

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings
Tuesday, February 26, 2008
Second Floor - County Administration Building
212 South Lake Drive, Lexington, SC 29072
Telephone - 803-785-8103 -- FAX 803-785-8101

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

1:15 p.m. - 2:00 p.m. - Economic Development

- (1) Golden State Foods - Approval of Contract - Jeff Anderson, County Attorney**A**
- (2) Old Business/New Business
- (3) Adjournment

2:00 p.m. - 2:50 p.m. - Planning & Administration

- (1) Building Code Ordinance Updates (Goal 2) - Community Development - Mike Moore, Building Official**B**
- (2) Intergovernmental Agreement (IGA) and Software License - WebTrax (Goal 3) - Information Services - Jim Schafer, Information Services Manager.....**C**
- (3) Landscape Ordinance Amendments (Goal 2) - Planning & GIS - Charlie Compton, Director**D**
- (4) Zoning Map Amendment M07-09 - 3512 Bush River Road, Columbia - 2nd Reading**E**
- (5) Zoning Map Amendment M07-10 - (Road Classification Change) Approximately 480 feet of Linwood Drive, Lexington Beginning at Current RL4 Boundary to Common Property Line of TMS 004200-03-042 and 004200-03-041 - 2nd Reading**F**
- (6) Old Business/New Business
- (7) Adjournment

2:50 p.m. - 2:55 p.m. - Justice

- (1) Approval of Minutes - Meeting of January 08, 2008**G**
- (2) Old Business/New Business
- (3) Adjournment

2:55 p.m. - 3:00 p.m. - Health & Human Services

- (1) Approval of Minutes - Meeting of January 08, 2008**H**
- (2) Old Business/New Business
- (3) Adjournment

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

- (1) Lexington Countywide Stormwater Consortium (LCSC) Appointee (Goal 2) - Public Works - Synithia Williams, Environmental Coordinator **I**
- (2) Town of Irmo Request - Maintenance of Roads - Public Works - John Fechtel, Director.....**J**
- (3) Water Quality Buffers and Stormwater Credits (Goal 2) - Public Works - Sheri Armstrong, Stormwater Manager and Synithia Williams, Environmental Coordinator..... **K**
 - (A) Earl McLeod, Executive Director, Home Builders Association of Greater Columbia
 - (B) Bill Marshall, Chair, Lower Saluda River Advisory Council
 - (C) Dwight Davis, Chairman, Lexington Soil and Water Conservation District
- (4) Approval of Minutes - Meeting of January 08, 2008 **L**
- (5) Old Business/New Business - Policy for skip paving, Road Improvement List and Traffic Congestion
- (6) Adjournment

4:00 p.m. - 4:10 p.m. - Solid Waste

- (1) DHEC Used Oil Grant Award (Additional Funding) (Goals 1,2,3) - Solid Waste Management - Dave Eger, Director **M**
- (2) DHEC Management Grant Application (Goals 1,2,3) - Solid Waste Management - Dave Eger, Director **N**
- (3) DHEC Used Oil Grant Application (Goals 1,2,3) - Solid Waste Management - Dave Eger, Director **O**
- (4) DHEC Waste Tire Grant Application (Goals 1,2,3) - Solid Waste Management - Dave Eger, Director **P**
- (5) Old Business/New Business - Solid Waste Funding
- (6) Adjournment

4:10 p.m. - 4:15 p.m. - Committee of the Whole

- (1) Approval of Minutes - Meeting of January 08, 2008 **Q**
- (2) Old Business/New Business
- (3) Adjournment

Economic Development

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

Justice

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

Public Works

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

Committee of the Whole

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

Planning & Administration

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

Health & Human Services

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

Solid Waste

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

A G E N D A
LEXINGTON COUNTY COUNCIL
Tuesday, February 26, 2008
Second Floor - Dorothy K. Black Council Chambers - County Administration Building
212 South Lake Drive, Lexington, South Carolina 29072
Telephone - 803-785-8103 FAX - 803-785-8101

