

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings

Tuesday, February 8, 2005

Second Floor - County Administration Building
212 South Lake Drive, Lexington, SC 29072
Telephone - 803-359-8103 -- FAX 803-359-8101

2:25 p.m. - 2:45 p.m. - Planning and Administration

- (1) Colonial Supplemental Insurance - Enhancement to County Web Site - Carey Adamson, Assistant Managing General Agent, Colonial **A**
- (2) Grand Ambassador Award
- (3) Old Business/New Business
- (4) Adjournment

2:45 p.m. - 3:10 p.m. - Justice

- (1) Bulletproof Vest Grant - Law Enforcement/Public Safety - Timothy M. James, Deputy County Administrator **B**
- (2) Revised Request for Computers - Magistrate Court Services - Judge Gary W. Reinhart, Chief Magistrate **C**
- (3) Adult Drug Court Grant Application - Solicitor's Office - Ann Davidson, Director of Diversion Program **D**
- (4) Solicitor Myers' Request to Transfer Vehicle - Solicitor's Office **E**
- (5) Old Business/New Business
- (6) Adjournment

3:10 p.m. - 3:30 p.m. - Health & Human Services

- (1) Outdoor Burning - Public Safety/Fire Service - Timothy M. James, Deputy County Administrator **F**
- (2) Fireworks - Law Enforcement - Timothy M. James, Deputy County Administrator **G**
- (3) DHEC - EMS Grant-in-Aid - Public Safety/EMS - Timothy M. James, Deputy County Administrator **H**
- (4) Old Business/New Business
- (5) Adjournment

3:30 p.m. - 4:00 p.m. - Public Works

- (1) Changes to Franchise Garbage Collection Agreement - Solid Waste Management - Joe Mergo, Director **I**
- (2) Old Business/New Business
- (3) Adjournment

4:00 p.m. - 4:15 p.m. - Committee of the Whole

- (1) Risk Management Activities and Workers' Compensation Premiums - Risk Management -
Ed Salyer, Risk Manager
- (2) Old Business/New Business
- (3) Adjournment

Planning & Administration

J. Owens, Chairman
J. Jeffcoat, V Chairman
J. Carrigg, Jr.
B. Derrick
D. Summers
B. Rucker

Justice

S. Davis, Chairman
T. Cullum, V Chairman
J. Owens
B. Keisler
B. Rucker

Health & Human Services

J. Carrigg, Jr., Chairman
D. Summers, V Chairman
J. Owens
B. Keisler
J. Jeffcoat
B. Rucker

Public Works

B. Derrick, Chairman
B. Keisler, V Chairman
S. Davis
J. Owens
T. Cullum
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, February 8, 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

Appointment of Parliamentarian

Employee Recognition - Art Brooks, County Administrator

Appointments J

Chairman's Report

Administrator's Report

Approval of Minutes - Meetings of January 11 and January 25, 2005 K

Committee Reports

Justice, S. Davis, Chairman

- (1) Revised Request for Computers - Magistrate Court Services - **(Tab C)**
- (2) Adult Drug Court Grant Application - Solicitor's Office - **(Tab D)**

Health & Human Services, J. Carrigg, Jr., Chairman

- (1) DHEC - EMS - Grant-in-Aid - Public Safety/EMS - **(Tab H)**

Public Works, B. Derrick, Chairman

- (1) SC Pipeline Easement Request - Public Works L

Committee of the Whole, B. Rucker, Chairman

- (1) SCDOT Recommendations - Match Program - Public Works M

6:00 P.M. - Public Hearings

- (1) Ordinance 04-11 - Approving the Fee in Lieu of Tax Agreement Between Lexington County and Nucor Corporation N
- (2) Zoning Map Amendment M04-07 - 8065 Irmo Dr., SE Corner of Irmo Dr. O
- (3) Zoning Map Amendment M04-09 - 5466 Bush River Rd. P
- (4) Zoning Map Amendment M05-01 - 6172 Bush River Rd. Q

Budget Amendment Resolutions

OLD BUSINESS/NEW BUSINESS

EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT



CAREY ADAMSON
Associate Managing General Agent
Specializing in Benefits Communication

for what happens next

January 28, 2005

Mr. Bruce Rucker, Chairman
Lexington County Council
212 S. Lake Drive
Lexington, South Carolina 29072

RE: Enhancement to County Web Site

Dear Chairman Rucker:

Please accept this letter as my request to attend an upcoming County Council Committee meeting to unveil a significant enhancement to the County's web site that has developed as a result of our company's partnership with the County. As you are aware, Colonial Life and Accident Insurance Company assists the County Human Resources staff with providing supplemental insurance products to employees as well as conducting the County's annual IRS Section 125 open enrollment process.

As part of our partnership, Colonial offered its assistance to the County to provide information about supplemental insurance products through the County's web site, as well as to create employee access to electronic claims forms. This information will be made accessible through the County's Internet site for potential job candidates and the Intranet site for employees. One immediate impact will be that employees will no longer have to rely on the annual printed enrollment booklets but will have the freedom to have their benefit package on-line to review 24/7 in the convenience of their home. Colonial has found that this option is always highly valued by employees for its ease of use and it possess the most up to date and current information available in a timely fashion.

Lexington County's Information Services and Human Resources departments have worked hand in hand with Colonial's home office staff in developing this new enhancement for the employees. Colonial's willingness to continue to add value to this relationship and partnership is an example of our commitment to you as a business partner. The web site development is being provided to the county at no cost by Colonial.

The Human Resources department and local Colonial management will continue to look for ways to build on the successful partnership that we have both enjoyed the last two years as Colonial has assumed the enrollment responsibility for the County's employee supplemental benefit program. If I can be of any assistance to you or to Council, please do not hesitate to call on me.

Sincerely,


Carey Adamson
Assistant Managing General Agent

Colonial Supplemental Insurance
344 Summerset Drive, Chapin, South Carolina 29036 • In Columbia 803.750.9222
Toll Free 800.863.3500 • Fax 803.750.9444 • cadamson@easybenefits.com • www.coloniallife.com

Colonial Supplemental Insurance is the marketing brand of Colonial Life & Accident Insurance Company

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GARY W. REINHART
SUMMARY COURT JUDGE
LEXINGTON COUNTY JUDICIAL CENTER
205 EAST MAIN STREET
SUITE 468
LEXINGTON, SOUTH CAROLINA 29072
TELEPHONE: (803) 359-8504
FAX: (803) 808-2198

To: Smokey Davis, Chairman, Justice Committee

From: Gary W. Reinhart, Chief Magistrate 

Date: January 31, 2005

Re: Revised Request for Computers

Please accept this memorandum as my request to appear before the Justice Committee on Tuesday, February 8, 2005 to discuss a revised computer proposal for the Magistrate's system.

Based on input from the Magistrates and Information Services Director Jim Schafer, I am requesting approval from Council to use the Law Enforcement Block Grant (Fund 2453) to purchase seven (7) computers:

Dell Computers/Monitors/Software: 7 @ \$1,017.01 = \$7,119.07

As a result of additional funds being budgeted to the Magistrate's office during the construction of the Oak Grove Magistrate's office, an awkward opportunity has been created. While these funds were allocated by oversight, there is no doubt that necessary improvements are needed to our computer infrastructure. Mr. Schafer and I agree that the funds requested in the previous proposal for computers would be better utilized for the replacement of the "dot matrix" printers with laser printers as part of the warrant system upgrade. In addition, the

purchase of docking stations will eliminate the need for multiple computers for each individual Judge. It is with this in mind that I am requesting approval of the following items:

HP Laser Printers: 9 @ \$497.00	= \$4,473.00
Docking Stations (15): 8 Dell @ \$164.97	= \$1,319.76
6 Gateway @ \$149.00	= \$ 894.00
1 HP Compaq: @ \$185.85	= <u>\$ 185.85</u>
Total:	<u>\$6,872.61</u>

The remaining additional computer related needs will be presented during the FY05/06 budget request process.

I appreciate Council's consideration of this request. If you have any questions, or if there is any additional information that you would like for me to prepare for the Committee meeting, please do not hesitate to contact me.

COUNTY OF LEXINGTON
FINANCE DEPARTMENT

interoffice
MEMORANDUM

to: County Council

from: Evelyn Babbitt, Manager of Grants Administration

subject: Adult Drug Court Application for Third Year of Funding

date: February 1, 2005

The Solicitor's Office is asking your approval to apply for a direct grant from the U.S. Department of Health & Human Services, Substance Abuse and Mental Health Services. This is the third year of the Adult Drug Court Grant and the Solicitor is submitting a budget for \$300,000.00. This grant pays for the salary and fringe benefits of the Project Director, training of court personnel, and drug treatment for the participants in the Drug Court Program.

This grant application must be submitted to U.S. Department of Health & Human Services by February 18, 2005.

**APPLICATION FOR
FEDERAL ASSISTANCE**

Version 7/03

1. TYPE OF SUBMISSION: Application		2. DATE SUBMITTED 2-1-05	Applicant Identifier
<input type="checkbox"/> Construction	<input type="checkbox"/> Pre-application	3. DATE RECEIVED BY STATE	State Application Identifier
<input checked="" type="checkbox"/> Non-Construction	<input type="checkbox"/> Construction	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
	<input type="checkbox"/> Non-Construction		5 H79 TI14054-02
5. APPLICANT INFORMATION			
Legal Name: County of Lexington		Organizational Unit: Department: Solicitor's Office Diversion Programs	
Organizational DUNS:		Division: Adult Drug Court	
Address: Street: 212 South Lake Drive		Name and telephone number of person to be contacted on matters involving this application (give area code) Prefix: First Name: Bryan	
City: Lexington		Middle Name: Todd	
County: Lexington		Last Name: Garrick	
State: SC	Zip Code: 29072-3499	Suffix:	
Country:		Email: TGARRICK@lex-co.com	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 57-6000373		Phone Number (give area code): (803) 359-8710	Fax Number (give area code): (803) 359-8229
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)		7. TYPE OF APPLICANT: (See back of form for Application Types) B - Counties Other (specify)	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): 93-243		9. NAME OF FEDERAL AGENCY: SAMHSA	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Counties		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Continue and Enhance the Adult Drug Treatment Court	
13. PROPOSED PROJECT Start Date: 6-1-2005 Ending Date: 5-31-2006		14. CONGRESSIONAL DISTRICTS OF: a. Applicant District 2 b. Project Same	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ 300,000.00	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:	
b. Applicant	\$.00	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O 12372	
c. State	\$.00	<input checked="" type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
e. Other	\$.00	<input type="checkbox"/> Yes if "Yes" attach an explanation. <input type="checkbox"/> No	
f. Program Income	\$.00	18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.	
g. TOTAL	\$ 300,000.00	a. Authorized Representative	
		Prefix	First Name William Middle Name A.
		Last Name Brooks	Suffix
		b. Title County Administrator	c. Telephone Number (give area code) (803) 359-8100
		d. Signature of Authorized Representative	e. Date Signed

BUDGET INFORMATION - Non- Construction Programs

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		\$	\$	\$ 300,000. ⁰⁰	\$	\$ 300,000 0.00
2.		\$	\$	\$	\$	\$ 0.00
3.		\$	\$	\$	\$	\$ 0.00
4.		\$	\$	\$	\$	\$ 0.00
5. TOTALS		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	\$ 37,069	\$	\$	\$	\$ 37,069 0.00
b. Fringe Benefits	\$ 10,966	\$	\$	\$	\$ 10,966 0.00
c. Travel	\$ 35,000	\$	\$	\$	\$ 35,000 0.00
d. Equipment	\$ 9,170	\$	\$	\$	\$ 9,170 0.00
e. Supplies	\$ 2,800	\$	\$	\$	\$ 2,800 0.00
f. Contractual	\$ 184,137	\$	\$	\$	\$ 184,137 0.00
g. Construction	\$	\$	\$	\$	\$ 0.00
h. Other	\$ 14,200	\$	\$	\$	\$ 14,200 0.00
i. Total Direct Charges (sum of 6a -6h)	\$ 293,342 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 293,342 0.00
j. Indirect Charges	\$ 6,658. ⁰⁰	\$	\$	\$	\$ 6,658 0.00
k. TOTALS (sum of 6i and 6j)	\$ 300,000 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 300,000 0.00
7. Program Income	\$	\$	\$	\$	\$ 0.00

**County of Lexington
Grant # 1 H79 TI14054-01**

Personnel

<u>Job Title</u>	<u>Name</u>	<u>Annual Salary</u>	<u>Level of Effort</u>	<u>Salary being Requested</u>
Project Director	B. Todd Garrick	37,069	1.0	37,069

Enter subtotal on 424A, Section B, 6.a. \$37,069

Fringe Benefits (3%) 424A, Section B, 6.b. \$10,966

Travel

1 Trip for SAMHSA Meeting for 6 Attendees
(Airfare @ \$500 x 5 = \$2,500) + (per diem @ \$150 x 6 x 4 days = \$900) + (Mileage(Rental Car) 1 car @ 20.99 x 7 = \$387) + (Accomadations @ \$175(approx) x 6 x 4 days = \$4,200) \$7,987

1 Trip for National Association of Drug Court Professionals National Conference for 4 Attendees
(Airfare @ \$500(approx) x 4 = \$2,000) + (per diem @ \$150(approx) x 4 x 5 days = \$600) + (Registration Fee @ \$500 x 4 = \$2,000) + Accomadations @ 143.84 x 4 x 5 days = \$2,877) \$7,477

1 Trip for Comprehensive Drug Court Treatment Provider Training for 2 Attendees
(Airfare @ \$500(approx) x 2 = \$1,000) + (per diem @ \$150 x 2 x 4 days = \$300) + (Registration Fee @ \$750 x 2 = \$1,500) + (Accomadations @ \$150(approx) x 2 x 4 days = \$1,200) \$4,000

1 Trip for Comprehensive Drug Court Program Coordinator Training for 2 Attendees
(Airfare @ \$500(approx) x 2 = \$1,000) + (per diem @ \$150 x 2 x 4 days = \$300) + (Registration Fee @ \$750 x 2 = \$1,500) + (Accomadations @ \$150(approx) x 2 x 4 days = \$1,200) \$4,000

1 Trip for Comprehensive Drug Court Regional Evaluation
Training for 1 Attendee
(Airfare @ \$500(approx) = \$500) + (per diem @ \$150 = \$150)
+ (Registration Fee @ \$750 = \$750) + (Accomadations @
\$150(approx) x 4 days = \$600) \$2,000

1 Trip for Comprehensive Drug Court Judicial Training for
2 Attendees
(Airfare @ \$500(approx) x 2 = \$1,000) + (per diem @
\$150 x 2 x 4 days = \$300) + (Registration Fee @ \$950 x 2
= \$1,900) + (Accomadations @ \$150(approx) x 2 x 4 days
= \$1,200) \$4,400

Local Travel (3,000 x .370 per mile) \$1,110

Various Local and National Trainings when available \$5826

Enter subtotal on 424A, Section B, 6.c.

\$35,000

Equipment

2 Executive L-Unit Desks@ \$899.50 – \$1,800
3 Multi Function Desk Chairs @ \$299.50 - \$900
1 Four drawer file cabinet @ 200.00 - \$200
3 Occasional Tables @ 149.50 - \$450
1 Presentation Computer + software @ \$2000 - \$2000
1 Printer @ \$250 - \$250
1 LCD Projector @ \$3,500 - \$3,500
1 Wireless remote @ \$150 - \$150
2 Handheld PC's @ \$610 - \$1,220
1 27in TV with DVD/VHS combo @ \$500 - \$500

Enter subtotal on 424A, Section B, 6.d.

\$9,170

Supplies

Office Supplies 800
Duplicating Costs 1000
Operating Supplies 1000

Enter subtotal on 424A, Section B, 6.e.

\$2,800

Contractual Costs

Treatment Costs

Lexington County, The Alternative (90 participants @ \$90 per month for one (1) year)
\$97,200

GIPRA evaluation and reporting, The Alternative \$15,300

Tri-County area, Saluda Behavioral Health System (25 participants at \$160 per month for
One (1) year) \$48,000

GIPRA evaluation and reporting, Paul Taylor \$7,200

Money set aside for unforeseen treatment costs \$16,437

Enter subtotal on 424A, Section B, 6.f. \$184,137

Construction

None

Enter subtotal on 424A, Section B, 6.g. \$0

Other

Evaluation

Evaluator Jane Rivers \$10,000

- Meet with service agency for detail briefing
- Observe Drug Court Staffing and Court
- Observe service delivery (intake, referral, group)
- Develop questionnaire/submit/revise if necessary
- Interview Drug Court clients
- Review data systems
- Extract computerized data through existing programs or write new ones
- Analyze data
- Write report
- General meetings as needed to review workplan, reports, questionnaires, etc.

Telephone Costs \$1,000

Pagers and Long Distance \$700

Subscriptions and Dues \$500

Participants Incentives \$1,500

Enter subtotal on 424A, Section B, 6.h. \$14,200

Total Direct Charges (sum of 6.a – 6.h)

Enter Total Direct on 424A, Section B, 6.i. \$293,342

Indirect Costs

17.96% of Salary and Wages

Enter Total of 424A, Section B, 6.j. \$6,658

Totals

Enter TOTAL on 424A, Section B, 6.k. \$300,000

LEXINGTON COUNTY ADULT DRUG COURT SAMHSA TREATMENT DRUG COURTS CONTINUATION GRANT

I. SUMMARY STATEMENT OF GOALS AND OBJECTIVES

The Lexington County Adult Drug Court Program plans to achieve several goals with the assistance of the drug court treatment enhancement continuation grant: (1) Provide enhanced case management services to the drug court participants; (2) Contract with an evaluator to perform a process and outcome evaluation of the Lexington County Adult Drug Court; (3) Adhere to the guidelines of the Government Performance and Reporting Act; (4) Identify training opportunities for the drug court staff; (5) Coordinate semi-annual steering committee meetings for the Lexington County Adult Drug Court Program; (6) Provide enhanced gender-specific services to the drug court participants; (7) Expand enhanced case management service to the rural three county area of the Eleventh Judicial Circuit; and (8) Provide enhanced gender-specific services to drug court participants in the rural three county area of the Eleventh Judicial Circuit.

The Lexington Adult Drug Court and the Tri-county Drug Court will enhance case management services to the drug court participants by conducting screening and addiction assessments on an immediate basis in the office and in jail prior to release from jail. In addition to group counseling, individual sessions and immediate referrals to wraparound services will be initiated. The staff will conduct follow-up measures to ensure compliance. The treatment staff will compile a collaborative referral guide, containing details of the many wraparound services and contact information for the participants of the drug court program. The treatment staff will further enhance services by conducting random home visits on each participant in the drug court program. The treatment staff will continue to assist with the preparation of drug court sessions.

The Drug Court Program will contract with Ms. Janice Rivers, an experienced evaluator, to perform a process and outcome evaluation on both the Lexington County and the Tri-county programs. The process evaluation will target interaction between team members and program participants to identify and address problem areas in communication. The outcome evaluation will examine recidivism rates among graduates and participants who do not complete. The evaluator will examine the retention rate and the number of referrals and services being accessed by participants while in the program. The treatment provider will continue throughout the grant period to collect and input the appropriate data needed for the Government Performance and Reporting Act (GPRA) for Lexington County. Paul Taylor will collect and input the data for the Tri-county area. This data is collected at six and twelve month intervals with a minimum of 80% of all participants.

Training opportunities for the drug court staff will be identified. The entire team will attend the mandatory CSAT training. Members of the treatment team will attend the

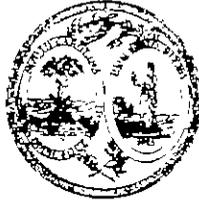
National Drug Court Conference. The staff will participate in the resurrection of the South Carolina Association of Drug Court Professionals and plan a training event. The Lexington Adult Drug Court will once again serve as a Mentor Court Site in May 2005 and may attend any training offered during that visit. The steering committee will be invited to attend training events. The team will continue to identify any other training that may be beneficial to the staff of the drug court program.

Gender-specific services to the participants of the Lexington and Tri County drug courts will be enhanced by developing additional resources for discussion in group counseling or individual sessions. The resources will focus on gender-specific health issues, building healthy relationships, child care and welfare, parenting issues, domestic violence, sexual and physical abuse, housing needs, as well as vocational and educational needs.

State of South Carolina
Office of the Solicitor
Eleventh Judicial Circuit

Justice COMM

COUNTIES
EDGEFIELD / LEXINGTON
McCORMICK / SALUDA
FAXES: (803) 359-8431 or (803) 359-8255



LEXINGTON COUNTY JUDICIAL CENTER
205 E. MAIN ST. • THIRD FLOOR
LEXINGTON, SOUTH CAROLINA 29072
TELEPHONE: (803) 359-8352

DONALD V. MYERS

Solicitor

TO: Art Brooks
FROM: Donnie Myers *DVM*
Date: January 25, 2005
RE: Vehicle for Chris Garner

This is to respectfully request that the vehicle turned in by the Clerk of Court be assigned to Chris Garner. Chris has been given the duties of liaison with Magistrates and Municipal Judges and traveling to bond courts daily to pick up General Sessions Court documents and bringing them back to the Solicitor's Office to open new files the same day under our new docketing system. This requires trips to the bond courts, Sheriff's Department, Batesburg- Leesville, Columbia, and any other bond locations.

