\$146,000
9	9	S-609	Julius Felder St	SC 2	North Eden Dr.	0.83	26	0	\$90,470	\$109,000
8	10	S-1854	Whippoorwill Dr	US 378	Goldfinch Ln.	0.55	26	0	\$59,950	\$109,000
3	11	S-392	Northwood Rd	US 378	Reed Ave	0.72	20	0	\$60,480	\$84,000
4	12	S-902	Glendale Rd.	Seay Dr	Dead End	0.3	24	0	\$30,600	\$102,000
9	13	S-32	Holland Ave	SC 2	Poplar St	0.75	32	0	\$102,000	\$136,000
2	14	S-1039	Freindship,Davis	SC 245	SC 245	0.29	20	0	\$24,360	\$84,000
6	15	S-1477	Regatta Rd	River Rd.	Dead End	1.2	20	4	\$176,400	\$147,000

Prioritized Chapin Area Roads Recommended by Richland Office

6	1	S 32-231	Dreher Island Rd.	Newberry Co	S 32-29	2.55	20	0	\$214,200	\$84,000
6	2	S 32-940	Murray Lindler Rd	S 32-83	Dead End	1.65	20	4	\$242,550	\$147,000
6	3	S 32-81	E. Boundary St.	S 32-83	S 32-48	1.59	20	0	\$133,560	\$84,000
6	4	S 32-1177	Old Bush River Rd	S 32-83	S 32-940	1.06	22	0	\$97,944	\$92,400
6	5	S 32-319	Dutchman Shores	S 32-949	Dead End	0.61	20	4	\$89,670	\$147,000
6	6	S 32-320	Dutchman Shores	S 32-949	S 32-1319	1.07	20	4	\$157,290	\$147,000
6	7	S 32-1881	Primrose Lane	S 32-83	US 76	0.91	22	4	\$97,944	\$156,000
6	8	S 32-1255	Lake Shore Dr.	S 32-940	Dead End	0.41	20	0	\$34,440	\$84,000

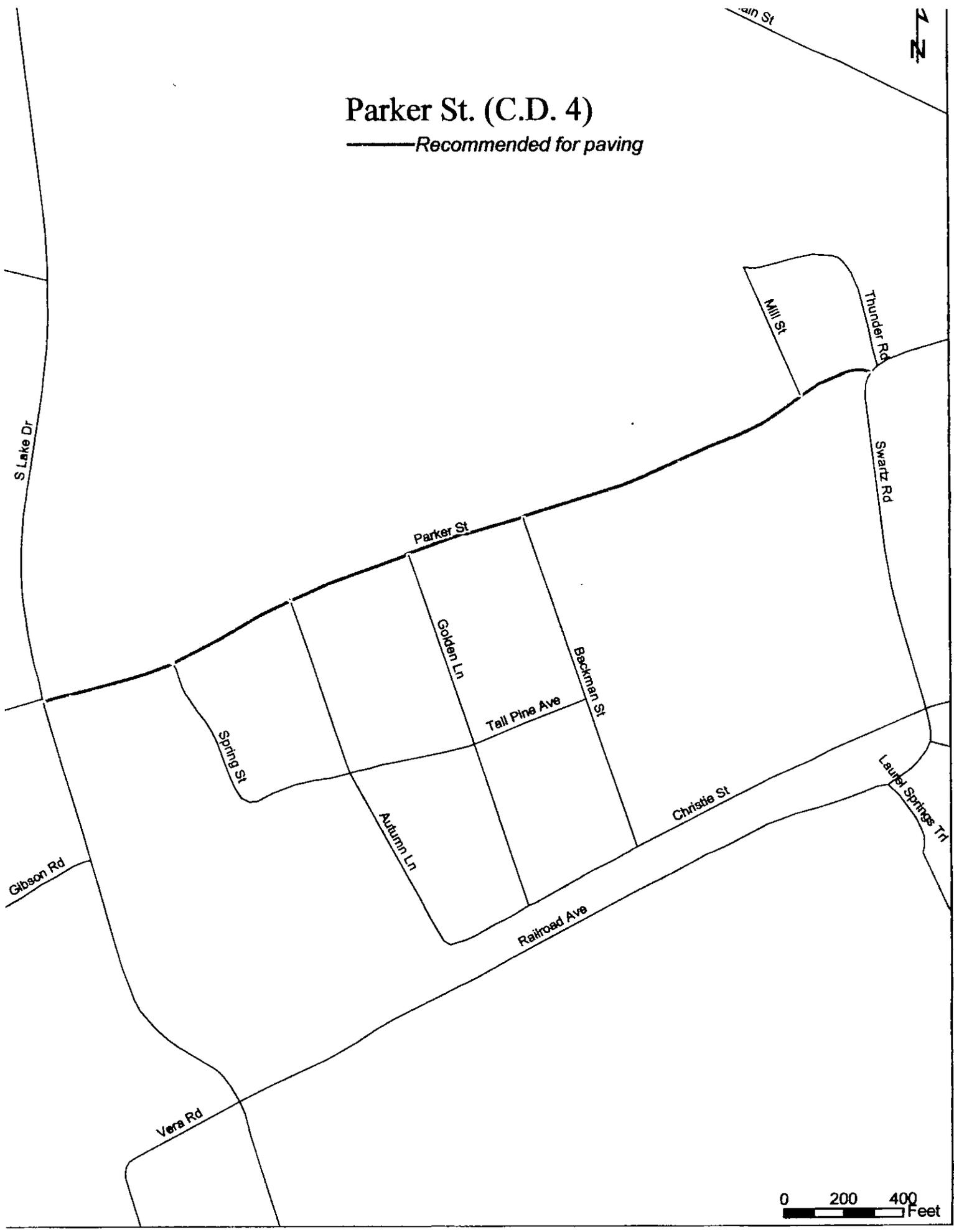
Total Miles 24.05 Total Cost \$2,981,018

Roads by Council District

2	14	S-1039	Freindship,Davis	SC 245	SC 245	0.29	20	0	\$24,360	\$84,000
3	4	S-855	Bruton Smith Rd	US 1	US 378	0.23	24	0	\$23,460	\$102,000
3	5	S-28	Hope Ferry Rd.	Midway Rd.	US 378	0.57	20	4	\$83,790	\$147,000
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4	1	S-337	Parker St.	Swartz Rd.	SC 6	0.59	24	0	\$60,180	\$102,000
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7	8	S-1307	Broken Hill Rd.	Piney Grove Rd	Pitney Rd	0.46	35	0	\$67,160	\$146,000
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8	10	S-1854	Whippoorwill Dr.	US 378	Goldfinch Ln	0.55	26	0	\$59,950	\$109,000
9	9	S-609	Julius Felder St	SC 2	North Eden Dr.	0.83	26	0	\$90,470	\$109,000
9	13	S-32	Holland Ave.	SC 2	Poplar St	0.75	32	0	\$102,000	\$136,000
2 / 5	7	S-278	Calks Ferry Rd.	Two Notch Rd.	Nazareth Ch. Rd.	3.3	22	4	\$514,800	\$156,000
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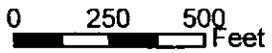
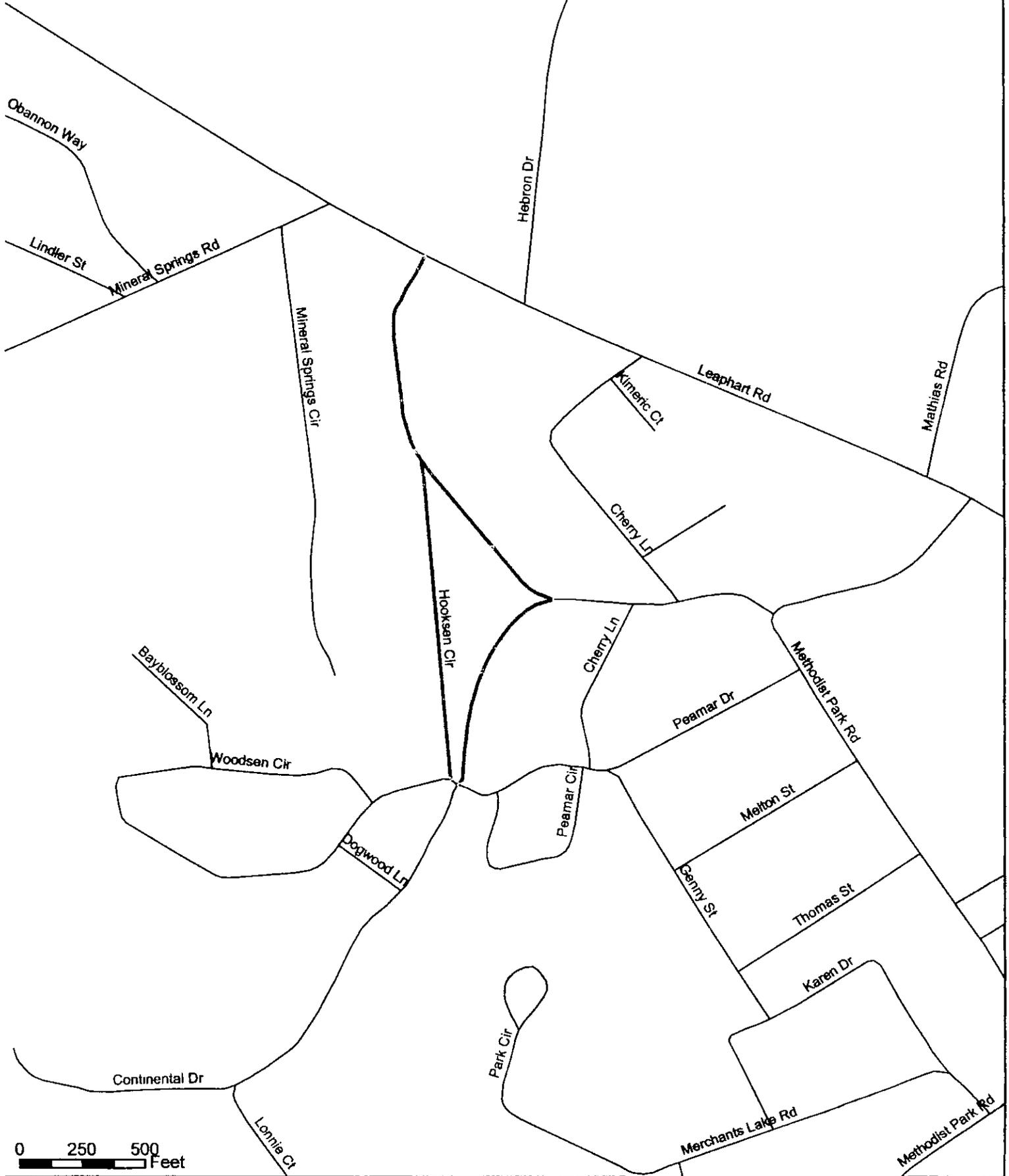
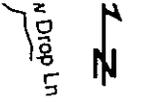
Parker St. (C.D. 4)