4:30 P.M. - COUNCIL CHAMBERS

Call to Order/Invocation
Pledge of Allegiance

Chairman's Report

Administrator's Report

Employee Recognition - Katherine Hubbard, County Administrator

Appointments R

Bids/Purchases/RFPs

- (1) HVAC - Mechanical Renovations to the Lexington County Administration Building -
Building Services **S**
- (2) Term Contract for the Elevator Service and Repairs at Seven (7) County Locations -
Building Services **T**
- (3) One 4-WD Utility Vehicle (Replacement) - Fleet Services/Motor Pool **U**
- (4) Two (2) GIS Cartographer Computers and Three (3) Personal Computers and Monitors for
Various Departments - Information Services **V**
- (5) Medical Supplies - Public Safety/EMS **W**
- (6) Nineteen (19) Personal Protection Kits - Public Safety/EMS **X**
- (7) Scopes and Accessories - Public Safety/EMS **Y**
- (8) Eleven (11) Bay Heaters - Public Safety/Fire Service **Z**
- (9) One (1) 800 MHZ Radio with Accessories - Sheriff's Department **1**

Zoning Amendment

- (1) Zoning Map Amendment M08-01 - Riverchase Way (41.81 acres) - Announcement of 1st Reading.....**2**

Ordinances

- (1) Ordinance 08-01 - An Ordinance Amending the Lexington County Building Code Ordinance (Goal 2) - 2nd Reading.....**3**
- (2) Ordinance 08-04 - An Ordinance to Transfer 3.42 acres to Do-it-Best - 1st Reading.....**4**

Committee Reports

Economic Development, S. Davis, Chairman

- (1) Golden State Foods - Approval of Contract - **Tab A**

Planning & Administration, J. Jeffcoat, Chairman

- (1) Intergovernmental Agreement (IGA) and Software License - WebTrax (Goal 3) - **Tab C**
- (2) Zoning Map Amendment M07-09 - 3512 Bush River Road, Columbia - 2nd Reading - **Tab E**
- (3) Zoning Map Amendment M07-10 - (Road Classification Change) Approximately 480 feet of Linwood Drive, Lexington Beginning at Current RL4 Boundary to Common Property Line of TMS 004200-03-042 and 004200-03-041 - 2nd Reading - **Tab F**

Public Works, D. Summers, Chairman

- (1) Lexington Countywide Stormwater Consortium (LCSC) Appointee (Goal 2) -**Tab I**
- (2) Town of Irmo Request - Maintenance of Roads - **Tab J**
- (3) Existing Non-paved Dirt Roads Section 4.3.3, Revision**5**
- (4) Small Residential Land Disturbance Permit**6**

Solid Waste, J. Kinard, Chairman

- (1) DHEC Used Oil Grant Award (Additional Funding) (Goals 1,2,3) - **Tab M**
- (2) DHEC Management Grant Application (Goals 1,2,3) - **Tab N**
- (3) DHEC Used Oil Grant Application (Goals 1,2,3) - **Tab O**
- (4) DHEC Waste Tire Grant Application (Goals 1,2,3) - **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.**

Document not available at this time.



County of Lexington

Community Development Department
212 South Lake Drive
Lexington, SC 29072
Phone: (803) 785-8121
Fax: (803) 785-8188

MEMORANDUM

TO: Planning and Administration Committee
Lexington County Council

THROUGH: Katherine Hubbard, County Administrator

FROM: Ronald T. Scott, Community Development Director

DATE: February 15, 2008

RE: Building Code Ordinance Updates

Over the past few months, staff have worked on revisions to the Lexington County Building Code Ordinance. As a result, the entire ordinance has been reorganized and various sections have been rewritten. The updates to the Building Code Ordinance are primarily minor administrative and procedural changes. Various sections were also changed to more closely match the wording of the International Building Code and to incorporate references to newly passed state laws.

Among the changes to be noted are:

Article 1

Section 1.4 Adopts state mandated codes without denoting specific editions of the specific code. Adoptions of specific editions were previously an action of local government. Under current state law, the South Carolina Department of Labor, Licensing and Regulation (LLR) set the adoption and implementation date for each specific code.

Other changes in this section were made to more closely match the wording of the International Building Code.

Article 2

This section contains text changes to more closely match the wording of the International Building Codes.

Article 3

Section 3.1 The section lists the division name as the "Division of Building Inspections and Safety." The previous ordinance used the term "Office of Building Inspections."

Other changes in this section were made to more closely match the wording of the International Building Code.