He is now also the liaison between all law enforcement agencies which necessitates travel to obtain investigative reports, SLED reports, highway records, meet with officers, and other duties.

All of this demands tremendous travel and coordination. Thank you and Council so very much for your consideration of this request.

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)

South Carolina
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Legislation

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Search the Code of Laws of South Carolina

(Unannotated)

Disclaimer

This statutory database is current through the 2004 Regular Session of the South Carolina General Assembly. Changes to the statutes enacted by the 2005 General Assembly, will be incorporated as soon as possible. Some changes enacted by the 2005 General Assembly may take immediate effect. The State of South Carolina Legislative Council make no warranty as to the accuracy of the data, and users rely on the data entirely at their own risk.

(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 shall include fireworks of ICC Class C, "Common Fireworks" only, and shall mean such articles of fireworks as are defined in the regulations of the Interstate Commerce Commission 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, air bottle type rockets smaller than provided for in 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 c inch;

(6) Illumination torches and colored fire in any form whose total pyrotechnic composition shall not exceed 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 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 appr

No component of any device listed in this section which is designed to produce an audible effect shall pyrotechnic composition in excess of two grains in weight excluding propelling or expelling charges. l composition containing any chlorate or perchlorate shall not exceed five grams. 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 : possessed, stored or used in the State unless they shall be properly named to conform to the nomenclat 35-10 and unless they are certified as "Common **Fireworks**" on all shipping cases and by printing to be of sufficient size and so positioned as to be readily recognized by law enforcement authorities an public.

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

The term "**fireworks**" shall not include toy paper pistol caps which contain less than twenty-five h a grain of explosive compounds, toy pistols, toy canes, toy guns or other devices using paper caps and 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 shall include display shells designed to be fired from mortars and display set pieces of **fireworks** c the regulations of the Interstate Commerce Commission as "Class B Special **Fireworks**," and shall such items of commercial **fireworks** as cherry bombs, tubular salutes, repeating bombs, aerial bon 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 and sales 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 insurance 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

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, a conviction, shall be fined not more than one thousand dollars or imprisoned for not more than thirty da

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 f 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 and 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 inches high. No person under the age of eighteen years shall be employed as a salesman or handler of **firew**

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** illegal 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 composition 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 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 months;

(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 revoked 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 fifty thousand and two hundred fifty 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, shall be fined in an amount not to exceed one hundred dollars or imprisoned for a term not to exceed thirty days.

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 such explosive 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 violating 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



To: Members of County Council

From:  Timothy M. James, Deputy County Administrator
Law Enforcement / Public Safety

Council Meeting Date: Tuesday, February 8th, 2005

Reference: DHEC - EMS – Grant-in-Aid

In August 2004, DHEC approved a Grant-in-Aid from the Community EMS Assistance Program for Gold Cross Ambulance Service (GCAS). The total amount of the award is \$3,325.41 (\$3,142.51 state funds with a local match of \$182.90 to be paid by Gold Cross Ambulance Service). This grant was sought by GCAS to obtain financial assistance to purchase equipment to be used in the enhancement of their new training program. As you may recall, we utilize GCAS on a daily basis to supplement our medical services, improving our response times.

The guidelines of this grant stipulate that since GCAS is a private organization, which supplies mutual aid to governmental agencies, the grant must be awarded to a government agency (County of Lexington) with GCAS being the sub-grantee.

Therefore, Lexington County would be used as a government pass thru on this particular grant. No additional monies are required for this program. This grant has the support of the staff and is hereby being submitted for your approval.

COUNTY OF LEXINGTON
FINANCE DEPARTMENT

interoffice
MEMORANDUM

to: County Council

from: Evelyn Babbitt, Manager of Grants Administration

subject: DHEC - EMS - Grant-In-Aid pass-thru grant to Gold Cross Ambulance Service, West Columbia

date: January 25, 2005

South Carolina Department of Health and Environmental Control (DHEC) has awarded a DHEC Grant-In-Aid Grant from the Community EMS Assistance Program to Gold Cross Ambulance Service (GCAS) in the amount of \$3,142.51 for equipment. Because GCAS is a private organization, the grant must be awarded to Lexington County with GCAS as the subgrantee. The grant requires a local match of \$182.90 which would be provided by GCAS.

GCAS would purchase the equipment and submit a request for reimbursement along with copies of the invoices to Lexington County. Lexington County would then submit a request for reimbursement to DHEC. When the check is received from DHEC, Lexington County would issue a reimbursement check to GCAS. This is the normal procedure that we follow with all of our pass-thru grants.

We are asking County Council to approve acceptance of this grant on behalf of GCAS. All reimbursement requests must be timely submitted to DHEC by April 30, 2005.



Emergency Medical Service **APPROVED**
Community EMS Assistance Program

Lexington
County

2. 9-10-04
Date of Application

3. Project Grant Period:

From: July 2004

4. 1 Year 2 Years

To: July 2005

Amount

State Funds Requested \$ 3142.51
Total Local Cash \$ 182.90
Total Project Cash \$ 3325.41

Source of Local Funds

County Community Private

6. Ambulance Service:

Gold Cross Amb., 3038 Leaphart rd, W. Columbia, SC 29169

803-794-8101

Name

P.O. Box Address

Telephone

Permit Long
Director/Chief/Name

Permit Long
Signature

7. County Authorization:

Choice of Funding Formula

The county has chosen a local formula for distribution of monies among the ambulance services and all the services have agreed in writing on this formula. The documentation of their agreement with signatures is attached.

The county has chosen to fund each of the ambulance services based on the percentage of the county's total emergency runs which were run by each ambulance service.

If yes, initial here: _____

If yes, initial here: _____

I certify that I understand and agree to comply with the general and fiscal requirements of this application and that I am duly authorized to commit the applicant to these requirements. I also understand that the funds available through this grant are not to be used to replace existing dollars now used for the EMS program. A reasonable effort has been made to inform all eligible services of the opportunity to apply for EMS assistance through this grant program.

Authorizing Official

County _____ Name _____ Title _____
Street _____ City _____ Zip _____ Telephone _____
Signature _____ Date _____

Review and Approval:
Regional EMS Agency:

S. C. Midlands Emergency Services Region
3201 _____

Signature

Title

Date: _____

Budget Justification

Please state, in a concise manner, specifically how each item of equipment or each training course that you have requested will provide improved patient care in your area. State how many items you now have and why you need more. (i.e. We have five ambulances, four at the ALS level and wish to upgrade the fifth ambulance to ALS and need a defibrillator and four paramedic's tuition).

Be as complete as possible to avoid any confusion to decrease the need for additional justification. Attach extra pages, brochures, vendor literature (only on items that are unusual/innovative) to explain.

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VISUAL AIDS. THE CAMCORDER WILL ALLOW CLASSES TO BE RECORDED
FOR QUALITY ASSURANCE OF THE PROGRAM AND TO ALLOW PERSONNEL
TO MAKE UP CLASSES. THE IKT SOFTWARE WILL PROVIDE ACCURATE
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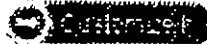
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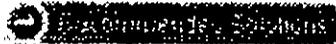
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- Navigation button and scroll dial for easy access to information
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A P P O I N T M E N T S - B O A R D S & C O M M I S S I O N S

February 8, 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 - Sabrina S. Rogers

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 - 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

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Assessment Appeals Board

Nominee: Sabrina S. Rogers

Address: 248 Candlelight Dr. West Columbia, SC 29170

Employed by: Karl Sitte Plbg. Co., Inc.

Address: 2432 Leaphart Rd. West Columbia, SC 29169

Home Telephone: (803)356-0208 Business Telephone: (803)794-4791

Mobile Phone: (803)730-2741 Beeper Number: _____

Fax Number: (803)791-1856

Is nominee aware of board/commission activities and responsibilities: Yes

Background information (include education, community service activities, previous service on county boards/commissions or any other boards/commissions on which you are currently serving):

High School Graduate - DEC 1989

Submitted by: *Sabrina S. Rogers*

Date: 1/21/05

The minutes have been intentionally omitted until County Council has approved. Upon Council's approval, the minutes will be available on the internet.

COMMITTEE REPORT

RE: SC Pipeline Easement Request

DATE: January 26, 2005

COMMITTEE: Public Works

MAJORITY REPORT: Yes

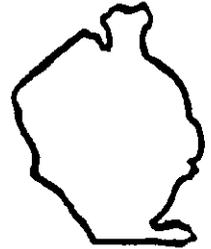
The Public Works Committee met on Tuesday, January 25, 2005 to consider a request from SC Pipeline Corporation for a fifty-foot by fifty-foot (50' x 50') easement on County-owned property, Irmo Fire Station Headquarters.

Mr. Fechtel, Director of Public Works, stated the purpose of the easement is to install a mainline valve and metering station to serve SCE&G with natural gas. He added a twenty-five foot (25') easement already exists, therefore the easement would actually be twenty-five feet by fifty feet (25' x 50').

The Committee voted to recommend to full Council that the easement be approved.



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

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.

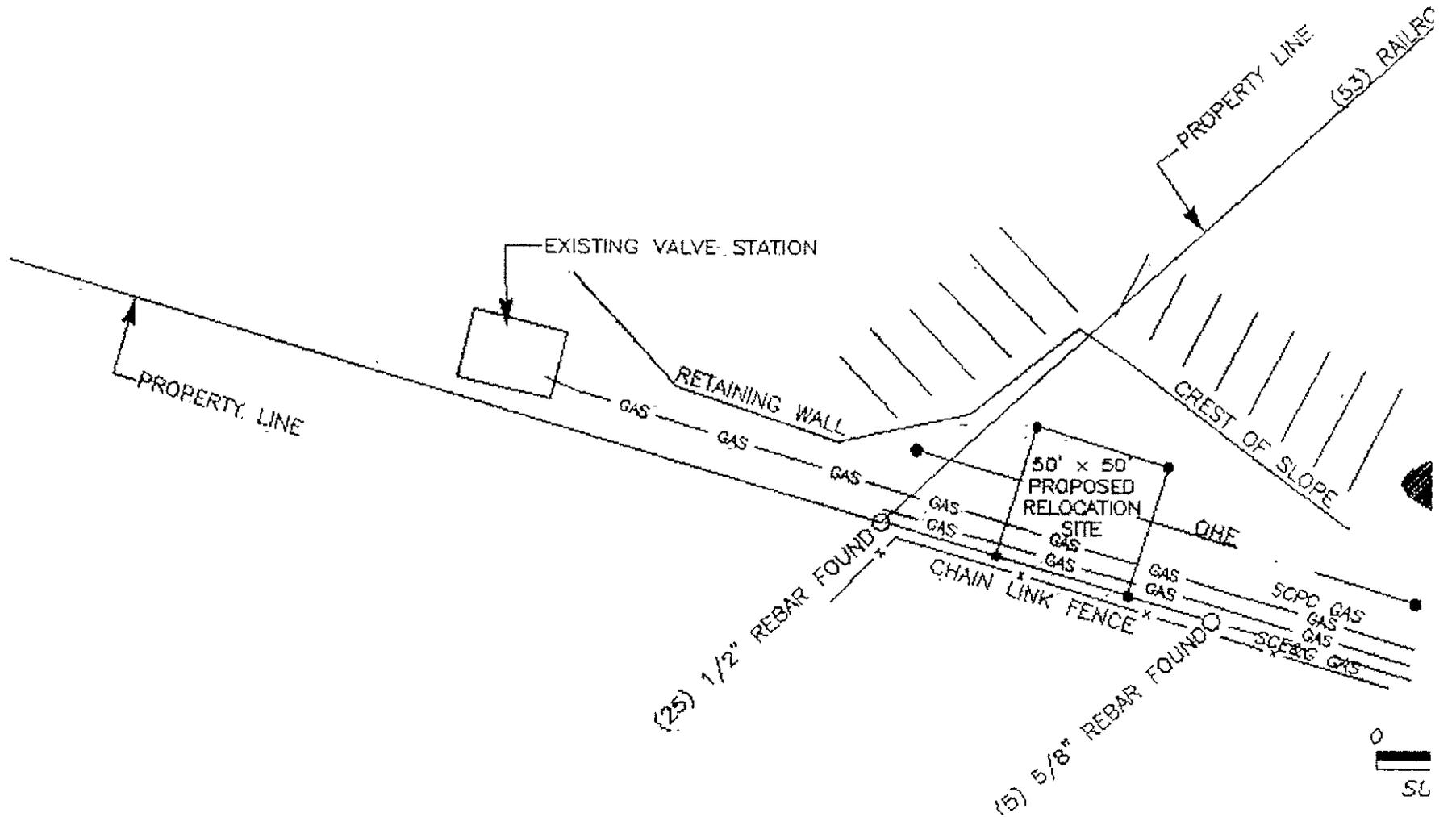
SWORN to before me this _____ day of _____, 2004.

(SUBSCRIBING WITNESS SIGNATURE)

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



STATE GRID NORTH
NAD83 (2001)
BY GPS





Red square depicts location.
Located in Council District 7,
inside Irmo town limits.

COMMITTEE REPORT

RE: SCDOT Recommendations - Match Program

DATE: January 25, 2005

COMMITTEE: Committee of the Whole

MAJORITY REPORT: Yes

The Committee of the Whole met on Tuesday, January 25, 2005 to discuss the prioritized SCDOT recommended list of state roads in Lexington County to be resurfaced. Currently the list consists of 15 roads.

Mr. Fechtel, Director of Public Works, stated currently the County has \$576,000 available in "C" Funds and \$576,000 from SCDOT match for a total of \$1,152,000.

The committee voted to recommend that Council approve the SCDOT prioritized list and resurface as many roads as possible until funds have been depleted.

Note:

By letter dated January 27, 2005 from SCDOT, an additional \$49,782.04 in matching funds has been offered to the County to be used for resurfacing. Currently, the County has the additional \$49,782.04 available in "C" Funds. This will increase the County's portion to \$625,782 making the total project worth \$1,251,564.

If it is Council's desire to accept the additional \$49,782.04 in matching funds for the FY 2005 State Match Program, please take action as we will have to notify SCDOT by February 21, 2005.



South Carolina
Department of Transportation

Bruce

January 27, 2004

2005

Mr. Bruce Rucker
Chairman Lexington County Council
212 South Lake Drive
Lexington, SC 29072

RE: FY 2005 State Match Program

Dear Mr. Rucker:

Thank you for choosing to participate in the State Match Program for FY 2005 (SMP'05). The Commission for the South Carolina Department of Transportation established the program to assist the local County Transportation Committees (CTC) with improving the safety of state roads in their county.

As of the date of this letter, thirty-eight CTCs have chosen to participate in SMP'05. Therefore, there are unclaimed funds from the non-participating CTCs that will be redistributed among the counties that chose to participate in the program. We would like to take this opportunity to offer you \$49,782.04 in an additional matching funds. These funds are subject to the same guidelines as the initial distribution. If you would like to claim these additional funds, please notify me in writing by February 21, 2005. If we have not heard from you by that time, we will assume that you do not wish to claim this additional match.

If you have any questions concerning the program, please feel free to call me at 803-737-1127. I will be glad to answer any questions you may have. As always, it is a pleasure to work with you to provide the best transportation possible for your county.

Sincerely,

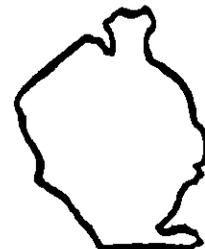
Randall D. Williamson
"C" Program Engineer

RDW:svg
File: PC/RDW





COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

DATE: January 18, 2005
TO: Art Brooks, County Administrator
FROM: John Fechtel, 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			

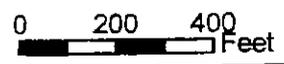
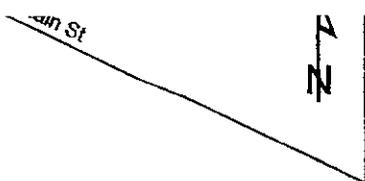
Roads by Council District

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
3	6	S-874	Hope Ferry Rd	Midway Rd.	Corley Mill Rd.	1.92	20	4	\$282,240	\$147,000
3	11	S-392	Northwood Rd.	US 378	Reed Ave.	0.72	20	0	\$60,480	\$84,000
4	1	S-337	Parker St	Swartz Rd	SC 6	0.59	24	0	\$60,180	\$102,000
4	12	S-902	Glendale Rd	Seay Dr.	Dead End	0.3	24	0	\$30,600	\$102,000
6	3	S-38	River Rd	SC 6	End State Mt	1.74	20	4	\$255,780	\$147,000
6	15	S-1477	Regatta Rd	River Rd	Dead End	1.2	20	4	\$176,400	\$147,000
7	8	S-1307	Broken Hill Rd.	Piney Grove Rd	Pitney Rd	0.46	35	0	\$67,160	\$146,000
8	2	S-864	Hooksen Cir	Leaphart Rd.	Hooksen Cir	0.75	26	0	\$81,750	\$109,000
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
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2 / 5	7	S-278	Calks Ferry Rd.	Two Notch Rd.	Nazareth Ch. Rd.	3.3	22	4	\$514,800	\$156,000
6	1	S 32-231	Dreher Island Rd.	Newberry Co.	S 32-29	2.55	20	0	\$214,200	\$84,000
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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

5769 000

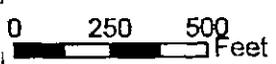
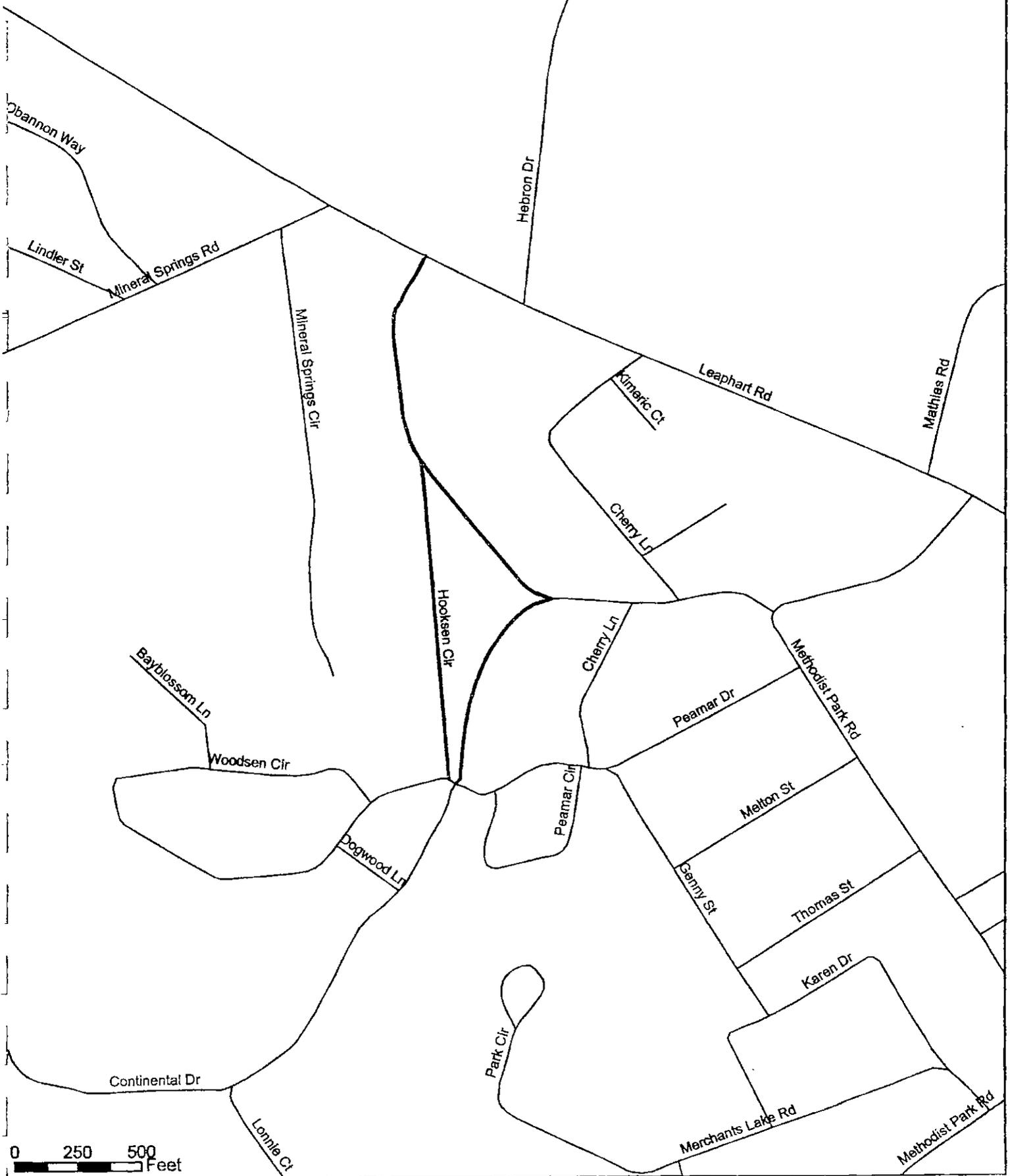
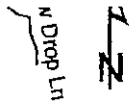
Parker St. (C.D. 4)

