

**AGENDA**  
**LEXINGTON COUNTY COUNCIL**  
**Committee Meetings**  
**Tuesday, March 11, 2008**  
**Second Floor - County Administration Building**  
**212 South Lake Drive, Lexington, SC 29072**  
**Telephone - 803-785-8103 -- FAX 803-785-8101**

**\*Times are tentatively scheduled committee meetings that may run behind or ahead of schedule; therefore, the times could change by as much as 30 minutes.**

**2:00 p.m. - 2:45 p.m. - Economic Development**

- (1) Approval of a Resolution Authorizing the Entering into of a Sublease Agreement between Carolina Culinary Foods, L.P. f/k/a Columbia Farms - OSI, L.P. - Lee Holloway, Attorney, Holloway Law Offices, LLC ..... **A**
- (2) Project Stewart - Approval of a Grant Application - Economic Development - Chuck Whipple, Senior Project Manager and Jeff Anderson, County Attorney ..... **B**
- (3) Approval of Minutes - Meeting of January 22, 2008 ..... **C**
- (4) Old Business/New Business
- (5) Adjournment

**2:45 p.m. - 3:20 p.m. - Planning & Administration**

- (1) Information Services Semi-Annual Update - Information Services (Goals 1,2,3) - Mike Ujcich, PMP, Chief Information Officer ..... **D**
- (2) Approval of Minutes - Meeting of January 22, 2008 ..... **E**
- (3) Old Business/New Business - Landscape Ordinance
- (4) Adjournment

**3:20 p.m. - 3:25 p.m. - Justice**

- (1) Highway Safety DUI Enforcement Grant Application (Goals 1,2,3) - Sheriff's Department - Col. Allan Paavel ..... **F**
- (2) Approval of Minutes - Meeting of January 22, 2008 ..... **G**
- (3) Old Business/New Business - Alive at 25 Grant
- (4) Adjournment

**3:25 p.m. - 3:30 p.m. - Health & Human Services**

- (1) Approval of Minutes - Meeting of January 22, 2008 ..... **H**
- (2) Old Business/New Business – SAFER Grant
- (3) Adjournment

**3:30 p.m. - 3:50 p.m. - Public Works**

- (1) 2008 Electric Lawn Mower Exchange (Goals 1,2) - Public Works - Synithia Williams, Environmental Coordinator ..... **I**
- (2) School District 4 "C" Fund Request - Public Works - John Fechtel, Director ..... **J**
- (3) Town of Springdale "C" Fund Request - Public Works - John Fechtel, Director ..... **K**
- (4) Approval of Minutes - Meeting of January 22, 2008 ..... **L**
- (5) Old Business/New Business - Policy for Skip Paving, Road Right-of-Way Issues, Alternate Paving, Road Improvement List and Traffic Congestion
- (6) Adjournment

**3:50 p.m. - 3:55 p.m. - Airport**

- (1) Approval of Minutes - Meeting of January 22, 2008 ..... **M**
- (2) Old Business/New Business
- (3) Adjournment

**3:55 p.m. - 4:00 p.m. - Solid Waste**

- (1) Approval of Minutes - Meeting of January 22, 2008 ..... **N**
- (2) Old Business/New Business - Solid Waste Funding
- (3) Adjournment

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

- (1) Strategic Visioning Update (Goals 1,2,3) - Katherine Hubbard, County Administrator
- (2) Approval of Minutes - Meeting of January 22, 2008 ..... **O**
- (3) Old Business/New Business
- (4) Adjournment

**Economic Development**

S. Davis, Chairman  
B. Banning, Sr., V Chairman  
J. Kinard  
J. Jeffcoat  
T. Cullum  
B. Derrick

**Justice**

B. Banning, Sr., Chairman  
J. Kinard, V Chairman  
S. Davis  
B. Keisler  
B. Derrick

**Public Works**

D. Summers, Chairman  
T. Cullum, V Chairman  
B. Keisler  
J. Carrigg, Jr.  
B. Derrick

**Solid Waste**

J. Kinard, Chairman  
B. Keisler, V Chairman  
S. Davis  
J. Jeffcoat  
B. Derrick

**Planning & Administration**

J. Jeffcoat, Chairman  
S. Davis, V Chairman  
D. Summers  
J. Carrigg, Jr.  
B. Banning, Sr.  
B. Derrick

**Health & Human Services**

J. Carrigg, Jr., Chairman  
J. Jeffcoat, V Chairman  
D. Summers  
B. Keisler  
B. Banning, Sr.  
B. Derrick

**Airport**

T. Cullum, Chairman  
J. Carrigg, Jr., V Chairman  
J. Kinard  
D. Summers  
B. Derrick

**Committee of the Whole**

B. Derrick, Chairman  
D. Summers, V Chairman  
J. Kinard  
S. Davis  
B. Keisler  
J. Jeffcoat  
J. Carrigg, Jr.  
B. Banning, Sr.  
T. Cullum

**A G E N D A**  
**LEXINGTON COUNTY COUNCIL**  
**Tuesday, March 11, 2008**  
**Second Floor - Dorothy K. Black Council Chambers - County Administration Building**  
**212 South Lake Drive, Lexington, South Carolina 29072**  
**Telephone - 803-785-8103 FAX - 803-785-8101**

**4:30 P.M. - COUNCIL CHAMBERS**

**Call to Order/Invocation**  
**Pledge of Allegiance**

**Chairman's Report**

**Administrator's Report**

**Employee Recognition - Katherine Hubbard, County Administrator**

**Presentation of Resolution**

(1) Chief Chris Garner Presented by Councilman Jim Kinard

**Appointments ..... P**

**Bids/Purchases/RFPs**

(1) Four 800 MHZ Radios with Accessories (Cedar Grove) - Public Safety/Fire Service..... **Q**

(2) Four 800 MHZ Radios with Accessories (Corley Mill) - Public Safety/Fire Service ..... **R**

(3) Hydraulic Excavator - Public Works..... **S**

**Approval of Minutes - Meeting of January 22 and February 12, 2008 ..... T**

**Zoning Amendment**

- (1) Zoning Map Amendment M07-09 - 3512 Bush River Road - 3<sup>rd</sup> and Final Reading.....U

**Ordinances**

- (1) Ordinance 08-02 - An Ordinance Approving Contracts for the Conveyance of Real Estate From the County of Lexington to the Lexington County Health Service District - 2<sup>nd</sup> Reading..... V
- (2) Ordinance 08-04 - An Ordinance Approving the Transfer of 3.42 Acres from the County of Lexington to Do-It-Best Corp. - 2<sup>nd</sup> Reading.....W
- (3) Ordinance 08-05 - An Ordinance Authorizing the Execution and Delivery of a Fee Agreement by and Between Lexington County, South Carolina and Shaw Industries Group, Inc. Providing for a Fee in Lieu of Taxes - 1<sup>st</sup> Reading
- (4) Ordinance 08-06 - An Ordinance to Amend that Certain Agreement for the Development of a Joint Industrial and Business Park Between Lexington County and Newberry County to Add Certain Property Owned by Shaw Industries Group, Inc. - 1<sup>st</sup> Reading
- (5) Ordinance 08-07 - An Ordinance Authorizing the Issuance, Sale and Delivery of Refunding and Improvement General Obligation Bonds of Lexington County, South Carolina; Fixing the Form and Details of the Bonds; Authorizing the County Administrator and Finance Director to Determine Certain Matters Relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the Proceeds Thereof, and Other Matters Relating Thereto - 1<sup>st</sup> Reading by Title

**Committee Reports**

**Economic Development, S. Davis, Chairman**

- (1) Approval of a Resolution Authorizing the Entering into of a Sublease Agreement between Carolina Culinary Foods, L.P. f/k/a Columbia Farms - OSI, L.P. - **Tab A**
- (2) Project Stewart - Approval of a Grant Application - **Tab B**

**Public Works, D. Summers, Chairman**

- (1) 2008 Electric Lawn Mower Exchange – **Tab I**
- (2) Water Quality Buffers and Stormwater Credits .....X

**Budget Amendment Resolutions**

**OLD BUSINESS/NEW BUSINESS**

**EXECUTIVE SESSION/LEGAL BRIEFING**

**MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION**

**ADJOURNMENT**

**GOALS**

- 1. Provide for public services to citizens of Lexington County.**
- 2. Manage growth to meet needs of Lexington County.**
- 3. Provide innovative Financial Management.**

RESOLUTION NO. \_\_\_\_\_

A Resolution authorizing the entering into of a sublease agreement between CAROLINA CULINARY FOODS, L.P. f/k/a COLUMBIA FARMS - OSI, L.P., a South Carolina Limited Partnership ("Carolina Culinary") and FPL FOOD, LLC, a Limited Liability Company ("FPL Food").

WHEREAS, the Lexington County, South Carolina (the "County") acting by and through its County Council (the "County Council"), as Lessor, entered into a Lease Agreement with Columbia Farms - OSI, L.P. as Lessee, dated December 1, 1996 (the "Lease"), pursuant to the provisions of Title 4, Chapter 12, Code of Laws of South Carolina, 1976 (the "FILOT Act") and Title 4, Chapter 1, Code of Laws of South Carolina, 1976, as amended (the "Multi-County Park Act"), in order to promote industrial development by covenant with Carolina Culinary to accept certain agreed upon payments in lieu of ad valorem taxes;

WHEREAS, the Property subject to the FILOT Act and the lease is located at 164 Old Dunbar Road in Lexington County (the "Property");

WHEREAS, Carolina Culinary desires to enter into a sublease of the Property with FPL Food;

WHEREAS, Article IX of the Lease provides that Carolina Culinary may at any time sublet the Property or any part thereof subject to first obtaining the prior written consent of the County, such consent not to be unreasonably withheld; and

WHEREAS, Carolina Culinary requires the consent and assistance of the County in order to enter into the sublease agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council, in meeting duly assembled, as follows:

Lexington County hereby consents to Carolina Culinary Foods, L.P., as successor to Columbia Farms – OSI, L.P. entering into sublease agreement with FPL Food, LLC as set forth in the proposed sublease dated April 1, 2008.

All orders, 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.

Duly adopted by the Chairman and County Council of the County of Lexington, Lexington, South Carolina, this \_\_\_\_\_ day of March, 2008.

LEXINGTON COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Chairman, County Council of Lexington  
County, South Carolina

ATTEST:

By: \_\_\_\_\_  
Diana Burnett, Clerk of the  
County Council of Lexington County

HOLLOWAY LAW OFFICES, LLC  
ATTORNEYS AND COUNSELORS AT LAW

Lee Holloway

1712 ST. JULIAN PLACE, SUITE 101  
COLUMBIA, SOUTH CAROLINA 29204  
[clholloway@bellsouth.net](mailto:clholloway@bellsouth.net)

TEL. 803-929-1191  
FAX. 803-929-1417

February 28, 2008

Diana Burnett  
Clerk to Council  
County of Lexington  
212 South Lake Drive  
Lexington, SC 29072

RE: Lexington County Council Meeting Agenda  
March 11, 2008

Dear Diana,

As the attorney for Carolina Culinary Foods, LP, I request that the following be added to the council agenda for March 11:

Consideration of the request from Carolina Culinary Foods, LP to sublease the property located at 1964 Old Dunbar Road to FPL Food LLC.

