

**AGENDA**  
**LEXINGTON COUNTY COUNCIL**  
**Committee Meetings**

**Tuesday, May 27, 2008**

**To be Held on the**

**Second Floor - Dorothy K. Black Council Chambers - 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.**

**3:15 p.m. - 3:50 p.m. - Planning & Administration**

- (1) Ordinance 08-03 - Landscape Ordinance Amendments (Goal 2) - Planning & GIS - Charlie Compton, Director ..... **A**
- (2) Zoning Map Amendment M08-03 - Change in Road Classification for Old Chapin Road from Lexington Town Limits 260' North Towards Maxie Road and Maxie Road from the Intersection of Old Chapin Road 1000' North Towards Ashley Hills Drive - 2<sup>nd</sup> Reading ..... **B**
- (3) Old Business/New Business - Land Use Growth
- (4) Adjournment

**3:50 p.m. - 4:00 p.m. - Justice**

- (1) Forfeited Vehicle - Addition to Fleet - Sheriff's Department - Colonel Allan Paavel ..... **C**
- (2) Courthouse Security Enhancement Grant Application - Sheriff's Department - Colonel Allan Paavel ..... **D**
- (3) Old Business/New Business - City of Columbia Bond Court Cases
- (4) Adjournment

**4:00 p.m. - 4:10 p.m. - Health & Human Services**

- (1) 2007 Citizens Corps Grant Application - Emergency Preparedness - Mike McMasters, Emergency Response Coordinator ..... **E**
- (2) 2007 Local Emergency Management Performance Grant Deobligated Funds Application - Emergency Preparedness - Mike McMasters, Emergency Response Coordinator ..... **F**
- (3) Old Business/New Business – No Smoking Ban
- (4) Adjournment

**4:10 p.m. - 4:15 p.m. - Public Works**

- (1) Town of Pelion Streetscape Request - Public Works - Jim Starling, Engineering Associate  
III ..... **G**
- (2) Old Business/New Business - Policy for Skip Paving, Road Right-of-Way Issues, Traffic  
Congestion
- (3) Adjournment

**Planning & Administration**

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

**Justice**

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

**Health & Human Services**

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

**Public Works**

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

**A G E N D A**  
**LEXINGTON COUNTY COUNCIL**

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**Telephone - 803-785-8103 FAX - 803-785-8101**

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

**Call to Order/Invocation**

**Pledge of Allegiance**

**Presentation of the Lexington Soil and Water Conservation District Recognition Awards -  
Presented by Fred Taylor, Chairman**

**Chairman's Report**

**Administrator's Report**

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

**Presentation of Resolution**

(1) Leon A. Love - Presented by Councilman Summers

**Appointments ..... H**

**Bids/Purchases/RFPs**

- (1) One (1) Barrier with Accessories - Grants Funds - Public Safety/Homeland Security ..... **I**
- (2) Eight (8) Night Vision Monoculars - Grant Funds - Sheriff's Department ..... **J**
- (3) One (1) Dental Suction Instrument and Accessories - Grant Funds - Sheriff's Department ..... **K**
- (4) One (1) Radio Frequency GPS Tracking Device - Grant Funds - Sheriff's Department ..... **L**
- (5) Three (3) In-Car Video Cameras with Accessories - Grant Funds - Sheriff's Department ..... **M**
- (6) Stationary Recycle Receptacles - Grant Funds - Solid Waste Management ..... **N**
- (7) Seventy-one (71) 800 MHz Radios Rebanding - Various Departments ..... **O**

**Ordinances**

- (1) Ordinance 08-10 - An Ordinance Adopting an Annual Budget for Fiscal Year 2008-09 - 2<sup>nd</sup> Reading ..... **P**
- (2) Ordinance 08-11 - An Ordinance Approving the Sale of 24.90 Acres from the County of Lexington to U.S. Food Services, Inc. - 2<sup>nd</sup> Reading ..... **Q**

**Committee Reports**

**Planning & Administration, J. Jeffcoat, Chairman**

- (1) Zoning Map Amendment M08-03 - Change in Road Classification for Old Chapin Road from Lexington Town Limits 260’ North Towards Maxie Road and Maxie Road from the Intersection of Old Chapin Road 1000’ North Towards Ashley Hills Drive - 2<sup>nd</sup> Reading - **Tab B**

**Justice, B. Banning, Sr., Chairman**

- (1) Forfeited Vehicle - Addition to Fleet - Sheriff’s Department – **Tab C**
- (2) Courthouse Security Enhancement Grant Application - Sheriff’s Department – **Tab D**

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

- (1) 2007 Citizens Corps Grant Application - Emergency Preparedness – **Tab E**
- (2) 2007 Local Emergency Management Performance Grant Deobligated Funds Application - Emergency Preparedness – **Tab F**

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

- (1) Town of Pelion Streetscape Request - Public Works – **Tab G**

**6:00 P.M. - Public Hearing**

- (1) Ordinance 08-10 - An Ordinance Adopting an Annual Budget for Fiscal Year 2008-09 – **Tab P**

**Ordinance 08-10 - An Ordinance Adopting an Annual Budget for fiscal Year 2008-09**

- (1) Consideration of Changes to Ordinance 08-10 - An Ordinance Adopting an Annual budget for Fiscal Year 2008-09 - **Tab P**

**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.**

# Memorandum

May 15, 2008

**To:** Katherine Hubbard  
County Administrator

**For:** Planning and Administration Committee  
County Council

**From:** Charlie Compton, Director  
Department of Planning and GIS

**Reference:** Ordinance 08-03: Landscape Ordinance Amendments

The attached draft of the amended Landscape Ordinance has been forwarded by the Planning Commission for your review. There was a tremendous effort on their part to try to address all of the issues “on the table.” At their April meeting they successfully incorporated all of the recommendations of the Public Works Stakeholders Committee. Even though they feel there may be a need for additional changes before this process is over, the members of the Commission did feel this draft is complete enough to be scheduled for public hearing.

At your next meeting I will review each of the major changes proposed in this draft. I have listed them below with page numbers to help you find those specific sections.

Page 7 – **Timber Harvesting**

Page 19 – **Open Space Requirements** (includes new Golf Course restrictions)

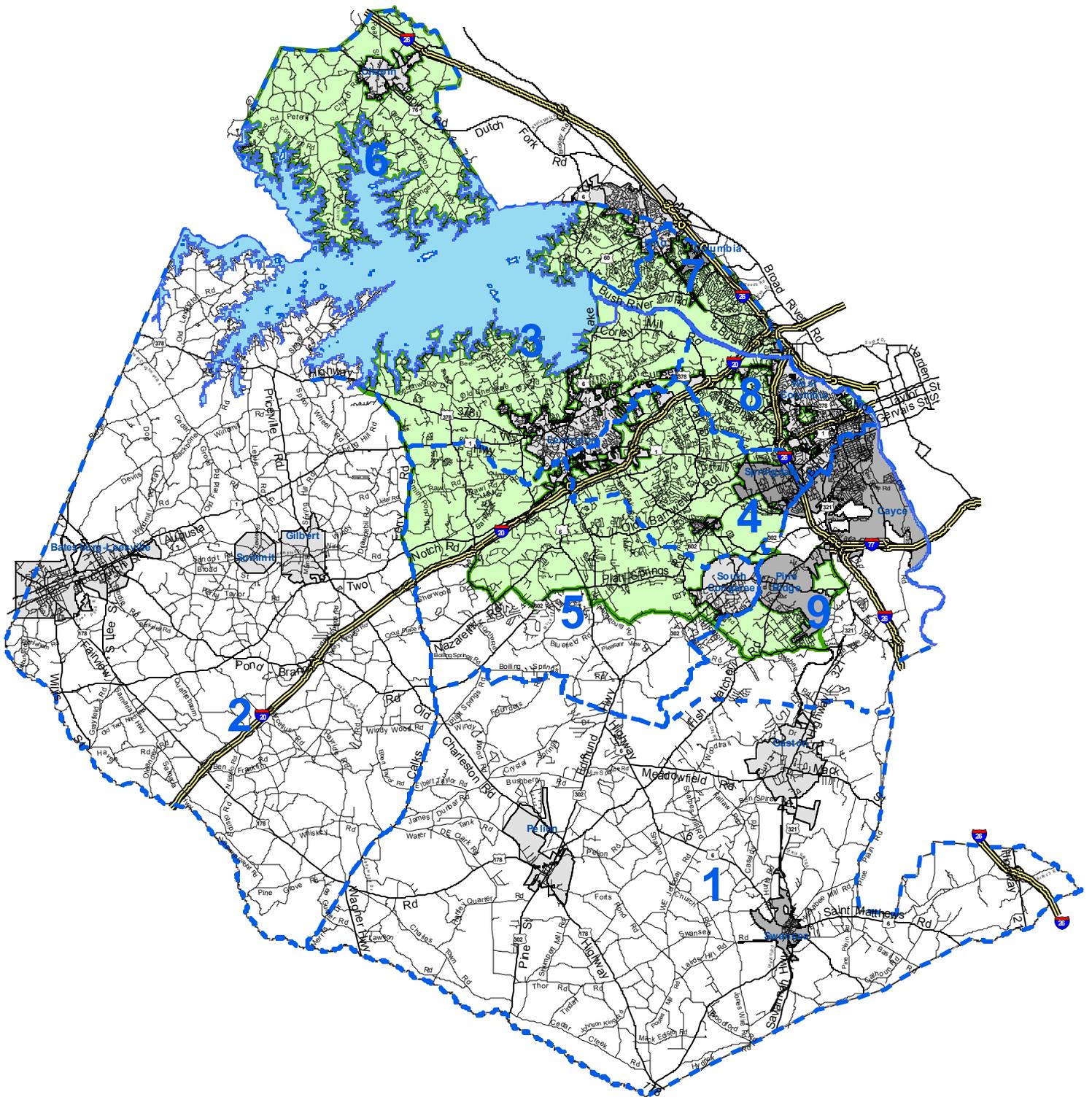
Page 15 – **Scenic Corridor Protection**

Page 31 – **Appendix** (contains a draft list of Scenic Corridor recommendations)

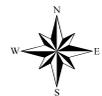
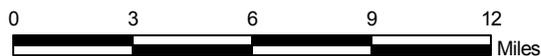
At their April meeting the Planning Commission also unanimously recommended that this amended Landscape Ordinance be adopted County-wide. There has been strong support for that option, with the only reservations coming with respect to the Timber Harvesting section as it might apply to the Western portion of the County. On the next page is a County map that depicts the current coverage by that ordinance.

**Enclosures:** Landscape Ordinance Map  
Draft of “amended” Landscape Ordinance

# Lexington County Landscape Ordinance Boundary




**Map Produced By Lexington County  
Department of Planning & GIS 2007**  
 View County Maps Online: [www.lex-co.com](http://www.lex-co.com)  
 Link: GIS Property Mapping & Data Services



-  County Council Districts
-  Landscape Ordinance Area 2000

**DRAFT update** (as of May 7, 2008)

# LEXINGTON COUNTY



# LANDSCAPE ORDINANCE

**August 25, 2004**

FIRST EDITION - County Ordinance # 99-21, Final Reading: 08-08-2000, Effective Date: 01-01-2001  
SECOND EDITION - County Ordinance # 03-08, Final Reading: 12-09-2003, Effective Date: 12-10-2003  
THIRD EDITION - County Ordinance # 04-03, Final Reading: 08-24-2004, Effective Date: 08-25-2004

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# Landscape and Open Space Ordinance Lexington County, South Carolina

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# Article 1 – Authority

## 1.1 Authority and Jurisdiction

In accordance with the authority conferred by the 1994 “South Carolina Local Government Comprehensive Planning Enabling Act,” S.C. Code Sections 6-29-310 through 6-29-1200, the County of Lexington does hereby establish and enact the following Landscape and Open Space Ordinance for the unincorporated area of Lexington County, South Carolina.

## 1.2 Intent

The purpose of this Ordinance is to protect and enhance the character, appearance, and image of Lexington County through attractive and creative landscape design and open space; to ensure land-use compatibility through proper use of vegetation and open space as a transition areas and screening; and to preserve scenic, canopied tree corridors.

## 1.3 Scope of Regulations

Except as otherwise stated, the regulations set forth herein shall apply to all Residential Attached (3 or more) dwelling units, as defined within the Lexington County Zoning Ordinance; all residential and non-residential subdivisions, as defined within Article 4; and all non-residential development within the unincorporated area of Lexington County, with the exception of the following development conditions/activities:

- a. Any public road construction or utility construction project, except as described in Article 3, Section 4, “Service Areas and Utilities.”
- b. Any land used for Crops and Animal Raising, as defined in the Lexington County Zoning Ordinance. This definition includes the raising of trees, vines, field, forage or other plant crops intended to provide food or fiber. However, processing areas, buildings, and retail or wholesale activities related to crops and animal raising are not exempt from the terms of this Ordinance.
- c. Non-residential development containing a parking lot that is used as a display/storage area greater than ten thousand (10,000) square feet shall be exempt from the provisions of Article 3, Section 3, “Parking Lots”, within the display area only. (i.e., Automobile, Boat and Craft dealerships; truck terminals; etcetera).

Some of the residential activities, exempted above from the scope of these regulations, must follow the requirements of Section 7, Scenic Corridor Protection.

### 1.3.1 New Activities

Upon the effective date of this Ordinance any building, structure, or tract of land shall be used, constructed, or developed only in accordance with the applicable regulations contained herein.

### 1.3.2 Existing Activities

Any activity legally established prior to the effective date of this Ordinance which does not comply with its regulations shall be subject to the Nonconforming Use provisions of Article 4-5.

### 1.3.3 Existing Permits

Building permits or zoning permits lawfully issued before the effective date of this Ordinance or subsequent amendment shall remain in effect provided that such building, structure, or activity is substantially underway and being diligently pursued within six months of the issuance of the permit. If such does not occur, then the permit shall automatically lapse and the provisions of this Ordinance shall apply.