— Recommended for paving



Hooksen Cir. (C.D. 8)

— Recommended for paving



River Rd. (C.D. 6)

Recommended for paving



0 700 1,400 Feet

Bruton Smith Rd. (C.D. 3)

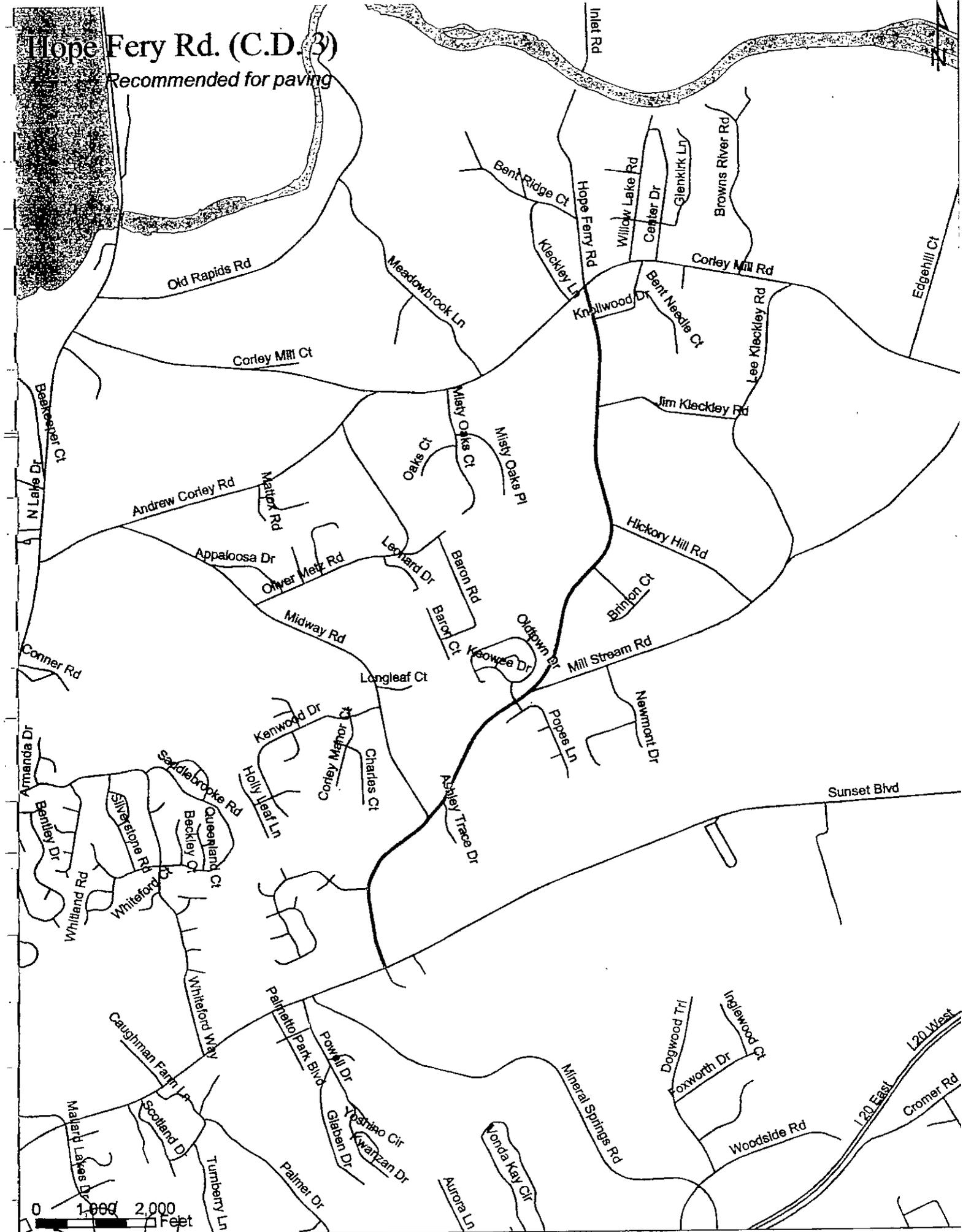
— Recommended for paving

42



Hope Ferry Rd. (C.D. 3)

Recommended for paving



0 1,000 2,000 Feet

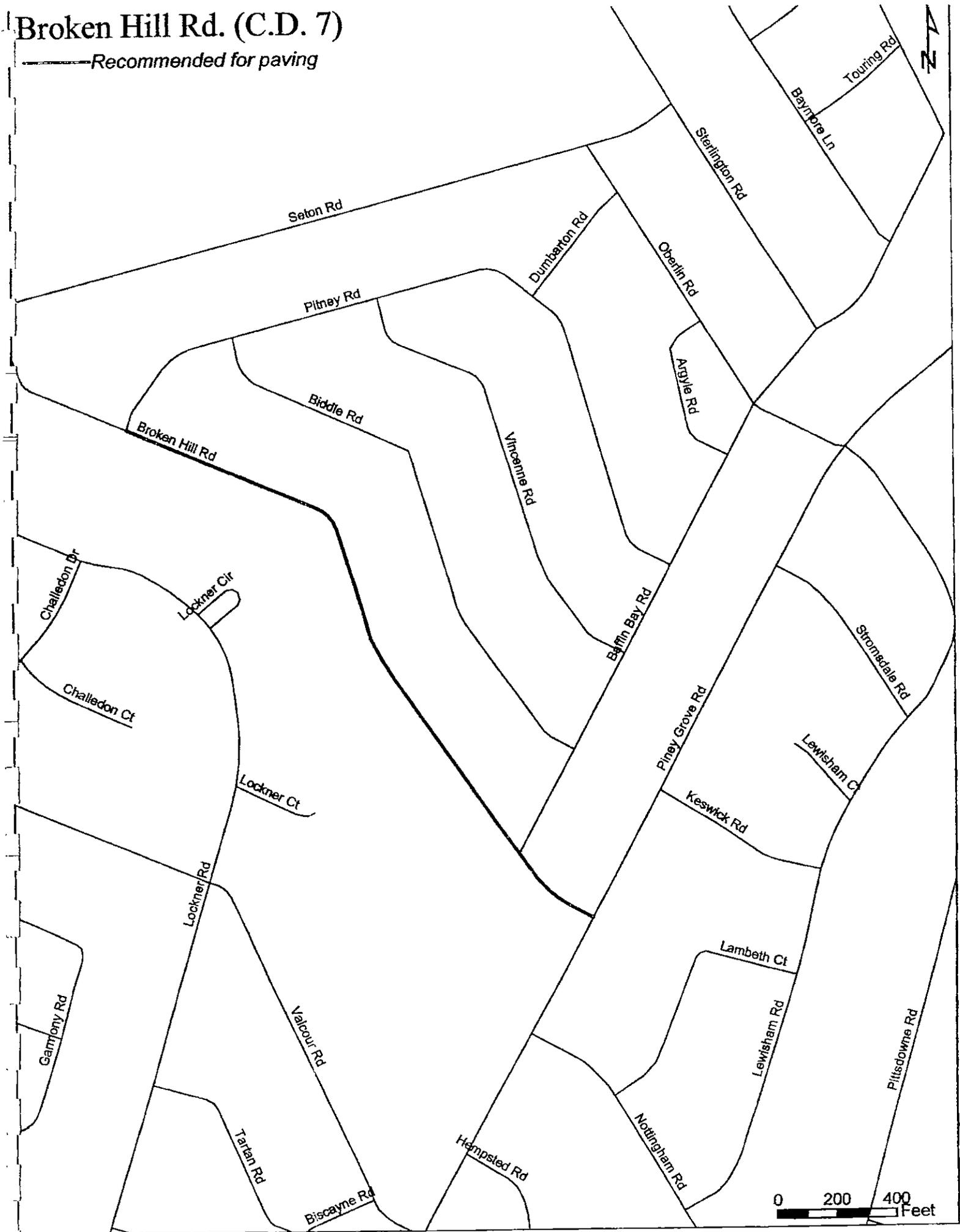
Calks Ferry Rd. (C.D. 5)

Recommended for paving



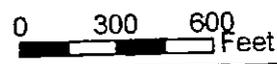
Broken Hill Rd. (C.D. 7)

Recommended for paving



Julius Felder St. (C.D. 9)

Recommended for paving



Whippoorwill Dr. (C.D. 8)

Recommended for paving



0 250 500 feet

Northwood Rd. (C.D. 3)

Recommended for paving

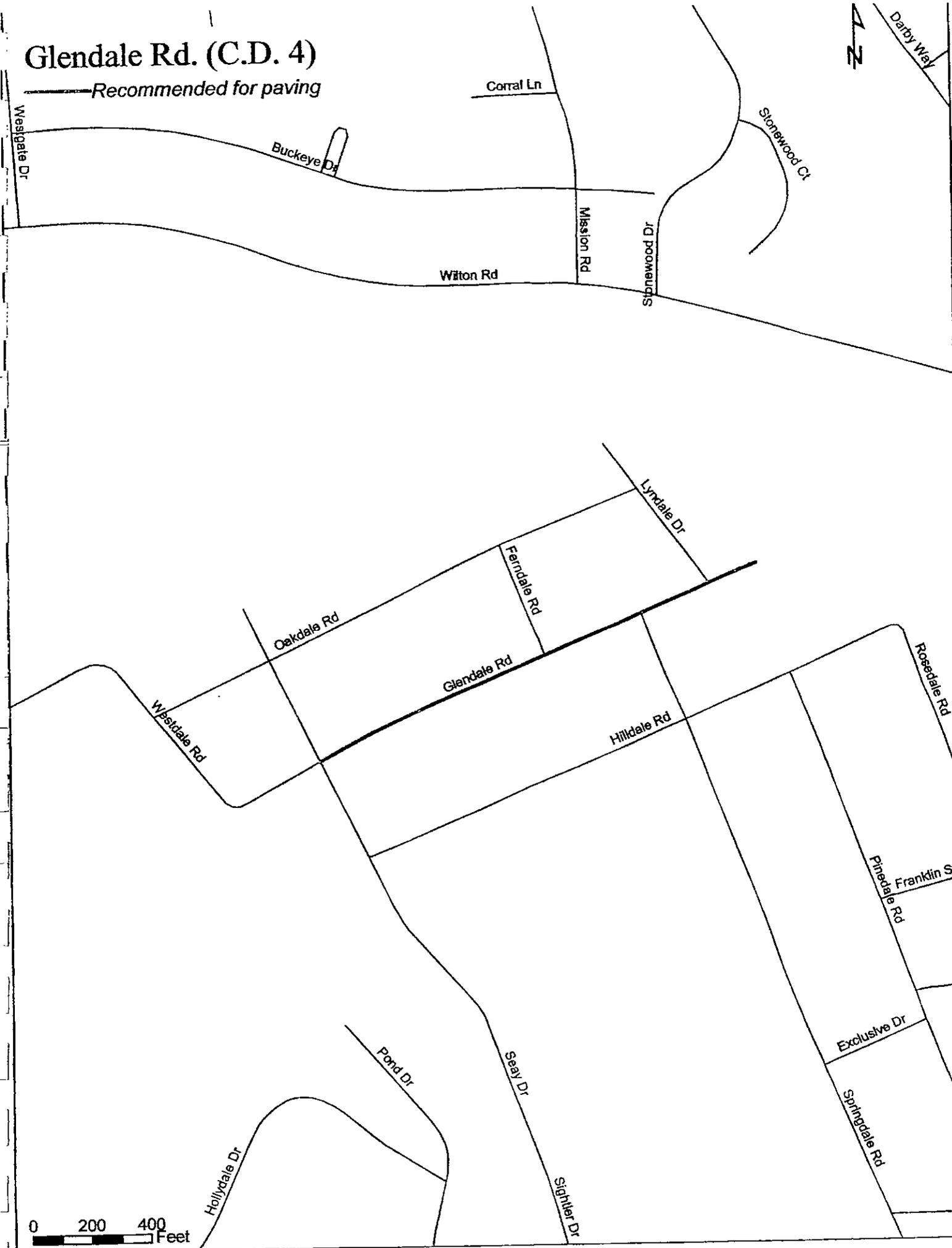
12

Ashley Oaks Dr



Glendale Rd. (C.D. 4)

— Recommended for paving



0 200 400 Feet

Holland Ave. (C.D. 9)

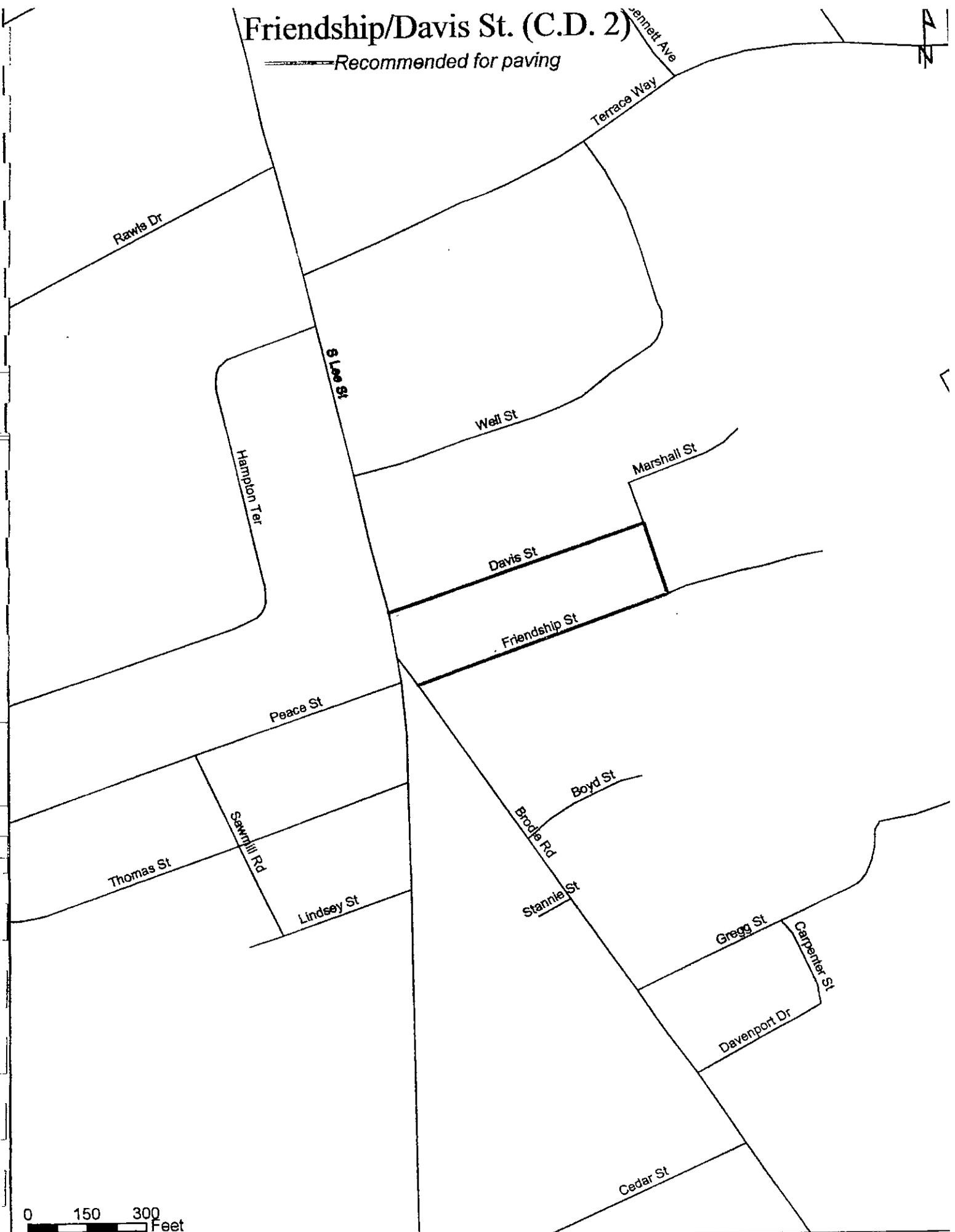
Recommended for paving



0 300 600 Feet

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

Recommended for paving



0 150 300 Feet

Regatta Rd. (C.D. 6)

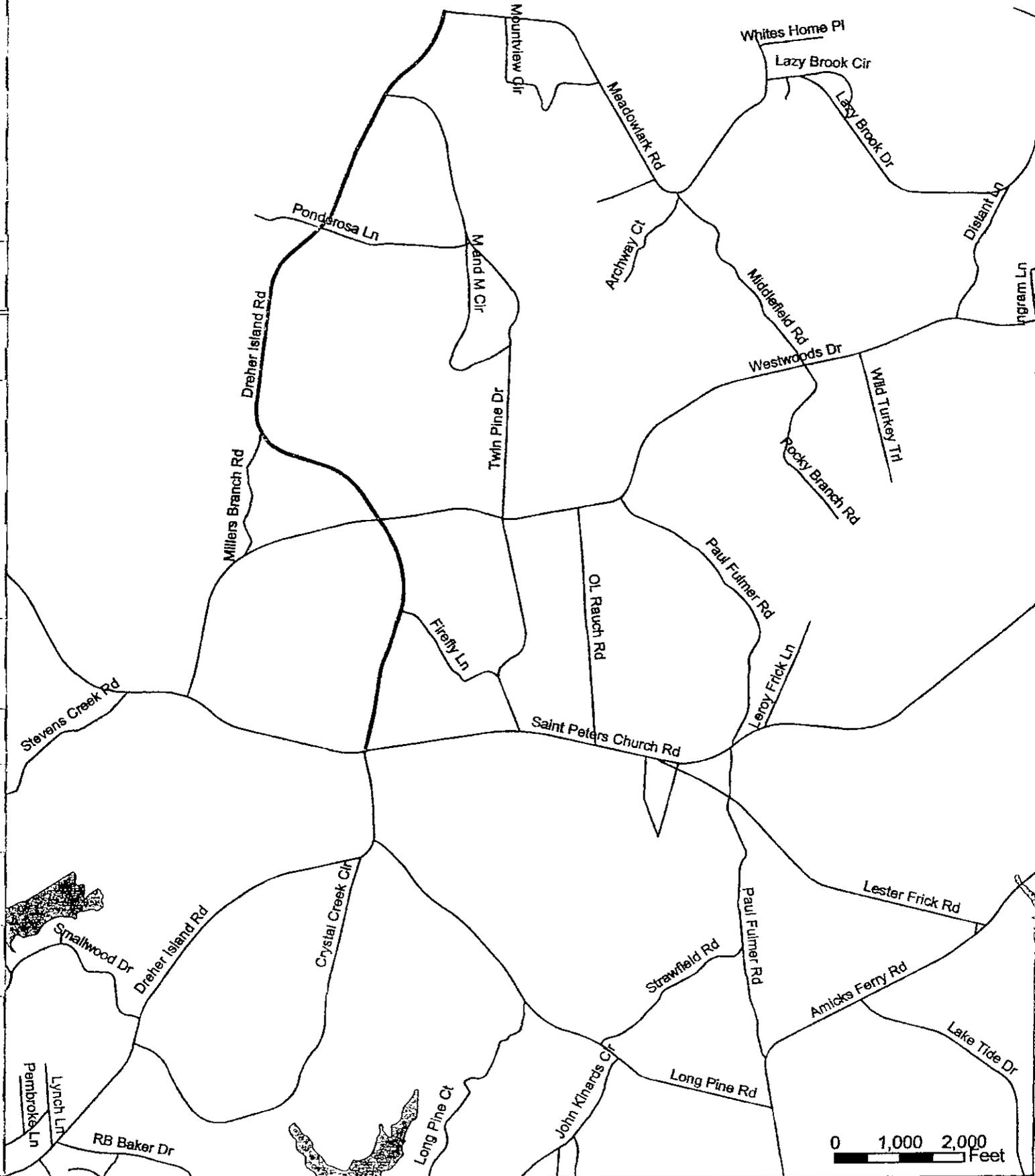
Recommended for paving



Dreher Island Rd. (C.D. 6)