Article 4

Section 4.10 – Modifications to this section are largely verbatim from Chapter One of the International Building Code and establish what has long been assumed to be powers and functions of the Building Official.

Other changes in this section were made to more closely match the wording of the International Building Code.

Article 5

Section 5.3.2 The language in this section establishes that permit applications not actively pursued shall be deemed abandoned after 180 days.

Section 5.5 Changes to this section stipulate that a construction project can be inactive for 90 days. Previous language allowed for a 360 day period of inactivity.

Other changes in this section were made to more closely match the wording of the International Building Code.

Article 6

Section 6.2.4 This section establishes the bases for addressing projects generally referenced to as “fast track” or “design build.”

Other changes in this section were made to more closely match the wording of the International Building Code.

Article 7

This is a new article that addresses temporary structures previously addressed in the body of the building codes, but now viewed to be better suited in the administrative section of the ordinance. Wording of text matches text found in Chapter One of the International Building Code.

Other changes in this section were made to more closely match the wording of the International Building Code.

Article 8

No substantial changes were made from the current ordinance.

Article 9

This section contains text changes to more closely match the wording of the International Building Codes.

Article 10

This section contains text changes to more closely match the wording of the International Building Codes.

Article 11

This section contains text changes to more closely match the wording of the International Building Codes.

Article 12

No substantial changes were made from the current ordinance.

Article 13

This section removes maximum dollar amount for violations and more clearly defines violations as a misdemeanor under current statute. Wording is very similar to other county ordinances (i.e. Lexington County Zoning Ordinance).

Other changes in this section were made to more closely match the wording of the International Building Code.

Article 14

No substantial changes were made from the current ordinance.

Article 15

Changes to this section streamline the process for addressing unsafe buildings. New language identifies vacant unsecured structures as unsafe, without requiring staff to “build” cases strictly based on issues of structural integrity and safety. The new language also clearly denotes failure to comply as a misdemeanor.

Other changes in this section were made to more closely match the wording of the International Building Code.

Article 16

This section contains text changes to more closely match the wording of the International Electrical Code.

Article 17

This section contains text changes to more closely match the wording of the International Plumbing Code.

Article 18

This section contains text changes to more closely match the wording of the International Fuel Gas Code.

Article 19

Section 19.4 Changes to this section incorporates the remainder of Chapter One of the International Fire Code into the Building Code Ordinance. This addition was requested by both Lexington County Public Safety and the Irmo Fire District.

Other changes in this section were made to more closely match the wording of the International Fire Code.

Article 20

Section 20.3 Changes to this section establish requirements for “older” manufactured homes similar to those established by the South Carolina Department of Labor, Licensing and Regulation. This is necessary to clarify compliance with current state law.

Section 20.6 The definition of “derelict mobile homes” established by state law is incorporated into the Building Code Ordinance and subsequently denoted as a violation. Changes to this section also allow additional avenues for enforcement and/or resolution of situations involving derelict mobile homes.

Section 20.7 This section provides clarification that Article 20 does not apply to sales lots which are regulated by the State of South Carolina.

Building Code Ordinance

County of Lexington



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ARTICLE 1

Administration

Section 1.1 Title. These regulations shall be known as the Building Code Ordinance of Lexington County, hereinafter referred to as “this ordinance.”

Section 1.2 Scope. The provisions of the International Building Codes shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code.

1.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

Section 1.3 Intent. The purpose of this ordinance is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

Section 1.4 Referenced Codes. The other codes listed in Sections 1.4.1 through 1.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this ordinance to the prescribed extent of each such reference.

1.4.1 Electrical. The provisions of the *National Electrical Code* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

1.4.2 Gas. The provisions of the *International Fuel Gas Code* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the

inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

1.4.3 Mechanical. The provisions of the *International Mechanical Code* shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

1.4.4 Plumbing. The provisions of the *International Plumbing Code* shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

1.4.5 Fire Prevention. The provisions of the *International Fire Code* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

1.4.6 Energy Conservation. The provisions of the *International Energy Code* shall regulate the design of building envelopes for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, service water-heating, and illumination systems and equipment which will enable effective use of energy in new building construction. It is intended that these provisions provide flexibility to permit the use of innovative approaches and techniques to achieve effective utilization of energy.