History and basis for request:

A Fee-in-Lieu of Tax agreement (FILOT) was entered into between Columbia Farms-OSI, L.P. and Lexington County in 1996. As a part of that agreement, a lease agreement between Lexington County and Columbia Farms-OSI, L.P. was entered into as of December 1, 1996 and the property located at 1964 Old Dunbar Road (the "Property") was deeded to Lexington County on December 18, 1996.. The lease was for a term ending "on the day of the property tax year in which the FIOT is due hereunder or the day all of the Leased Property is reconvened to the Tenant". The agreement was set to expire in 2015.

Article IX of the Lease, Section 9.01. Conveyances of Liens and Interest; Assignment provided in part:

The Tenant may at any time (a) sublet the Leased Property or any part thereof and may sell, mortgage, encumber, assign, or otherwise transfer all or any of its rights and interest hereunder or with respect to the Leased Property to any Person; ...the Tenant shall first obtain the prior written consent of the County, which consent shall not be unreasonably withheld.."

Carolina Culinary Foods, LP is the successor to Columbia Farms - OSI, L.P. as result of the sale of Columbia Farms.

The plant on the Property is currently closed. The requested lease approval will allow the plant to reopen for a period of at least 3 years.

All of the obligations, guarantees, warranties and commitments of Carolina Culinary Foods, LP as successor to Columbia Farms - OSI, L. P. will continue to be fully binding and enforceable. Carolina Culinary is not making a request to be relieved of any of its obligations under the FIOL agreements or its obligation to pay the agreed upon taxes. The FIOL is not being assigned.

Thank you for your attention to this matter.

Sincerley,

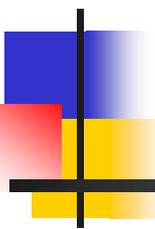
*Lee Holloway*

Carl L. Holloway, Jr.

Cc: Jeff M. Anderson, Lexington County  
Susan Hallsby, OSI

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The Committee Minutes are left out intentionally until approved by the Committee. Upon the Committee's approval, the minutes will be available on the Internet.



# Information Services Semi- Annual Update

March 2008

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# 2007-08 Considerations:

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1. Implement a defined project management methodology.
2. Upgrade E-mail system to an enterprise solution.
3. Adopt industry best practices for improving efficiency and cost-effectiveness of IT resources and reduce or eliminate technology maintained in-house.
4. Formalize an Availability, Capacity and Security Management Plan to structure protection for vital business systems.
5. Have business drive technology, not technology drive business; Backup every IS proposal by one or more business benefit and have IS operate as a business.
6. Organize IT staff in a matrix model to share resources across the enterprise and implement an IS financial management process.



# Accomplishments:

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1. Implemented Basic Project Management methodology
2. Migrated to enterprise E-mail system
3. Upgraded Service Desk procedures
4. Upgraded redundancy of some vital services
5. Created a server reduction plan though the use of virtualization
6. Updated IS management roles – Application Manager, Design Architect, Project Manager, Service Desk Manager
7. Strategic Action Plans
  - a. Availability/Capacity and Security
  - b. Disaster Recover/ Business Continuity
  - c. Project Management Office
  - d. Enterprise Approach
  - e. Succession Planning/IS Training



# Projects Completed

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|   |  |
|---|--|
| ✓ Migration to Microsoft Exchange                       | ✓ Upgrade CORE Router                      |
| ✓ SCIBRS  | ✓ ROD -Index Book Scanning                 |
| ✓ Online Vouchers, Online Applications and Laser Checks | ✓ Online Payments Traffic and Family Court |
| ✓ Public Works/ Storm Water System(s)                   | ✓ Secure Remote Access                     |
| ✓ Case Management System (CMS)                          | ✓ Solid waste/ Landfill                    |
| ✓ Web Site (Solid Waste, Tax and Billing)               | ✓ Fleet Service/ Animal Control            |



# Project Management

## Accomplishments

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Implement a defined project management methodology.

**Project management** is the discipline of organizing and managing resources in such a way that these resources deliver all the work required to complete a project within defined scope, time, and cost. A project is a temporary and one-time endeavor undertaken to create a unique product or service.

### **Basic training – Project Managers**

#### **Scope Definition:**

- 1) Define the job in detail,
- 2) Get the right people involved,
- 3) Break the job down,
- 4) Establish a change procedure,
- 5) Estimate time and costs, and
- 6) Define the acceptance criteria.



# Project Management

## Accomplishments

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Implement a defined project management methodology.

### **Weekly Status Reports:**

1. Project Summary (Sponsor, Objectives, Milestones)
2. Weekly Highlights
3. Concerns and Problems
4. Major Activities – Next reporting
5. Budget and Schedule



# Project Management

Accomplishments

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Implement a defined project management methodology.

## **Standard Forms and Templates:**

1. Statement of Work
2. Scope/Design
3. Issue Log
4. Project Schedule
5. Change Control
6. Agenda/ Meeting Recap



# Project Management

Future

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Implement a defined project management methodology.

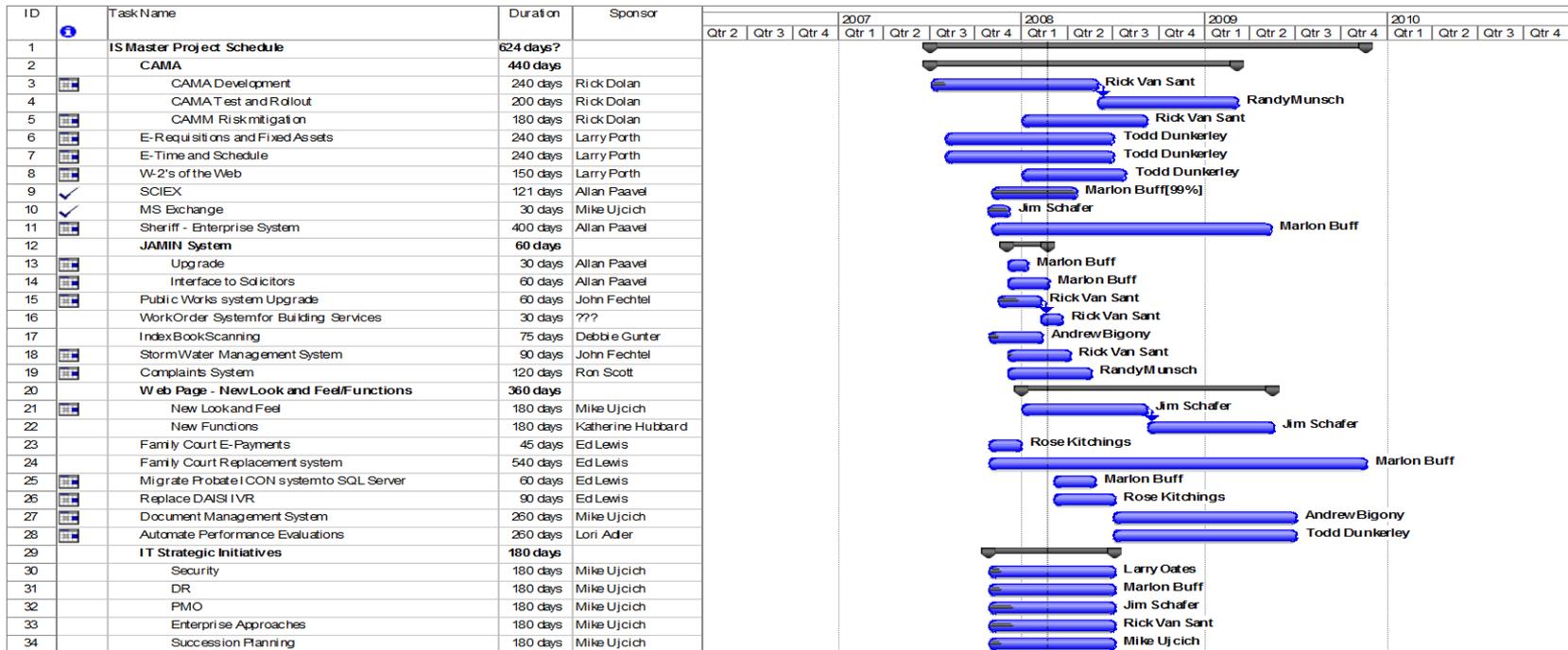
**Certification Training – Project Managers**  
**Basic Training – Remaining IS Staff**

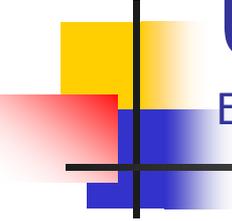
**Formalize Advanced Techniques:**

1. Risk Identification and Management
2. Quality Control and Quality Assurance Testing
3. Implementation Planning and Rollout
4. Lessons Learned
5. Project Review

# Project Management

## Master IS Project Schedule.





# Upgrade E-Mail

Enterprise Migration - Complete

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- Provides secure storage on a central server.
- Provides ability to handle confidential messaging.
- Meets compliance requirements.
- Supports business continuity plans.
- Provides collaboration and productivity using shared folders and calendars.
- Includes web-based messaging and mobile messaging.
- Provides increased performance and scalability.
- Features ease of deployment.
- Supports current programmability standards.
- Recognized as an industry leader for e-mail systems.



# IT resources

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Adopt industry best practices for improving efficiency and cost-effectiveness of IT resources and reduce or eliminate technology maintained in-house.

- Virtualization: Reduce server count by 11 in 2008-09.
- Consolidate network switches and domains.
- Redundant connections between buildings.



# Availability, Capacity, Security

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Formalize an Availability, Capacity and Security Management Plan to structure protection for vital business systems.

- Service Desk Procedures, (Availability)
  - Incident Management, Service Requests, Service Level Management
- Storage Area Network - SAN, (Capacity)
  - Centralized Storage, Reduced Back-up Time, Greater flexibility in data recovery
- Monthly Web-site Security intrusion tests, (Security)
- Security policy and training. (Security)

# Service Desk Procedures

## Incident Impact and Response

|               | IMPACT   |   |  |   |
|---------------|--|---|--|---|
| Points        | Scope  | Visibility  | Operations   | URGENCY   |
| 3 points each | Affects > 50% of users or 100% of a department     | Areas outside of the county will be affected negatively | Interferes with core business functions OR loss or potential loss of mission critical data           | Event underway and it cannot be stopped or changed AND immediate action could resolve the issue     |
| 2 points each | Affects >10 users or more than 50% of a department | The county will be affected negatively                  | Interferes with non-core activities OR functions that do not affect the entire county                | Event scheduled to occur but enough time remains to respond without impacting event                 |
| 1 point each  | Affects between 2 and 10 users                     | Business unit will be affected negatively               | Interferes with normal completion of work OR tasks are more difficult but not impossible to complete | Event can be postponed OR is far enough away in time to allow response without loss of productivity |
| 0 points each | Affects a single user                              | Visibility unchanged                                    | Interferes with non-core activities  | No scheduled completion time is required and normal work can continue until responding              |

Figure 1. Priority Scoring Matrix

# Service Desk Procedures

## Incident Impact and Response

| Score | Priority Code | Response  | Timeframes  |
|-------|---------------|---|---|
| 10    | Critical      | An immediate and sustained effort using all available resources until resolved. On-call procedures activated, vendor support invoked. | Immediate action/resolution as soon as possible.                  |
| 6-9   | High          | Technicians respond immediately, assess the situation, may interrupt other staff working low or medium priority jobs for assistance.  | Action within 1 hour/resolution within 1 business day.            |
| 2-5   | Medium        | Respond using standard procedures and operating within normal supervisory management structures.                                      | Action within 4 hours/resolution within 5 business days.          |
| 0-2   | Standard      | Respond using standard operating procedures as time allows.   | Action within 1 business days/resolution within 10 business days. |

Figure 2. Priority Assignment Matrix



# Summary

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Follow core tactical plan to meet County's strategic goals

1. Project Based Management.
2. Network Virtualization, Switch consolidation, Upgraded wiring, Storage Area Network, Standard Desktops, Etc.
3. Implement Enterprise Wide Solutions.
4. Service desk for Incidents/Service Requests.
5. IT Capital Replacement plan.