— Recommended for paving

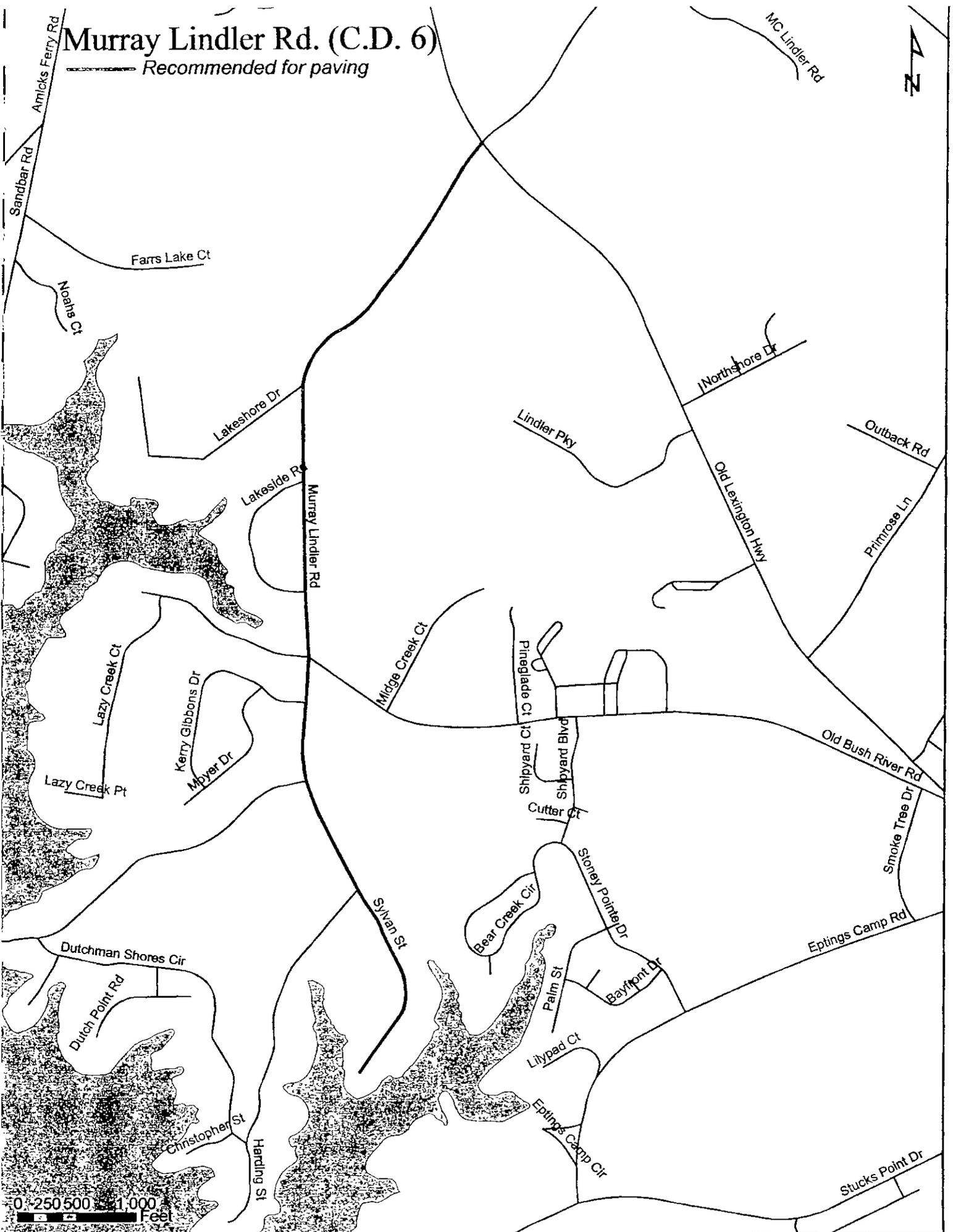
NEWBERRY CO.



0 1,000 2,000 Feet

Murray Lindler Rd. (C.D. 6)

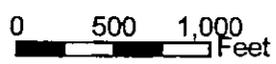
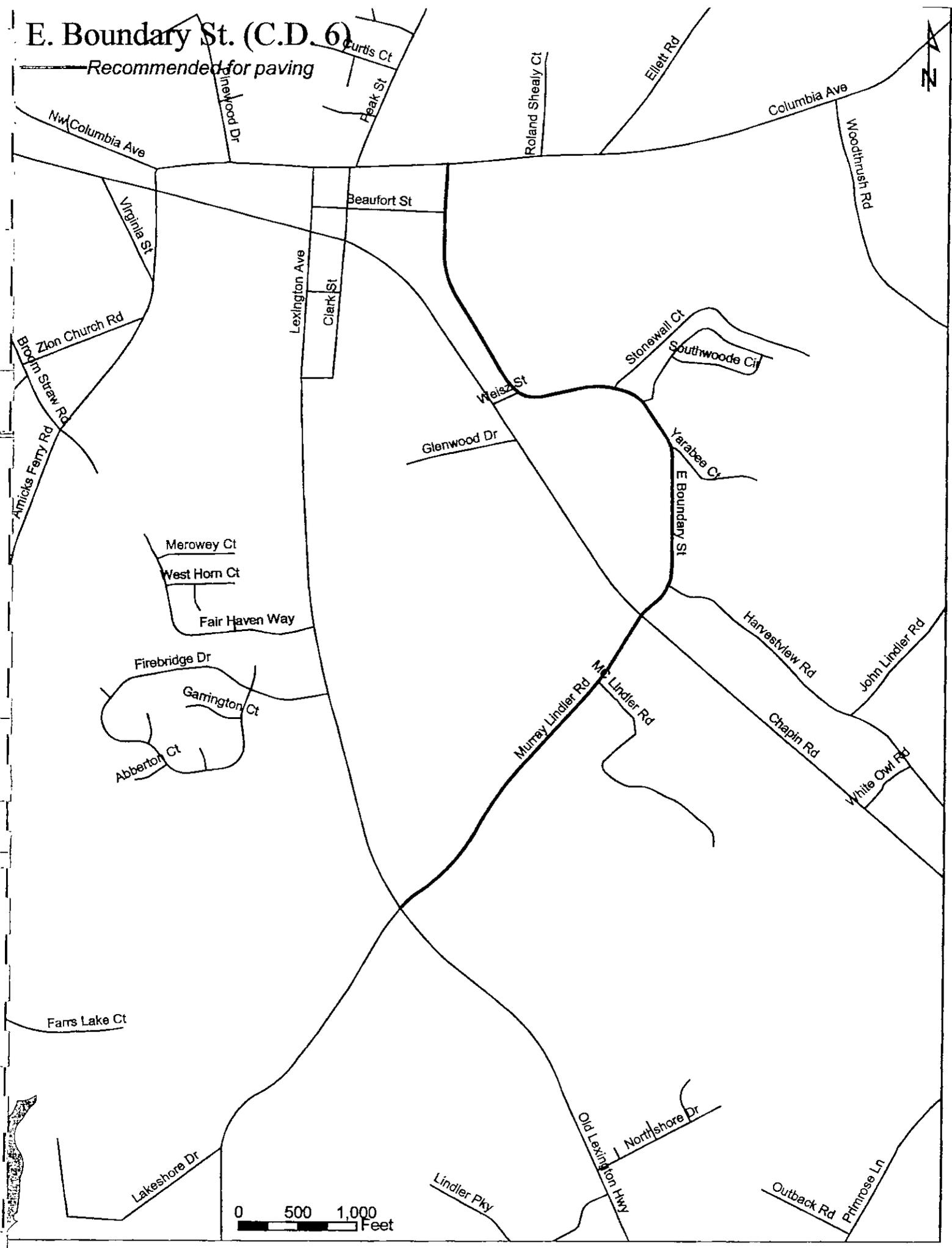
Recommended for paving



0 250 500 1,000 Feet

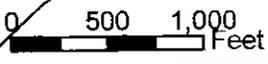
E. Boundary St. (C.D. 6)

Recommended for paving



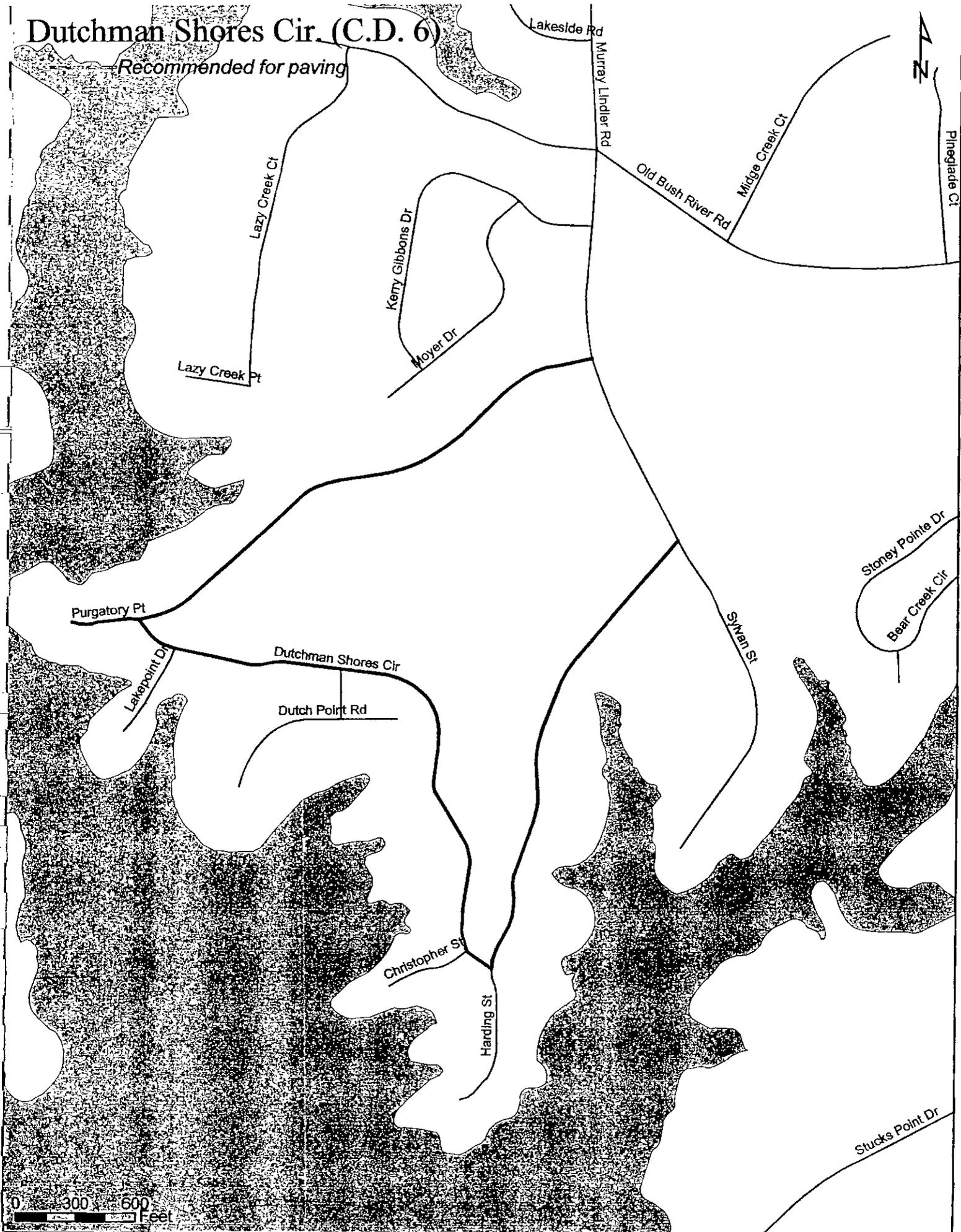
Old Bush River Rd.. (C.D. 6)

— Recommended for paving



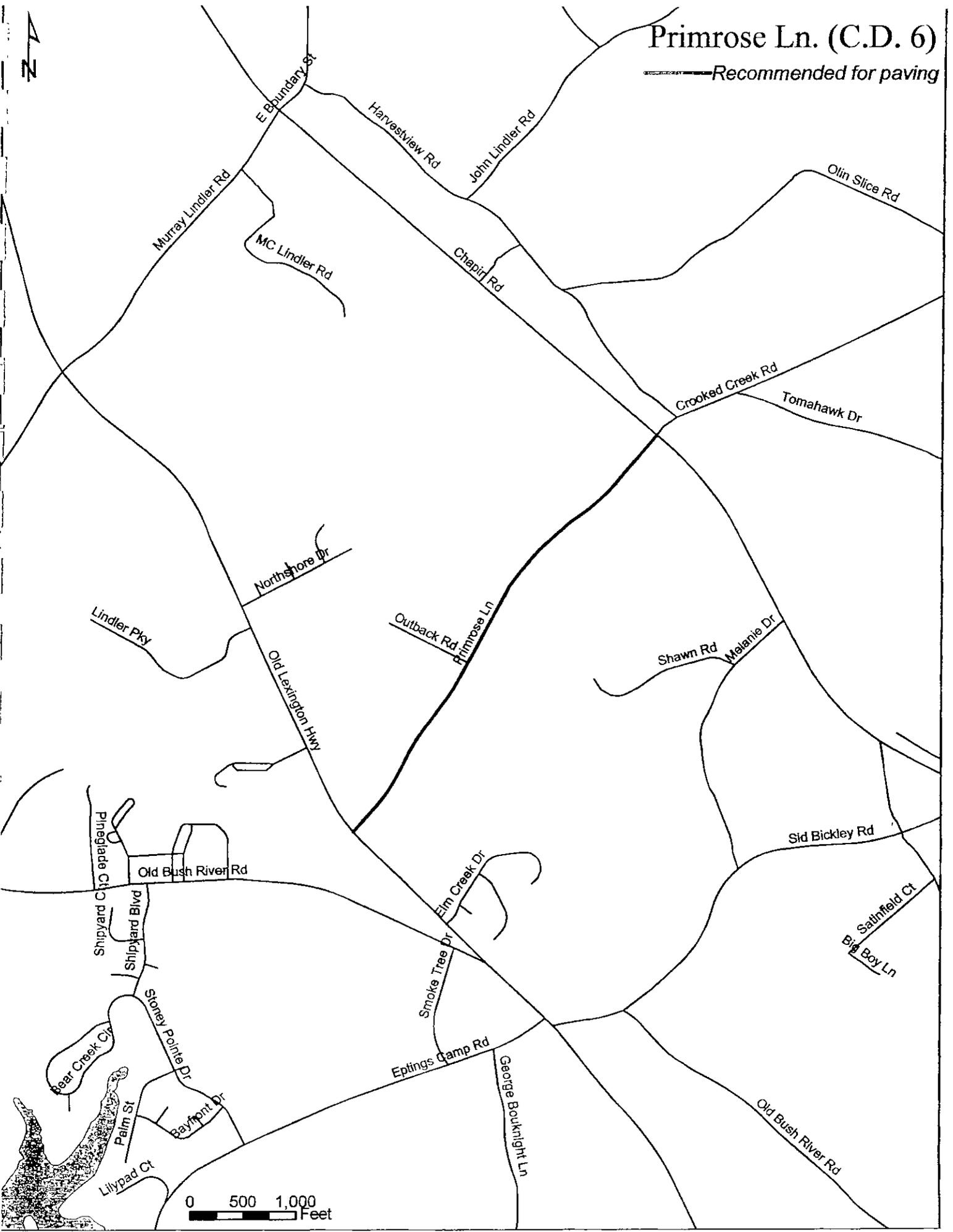
Dutchman Shores Cir. (C.D. 6)

Recommended for paving



Primrose Ln. (C.D. 6)

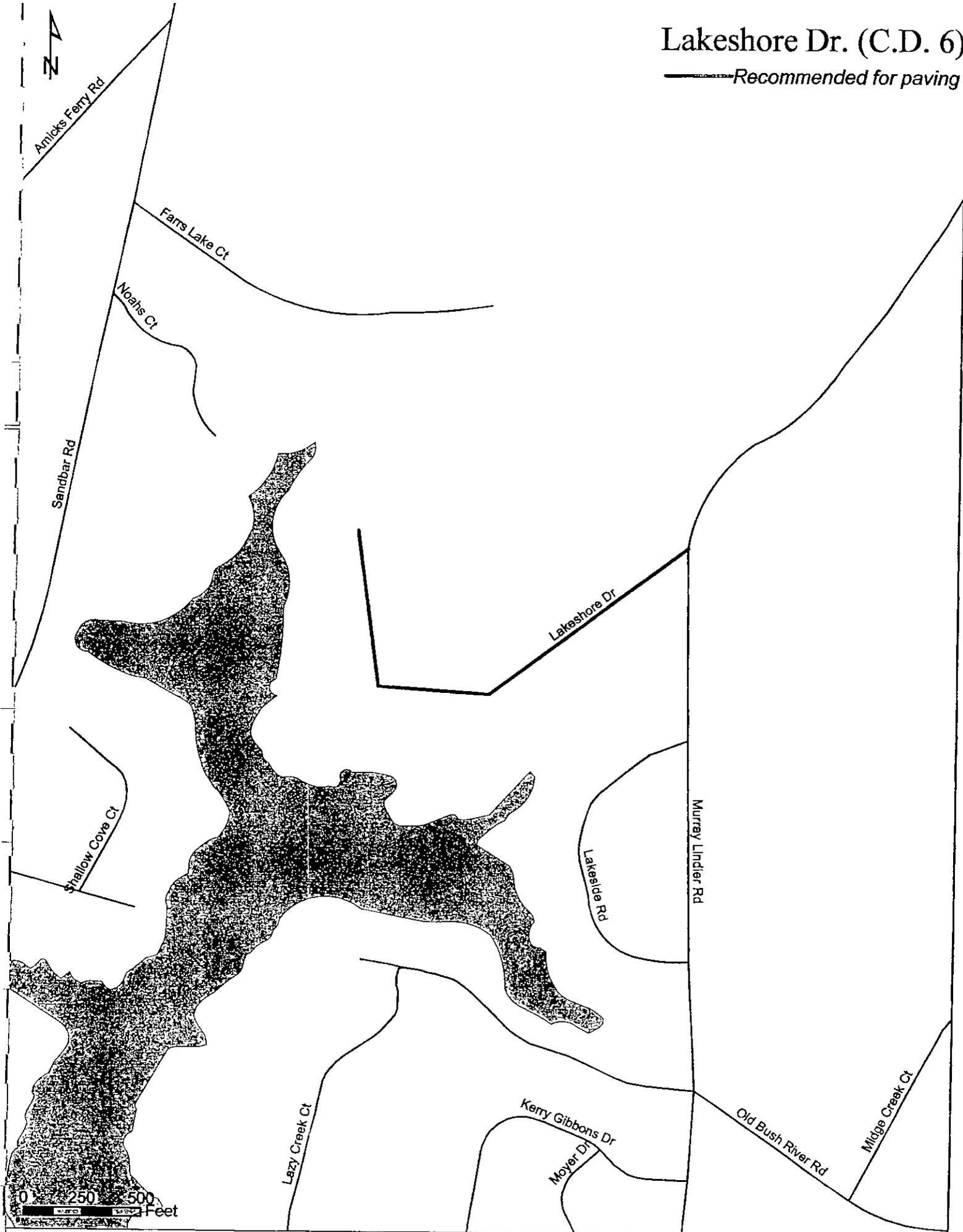
— Recommended for paving



0 500 1,000 Feet

Lakeshore Dr. (C.D. 6)

— Recommended for paving



ORDINANCE NO. 2004- 11

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT BY AND BETWEEN LEXINGTON COUNTY, SOUTH CAROLINA, AS LESSOR, AND NUCOR CORPORATION, AS LESSEE, WITH RESPECT TO THE CONSTRUCTION OF CERTAIN MODIFICATIONS AND IMPROVEMENTS TO NUCOR CORPORATION'S MANUFACTURING FACILITY FOR METAL BUILDINGS AND COMPONENTS, WHEREBY THE COUNTY WILL ACCEPT TITLE TO SUCH MODIFICATIONS AND IMPROVEMENTS, THE MODIFICATIONS AND IMPROVEMENTS WILL BE SUBJECT TO CERTAIN FEE PAYMENTS IN LIEU OF TAXES AND THE MODIFICATIONS AND IMPROVEMENTS WILL BE RECONVEYED TO NUCOR CORPORATION UNDER CERTAIN CONDITIONS; AND OTHER MATTERS RELATED THERETO.

WHEREAS, LEXINGTON COUNTY, SOUTH CAROLINA (the "County"), acting by and through its County Council (the "County Council"), is authorized and empowered under and pursuant to the provisions of Chapter 44 of Title 12 of the Code of Laws of South Carolina, 1976, as amended (the "Act"), to acquire, or cause to be acquired, properties (which properties constitute a "project" as defined in the Act) and to enter into agreements with any industry whereby the industry would pay fees in lieu of taxes with respect to such project, through which powers the industrial development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate or remain in the State and thus utilize and employ the manpower, products and resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and

WHEREAS, the County is further authorized by the Act to accept title to projects located in the County and to lease such projects to any investor pursuant to a lease or lease purchase agreement by and between the County and such investor; and

WHEREAS, pursuant to the Act, and in order to induce certain investment in the County, the County has entered into that certain Inducement and Millage Rate Agreement with Nucor Corporation, a Delaware corporation (the "Company"), dated December 14, 2004 (the "Inducement and Millage Rate Agreement"), with respect to the modification and improvement by the Company of its metal building systems and components plant in the County (the "Project"); and

WHEREAS, the County has determined on the basis of the information supplied to it by the Company that the Project would be a "project" as that term is defined in the Act and that the Project would serve the purposes of the Act; and

WHEREAS, the County has determined to enter into sale-leaseback arrangement, which includes a Lease-Purchase Agreement, to be dated as of the date of first reading of this

ordinance, with the Company (the "Lease Agreement"), whereby the County would accept title to the Project and lease the same back to the Company and provide therein for a payment of fees in lieu of taxes by the Company with respect to the Project and the reconveyance of the Project to the Company, all upon satisfaction of the conditions contained therein; and

WHEREAS, the County Council has caused to be prepared and presented to this meeting the form of the Lease Agreement which the County proposes to execute and deliver; and

WHEREAS, it appears that the documents above referred to, which are now before this meeting, are in appropriate form and are an appropriate instrument to be executed and delivered or approved by the County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED, by the County Council as follows:

Section 1. In order to promote industry, develop trade and utilize and employ the manpower, agricultural products and natural resources of the State by assisting the Company to locate or expand its industrial facilities in the County, (i) the acquisition by the County and the subsequent lease to the Company of the Project, and (ii) the reconveyance of the Project to the Company upon the satisfaction of the conditions set forth in the Lease Agreement, are hereby authorized and approved.