## 1.4 Establishment of Districts

### 1.4.1 Road and District Classifications

In order to implement the provisions of this Ordinance, the following road classification and districts are hereby established:

- LU - Land Use District (See Article 3, Section 2)
- PL - Parking Lot District (See Article 3, Section 3)
- SA - Service Areas/Utilities District (See Article 3, Section 4)
- BD - Building Design District (See Article 3, Section 5)
- RC - Road Corridor District (See Article 3, Section 6)
- OS - Open Space District (See Article 4)

Scenic Corridor - Those roads designated as Scenic Corridors will carry the extension “/S1, /S2, or /S3” after their road classification as created by the Zoning Ordinance. (e.g. “A/S1”, “C/S1”, or “L/S1”).

### 1.4.2 Landscape and Open Space Maps

The Landscape and Open Space Maps will show the portions of the County within which each of the provisions applies.

## 1.5 Incorporation of Maps

The location and boundaries of Scenic Corridors and of Landscape and Open Space Districts established to implement the provisions of this Ordinance are shown on the Landscape and Open Space Maps, which are hereby incorporated into the provisions of this Ordinance. These maps in their entirety, including all map amendments, shall be as much a part of this Ordinance as if fully set forth and described herein.

## 1.6 Exclusions

Because such activities are developed with benefit of public hearings and other input, any facility or activity established or expanded by Lexington County is exempt from the provisions and administrative procedures of this Ordinance. However, the development plan for all such exempt activities shall be devised with a diligent effort to meet the requirements of this Ordinance.

## Article 2 – Definitions

### 2.1 Interpretation

This Ordinance shall be interpreted according to its literal terms. Words shall be construed as defined in a standard dictionary and syntax shall be understood according to conventional rules. Final interpretation shall be by the Landscape Administrator. Any appeal of that interpretation may be made to the Lexington County Board of Zoning Appeals.

Unless the context requires otherwise:

- a. The present tense of verbs shall include the future tense;
- b. The masculine gender shall include the feminine;
- c. The singular shall include the plural, and the plural shall include the singular; and,
- d. The word “shall” denotes a mandatory requirement; the word “may” denotes permission.

### 2.2 Definitions

The following terms shall have the following definitions:

Activity – the performance of a function or operation which constitutes the use of the land; specific activities referred to in the Landscape Ordinance shall be considered as defined in the Zoning Ordinance for the County of Lexington.

Arterial, Collector, or Local Roads – any roads bearing these road classifications as defined in the Lexington County Zoning Ordinance and shown on the Zoning Maps.

Berm – A hill or slope (man-made or natural) which represents a change in elevation and serves as a screening tool.

Building Area – That portion of a structure that is defined by the “footprint” and/or total square footage.

Caliper – The diameter of nursery stock, taken at six inches above ground for up to and including four-inch caliper size and twelve inches above ground for larger sizes.

Critical Root Zone – A protection zone measured as one foot in radius around a tree for every one inch in diameter (D.B.H.) of the tree.

Diameter Breast Height (D.B.H.) – The accepted measurements of established trees in the ground is their diameter at breast height, measured at 4½ feet above grade. To obtain the D.B.H., measure the circumference of the tree in inches and divide by 3.14 (pi).

Groomed Condition – refers to a manicured, adorned, prepared, or otherwise formally landscaped setting; not in a natural state.

Landscape Administrator – The County official assigned to administer, interpret, and enforce the Landscape Ordinance.

Natural Condition – refers to a native, indigenous, unpruned, unaltered setting or planting.

Parking Lot – Any parcel of land, or portion thereof, which is used for parking, loading, or associated circulation, whether paved or unpaved.

Road Frontage – Area of land adjacent to a road right-of-way.

Screen, Screening – Any structure or vegetative stand, or combination of both, which is used for the purpose of blocking views, noise, and light or glare from neighboring properties and, where required, road rights-of-way. Total and partial screening is further defined in the Lexington County Zoning Ordinance.

Shrub – Any hard-wooded perennial plant of a species which normally reaches a height between twelve inches and eight feet.

Stabilizing Vegetation – Any plant material which serves to prevent soil erosion by covering large areas of ground, and which does not grow beyond twelve inches in height. May also be referred to as “ground cover.”

Transitional Area – Area of land, improved by landscaping and/or screening, designed to minimize the impact of high-intensity land uses on neighboring, lower-intensity uses.

Tree – Any hard-wooded perennial plant, whether coniferous or deciduous, of a species which normally reaches a height of eight feet or more at maturity.

Tree, Canopy, Large – Any single-stem tree of a species which normally reaches a height of thirty feet or more and a crown spread of twenty feet or more at maturity.

Tree, Understory, Small – Any single- or multi-stem tree of a species which normally reaches a height of between eight and thirty feet and a crown spread of less than twenty feet at maturity.

Trophy Tree – A tree of significance due to its size, relative to its species. See Appendix.

Underbrush – Naturally occurring vegetation and vines that are not necessarily shrubs or trees.

Vision Clearance Triangle – as described in the Lexington County Zoning Ordinance.

# Article 3 – Landscaping Requirements

## Section 1. General

Improving the aesthetics of thoroughfares and other public spaces contributes to the general welfare, prosperity, and pride of a community, while mitigating potential environmental damage and promoting harmonious activities.

The following landscape requirements are established in order to preserve and enhance existing vistas; provide shade; improve appearance; break up large expanses of impervious surfaces; improve ground water discharge; promote air purification and oxygen regeneration; and to promote adequate light, air, and open space for the citizens of Lexington County and its visitors.

It is the intent of this article to encourage creativity and good practice in design, as well as flexibility in the application of design standards, by placing emphasis on the use of a variety of elements and diverse planting groups to achieve the desired results.

### 3.1.1 Pre-Development Activity

- a. The appropriate land disturbance permit(s) must be obtained prior to the removal of any stumps, root systems, or stabilizing vegetation.
- b. Clearing and Landscape Plans may be required as part of the Landscape Review process. The plans must demonstrate how the developer will meet the requirements of the Ordinance as well as show various existing conditions. Clearing and Landscape plans will contain, at a minimum, the following information:
  - a. Total acreage of parcel;
  - b. Area to be developed;
  - c. All trophy trees on the parcel;
  - d. Proposed location of any structures;
  - e. Proposed location of service areas, such as garbage collection; and,
  - f. Proposed location of detention/retention ponds.
- c. Once necessary development approvals have been granted and permits obtained, and prior to the commencement of any clearing, grading, tree removal or construction on a site, the developer shall cause all protected trees to be marked with surveyor's flagging in a uniform manner that clearly identifies those trees to be retained. At the discretion of the Landscape Administrator, passive forms of marking may be used (i.e. continuous rope or flagging for areas which are remote from human activity or heavily wooded).

### 3.1.2 Planting and Maintenance

- a. To the greatest extent possible, the development plan should address the location of excavation for activities such as utilities to avoid root damage to trees being preserved or planted.
- b. There shall be no construction, paving, grading, trenching, digging, excavation, operation of equipment or vehicles, cement rinsing, chemical usage or storage of materials within the critical root zone of any tree being preserved.
- c. New trees must be planted properly, to include soil/site preparation and protection of roots. See Appendix.
- d. New trees and preserved trees must be properly maintained. Any trees required by this Ordinance that die must be replaced within 45 days. The Landscape Administrator may

extend this replanting period based on the climactic and planting conditions of the season, or other unusual conditions.

### **3.1.3 Species Selection**

- a. The Landscape Administrator shall approve the number, type, size and location of all trees required by the Ordinance. This shall be accomplished in a manner that ensures creativity and variety in design, height, texture and color and that discourages single rows of identical plantings, with the exception of street trees along major road corridors which may have to be planted/retained in a single row. To the greatest extent possible, required landscaping shall replicate the surrounding natural conditions.
- b. Tree specimens proposed for planting shall be hardy for the particular soil and climate conditions they will encounter and located in such a manner as to encourage mature growth.
- c. The minimum required caliper of trees to be planted as required by this Ordinance shall be 12' tall and 2" caliper for canopy trees and 6' tall for understory trees, with no minimum caliper for understory.
- d. The thinning of understory trees and other vegetation within a development may be approved or required by the Landscape Administrator to encourage the healthy maturation of preferred trees.
- e. Except as otherwise provided for within this Ordinance, all trees identified as trophy trees shall be preserved.
- f. To encourage diversity and flexibility of design, no more than 60% of any one species of tree may be used in the overall development plan.

### **3.1.4 Location**

- a. The provisions of this Ordinance are not intended to create a conflict with signs or entrances to any residential or non-residential development. All signs and entrance ways should be designed and located in such a manner as to be enhanced by the landscaping requirements and existing vegetation. All locations of signs and driveways must meet the requirements of the Lexington County Zoning Ordinance.
- b. Trees, planted or raised islands, berms, shrubs and service areas shall be placed outside the vision clearance triangle at any intersection with a road right-of-way, with the full mature size of the plant being taken into account. In addition, these features shall be located in such a manner as to not create a vision hazard for those citizens navigating internal travel lanes, driveways, and parking lots. Regular maintenance of these features to ensure a clear line of sight is required.
- c. The presence of underground or overhead utilities shall be taken into consideration when determining the type and placement of required trees.

### **3.1.5 Exceptions to Location Requirements**

- a. In the event that a trophy tree is located on a lot within the proposed building footprint and no reasonable redesign of the building to preserve the tree can be identified, the Landscape Administrator has the authority to allow the trophy tree to be removed.
- b. Within the development process, any tree that has been certified in writing as being hazardous to public health, safety or welfare shall be removed, to include trees identified as trophy trees.

### 3.1.6 Planting Islands

All planting islands must be designed with a minimum 160 square feet of pervious area for each tree. Each tree trunk in a planting island must be at least 4 feet from any impervious area, to include curbing.

### 3.1.7 Timber Harvesting

Timber harvesting is recognized as an economic practice beneficial to individual property owners, but also to the economy in general. However, trees are also recognized as playing key roles in the quality of the economic and environmental future of the County. It is the intent of this section of this ordinance to have a reasonable review of timber harvesting activities which allows for equitable financial gain to property owners while preserving that part of the vegetative environment that is essential to the quality of life of the general population.

- a. Timber harvesting associated with development may occur only after the provisions of this ordinance have been met for the proposed development.
- b. Timber harvesting that occurs with no immediate intention of development will be reviewed by the Landscape Administrator to insure that there is no loss of essential short-term water quality protection or beneficial long-term trophy tree preservation. This review is not intended to prevent equitable financial gain to the property owner, but to insure that the activity does not cause irreplaceable damage to the long-term benefits to the County in the following two areas of concern.

Water quality protection: The stormwater runoff after the timber harvesting must meet the water quality requirements of Lexington County. *[NOTE: Since the water quality protection for the stormwater runoff from an undeveloped tract of land is generally not as rigid as the protection needed for developed property, preserving larger riparian buffers may not be required; but should be considered as a way to enhance the value of the property for future development. This would especially be true if the lack of adequate riparian buffers causes future development to construct more expensive alternate methods to achieve required water quality protection. Likewise, following Best Management Practices for Forestry as established by the South Carolina Forestry Commission may be sufficient for timber harvesting, but may not be sufficient for the future development of the property.]*

Trophy tree protection: This requirement involves identifying irreplaceable groupings of trophy trees that can easily be included in future development plans as value-added amenities. *[NOTE: It is not the intent of this ordinance to require the preservation of every trophy tree on a piece of property or to imprudently leave isolated trophy trees that are not good candidates for long-term survival.]* This trophy tree protection requirement can be waived by the Landscape Administrator if the property owner is willing to keep the land undeveloped for the next five years.

At all times timber harvesting activities must provide sediment and erosion protection for adjoining properties and public roadways. This should involve the use of *Best Management Practices for Forestry* as established by the South Carolina Forestry Commission.

## **Section 2. Land Use Compatibility**

To meet the demands of the consumer in both the residential and non-residential marketplace, there are often land uses located adjacent to or in the proximity of one another that are not necessarily compatible. The following requirements are set forth both to address privacy and aesthetic considerations, as well as minimize the effects of differing or incompatible land uses through the use of vegetated transition areas, screening and noise control. Design considerations will include the visibility between such uses, existing topography, and existing natural elements. The design review process will encourage creative site design, building design, and building arrangement.

### **3.2.1 Application**

- a. This section shall apply where there is a buffer and/or screening requirement of the Lexington County Zoning Ordinance.
- b. No improvements required by this section may encroach upon a public or private road right-of-way.

### **3.2.2 Pre-Development Activity**

There shall be no clear-cutting or other removal of vegetation within any buffer required by the Lexington County Zoning Ordinance, without the submission of a clearing plan for approval by the Landscape Administrator.

### **3.2.3 Clearing Plan**

Clearing plans submitted for development involving a buffer shall include the following, in addition to the general plan requirements:

- a. Location of buffer as required by the Zoning Ordinance;
- b. Location of screening as required by the Zoning Ordinance;
- c. Location and identification of all canopy trees with a D.B.H. eight inches or greater, and of all understory trees with a D.B.H. of four inches or greater; and,
- d. Location and identification of all trophy trees.

### **3.2.4 Preservation Within Buffers**

- a. Except as otherwise provided for in this Ordinance, there shall be no removal of canopy trees, understory trees, or underbrush within the buffer.
- b. Where there is not sufficient existing vegetation, or where topography requires encroachment into the buffer during the development process, vegetation shall be planted or re-planted within the buffer at a minimum average density of one group for every 35 feet, or portion thereof, of buffer area.
- c. Groupings of materials shall be any approved combination of the following:
  - One large canopy tree and three understory trees
  - One large canopy tree and three large evergreen shrubs
  - Equivalent combination as approved by the Landscape Administrator
- d. In all cases, preservation and planting of underbrush, understory trees, and canopy that are

appropriate for the setting is encouraged. The preservation or planning of undesirable underbrush, understory trees, and canopy trees is discouraged as otherwise provided for in the Ordinance, there shall be no removal of canopy trees, understory trees, or underbrush with the buffer.