The Committee Minutes are left out intentionally until approved by the Committee. Upon the Committee's approval, the minutes will be available on the Internet.



**COUNTY OF LEXINGTON  
HIGHWAY SAFETY DUI ENFORCEMENT  
Annual Budget  
Fiscal Year - 2008-09**

| Object Code                                       | Revenue Account Title         | Actual<br>2006-07 | Received<br>Thru Dec<br>2007-08 | Amended<br>Budget<br>Thru Dec<br>2007-08 | Projected<br>Revenues<br>Thru Jun<br>2007-08 | Requested<br>2008-09 | Approved<br>2008-09 |
|---|-------------------------------|-------------------|---------------------------------|--|--|----------------------|---------------------|
| <b>*LE - Highway Safety DUI Enforcement 2455:</b> |                               |                   |                                 |  |  |                      |                     |
| <b>Revenues (Organization: 000000)</b>            |                               |                   |                                 |  |  |                      |                     |
| 457000  | Federal Grant Income          |                   | 0                               | 241,362                                  | 241,362                                      | 172,726              |                     |
| 801000  | Op Trn From General Fund/LE   |                   | 60,340                          | 60,340                                   | 60,340                                       | 57,575               |                     |
|   | <b>** Total Revenue</b>       |                   | <u>60,340</u>                   | <u>301,702</u>                           | <u>301,702</u>                               | <u>230,301</u>       | <u>0</u>            |
|   | <b>***Total Appropriation</b> |                   |                                 |  | 301,702                                      | 230,301              | 0                   |
|   | FUND BALANCE                  |                   |                                 |  |  |                      |                     |
|   | Beginning of Year             |                   |                                 |  | <u>0</u>                                     | <u>0</u>             | <u>0</u>            |
|   | FUND BALANCE - Projected      |                   |                                 |  |  |                      |                     |
|   | End of Year                   |                   |                                 |  | <u>0</u>                                     | <u>0</u>             | <u>0</u>            |

This grant is split 75% coming from SCDPS and 25% is the County's match.

**COUNTY OF LEXINGTON  
HIGHWAY SAFETY DUI ENFORCEMENT  
Annual Budget  
Fiscal Year - 2008-09**

Fund: 2455  
Division: Law Enforcement  
Organization: 151200 - LE/Operations

|                           |   | <i><b>BUDGET</b></i> |               |                |                |           |
|---------------------------|---|----------------------|---------------|----------------|----------------|-----------|
| Object Expenditure        |   | 2006-07              | 2007-08       | 2007-08        | 2008-09        | 2008-09   |
| Code Classification       |   | Expend               | Expend        | Amended        | Requested      | Recommend |
|                           |   |                      | (Dec)         | (Dec)          |                | Approved  |
| <b>Personnel</b>          |   |                      |               |                |                |           |
| 510100                    | Salaries & Wages - 3                      |                      | 8492          | 108246         | 110,397        |           |
|                           | Salaries & Wages Adjustment Account       |                      |               |                | 6,603          |           |
| 510199                    | Special Overtime                          |                      | 425           | 0              | 0              |           |
| 511112                    | FICA - Employer's Portion                 |                      | 628           | 8281           | 8,950          |           |
| 511114                    | Police Retirement - Employer's Portion    |                      | 954           | 11582          | 12,812         |           |
| 511120                    | Insurance Fund Contribution - 3           |                      | 1440          | 11520          | 18,000         |           |
| 511130                    | Workers Compensation                      |                      | 302           | 3637           | 3,932          |           |
|                           | <b>* Total Personnel</b>                  | <b>0</b>             | <b>12,241</b> | <b>143,266</b> | <b>160,694</b> | <b>0</b>  |
| <b>Operating Expenses</b> |   |                      |               |                |                |           |
| 521000                    | Office Supplies                           |                      | 0             | 900            | 900            |           |
| 521200                    | Operating Supplies                        |                      | 0             | 2,600          | 2,600          |           |
| 522200                    | Small Equipment Repairs & Maintenance (3) |                      | 0             | 0              | 1,150          |           |
| 522300                    | Vehicle Repairs & Maintenance - 3         |                      | 0             | 3,000          | 4,500          |           |
| 524100                    | Vehicle Insurance - 3                     |                      | 0             | 1,671          | 1,638          |           |
| 524201                    | General Tort Liability Insurance          |                      | 0             | 1,930          | 2,623          |           |
| 524202                    | Surety Bonds                              |                      | 0             | 0              | 30             |           |
| 525020                    | Pagers & Cell Phones - 3                  |                      | 0             | 2,010          | 2,160          |           |
| 525030                    | 800 MHz Radio Service Changes - 3         |                      | 0             | 2,280          | 2,061          |           |
| 525031                    | 800 MHz Radio Maintenance Fee - 3         |                      | 0             | 0              | 305            |           |
| 525041                    | E-mail Service Charges                    |                      | 0             | 0              | 360            |           |
| 525210                    | Conference & Meeting Expense              |                      | 0             | 0              | 6,000          |           |
| 525400                    | Gas, Fuel and Oil                         |                      | 0             | 23,990         | 40,455         |           |
|                           | <b>* Total Operating</b>                  | <b>0</b>             | <b>0</b>      | <b>38,381</b>  | <b>64,782</b>  | <b>0</b>  |
|                           | <b>** Total Personnel &amp; Operating</b> | <b>0</b>             | <b>12,241</b> | <b>181,647</b> | <b>225,476</b> | <b>0</b>  |
| <b>Capital</b>            |   |                      |               |                |                |           |
| 540000                    | Small Tools & Minor Equipment             |                      | 0             | 1875           | 4,825          |           |
|                           | All Other Equipment                       |                      | 0             | 118180         |                |           |
|                           | <b>** Total Capital</b>                   | <b>0</b>             | <b>0</b>      | <b>120,055</b> | <b>4,825</b>   | <b>0</b>  |
|                           | <b>*** Total Budget Appropriation</b>     | <b>0</b>             | <b>12,241</b> | <b>301,702</b> | <b>230,301</b> | <b>0</b>  |

### **SECTION III. – PROGRAM OVERVIEW**

The ultimate goal for the creation of a Driving under the Influence Traffic Enforcement Unit in Lexington County is to combine resources to effect a positive change in the collision, injury, and arrest rate of traffic and DUI violations. Preliminary statistics for South Carolina reported for the calendar year of 2006 indicate that Lexington County ranks number three (3) in the State for DUI, fatal and/or severe crashes and number six (6) in the State for all other types of traffic related incidents. By consolidating the resources and expanding knowledge and skills to perform DUI traffic enforcement, the quality of enforcing the traffic laws will result in an effort to reduce severe and fatal traffic collisions. The expertise and knowledge gained from the specialized training will enhance the unit's capability by using technologically sound equipment and techniques to collect and process evidence for court cases. The DUI Highway Safety Traffic DUI Enforcement Unit will afford the citizens of Lexington County and the surrounding areas the effective discovery, documentation, and judicial prosecution.

**SECTION V. A. – LISTING OF POSITIONS**

**Current Staffing Level:**

|                                 | <u>Positions</u> | <u>Full Time Equivalent</u> |                   | <u>Total</u> | <u>Grade</u> |
|---------------------------------|------------------|-----------------------------|-------------------|--------------|--------------|
|                                 |                  | <u>General Fund</u>         | <u>Other Fund</u> |              |              |
| <b>LE / Operations (151200)</b> |                  |                             |                   |              |              |
| Traffic Deputies                | 3                | 0                           | 3                 | 3            | 10           |
| <b>Totals:</b>                  | <b>3</b>         | <b>0</b>                    | <b>3</b>          | <b>3</b>     |              |

**SECTION V. B. – OPERATING LINE ITEM NARRATIVES**

**521000 - OFFICE SUPPLIES \$ 900**

Items to be purchase including but not limited to pens, file jackets, folders, diskettes, calendars and other general supplies used daily.

The estimated cost of all office supplies is \$900.

**521200 - OPERATING SUPPLIES \$ 2,600**

Funds to purchase traffic supplies such as video and audiotapes, traffic books, disks, batteries etc. are for operational purposes for the traffic officers.

The estimated cost of all operating supplies is estimated at \$ 2,600.

**522200 – SMALL EQUIPMENT REPAIR AND MAINTENANCE \$ 1,150**

The three radar units must be calibrated each year to meet the standards for speed enforcement measurement. Items purchased by the grant that are not under warranty will also need repair for continuous operations.

The cost of calibration for three radars is 3 X \$50 = \$150. The amount budgeted for other small equipment repair is estimated.

**522300 - VEHICLE REPAIRS AND MAINTENANCE \$ 4,500**

Vehicle repairs and maintenance is needed for the grant vehicles due to excessive use.

The amount budgeted is an estimate of \$1,500 per vehicle.

**524100 - VEHICLE INSURANCE \$ 1,638**

Vehicle insurance is required for the three (3) grant vehicles.

The estimated cost provided by the County Risk Manager for Vehicle Insurance is \$546 per vehicle.

**524201 - GENERAL TORT LIABILITY INSURANCE \$ 2,623**

General Tort Liability Insurance is required for each person employed by the County.

The amount listed was the recommendation of the County Risk Manager.

**524202 – SURETY BOND \$ 30**

Surety bonds are paid every 3 fiscal years. Surety bonds will not be paid again until fiscal year 2012. Surety bonds are paid every 3 fiscal years. Surety bonds will not be paid again until fiscal year 2012. The budget amount is the estimate provided by the County's Risk Manager at \$10 per position.

---

**525020 - PAGERS AND CELL PHONES** **\$ 2,160**

The mobile telephones for the grant traffic officers will allow them to communicate effectively with each other and to make contact to those individuals that are involved in traffic situations.

The cost of cell phone service for 3 traffic officers is estimated at \$60 per month per officer.

---

**525030 – 800 MHz RADIO SERVICE CHARGES** **\$ 2,061**

The 800 MHz radio fees plus roaming fees is required for the operation of 800 MHz radios.

The cost of service is \$687 per year per officer.

---

**525031 – 800 MHz RADIO MAINTENANCE CHARGES** **\$ 305**

The 800 MHz radios require service maintenance to ensure continuous operation.

The cost for radio maintenance is \$101.50 per year per radio.

---

**525041 – E-MAIL SERVICE CHARGES** **\$ 360**

E-mail service is a vital tool for communication among all individuals not just within Lexington County.

The cost of e-mail service for 3 traffic officers is estimated at \$120 per year per officer.

---

**525210 – CONFERENCE AND MEETING EXPENSE** **\$ 6,000**

The Highway Safety grant requires that each grant traffic officer attend training that will enhance their skills for increased job performance. The three traffic officers will attend training offered by the South Carolina Criminal Justice Academy and by the National Highway Safety Training Council.

The cost of the training is estimated at \$2000 per traffic officer.

---

**525400 - GAS, FUEL, AND OIL** **\$40,455**

The grant reimburses mileage at the federal rate for grant-funded personnel.

The cost budgeted is an estimate based on projected number of miles to be driven for existing traffic officers.