Section 2. It is hereby found, determined and declared by the County Council, as follows:

(a) The Project will constitute a "project" as said term is referred to and defined in the Act, and the County's actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the Act;

(b) The Project and the payments in lieu of taxes set forth in the Lease Agreement are beneficial to the County;

(c) The Project will benefit the general public welfare of the County by providing service, employment, recreation and other public benefits not otherwise provided locally;

(d) The purposes to be accomplished by the Project, *i.e.*, economic development and addition to the tax base of the County, are proper governmental and public purposes;

(e) The Project will give rise to no pecuniary liability of the County or incorporated municipality or a charge against the general credit or taxing power of either;

(f) The inducement of the location or expansion of the Project within the County and the State is of paramount importance;

(g) The dollar amount and nature of the investment, in addition to other criteria described in this Section, support the Project's classification as economic development property;

(h) The benefits of the Project will be greater than the costs; and

(i) The Project will be made available by the County to the Company upon terms which require the Company, at its own expense, to maintain the Project in good repair and to carry all proper insurance with respect thereto.

Section 3. The form, terms and provisions of the Lease Agreement presented to this meeting and attached hereto as Exhibit A are hereby approved and all of the terms and provisions thereof are hereby incorporated herein by reference as if the Lease Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council and the Clerk of the County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver the Lease Agreement in the name of and on behalf of the County, and thereupon to cause the Lease Agreement to be delivered to the Company and cause the Lease Agreement to be recorded in the Register of Deeds for Lexington County. The Lease Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Lease Agreement now before this meeting.

Section 4. The form, terms and provisions of the Mortgage and Security Agreement and Fixture Filing (the "Security Agreement") presented to this meeting and attached hereto as Exhibit B are hereby approved and all of the terms and provisions thereof are hereby incorporated herein by reference as if the same were set out in this Ordinance in its entirety. The Chairman of the County Council and the Clerk of the County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver the Security Agreement in the name of and on behalf of the County, and thereupon to cause the Security Agreement to be delivered to the Company. The Security Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Security Agreement now before this meeting.

Section 5. The Chairman of the County Council and the Clerk of the County Council, for and on behalf of the County, are hereby each authorized and directed to do any and all things necessary to effect the execution and delivery of the Lease Agreement and the Security Agreement and the performance of all obligations of the County under and pursuant to the Lease Agreement and the Security Agreement.

Section 6. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provisions shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 7. It is the intention of the County Council that the date of first reading of this ordinance shall constitute the date of official action in the part of the County, reflecting or identifying the Project as economic development property within the meaning of the Act.

Section 8. All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This resolution shall take effect and be in full force from and after its passage by the County Council.

Enacted in meeting duly assembled this 14th day of December, 2004.

LEXINGTON COUNTY, SOUTH CAROLINA

By: _____
Chairman, County Council of
Lexington County, South Carolina

ATTEST:

By: _____
Clerk of the County Council
Lexington County, South Carolina

First Reading:
Second Reading:
Third Reading:

Public Hearing:



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) (current) General Commercial (C2) (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 [Handwritten Signature]

() Owner?

Name(print) Tom Fleming, Regency Centers

(X) Agent?

Address 121 W. Forsyth St. Ste 200

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

Jacksonville FL 32202

- 1. 12/6/04 Application Received
2. 12/6/04 Fee Received
3. 1/20/05 Newspaper Advertisement
4. 1/24/05 Property Posted
5. 1/21/05 Notices Sent

Planning Commission Recommendation:

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

Results:



STAFF SUMMARY ZONING MAP AMENDMENT #M04-07

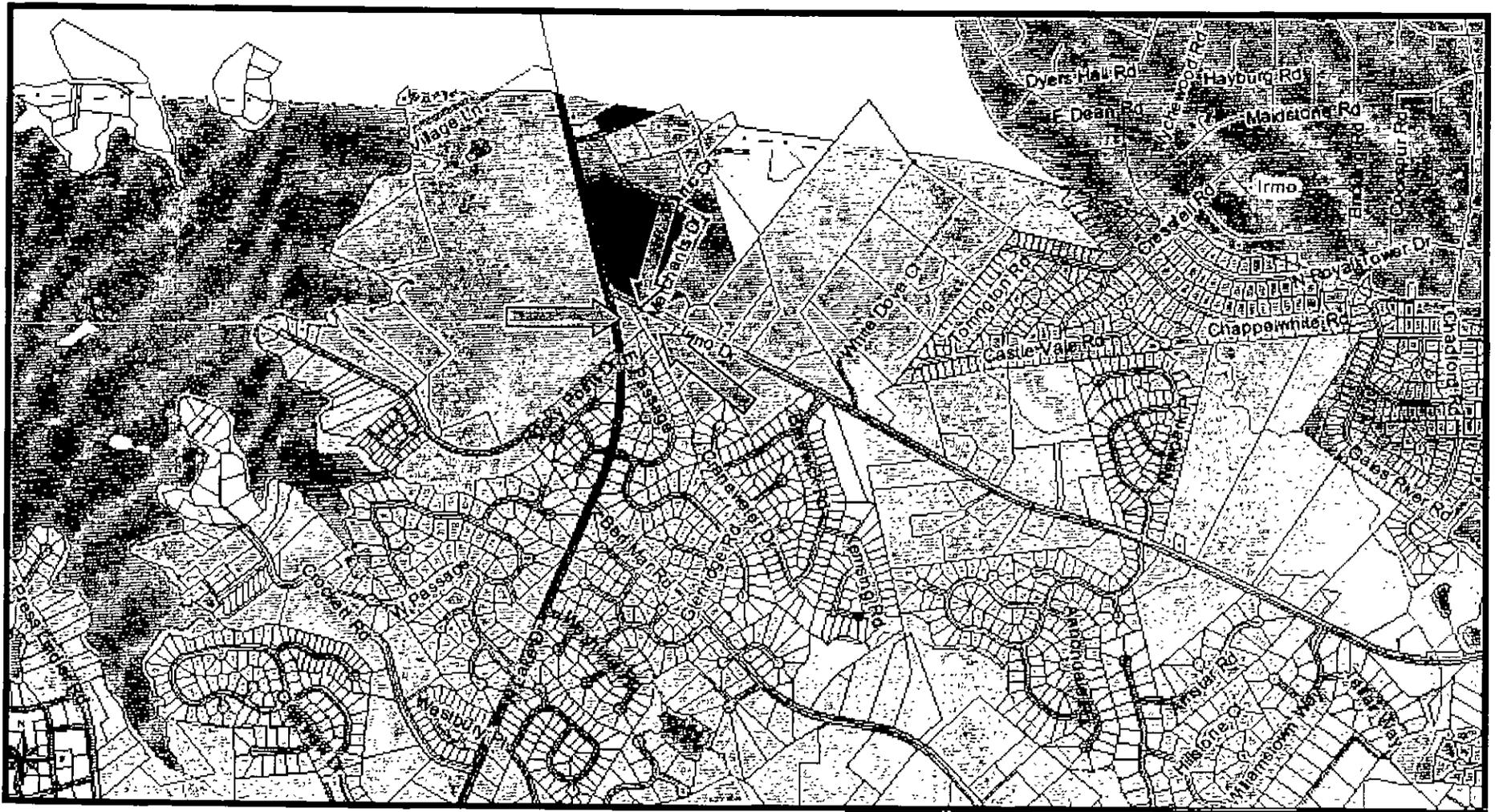
Description of the Amendment: This map amendment request is for a change in zoning classification from “Development (D)” to “General Commercial (C2)”.

Character of the Area: There is a mix of commercial and residential property use in the immediate area. The subject property is bordered on the north by Irmo Drive and Murray Landing Shopping Center, on the east by single family residential, the south by single family residential (Sandhurst Subdivision) and on the west by property owned by the City of Columbia..

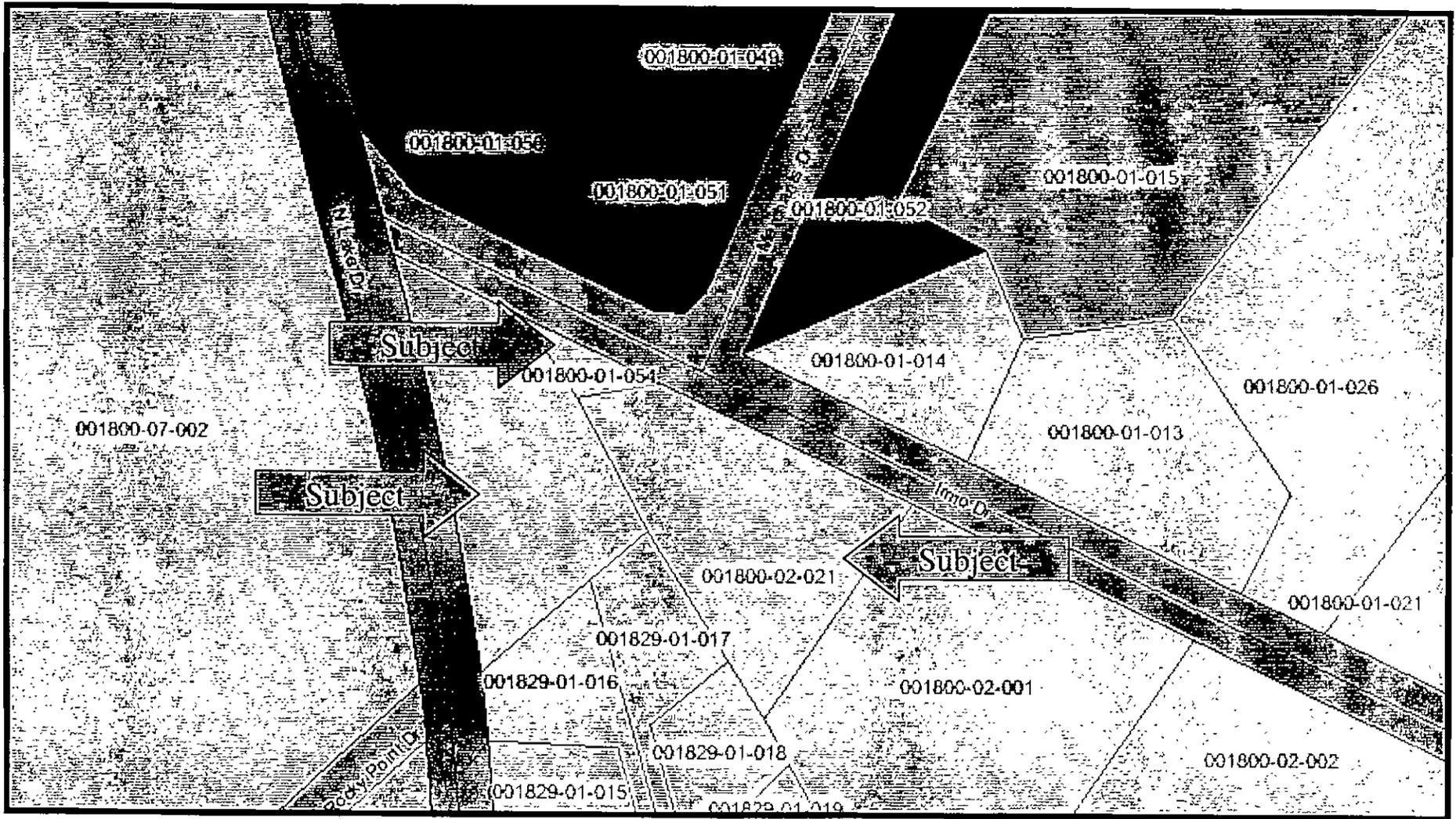
Zoning History: This property is in the Dutch Fork Planning Area zoned in 1971/1974. Since 1993, there have been five requests for zoning change from D to C2 in the immediate area, one withdrawn, one granted, the remaining denied.

Council District: Six-Councilman Johnny W. Jeffcoat

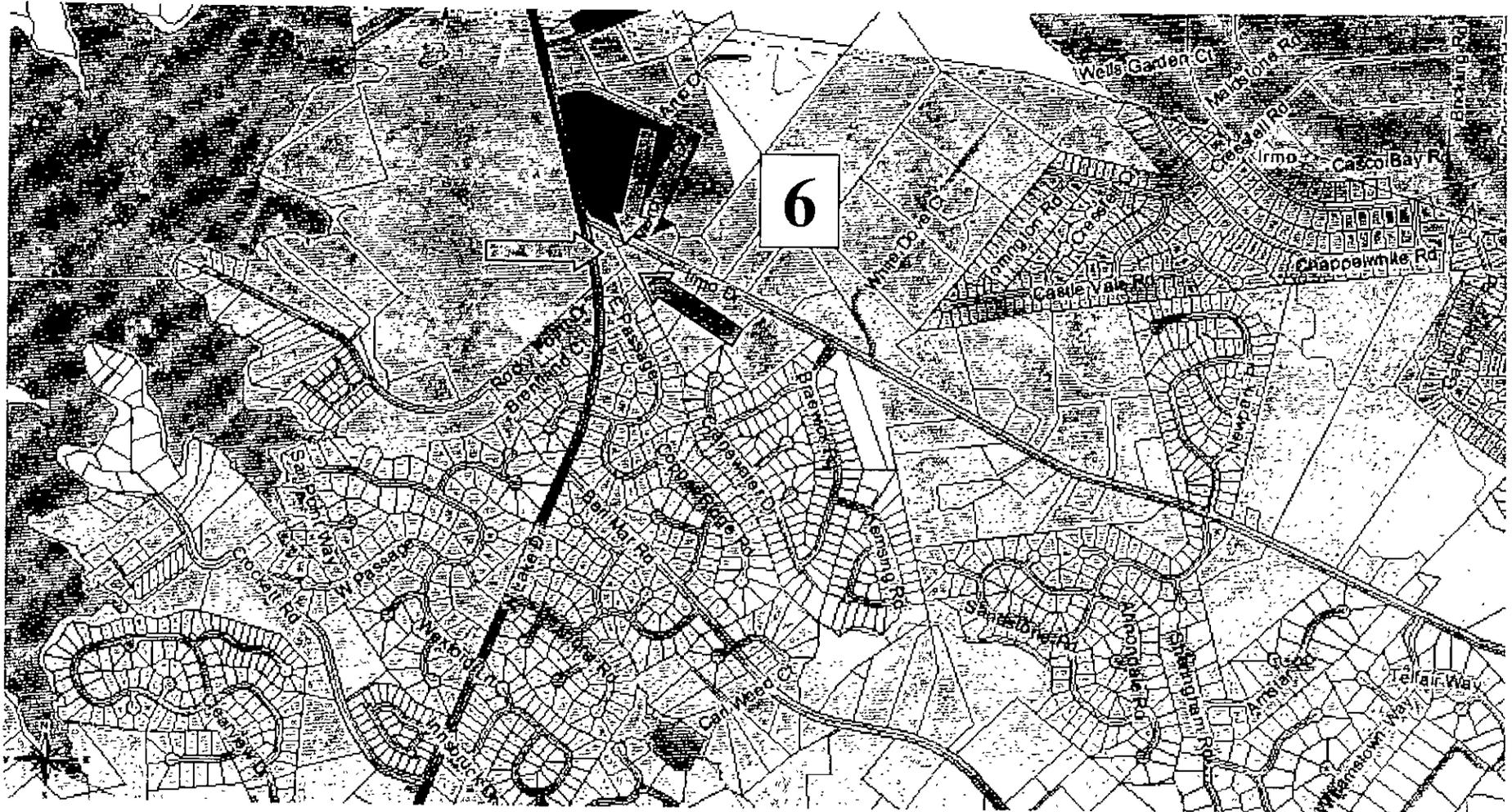
Attachments: Location Map
Political Boundaries Maps
Permitted Uses by District



ZONING MAP AMENDMENT #M04-07



ZONING MAP AMENDMENT #M04-07



COUNTY COUNCIL DISTRICT MAP

However, home occupation day care is not subject to the 25% of total floor area restriction, or the 750 square feet of floor area restriction imposed on other home occupations. Also, home occupation day care may be conducted outside on the premises using yard furnishings customary to the residential setting. Additional traffic generation from one delivery and one pick up of each individual each day shall be considered within the limitations of item "e" above. The Board of Zoning Appeal's deliberations shall include, but not be limited to, the following items:

1. the size of the residence and the outside recreation area;
2. parking and vehicular access to the residence and its ability to accommodate the drop-off and pick-up of the additional individuals;
3. the stated opinions of the surrounding property owners; and
4. if requested, the acceptability of having an employee ("caregiver" as defined by the South Carolina Department of Social Services) who is not a resident of the dwelling unit.

21.30 Permitted Uses by District

The columnar chart which follows describes the activities permitted within each district. This chart is based upon the list of principal activities defined in Section 21.10 of this Ordinance and the districts established in Section 11.40, and is subject to the following:

- a. The listing of a permitted activity within a district may be voided upon the application of the special overlay district regulations pertaining to flooding, drainage, or airports found in Articles 4 and 5 of this Ordinance.
- b. The provisions of Chapters 2, 3, and 4 of this Article shall apply in all districts to all listed activities as applicable. The application of these provisions may prohibit an activity from locating in a particular district.
- c. Within the Limited Restriction (LR) district, all activities except the following are permitted without review for compliance with the specific provisions of this Ordinance:

- Extremely Hazardous Materials as regulated by Article 3
- Mining Operations as regulated by Article 8
- Mobile Home Parks as regulated by Article 7
- Sexually Oriented Businesses as regulated by Article 10

21.31 Chart of Permitted Activities by District

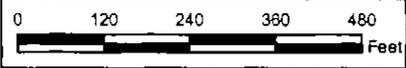
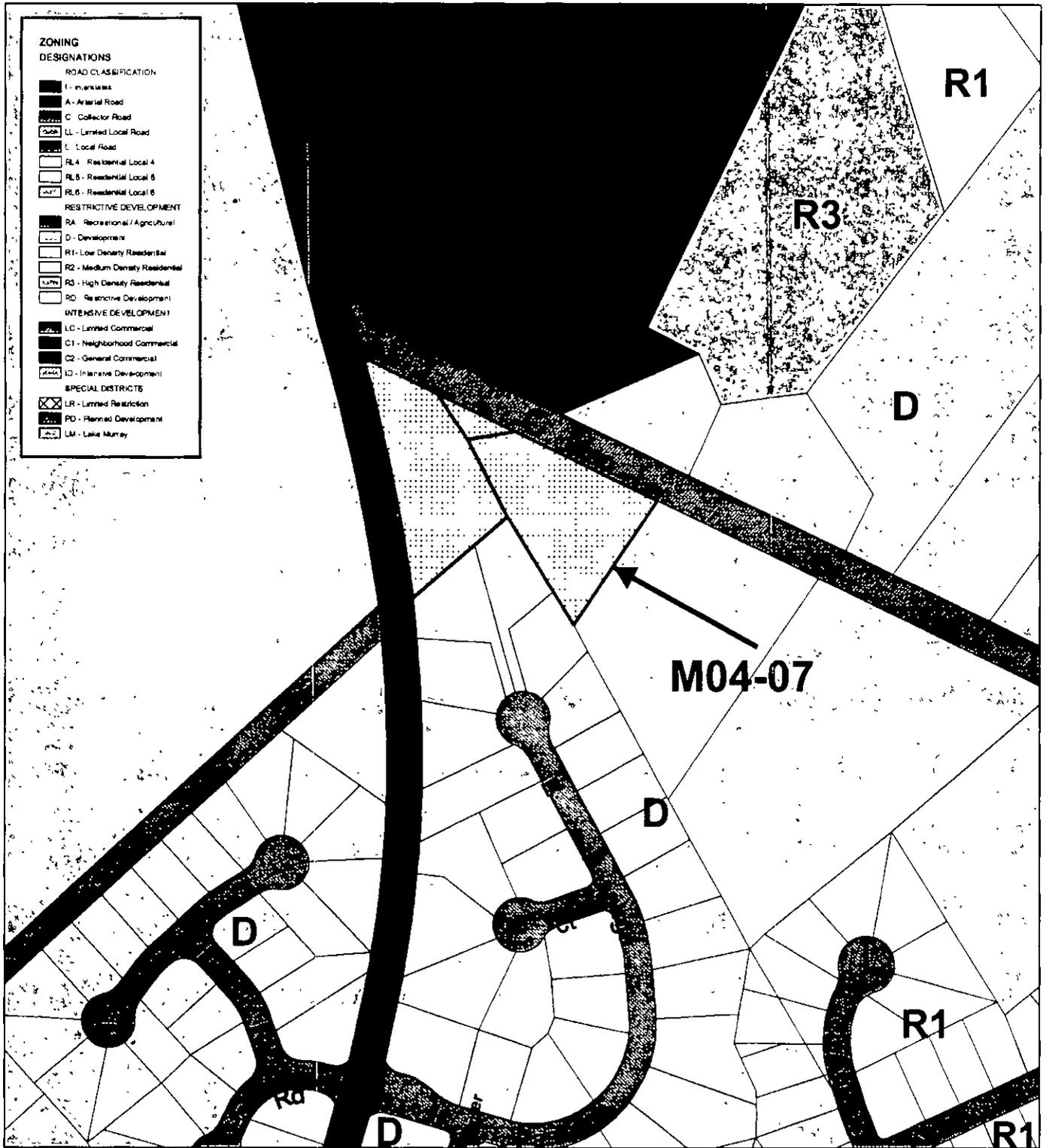
Those activities that are marked by an asterisk (*) are allowed only when granted a special exception by the Board of Zoning Appeals as outlined in Article 12 of this Ordinance.