### **3.2.5 Screening**

- a. The use of vegetation for screening is strongly encouraged. However, where a wall, fence or berm is proposed or being used to satisfy the screening requirements of the Lexington County Zoning Ordinance, at least 50% of the line of screening must be vegetation in front of or in place of the wall, fence or berm to soften the effect. The vegetation must be placed on the protected property line side of the structure.
- b. Whether installed to meet the screening requirements of the Zoning Ordinance or not, all walls, fences or berms visible from the road and less than 500' from the road right-of-way shall also have vegetation in front of at least 50% of the structure.
- c. Access and room for maintenance must be incorporated into the design and placement of the structure and subsequent vegetation.

## **Section 3. Parking Lots**

Parking lots are a natural product of most land uses. The intent of this section is not to fully screen or hide them from view, but to enhance their appearance, break up vast flat visual expanses, provide shade, promote air circulation, and reduce stormwater runoff.

### **3.3.1 Design Requirements**

- a. A parking lot design plan shall be included in the landscaping plan submitted to the Administrator as part of the review process.
- b. Parking spaces that are adjacent to a sidewalk, pedestrian/bike path, or road right-of-way shall be designed such that there is some natural or other element to prevent the bumpers, fenders or doors of vehicles from intruding into the path of pedestrian or vehicular traffic outside the parking space.
- c. All parking lots shall adhere to the minimum space requirements of the Lexington County Zoning Ordinance and the minimum accessible space requirements of the Lexington County Building Code.

### **3.3.2 Islands**

- a. Parking lots that are designed with planted or raised islands shall include an obvious means of pedestrian egress through or between islands at reasonable intervals.
- b. Parking lots that are designed with planted or raised islands shall design the location of the islands so as not to interfere with the opening of car doors in adjacent spaces.

### **3.3.3 Trees**

- a. All developments with greater than eight surface spaces of parking area and associated circulation must include the use of large canopy trees throughout the parking area. In no case shall a parking space be greater than 50 feet from the trunk of a tree. Trees shall be provided at a minimum average density of 1 tree per every 8 spaces.
- b. Where overhead utilities exist or are planned, understory trees may be required instead of large canopy trees, at a replacement density of three understory trees for each canopy tree.

## **Section 4. Service Areas/Utilities**

This section is intended to safeguard the public from the dangers of attractive nuisances, improve community appearance, and minimize noise associated with the operation of service areas and maintenance of utilities while recognizing the necessity of service areas for public health, welfare, and personal conveniences.

### **3.4.1 Application**

- a. The requirements of this Section shall apply to all service areas, equipment, and structures related to garbage collection, utilities and communication, as well as all detention and retention ponds, or other similar stormwater holding areas, to include those in residential subdivisions.
- b. This section shall not be construed to deny access by vehicles and equipment to service areas or for maintenance of detention and retention ponds.

### **3.4.2 Service Areas and Utilities**

- a. Service areas and equipment/structures related to garbage collection, utilities, and communication (i.e. voice, data, or visual) must be screened from view from public rights-of-way and adjoining property through the use of landscaping, berming and/or fencing, or a combination thereof.
- b. All garbage collection sites and containers shall be shielded on all sides by screening that is 100% opaque and at least one foot higher than the item, but not less than six feet regardless of the height of the container. One side may remain open to accommodate receptacle pick-up, provided the open side is positioned to have the least visible impact on surrounding properties and roads. Nothing in this provision implies or allows non-compliance with the maximum permitted noise levels as found in the Lexington County Zoning Ordinance.
- c. Non-power utility fixtures, substations and exposed metal cabinets greater than five feet in height shall be screened from view from any private or public street and from adjoining developed property to the extent practicable after consideration of proper equipment operation, code compliance, security, access and maintenance.

### **3.4.3 Detention/Retention Ponds**

- a. Detention and retention ponds, or other holding areas that are part of a storm/surface water system, should be enhanced as an amenity of the development.
- b. Unless designed as an integral part of a landscape plan or featured as an amenity (i.e., water features in a wet bottom basin or recreation/open space in a dry bottom basin) all detention ponds, retention ponds, or other similar holding areas shall be screened from view from any existing or future private or public street and from adjoining property.
- c. The development of any system shall be in accordance with the provisions of the Lexington County Stormwater Management and Sediment Erosion Control Ordinance, to include the requirement of fencing for safety purposes.

### **3.4.4 Screening**

The use of vegetation for screening is strongly encouraged, however, if fencing or a wall is used for screening of service areas, utilities, or ponds, at least 50% of the structure shall be softened with shrubbery or other vegetation. The vegetation must be placed on the outside property line of the structure. Access and room for maintenance must be incorporated into the design and placement of the structure and subsequent vegetation.

## Section 5. Building Design

Landscape features are typically used to visually improve large expanses of concrete or other building materials, mask blandness and blank walls, and compensate for a lack of architectural elements. This section recognizes that good building design and placement can also accomplish this, thus turning landscape features into a frame or enhancement of the building.

### 3.5.1 Application

- a. Non-residential and Residential Attached (3 or more dwelling units) activities, as described in the Lexington County Zoning Ordinance, shall have all facades visible from the road and less than 500 feet from the right-of-way designed or landscaped in accordance with this section.
- b. Where it is determined by the Landscape Administrator that a building is designed to have all visible facades architecturally enhanced (coining, window treatments, lighting features, etcetera), landscaping may not be a requirement.

### 3.5.2 Design Elements

- a. Developments whose buildings include great expanses of unadorned, blank walls typical of an industrial, retail, or warehouse use shall include a landscape enhancement plan to screen these walls as part of the development review process.
- b. Acceptable architectural elements in lieu of landscaping should relate to surrounding building materials and scale.
- c. Landscape elements should be of varying heights, textures, and number. They should be spaced intermittently along the designated wall and should not produce the visual effect of a straight hedge.
- d. Landscape design is not intended to hide signage or entrances, rather to frame, enhance, and invite. Signs and driveways should be located in such a manner as to not be obstructed by landscaping or architectural features.

## Section 6. Road Corridors

It is recognized that a number of thoroughfares in Lexington County have lost their natural canopies and scenic qualities due to development and road widening projects. It is important then, to the greatest extent practical, that trees in public spaces along the main byways through the community be preserved or reestablished.

### 3.6.1 Identification of Road Corridors

Any road identified as an Arterial, Collector, or Local Road by the Lexington County Zoning Ordinance shall be considered a road corridor. Where any road corridor or portion thereof is also identified as a scenic corridor, the requirements of Section 7, "Scenic Corridor Protection," shall prevail.

### 3.6.2 Pre-Development Activity

Recognizing that in some instances lot-clearing and replanting may be the most cost-effective method of development, and that some existing trees are not suitable or desirable as street-frontage trees, developers are encouraged to identify those trees along road corridors that may be preserved during the clearing and development process. The Landscape Administrator may approve preservation of these trees in lieu of or in combination with specific re-planting efforts.

### 3.6.3 Trees

- a. Street frontage trees shall average at least one tree per forty (40) feet of frontage, or portion thereof.
- b. Where there are not sufficient existing street frontage trees at development sites on road corridors, the Landscape Administrator shall require the addition of canopy or understory trees, or a combination of the two, in order to enhance the street-scape and public space created by development along road frontage.
- c. Street frontage trees required to be planted shall be setback at least 10 feet, but not greater than 20 feet, from the future road right-of-way as established in the Right-of-Way Plan and set forth in the Lexington County Zoning Ordinance.
- d. Large canopy trees to provide shade will be required except where there exist overhead utilities. Where overhead utilities exist or are planned, understory trees may be required instead of large canopy trees, at a replacement density of three understory trees for each canopy tree.
- e. The location of signs and driveways as part of the development shall take into account the required addition of trees. Signs should be designed and placed in a manner so as not to be obstructed by the required street frontage trees along a road corridor.

## Section 7. Scenic Corridor Protection

Certain roads in the County, or portions thereof, shall be established for preservation because of their unique character, to include the existence of long-standing natural tree canopies. These scenic roads have an important role in environmental quality, sense of community and history, and economic development. The following provisions are established in order to preserve and protect the natural vistas of certain thoroughfares and byways within the County. Development along these corridors shall be designed with the principal purpose of accommodating and preserving existing tree canopies, to the greatest extent possible. The intent of this Ordinance is not to prohibit extensive development along these corridors, but to retain the unique character in the process of development.

### 3.7.1 Identification of Scenic Corridors

Criteria for identifying scenic road corridors under this section shall be established by the Lexington County Planning Commission and approved by Lexington County Council. Criteria may include, but not be limited to, the presence of extremely significant tree canopy or cover. **It will be permissible to establish more than one category of scenic corridor designations.**

The Landscape **and Open Space** Maps identifying roads or sections of roads in the unincorporated area of Lexington County that meet the established criteria will be recommended by the Planning Commission and approved by County Council.

Scenic corridors may be removed from or added to the map upon a recommendation of the Planning Commission and approval of County Council. **A list of these corridors will be maintained in the Appendix of this Ordinance.**

### 3.7.2 Scope of Regulations

This section shall apply to activities as outlined in Section 1.3. Additionally, the following residential activities shall also be required to follow the restrictions in this section on Scenic Corridor Protection:

- a. Residential subdivisions that have lots developed with frontage on a Scenic Corridor. The requirements of this section shall not apply if the portion of the lot that fronts the road is the front yard of the residence.
- b. Developments that contain Residential Attached (two dwelling units) activities.
- c. Mobile Home Parks.

### 3.7.3 Pre-Development Activity

There shall be no clear-cutting, timbering, or other removal of canopy trees, understory trees, or underbrush within 50 feet of any existing right-of-way along a scenic corridor without the submission of a clearing plan for approval by the Landscape Administrator.

### 3.7.4 Clearing Plan

Clearing plans submitted for activities along scenic corridors shall include the following, in addition to the general plan requirements:

- a. Location and identification of all canopy trees with a D.B.H. of eight inches or greater, and all understory trees with a D.B.H. of four inches or greater.
- b. Location and identification of all trophy trees.

### 3.7.5 Preservation Requirements

#### Scenic Corridor 1

- a. Except as otherwise provided for in this Ordinance, there shall be no removal of canopy trees, understory trees, or underbrush within the first 25 feet along a Scenic Corridor 1. The only development allowed within the first 25 feet behind the road right-of-way shall be a sign and an entrance driveway regardless of any buffering requirements of the Lexington County Zoning Ordinance.
- b. Except as otherwise provided for in this Ordinance, all canopy trees with a D.B.H. of eight inches or greater, and all understory trees with a D.B.H. of four inches or greater, shall be preserved within the area 26 - 50 feet deep along a scenic corridor.
- c. Parking, groomed conditions, and natural conditions may be utilized within the area 26 - 50 feet deep along a Scenic Corridor 1 to augment the preserved trees.
- d. Where the imposition of a 50-foot zone represents greater than 20% of the area of a parcel, as platted prior to the enactment date of this ordinance, the combined natural and landscaped zone may be reduced from 50 feet to 20% of the parcel area. This reduced area shall be proportionately shared between the natural conditions and other uses as described above.
- e. Where there is a significant break or gap in an existing tree canopy along an identified Scenic Corridor 1, the Landscape Administrator shall require that the first twenty-five feet be preserved in as natural a condition as possible with an opportunity for the area to re-vegetate naturally in a manner similar to other portions of the corridor. Where there are no substantial trees in this area, the Landscape Administrator may require street frontage trees (as required in *Article 3, Section 6, Major Road Corridors*) to average at least one tree per twenty (20) feet of frontage, or portion thereof.
- f. In all cases, preservation of underbrush, understory trees, and canopy trees that are appropriate for the setting is encouraged. The preservation or planting of undesirable underbrush, understory trees, and canopy trees is discouraged.

#### Scenic Corridor 2

- a. Except as otherwise provided for in this Ordinance, there shall be no removal of canopy and understory trees within the first 25 feet along a Scenic Corridor 2. The only development allowed within the first 25 feet behind the road right-of-way shall be a sign and an entrance driveway regardless of any buffering requirements of the Lexington County Zoning Ordinance.
- b. Where the imposition of a 25-foot zone represents greater than 20% of the area of a parcel, as platted prior to the enactment date of this ordinance, the scenic zone may be reduced from 25 feet to 20% of the parcel area.
- c. Where there is a significant break or gap in an existing tree canopy along an identified Scenic Corridor 2, the Landscape Administrator shall require that the first twenty-five feet be preserved in as natural a condition as possible with an opportunity for the area to re-vegetate naturally in a manner similar to other portions of the corridor. Where there are no substantial trees in this area, the Landscape Administrator may require street frontage trees (as required in *Article 3, Section 6, Road Corridors*) to average at least one tree per twenty (20) feet of frontage, or portion thereof.

- d. In all cases, the preservation and planting of understory and canopy trees that are appropriate for the setting shall be required. The preservation or planting of undesirable underbrush, understory trees, and canopy trees is discouraged.

### **Scenic Corridor 3**

- a. Except as otherwise provided for in this Ordinance, there shall be no removal of canopy and understory trees along a Scenic Corridor 3 that may serve as street frontage trees in accordance with *Article 3, Section 6, Road Corridors*.
- b. Where there is a significant break or gap in an existing tree canopy along an identified Scenic Corridor 3, the Landscape Administrator shall require the street frontage trees (as required in *Article 3, Section 6, Road Corridors*) to average at least one tree per twenty (20) feet of frontage, or portion thereof.
- c. In all cases, the preservation and planting of understory and canopy trees that are appropriate for the setting shall be required. The preservation or planting of undesirable understory and canopy trees is discouraged.