---

**SECTION V. C. –CAPITAL LINE ITEM NARRATIVES**

**540000 – SMALL TOOLS AND MINOR EQUIPMENT**

**\$ 4,825**

In order to provide effective operational tasks for the grant, specialized equipment items are necessary to allow a more efficient operation. The laptop platforms and computer bases will support and secure the laptop computers for utilization by the traffic officers in researching data and report writing for their daily operations. The center consoles will be utilized to mount the equipment inside the traffic vehicles. Armrests will be placed on the center consoles of the traffic vehicles to position the officer's hands at the proper level necessary to input data into the laptop computer.

The 12-volt outlets will be utilized to operate the lights and communication devices inside of the traffic vehicle that requires 12-volt battery access. The LED vehicle fog light kits are necessary to enhance the visibility of the traffic vehicles when all emergency equipment is activated, allowing for more frontal light disbursement. The mirror level LED lights are necessary in the traffic vehicles for additional visibility and safety when entering intersections.

The prisoner transport insert is necessary to facilitate transporting of intoxicated prisoners who are hand cuffed behind their back and provides for decontamination of the seats if needed. The transport inserts will also protect the officer from harm or distraction during transportation. The insert will limit the suspect's ability to hide illegal contraband without the traffic officer knowing or seeing it in the seat insert.

The compact flash memory cards are required for the prevention of data loss, and to capture and store data for sequential read and write restoration capabilities.

The cost for the following items is estimated to include tax and any applicable shipping charges.

|   |        |
|---|--------|
| (3) Laptop Platforms and Computer Bases | \$ 750 |
| (3) Center Equipment Consoles           | \$ 750 |
| (3) Equipment Platform and Holder       | \$ 200 |
| (3) Armrests                            | \$ 275 |
| (3) 12 Volt Outlet Boxes                | \$ 75  |
| (6) LED Vehicle Fog Lights              | \$ 925 |
| (3) Magnum LED Vehicle Mirrors          | \$ 650 |
| (3) Vehicle Prisoner Transport Inserts  | \$ 900 |
| (3) Flash Memory                        | \$ 300 |

The Committee Minutes are left out intentionally until approved by the Committee. Upon the Committee's approval, the minutes will be available on the Internet.

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## COUNTY OF LEXINGTON

PUBLIC WORKS DEPARTMENT

STORMWATER DIVISION

### MEMORANDUM

**DATE:** February 20, 2008  
**TO:** John Fechtel, Director of Public Works  
**FROM:** Synithia Williams, Environmental Coordinator  
**RE:** 2008 Electric Lawn Mower Exchange

---

The 2008 Electric Lawn Mower Exchange is scheduled for Saturday, April 19, 2008 at the South Carolina State Museum. Partners in the 2008 event include original partners Lexington and Richland County, SC Department of Health and Environmental Control (SCDHEC), Keep the Midlands Beautiful, the SC State Museum, and we welcome a new partner, the City of Columbia. Neuton Mower Company will provide their electric mower at a discounted rate of \$289.00; this is \$10 cheaper than last year.

Based on the success of the 2007 Lawn Mower Exchange, this year's exchange is expected to be just as popular. Interest has already been expressed by local media outlets and citizens. To meet the expected demand, the goal is to reduce the price by \$90 for 130 mowers and sell them to citizens who trade in a gas powered mower for \$199. Increased funding will be necessary. The current funding pledges for the 2008 event are: Richland County \$4,000, SCDHEC \$1,800, and the City of Columbia \$2,500 for a total of \$8,300. Keep the Midlands Beautiful will handle the money between the partners and Neuton Mower Company as they did last year.

There is \$5,000 budgeted in the air quality supplies account (521210) for Fiscal Year 07-08. This money was appropriated to cover air quality projects such as the Lawn Mower Exchange. Staff is requesting that \$4,000 be used to match Richland County's donation and to move the group closer to achieving the goal of 130 mowers at the \$199 discounted rate.

We request the Public Works Committee approve the recommended funding for the 2008 Electric Lawn Mower Exchange and request that it be reported out at the 4:30 Council Meeting. This will allow Neuton Mower Company to determine the number of discounted mowers they must supply for this event.



**COUNTY OF LEXINGTON**  
**PUBLIC WORKS DEPARTMENT**  
**ENGINEERING**

**MEMORANDUM**

**DATE:** February 29, 2008

**TO:** Katherine Hubbard  
County Administrator

**FROM:** John Fechtel, Public Works Director  
Assistant County Administrator

**RE:** School District 4 "C" Fund Request

---

The attached letter from Lexington School District 4 requests "C" Funds to provide funding for turning lanes at Swansea Primary School on I.W. Hutto Road. The department had budgeted \$75,000.00 for School Road Projects (2700-121300-539901) for FY 07-08 and have not received any prior requests for this type of project.

Please present this request to the Public Works Committee at the March 11, 2008 meeting for their consideration.

Attachment

/lh

**LEXINGTON SCHOOL DISTRICT FOUR  
GASTON-SWANSEA**

**J. Franklin Vail, Ph.D. Superintendent**

**607 East Fifth Street  
Swansea, South Carolina 29160  
(803) 568-1000  
FAX (803) 568-1020**

**January 23, 2008**

**Councilman Jim Kinard  
515 Basil Road  
Swansea, South Carolina 29160**

**Dear Councilman Kinard:**

We would like to request the allocation of "C" funds to provide turning lanes at the entrance to Swansea Primary School located at 1195 I.W. Hutto Road, Swansea. Currently, traffic spills onto I.W. Hutto Road each afternoon causing congestion and safety hazards for parents and students. The school district has modified student pick up procedures and school traffic lanes to provide 1500 feet for stacking cars.

The addition of a turning lane to the school would address safety concerns that parents are expressing when they are forced to line up in the I.W. Hutto roadway. Your assistance in providing funding and engineering for this project is appreciated.

Sincerely,



**J. Franklin Vail, Ph.D.  
Superintendent**

**JFV/dj**



**COUNTY OF LEXINGTON**  
**PUBLIC WORKS DEPARTMENT**  
**ENGINEERING**

**MEMORANDUM**

**DATE:** February 29, 2007

**TO:** Katherine Hubbard  
County Administrator

**FROM:** John Fechtler, Public Works Director  
Assistant County Administrator

**RE:** Town of Springdale "C" Funds Request

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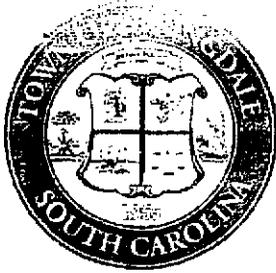
Attached is a request from the Town of Springdale for \$36,250.00 in "C" Funds for a project approved by SCDOT. The Enhancement Grant that was approved consists of twenty (20) decorative pedestrian lights on each side of Platt Springs Road. The total project cost is \$181,250.00 and the grant will fund 80% or \$145,000.00. The 20% local match (\$36,250.00) is their request for "C" Funds.

At this time, we have \$215,000.00 available in our Special Projects "C" Fund unclassified account from which we have funded similar requests in the past. We recommend County Council approve this request.

Please present this request to the Public Works Committee at the March 11, 2008 meeting for their consideration.

Attachments

/lh



Mayor  
Pat G. Smith

South Carolina  
**SPRINGDALE**

Town Hall • 2915 Platt Springs Road • Springdale, South Carolina 29170  
Phone 803-794-0408 • Fax 803-791-0567  
www.springdale-sc.com

Mayor Pro-Tem  
Gus Manos

Council  
Steve Hallman  
Nancy S. Peters  
J. Kevin Reeley  
Juston Ricard  
Jacob Wilkerson

Administrator  
Natalie A. McKelvey

February 5, 2008

Mr. John Fetchel  
Public Works Director  
County of Lexington Public Works Department  
440 Ball Park Road  
Lexington, SC 29072

Re: "C" Fund Request

Dear Mr. Fetchel,

RECEIVED

FEB 6 2008

LEXINGTON COUNTY  
ENGINEERING DEPARTMENT

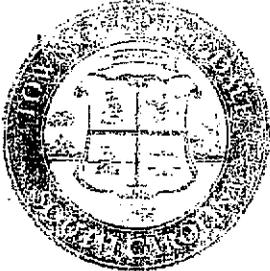
I am writing this letter in response to your email correspondence with Springdale's Management Assistant. Per your request, I have included a copy of a letter written by the town's former administrator dated February 15, 2007. As you will read, the letter requests financial support from the county to help cover the twenty percent matching funds required by SCDOT's Transportation Enhancement Program.

The project has subsequently been approved by SCDOT, and we are now entering into the initial stages of the agreement. The Town of Springdale would greatly appreciate any funding assistance made available by Lexington County to meet the \$36,250.00 requirement.

Please do not hesitate to contact Springdale Town Hall at the number listed above if you have any questions or require additional information. As stated in the attached letter, your consideration concerning this matter is greatly appreciated.

Sincerely,

Natalie McKelvey  
Town Administrator



**Mayor**  
*Pat G. Smith*

South Carolina  
**SPRINGDALE**

Town Hall • 2915 Platt Springs Road • Springdale, South Carolina 29170  
Phone 803-794-0408 • Fax 803-791-0567  
[www.springdale.sc.com](http://www.springdale.sc.com)

**Mayor Pro-Tem**  
*Gus P. Manos*

**Council**  
*Steve O. Hallman*  
*Nancy S. Peters*  
*J. Kevin Reesley*  
*Justin L. Ricard*  
*Jacob R. Wilkerson*

**Administrator**  
*R. Benjamin Baxley*

February 15, 2007

Mr. John Fechtel  
Assistant County Administrator/Public Works Director  
County of Lexington Public Works Department  
440 Ball Park Road  
Lexington, SC 29072

Re: "C" Fund Request

Dear John:

Please accept this letter as a request for financial assistance with the Town's Platt Springs Road Enhancement Project (Phase II) -- Pedestrian Lighting project. The project will involve the installation of decorative pedestrian lighting along existing sidewalks on both sides of Platt Springs Road. The project is 80% funded through the DOT's Transportation Enhancement Program. The Town is seeking the County's assistance on the 20% local match that the town will be required to pay. The proposed cost of the project is \$181,250.00; therefore, the Town is requesting \$36,250.00 to cover the 20% local match. The project will be implemented during FY 06-07/ FY 07-08.

Please find enclosed a copy of the project application that includes the target area. Please do not hesitate to contact Springdale Town Hall at the number listed above if you have any questions or require additional information. Your consideration concerning this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "R. Benjamin Baxley".

R. Benjamin Baxley  
Town Administrator

Enclosure

cc: Mayor and Council

**B. PROJECT DESCRIPTION: "SEE ATTACHED" IS NOT ACCEPTABLE.**

Describe all necessary work needed to complete the proposed project. Description should reflect only activities checked under project category:

This enhancement project will involve the installation of approximately 20 17' 8" tall decorative pedestrian lights on each side of Platt Springs Road. The lights will be located along approximately 1,800 linear feet of Platt Springs Road. The lights will be installed from Kirkwood Drive to Essex Drive and located in the five feet wide right-of-way area (back of the sidewalk to the adjacent property line). This road serves as a main thoroughfare for the Town of Springdale.

Power for the lights will be obtained from four meter boxes purchased from SCE&G. The lights will be purchased from a lighting vendor and installed by an electrical contractor with experience in decorative pedestrian lighting. Additional work will include trenching from power source (dip poles), boring, installing cable and conduit, forming and pouring piers, installation of lights and heads, and connection of all wires.