— Recommended for paving



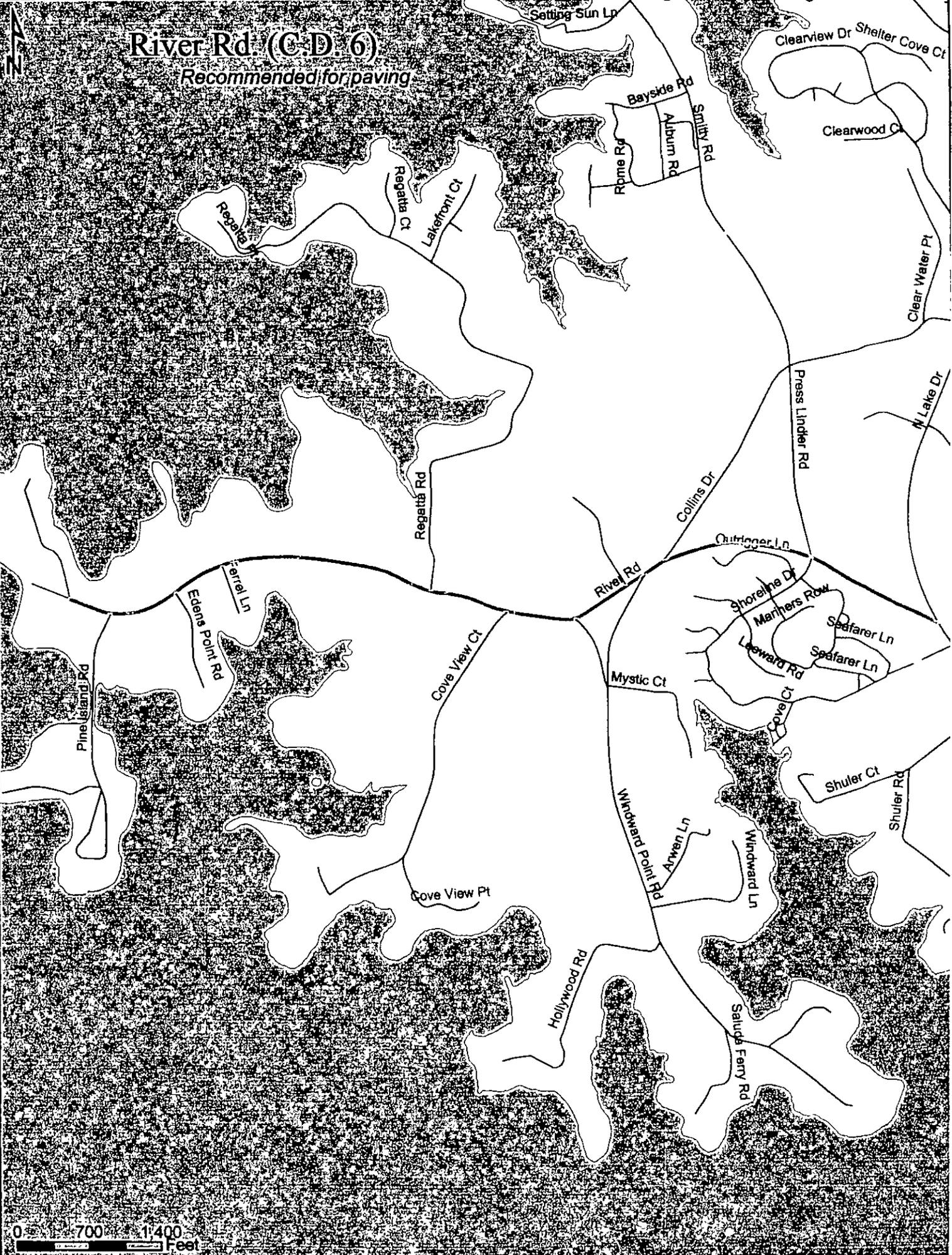
Hooksen Cir. (C.D. 8)

— Recommended for paving



River Rd. (C.D. 6)

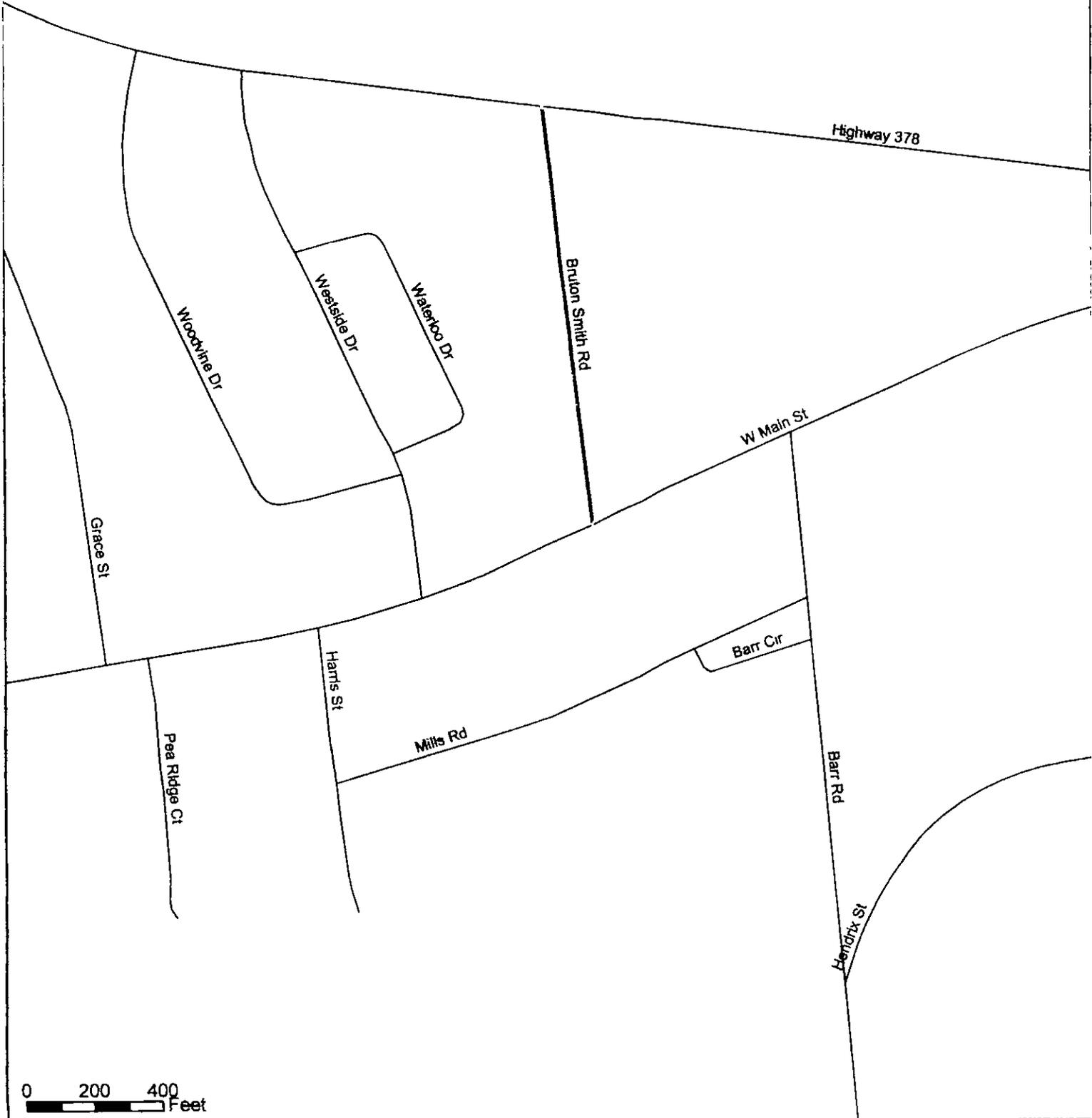
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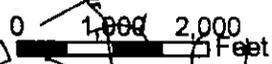
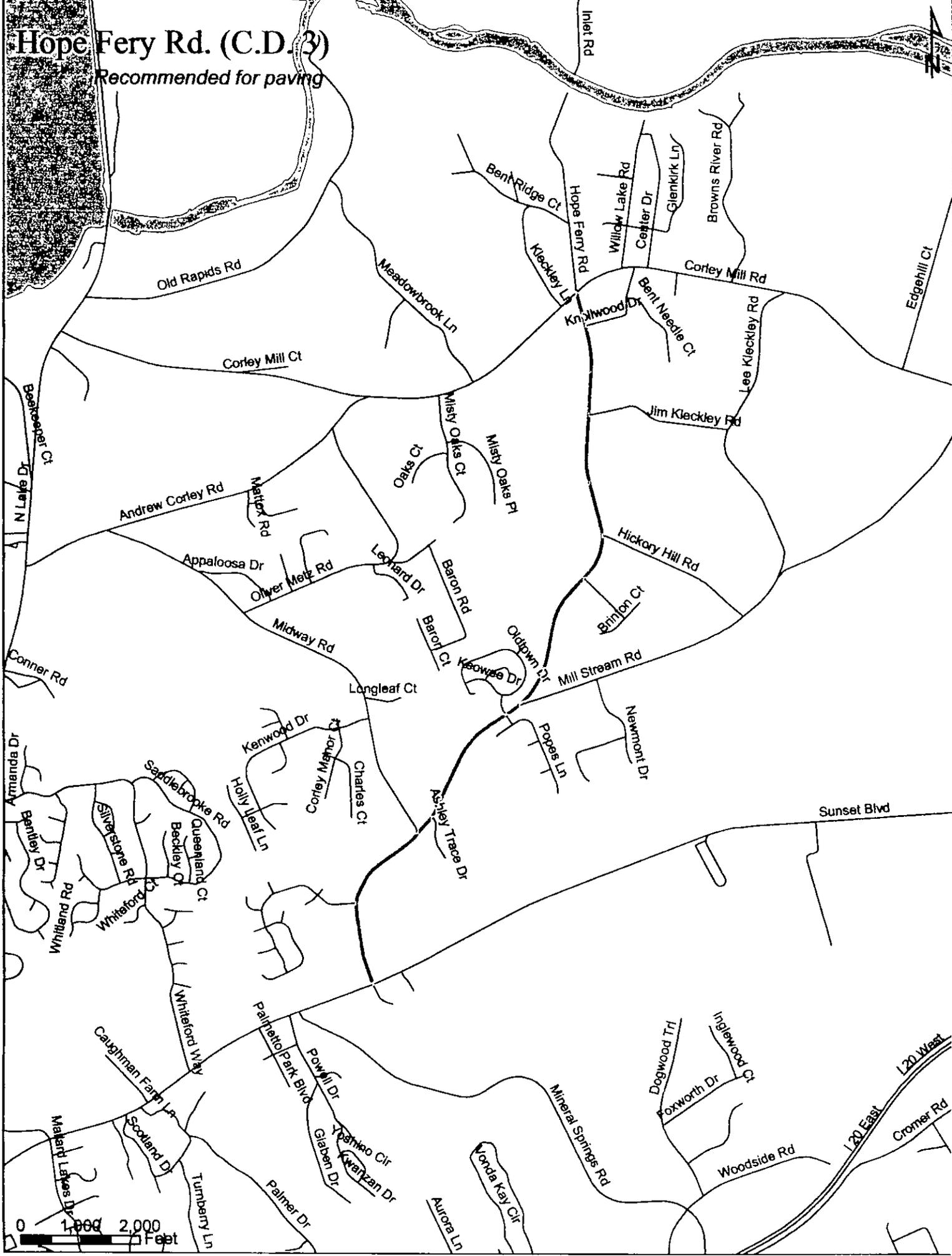
Bruton Smith Rd. (C.D. 3)