#### **3.7.6 Signs and Entranceways**

Proper preservation of scenic corridors is compatible with the economic feasibility and visibility of development. The placement of signs and entranceways along a scenic corridor shall be designed in such a manner as to minimize the impact on preserved trees.

#### **3.7.7 Additional Zoning Requirements**

Where there is a scenic corridor designation, additional restrictions are contained in the Lexington County Zoning Ordinance.



## Article 4 – Open Space Requirements

Improving the quality of all development activities, whether residential or non-residential, contributes to the general welfare, prosperity, and pride of the County; and if the preservation of open space is involved there is the opportunity to mitigate potential environmental damage and promote a healthier and more livable community.

The following open space requirements are established in order to preserve and enhance existing vistas; improve appearance; offset the environmental impact of large expanses of impervious surfaces; improve ground water recharge; and promote adequate light, air, and open space for the residents of and visitors to Lexington County.

It is the intent of this article to encourage creativity in layout design by being as flexible as possible in the application of open space standards.

### 4.1 Residential Subdivisions

The purpose of this section is to provide guidelines for the establishment of suitable and usable open space within all proposed residential subdivisions with lot sizes less than two acres or which have at least ten lots.

#### 4.1.1 Quantity of Open Space

At least ten (10) percent of the total gross land area of the subdivision shall be designated as open space. The following shall be counted toward this minimum open space requirement provided they are actually set aside on property separate from the subdivision parcels:

- a. Natural features (riparian areas, wetlands, natural ponds, streams, wildlife corridors, steep slopes, etc.), natural hazard areas (floodplains, floodways, etc.), stormwater features (drainage channels, ditches, ponds, etc.), and land area occupied by Low Impact Development (LID) stormwater management devices;
- b. Land designated as open space as a result of the Scenic Corridor Section of this ordinance; and
- c. Land occupied by active and passive recreational uses such as pools, playgrounds, tennis courts, jogging trails, ball fields, and clubhouses used primarily for recreation purposes. However, this category of open space can only encompass up to fifty (50) percent of the required open space.

#### 4.1.2 Location

Where relevant and appropriate, open space shall be located so as to be readily accessible and useable by the residents. If possible, a portion of the open space should provide a focal point(s) for the subdivision, preferably at the entrance.

On Scenic Corridor 1's, at least the first 25 feet from the road right-of-way shall be designated as open space. On Scenic Corridor 2's and 3's with at least 66 feet of right-of-way, at least the first 15 feet from that right-of-way shall be designated as open space. On Scenic Corridor 2's and 3's with only 50 feet of right-of-way, at least the first 20 feet from that right-of-way shall be designated as open space.

### **4.1.3 Configuration**

The open space shall use contiguous and compact design elements where possible. These spaces, where applicable, should be interconnected with trail systems, buffer areas, scenic corridors, natural features, or as a portion of the stormwater management system.

Where open areas, trails, parks, or other public spaces are planned or exist adjacent or within the subdivision, the open space shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge the existing area.

To the maximum extent practicable, the open space should be located and organized to include, protect, and/or enhance as many of the following open areas and features as possible:

1. Natural features (riparian areas, wetlands, natural ponds, streams, wildlife corridors, steep slopes, etc.), natural hazard areas (floodplains, floodways, etc.), stormwater features (drainage channels, ditches, ponds, etc.), and land area occupied by Low Impact Development (LID) stormwater management devices;
2. Areas containing groupings of mature trees, groupings of younger trees with the potential to develop into a forest ecosystem, and trophy trees as defined within this Ordinance;
3. Landscaped buffers or visual transitions between different types or intensities of uses; and
4. Habitat and corridors for wildlife species.

### **4.1.4 Access**

Open space shall either front on the road right-of-way within the subdivision or shall have a minimum 20-foot dedicated right-of-way between lots or along property lines to the open space. This access area shall be counted toward this minimum open space requirement.

Motorized vehicles such as motorcycles or all-terrain vehicles shall not be allowed access to the designated open space.

## **4.2 Golf Courses**

The purpose of this section is to provide guidelines for the establishment of suitable and usable open space within the layout of golf courses, to be utilized only in the event the golf course is abandoned as an activity at some point in time.

### **4.2.1 Quantity of Open Space**

A buffer strip of open space at least 100 feet wide shall be established in each of the required locations.

### **4.2.2 Location**

The open space shall be required to be established where residential uses are a part of the development that contains the golf course and where those uses adjoin the fairways that are part of the golf course portion of the development. The designated buffer strip shall extend along the entire length of the residential property line that adjoins the fairways. This shall include all residential lots regardless of whether the lot contains a house.

Where there is a larger tract of land containing a house adjoining the fairways of the golf course the following shall apply. The residential activity [generally the building footprint] that is more than 300 feet from this property line does not qualify for this open space amenity, and a residential activity that is within 300 feet of, but more than 150 feet from, the golf course qualifies for an open space buffer of 50 feet.

#### **4.2.3 Access**

This open space shall either front on a road right-of-way or shall have a minimum 20-foot dedicated right-of-way which extends to a road.

Motorized vehicles other than golf carts, such as motorcycles or all-terrain vehicles, shall not be allowed access to this designated open space.

#### **4.2.4 Use of the open space**

This open space is being required as a buffer area and shall be used for no activities more intense than passive recreation. If there is golf course property not included in this open space requirement which is accessible only through the buffer area, then a single access point will be allowed as long as that access follows the shortest route possible and comes no closer than 50 feet to any existing residential property lines.

### **4.3 Ownership of Open Space**

Ownership of required open space may be handled in many ways. It may be allowed to be dedicated to Lexington County if it is an integral part of the storm drainage and water quality protection system. It may also be made part of lands owned and managed by a property owners association or dedicated to some other public agency such as a County recreation commission. The use of conservation easements is encouraged and may also allow for additional ownership options.



## **Article 4-5 – Nonconformity**

### **4-5.1 Purpose**

The purpose of this Article is to control, improve or terminate activities which do not conform to one or more provisions of this Ordinance. If an activity was legally established with all required local, state and federal land use permits and approvals, yet does not currently conform to one or more provisions of this Ordinance, it may qualify as a legal nonconformity.

### **4-5.2 Right to Continue a Nonconformity**

A legal nonconformity may be continued without compliance with this ordinance if the degree of nonconformity is not increased. This means that modifications, enlargements, expansions, extensions, substitutions or other changes in the nonconforming activities or facilities must comply with the provisions of this Ordinance as follows:

Any building enlargements, expansion of parking facilities, and other expansions of use must meet the applicable sections of this Ordinance, for the expansion or enlargement only.

Any substituted use that must meet a greater buffer or screening requirement under the Lexington County Zoning Ordinance than the legal nonconformity will be required to meet the requirements of Article 3, Section 2, "Land Use Compatibility."

### **4-5.3 Required Conformance of Legal Nonconformities**

All properly permitted activities which are nonconforming as of the date of the implementation of this Ordinance shall be allowed to remain as developed.

### **4-5.4 Required Notice**

Notice must be given by the Landscape Administrator at least six months prior to the enforcement of any of the provisions of this Article.



## **Article 5 6 – Administration**

### **Section 1. General Provisions**

#### **5 6.1.1 Landscape Administrator**

The administration and enforcement of this Ordinance shall be the responsibility of the Lexington County Landscape Administrator.

a. Duties

1. Administer and enforce all applicable provisions of this Ordinance.
2. Administer and enforce the actions of the Board of Zoning Appeals as related to this Ordinance.
3. Attend all meetings of the Board of Zoning Appeals related to this Ordinance.
4. Maintain current and permanent records relative to the adoption, amendment, administration, and enforcement of this Ordinance.
5. Provide information to the public on all matters relating to this Ordinance.

- b. The Landscape Administrator, or persons engaged by him to perform tests or any other duties, may enter upon any land within the jurisdiction of this Ordinance and make examinations and surveys. They may also place or remove public notices as required by these regulations. However, there shall be no right of entry into any building without the consent of the owner.

#### **5 6.1.2 Site Plan Review**

Buildings, structures, or activities within the unincorporated area of the County which fall under the provisions of this ordinance must submit a site plan for review and approval prior to construction or development. The site plan should include information and exhibits as deemed necessary to determine that the proposed development of the property complies with this Ordinance. The Landscape Administrator may alter those requirements in order to avoid the submission of either unnecessary or inadequate information.

#### **5 6.1.3 Compliance**

No building, structure, or activity for which a landscape review shall be completed shall be used or occupied until the Landscape Administrator has indicated that compliance has been made with all applicable provisions of this Ordinance.

#### **5 6.1.4 Fees**

A fee established by County Council shall be assessed for every site plan reviewed for compliance with the provisions of this Ordinance. This fee shall be paid to Lexington County before or upon the issuance of any plan approvals, except when deemed unnecessary by the Landscape Administrator for purposes of enforcement of this Ordinance.

## Section 2. Variances and Appeals

- 5 6.2.1** The Lexington County Board of Zoning Appeals shall serve as the appeal body for any variance requests or appeals sought under the provisions of this Ordinance.
- 5 6.2.2** A written application for a variance or appeal shall be filed with the Landscape Administrator by the property owner or his designated agent or the aggrieved party. Copies of the application shall be transmitted to members of the Board. A fee established by County Council shall accompany every application.
- 5 6.2.3** Procedures governing the Board of Zoning Appeals shall be as determined in the Lexington County Zoning Ordinance.
- 5 6.2.4** The County shall have the option of having its own independent expert(s) review materials submitted by the applicant and advise the Board in its deliberations.

## Section 3. Amendments

### 5 6.3.1 Purpose

The Lexington County Council may, from time to time, amend the text of this Ordinance in the manner set forth below, where it is alleged that there was an error in the original Landscape Ordinance, where conditions have changed so as to warrant a change in landscape requirements, or where in the opinion of the Lexington County Council, such change shall serve to promote the public health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of Lexington County.

### 5 6.3.2 Procedures

Amendments to this Ordinance may be proposed by the Lexington County Council, the Lexington County Planning Commission, or by an interested party.

- a. An application for amendment shall be filed with the Landscape Administrator.
- b. These regulations may be amended after notice and public hearing in the same manner as prescribed by law for their original adoption.

### 5 6.3.3 Extent of Amendment Granted

The County Council may grant a more restrictive landscape amendment, but not a less restrictive amendment, than formally requested by the applicant.

### 5 6.3.4 Enactment

Upon enactment of an amendment by County Council, the Landscape Administrator shall immediately cause said amendment to be inserted into the text of the Ordinance.

## Section 4. Enforcement

### 5 6.4.1 Violations

Wherever the Landscape Administrator, or his authorized representative, finds a violation of this Ordinance, he shall direct compliance as he deems necessary, to include the issuance of verbal and/or written compliance orders. Additional enforcement actions may include the following:

- a. The revocation of any site plan approvals issued;
- b. The withholding of any related permits, plats, inspections, or other permissions, approvals, or privileges authorized by any County ordinances; or
- c. Redress through legal action as described in the following Section.

### 5 6.4.2 Penalties for Violation

Violation of the provisions of this Ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances) shall constitute a misdemeanor. Any person, firm, or corporation who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than the maximum allowable penalty under the jurisdiction of the Magistrate's Court. Each day such violation continues shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties provided for herein.

Notice of violation shall be sufficient if directed to the owner or the agent of the owner and left at his known place of residence or place of business.

The Landscape Administrator or other appropriate County official may also seek injunctive relief or any other appropriate action in courts of competent jurisdiction to enforce the provisions of this Ordinance.

### 5 6.4.3 Liability

Any Board member, the Landscape Administrator, or other employee charged with the enforcement of this Ordinance, acting for Lexington County in the discharge of his duties, shall not thereby render himself liable personally. He is hereby relieved from all personal liability and shall be held harmless by Lexington County of any damage that may accrue to persons or property as a result of any act required or permitted in the proper discharge of his duties. Any suit brought against a Board Member, the Landscape Administrator, or employee charged with the enforcement of this Ordinance because of such act performed by him in the enforcement of any provision of this Ordinance shall be defended by legal representatives furnished by Lexington County until the final termination of such proceedings.

## Section 5. Legal Status

### 5 6.5.1 Conflict with Other Laws

Whenever the provisions of the Ordinance impose regulations that are in conflict with those of other County ordinances, other governmental agencies, or privately executed restriction, the more restrictive regulations shall apply. The same shall be true if there is a conflict between provisions within the body of this Ordinance.

### 5 6.5.2 Separability

Should any article, section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any other article, section, clause, or provision of this Ordinance.



## Appendix

This Landscape Ordinance was created by Lexington County with a focus on the preservation or planting of trees for shade, erosion control, and transition between land uses, while balancing the needs and demands of a quickly developing community.

The selection of trees to be planted to meet the specific requirements of this ordinance should be limited to native species, in order to help assure hardy and mature growth. In order to limit the potential for maintenance problems and poor growth, hybrids, non-native species, and aggressive or invasive species should be avoided, as well as species outside their normal range.

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### Trophy Trees

The Ordinance describes the category of trophy trees as those trees that are significant by their size and as such should be preserved wherever possible. Guidelines detailed within the Ordinance address the circumstances in which preservation of trophy trees is not feasible. The specifications for determining trophy trees are as follows:

Hardwoods	>24"D.B.H.
Pines	>30"D.B.H.
Understory Trees	>12"D.B.H.

The specifications for trophy trees may be revised by staff upon direction by Lexington County Council as part of a regularly scheduled meeting.