ARTICLE 2

Applicability

Section 2.1 General. Where, in any specific case, different sections of the codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Section 2.2 Other Laws. The provisions of the ordinance shall not be deemed to nullify any provision of local, state or federal law.

Section 2.3 Application of References. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this ordinance.

Section 2.4 Referenced Codes and Standards. The codes and standards referenced shall be considered part of the requirements of this ordinance to the prescribed extent of each such reference.

Section 2.5 Partial Invalidity. In the event that any part of provision of this ordinance is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

Section 2.6 Existing Structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this ordinance.

ARTICLE 3

Division of Building Inspections and Safety

Section 3.1 Creation of Enforcement Agency. The Division of Building Inspections and Safety is hereby created and the official in charge thereof shall be known as the Building Official.

Section 3.2 Deputies. In accordance with prescribed procedures, the Building Official shall have the authority to appoint a Deputy Building Official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the Building Official.

ARTICLE 4

Duties and Powers of Building Official

Section 4.1 General. The Building Official is hereby authorized and directed to enforce the provisions of this ordinance. The Building Official shall have the authority to render interpretations of the code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this ordinance. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this ordinance.

Section 4.2 Applications and Permits. The Building Official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this ordinance.

Section 4.3 Notices and Orders. The Building Official shall issue all necessary notices or orders to ensure compliance with this ordinance.

Section 4.4 Inspections. The Building Official shall make all of the required inspections, or the Building Official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to engage such expert opinion as deemed necessary to report upon the unusual technical issues that arise.

Section 4.5 Identification. The Building Official or his designee shall carry proper identification when inspecting structures or premises in the performance of duties under this ordinance.

Section 4.6 Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this ordinance, or where the Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this ordinance which makes the structure or premises unsafe, dangerous or hazardous, the Building Official is authorized to enter the structure or premises at a reasonable time to inspect or to perform the duties imposed by this ordinance, provided that if such structure or premises be occupied that

credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and have request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

Section 4.7 Division of Records. The Building Official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

Section 4.8 Liability. The Building Official, member of the Board of Appeals or employee charged with the enforcement of this ordinance, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this ordinance or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability of any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this ordinance shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Building Official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this ordinance.

Section 4.9 Approved Materials and Equipment. Materials, equipment and devices approved by the Building Official shall be constructed and installed in accordance with such approval.

4.9.1 Used Materials and Equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the Building Official.

Section 4.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the Building Official shall have the authority to grant modifications for individual cases upon application of the permit holder or permit holders, provided the Building Official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health,

accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Division of Building Inspections and Safety.

Section 4.11 Alternative Materials, Design and Methods of Construction and Equipment. The provisions of this ordinance are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability, and safety.

4.11.1 Research Reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this ordinance, shall consist of valid research reports from approved sources.

ARTICLE 5

Permits

Section 5.1 Required. Any owner, contractor, or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

Section 5.2 Work Exempt from Permit. Exemptions from permit requirements of this ordinance shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 500 square feet.
2. Fences.
3. Retaining walls, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.
4. Water tanks supported directly on grade.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
7. Temporary motion picture, television and theater stage sets and scenery.
8. Swimming pools accessory to a Group R-3 occupancy.
9. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
10. Swings and other playground equipment.
11. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
12. Nonfixed and moveable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches (1753 mm) in height.

5.5.1 Repairs. Application or notice to the Building Official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any load bearing wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

5.5.2 Public Service Agents. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

Section 5.3 Application for Permit. To obtain a permit, the applicant shall first file an application in writing on a form furnished by the Division of Building Inspections and Safety for that purpose. Such application shall include:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 1.6.
5. State the valuation of the proposed work, if applicable.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the Building Official.

5.3.1 Action on Application. The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application in writing, stating the reasons therefore. If the Building Official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the Building Official shall issue a permit therefore as soon as practicable.

5.3.2 Time Limitation of Application. An application for a permit for proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 5.4 Validity of Permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this ordinance or of any other ordinance. Permits presuming to give authority to violate or cancel the provisions of this ordinance or other ordinances shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is also authorized to prevent occupancy or use of a structure where in violation of this ordinance or of any other ordinance.