— Recommended for paving



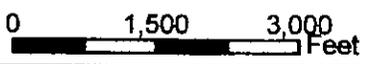
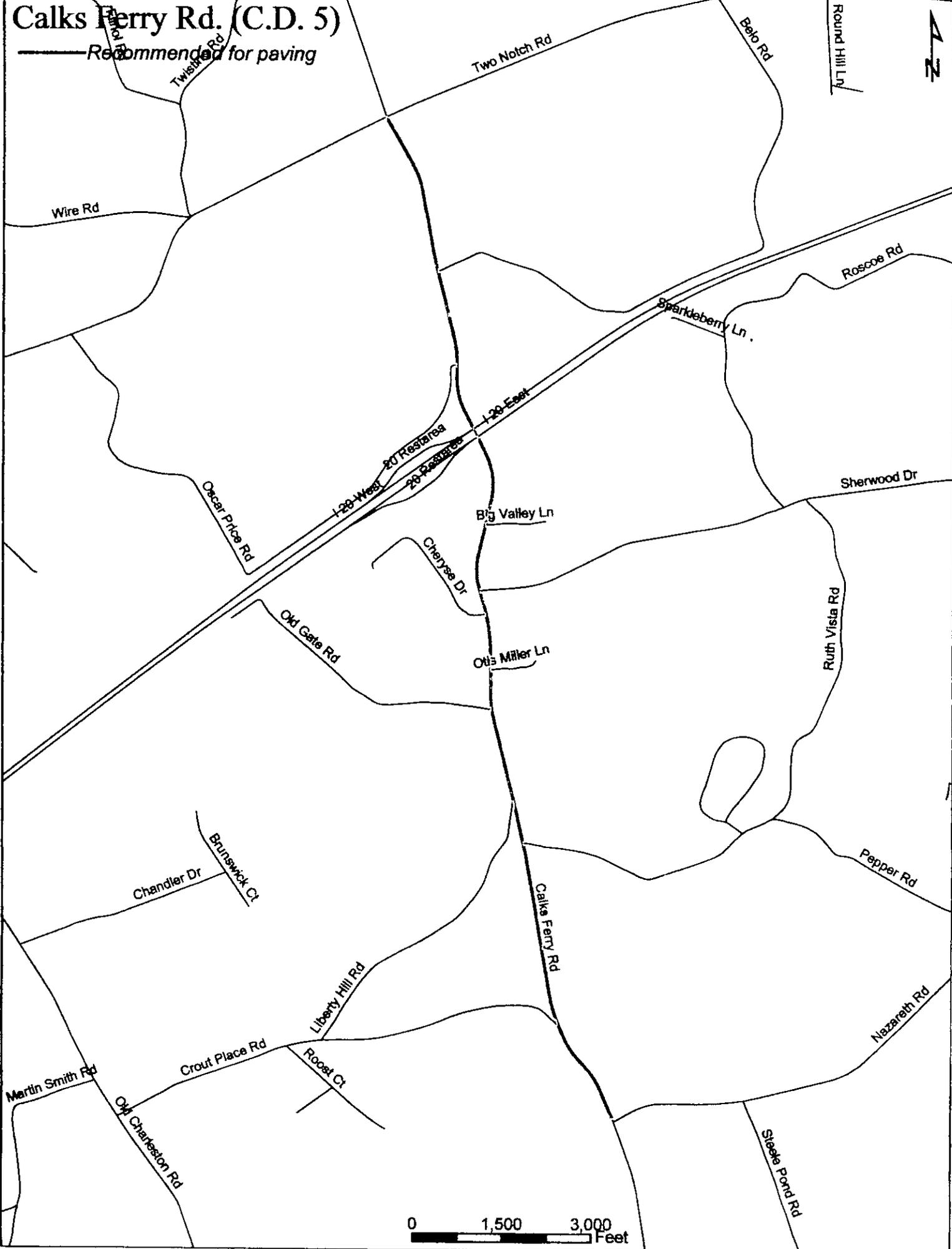
Hope Ferry Rd. (C.D. 3)

Recommended for paving



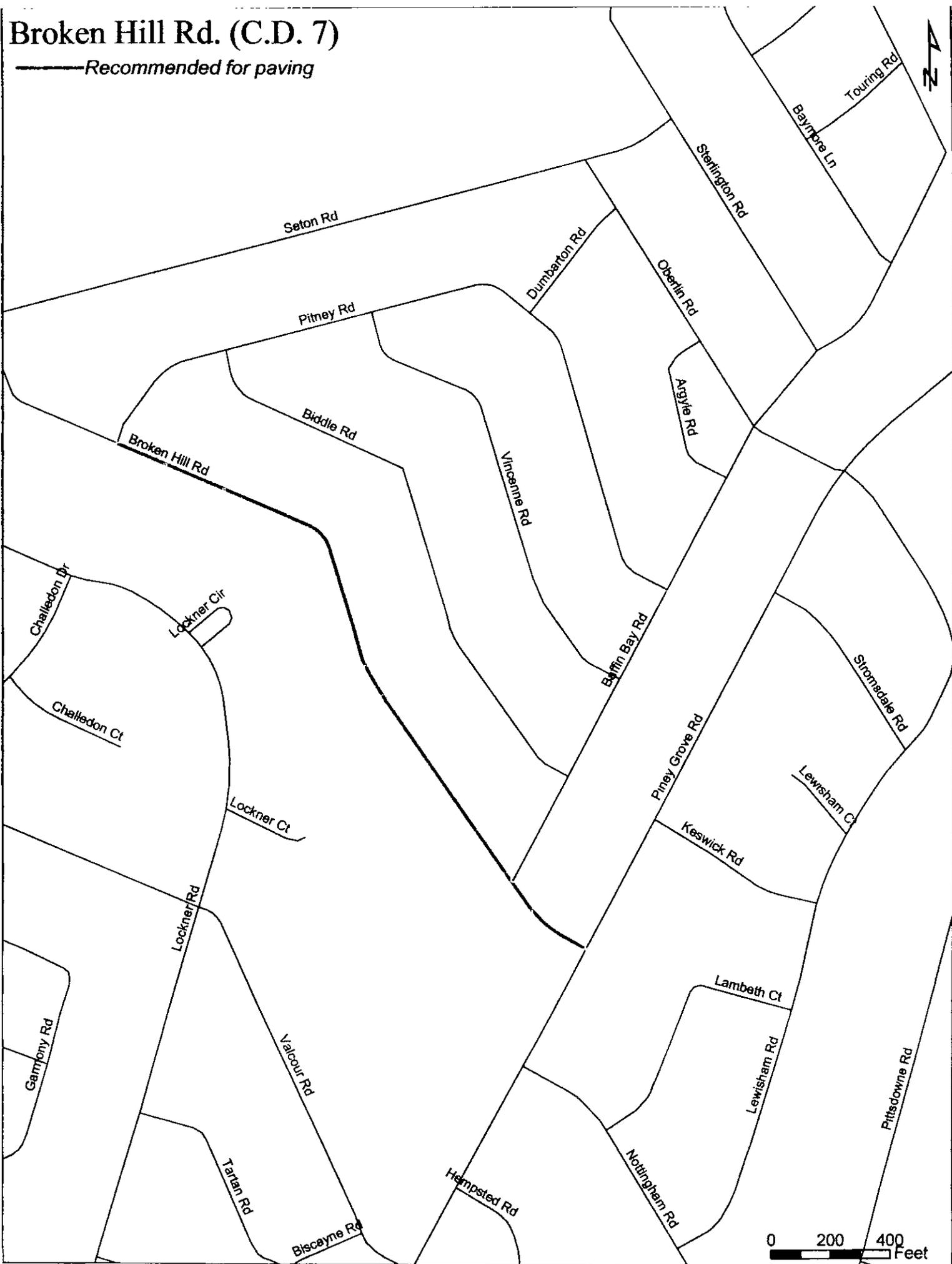
Calks Ferry Rd. (C.D. 5)

— Recommended for paving



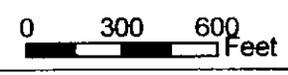
Broken Hill Rd. (C.D. 7)

— Recommended for paving



Julius Felder St. (C.D. 9)

— Recommended for paving



Whippoorwill Dr. (C.D. 8)

Recommended for paving



0 250 500 Feet



Glendale Rd. (C.D. 4)

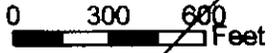
— Recommended for paving



0 200 400 Feet

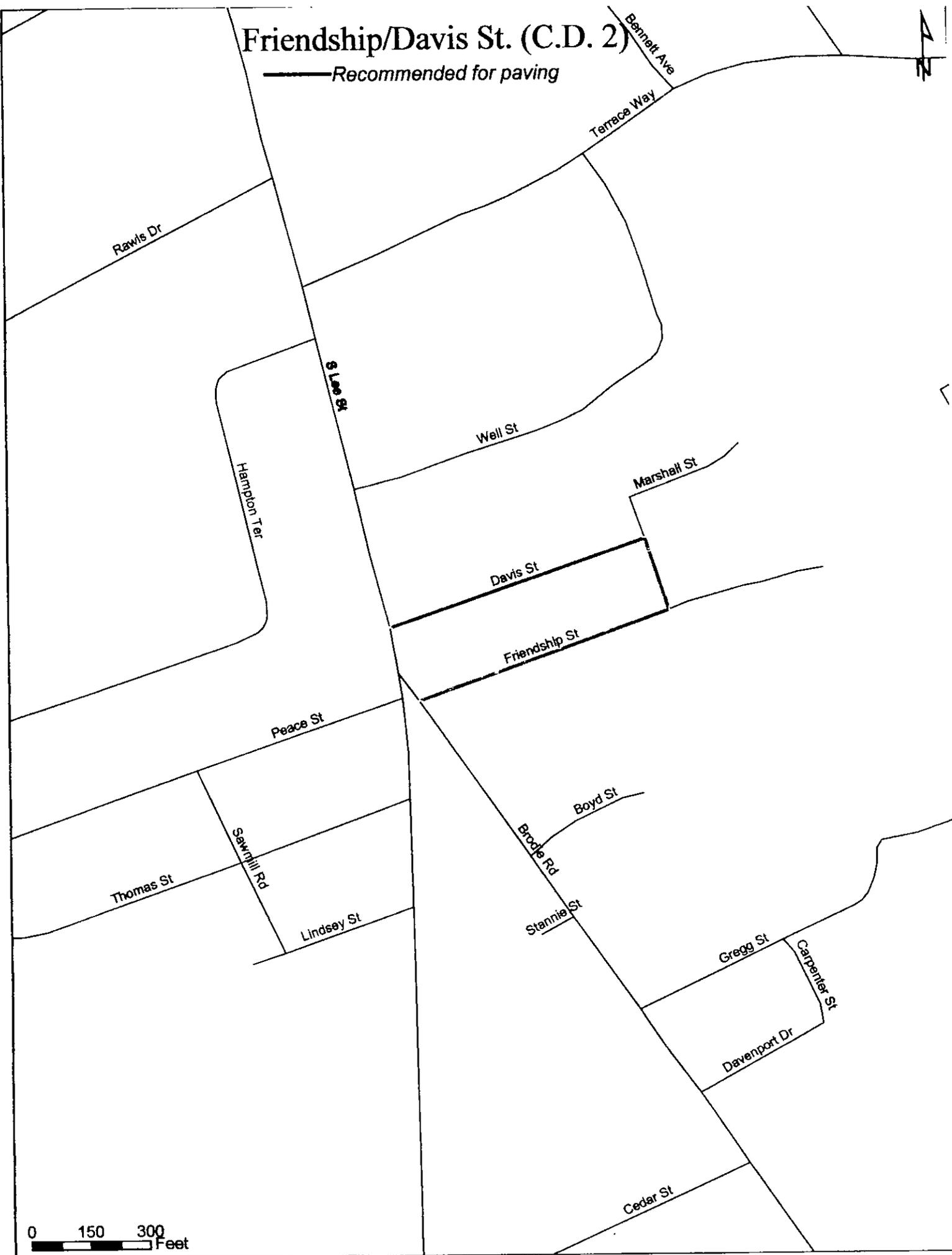
Holland Ave. (C.D. 9)

Recommended for paving



Friendship/Davis St. (C.D. 2)