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### Additional Resources

The following is a list of resources for information on proper planting and maintenance:

SC Forestry Commission  
P.O. Box 21707  
Columbia, SC 29221-1707

Clemson Extension Service  
Lexington County Office  
605 West Main Street, Suite 109  
Lexington, SC 29072

SC Forestry Association  
P.O. Box 21303  
Columbia, SC 29221

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## Scenic Corridors

The Scenic Corridor designation can only apply to roads that are located in the portions of Lexington County where the provisions of Article 3, Section 7, of the Landscape and Open Space Ordinance apply. The following are the roadways which are designated as Scenic Corridors in accordance with Article 3, Section 7:

### Scenic Corridor 1's

Arterials: Corley Mill Road  
Bush River Road (from Lake Murray Boulevard to the CSX Railroad spur)  
Cromer Road (from Sunset Boulevard to Oak Drive)  
Mineral Springs Road  
Bradley Drive

Collectors: Saint Davids Church Road (from Brandley Drive to Kitti Wake Drive)  
Barr Road (from Wildlife Road to Pisgah Church Road)  
Cedar Road  
Cromer Road (from Oak Drive to Mineral Springs Road)  
Wildlife Road

### Scenic Corridor 2's

Arterials: Bush River Road (from the CSX Railroad spur to St. Andrews Road)  
Columbia Avenue (Chapin area)  
Chapin Road  
North Lake Drive (from Lake Murray Boulevard to the County Line)  
Oak Drive  
Emanuel Church Road (from Two Notch Road to Kitti Wake Drive)  
Old Barnwell Road (from South Lake Drive to Old Orangeburg Road)  
Platt Springs Road (from South Lake Drive to Boiling Springs Road)  
Calks Ferry Road  
Barr Road (West Main Street to Wildlife Road)  
Pisgah Church Road  
Longs Pond Road (from Southbrook Way to Nazareth Road)  
Nazareth Road

Collectors: Amicks Ferry Road  
Saint Peters Church Road (Chapin area)  
Dreher Island Road  
Long Pine Road  
Peak Street  
Old Lexington Highway  
Sid Bickley Road  
Wessinger Road  
Kitti Wake Drive  
Sausage Lane  
Laurel Road  
Maple Road  
Jessamine Road  
Woodberry Road  
Shirway Road  
Steele Road  
Shelton Road  
Mac Circle (Collector portion)

Happy Ridge Drive  
Sherwood Drive  
Kyzer Road  
McCartha Road  
Rawl Road  
Fox Branch Road  
Smith Pond Road  
Pilgrim Church Road  
Old Cherokee Road (from South Lake Drive to Beechwoods Drive)  
Wise Ferry Road  
Beech Creek Road  
Hope Ferry Road  
Mill Stream Road  
Midway Road  
Andrew Corley Road  
Old Chapin Road  
Beechcreek Road  
St. Peters Road  
Beechwoods Drive  
Charter Oak Road

Locals: All Local Streets located in Restrictive Development Districts as designated by the Lexington County Zoning Ordinance.

### **Scenic Corridor 3's**

Arterials: North Lake Drive (from Lake Murray to US Highway #378)  
Lake Murray Boulevard  
Piney Grove Road  
Saint Andrews Road  
Bush River Road (from Saint Andrews Road to the County line)  
Sunset Boulevard  
Leaphart Road  
Old Barnwell Road  
Platt Springs Road  
Emanuel Church Road (from Kitti Wake Drive to South Congaree)  
Two Notch Road  
South Lake Drive  
West Main Street (Lexington area)  
Augusta Highway (from West Main Street to Calks Ferry Road)  
Highway #378 (from West Main Street to first Lake Murray Bridge)

Collectors: All Collector Streets that have at least 50% of the roadway located in Restrictive Development Districts as designated by the Lexington County Zoning Ordinance. A Collector Street that is totally contained within an Intensive Development District is not included in this designation.



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 # **M08-03**

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

Applicant requests a change in road classification for Old Chapin Road from Lexington Town limits 260' north towards Maxie Road, and Maxie Road from the intersection of Old Chapin Road 1000' north towards Ashley Hills Drive.

Zoning Classifications: (Current) RL4 - Residential Local 4 (Proposed) L - Local

TMS#: N/A Property Owner: N/A

Reason for the request: To allow medical and professional offices.

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: 4/2/2008 Applicant: Owner  Agent  Other

Phone #(s): cell (803) 622-0535 \_\_\_\_\_

Signature: Signature on File Printed Name: Albert J. Sanders

Street/Mailing Address: PO Box 3198, West Columbia, SC 29171

4/2/2008	Application Received
4/24/2008	Newspaper Advertisement
4/22/2008	Notices Mailed

4/2/2008	Fee Received
4/28/2008	Property Posted
5/15/2008	Planning Commission

Planning Commission Recommendation: 3 -0 vote for denial of request.

4/22/08	First Reading	5/13/08	Public Hearing	Second Reading	Third Reading
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Results: \_\_\_\_\_

# Zoning Map Amendment Application M08-03



## 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 M08-03

## 260 ft. of Old Chapin Rd and 1,000 ft of Maxie Rd



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

**Lexington County Sheriff's Department  
Administration Division**



**Memorandum**

**To:** Mrs. Katherine Hubbard, County Administrator  
**From:** Colonel Allan Paavel, Sheriff's Department  
**Date:** May 15, 2008  
**Re:** Council Agenda Item – Forfeited Vehicle – Addition to Fleet

A 2006 Dodge Charger has been forfeited and awarded to the Lexington County Sheriff's Department through our equitable sharing program with the US Department of Justice. It is requested that this vehicle be added to our fleet and utilized effectively by our department. The County Fleet Services staff has inspected the vehicle and made the following assessment: the vehicle had front-end repair work, no obvious leaks, the condition of the steering, suspension and undercarriage was good, the engine ran well and appeared to have been serviced routinely. The fair market value of the vehicle is \$11,660.00, as it is classified as "fair" through the Kelley appraisal system.

The vehicle currently has a "salvage" title from another state. Colonel Mel Seboe, Sheriff's Department Fleet Manager, has confirmed that this vehicle can be titled to the County of Lexington in the state of South Carolina. It is assumed that the front-end repair work was necessitated by a collision, thus the "salvage" title. Due to the condition of the vehicle, the County Fleet Services Manager does not believe the "salvage" title to be the result of flood damage. A copy of the memorandum from Ellis Gammons regarding this vehicle has been attached for your review.

The operating costs for the vehicle will be absorbed by existing appropriations in law enforcement's general fund. We are requesting that Council consider this fleet addition at the May 27<sup>th</sup> meeting.

If you have any questions, please let me know.

cc: Chief Keith Kirchner, Sheriff's Department  
Larry Porth, Finance Director  
Ellis Gammons, County Fleet Manager

**COUNTY OF LEXINGTON  
FLEET SERVICES DIVISION  
MEMORANDUM**

**DATE:** May 15, 2008

**TO:** Colonel Alan Paavel  
Colonel Mel Seboe  
Lexington County Sheriff's Dept.

**FROM:** Ellis Gammons  
Fleet Manager

**SUBJECT:** Confiscated 2006 Dodge Charger, VIN # 2B3KA43R76H304522

This white four door sedan with a 2.7liter V-6 engine has been inspected by our shop and I submit the following: The car has 58345 miles showing on the odometer. We inspected the car thoroughly and found that it had been repaired in the front from an accident. The steering, suspension and undercarriage appear to be in good condition. There were no obvious leaks or other problems overall. The engine ran well and appears to have been serviced routinely. I would suggest if the car is put in our fleet we service it before we begin using it. I have attached a Kelley appraisal report and a Carfax Record Search. I would class it as "fair" for a value of \$ 11,660.00. The only "glitch" is I understand it has a "salvage" title from what State I do not know. I assume the title could be the result of the accident. I am satisfied due to the condition of the car that it is not a result of a flood. If you want to place this vehicle in your fleet and you make sure we can title the car with a SC title, you need to send a memo to Katherine Hubbard, County Administrator and ask her to place it on the Council agenda for approval.

Copy: Katherine Hubbard  
Joe Mergo

## MEMORANDUM

To: Adam DuBose, County Grants Manager

From: Nandalyn Heaitley

Date: May 15, 2008

Re: Courthouse Security Enhancement Grant  
(Edward Byrnes Memorial National Initiatives Grant)

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The Sheriff's Department is requesting approval to apply for the National Initiative Grant. This grant will be funded 100% by the United States Department of Justice and is due to them on June 11, 2008, by 5:00 p.m. We are requesting operating costs, training, and equipment to address the major problems that are presenting themselves to Lexington County with the demand for security in the courthouse. This grant will serve as an enhancement grant to the original court security grant applied for through the South Carolina Department of Public Safety.

The deadline for submission of this grant is June 11, 2008. The originally scheduled meeting date for County Council was June 10, 2008, and now has been postponed to June 12, 2008. Therefore, we are respectfully requesting that the grant be placed in and out of the Justice Committee meeting on May 27, 2008.



**COUNTY OF LEXINGTON  
COURTHOUSE SECURITY ENHANCEMENT GRANT  
Annual Budget  
Fiscal Year - 2008-09**

Object Code	Revenue Account Title	Requested 2008-09	Recommend 2008-09
* Courthouse Security Enhancement Grant			
<b>Revenues:</b>			
457000	Federal Grant Income	0	233,150
	<b>** Total Revenue</b>	<u>0</u>	<u>233,150</u>
	<b>***Total Appropriation</b>	0	233,150
FUND BALANCE			
	Beginning of Year	<u>0</u>	<u>0</u>
	FUND BALANCE - Projected		
	End of Year	<u><u>0</u></u>	<u><u>0</u></u>

Fund:  
Division: Law Enforcement  
Organization: 151300 LE/Jail Operations

		<b>BUDGET</b>		
Object Code	Expenditure Classification	2008-09 Requested	2008-09 Recommend	2008-09 Approved
<b>Personnel</b>				
	<b>* Total Personnel</b>	<b>0</b>	<b>0</b>	
<b>Operating Expenses</b>				
520200	Contracted Services	38,000	38,000	
525210	Conference & Meeting Expenses	30,000	30,000	
	<b>* Total Operating</b>	<b>68,000</b>	<b>68,000</b>	
	<b>** Total Personnel &amp; Operating</b>	<b>68,000</b>	<b>68,000</b>	
<b>Capital</b>				
540000	Small Tools & Minor Equipment	750	750	
	(2) Walk Through Magnetometers	12,000	12,000	
	(1) X-Ray Package Scanner	35,000	35,000	
	(32) Surveillance Camera System w/ Accessories	96,000	96,000	
	(2) Proximity Card Reader System	6,000	6,000	
	(16) Perimeter/Exterior and Duress Alarm Systems	5,400	5,400	
	(40) Duress Buttons w/ Repeaters	10,000	10,000	
	<b>** Total Capital</b>	<b>165,150</b>	<b>165,150</b>	
	<b>*** Total Budget Appropriation</b>	<b>233,150</b>	<b>233,150</b>	

### **SECTION III. - PROGRAM OVERVIEW**

Society today places enormous demands on our nation's courthouses. Increased crime and litigation have led to backlogged court dockets, overburdened personnel and overcrowded court facilities. Court fragmentation, operational space shortages, and security risks are just some of the serious problems common to courthouses. Courthouse security measures range from full perimeter security with magnetometers, x-ray machines, closed circuit televisions, secured areas, to none at all. The financial aspect of providing adequate security is a universal factor in opposition to court security.

Courthouses are often the sites of violent and tragic incidents. Reports from across the United States indicate that there continues to be a growing number of threats and acts of violence against the courts and trial participants. The conclusion to be drawn is that court violence has and will continue to increase dramatically throughout this country and that no jurisdiction is immune.

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

**520200 – CONTRACTED SERVICES** **\$38,000**

Service fees are required for the CCTV surveillance cameras and alarm systems to allow 24/7 hour coverage for continuous security operations.

**525210 – CONFERENCE AND MEETING EXPENSE** **\$30,000**

Specialized training for all court service deputies and bailiffs will be necessary for the security required from the enhanced equipment installed in the court house and on the premises of the court house.

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

**54000 – SMALL TOOLS AND MINOR EQUIPMENT \$750**

Magnetometers are required to target a specific area. The magnetometers identify the presence of metal found in weapons such as guns, knives, hand grenades, pointed objects, etc. These units are required to ensure the safety and security of the courts, the citizens, and those who enter and work within the facility. Three (3) magnetometers are requested at an estimated cost of \$750 including tax and shipping.

**(2) WALK-THROUGH MAGNETOMETERS \$12,000**

Walk through magnetometers are required to scan all individuals entering the courthouse to ensure the safety and security of all individuals in the facility. The walk-through magnetometers identify the presence of metal found in weapons such as guns, knives, hand grenades, pointed objects, etc. like the hand held units but they also measure the amount of metal in the objects. The magnetometers must be of high density for the detection of the smallest object containing metal that could be concealed.

**(1) X-RAY PACKAGE SCANNER \$35,000**

The X-ray package scanner scans a package, purses, knapsacks, bags, etc., to visually detect the presence of various types of weapons such as liquid chemicals, bombs, knives, guns, hand grenades, scissors, and other types of weapons. The x-ray package scanner enhances the image to allow for a greater view of the contents of the package for decisive recognition to prevent a critical incident. This scanner is necessary for the safety and security of the courts and those who enter and work within the facility.

**(32) SURVEILLANCE CAMERA SYSTEM \$96,000**

Video surveillance CCTV camera systems to include software, monitors and multiplexers are required to maintain a high level of courthouse security. The presence of security cameras may intimidate suspects to a degree that they are deterred from committing any sort of violent action. Surveillance cameras that are strategically positioned enable identification of potential criminal activity and allow for dispatch of officers to control the situation. The multiplexer will allow for the recording of every motion that the surveillance camera detects.

**(2) PROXIMITY CARD READER SYSTEM \$6,000**

Two access doors at the courthouse need a proximity card reader that interface with the existing system to eliminate public access to secured areas of the judiciary center. The card reader identifies the code programmed on the card to allow access to those individuals who are approved for entry into the facility. The card reader will provide security for the door access while recording each individual who enters and exits the facility. This will aid in ensuring the safety and security of the judiciary and other staff that work within the facility and will enable the accountability of persons for security purposes.