RI	R2	R3	D	RA	RD	LC	CI	C2	ID	LR	ACTIVITIES
					XX	XX	XX	XX	XX	XX	Administrative Offices
					XX		XX	XX	XX	XX	Advertising Signs
				XX	Airports						
			XX	XX	XX				XX	XX	Animal Operations
		XX		XX	XX		XX	XX	XX	XX	Boat Docks
					XX				XX	XX	Bus and Transit Terminals
					XX			XX	XX	XX	Business Services
	XX	XX	XX	XX	XX			XX	XX	XX	Cemeteries
	XX	Child or Adult Day Care									
XX	Churches										
					XX				XX	XX	Communication Towers
XX	XX	XX	XX	XX	XX			XX	XX	XX	Community Education
					XX			XX	XX	XX	Construction Services
			XX	XX	XX				XX	XX	Crops

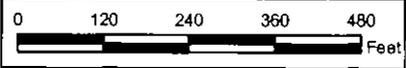
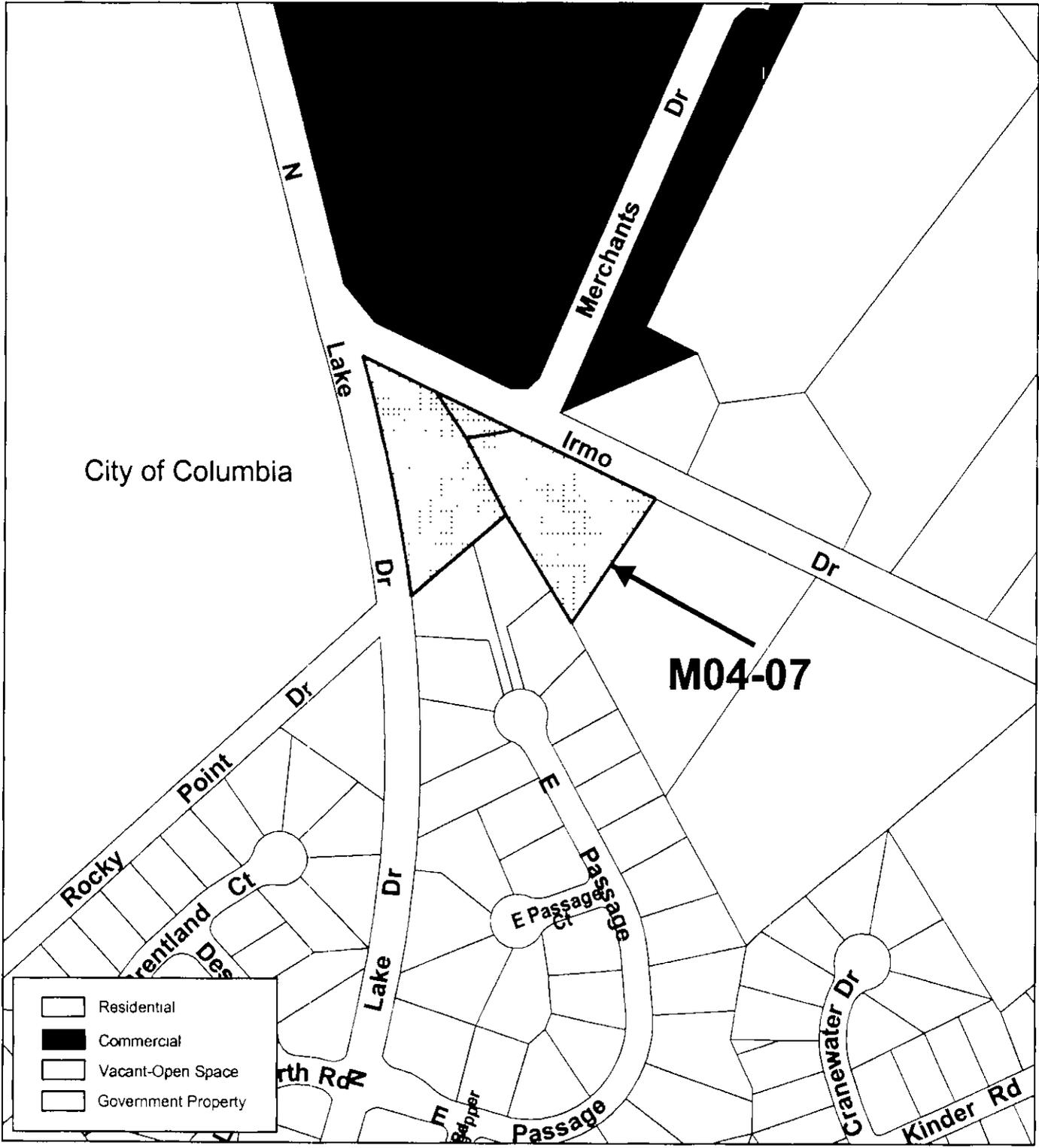
R1	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
					XX				XX	XX	Detention Centers
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Essential Services (Limited)
	XX	XX	XX	XX	XX			XX	XX	XX	Essential Services (Extensive)
				XX	XX			XX	XX	XX	Food Services
					XX			XX	XX	XX	General Repair and Maintenance Services
					XX		XX	XX	XX	XX	General Retail (Limited)
					XX			XX	XX	XX	General Retail (Extensive)
XX#	XX#	XX#	XX#	XX	XX		XX	XX	XX	XX	Group Assembly (Limited)
				XX	XX			XX	XX	XX	Group Assembly (Intermediate)
					XX			XX	XX	XX	Group Assembly (Extensive)
		XX	XX	XX	XX	XX	XX	XX	XX	XX	Group Housing
					XX		XX	XX	XX	XX	Hospitals
			XX	XX	XX				XX	XX	Kennels and Stables
					XX				XX	XX	Landfills (Limited)
					XX				XX	XX	Landfills (Intermediate)
					XX				XX	XX	Landfills (Extensive)
					XX			XX	XX	XX	Manufacturing (Light Assembly)
					XX				XX	XX	Manufacturing (Limited)
					XX				XX	XX	Manufacturing (Intermediate)
					XX				XX	XX	Manufacturing (Extensive)
					XX			XX	XX	XX	Marinas
					XX	XX	XX	XX	XX	XX	Medical Services
					XX				XX	XX	Military Installations
			XX		XX			XX	XX	XX	Mining (Limited)
					XX				XX	XX	Mining (Intermediate)
					XX				XX	XX	Mining (Extensive)
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Mini-Parks
					XX			XX	XX	XX	Mini-Warehouses
	XX	XX	XX	XX	XX		XX	XX	XX	XX	Mobile Homes
		XX			XX			XX	XX	XX	Mobile Home Parks (Limited) *
		XX			XX			XX	XX	XX	Mobile Home Parks (Extensive) *
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Natural Reserves
				XX	Non-Assembly Cultural						
	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Nursing Homes
					XX		XX	XX	XX	XX	Personal Convenience Services
			XX	XX	XX	XX	XX	XX	XX	XX	Plant Nurseries
					XX				XX	XX	Power Plants
					XX	XX	XX	XX	XX	XX	Professional Services
					XX				XX	XX	Radioactive Materials Handling
					XX				XX	XX	Railroad
					XX				XX	XX	Recycling Centers
					XX			XX	XX	XX	Research Services
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Residential Detached
	XX	XX			XX	XX	XX	XX	XX	XX	Residential Attached (2 dwelling units)
		XX			XX			XX	XX	XX	Residential Attached (3 or more dwelling units)
		XX			XX			XX	XX	XX	Retirement Centers/Assisted Living
					XX				XX	XX	Salvage/Wrecking Yard
					XX				XX	XX	Scrap Operations

R1	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES	
					XX		XX	XX	XX	XX	Business Parks	Speculative Development
					XX			XX	XX	XX	Shopping Centers	
					XX				XX	XX	Industrial Parks	
					XX			XX	XX	XX	Towing and Impoundment Lot	
					XX			XX	XX	XX	Trade Enterprises	
					XX			XX	XX	XX	Transient Habitation	
					XX			XX	XX	XX	Transport and Warehousing (Limited)	
					XX				XX	XX	Transport and Warehousing (Extensive)	
					XX		XX	XX	XX	XX	Transport Services	
					XX			XX	XX	XX	Undertaking	
XX	Utilities											
					XX			XX	XX	XX	Vehicle Parking	
					XX			XX	XX	XX	Vehicle Repair	
					XX			XX	XX	XX	Vehicle Sales	
					XX		XX	XX	XX	XX	Vehicle Servicing (Limited)	
					XX			XX	XX	XX	Vehicle Servicing (Extensive)	
				XX	XX			XX	XX	XX	Veterinarian	
				XX	XX			XX	XX	XX	Zoos	

The permitting of this activity in these districts is allowed only if the Group Assembly (Limited) activity is a membership facility owned, operated, and used by the property owners in the surrounding residential area for which the facility is being established.



Map Amendment # M04-07
TMS # 001800-01-054, 001800-02-021, 001800-07-002 p/o



Existing Landuse
Map Amendment # M04-07
TMS # 001800-01-054, 001800-02-021, 001800-07-002 p/o



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) General Commercial (C2)
(current) (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 *David A. Smith*

Owner?
 Agent?

Name(print) David A. Smith

Telephone # 803-798-7679

Address 5466 Bush River Rd.
Columbia, SC 29212

- | | |
|---|-----------------------------------|
| 1. <u>12/16/04</u> Application Received | 4. <u>1/24/05</u> Property Posted |
| 2. <u>12/16/04</u> Fee Received | 5. <u>1/21/05</u> Notices Sent |
| 3. <u>1/10/05</u> Newspaper Advertisement | |

 / / Planning Commission Recommendation: _____

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

Results: _____



STAFF SUMMARY ZONING MAP AMENDMENT #M04-09

Description of the Amendment: This map amendment request is for a change in zoning classification from "Development"(D) to "General Commercial (C2)".

Character of the Area: There is a mix of commercial and residential use property. The subject property is bordered on the north by single family residential and on the west by single family residential and Wescott Road. To the east is commercial with an office building, to the south Bush River Road, and across the road are the Irmo Chapin Recreational Commission athletic fields. The subject parcels are approximately 14.5 acres.

Zoning History: This property is in the Dutch Fork Planning Area zoned in 1971/1974. Since 1979, there have been twelve requests for change in zoning in the immediate area. Four of these requests were from D to C2 and each one was granted. Other requests were from C1 to C2, R3 to C2 and C1 to ID, all of these were approved.

Council District: Seven - Councilman John W. Carrigg, Jr.

Attachments: Chart of Allowed Uses by Zoning District
Political Boundaries Maps
Location Maps

However, home occupation day care is not subject to the 25% of total floor area restriction, or the 750 square feet of floor area restriction imposed on other home occupations. Also, home occupation day care may be conducted outside on the premises using yard furnishings customary to the residential setting. Additional traffic generation from one delivery and one pick up of each individual each day shall be considered within the limitations of item "e" above. The Board of Zoning Appeal's deliberations shall include, but not be limited to, the following items:

1. the size of the residence and the outside recreation area;
2. parking and vehicular access to the residence and its ability to accommodate the drop-off and pick-up of the additional individuals;
3. the stated opinions of the surrounding property owners; and
4. if requested, the acceptability of having an employee ("caregiver" as defined by the South Carolina Department of Social Services) who is not a resident of the dwelling unit.

21.30 Permitted Uses by District

The columnar chart which follows describes the activities permitted within each district. This chart is based upon the list of principal activities defined in Section 21.10 of this Ordinance and the districts established in Section 11.40, and is subject to the following:

- a. The listing of a permitted activity within a district may be voided upon the application of the special overlay district regulations pertaining to flooding, drainage, or airports found in Articles 4 and 5 of this Ordinance.
- b. The provisions of Chapters 2, 3, and 4 of this Article shall apply in all districts to all listed activities as applicable. The application of these provisions may prohibit an activity from locating in a particular district.
- c. Within the Limited Restriction (LR) district, all activities except the following are permitted without review for compliance with the specific provisions of this Ordinance:

- Extremely Hazardous Materials as regulated by Article 3
- Mining Operations as regulated by Article 8
- Mobile Home Parks as regulated by Article 7
- Sexually Oriented Businesses as regulated by Article 10

21.31 Chart of Permitted Activities by District

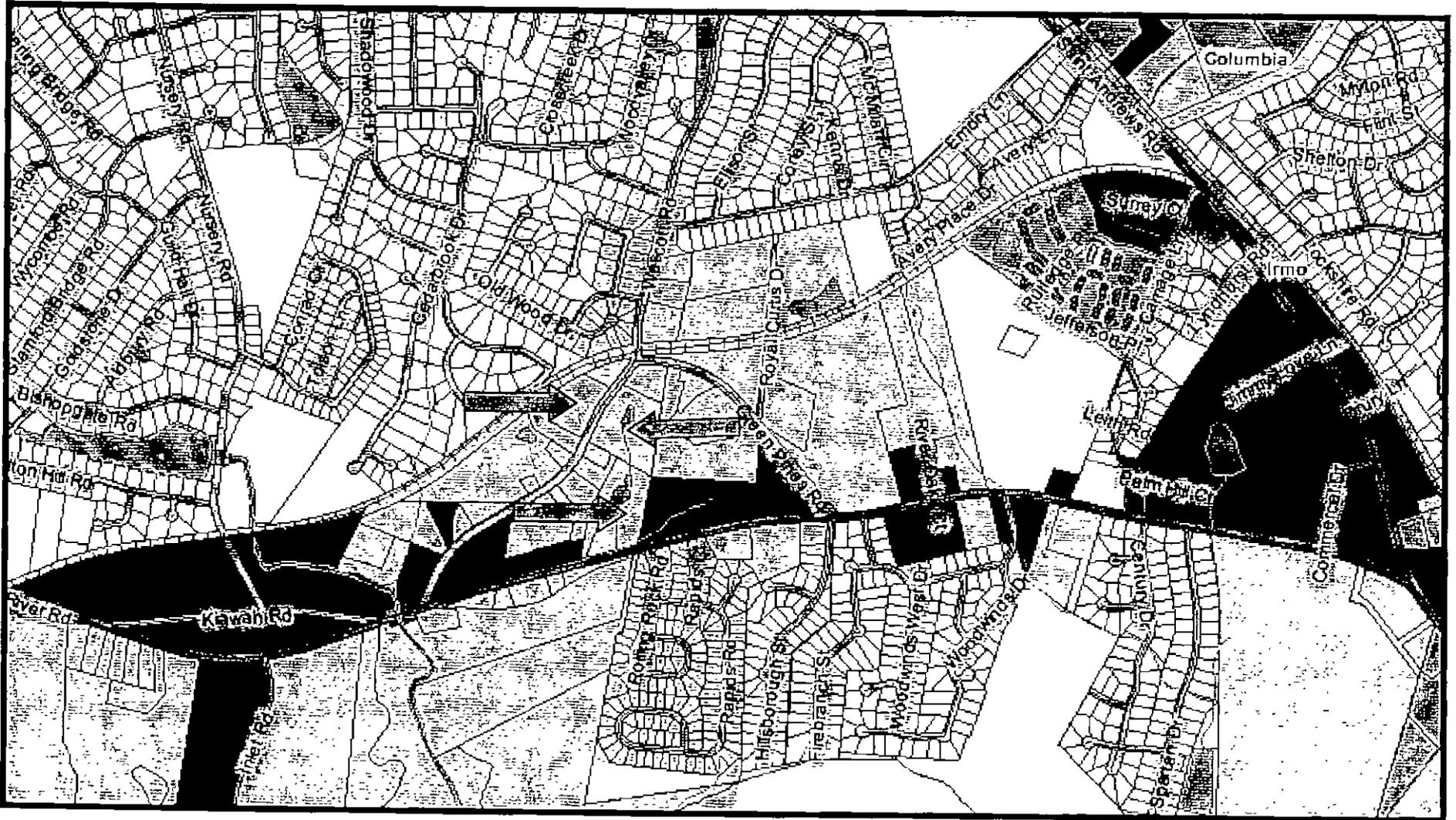
Those activities that are marked by an asterisk (*) are allowed only when granted a special exception by the Board of Zoning Appeals as outlined in Article 12 of this Ordinance.

RL	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
					XX	XX	XX	XX	XX	XX	Administrative Offices
					XX		XX	XX	XX	XX	Advertising Signs
				XX	Airports						
		XX		XX	XX		XX	XX	XX	XX	Animal Operations
					XX				XX	XX	Boat Docks
					XX				XX	XX	Bus and Transit Terminals
					XX			XX	XX	XX	Business Services
	XX	XX	XX	XX	XX			XX	XX	XX	Cemeteries
	XX	Child or Adult Day Care									
XX	Churches										
					XX				XX	XX	Communication Towers
XX	XX	XX	XX	XX	XX			XX	XX	XX	Community Education
					XX			XX	XX	XX	Construction Services
			XX	XX	XX				XX	XX	Crops