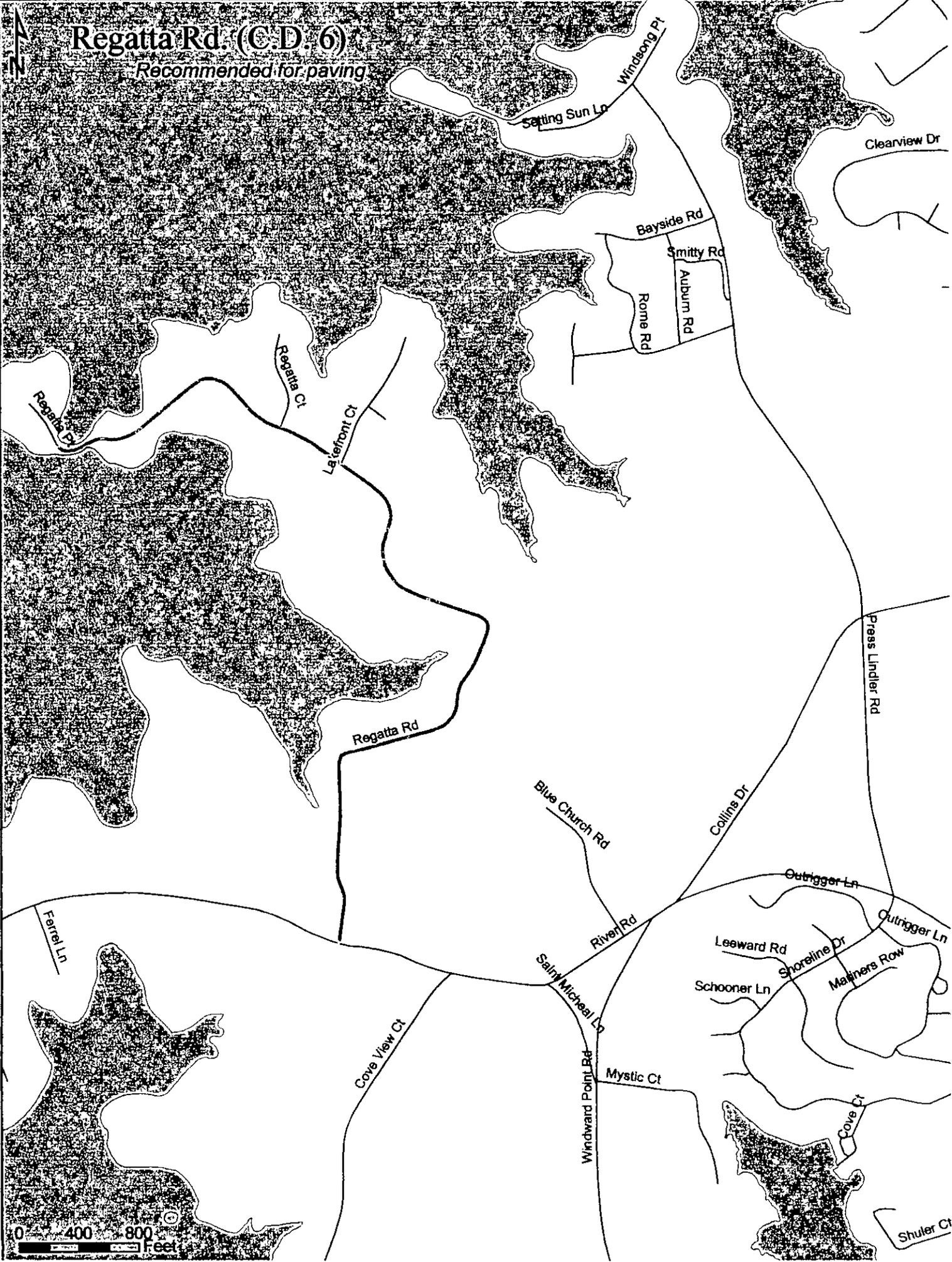
— Recommended for paving



0 150 300 Feet

Regatta Rd. (C.D. 6)

Recommended for paving

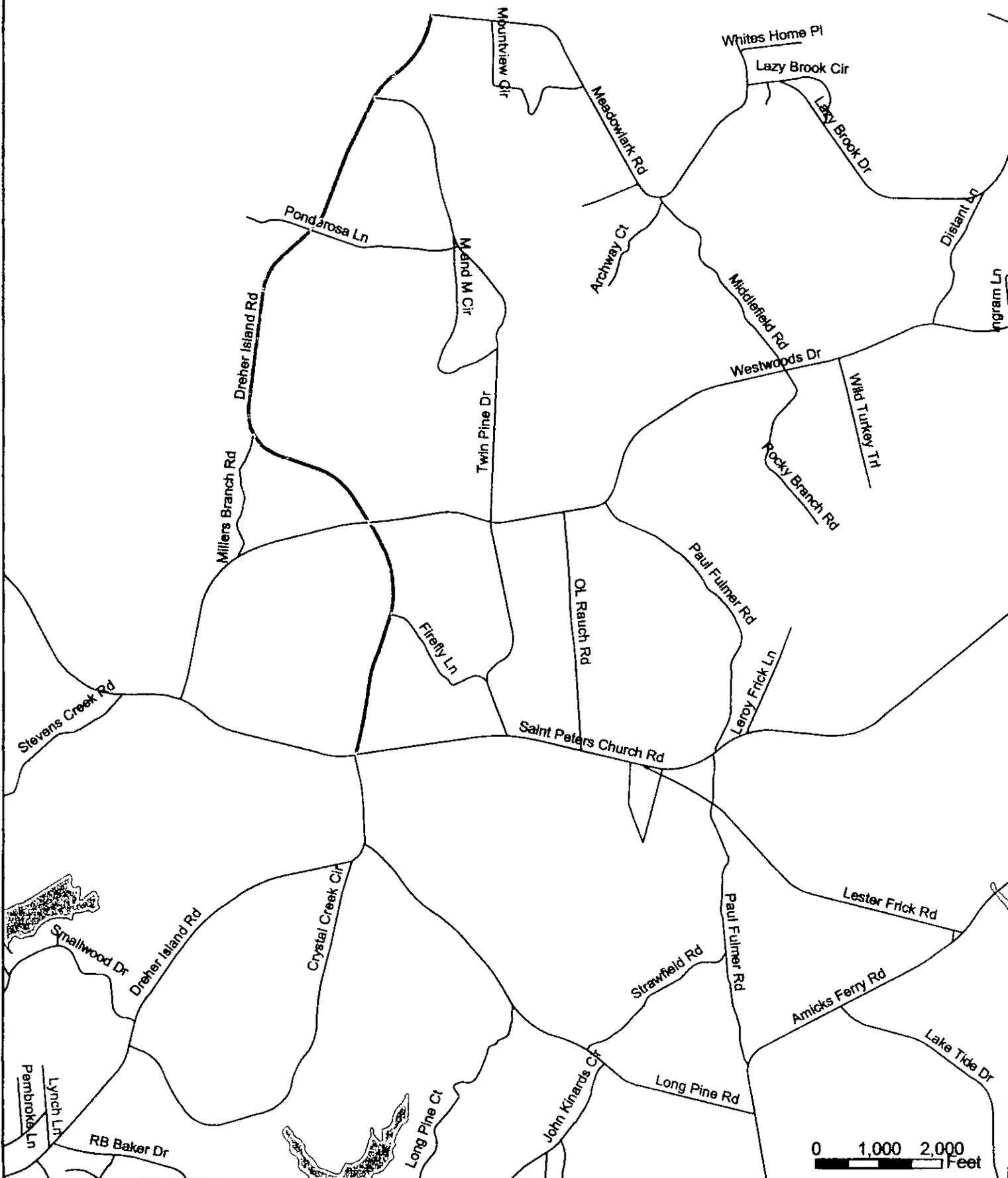


0 400 800 Feet

Dreher Island Rd. (C.D. 6)

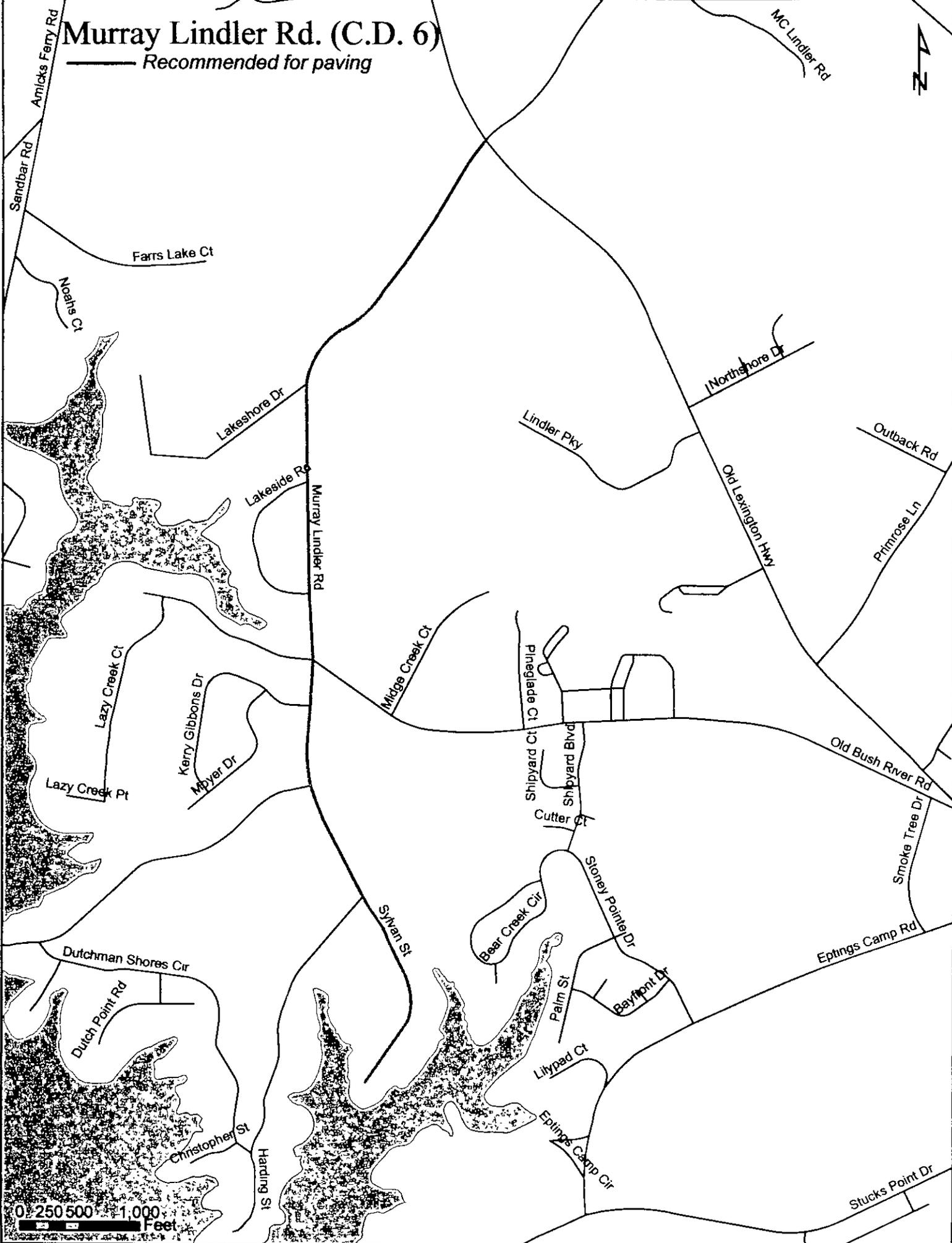
— Recommended for paving

NEWBERRY CO.