The Committee Minutes are left out intentionally until approved by the Committee. Upon the Committee's approval, the minutes will be available on the Internet.

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## **APPOINTMENTS - BOARDS & COMMISSIONS**

**March 11, 2008**

### **SMOKEY DAVIS**

**Board of Zoning Appeals** - Bryan Clemenz (Resigned 03/20/07) Term expired 12/31/07

**Health Services District** - Vasa W. Cate, MD - Term expired 03/10/08 - Eligible for reappointment

### **DEBBIE SUMMERS**

**Health Services District** - Leon A. Love - Term expired 03/10/08 - Not eligible for reappointment

### **JOHNNY JEFFCOAT**

**Assessment Appeals Board** - Beth Dorn Lindardt - Term expired 09/21/07 - Eligible for reappointment

**Health Services District:**

Robert O. Heilman - Term expired 03/10/08 - Eligible for reappointment

**Museum Commission** - Sandra Burdett - Term expired 11/01/05 - Not eligible for reappointment

### **JOHN CARRIGG**

**Assessment Appeals Board** - Vacant - Term expired 09/21/06

**Museum Commission** - Vacant - Term expired 11/01/06

### **BILL BANNING**

**Museum Commission** - Toni L. Greer - Term expired 11/1/07 - Not eligible for reappointment

**Planning Commission** - William E. Unthank, Jr. (Resigned December 2007) - Term expires 8/26/11

### **TODD CULLUM**

**Lexington Health Services** - Ronald Moore (deceased) - Term expires 3/10/09

### **AIKEN/BARNWELL/LEXINGTON COUNTIES COMMUNITY ACTION COMMISSION, INC.**

Juanice Aaron - Term expired 12/31/05 - Eligible for reappointment

# COUNTY OF LEXINGTON

## Procurement Services

---

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** February 21, 2008

**TO:** Katherine L. Hubbard  
County Administrator

**THROUGH:** Reggie Murphy  
Procurement Manager

**FROM:** Angela M. Seymour  
Procurement Officer

**SUBJECT:** (4) 800 MHZ Radios with Accessories  
Public Safety/Fire Service

---

We received a purchase request for four (4) 800 MHZ Radios with Accessories for Public Safety/Fire Service. These are additional new radios for the Cedar Grove Fire Department. The radios will be purchased directly from the manufacturer (Motorola) through South Carolina State Contract #OIR2002.07. The total cost of these radios including applicable tax is \$14,137.91.

Funds are appropriated in the following account:

|                    |   |             |
|--------------------|---|-------------|
| 1000-131500-5A8557 | (4) 800 MHZ Radios with Accessories – Cedar Grove | \$14,137.91 |
|--------------------|---|-------------|

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on March 11, 2008.

copy: Larry Porth, Director of Finance/Assistant County Administrator  
Chief Bruce Rucker, Assistant Sheriff / Director of Public Safety & Homeland Security  
Russell Rawl, Fire Service Coordinator

# COUNTY OF LEXINGTON

## Procurement Services

---

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** February 21, 2008

**TO:** Katherine L. Hubbard  
County Administrator

**THROUGH:** Reggie Murphy  
Procurement Manager

**FROM:** Angela M. Seymour  
Procurement Officer

**SUBJECT:** (4) 800 MHZ Radios with Accessories  
Public Safety/Fire Service

---

We received a purchase request for four (4) 800 MHZ Radios with Accessories for Public Safety/Fire Service. These are additional new radios for the Corley Mill Fire Department. The radios will be purchased directly from the manufacturer (Motorola) through South Carolina State Contract #OIR2002.07. The total cost of these radios including applicable tax is \$14,137.91.

Funds are appropriated in the following account:

|                    |   |             |
|--------------------|---|-------------|
| 1000-131500-5A8556 | (4) 800 MHZ Radios with Accessories – Corley Mill | \$14,137.91 |
|--------------------|---|-------------|

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on March 11, 2008.

copy: Larry Porth, Director of Finance/Assistant County Administrator  
Chief Bruce Rucker, Assistant Sheriff / Director of Public Safety & Homeland Security  
Russell Rawl, Fire Service Coordinator

# COUNTY OF LEXINGTON

## Procurement Services

---

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** February 28, 2008

**TO:** Katherine L. Hubbard  
County Administrator

**THROUGH:** Reggie Murphy  
Procurement Manager

**FROM:** Angela M. Seymour  
Procurement Officer

**SUBJECT: Hydraulic Excavator  
Public Works  
Bid No. B08040-02/13/08S**

---

Competitive bids were solicited and advertised for one (1) Hydraulic Excavator for the Public Works Department. This new piece of heavy equipment will be a replacement excavator. The County received six (6) bids of which three (3) were no bids (see attached bid tabulation).

John Fechtel, Director of Public Works; Ellis Gammons, Fleet Manager; and Angela M. Seymour, Procurement Officer evaluated the bids. It is recommended to award this bid to Altman Tractor Company as the lowest responsible bidder. The total cost including applicable sales tax for this equipment is \$176,599.22. There will be a 7-year buy back guarantee in the amount of \$43,470.00.

Funds are appropriated in the following account:

|                    |               |               |
|--------------------|---------------|---------------|
| 1000-121300-5A8081 | (1) Excavator | \$ 176,599.22 |
|--------------------|---------------|---------------|

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on March 11, 2008.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator  
John Fechtel, Director of Public Works/Assistant County Administrator  
Ellis Gammons, Fleet Manager

## County of Lexington

### Bid Tabulation

**B08040-02/13/08S**

#### Hydraulic Excavator

|     |                     | Midland's Machinery |        | ASC Construction Equipement |        | Van Lott, Inc |        | Linder Machinery |              |
|-----|---------------------|---------------------|--------|-----------------------------|--------|---------------|--------|------------------|--------------|
| Qty | Description         | Unit Price          | Total  | Unit Price                  | Total  | Unit Price    | Total  | Unit Price       | Total        |
| 1   | Hydrualic Excavator |                     | No Bid |                             | No Bid |               | No Bid | \$190,177.00     | \$190,177.00 |
|     | Manufacturer        |                     | No Bid |                             | No Bid |               | No Bid |                  | Komatsu      |
|     | Model               |                     | No Bid |                             | No Bid |               | No Bid |                  | PC220LL-8    |
|     | Buyback Amount      |                     | No Bid |                             | No Bid |               | No Bid |                  | No Buy Back  |
|     | Buyback Time Period |                     | No Bid |                             | No Bid |               | No Bid |                  | No Buy Back  |
|     | Tax                 |                     | No Bid |                             | No Bid |               | No Bid |                  | \$ 13,312.39 |
|     | Total               |                     | No Bid |                             | No Bid |               | No Bid |                  | \$203,489.39 |

|     |                     | Altman Tractor |               | Blanchard Machinery |               |
|-----|---------------------|----------------|---------------|---------------------|---------------|
| Qty | Description         | Unit Price     | Total         | Unit Price          | Total         |
| 1   | Hydrualic Excavator | \$ 165,046.00  | \$ 165,046.00 | \$ 222,800.00       | \$ 222,800.00 |
|     | Manufacturer        |                | Kobelco       |                     | Caterpillar   |
|     | Model               |                | SK260LC       |                     | 324DL         |
|     | Buyback Amount      | \$ 43,470.00   | \$ 43,470.00  |                     | \$66,000.00   |
|     | Buyback Time Period |                | 7 Years       |                     | 7 Years       |
|     | Tax                 |                | \$ 11,553.22  |                     | \$ 15,596.00  |
|     | Total               |                | \$ 176,599.22 |                     | \$ 238,396.00 |

Bids opened: February 13, 2008

Angela M. Seymour  
Procurement Officer

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



COUNTY OF LEXINGTON, SOUTH CAROLINA

**Community Development**

County Administration Building, 4<sup>th</sup> Floor  
212 South Lake Drive, Suite 401, Lexington, SC 29072  
(803)785-8121

ZONING MAP AMENDMENT APPLICATION # **M07-09**

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

3512 Bush River Road, Columbia

Zoning Classifications: (Current) C1 Neighborhood Commercial (Proposed) C2 General Commercial

TMS#: 003696-04-005 P/O Property Owner: Chris Schroeder

Reason for the request: I wish to change the zoning classification to allow for a food services activity.

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

Date of Application: 11/14/07 Applicant: Owner  Agent

Phone #(s): work 803-772-7930 \_\_\_\_\_

Signature: \_\_\_\_\_ Printed Name: Chris Schroeder

Street/Mailing Address: 3512 Bush River Rd., Columbia 29210

|          |                         |
|----------|-------------------------|
| 11/14/07 | Application Received    |
| 1/3/08   | Newspaper Advertisement |
| 12/31/07 | Notices Mailed          |

|          |                     |
|----------|---------------------|
| 11/14/07 | Fee Received        |
| 1/6/08   | Property Posted     |
| 2/21/08  | Planning Commission |

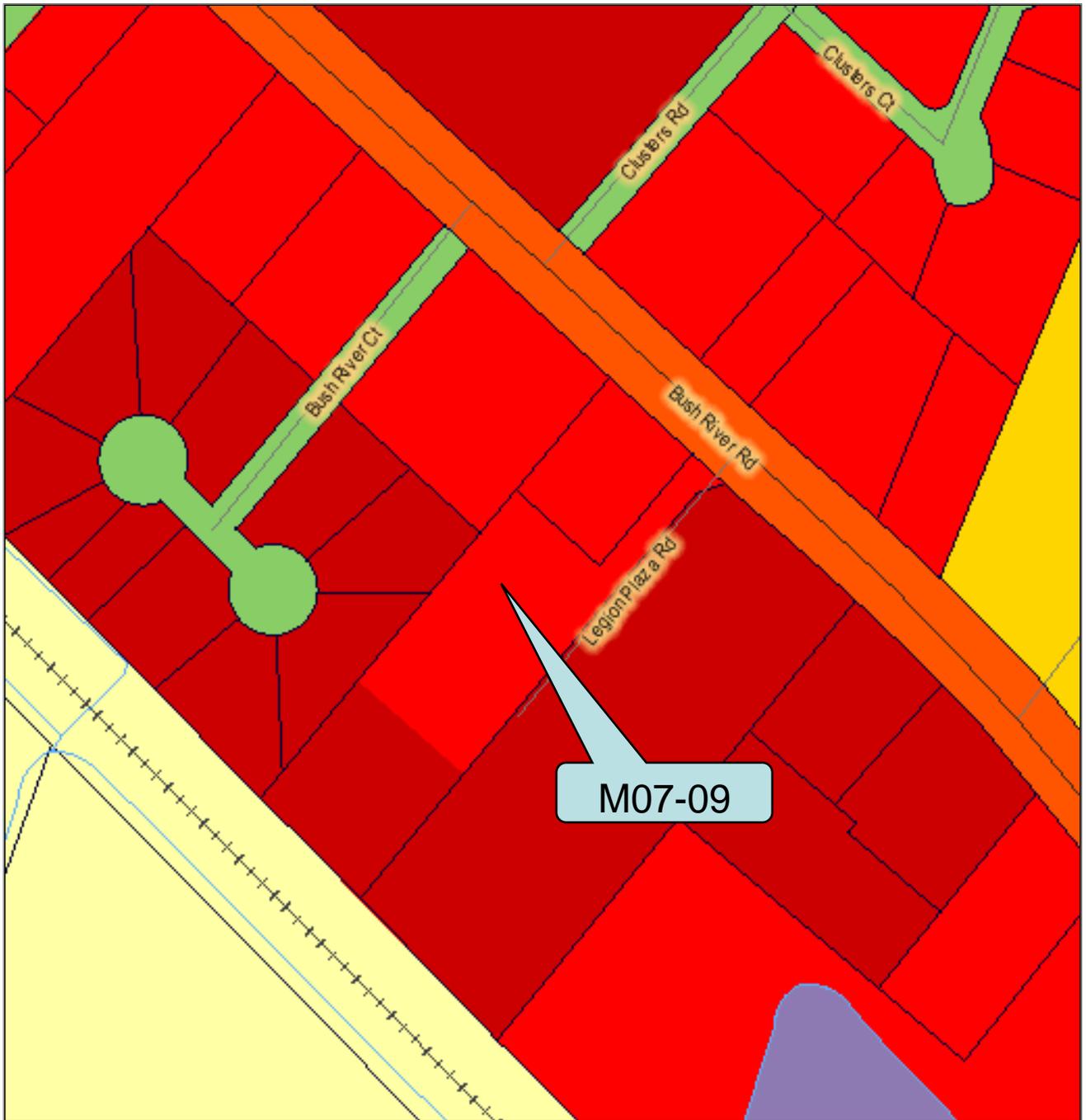
Planning Commission Recommendation: 8 to 0 vote to recommend approval.