**(16) PERIMETER/EXTERIOR AND DURESS ALARMS SYSTEMS** **\$5,400**

All exterior/perimeter doors must have intrusion alarms installed for audible awareness of an intrusion. The installation of the alarms would be an additional tool to secure the facility. The current social, economic, and terrorist conditions have combined to make the courts more likely to be objects of attacks by emotional and frustrated litigants, and by desperate, dangerous, and fanatical criminals.

**(40) DURESS BUTTONS WITH (1) REPEATER** **\$10,000**

Wireless duress buttons are panic buttons that instantly send emergency stress incident notification to existing radios so officers can respond immediately to the emergency call for assistance. This system will allow the deputy to respond to the exact location without a dispatch delay. They will be used for courthouse security entrances, offices, the judge's bench, clerk's office, and other areas that encounter combative or unruly individuals on a regular basis. Deputies are patrolling the buildings and grounds for protection but these devices will increase the efficiency and effectiveness of response to emergency situations.

**LEXINGTON COUNTY**



**EMERGENCY MANAGEMENT**

Department of Public Safety  
212 South Lake Drive, Suite B03, Lexington, SC 29072  
Phone: 803-785-8343 \* Fax: 803-785-8628

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TO: DIANA BURNETT  
CLERK TO COUNTY COUNCIL

FROM:  MIKE MCMASTERS  
EMERGENCY MANAGER

DATE: MAY 6, 2008

REF: 2007 CITIZENS CORPS GRANT APPLICATION

Our office has received the 2007 Citizen Corps Grant Application from the South Carolina Emergency Management Division (SCEMD). The grant is in the amount of \$5,036.00. Our deadline to submit the grant application to SCEMD is Friday, May 30, 2008.

Due to the fast approaching deadline we respectfully request to have the Council approved grant application brought out at the May 27, 2008 Council meeting.

Thank you for your attention to this matter.

cc: Chief Bruce Rucker



**COUNTY OF LEXINGTON  
CITIZEN CORPS GRANT  
Annual Budget  
Fiscal Year - 2008-09**

Object Code	Revenue Account Title	Actual 2006-07	Received Thru Dec 2007-08	Amended Budget Thru Dec 2007-08	Projected Revenues Thru Jun 2007-08	Requested 2008-09	Recommend 2008-09
<b>* Citizen Corps Grant 2480:</b>							
<b>Revenues:</b>							
457000	Federal Grant Income	987	8,449	10,437	10,437	5,036	5,036
<b>** Total Revenue</b>		<u>987</u>	<u>8,449</u>	<u>10,437</u>	<u>10,437</u>	<u>5,036</u>	<u>5,036</u>
<b>***Total Appropriation</b>					10,437	5,036	5,036
FUND BALANCE							
Beginning of Year					<u>(5,210)</u>	<u>(5,210)</u>	<u>(5,210)</u>
FUND BALANCE - Projected							
End of Year					<u><u>(5,210)</u></u>	<u><u>(5,210)</u></u>	<u><u>(5,210)</u></u>

Fund: 2480  
Division: Public Safety  
Organization: 131101 Emergency Preparedness

<b>BUDGET</b>							
Object Code	Expenditure Classification	2006-07 Expend	2007-08 Expend (Dec)	2007-08 Amended (Dec)	2008-09 Requested	2008-09 Recommend	2008-09 Approved
<b>Personnel</b>							
<b>* Total Personnel</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Operating Expenses</b>							
520800	Outside Printing	0	7,002	7,437	3,457	3,457	
521200	Operating Supplies	1,217	2,180	3,000	1,284	1,284	
525600	Uniforms	0		0	295	295	
<b>* Total Operating</b>		<b>1,217</b>	<b>9,182</b>	<b>10,437</b>	<b>5,036</b>	<b>5,036</b>	
<b>** Total Personnel &amp; Operating</b>		<b>1,217</b>	<b>9,182</b>	<b>10,437</b>	<b>5,036</b>	<b>5,036</b>	
<b>Capital</b>							
All Other Equipment		0	0	0	0	0	
<b>** Total Capital</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>*** Total Budget Appropriation</b>		<b>1,217</b>	<b>9,182</b>	<b>10,437</b>	<b>5,036</b>	<b>5,036</b>	

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

#### **Citizen Corps/CERT**

The Citizens Corp funds will be used to fund the Citizens Emergency Response Teams (CERT) Program which provides for the development, training and exercising of Citizen Emergency Response Teams located throughout the County.

The Citizens Coordinating Council will serve as the Local Emergency Planning Committee (LEPC) and will address matters that pertain to SARA, Title III.

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

**520800- OUTSIDE PRINTING**

**\$3,457**

These funds will be used for promoting the CERT program and for public outreach for the citizens of Lexington County.

1,250 Brochures @ \$2.11 ea =	\$2,637.50
Setup fee =	\$70.00
Shipping & Handling =	<u>\$6.00</u>
	\$2,713.50
7% SC tax =	<u>\$189.95</u>
	\$2,903.45

1 CERT Banner =	\$140.00
Shipping & Handling =	<u>\$7.00</u>
	\$147.00
7 % SC tax =	<u>\$10.29</u>
	\$157.29

250 promotional pens @ .47 ea =	\$117.50
Setup fee =	\$20.00
Shipping & Handling =	<u>\$20.00</u>
	\$157.50
7% SC tax =	<u>\$11.03</u>
	\$168.53

72 promotional cups @ 2.40 ea =	\$172.80
Setup fee =	\$20.00
Shipping & Handling =	<u>\$20.00</u>
	\$212.80
7% SC tax =	<u>\$14.90</u>
	\$227.70

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**521200- OPERATING SUPPLIES** **\$1,284**

These funds will be used to purchase CERT kits and supplies for the CERT Team Members.

30 First Aid Kits @ 26.00 ea =	\$780.00
Shipping & Handling =	<u>\$30.00</u>
	\$810.00
7% SC tax =	<u>\$56.70</u>
	\$866.70

40 personal kits @ 3.25 ea =	\$130.00
Shipping & Handling =	<u>\$5.00</u>
	\$135.00
7% SC tax =	<u>\$9.45</u>
	\$144.45

40 flashlights @ 3.25 ea =	\$130.00
Shipping & Handling =	<u>\$5.00</u>
	\$135.00
7% SC tax =	<u>\$9.45</u>
	\$144.45

150 flashlight batteries @ .85 ea = \$127.50  
(through Central Stores – no shipping/handling or tax)

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**525600- UNIFORMS/CLOTHING** **\$295**

These funds will be used to purchase T-Shirts for the CERT Team Members.

30 T-shirts @ \$7.50 ea =	\$225.00
Logo setup fee =	<u>\$50.00</u>
	\$275.00
7% SC tax =	<u>\$19.25</u>
	\$294.25



Department of Public Safety  
212 South Lake Drive, Suite B03, Lexington, SC 29072  
Phone: 803-785-8343 \* Fax: 803-785-8628

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TO: DIANA BURNETT  
CLERK TO COUNTY COUNCIL

FROM:  MIKE MCMASTERS  
EMERGENCY MANAGER

DATE: MAY 15, 2008

REF: DEOBLIGATED EMERGENCY MANAGEMENT FUNDING

We have been contacted by the South Carolina Emergency Management Division (SCEMD) regarding deobligated funds in the amount of \$25,759.00. This funding became available after other sub-grantees (counties) deobligated a portion of their 2007 Local Emergency Management Performance Grant (LEMPG).

There is a fifty percent match required for this funding. The Finance Department has confirmed that matching funds are available to accept this award through the Emergency Management Staff salaries.

We seek Council's permission to accept this funding. Since the deadline to expend these funds is June 20, 2008 we respectfully request to have this brought out at the May 27, 2008 meeting.

Thank you for your attention to this matter.

cc: Chief Bruce Rucker

## COUNTY OF LEXINGTON Grant Request Summary Form

**Title of Grant:** 2007 Local Emergency Management Performance Grant Deobligated Funds

**Fund:** 1000 General Fund **Department:** 131101 Emergency Preparedness  
*No. Title No. Title*

**Type of Summary:** **Grant Application**  **Grant Award**

**Grant Overview:**

These funds will be used to purchase equipment for the Lexington County Emergency Operations Center.

These funds are coming from 2007 Local Emergency Management Performance Grants that are being deobligated, which are unused funds that are left over after the regular grant cycle.

**Grant Period:** April 1, 2007 to June 21, 2008

**Responsible Departmental Grant Personnel:** Mike McMasters, Emergency Manager

**Date Grant Information Released:** May 14, 2008 **Date Grant Application Due:** June 20, 2008

**Grant Expenditures (Please attach a detailed budget with Excel spreadsheet, Overview, Line Item Narratives, etc.):**

<b>Personnel</b>	\$	-
<b>Operating</b>	\$	-
<b>Capital</b>	\$	25,759.00
<b>Total</b>	\$	<u>25,759.00</u>

**Local Match Required:** Yes  No

<b>If Yes, What is the Percentage / Amount:</b>	<u>100</u>	<u>\$25,759.00</u>
	<u>In-kind</u>	<u>\$25,759.00</u>
	<i>%</i>	<i>\$ Amount</i>

**Requirements at the End of this Grant (please explain in detail):**

NONE

Dept. Preparer:	<u>NM</u>	<u>5/14/2008</u>
Dept. Approval:	<u>MM</u>	<u>5/14/2008</u>
Finance Approval:	<u>AD</u>	<u>5/16/2008</u>
	<i>Initials</i>	<i>Date</i>

**COUNTY OF LEXINGTON  
GENERAL FUND  
Annual Budget  
Fiscal Year - 2007-08**

Object Code	Revenue Account Title	Actual 2005-06	11 Months Received Thru May 2006-07	Amended Budget Thru May 2006-07	Projected Revenues Thru Jun 2006-07	Requested 2007-08	Recommend 2007-08
<b>*2007 LEMPG Deobligated Funds:</b>							
<b>Revenues:</b>							
458000	State Grant Income	0	0	0	0	25,759	25,759
<b>** Total Revenue</b>		<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>25,759</u>	<u>25,759</u>
<b>***Total Appropriation</b>					0	25,759	25,759
FUND BALANCE							
Beginning of Year					<u>0</u>	<u>0</u>	<u>0</u>
FUND BALANCE - Projected							
End of Year					<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>

Fund 1000  
Division: Public Safety  
Organization: 131101 - Emergency Preparedness

Object Code	Expenditure Classification	2005-06 Expend	2006-07 Expend (May)	2006-07 Budgeted (May)	<b>BUDGET</b>		
					2007-08 Requested	2007-08 Recommend	2007-08 Approved
<b>Personnel</b>							
<b>* Total Personnel</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Operating Expenses</b>							
<b>* Total Operating</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>** Total Personnel &amp; Operating</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Capital</b>							
540000	Small Tools and Minor Equipment				131	131	0
540010	Minor Software				2,547	2,547	0
	(10) Laptops w/Accessories				12,811	12,811	0
	(2) Projectors and Equipment				5,855	5,855	0
	(2) LCD TVs				4,415	4,415	0
<b>** Total Capital</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>25,759</b>	<b>25,759</b>	<b>0</b>
<b>*** Total Budget Appropriation</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>25,759</b>	<b>25,759</b>	<b>0</b>

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

#### **EXPLANATION OF DEOBLIGATED FUNDS**

This grant is being provided by the S.C. Emergency Management Division at the special request of Lexington County Emergency Preparedness Division. This funding became available after other sub-grantees (counties) deobligated a portion of their 2007 Local Emergency Management Performance Grant (LEMPG).

These funds are intended to and will be used to purchase equipment to support the Lexington County Emergency Operations Center. Equipment includes laptop computers, software, LCD TVs with wall mounts and projectors with ceiling mounts. This is a 50/50 match with the County portion coming from salaries for the Emergency Manager and Secretary. The Finance Department has confirmed that we have matching funds available to accept this award.

---

FUND 1000  
EMERGENCY PREPAREDNESS (131101)  
FY '07-'08 BUDGET REQUESTS

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Page 2

**EMERGENCY MANAGEMENT DIVISION**

SECTION IV. – SUMMARY OF REVENUES

458000 – State Grant Income	<u>\$25,759</u>
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SECTION V.C. – CAPITAL LINE ITEM NARRATIVES

**540000 - SMALL TOOLS AND MINOR EQUIPMENT** **\$131**

Two (2) Universal Flat Mounts for 32"-60" flat panel television screens will be used to mount the two 47" LCD televisions on the front wall of the Emergency Operations Center.

2 wall mounts @ \$61.11 each = \$122.22  
SC tax (7%) = \$8.56  
\$130.78

**540010 Minor Software** **\$2,547**

Ten (10) Microsoft Office Basic Software Licenses for ten new laptops will allow EOC personnel to access and operate in Microsoft Word, Microsoft Excel and Microsoft PowerPoint.

10 software licenses @ \$237.98 each = \$2,379.80  
SC tax (7%) = \$166.59  
\$2,546.39

**5A8 - (10) Laptops w/Accessories** **\$12,811**

Ten (10) Laptops to be used by personnel who make up Lexington County's Emergency Support Functions (ESFs) in support of County Emergency Operations during training, exercises and activation. ESF members come from many different disciplines and from both internal and external agencies.

10 laptop computers @ \$1,197.24 each = \$11,972.40  
SC tax (7%) = \$838.07  
\$12,810.47

---

FUND 1000  
EMERGENCY PREPAREDNESS (131101)  
FY '07-'08 BUDGET REQUESTS

---

**5A8 - (2) Projectors & Equipment** **\$5,855**

---

Two (2) Projectors & Equipment (ceiling bracket, lamp module) to be mounted near the front wall of the EOC. Projectors will display critical information during EOC activations, and will also be used to display computer/video materials during exercises and training.