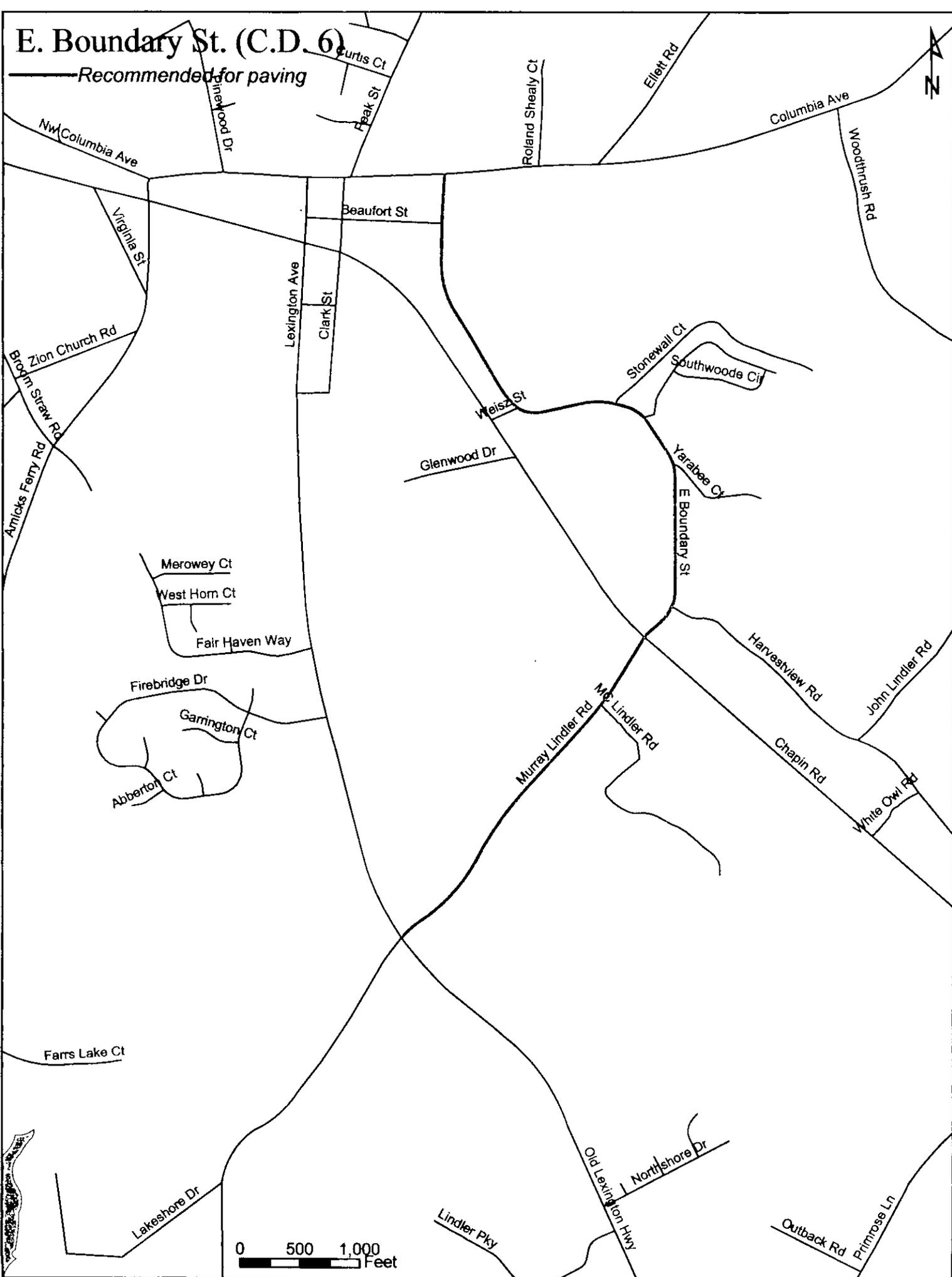
Murray Lindler Rd. (C.D. 6)

— Recommended for paving



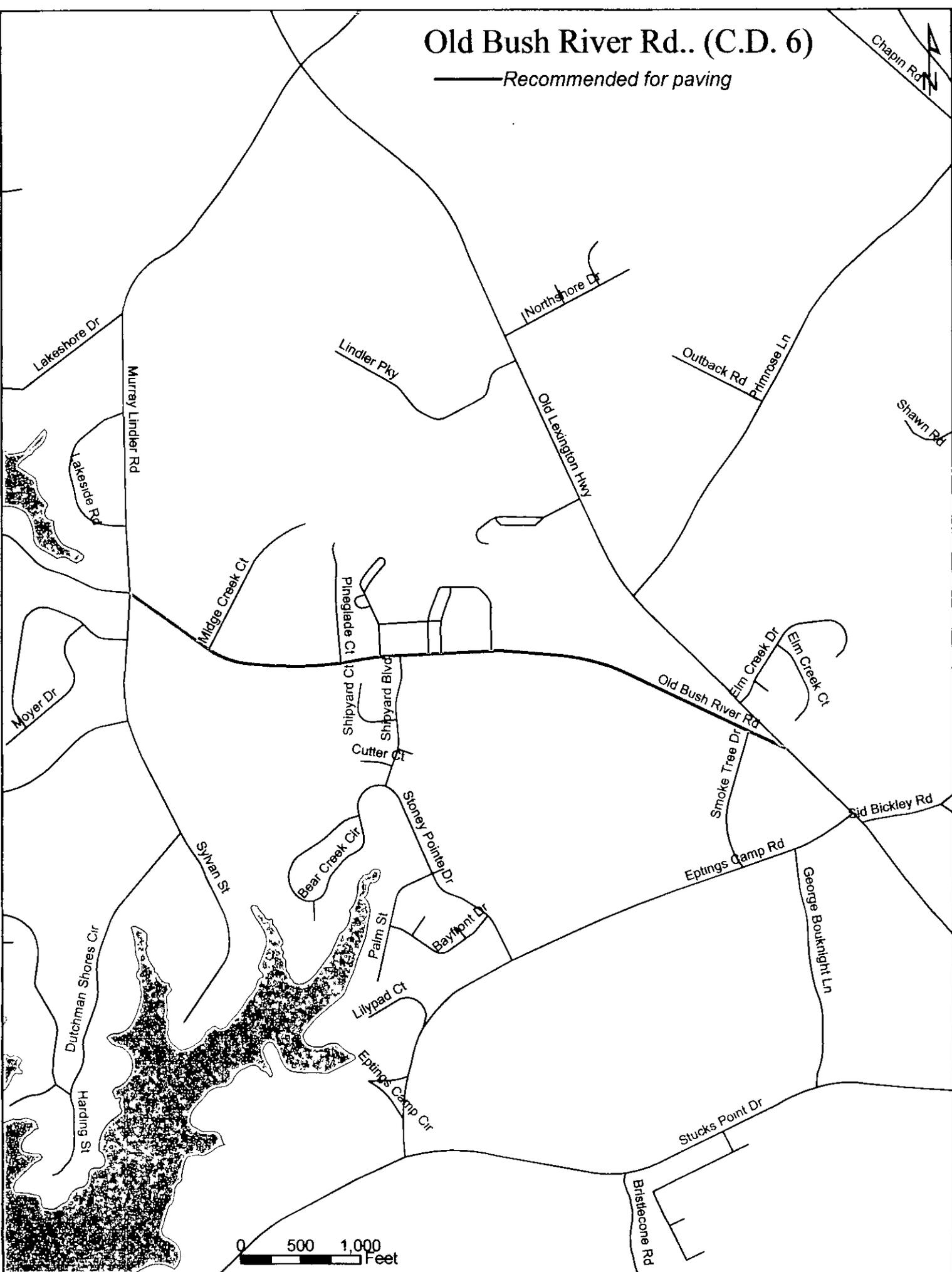
E. Boundary St. (C.D. 6)

Recommended for paving



Old Bush River Rd.. (C.D. 6)

— Recommended for paving



Dutchman Shores Cir. (C.D. 6)

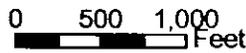
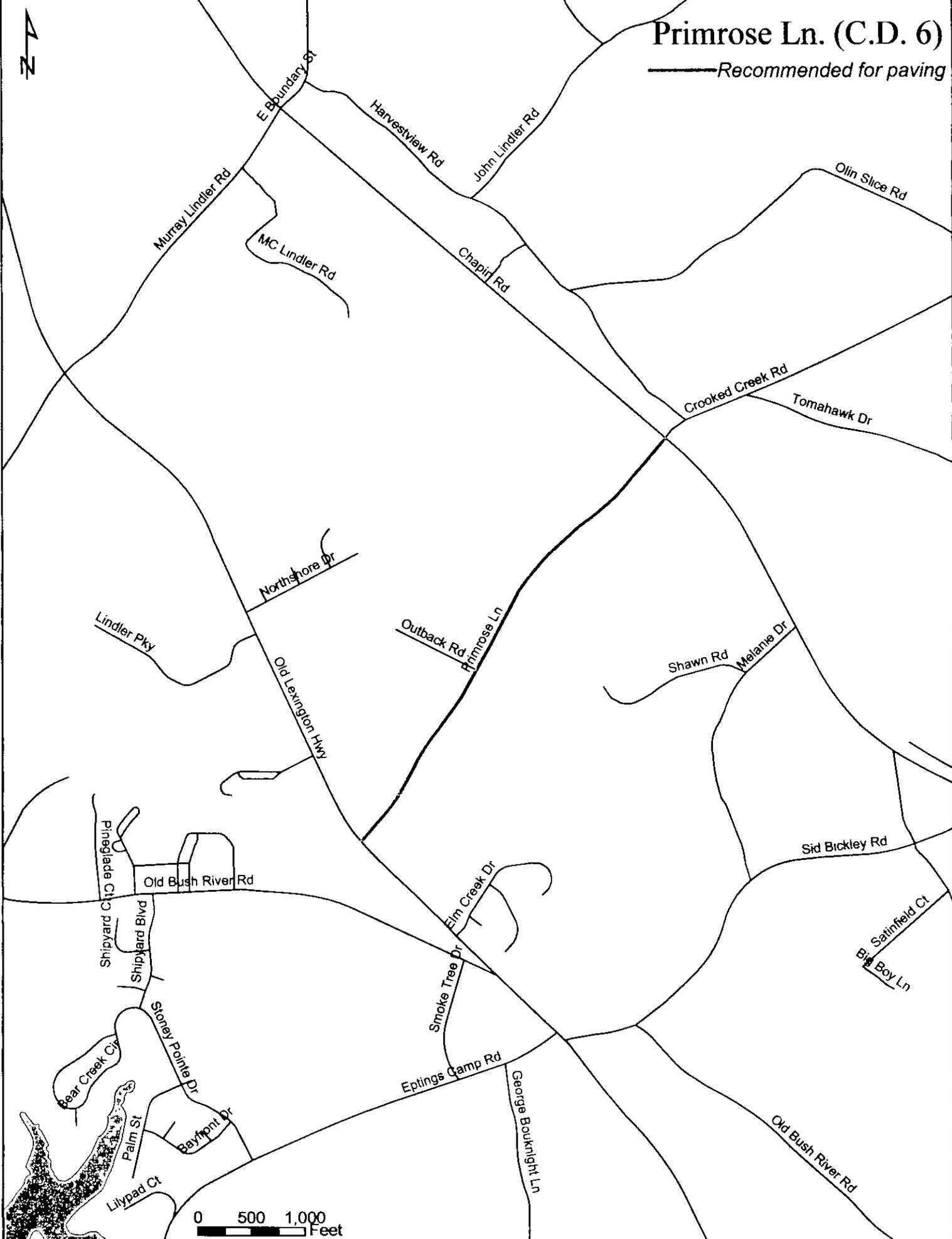
Recommended for paving



0 300 600 Feet

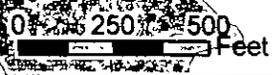
Primrose Ln. (C.D. 6)

— Recommended for paving



Lakeshore Dr. (C.D. 6)

— Recommended for paving



MIRCI

Mental Illness
Recovery Center, Inc.

Julie Ann Avin
Executive Director

- Friendship Center East
- Friendship Center West
- Homeless Services
- Mental Illness Management Services
- Representative Payee Services
- Supportive Housing

January 6, 2005

Ms. Dot Black
Lexington County Council
212 S. Lake Drive
Lexington, SC 29072



Dear Ms. Black:

I am writing to request that the enclosed resolution be considered by Lexington County Council at the next council meeting. This resolution provides a statement of support for Mental Illness Recovery Center, Inc.'s proposal to obtain funds for transportation to persons with disabilities through the Public Transportation Division of the S.C. Department of Highways and Public Transportation. The funds are requested through the State Mass Transit Assistance Program.

Mental Illness Recovery Center, Inc. is a private non-profit United Way Agency, which has been providing social rehabilitation to those recovering from mental illness from Richland, Lexington and Fairfield Counties for over forty (41) years. Our agency provides rehabilitation through social and recreational programs and activities, many of which take place away from the Center utilizing community resources.

We received a resolution from the Lexington County Council for proposals in the past, under our former name Friendship Center, and were awarded funding from the Department of Transportation. We are applying again this year.