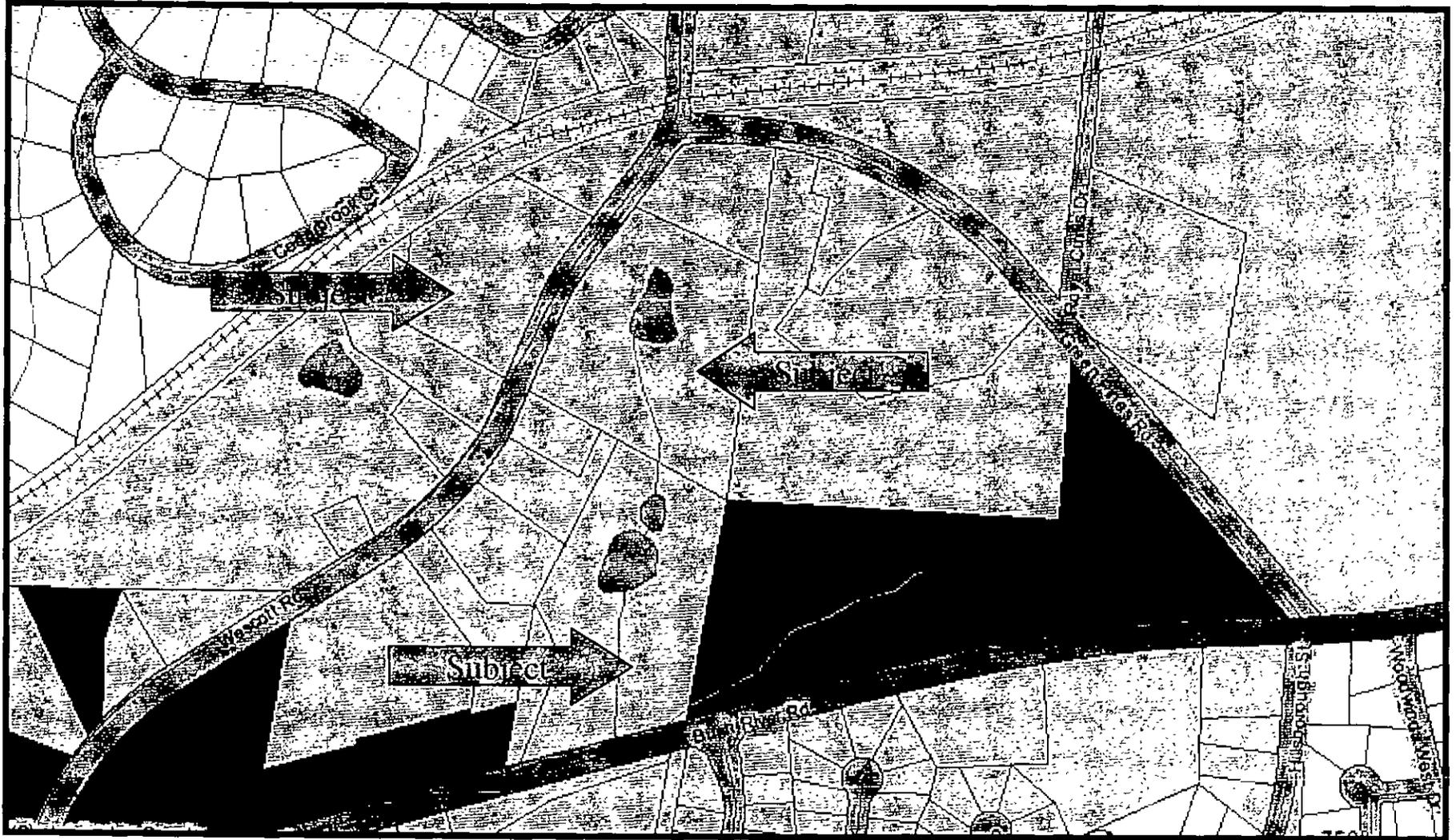
R1	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
					XX				XX	XX	Detention Centers
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Essential Services (Limited)
	XX	XX	XX	XX	XX			XX	XX	XX	Essential Services (Extensive)
				XX	XX			XX	XX	XX	Food Services
					XX			XX	XX	XX	General Repair and Maintenance Services
					XX		XX	XX	XX	XX	General Retail (Limited)
					XX			XX	XX	XX	General Retail (Extensive)
XX#	XX#	XX#	XX#	XX	XX		XX	XX	XX	XX	Group Assembly (Limited)
				XX	XX			XX	XX	XX	Group Assembly (Intermediate)
					XX			XX	XX	XX	Group Assembly (Extensive)
		XX	XX	XX	XX	XX	XX	XX	XX	XX	Group Housing
					XX		XX	XX	XX	XX	Hospitals
			XX	XX	XX				XX	XX	Kennels and Stables
					XX				XX	XX	Landfills (Limited)
					XX				XX	XX	Landfills (Intermediate)
					XX				XX	XX	Landfills (Extensive)
					XX			XX	XX	XX	Manufacturing (Light Assembly)
					XX				XX	XX	Manufacturing (Limited)
					XX				XX	XX	Manufacturing (Intermediate)
					XX				XX	XX	Manufacturing (Extensive)
					XX			XX	XX	XX	Marinas
					XX	XX	XX	XX	XX	XX	Medical Services
					XX				XX	XX	Military Installations
			XX		XX			XX	XX	XX	Mining (Limited)
					XX				XX	XX	Mining (Intermediate)
					XX				XX	XX	Mining (Extensive)
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Mini-Parks
					XX			XX	XX	XX	Mini-Warehouses
	XX	XX	XX	XX	XX		XX	XX	XX	XX	Mobile Homes
		XX			XX			XX	XX	XX	Mobile Home Parks (Limited) *
		XX			XX			XX	XX	XX	Mobile Home Parks (Extensive) *
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Natural Reserves
				XX	Non-Assembly Cultural						
	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Nursing Homes
					XX		XX	XX	XX	XX	Personal Convenience Services
			XX	XX	XX	XX	XX	XX	XX	XX	Plant Nurseries
					XX				XX	XX	Power Plants
					XX	XX	XX	XX	XX	XX	Professional Services
					XX				XX	XX	Radioactive Materials Handling
					XX				XX	XX	Railroad
					XX				XX	XX	Recycling Centers
					XX			XX	XX	XX	Research Services
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Residential Detached
	XX	XX			XX	XX	XX	XX	XX	XX	Residential Attached (2 dwelling units)
		XX			XX			XX	XX	XX	Residential Attached (3 or more dwelling units)
		XX			XX			XX	XX	XX	Retirement Centers/Assisted Living
					XX				XX	XX	Salvage/Wrecking Yard
					XX				XX	XX	Scrap Operations

R1	R2	R3	D	RA	RD	LC	CI	C2	ID	LR	ACTIVITIES	
					XX		XX	XX	XX	XX	Business Parks	Speculative Development
					XX			XX	XX	XX	Shopping Centers	
					XX				XX	XX	Industrial Parks	
					XX			XX	XX	XX	Towing and Impoundment Lot	
					XX			XX	XX	XX	Trade Enterprises	
					XX			XX	XX	XX	Transient Habitation	
					XX			XX	XX	XX	Transport and Warehousing (Limited)	
					XX				XX	XX	Transport and Warehousing (Extensive)	
					XX		XX	XX	XX	XX	Transport Services	
					XX			XX	XX	XX	Undertaking	
XX	Utilities											
					XX			XX	XX	XX	Vehicle Parking	
					XX			XX	XX	XX	Vehicle Repair	
					XX			XX	XX	XX	Vehicle Sales	
					XX		XX	XX	XX	XX	Vehicle Servicing (Limited)	
					XX			XX	XX	XX	Vehicle Servicing (Extensive)	
				XX	XX			XX	XX	XX	Veterinarian	
				XX	XX			XX	XX	XX	Zoos	

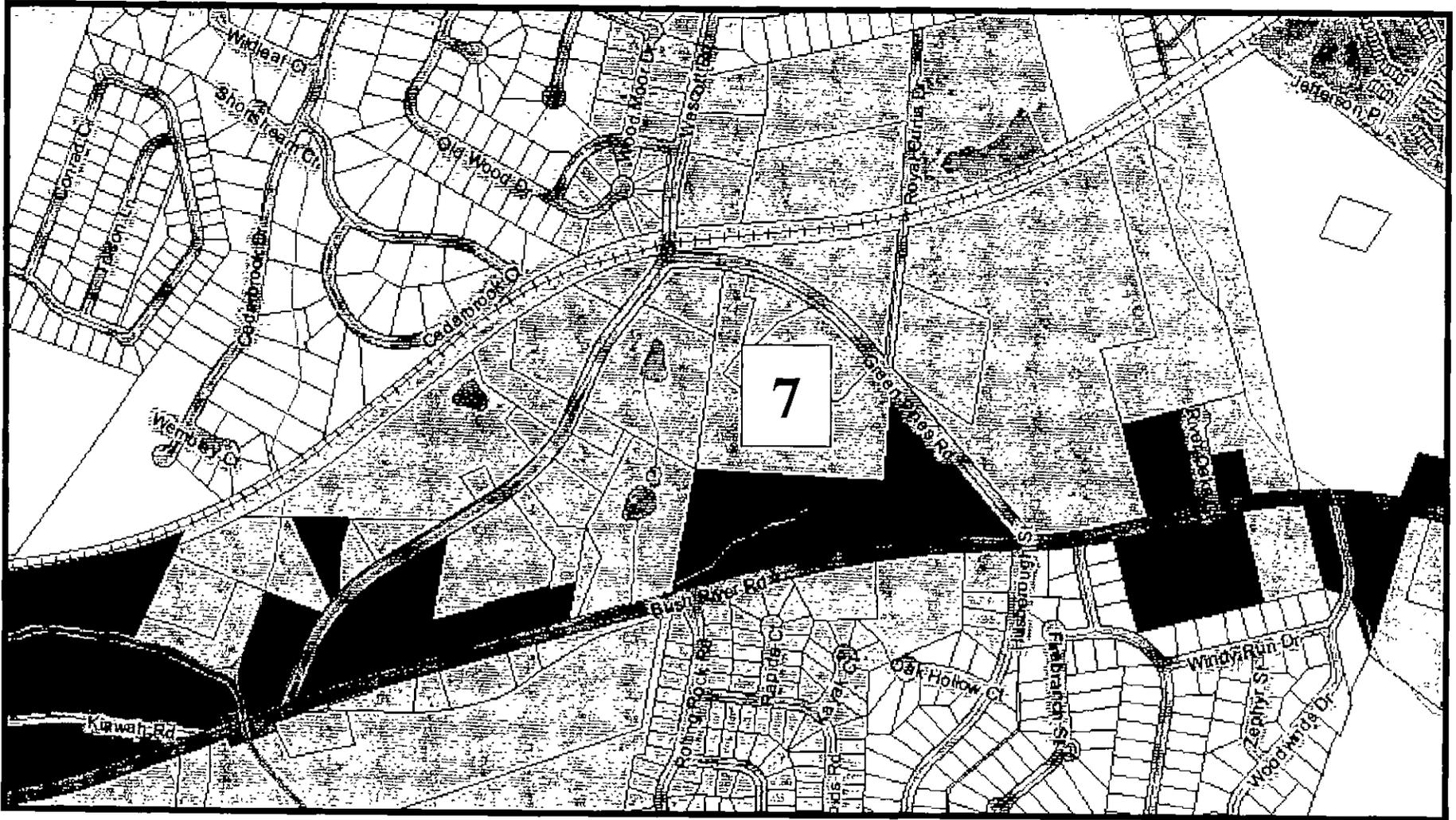
The permitting of this activity in these districts is allowed only if the Group Assembly (Limited) activity is a membership facility owned, operated, and used by the property owners in the surrounding residential area for which the facility is being established.



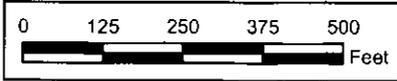
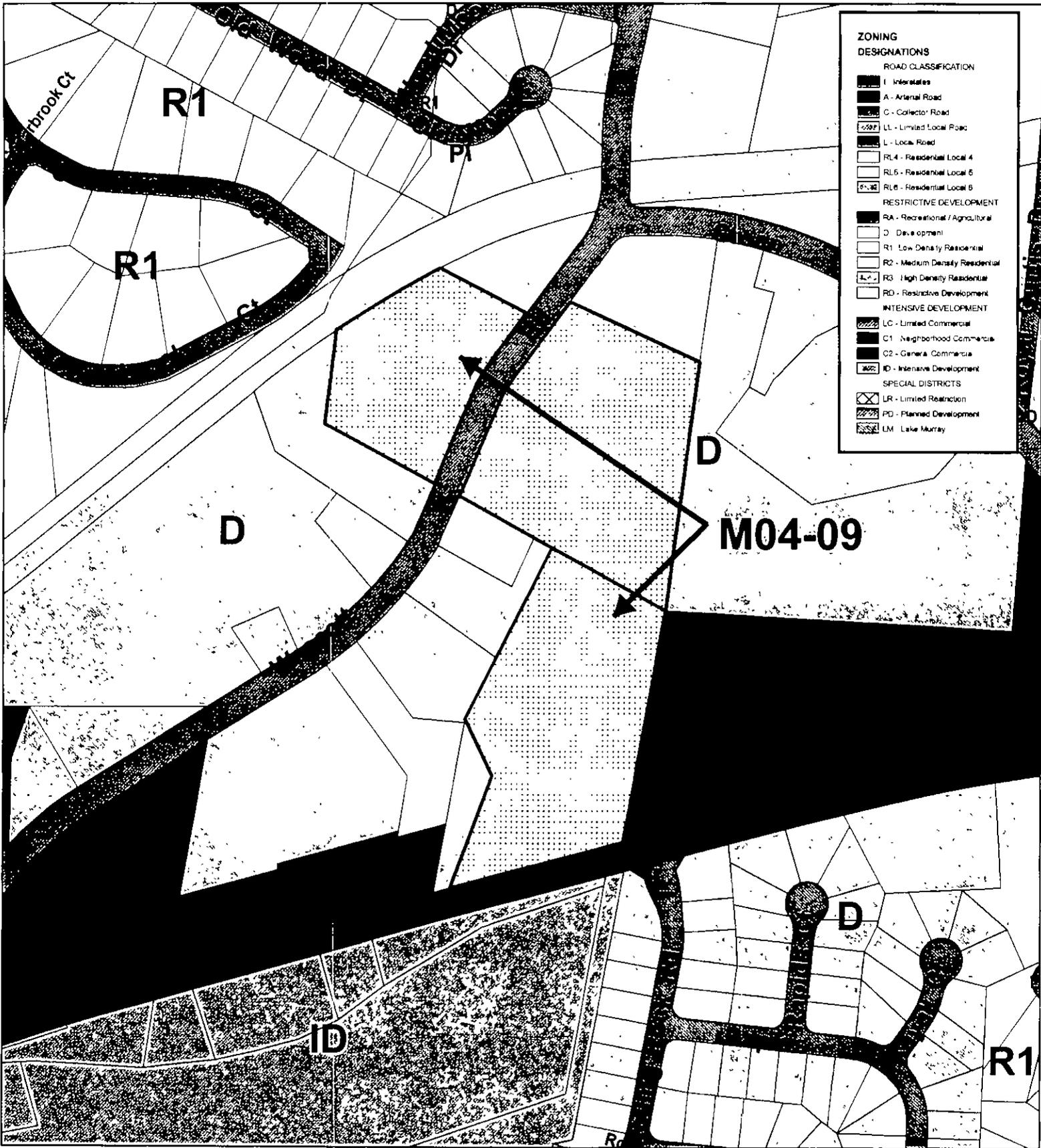
ZONING MAP AMENDMENT #M04-09



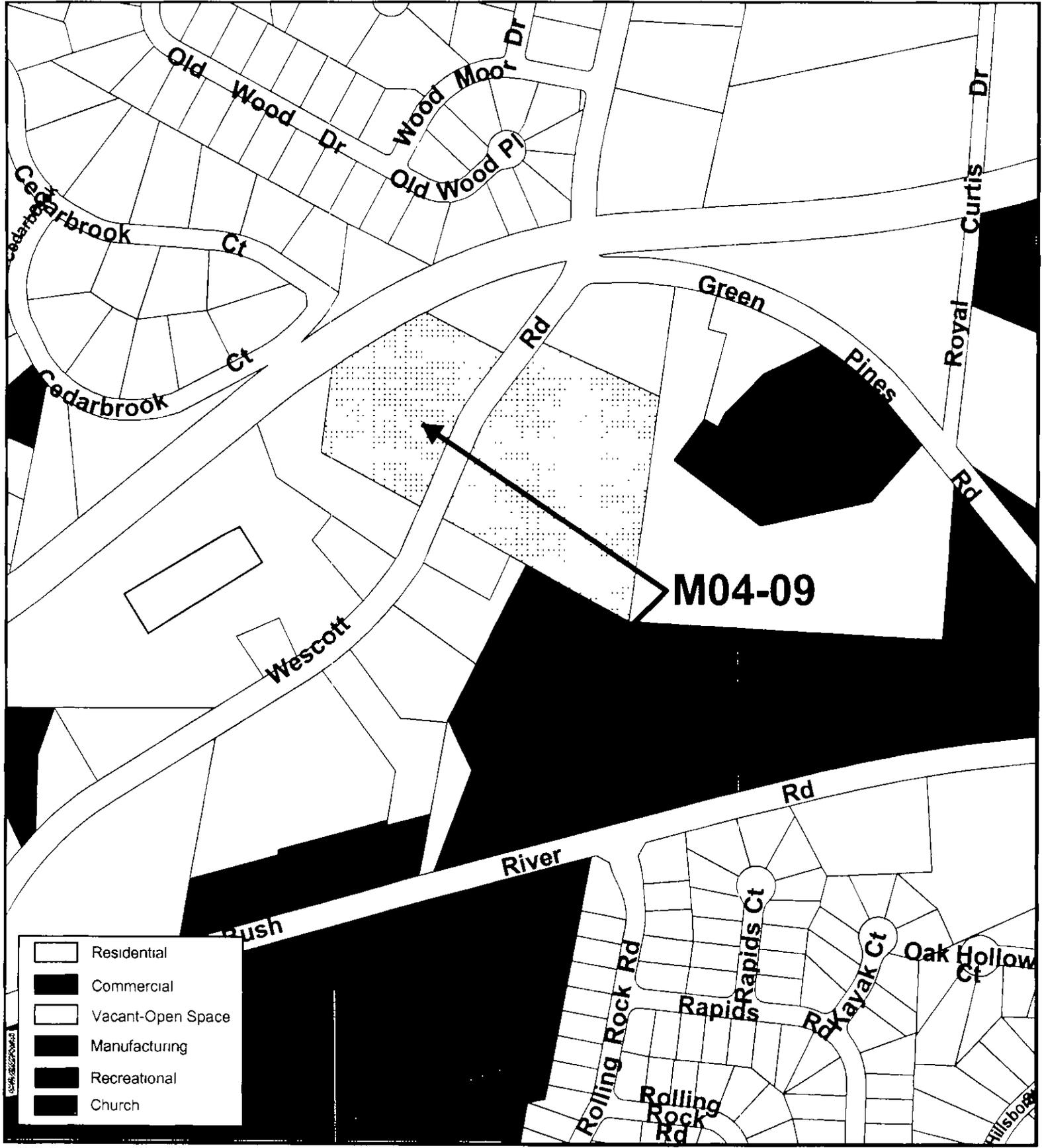
ZONING MAP AMENDMENT #M04-09



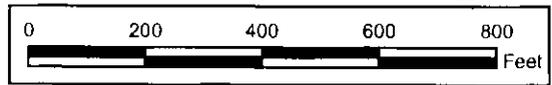
COUNTY COUNCIL DISTRICT MAP



Map Amendment # M04-09
TMS # 002798-01-002, & 022



-  Residential
-  Commercial
-  Vacant-Open Space
-  Manufacturing
-  Recreational
-  Church



Existing Landuse
Map Amendment # M04-09
TMS # 002798-01-002 & 022



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) Low Density Residential (R1)
(current) (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 [Handwritten Signature]
Name(print) BRUCE A. MILLER
DEVELOPMENT ADMINISTRATOR
COUNTY OF LEXINGTON
Address 212 S LAKE DR.

Telephone # 359-8121

LEXINGTON SC 29072

- 1. 1/10/05 Application Received
2. Fee Received
3. 1/20/05 Newspaper Advertisement
4. 1/24/05 Property Posted
5. 1/21/05 Notices Sent

___/___/___ Planning Commission Recommendation: _____

1/27/05 First Reading 2/8/05 Public Hearing ___/___/___ Second Reading ___/___/___ Third Reading

Results: _____



STAFF SUMMARY ZONING MAP AMENDMENT #M05-01

Description of the Amendment: This map amendment request is for a change in zoning classification from “High Density Residential (R3)” to “Low Density Residential (R1)” for the rear portion of the applicants property.

Character of the Area: There is a mix of commercial and residential use property. The subject property is bordered on the north by single family residential and on the west by Langsdale Rd. To the east is a church, with the subject property bordered on the south by Bush River Road. The SCE&G McMeekin Power Facility and Saluda Dam property is across Bush River Road to the south. The total subject parcel is approximately 16.37 acres. This amendment’s portion is approximately 10 acres.

Zoning History: This property is in the Dutch Fork Planning Area zoned in 1971/1974. From 1986-1988 there were six requests granted in the immediate area for a change from R1, C1 or R3 to C2. From 1992 to 1994 two requests were granted for a change in zoning classification. One from “General Commercial (C2)” to “High Density Residential (R3)” and the other included both “Restrictive Development (RD)” to “Low Density Residential (R1)” and “Low Density Residential (R1)” to “High Density Residential (R3)”.

A request for change in zoning of this entire tract from “High Density Residential (R3)” to “General Commercial (C2)” was denied on December 9, 2003. Additionally, there was also a denial for a plan of rezoning a lesser, more defined acreage. There is currently a request for a change in zoning on the front portion of this property from “High Density Residential(R3)” to “General Commercial (C2)”.

Council District: Six - Councilman Johnny W. Jeffcoat

Attachments: Chart of Allowed Uses by Zoning District
Political Boundaries Maps
Location Maps

However, home occupation day care is not subject to the 25% of total floor area restriction, or the 750 square feet of floor area restriction imposed on other home occupations. Also, home occupation day care may be conducted outside on the premises using yard furnishings customary to the residential setting. Additional traffic generation from one delivery and one pick up of each individual each day shall be considered within the limitations of item "e" above. The Board of Zoning Appeal's deliberations shall include, but not be limited to, the following items:

1. the size of the residence and the outside recreation area;
2. parking and vehicular access to the residence and its ability to accommodate the drop-off and pick-up of the additional individuals;
3. the stated opinions of the surrounding property owners; and
4. if requested, the acceptability of having an employee ("caregiver" as defined by the South Carolina Department of Social Services) who is not a resident of the dwelling unit.