|          |               |         |                |         |                |               |
|----------|---------------|---------|----------------|---------|----------------|---------------|
| 12/11/07 | First Reading | 1/22/08 | Public Hearing | 2/26/08 | Second Reading | Third Reading |
|----------|---------------|---------|----------------|---------|----------------|---------------|

Results: \_\_\_\_\_

\_\_\_\_\_

# Zoning Map Amendment Application M07-09



## ZONING LEGEND

|                           |                              |                                 |
|---------------------------|------------------------------|---------------------------------|
| I - Interstate            | RL5 - Residential Local 5    | ID - Intensive Development      |
| A - Arterial Road         | RL6 - Residential Local 6    | PD - Planned Development        |
| C - Collector Road        | LC - Limited Commercial      | R1 - Low Density Residential    |
| L - Local Road            | C1 - Neighborhood Commercial | R2 - Medium Density Residential |
| LL - Limited Local Road   | C2 - General Commercial      | R3 - High Density Residential   |
| RL4 - Residential Local 4 | D - Development              | RD - Restrictive Development    |

# Zoning Map Amendment Application M07-09

## 3512 Bush River Rd



NOTE: Parcel boundary lines are approximate and may appear distorted in an oblique view.

**COUNTY OF LEXINGTON, SOUTH CAROLINA**

**ORDINANCE NO. 08-02**

**AN ORDINANCE APPROVING CONTRACTS FOR THE CONVEYANCE OF REAL ESTATE FROM THE COUNTY OF LEXINGTON TO THE LEXINGTON COUNTY HEALTH SERVICES DISTRICT.**

WHEREAS, the County of Lexington (hereinafter “the County”) is the owner of certain property located in the County of Lexington; and

WHEREAS, the Lexington County Health Services District desires to purchase 2.32 acres as described on its Contract of Sale, .53 acre as described on its Contract of Sale, and 20.67 acres less and except .27 acre and a 30’ by 30’ area as described on its Contract of Sale;

WHEREAS, the County has no need for the existing property; and

WHEREAS, the County of Lexington deems it to be in the public’s best interest to sell the subject property as set forth in the Contracts attached hereto and incorporated herein;

NOW, THEREFORE, be it ordained and enacted by the Lexington County Council as follows:

Section 1. The Lexington County Council hereby approves the Contracts of Sale attached hereto and incorporated herein as Exhibits A, B, and C and the conveyance of the property described therein to the Lexington County Health Services District.

Section 2. The Chairman of the Lexington County Council and County Administrator are authorized and directed to execute and deliver Deeds and any other closing documents necessary to complete the sale of the property described in the Contracts of Sale attached hereto as Exhibits A, B, and C to the Lexington County Health Services District.

Enacted this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
William C. Derrick, Chairman

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Third & Final Reading: \_\_\_\_\_

Filed w/Clerk of Court: \_\_\_\_\_

**ORDINANCE NO. 08-04**

**AN ORDINANCE APPROVING THE TRANSFER OF 3.42 ACRES FROM THE COUNTY OF LEXINGTON TO DO IT BEST CORP.**

WHEREAS, the County of Lexington has a need for certain property owned by Do It Best Corp in order to construct a rail spur as is more fully set out in the contract attached hereto as Exhibit “A”; and

WHEREAS, Do It Best Corp has agreed to swap land with the County; and

WHEREAS, the 3.42 acres to be conveyed to Do It Best Corp is set forth and designated as Tract A in the plat attached hereto and made a part hereof as Exhibit “B” and

WHEREAS, Do It Best Corp has already transferred Tract B as shown in Exhibit “B” to the County;

NOW THEREFORE, be it ordained and enacted by Lexington County Council that:

1. The transfer of Tract A consisting of 3.42 acres from the County of Lexington to Do It Best Corp is hereby approved under the terms as described in the Contract attached hereto as Exhibit “A”.
2. The Chairman of the Lexington County Council is hereby authorized and directed to execute and deliver the 3.42 acres as set forth as Tract A in the plat attached hereto as

Exhibit "B". Further, the Chairman or County Administrator shall further execute any and all applicable documents for the closing of the conveyance of such property.

Enacted this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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William C. Derrick  
Chairman, Lexington County Council

ATTEST:

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Diana Burnett, Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Third & Final Reading: \_\_\_\_\_

Filed W/Clerk of Court: \_\_\_\_\_

# COMMITTEE REPORT

**RE:** Water Quality Buffers and Stormwater Credits

**DATE:** March 3, 2008

**COMMITTEE:** Public Works

**MAJORITY REPORT:** Yes

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The Public Works Committee met on Tuesday, February 26, 2008 to hear staff's recommendations for revisions to the Water Quality Buffer Requirements, Section 3.4.4, and Stormwater Credits, Section 3.10, as pertaining to the Land Development Manual.

Ms. Synithia Williams, Environmental Coordinator presented a power-point presentation on water quality buffers including definitions of various buffers as well as its benefits to the environment. She noted the proposed water quality buffer requirement increase from a 50 foot to a 100 foot buffer on perennial streams and a 25 foot to a 50 foot buffer on wetland areas.

Ms. Sheri Armstrong, Stormwater Manager, reported on the revisions to the water quality buffer requirements and including details concerning requirements for buffer design, management and maintenance, platting procedures, buffer averaging procedures, width adjustments, and variance procedures. She reviewed the differences between streamline and shoreline buffers. Concerns were discussed about the change from the 50 foot buffer to the 100 buffer on perennial streams. The Committee asked staff to produce a blue line map outlining the buffers for perennial streams. Ms. Armstrong indicated that a request for a variance can be considered if the request meets any of the criteria listed in Section 3.4.4.12.1 Buffer Variance Criteria.

Ms. Armstrong also reviewed the new section, Stormwater Credits, Section 3.10 which provides credit for conservation areas, including water quality buffers. Conservation area credits allow the areas that are set aside in water quality buffers, along with other preserved open space, to be subtracted from the area that must be treated for volume. Suggestions from the stakeholder's group and Planning Commission were considered and incorporated as deemed appropriate. Staff requested approval to adopt the revisions to Section 3.4.4. and Section 3.10 of the Land Development Manual.

Guest speakers who were present were Mr. Robbie Wilkins with the Home Builders Association of Greater Columbia, Mr. Bill Marshall from the Lower Saluda River Advisory, Mr. Dwight Davis of the Lexington Soil and Water Conservation District, and Mr. Bill Mathias, Lexington County citizen.

The Public Works Committee voted to recommend that full Council approve staff's recommendations for the revisions to Section 3.4.4 and Section 3.10.

Attached: 3.4.4. Water Quality Buffer Requirements  
3.10 Stormwater Credits

### **3.4.4 Water Quality Buffer Requirements**

Water quality buffers are required along all perennial and intermittent streams, waterways, shorelines and wetlands as identified on a 7.5 USGS quadrangle map, USACE, or as determined by the PW/SWD

A water quality buffer is an area of original or re-established vegetation that borders streams, rivers, ponds, lakes, wetlands, and seeps. Buffers are most effective when stormwater runoff is flowing into and through the buffer zone as shallow sheet flow, rather than concentrated flow such as channels, gullies, or wet weather conveyances. Therefore, it is critical that design of all development include management practices, to the maximum extent practical, that will result in stormwater runoff flowing into the buffer zone as shallow sheet flow.

Water quality buffers provide numerous environmental protection and resource management benefits including:

1. Restoring and maintaining the chemical, physical and biological integrity of the water resources,
2. Removing pollutants delivered in urban stormwater,
3. Reducing erosion and controlling sedimentation,
4. Stabilizing stream banks,
5. Providing infiltration of stormwater runoff,
6. Maintaining base flow of streams,
7. Contributing the organic matter that is a source of food and energy for the aquatic ecosystem,
8. Providing tree canopy to shade streams and promote desirable aquatic organisms,
9. Providing riparian wildlife habitat, and
10. Furnishing scenic value and recreational opportunity.

#### **3.4.4.1 Intent**

It is the intent of the PW/SWD to establish minimal acceptable requirements for the design of buffers to protect the streams, wetlands and floodplains of the County of Lexington; to protect the water quality of watercourses, reservoirs, lakes, and other significant water resources; to protect riparian and aquatic ecosystems; and to provide for the environmentally sound use of the County's land

resources.

#### **3.4.4.2 Applications**

1. This shall apply to all proposed development except for that development which meets exemptions in Section 3.4.4.3 and/or variance criteria in Section 3.4.4.12.
2. This shall apply to all surface mining operations except active surface mining operations which are operating in compliance with an approved SCDHEC surface mining permit. A copy of the approved surface mining permit shall be provided to PW/SWD.
3. This shall apply to the construction of agricultural structures as stated in Section 3-2.d of the Stormwater Management Ordinance.
4. Except as provided in Sections 3.4.4.3, and 3.4.4.12, this shall apply to all parcels of land, structures and activities which are causing or contributing to:
  - a. Pollution, including non-point pollution, of the waters of Lexington County,
  - b. Erosion or sedimentation of stream channels,
  - c. Degradation of aquatic or riparian habitat,

#### **3.4.4.3 Exemptions**

1. Ephemeral streams, ditches, manmade ponds, and lakes outside of natural hydrologic connectivity shall not be subject to Section 3.4.4.
2. Any existing structure or structure under construction located within the buffer area provided the land owner can document prior existence.
3. The addition or expansion to an existing structure provided it does not result in an increase in the total impervious area within the buffer area.
4. Activities associated with emergency operations, such as hazardous materials removal, flood or fire control, evacuations, and storm damage clean up.
5. If any portion of a parcel proposed for development lies within an area designated on an officially adopted Trails and Greenway Master Plan Map as proposed trail or greenway, the developer shall construct the designated improvements in accordance with County standards and dedicate such land to the County.
6. Single family parcels that are not part of a larger common development.

### **3.4.4.4 Selection of Buffers**

#### **3.4.4.4.1 Stream Buffers**

Stream buffers shall be considered a “no disturb zone” along perennial and intermittent streams as defined by USGS Quad Maps. Vegetation cannot be disturbed, removed or replanted unless a buffer restoration plan has been approved by the PW/SWD. Section 3.4.4.8 provides requirements to expand the buffer widths depending on slopes, water pollution hazards, or other uses that may contribute to water quality degradation. In defining the limits of stream buffers, top of bank is defined as the uppermost limit of the active channel of a stream during “bank full” conditions, typically marked by a break in slope.