If there are any questions or concerns, please feel free to contact me. Thank you once again for your time and assistance.

Sincerely,

A handwritten signature in cursive script that reads 'Julie Ann Avin'.

Julie Ann Avin
Executive Director

MIRCI

Mental Illness
Recovery Center, Inc.

Julie Ann Avin
Executive Director

- Friendship Center East
- Friendship Center West
- Homeless Services
- Mental Illness Management Services
- Representative Payee Services
- Supportive Housing

Page 2 Ms. Dot Black

The Lexington County Council herewith designates Mental Illness Recovery Center, Inc. as an entity in Lexington County to provide transportation to the Persons with Disabilities. We further state that the applicant is one of the providers in this geographic area that is or will be providing transportation services to particular sectors of the elderly and/or persons with disabilities.

Approved and Adopted:
This ___ day of _____, 2005

Attest:

Chief Elected Official Signature

Typed Name of Chief Elected Official

Typed Title of Chief Elected Official

MIRCI

Mental Illness
Recovery Center, Inc.

Julie Ann Avin
Executive Director

January 6, 2005

- Friendship Center East
- Friendship Center West
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Julie Ann Avin
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This ___ day of _____, 2005

Attest:

Chief Elected Official Signature

Typed Name of Chief Elected Official

Typed Title of Chief Elected Official

A P P O I N T M E N T S - B O A R D S & C O M M I S S I O N S

January 19, 2005

BRUCE RUCKER

Health Services District Board of Directors - Larry Livingston - Term expires 3/10/05 -
Not eligible for reappointment

BILLY DERRICK

Board of Zoning Appeals - Ronnie E. Garner - Term expired 12/31/04 - Not eligible for
reappointment

SMOKEY DAVIS

Assessment Appeals Board - James S. Cleckler - Term expired 9/21/04 - Eligible for reappointment
Health Services District Board of Directors - James D. Whitehead, MD - Term expires 3/10/05 -
Eligible for reappointment

DEBBIE SUMMERS

Health Services District Board of Directors - Vacant - Term expires 3/10/05

BOBBY KEISLER

Assessment Appeals Board - Vacant - Term expired 9/31/04

JOHN CARRIGG

Accommodations Tax Board - Vacant (Resigned) - Term expires 12/31/06
Children's Shelter - Vacant - Term expired 6/30/01
Health Services District Board of Directors - Herbert J. Hames - Term expires 3/10/05 - Not
eligible for reappointment
Library Board - Vacant (Resigned) - Term expires 9/26/07

JOE OWENS

Accommodations Tax Board - Vacant (Resigned) - Term expires 12/31/06
Accommodations Tax Board - Vacant - Term expires 12/31/06

TODD CULLUM

Accommodations Tax Board - Vacant - Term expired 12/31/03
Assessment Appeals Board - Bill Power - Term expired 9/21/04 - Eligible for reappointment
Children's Shelter - Vacant - Term expired 6/30/03

BUILDING CODE BOARD OF APPEALS

Building - Vacant - Term expired 8/13/04

Plumbing - Vacant - Term expired 8/13/03

Member at Large (new)

LEXINGTON/RICHLAND ALCOHOL & DRUG ABUSE COUNCIL

At-Large Appointments

William L. Rawl, Jr. - Term expired 12/31/04 - Not eligible for reappointment

TEMPORARY SIGN AND PERMITTING COMMITTEE

Vacant - District 7

Diana:

For Accommodations Tax Board

Joe

121 Maple Road
Lexington, South Carolina
29073-9058

Home Phone: 803-861-6750
Home Fax: 803-736-9404
Mobile Phone: 803-478-6477
E-mail: pianobyrob@yahoo.com

Robert E. Schaeffer

Objective To provide responsive and decisive service to my community by building strong teams that create a maximum impact and provides for optimal return for all.

Experience 1999–Current Rice Music House Columbia, SC
Director of Institutional & Retail Sales
▪ Create and implement marketing programs.
▪ Set and achieve monthly, quarterly and yearly sales goals.
▪ Maintain and active presence in cultural community of South Carolina.

1994–1999 Westbrook Piano Company Columbia, SC
Vice-President / National Sales Manager
▪ Supervise national sales team.
▪ Direct corporate showroom activities.
▪ Design and distribute training and advertising materials.
▪ Supervised the creation and roll out of a new product series.

Education 1995–1997 University of South Carolina Columbia, SC
▪ M.M. Master of Music / Music theory.

1982-1987 University of South Carolina Columbia, SC
▪ B.M.E. Bachelor of Music / Music Education

1979-1982 Lexington High School Lexington, SC
▪ State of South Carolina High School Diploma

Interests
Member Red Bank Baptist Church
First Vice-Chairman Lexington County Republican Party
President 2004 South Carolina Republican Party
2nd Congressional District Convention.

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 359-8385

(F) 359-2240

DATE: January 12, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Janice A. Bell, CPPB
Procurement Officer



SUBJECT: Three (3) Type 1 Ambulance Remounts
Bid No. B05012-12/01/04B - Public Safety/EMS

Competitive bids were solicited and advertised for the purchase of three (3) ambulance remounts for Public Safety/EMS. We received three (3) bids of which one (1) was a no bid (see attached bid tabulation). The bids were evaluated by Mike Gillis, EMS Logistics Officer; Ellis Gammons, Fleet Manager; and Janice Bell, Procurement Officer. These remounts were recommended and approved in accordance with the Fleet Management Policy by Ellis Gammons, Fleet Manager.

In order to maintain a fleet of fourteen (14) operating units, a fleet of nineteen (19) is required. The "spare" fleet allows for scheduled maintenance, emergency repairs, body work, and factory recalls. Each chassis has a projected life span of five years (5 years/200,000 miles), and each module can be remounted at least twice. These were bid with an option of trading in three (3) old chassis.

We recommend award to Taylor Made Ambulances as the low bidder meeting specifications. The lump sum price for the remounts is \$205,809.00 including applicable sales tax. A trade-in amount of \$14,500.00 was offered for the old chassis. We recommend accepting the trade-in allowance, thus reducing the cost to \$191,309.00 including applicable sales tax.

Funds are appropriated in account number:

1000-131400-5A5077	(3) EMS Unit Remounts	\$191,309.00
--------------------	-----------------------	--------------

I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on January 25, 2005.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Chief Timothy James, Sheriff's Department/Director of Public Safety and Homeland Security
Ellis Gammons, Fleet Manager
Mike Gillis, EMS Logistics Officer

COUNTY OF LEXINGTON

BID TABULATION SHEET

DATE: January 12, 2005

THREE (3) TYPE 1 AMBULANCE REMOUNTS

BIDDER	Remounts	Less Trade-in Allowance	Total
Taylor Made Ambulances	\$205,809.00	\$14,500.00	\$191,309.00
Peach State Ambulance Inc.	206,388.00	\$4,500.00	\$201,888.00
Wheeled Coach Industries	No Bid		

Bids opened: December 1, 2004


Janice A. Bell, CPPB
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 359-8385

(F) 359-2240

DATE: November 30, 2004

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager *Sheila R Fulmer*

FROM: Janice A. Bell, CPPB *Bell*
Procurement Officer

SUBJECT: Installation of Two (2) Generators - Chapin and Swansea Public Works
B05018-12/17/04B

Competitive sealed bids were solicited for the installation of generators for Public Works in Chapin and Swansea. We received four (4) bids (see attached bid tabulation). The bids were evaluated by Randy Quattlebaum, Assistant Building Services Manager and Janice Bell, Procurement Officer.

The generator for Chapin is replacing a 1956 model military surplus unit that is hard to maintain. The generator for Swansea is needed as this location is the main fueling station for the south end of the County. These generators are to keep the gas/fuel pumps operational during power outages.

We recommend award to DNB Electric Inc. as the low bidder meeting specifications. The total amount of this purchase is \$29,390.00 including applicable sales tax.

Funds are appropriated in the following accounts:

1000-121300-5A5049	(1) Generator - Chapin - Replacement	\$13,640.00
1000-121300-5A5491	(1) Generator - Swansea	\$15,750.00

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on January 25, 2005.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Ray Disher, Building Services Manager
John Fecthel, Director of Public Works

COUNTY OF LEXINGTON

BID TABULATION SHEET

DATE: January 12, 2005

INSTALLATION OF TWO (2) GENERATORS

BIDDER	Installation of (2) Generators
DNB Electric Inc	\$29,390.00
Generator Services	\$30,048.00
B & L Electric	\$34,866.00
B & L Electric (Alternate)	*\$21,748.00

Bids opened: December 17, 2004 @ 3:00 PM

*Bid did not meet specifications


Janice A. Bell, CPPB
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

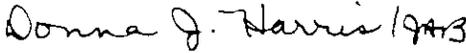
(O) 359-8319

(F) 359-2240

DATE: January 14, 2005

TO: Art Brooks
County Administrator

FROM: Sheila R. Fulmer, CPPB
Procurement Manager 

THROUGH: Donna J. Harris, CPPB
Procurement Officer 

SUBJECT: Crime Analysis Software, Configuration, Installation and Annual Maintenance / Sole Source Procurement - Sheriff's Department

We received a requisition for the purchase of Crime Analysis Software, configuration, installation and annual maintenance for the Sheriff's Department. This has been deemed a sole source purchase as Bradshaw Consulting has worked extensively with Lexington County and are intimately aware of our computer programs, data processing and structure. Bradshaw Consulting is also the only company to offer an animated morphing temporal analysis tool with their crime analysis mapping package. The upgrade to the existing intelligence mapping software will be used to interface all municipalities, other agencies, and LCSD. This upgrade is required to interface with the main intelligence database at LCSD for sharing information for meetings, intelligence briefings, and suspected terrorist activities. With this software, the data that will be input by all agencies will be analyzed and compiled, resulting in the location of hot spot areas and recognizing those persons that are suspected of terrorist activities.

Jim Schafer, Director of Information Services, has reviewed and recommended the requested software. The grant procedures have been approved by the South Carolina Department of Public Safety.

The cost of the software is \$8,248.80. The cost of configuration and installation is \$2,500.00. The cost of the annual maintenance is \$836.00. Total cost of software, configuration and installation and annual maintenance is \$11,584.80 including applicable sales tax.

Funds are appropriated in the following accounts:

#2476-151200-5A5246 - Crime Analysis Software,		
Configuration and Installation - Homeland Security Grant	\$10,748.80	
#2476-151200-520100 - Annual Maintenance - Homeland Security Grant	\$ 836.00	

I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on January 25, 2005.

copy: Larry Porth, Director of Finance / Assistant County Administrator
Chief Timothy James, Sheriff's Department / Director of Public Safety and Homeland Security
Evelyn Babbitt, Manager of Grants Administration, Finance Department
Nandalyn Heaitley, Grants Administrator, Sheriff's Department
Jim Schafer, Director of Information Services

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 359-8319

(F) 359-2240

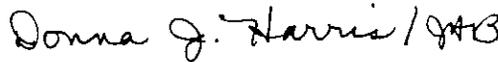
DATE: January 18, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Donna J. Harris, CPPB
Procurement Officer



SUBJECT: Aluminum Canopies - Solid Waste Management

Quotations were solicited from qualified vendors for the purchase and installation of aluminum canopies for the office area and walkway at the Department of Solid Waste Management. When working in the scale house surrounded by glass windows with metal buildings located in front of the windows, it is very difficult to see. It is necessary for the scale master to view the types of material that is being brought to the landfill as well as enter proper information on the computer. The constant glare, which at times is unbearable, creates a very unpleasant work environment and makes seeing the computer monitor impossible. Solid Waste has tried several options to eliminate this problem, but to no avail. The walkway awning is essential to allow staff and citizens to have shelter from weather elements such as rain. We received several complaints from citizens in reference to them being required to exit their vehicles from the scales to give waste information to the scale master and not being covered from the weather elements. There are also several types of waste that must be visually inspected which cannot be achieved from inside the scale house. When it is raining the scale master currently has no shelter from the elements. We received two (2) quotes and two no bids (see attached bid tab).