21.30 Permitted Uses by District

The columnar chart which follows describes the activities permitted within each district. This chart is based upon the list of principal activities defined in Section 21.10 of this Ordinance and the districts established in Section 11 40, and is subject to the following:

- a. The listing of a permitted activity within a district may be voided upon the application of the special overlay district regulations pertaining to flooding, drainage, or airports found in Articles 4 and 5 of this Ordinance.
- b. The provisions of Chapters 2, 3, and 4 of this Article shall apply in all districts to all listed activities as applicable. The application of these provisions may prohibit an activity from locating in a particular district.
- c. Within the Limited Restriction (LR) district, all activities except the following are permitted without review for compliance with the specific provisions of this Ordinance:

- Extremely Hazardous Materials as regulated by Article 3
- Manufacturing Operations as regulated by Article 8
- Neighborhood Home Parks as regulated by Article 7
- Service Oriented Businesses as regulated by Article 10

31 Chart of Permitted Activities by District

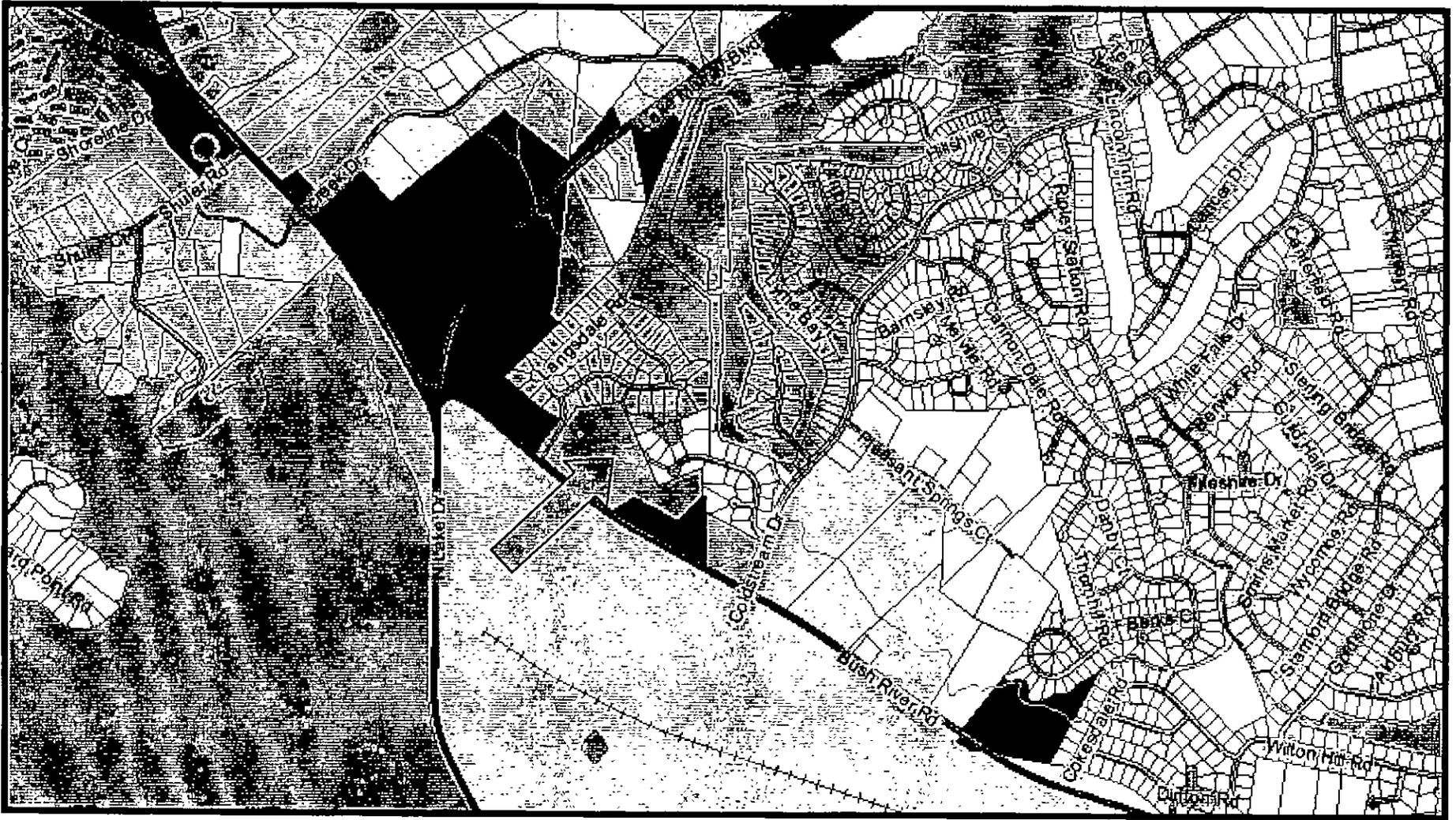
The activities that are marked by an asterisk (*) are allowed only when granted a special exception by the Board of Zoning Appeals as outlined in Article 12 of this Ordinance.

R1	R2	R3	D	RA	RD	LC	CI	C2	ID	LR	ACTIVITIES
					XX	XX	XX	XX	XX	XX	Administrative Offices
					XX		XX	XX	XX	XX	Advertising Signs
				XX	Airports						
			XX	XX	XX				XX	XX	Animal Operations
		XX		XX	XX		XX	XX	XX	XX	Boat Docks
					XX				XX	XX	Bus and Transit Terminals
					XX			XX	XX	XX	Business Services
	XX	XX	XX	XX	XX			XX	XX	XX	Cemeteries
	XX	Child or Adult Day Care									
XX	Churches										
					XX				XX	XX	Communication Towers
XX	XX	XX	XX	XX	XX			XX	XX	XX	Community Education
					XX			XX	XX	XX	Construction Services
			XX	XX	XX				XX	XX	Crops

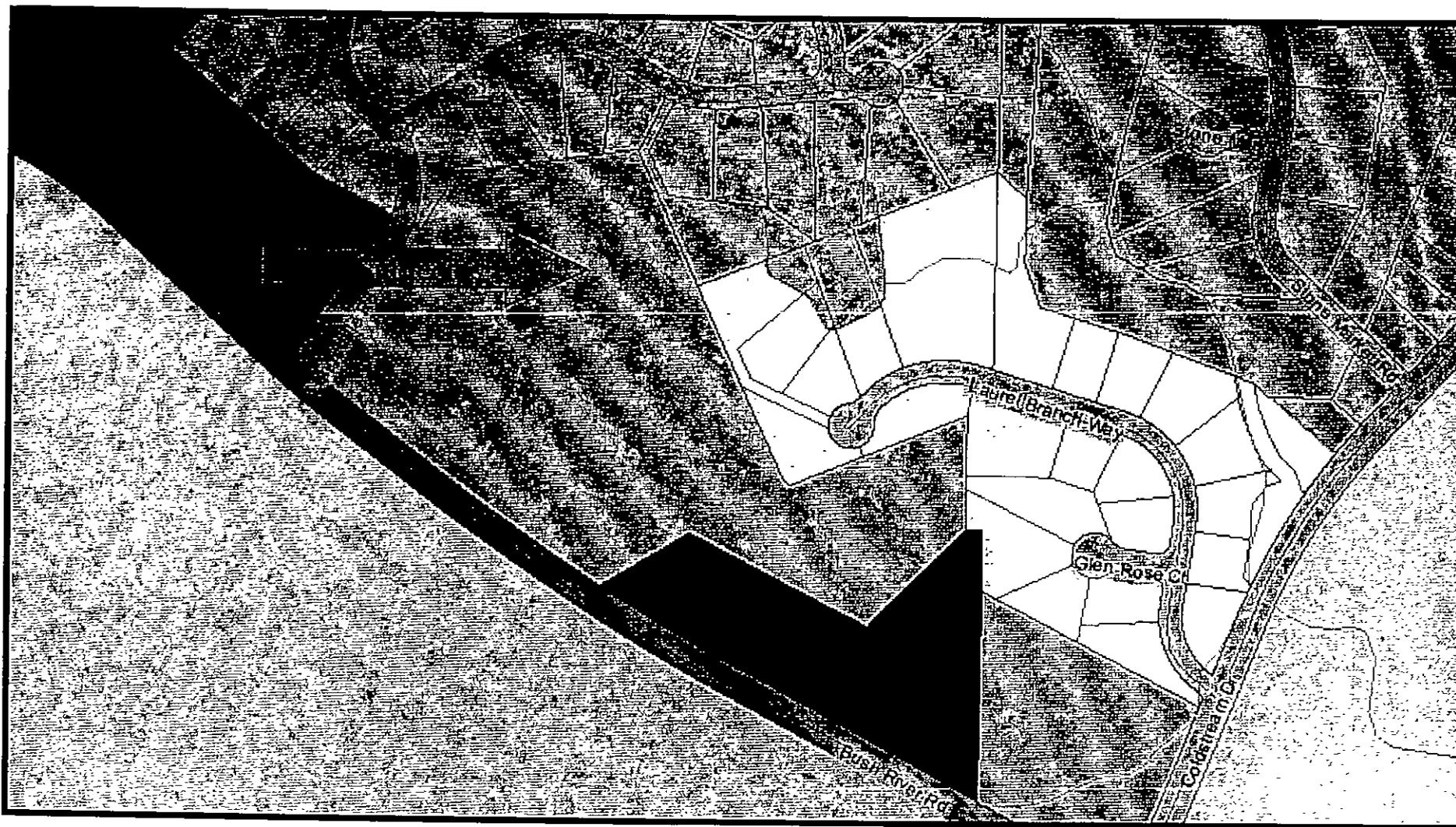
R1	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
					XX				XX	XX	Detention Centers
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Essential Services (Limited)
	XX	XX	XX	XX	XX			XX	XX	XX	Essential Services (Extensive)
				XX	XX			XX	XX	XX	Food Services
					XX			XX	XX	XX	General Repair and Maintenance Services
					XX		XX	XX	XX	XX	General Retail (Limited)
					XX			XX	XX	XX	General Retail (Extensive)
XX#	XX#	XX#	XX#	XX	XX		XX	XX	XX	XX	Group Assembly (Limited)
				XX	XX			XX	XX	XX	Group Assembly (Intermediate)
					XX			XX	XX	XX	Group Assembly (Extensive)
		XX	XX	XX	XX	XX	XX	XX	XX	XX	Group Housing
					XX		XX	XX	XX	XX	Hospitals
			XX	XX	XX				XX	XX	Kennels and Stables
					XX				XX	XX	Landfills (Limited)
					XX				XX	XX	Landfills (Intermediate)
					XX				XX	XX	Landfills (Extensive)
					XX			XX	XX	XX	Manufacturing (Light Assembly)
					XX				XX	XX	Manufacturing (Limited)
					XX				XX	XX	Manufacturing (Intermediate)
					XX				XX	XX	Manufacturing (Extensive)
					XX			XX	XX	XX	Marinas
					XX	XX	XX	XX	XX	XX	Medical Services
					XX				XX	XX	Military Installations
			XX		XX			XX	XX	XX	Mining (Limited)
					XX				XX	XX	Mining (Intermediate)
					XX				XX	XX	Mining (Extensive)
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Mini-Parks
					XX			XX	XX	XX	Mini-Warehouses
	XX	XX	XX	XX	XX		XX	XX	XX	XX	Mobile Homes
		XX			XX			XX	XX	XX	Mobile Home Parks (Limited) *
		XX			XX			XX	XX	XX	Mobile Home Parks (Extensive) *
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Natural Reserves
				XX	Non-Assembly Cultural						
	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Nursing Homes
					XX		XX	XX	XX	XX	Personal Convenience Services
			XX	XX	XX	XX	XX	XX	XX	XX	Plant Nurseries
					XX				XX	XX	Power Plants
					XX	XX	XX	XX	XX	XX	Professional Services
					XX				XX	XX	Radioactive Materials Handling
					XX				XX	XX	Railroad
					XX				XX	XX	Recycling Centers
					XX			XX	XX	XX	Research Services
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Residential Detached
	XX	XX			XX	XX	XX	XX	XX	XX	Residential Attached (2 dwelling units)
		XX			XX			XX	XX	XX	Residential Attached (3 or more dwelling units)
		XX			XX			XX	XX	XX	Retirement Centers/Assisted Living
					XX				XX	XX	Salvage/Wrecking Yard
					XX				XX	XX	Scrap Operations

R1	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES	
					XX		XX	XX	XX	XX	Business Parks	Speculative Development
					XX			XX	XX	XX	Shopping Centers	
					XX				XX	XX	Industrial Parks	
					XX			XX	XX	XX	Towing and Impoundment Lot	
					XX			XX	XX	XX	Trade Enterprises	
					XX			XX	XX	XX	Transient Habitation	
					XX			XX	XX	XX	Transport and Warehousing (Limited)	
					XX				XX	XX	Transport and Warehousing (Extensive)	
					XX		XX	XX	XX	XX	Transport Services	
					XX			XX	XX	XX	Undertaking	
XX	Utilities											
					XX			XX	XX	XX	Vehicle Parking	
					XX			XX	XX	XX	Vehicle Repair	
					XX			XX	XX	XX	Vehicle Sales	
					XX		XX	XX	XX	XX	Vehicle Servicing (Limited)	
					XX			XX	XX	XX	Vehicle Servicing (Extensive)	
				XX	XX			XX	XX	XX	Veterinarian	
				XX	XX			XX	XX	XX	Zoos	

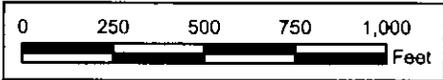
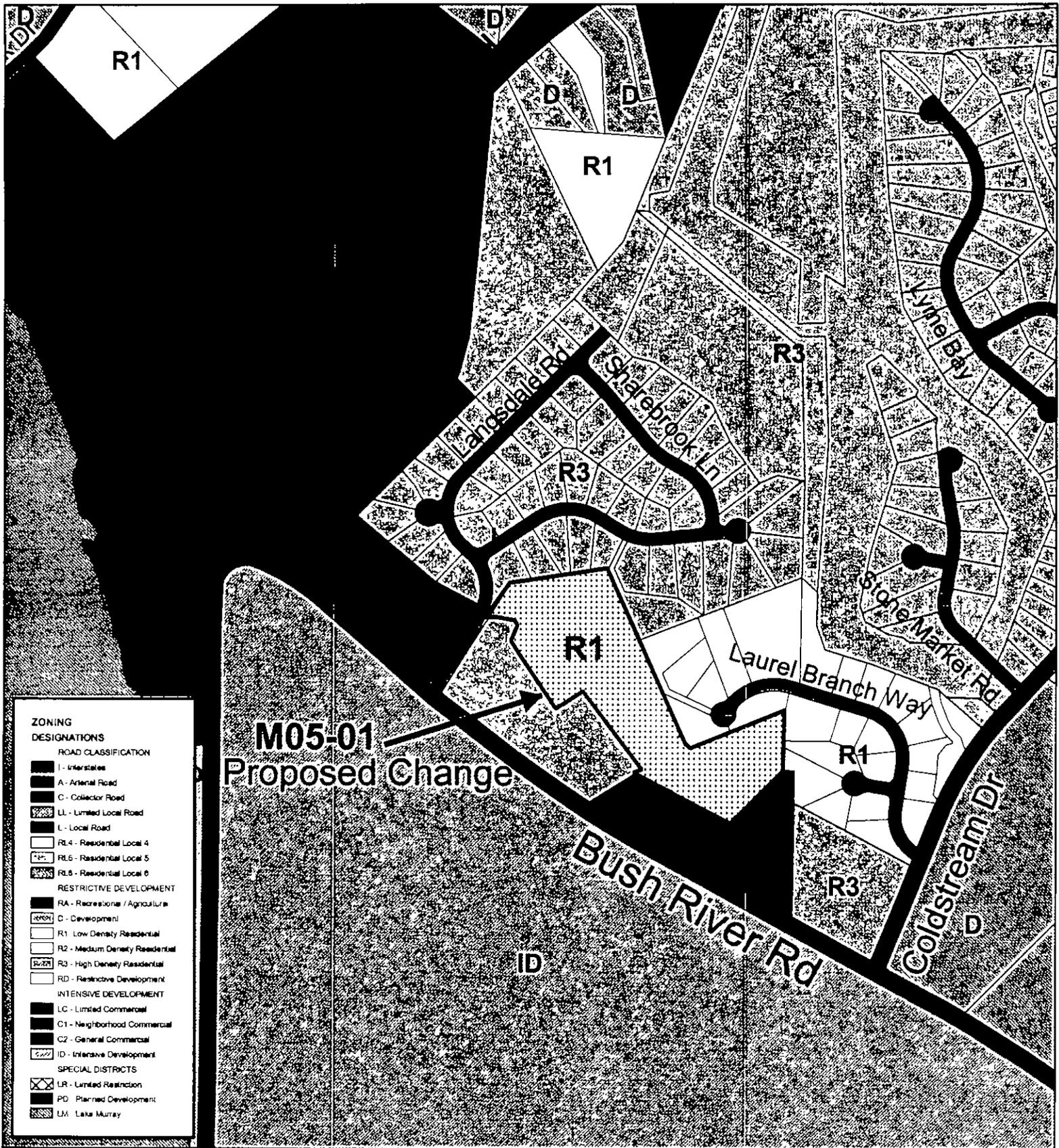
The permitting of this activity in these districts is allowed only if the Group Assembly (Limited) activity is a membership facility owned, operated, and used by the property owners in the surrounding residential area for which the facility is being established.



ZONING MAP AMENDMENT #M05-01

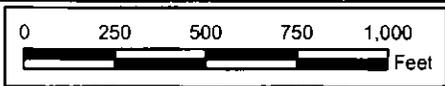
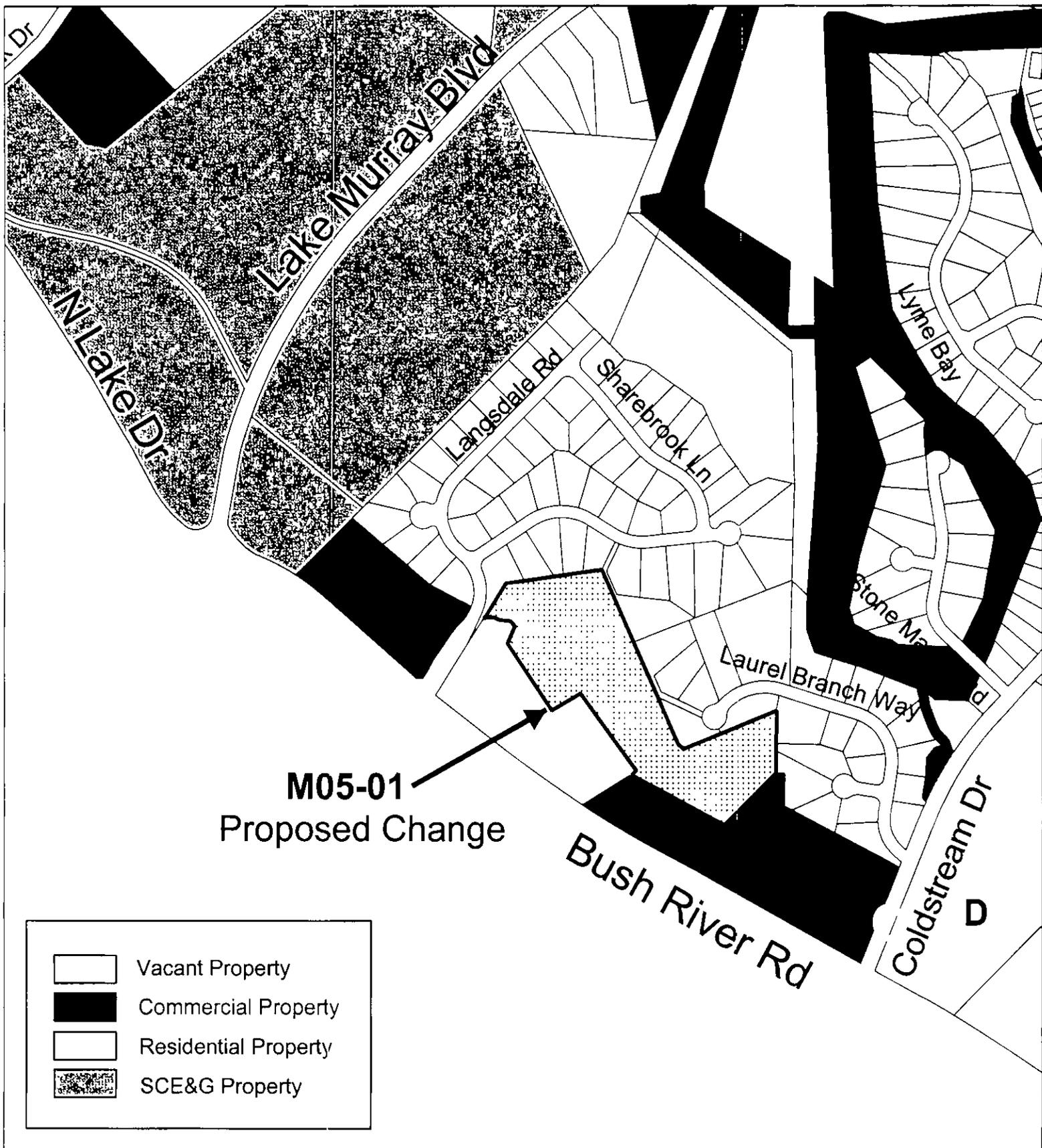


ZONING MAP AMENDMENT #M05-01



Map Amendment # M05-01
TMS # 002697-01-003





Map Amendment # M05-01
TMS # 002697-01-003