The buffer width shall be calculated as follows:

1. Along perennial streams, shown as a solid blue line on the USGS Quad Map, not associated with a floodplain or wetlands, the buffer shall be at least 100 feet perpendicular from the top of bank on each side of the waterway.
2. In areas where a floodway profile has been computed along a perennial stream (AE Zones) as part of an approved flood study, the buffer area shall be the width of the floodway if the floodway is greater than or equal to 100 feet. If the width of the floodway is less than 100 feet from the top of bank, the distance to bring the buffer to 100 feet shall be added. (i.e. If the floodway is 50 feet then an additional 50 foot of buffer must be added for total distance of 100 feet from top of bank). If the width of the floodway is greater than 100 feet this area can be counted as the required buffer width.
3. In areas where a floodway profile has not been computed along a perennial stream (A Zones) the developer shall perform a flood study, determine the floodway and follow the buffer requirements outlined above.
4. Along intermittent streams, shown as a dashed blue line on the USGS Quad Map, the buffer shall be at least 50 feet perpendicular from the top of bank on each side of the waterway. If these streams have associated flood as described above the same requirements would apply to have a total width of 50 feet.
5. For delineated wetland areas associated with perennial streams; if the delineated wetland is less than 100 feet from the top of bank, the distance to bring the buffer to 100 feet must be added. (i.e. If the wetland area is 50 feet then an additional 50 foot of buffer must be added for total distance of 100 feet from top of bank). This buffer width is independent of any wetland offset requirements of the USACE.
6. For delineated wetland areas associated with intermittent streams; if the delineated wetland is less than 50 feet from the top of bank, the distance to bring the buffer to 50 feet must be

added. (i.e. If the wetland area is 25 feet then an additional 25 foot of buffer must be added for total distance of 50 feet from top of bank). This buffer width is independent of any wetland offset requirements of the USACE.

7. For wetland areas not associated with perennial, intermittent streams, or floodway the buffer shall be the extent of the wetland area plus an additional 50 feet perpendicular beyond the wetland edge.

#### **3.4.4.4.2 Stream Buffer Management and Maintenance**

The function of the stream buffer is to protect the physical and ecological integrity of the waterway, to reduce flooding potential, and to filter runoff from all development. The objective of a stream buffer is undisturbed native vegetation.

- A. Management of the stream buffer includes specific limitations on alteration of the natural conditions. The following practices and activities are restricted within stream buffer, except with prior approval by the PW/SWD:
  1. Clearing or grubbing of existing vegetation,
  2. Clear cutting of vegetation,
  3. Soil disturbance by grading, stripping, or other practices,
  4. Filling or dumping,
  5. Use, storage, or application of pesticides, herbicides, and fertilizers,
  6. Conversion of vegetation from native to exotic species, and
  7. Motor vehicles are not permitted in stream buffers unless during the installation of certain utilities permitted in the buffer zone,
- B. The following structures, practices, and activities are permitted in the stream buffer, subject to prior approval of the PW/SWD, and when specific design or maintenance features are adhered to:
  1. Stream crossings and utilities:
    - a. An analysis needs to be conducted to ensure that no economically feasible alternative is available;
    - b. The right of way should be the minimum width needed to allow for maintenance access and installation;
    - c. The angle of a crossing shall be perpendicular to the stream or buffer in order to minimize clearing requirements;

- d. The minimum number of crossings should be used within each development, and no more than one crossing is allowed for every 1,000 linear feet of buffer zone. Where possible, the design of roadways and lots within a development should be aligned such that all streams are either to the rear or the side of individual lots, never along the front.
  2. Transportation right-of-ways, pedestrian crossings, public access, boat ramps, docks, fishing platforms, unpaved paths (i.e. trails and greenways), and stream bank stabilization efforts.
  3. Utilities are allowed and shall be installed a minimum distance of 25 feet measured perpendicular from the top of bank within the buffer area.
- C. In order to maintain the functional value of the stream buffer, indigenous vegetation may be removed as follows:
1. Dead, diseased, or dying trees that are in danger of falling and causing damage to dwellings or other structures may be removed with approval from the PW/SWD;
  2. Debris in the buffer area that is caused by storm damage may be removed; and
  3. Invasive plant species may be removed if they are replaced by native species that are equally effective in retarding runoff, preventing erosion and filtering non-point source pollution from runoff. A buffer restoration plan for removal of invasive species must be approved by the PW/SWD.

#### **3.4.4.5 Shoreline Buffers**

Shoreline buffers shall be considered an area of managed vegetation adjacent to shorelines with hydrologic connectivity (stream leading into/out of the pond/lake or obvious spring input).

The shoreline buffer width shall be 50 feet perpendicular from the shoreline. For ponds and lakes, the shoreline shall be defined as the 100 yr high water elevation. For Lake Murray the buffer shall be measured from the 360 elevation.

##### **3.4.4.5.1 Shoreline Buffer Management and Maintenance**

The function of the shoreline buffer is to protect the physical and ecological integrity of the water body by providing a functional distance to reduce flooding potential, reduce erosion, sedimentation, and filter runoff between development and the water body.

- A. Management of the shoreline buffer includes specific limitations on alteration of the natural conditions. The following structures, practices and activities are restricted in the shoreline buffer unless prior approval is granted by the PW/SWD:
1. Septic systems;
  2. Permanent structures;
  3. Impervious cover, with the exception of paths;
  4. Soil disturbance by grading, stripping or other practice;
  5. Filling or dumping;
  6. Stormwater management facilities;
  7. Use, application, or storage of pesticides or herbicides except for the spot spraying of noxious weeds or other non-native species consistent with approved agency recommendations. (Lexington County, State Forestry Commission, SCE&G Land Management);
- B. The following structures, practices, or activities are permitted in the shoreline buffer subject to the prior approval of the PW/SWD:
1. Biking or hiking paths;
  2. Recreational uses as approved by the PW/SWD;
  3. Limited tree or underbrush clearing with approval from the PW/SWD;

#### **34.4.6 Water Quality Buffer Plat Requirements**

All preliminary, bonded and final plats prepared for recording and all right-of way-plats shall clearly:

1. Show the extent of any stream or shoreline buffer on the subject property by metes and bounds;
2. Label the stream and shoreline buffer;
3. Provide a note to reference all buffers stating: “There shall be no clearing, grading, construction or disturbance of vegetation except as permitted by the PW/SWD.”;

4. Provide a note to reference any protective covenants governing all buffer areas stating: “Any buffer shown on the plat is subject of protective covenants which may be found in the land records and which restrict disturbance and use of these areas,”;
5. If the buffer area will not be part of an individual lot then ownership must be stated by identifying who is the responsible party.
6. Provide location of permanent boundary marker signs.

#### **3.4.4.7 Design Requirements**

The buffer plan must be submitted in conjunction with the sediment and erosion control plan, SWPPP Document, and all applicable calculations for a land disturbance permit.

It is recommended that the buffer be marked off with a warning barrier (orange safety fence) to show that no disturbance is allowed in the buffer area.

The PW/SWD requires that the following steps be taken during the site plan development and site construction process to protect water quality buffers during construction:

1. Water quality buffers must be clearly identified on all stormwater management plans and construction drawings and marked with the statement “Water Quality Buffer. Do Not Disturb”
2. Water quality buffers cannot be encroached upon or disturbed during project construction, unless in accordance with Section 3.4.4.3, Section 3.4.4.12 or unless they are being established, restored, or enhanced in accordance with an approved Buffer Enhancement Plan.
3. Water quality buffers must be clearly marked with warning barrier before the pre-construction conference. The marking shall be maintained until completion of construction activities. All contractors and others working on the construction site must be made aware of the existence of the buffer(s) and the restrictions on disturbing the buffer(s).
4. All areas of the water quality buffer, including stream banks, must be left in the existing condition upon completion of construction activities. Should construction activities associated with development cause degradation to stream banks all eroding, bare or unstable stream banks shall be restored to existing conditions.
5. If any trees are allowed to be removed, show the tree location and provide a note stating that the tree must be hand cleared,
6. The locations of all signage must be clearly shown on plans,

7. A narrative stating the extent of the buffer areas, including any allowed disturbance in the buffer areas (this should be in the narrative as well as in the SWPPP Document) must be included with the plans,
8. A double row of silt fence (with metal posts and wire backing) shall be shown on the upstream side of the applicable buffer area(s),
9. The stream buffer shall be shown and labeled on the engineering plans, preliminary, bonded and final plat.
10. If the stream buffers are dedicated to Lexington County, placed in a conservation easement, or turned over to a Homeowners Association, the buffers shall be maintained in accordance with the maintenance and inspection requirements for permanent storm water management structures outlined in Chapter 2
  - a. If the buffer is dedicated to Lexington County:
    - i. All property lines shall terminate at the water quality buffer
    - ii. Access easements shall be a minimum twenty (20) foot wide to allow maintenance of the buffer. Access points for these easements will be coordinated with storm drainage easements during the plan review process.
  - b. If placed in a conservation easement or if the easement is held by a viable third party, such as a land trust, land management company or utility the organization shall:
    - i. Have the legal authority to accept and maintain such easements;
    - ii. Be bona fide and in perpetual existence;
    - iii. Have conveyance instruments that contain an appropriate provision for re-transfer in the event the organization becomes unable to carry-out functions;
  - c. If given to a Home Owners Association (HOA) the following criteria must be met:
    - i. Membership in the HOA is mandatory and automatic for all homeowners for the subdivision and their successors;
    - ii. The HOA shall have lien authority to ensure the collection of dues from all members;
    - iii. The HOA assumes the responsibility for protecting, monitoring and maintaining the area as an undisturbed natural area, in perpetuity;

Shoreline buffers shall be shown and labeled on the engineering plans. Shoreline buffers shall be maintained by the owner in accordance with the maintenance and inspection requirements for permanent storm water management structures outlined in Chapter 2. Shoreline buffers may be deeded to Lexington County, placed in a conservation easement, or given to the HOA as outlined in Section 3.4.4.6.10.

#### **3.4.4.8 Water Quality Buffer Width Adjustments**

Adjustments to the buffer width shall be made for the following conditions:

1. If there are 15% to 24% slopes which are within the required buffer area, the buffer width must be adjusted to include additional ten (10) feet.
2. If there are 25% or greater slopes which are within the required buffer area width, the buffer width must be adjusted to include additional twenty-five (25) feet.
3. If the adjacent land use involves drain fields from on-site sewage disposal and treatment system (i.e., septic systems), subsurface discharges from a wastewater treatment plant, or land application of bio-solids or animal waste, the buffer area width must be adjusted to include an additional twenty-five (25) feet.
4. If the land use or activity involves the storage of hazardous substances or petroleum facilities, the buffer area width must be adjusted to include an additional fifty (50) feet.
5. If the land use or activity involves raised septic systems or animal feedlot operations, the buffer area width must be adjusted to include an additional one-hundred (100) feet.
6. If the land use or activity involves solid waste landfills or junkyards, the buffer area width must be adjusted to include an additional two-hundred (200).

The PW/SWD has the ability to reduce the buffer width adjustments on a case-by-case basis.

#### **3.4.4.9 Water Quality Buffer Averaging**

This section outlines the criteria for buffer averaging on new and redevelopment sites. Buffer averaging can be utilized to adjust the required buffer width, allowing some flexibility for site development. Using buffer averaging, the width of the buffer can be varied with the criteria stated in this manual, as long as a minimum average width of 100' for perennial streams and 50' for intermittent streams and shorelines are maintained.