Quotations were evaluated by Terry Glass, Solid Waste Management and Donna J. Harris, Procurement Officer. It is our recommendation to award this project to Cool Temp Aluminum, Incorporated as being the lowest responsible bidder. The total cost of this project is \$5,500.00 including applicable sales tax and installation.

Funds are appropriated in the following accounts:

5700-121202-5A5269 - Aluminum Awning for Scale House	\$3,771.00
5700-121202-5A5462 - Walkway for Scale House	\$1,729.00

I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on January 25, 2005.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Joe Mergo III, Director Solid Waste Management

COUNTY OF LEXINGTON

BID TABULATION SHEET

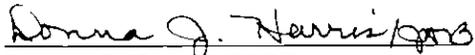
DATE: January 18, 2005

ALUMINUM CANOPIES

BIDDER	ALUMINUM CANOPIES	TOTAL
Cool Temp Aluminum, Incorporated	\$5,500.00	\$5,500.00
J. Walker Custom Awnings, Incorporated	\$7,524.00	\$7,524.00

A no bid response was received from Hoover Metal Building and Columbia Tent and Awning stating that they do not provide this product or service.

January 18, 2005



Donna J. Harris, CPPB
Procurement Officer

Minutes are left out intentionally until approved by Lexington County Council. Upon Council's approval, the minutes will be available on the internet.



COUNTY OF LEXINGTON, SOUTH CAROLINA

Department of Community & Economic Development
County Administration Building (803) 359-8121
212 South Lake Drive Lexington, South Carolina 29072

ZONING MAP AMENDMENT APPLICATION # M 04 - 07

Address and/or description of property for which the amendment is requested:

8065 Irmo Dr., SE Corner of Irmo Dr., TMS#'s 1800-01-054, 1800-02-021, 1800-07-002 p/o

Zoning classifications: Development (D) General Commercial (C2)
(current) (proposed)

Reason for the request (use the back of this application form if necessary):

To meet the expanding residential growth and demand. Retail Development is necessary for the expanding residential growth in the Hwy 6 corridor.

Even though this request will be carefully reviewed and considered, the burden of proving the need for the amendment rests with the applicant.

Date 12/06/2004

Signature Tom Fleming as agent

() Owner?

Name(print) Tom Fleming, Regency Centers

() Agent?

Address 121 W. Forsyth St. Ste 200

Telephone # 803-782-7088 or 904-598-9000

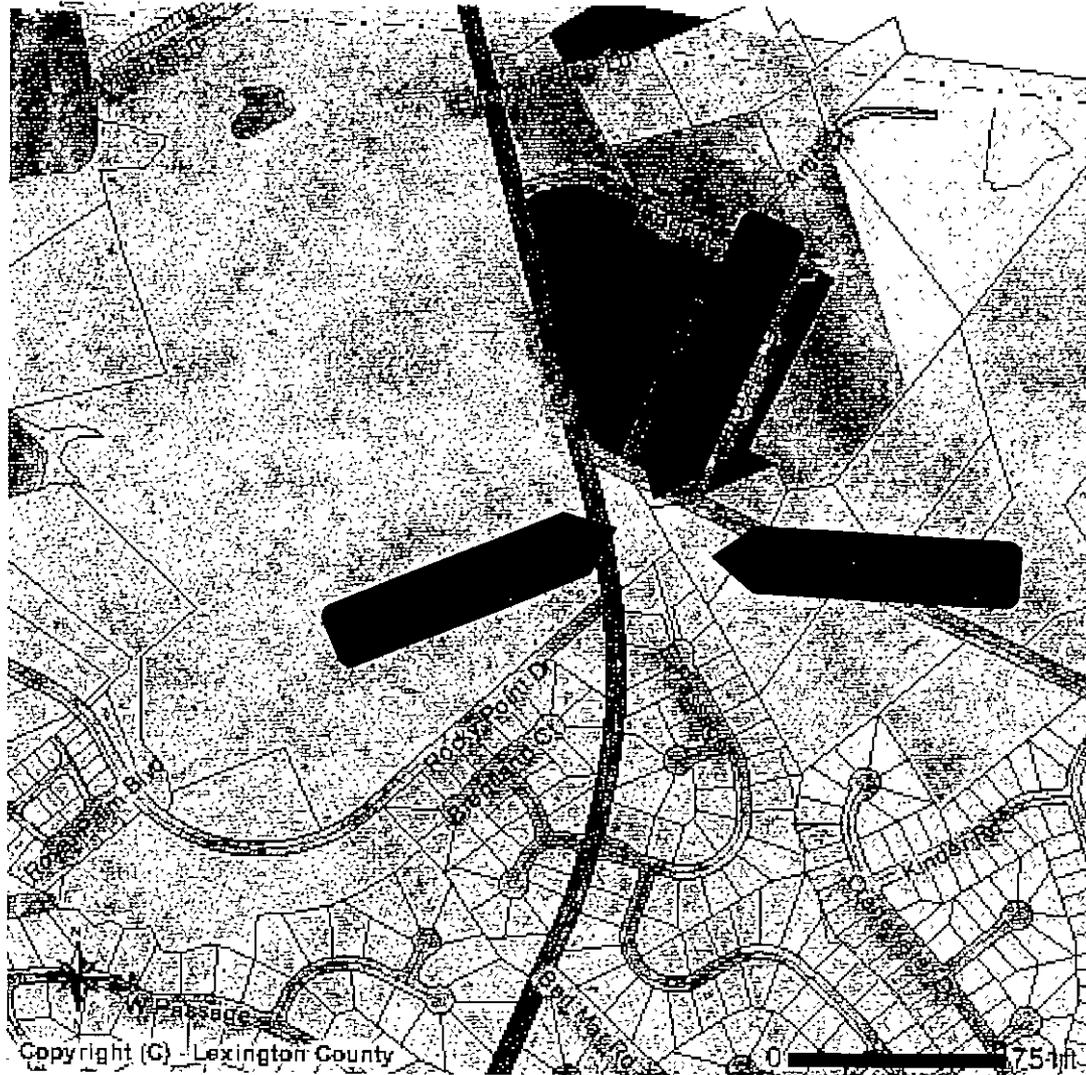
Jacksonville FL 32202

- | | |
|--|--|
| 1. <u>12 / 6 / 04</u> Application Received | 4. <u> </u> / <u> </u> / <u> </u> Property Posted |
| 2. <u>12 / 6 / 04</u> Fee Received | 5. <u> </u> / <u> </u> / <u> </u> Notices Sent |
| 3. <u> </u> / <u> </u> / <u> </u> Newspaper Advertisement | |

 / / Planning Commission Recommendation: _____

1/25/05 First Reading 2/8/05 Public Hearing / / Second Reading / / Third Reading

Results: _____



ZONING MAP AMENDMENT M04-07



COUNTY OF LEXINGTON, SOUTH CAROLINA

Department of Community & Economic Development
County Administration Building (803) 359-8121
212 South Lake Drive Lexington, South Carolina 29072

ZONING MAP AMENDMENT APPLICATION # M04-09

Address and/or description of property for which the amendment is requested:

5466 Bush River Rd., 5663 Wescott Rd. Columbia 29212 TMS# 002798-01-002 & 022

Zoning classifications: Development (D) (current) General Commercial (C2) (proposed)

Reason for the request (use the back of this application form if necessary):

All properties that surround the property on Bush River Road are already zoned commercial and this amendment would greatly increase the marketability of my property in the future. It would also allow for additional activities as opposed to the limited allowances of Development districts.

Even though this request will be carefully reviewed and considered, the burden of proving the need for the amendment rests with the applicant.

Date 12/16/04

Signature [Handwritten Signature]

(X) Owner?
() Agent?

Name(print) David A. Smith

Telephone # 803-798-7679

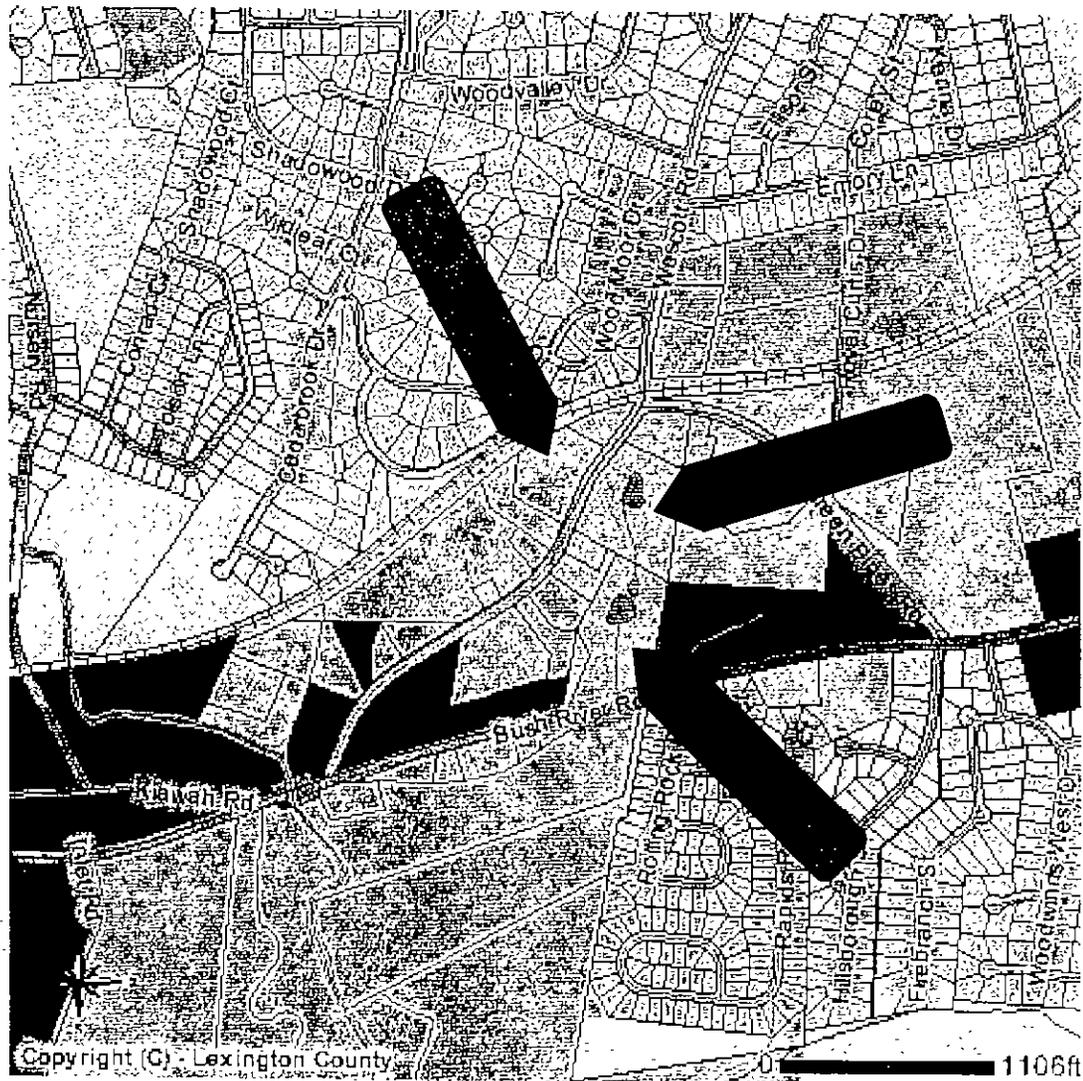
Address 5466 Bush River Rd.
Columbia, SC 29212

- 1. 12/16/04 Application Received
2. 12/16/04 Fee Received
3. Newspaper Advertisement
4. Property Posted
5. Notices Sent

Planning Commission Recommendation:

1/25/05 First Reading 2/8/05 Public Hearing Second Reading Third Reading

Results:



ZONING MAP AMENDMENT M04-09



COUNTY OF LEXINGTON, SOUTH CAROLINA

Department of Community & Economic Development
County Administration Building (803) 359-8121
212 South Lake Drive Lexington, South Carolina 29072

ZONING MAP AMENDMENT APPLICATION # M05-01

Address and/or description of property for which the amendment is requested:

6172 Bush River Road, Columbia SC 29212

TMS# 2697-01-003p/o

Zoning classifications: High Density Residential (R3)
(current)

Low Density Residential (R1)
(proposed)

Reason for the request (use the back of this application form if necessary):

To rezone the portion of Selwood (Rothstein Property) as shown on map amendment application # M04-06 as R3 to R1, in order to serve as a compromise between the property owner (Rothstein) and adjoining property owners in Brittany Place Subdivision and Brittany II Subdivision.