2 projectors @ \$2,172.53 each =	\$4,345.06
SC tax (7%) =	<u>    \$304.15</u>
	\$4,649.21

2 ceiling brackets @ \$184.00 each =	\$368.00
SC tax (7%) =	<u>    \$25.76</u>
	\$393.76

2 lamps @ \$379.19 each =	\$758.38
SC tax (7%) =	<u>    \$53.09</u>
	\$811.47

**5A8 - (2) LCD TV (47")** **\$4,415**

---

Two (2) 47" LCD Televisions to be mounted on the front wall of the Emergency Operations Center. These television monitors will display critical information during EOC activations, and will also be used to display computer/video materials during exercises and training.

2 LCD televisions (47") @ \$2,063.00 each =	\$4,126.00
SC tax (7%) =	<u>    \$288.82</u>
	\$4,414.82

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

## Memorandum

To: Katherine Hubbard, County Administrator  
From: Jim Starling, Engineering Associate III  
Date: 5/14/2008  
Re: Town of Pelion Streetscape Request

---

The Town of Pelion is requesting \$50,000 through the "C"-Fund Program for the Pelion Streetscape Phase II project. The Streetscape Project has been approved by SCDOT through an Enhancement Grant where the Town is responsible for 20% of the project costs (\$50,000). The project includes new intersection signalization, landscaping, paving, etc.

These projects are generally funded through the "C"-Fund Special Projects account. The unclassified account (2700-121302-539900) currently has \$95,823 available and if the Town of Pelion request is approved there will be an ending balance of \$45,823 in the unclassified account.

Please present this to the Public Works Committee on May 27, 2008 for their review and then to full Council for approval.

# TOWN OF PELION

South Carolina 29123

P.O. Box 7 • Telephone/Fax 803-894-3535

May 8 2008

Mr. John Fechtel, Director  
Lexington County Public Works  
440 Ball Park Road  
Lexington, South Carolina 29072

Re: "C" funds for Phase II of the Pelion Streetscape.

Dear John:

In 2006 the Town of Pelion received a SCDOT Enhancement Grant in the amount of \$200,000 for improvements to the S.C. 302 / U. S. 178 Interchange to tie into the Phase I Walking Trail project you previously assisted on. This Phase II project includes new intersection signalization, landscaping, paving, etc. Lexington County was kind enough to provide the match for the Phase I project. Again, we are asking for your assistance in providing the Phase II match.

The Town of Pelion herewith requests funding for the following:

1. \$50,000.00 to be the 20% match for the towns Phase II streetscape project.

The town has taken bids on the project and hopes to begin construction in late June or early July.

The town appreciates all that you and your staff have done for us. Your assistance in the Phase I project was more than we could have expected. The town has always been pleased with the county response to our needs.

If I can provide additional information, please advise.

TOWN OF PELION



Charles Haggard, Mayor



## APPOINTMENTS - BOARDS & COMMISSIONS

May 27, 2008

### SMOKEY DAVIS

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

### BOBBY KEISLER

**Nancy K. Perry Children's Shelter** – Carol R. Metts – Term expires 6/30/08 – 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

**Nancy K. Perry Children's Shelter** – Christine Westbrook – Term expires 6/30/08 – 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

**CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS**

Bill Banning – 6/15/08 – Eligible for reappointment

Wilbur Jeffcoat – 6/15/08 – Eligible for reappointment

**MIDLANDS AUTHORITY FOR CONVENTIONS, SPORTS AND TOURISM**

Robert E. Livingston (at-large) – Term expires 6/30/08 – Eligible for reappointment

**MIDLANDS WORKFORCE DEVELOPMENT BOARD**

Thomas T. Mathis – Term expires 6/30/08 – Eligible for reappointment

Frank M. Price - Term expires 6/30/08 – Eligible for reappointment

Dan Gensamer - Term expires 6/30/08 – Eligible for reappointment

# COUNTY OF LEXINGTON

## Procurement Services

---

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** May 12, 2008

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

**THROUGH:** Reggie Murphy  
Procurement Manager

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

**SUBJECT: (1) Barrier with Accessories – Grant Funds**  
**Bid No. B08060-05/06/08S**  
**Public Safety/Homeland Security**

---

We received a purchase request for one (1) Barrier with Accessories for Public Safety/Homeland Security.

The bid was evaluated by Major George Brothers, Homeland Security Coordinator; and Angela M. Seymour, Procurement Officer. It is our recommendation to award this to MSI Construction for a total cost, including applicable sales tax, of \$26,366.94 (See attached bid tabulation).

Funds are appropriated in the following account:

2482-131101-5A8490	SHSP Buffer Zone Protection Plan
(1) Barrier with Accessories	\$26,366.94

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 May 27, 2008.

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

## County of Lexington

### Bid Tabulation

**BID: B08060-05/06/08S**

**(1) Barrier with Accessories**

		MSI Constructions		
Qty	U/M	Description	Unit Price	Total Price
1	Lt	Concrete Barrier	\$ 24,642.00	\$ 24,642.00
			Tax	\$ 1,724.94
		Total		\$ 26,366.94

Bids Opened: May 6, 2008

Angela M. Seymour  
Procurement Officer

# COUNTY OF LEXINGTON

## Procurement Services

---

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** May 15, 2008

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

**THROUGH:** Reggie Murphy  
Procurement Manager

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

**SUBJECT:** **(8) Night Vision Monoculars – Grant Funds**  
**B08061-05/08/08S**  
**Sheriff's Department**

---

We received a purchase request for eight (8) Night Vision Monoculars from the Sheriff's Department.

The bids were evaluated by James Gleaton, Sheriff's Department; and Angela M. Seymour, Procurement Officer. It is our recommendation to award this project to ANVS, Inc. as the lowest bidder. The total cost, including applicable sales tax, is \$19,046.00 (See attached bid tabulation).

Funds are appropriated in the following account:

2458-151200-5A8445	LE/COPS Methamphetamine Initiative
(8) Night Vision Monoculars	\$19,046.00

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on May 27, 2008.

copy: Larry Porth, Director of Finance/Assistant County Administrator  
Sheriff James Metts  
Chief Bruce Rucker, Assistant Sheriff / Director of Public Safety & Homeland Security  
Chief Keith Kirchner, Assistant Sheriff  
Colonel Allan Paavel, Sheriff's Department  
Sylvia Dillon, Sheriff's Department

## County of Lexington

### Bid Tabulation

**BID: B08061-05/08/08S**

**(8) Night Vision Monoculars**

		B & H Photo		Patrol Bike Systems, Inc.		Sellmark Corporation		Armor Holdings Forensics		
Qty	U/M	Description	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
8	ea	Night Vision Monoculars	\$ 2,899.00	\$ 23,192.00	\$ 2,795.00	\$ 22,360.00	\$ 2,850.00	\$ 22,800.00		No Bid
		Tax		\$ 1,623.44		\$ 1,565.20		\$ 1,596.00		No Bid
		Total		\$ 24,815.44		\$ 23,925.20		\$ 24,396.00		No Bid

		Globe Electric Co., Inc.		Dana Safety Supply dba Palmetto Distributors		Lawmen's & Shooters Supply		Lawmen's Safety Supply		
Qty	U/M	Description	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
8	ea	Night Vision Monoculars	\$ 2,268.00	\$ 18,144.00	\$ 2,990.00	\$ 23,920.00	\$ 2,359.50	\$ 18,876.00		No Bid
		Tax		\$ 1,270.08		\$ 1,674.40		\$ 1,321.32		No Bid
		Total		\$ 19,414.08		\$ 25,594.40		\$ 20,197.32		No Bid

		Night Options USA, Inc.		US Patriot, LLC.		American Technologies Network		Night Galaxy, Inc.		
Qty	U/M	Description	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
8	ea	Night Vision Monoculars	\$ 2,567.40	\$ 20,539.20	\$ 2,550.00	\$ 20,400.00	\$ 3,185.00	\$ 25,480.00	\$ 2,444.00	\$ 19,552.00
		Tax		\$ 1,437.74		\$ 1,428.00		\$ 1,783.60		\$ 1,368.64
		Total		\$ 21,976.94		\$ 21,828.00		\$ 27,263.60		\$ 20,920.64

		ATD American, Co.		Morovision Night Vision, Inc.		ANVS, Inc		Chemical Environmental Consulting		
Qty	U/M	Description	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
8	ea	Night Vision Monoculars	\$ 2,904.44	\$ 23,235.52	\$ 2,934.00	\$ 23,472.00	\$ 2,225.00	\$ 17,800.00	\$ 2,780.00	\$ 22,240.00
		Tax		\$ 1,626.49		\$ 1,643.04		\$ 1,246.00		\$ 1,556.80
		Total		\$ 24,862.01		\$ 25,115.04		\$ 19,046.00		\$ 23,796.80

\*\*Lawmen's Safety Supplies "No Bid" this item because the specifications are too restrictive.\*\*

\*\*Armor Holdings Forensics, LLC "No Bid" this item because it is not their product.\*\*

Bids Opened: May 8, 2008

Angela M. Seymour  
Procurement Officer

# COUNTY OF LEXINGTON

## Procurement Services

---

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** May 15, 2008

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

**THROUGH:** Reggie Murphy  
Procurement Manager

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

**SUBJECT:** (1) Dental Suction Instrument and Accessories (Grant Funds)  
Sheriff's Department

---

We received a purchase request for one (1) Dental Suction Instrument and Accessories from the Sheriff's Department.

The bids were evaluated by Sylvia Dillon, Sheriff's Department; and Angela M. Seymour, Procurement Officer. It is our recommendation to award this project to Atlanta Dental Supply as the lowest bidder. The total cost, including applicable sales tax, is \$6,415.72 (See attached bid tabulation).

Funds are appropriated in the following account:

2632-151300-5A8611	LE/Inmate Services
(1) Dental Suction Instrument and Accessories	\$6,415.72

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 May 27, 2008.

copy: Larry Porth, Director of Finance/Assistant County Administrator  
Sheriff James Metts  
Chief Bruce Rucker, Assistant Sheriff / Director of Public Safety & Homeland Security  
Chief Keith Kirchner, Assistant Sheriff  
Colonel Allan Paavel, Sheriff's Department  
Sylvia Dillon, Sheriff's Department

# County of Lexington

## BID TABULATION SHEET FOR LCSD REQUISITION NUMBER 08-722

VENDOR	QTY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION	SHIPPING	TAX	TOTAL COST
ATLANTA DENTAL SUPPLY	1	EACH	ADEC PAC 1 3420 SELF CONTAINED UNIT DELIVERY SYSTEM	\$ 5,996.00	\$ 5,996.00	\$ -	\$ 419.72	\$ 6,415.72
PATTERSON DENTAL SUPPLY	1	EACH	ADEC PAC 1 3420 SELF CONTAINED UNIT DELIVERY SYSTEM	\$ 6,250.00	\$ 6,250.00	\$ -	\$ 437.50	\$ 6,687.50
ADEC	1	EACH	ADEC PAC 1 3420 SELF CONTAINED UNIT DELIVERY SYSTEM	\$ 7,890.00	\$ 7,890.00	\$ -	\$ 552.30	\$ 8,442.30

Request Received: 5/14/08

Sylvia Dillon  
Business Manager - Sheriff's Department

# COUNTY OF LEXINGTON

## Procurement Services

---

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** May 15, 2008

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

**THROUGH:** Reggie Murphy  
Procurement Manager

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

**SUBJECT:** (1) Radio Frequency GPS Tracking Device – Grant Funds  
Sheriff's Department

---

We received a purchase request for one (1) Radio Frequency GPS Tracking Device from the Sheriff's Department.

The bids were evaluated by James Gleaton, Sheriff's Department; and Angela M. Seymour, Procurement Officer. It is our recommendation to award this project to Gans & Pugh Associates as the lowest bidder. The total cost, including applicable sales tax, is \$14,102.60 (See attached bid tabulation).

Funds are appropriated in the following account:

2458-151200-5A8447	LE/COPS Methamphetamine Initiative
(1) Radio Frequency GPS Tracking Device	\$14,102.60

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 May 27, 2008.

copy: Larry Porth, Director of Finance/Assistant County Administrator  
Sheriff James Metts  
Chief Bruce Rucker, Assistant Sheriff / Director of Public Safety & Homeland Security  
Chief Keith Kirchner, Assistant Sheriff  
Colonel Allan Paavel, Sheriff's Department  
Sylvia Dillon, Sheriff's Department

## County of Lexington

### Bid Tabulation

#### Radio Frequency GPS Tracking Device

Qty	Description	Crutchfield		Palmetto Distributors		Advanced Covert Technology		Gans & Pugh Associates	
		Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Radio Frequency GPS Tracking Device		No Bid		No Bid		No Bid	\$ 13,180.00	\$ 13,180.00
	Tax		No Bid		No Bid		No Bid		\$ 922.60
	Total		No Bid		No Bid		No Bid		\$ 14,102.60

\*\*Advance Covert Technology "No Bid" this item because specifications are too restrictive.\*\*

\*\*Palmetto Distributors "No Bid" this item due to the circumstance that they do not handle that item.\*\*

\*\*Crutchfield did not specify reason that they "No Bid" this item but did specify that they would like to be removed from our Vendor List."

Quotes Received: May 13, 2008

Angela M. Seymour  
Procurement Officer

# COUNTY OF LEXINGTON

## Procurement Services

---

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** April 29, 2008

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

**THROUGH:** Reggie Murphy  
Procurement Manager

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

**SUBJECT:** **(3) In-Car Video Cameras with Accessories (Grant Funds)**  
**B08046-02/28/08S**  
**Sheriff's Department**

---

We received a purchase request for three (3) In-Car Video Cameras with Accessories from the Sheriff's Department.