##### **3.4.4.9.1 Requirements and Policies**

The following criteria must be met in order to utilize buffer averaging on a development site:

1. Buffer averaging is required for water quality buffers that have stream crossings.
2. An overall average buffer width of 50-100', depending on the water buffer requirement, must be achieved within the boundaries of the property to be developed.
3. The average width must be calculated based upon the entire length of stream bank or shoreline that is located within the boundaries of the property to be developed. When calculating the buffer length, the natural stream channel should be followed.
4. Stream buffer averaging shall be applied to each side of a stream independently. If the property being developed includes both sides of a stream, buffer averaging can be applied to both sides of the stream, but must be applied to both sides of the stream independently.
5. The total width of the buffer shall not be less than twenty-five (25) feet, or the width of the floodway at any location, except at approved stream crossings. Those areas of the buffer having a minimum width of twenty-five (25) feet (or less at approved stream crossings) can comprise no more than fifty (50) percent of the buffer length.

#### **3.4.4.9.2 Areas Where Buffer Averaging is Prohibited**

Buffer width averaging is prohibited in developments that have, or will have after development, the land uses listed below:

1. Developments or facilities that include on-site sewage disposal and treatment systems (i.e., septic systems), raised septic systems, subsurface discharges from a wastewater treatment plant, or land application of bio-solids or animal waste;
2. Landfills (demolition landfills, permitted landfills, closed-in-place landfills);
3. Junkyards;
4. Commercial or industrial facilities that store and/or service motor vehicles;
5. Commercial greenhouses or landscape supply facilities;
6. Developments or facilities that have commercial or public pools;
7. Animal care facilities, kennels, and commercial/business developments or facilities that provide short-term or long-term care of animals;

8. Other land uses deemed by the PW/SWD to have the potential to generate higher than normal pollutant loadings.

### **3.4.4.9.3 Example Calculation**

This section provides an example calculation of water quality buffer averaging. A development site is bounded by 800 linear feet of a perennial stream, measured following the stream channel. Only one side of the stream is located within the boundaries of the site to be developed.

#### **Step 1. Calculate the total required area of the buffer.**

The total linear length of the buffer is 800 feet (ft).

The required width of the buffer (without averaging) is 100 ft.

$$\begin{aligned}\text{Total required area of buffer} &= \text{length of buffer} \times \text{width of buffer} \\ &= 800 \text{ ft} \times 100 \text{ ft} \\ &= 80,000 \text{ ft}^2\end{aligned}$$

#### **Step 2. Calculate maximum allowed length of buffer that has the minimum allowed buffer width:**

Lexington County allows a maximum of 50% of the total length of the buffer to have a width of 25 feet. Step 2 will determine the maximum length of buffer that can have the minimum allowed buffer width of 25 feet.

$$\begin{aligned}\text{Maximum length of 50 ft buffer} &= \text{length of buffer} \times 50\% \\ &= 800 \text{ ft} \times 50\% \\ &= 400 \text{ linear feet}\end{aligned}$$

Therefore, 400 linear feet of the buffer can have a minimum width of 25 feet.

#### **Step 3. Calculate total area of buffer that has the minimum allowed buffer width and determine remaining buffer area required.**

$$\begin{aligned}\text{Total buffer area provided} &= \text{Length of buffer @ 25 ft} \times 25 \text{ ft width} \\ &= 400 \text{ ft} \times 25 \text{ ft} \\ &= 10,000 \text{ ft}^2\end{aligned}$$

$$\begin{aligned}\text{Available buffer area remaining} &= \text{Total required area of buffer} - 10,000 \text{ ft}^2 \\ &= 80,000 \text{ ft}^2 - 10,000 \text{ ft}^2 \\ &= 70,000 \text{ ft}^2\end{aligned}$$

#### **Step 4. Determine the width of remaining buffer.**

$$\begin{aligned}\text{Length of remaining buffer} &= \text{Total length} - \text{Length of buffer @ 25 ft width} \\ &= 800 \text{ ft} - 400 \text{ ft} \\ &= 400 \text{ ft}\end{aligned}$$

$$\begin{aligned}\text{Width of remaining buffer} &= \text{Available buffer area remaining} / \text{Length of remaining buffer} \\ &= 70,000 \text{ ft}^2 / 400 \text{ ft} \\ &= 175 \text{ ft}\end{aligned}$$

Therefore, 400 linear feet of buffer will have a minimum 25 ft width and an additional 400 linear feet of buffer will have a minimum width of 175 ft, with an overall buffer width average of 100 ft.

If more variation in the buffer width is desired, steps 3 and 4 can be repeated using variable buffer widths until an average standard width of 100 feet is achieved keeping the total required area of the buffer constant.

#### **3.4.4.10 Signage**

For subdivisions permanent boundary marker signs are required for stream buffers prior to bonding of the subdivision and/or finaling the subdivision with the intent to transfer property. For commercial property permanent boundary marker signs are required prior to the issuance of a Certificate of Occupancy (CO). Permanent boundary markers are required to ensure that property owners are aware of the buffer. Permanent boundary markers are recommended, but not required, in shoreline buffers. The PW/SWD has the authority to require the person or entity responsible for permanent maintenance of the buffer to replace boundary markers that have been removed or destroyed. The following general requirements shall apply to buffer boundary markers:

1. Generally, buffer boundary markers shall be located on the landward edge of the buffer, and at other locations which will approximately delineate the buffer boundary. For commercial developments, markers shall be posted every 100 feet along the buffer boundary. For subdivisions where multiple lots are located along the buffer, it is recommended that a buffer boundary marker be located at the intersection of every other lot line with the landward edge of the buffer.
2. Buffer boundary markers shall include the statement “Water Quality Buffer-Do Not Disturb”.
3. Where possible, the markers should be mounted to a tree larger than three (3) inches in diameter. Where it is not possible to mount the marker to a tree, a treated wood, or metal, signpost must be used. The post must extend below the ground surface at least twenty-four (24) inches.

4. The boundary markers must be mounted between four (4) and six (6) feet above the ground surface.
5. The boundary markers must be at least twelve by eighteen inches (12”x 18”).
6. Buffer boundary markers may be purchased from the PW/SWD or from another vendor.

### **3.4.4.11 Buffer Restoration and Enhancement Plans**

Buffer restoration is required when a buffer is disturbed without prior approval from the PW/SWD. A developer or property owner may also wish to enhance a buffer to bring it closer to an optimal, undisturbed native forest condition. Prior to reestablishing or planting the buffer, a restoration or enhancement plan must be submitted to and approved by the PW/SWD.

#### **3.4.4.11.1 Buffer Restoration and Enhancement Plan Requirements**

Buffer restoration and/or enhancement plans must include the following:

1. A drawing or plan that shows the location of the buffer in relation to the existing or planned development and to the buffered waterway; the disturbance limits for the planned buffer restoration; direction of flow of runoff from the site and flow within the water feature; erosion prevention and sediment control measures to be installed to protect the waterway; any existing or proposed stream crossings; existing or proposed stream bank stabilization measures; access to a water source for the purposes of watering vegetation; and other pertinent information. For large scale restoration and enhancement projects the plan(s) must be stamped by a registered landscape architect.
2. A plan in visual and a narrative that describe the vegetation plan for the buffer; stream buffers must be planted with native trees, shrubs, and grasses that will not be mowed. Suitable native plants may be found in Appendix P of this Manual
3. The schedule for when plantings will occur and a two year survival guarantee provided by the responsible party.

#### **3.4.4.12 Variances**

No variance shall be granted to the undisturbed buffer unless the PW/SWD (or, the Planning Commission in the event of an appeal) determines that a hardship exists and relief meets the general purpose and intent of this manual. No relief of the undisturbed buffer area requirements shall be allowed on any USGS blue line stream within a water quality Special Protection Area as defined in Section 3.9.

In granting a request for a variance, the PW/SWD or Planning Commission may require site design, landscape planting, fencing, the placement of signs, and the establishment of water quality best management practices in order to reduce adverse impacts on water quality, streams, wetlands, and floodplains.

Variance requests shall only be considered if a request meets any of the criteria listed below.

#### **3.4.4.12.1 Buffer Variance Criteria:**

1. The project involves construction of:
  - a. One single family home for residential use by the owner of the property;
  - b. The property has an unusual shape or topography of the property and there is no opportunity to develop under any reasonable design configuration;
2. The project involves the construction or repair of a structure which, by its nature, must be located within the buffer:
  - a. Dams;
  - b. Public water supply intakes;
  - c. Waste water discharges;
  - d. Docks, and boat launches;
  - e. Stabilization areas of public access to water;
  - f. Buffer intrusion is necessary to provide access to the property.
  - g. Project will:
    - i. Require a Wetland Permit from the US Army Corps of Engineers (COE) for impacts to jurisdictional wetlands, and;
    - ii. The COE has approved a mitigation plan, and;
    - iii. Implementation of the plan in a 404 permit condition;

#### **3.4.4.12.2 Buffer Variance Submittal Requirements**

The applicant shall submit a written request for a variance to the PW/SWD. The request shall include specific reasons justifying the variance and any other information necessary to evaluate the proposed variance request. The PW/SWD may require an alternative analysis that clearly demonstrates that no other feasible alternative exist and that minimal impact will occur as a result of the project or development.

The PW/SWD shall make a determination and decision concerning the variance request. An appeal may be made to the Planning Commission. An appeal of the PW/SWD decision shall be filed in writing within 30 days after the final decision. The Planning Commission shall make all final determinations and decisions.

#### **3.4.4.13 Inspections, Violations, Enforcement and Penalties**

Inspections shall be carried out as outlined in Chapter 5 of this manual. Violations of the water quality buffer requirements will follow the enforcement and penalty procedures outlined in Chapter 5 of this manual.

### 3.10 Stormwater Credits

#### 3.10.1 Natural Area Conservation Credit

Conservation areas protect natural resources and environmental features and help maintain the pre-development hydrology of a site by reducing runoff, promoting infiltration and preventing soil erosion.

A natural area conservation credit is given when areas are left undisturbed on a development site. Natural area conservation credits serve as a benefit to those who must leave a water quality buffer and as an incentive to preserve open space. Examples of natural area conservation areas include:

- forest retention areas
- non-tidal wetlands and associated buffers
- other lands in protective easement (floodplains, open space, steep slopes, water quality buffers)

These areas must remain in their natural state and be protected against any disturbance during construction and protected from future development in order to receive the natural area conservation credit.

Under the credit, a designer can subtract conservation areas from total site area when computing the water quality volume (WQV) for a BMP (see Section 3.4.3.2).

#### **Example Calculation:**

Total Site Area: 38 acres

Natural Conservation Area: 7 acres

WQV=3.16 ac-ft (using calculation shown in 3.4.3.2)

#### **Conservation Area Credit Formula:**

$$C_{WQ} = (A_{NA}/A)(WQ_v)$$

Where:

$C_{WQ}$  = Natural Area Credit for Water Quality (ac-ft)

$A_{NA}$  = Natural Conservation Area (acres)

$A$  = Total Site Area (acres)

$WQ_v$  = Original Water Quality Volume (ac-ft)

Plug the site information into your formula:  $C_{WQ} (7/38)(3.16) = 0.58$  ac-ft

Subtract your calculated credit from your original WQV to determine the volume you must treat.

$$3.16 - 0.58 = 2.58 \text{ ac-ft}$$