Even though this request will be carefully reviewed and considered, the burden of proving the need for the amendment rests with the applicant.

Date 01-10-05

() Owner?
() Agent?

Signature

Name(print)

Address

Handwritten signature and address: BRUCE A. HILLER, DEVELOPMENT ADMINISTRATOR, COUNTY OF LEXINGTON, 212 S LAKE DR., LEXINGTON SC 29072

Telephone # 359-8121

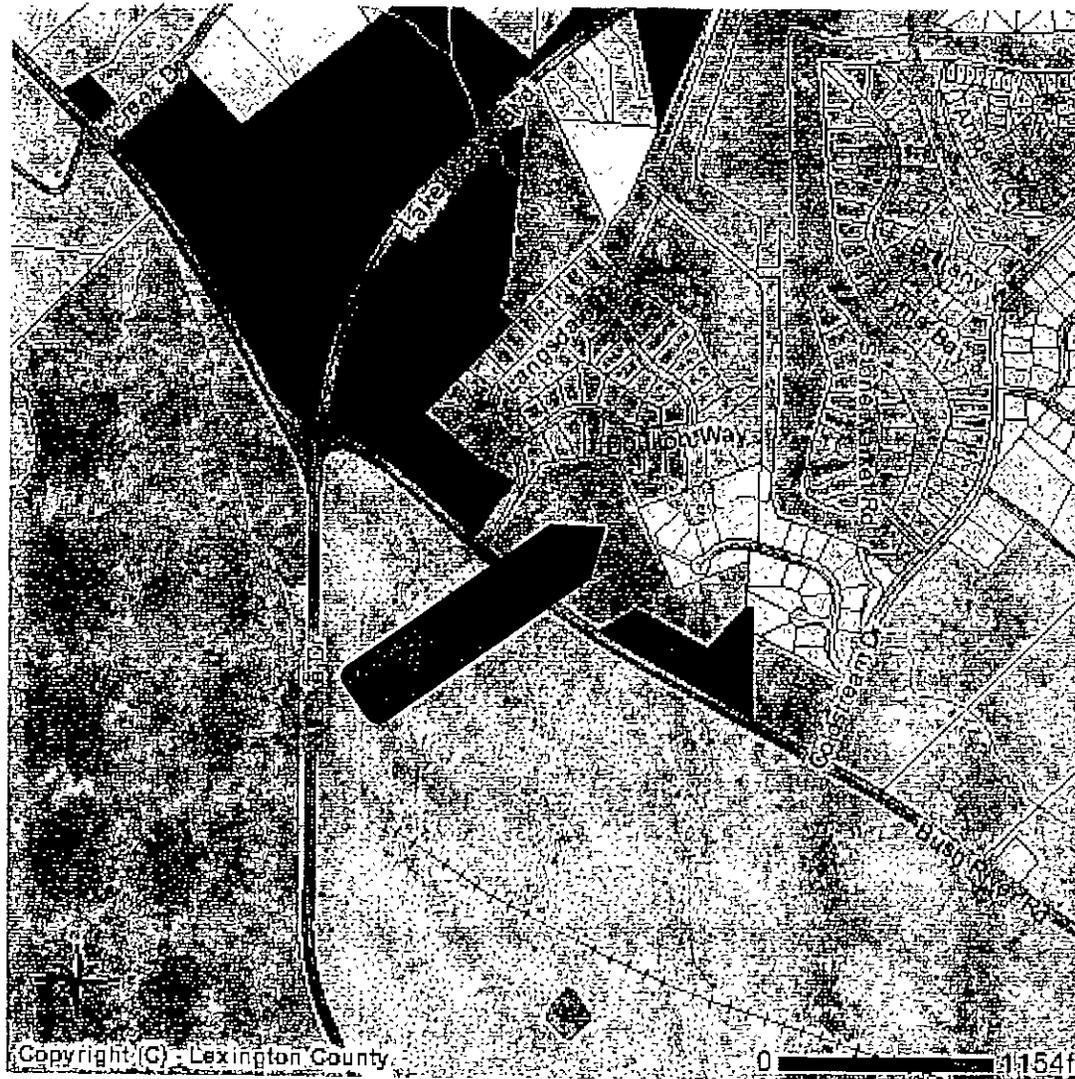
- 1. 1/10/05 Application Received
2. Fee Received
3. Newspaper Advertisement

- 4. Property Posted
5. Notices Sent

Planning Commission Recommendation:

1/27/05 First Reading 2/9/05 Public Hearing Second Reading Third Reading

Results:



ZONING MAP AMENDMENT M05-01

COMMITTEE REPORT

RE: Proposed Multi-jurisdictional Agreement With Chapin Police Department

DATE: January 19, 2005

COMMITTEE: Justice

MAJORITY REPORT: Yes

The Justice Committee met on Tuesday, January 11, 2005 to discuss the proposed multi-jurisdictional agreement with the Chapin Police Department.

Chief Tim James stated the Chapin Police Department has requested that the County and the Sheriff's Department allow them to expand jurisdiction into areas of the County immediately adjoining their town along Highway 76 and to be able to exercise jurisdiction at the Crooked Creek Park just outside of the town limits at times when a deputy may be otherwise busy with calls.

The committee voted to recommend to Full Council for approval.

MEMORANUDM OF UNDERSTANDING

between:

Lexington County Sheriff's Department
521 Gibson Road
Lexington, South Carolina 29072

and

Town of Chapin Police Department
Post Office Box 221
Chapin, South Carolina 29036

WHEREAS, the Lexington County Sheriff's Department (hereinafter LCSD) is the primary responding law enforcement agency with jurisdiction in the unincorporated areas of Lexington County;

WHEREAS, the Town of Chapin (hereinafter Chapin) is an incorporated municipality wholly within the geopolitical boundaries of Lexington County and operates a municipal police department;

WHEREAS, Article VIII, Section 13 of the South Carolina Constitution authorizes counties and municipalities to provide by agreement for the joint administration of any function, the exercise of powers, and the sharing of the costs thereof; and

WHEREAS, South Carolina Code Ann. § 5-7-30. in relevant part provides municipalities "the authority to provide police protection in contiguous municipalities and in unincorporated areas located not more than three miles from the municipal limits upon the request and agreement of the governing body of such contiguous municipality or the county, including agreement as to the boundaries of such police jurisdictional areas, in which case the municipal law enforcement officers shall have the full jurisdiction, authority, rights, privileges, and immunities, including coverage under the

workers' compensation law, which they have in the municipality, including the authority to make arrests, and to execute criminal process within the extended jurisdictional area; provided, however, that this shall not extend the effect of the laws of the municipality beyond its corporate boundaries ”;

WHEREAS, South Carolina Code Ann. § 23-1-215 provides for agreements between multiple law enforcement jurisdictions for the purpose of criminal investigation;

WHEREAS, South Carolina Code Ann. § 17-13-45 provides that when a law enforcement officer responds to a distress call or a request for assistance in an adjacent jurisdiction, the authority, rights, privileges, and immunities, including the workers' compensation laws, and tort liability coverage obtained pursuant to the provisions of Chapter 78 of Title 15, that are applicable to an officer within the jurisdiction in which he is employed are extended to and include the adjacent jurisdiction;

NOW THEREFORE, LCSD and Lexington County wishes to confer upon the Town of Chapin law enforcement jurisdiction under the aforementioned statutory authority to those areas so situated and specifically, but not limited to, the Town Limits west on SC Highway 76 to the Newberry County line, Crooked Creek Park and the areas contiguous thereof to the fullest extent as allowed by law. This agreement is in no way intended to reduce or hinder any other expansion of jurisdiction that may be allowable under South Carolina law.

FURTHER, it is the intent of the parties to share jurisdiction under this written agreement to the fullest extent permitted under South Carolina law and it is further agreed as follows:

1. **TERM AND RENEWAL**

This agreement is effective as to each party at the date and time of signing and will automatically renew one year from the above date unless a party exercises its right to terminate as further described herein.

2. VESTING OF AUTHORITY AND JURISDICTION

To the fullest extent permitted by the Constitution and statutes of this State, officers operating under this agreement shall be vested with authority, jurisdiction, rights, immunities, and privileges to include the authority to execute criminal process and the power of arrest as any other duly commissioned officer of the other party.

However, Town ordinances adopted by Chapin shall not be deemed extended into areas of operation that are located outside the geopolitical territorial limits of the Town of Chapin.

3. COSTS

Each party shall bear its own costs incurred in the performance of its obligations hereunder except as otherwise provided herein.

4. HOLD HARMLESS, INDEMNIFICATION, NO THIRD PARTY RIGHTS

It is agreed by and between the parties that each will hold each other harmless for any acts or omissions of their respective officers working or transferred pursuant to this agreement. The parties shall be solely responsible for the acts and omissions of their respective employees, officers, and officials. No right of indemnification is created by this agreement and the parties expressly disclaim such. The provision of this agreement shall not be deemed to give rise to or vest any rights or obligations in favor of any party or entity not a party to this agreement.

5. INSURANCE

Each jurisdiction shall maintain its own insurance coverage for general liability, workers' compensation, and any other such coverage as may be required by law or deemed advisable by individual parties.

6. COMPENSATION, BOND, AND RELATED MATTERS

This agreement shall in no manner effect or reduce the compensation, pension or retirement rights of any officers acting under its authority and such officers shall continue to be paid by the county where they are permanently employed. Each party shall be compensated by the provision of like or reciprocal services. The bond for any officers operating under this agreement shall include coverage for their activity in the county or municipality covered by this agreement in the same manner and to the same extent provide by bonds of regularly employed officers of that county.

7. REIMBURSEMENT AND ANCILLARY BENEFITS

The parties to this agreement hereby expressly agree that compensation and/or reimbursement for services provided hereunder shall be limited to the reciprocal provision of services of like kind between the agencies involved to include the benefits of law enforcement services to the Chapin area and its contiguous properties in each respective jurisdiction. Any other agreement for reimbursement between the parties must be written and executed in the same manner as this agreement.

8. TERMINATION AND RIGHT TO RESCIND

The participation of any party may be terminated at the discretion of the chief law enforcement officer by providing written notice to all other parties. Any such rescission or termination will become effective upon receipt by the other parties.

9. RESPONSIBILITY TO RESPECTIVE GOVERNING BODIES

Each party is responsible for any notice, reporting, or approval requirements to their respective governing body as may be required under South Carolina law.

10. SEVERABILITY

Should any part of this agreement be found to be unenforceable by any court or other competent authority, the rest shall remain in full force and effect.

11. AMENDMENTS AND BINDING SUCCESSORS IN OFFICE

This agreement may be amended by the written agreement of all parties. Each party agrees that any and all successors in interest to their office will be similarly bound by the terms of this agreement without necessitating execution of any amendment. Failure for a successor in office to terminate as further described herein; shall be deemed as consent and approval of this agreement.

I, with competent authority, hereby consent to the terms of and agree to be bound by this Agreement.

Sheriff James R. Metts, Ed. D
Lexington County Sheriff's Department

date

Bruce E. Rucker
Chair, Lexington County Council

date

Mickey Matney
Chief of Police, Town of Chapin

date

Mayor
Town of Chapin

date