The bids were evaluated by Lt. James Crawford, Sheriff's Department; and Angela M. Seymour, Procurement Officer. It is our recommendation to award this project to Security Technology Systems as the lowest bidder. The total cost, including applicable sales tax, is \$14,124.00 (See attached bid tabulation).

Funds are appropriated in the following account:

2455-151200-5A8432	LE/Highway Safety DUI Enforcement
(3) In-Car Video Cameras with Accessories	\$14,124.00

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on May 27, 2008.

copy: Larry Porth, Director of Finance/Assistant County Administrator  
Sheriff James Metts  
Chief Bruce Rucker, Assistant Sheriff / Director of Public Safety & Homeland Security  
Chief Keith Kirchner, Assistant Sheriff  
Colonel Allan Paavel, Sheriff's Department  
Sylvia Dillon, Sheriff's Department

## County of Lexington

### Bid Tabulation

**BID: B08046-02/28/08S**

**(3) In-Car Video Cameras with Accessories**

		Kustom Signals, Inc.		Applied Concepts		Lawmen's Safety Supply	
Qty	Description	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
3	Digital in Car Video System		No Bid		No Bid		No Bid
	Tax		No Bid		No Bid		No Bid
	Total		No Bid		No Bid		No Bid

		MPH Industries, Inc.		Security Technology Systems		L-3 Communications	
Qty	Description	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
3	Digital in Car Video System		No Bid	\$ 4,400.00	\$ 13,200.00	\$ 4,995.00	\$ 14,985.00
	Tax		No Bid		\$ 924.00		\$ 1,048.95
	Total		No Bid		\$ 14,124.00		\$ 16,033.95

\*\*Kustom Signals, Inc. "No Bid" these items because the bid specifications are too restrictive to a specific brand\*\*

\*\*Lawmen's Safety Supply, Inc. "No Bid" these items because they do not offer these products.\*\*

\*\*Applied Concepts "No Bid" these items because they do not offer these products.\*\*

\*\*MPH Industries, Inc. "No Bid" these items because they are unable to meet specifications.\*\*

Bids Opened: February 28, 2008

Angela M. Seymour  
Procurement Officer

# COUNTY OF LEXINGTON

## Procurement Services

---

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** May 1, 2008

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

**THROUGH:** Reggie Murphy  
Procurement Manager

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

**SUBJECT: Stationary Recycle Receptacles – Grant Funds**  
**Bid No. B08053-04/10/08S**  
**Solid Waste Management**

---

We received a purchase request for eighty-eight (88) Stationary Recycle Receptacles for Solid Waste Management. Bidders were allowed to submit bids on one or a multiple of items, depending on the products that they are able to provide.

The bids were evaluated by Mary Pat Baldauf, Recycling Coordinator; and Angela M. Seymour, Procurement Officer. It is our recommendation to award this to Preeminance as the lowest bidder for a total cost, including applicable sales tax, of \$12,195.43 (See attached bid tabulation).

Funds are appropriated in the following account:

5720-121207-5A8349	SW/DHEC Management Grant
(88) Stationary Recycle Receptacles	\$12,195.43

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 May 27, 2008.

copy: Larry Porth, Director of Finance/Assistant County Administrator  
Dave Eger, Director of Solid Waste Management

# County of Lexington

B08053

AMS

4/10/08

## Bid Tabulation

**BID: B08053-04/10/08S**

**Stationary Recycle Receptacles**

Qty	U/M	Description	Busch Systems Intl. Co		Genesis II, Inc		Versa-Tron Sales	
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
15	ea	Small Body, 22.5 gallon		No Bid	\$119.79	\$1,796.85	\$75.04	\$1,125.60
15	ea	Medium Body, 28.5 gallon - Can Decal		No Bid	\$127.95	\$1,919.25	\$186.96	\$2,804.40
15	ea	Medium Body, 28.5 gallon - Plastic Decals		No Bid	\$127.95	\$1,919.25	\$186.96	\$2,804.40
43	ea	Large Body, 34.5 gallon		No Bid	\$139.73	\$6,008.39	\$198.72	\$8,544.96
		Subtotal		No Bid		\$11,643.74		\$15,279.36
		Tax		No Bid		\$815.06		\$1,069.56
		Total		No Bid		\$12,458.80		\$16,348.92

Qty	U/M	Description	J & L Moving Supplies		Sam Tell and Son		Southern Waste Equipment Company	
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
15	ea	Small Body, 22.5 gallon	\$ 132.46	\$ 1,986.90	\$159.89	\$2,398.35	\$140.03	\$2,100.45
15	ea	Medium Body, 28.5 gallon - Can Decal	\$ 140.66	\$ 2,109.90	\$168.68	\$2,530.20	\$149.56	\$2,243.40
15	ea	Medium Body, 28.5 gallon - Plastic Decals	\$ 140.66	\$ 2,109.90	\$168.68	\$2,530.20	\$149.56	\$2,243.40
43	ea	Large Body, 34.5 gallon	\$ 148.74	\$ 6,395.82	\$177.30	\$7,623.90	\$158.97	\$6,835.71
		Subtotal		\$ 12,602.52		\$15,082.65		\$13,422.96
		Tax		\$ 882.18		\$1,055.79		\$939.61
		Total		\$ 13,484.70		\$16,138.44		\$14,362.57

Qty	U/M	Description	Recy-Cal Supply		Preeminence		Interstate Supply Company	
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
15	ea	Small Body, 22.5 gallon	\$ 141.50	\$ 2,122.50	\$119.95	\$1,799.25	\$142.00	\$2,130.00
15	ea	Medium Body, 28.5 gallon - Can Decal	\$ 151.20	\$ 2,268.00	\$127.95	\$1,919.25	\$151.00	\$2,265.00
15	ea	Medium Body, 28.5 gallon - Plastic Decals	\$ 151.20	\$ 2,268.00	\$127.95	\$1,919.25	\$151.00	\$2,265.00
43	ea	Large Body, 34.5 gallon	\$ 160.70	\$ 6,910.10	\$133.95	\$5,759.85	\$160.00	\$6,880.00
		Subtotal		\$ 13,568.60		\$11,397.60		\$13,540.00
		Tax		\$ 949.80		\$797.83		\$947.80
		Total		\$ 14,518.40		\$12,195.43		\$14,487.80

Qty	U/M	Description	ACE Office Supply	
			Unit Price	Total Price
15	ea	Small Body, 22.5 gallon	\$ 124.95	\$ 1,874.25
15	ea	Medium Body, 28.5 gallon - Can Decal	\$ 134.95	\$ 2,024.25
15	ea	Medium Body, 28.5 gallon - Plastic Decals	\$ 134.95	\$ 2,024.25
43	ea	Large Body, 34.5 gallon	\$ 139.95	\$ 6,017.85
		Subtotal		\$ 11,940.60
		Tax		\$ 835.84
		Total		\$ 12,776.44

Bids Opened: April 10, 2008

Angela M. Seymour  
Procurement Officer

# COUNTY OF LEXINGTON

## Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** May 15, 2008

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

**THROUGH:** Reggie Murphy  
Procurement Manager

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

**SUBJECT:** (71) 800 MHz Radios Rebanding  
Various Departments

We received a purchase requisition for seventy-one (71) MHz Radios Rebanding for various departments. These upgrades will be purchased directly from the manufacturer (Motorola) through South Carolina State Contract #OIR2002.07. The total cost of these upgrades including applicable tax is \$52,631.16.

Funds are appropriated in the following accounts:

1000-111300-5A8052	800 MHz Radios (Rebanding)	\$3,648.70
1000-131200-5A8106	(7) 800 MHz Radios (Rebanding)	\$2,189.22
1000-131400-5A8126	(27) 800 MHz Radios (Rebanding)	\$19,191.52
1000-121100-5A8066	(5) 800 MHz Radios (Rebanding)	\$2,189.22
1000-131500-5A8139	800 MHz Radios (Rebanding)	\$5,043.98
1000-121300-5A8077	(51) 800 MHz Radios (Rebanding)	\$20,368.52

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 May 27, 2008.

copy: Joe Mergo, Deputy County Administrator  
Larry Porth, Director of Finance/Assistant County Administrator  
John Fechtel, Director of Public Works/Assistant County Administrator  
Chief Bruce Rucker, Assistant Sheriff / Director of Public Safety & Homeland Security  
Russell Rawl, Fire Service Coordinator  
Randy Quattlebaum, Building Services Manager  
Chief Brian Hood, EMS Coordinator  
Chris Folsom, Animal Services Coordinator



**ORDINANCE 08-10**  
**AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR**  
**FISCAL YEAR 2008-09**

**WHEREAS**, South Carolina Code § 4-9-120 and § 4-9-130 require that County Council shall adopt an annual budget; and

**WHEREAS**, the annual budget shall be based upon estimated revenues and shall provide appropriations for County operations and debt service for all County departments and agencies.

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

**SECTION 1 - GENERAL**

The fiscal year 2008-09 County budget for Lexington County, South Carolina, a copy of which is attached hereto and incorporated herein by way of reference, is hereby adopted.

**SECTION 2 – COUNTY-WIDE TAX LEVY**

There shall be levied, for County operations and for County designated millage agencies (Midlands Technical College and Riverbanks Park) on all taxable property in Lexington County, sufficient taxes to fund the referenced budget in the number of mills allowed in Code Section 6-1-320. (Specifically, the cumulative total County-wide millage amounts are increased from the previous fiscal year by the amount of the increase in the consumer price index for the preceding calendar year, plus the percentage increase in the previous year in the population of Lexington County.)

**SECTION 3 - DEBT SERVICE TAX LEVY**

The County Auditor is hereby authorized and directed to levy millages for all county and special district debt service funds in amounts sufficient to retire their respective debts.

## **SECTION 4 – SPECIAL PURPOSE DISTRICT TAX LEVY**

There shall be levied, for the special purpose districts (Lexington County Recreation and Aging Commission, Irmo-Chapin Recreation Commission, and Irmo Fire District) on all taxable property in their respective districts, sufficient taxes to fund their respective budgets in the number of mills, allowed in Code Section 6-1-320. (Specifically, all agency millage amounts are increased from the previous fiscal year by the amount of the percentage increase in the consumer price index for the preceding calendar year, plus the percentage increase in the previous year in the population of Lexington County.)

## **SECTION 5 - BUDGETARY ESTIMATES**

Anticipated revenues are stated as estimates and the respective appropriations are maximum and conditional. Should actual funding sources for any such fund be less than projected, the Administrator shall reduce budgeted expenditures attributable to said fund.

## **SECTION 6 - BUDGETARY CONTROL**

Departments and/or other organizational units are bound to the appropriated expenditures incorporated herein. Upon the written request of the department head, the County Administrator, or his designated representative, is hereby authorized to effect transfers between line items.

Any departments which overspend their spending levels for two consecutive months shall have sufficient personnel in their department removed from the County payroll to fully compensate, prior to June 30, 2009, the impending overrun.

## **SECTION 7 - LINE ITEM CARRYOVERS**

Any line items previously appropriated and/or properly encumbered as of June 30, 2008, shall be carried forward as an appropriation of fiscal year 2008-09 upon the recommendation of the County Administrator, and by passage of a budgetary amendment resolution by County Council.

## **SECTION 8 - NEW GRANTS**

Grant funds applied for or received after the budget year, and therefore not stated in this budget ordinance, shall, by passage of a budgetary amendment resolution by County Council authorizing the acceptance of the grant and its appropriations, be accounted for in appropriate special revenues funds. The specific grant provisions shall direct the manner of expenditure of these funds.

## **SECTION 9 - OTHER MISCELLANEOUS RECEIPTS**

Revenues other than those originally budgeted may be expended as directed by their respective revenue source after they are accepted and appropriated by the County Council by passage of the budgetary amendment resolution. Such funds include, but are not limited to, contributions, donations, special events, insurance and similar recoveries. These funds may be appropriated for any costs or overruns or new projects upon approval of County Council.

**SECTION 10 - LINE OF CREDIT AUTHORIZATION**

From time to time it may be necessary for the administration of the County (or any other agency for which the county levies taxes) to borrow in anticipation of tax revenues to guarantee continuity in regular operations. To provide for such contingencies, the administration of the county (or the respective agencies) is hereby authorized to borrow in anticipation of ad valorem tax collections. Such authorization may only be exercised upon certification of need by both the County Treasurer and the Finance Director (or the CEO of the agency and the Chief Financial Officer) and any amount borrowed must be obtained at the lowest possible interest rate and repaid as quickly as practical.

**SECTION 11 - SEVERABILITY**

If for any reason any provision of this Ordinance shall be declared invalid or unconstitutional, such shall not affect the remaining provisions of this Ordinance.

This Ordinance shall become effective July 1, 2008.

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

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

ATTEST:

\_\_\_\_\_  
Diana W. Burnett, Clerk

First Reading:  
Second Reading:  
Public Hearing:  
Third & Final Reading:  
Filed w/Clerk of Court:

**COUNTY OF LEXINGTON, SOUTH CAROLINA**

**ORDINANCE NO. 08-11**

**AN ORDINANCE APPROVING THE SALE OF 24.90 ACRES FROM THE  
COUNTY OF LEXINGTON TO U.S. FOOD SERVICES, INC.**

WHEREAS, the County of Lexington owns a tract of land consisting of 24.90 acres, more or less, as is more fully set out in the contract attached hereto as Exhibit "A"; and

WHEREAS, the 24.90 acres is a portion of property purchased by the County for the purposes of economic development; and

WHEREAS, the County does not have a present need for the subject property, and the sale of the subject property to U. S. Foods will serve a public purpose by promoting economic development;

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

1. The transfer of property consisting of 24.90 acres from the County of Lexington to U. S. Foods Services, Inc. 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 24.90 acres as set forth in the contract attached hereto. 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:

\_\_\_\_\_  
Diana Burnette, Clerk

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

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

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

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

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