Section 5.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 90 days after the time the work is commenced. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 5.6 Suspension or Revocation. The Building Official is authorized to suspend or revoke a permit issued under the provisions of this ordinance wherever the permit is issued on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

Section 5.7 Placement of Permit. Work requiring a building permit shall not be commenced until the permit holder or his agent shall have the building permit card in a conspicuous place on the front of the premises. The permit shall be protected from the weather and in such position as to allow inspection by various County officials. This permit card shall be maintained in such position by the permit holder until the Certificate of Occupancy is issued by the Building Official.

Section 5.8 Flood Plain Areas. Any person, owner or authorized agent who intends to construct any building or structure, for which a building permit is required,

in a flood hazard areas shall first provide documented approval for such construction as issued by the Flood Plain Manager for the Department of Public Works.

Section 5.9 Zoning Permits are Required. Any person, owner, or authorized agent who intends to construct or alter any building or structure for which a building permit is required shall first provide a valid zoning permit from the Zoning Administrator of the jurisdiction where the construction or alteration is to be located.

Section 5.10 Water and Sewer Approval Required. When required by the Building Official, an applicant for a building permit must submit to the Building Official a certificate issued by the appropriate authority granting approval for water and sewer facilities.

ARTICLE 6

Construction Documents

Section 6.1 Submittal Documents. Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by statute. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this ordinance.

6.1.1 Information on Construction Documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building Official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the Building Official.

Section 6.2 Examination of Documents. The Building Official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

6.2.1 Approval of Construction Documents. When the Building Official issues a permit, the construction documents shall be approved, in writing or by stamp as "*Reviewed for Permitting.*" One set of construction documents so reviewed shall be retained by the Building Official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the Building Official or a duly authorized representative.

6.2.2 Previous Approvals. This ordinance shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 90 days after the effective date of this code and has not been abandoned.

6.2.3 Phased Approval. The Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been approved, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holders' own risk with the building operation and without assurance that a permit for the entire structure will be granted.

6.2.4 Deferred Submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a specified period.

Deferral of any submittal items shall have the prior approval of the Building Official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the Building Official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the Building Official.

Section 6.3 Amended Construction Documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

ARTICLE 7

Temporary Structures and Uses

Section 7.1 General. The Building Official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of services, but shall not be permitted for more than 180 days. The Building Official is authorized to grant extensions for demonstrated cause.

Section 7.1 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

Section 7.3 Temporary Power. The Building Official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the *National Electrical Code*.

Section 7.4 Termination of Approval. The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or used to be discontinued.

ARTICLE 8

Fees

Section 8.1 Payment of Fees. A permit shall not be valid until the fees prescribed have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

Section 8.2 Schedule of Fees. The schedule of fees and permits shall be established by Lexington County Council.

Section 8.3 No Charge Permit. At the discretion of the Building Official, he may waive the required permit fee on any community or charitable project for which all labor, materials and profit are donated. The Building Official shall notify the County Administrator in writing of all such projects.

Section 8.4 Refunds. The Building Official is authorized to refund permit fees provided the work authorized was not begun.

ARTICLE 9

Inspections

Section 9.1 General. Construction or work for which a permit is required shall be subject to inspection by the Building Official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this ordinance or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this or of other ordinances shall not be valid. It shall be the duty of the permit applicant to cause the work or to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Section 9.2 Preliminary Inspection. Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures and site for which an application has been filed.

Section 9.4 Inspection Agencies. The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

Section 9.5 Inspection Requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Building Official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

Section 9.6 Approval Required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this ordinance. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official.

ARTICLE 10

Certificate of Occupancy

Section 10.1 Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provision of this ordinance or of other ordinances of Lexington County.

Section 10.2 Certificate Issued. After the Building Official inspects the building or structure and finds substantial compliance with the provisions of this ordinance and other laws that are enforced by the Division of Building Inspections and Safety, the Building Official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the applicant.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of his ordinance for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building Official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. Special stipulations and conditions of the building permit, if any.

Section 10.3 Temporary Occupancy. The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The Building Official shall set a time period during which the temporary certificate of occupancy is valid.

Section 10.4 Revocation. The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this ordinance wherever the certificate is issued on the basis of incorrect information supplied, or where it is determined that the

building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this ordinance.

ARTICLE 11

Service Utilities

Section 11.1 Connection of Service Utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this ordinance for which a permit is required, until released by the Building Official.

Section 11.2 Temporary Connection. The Building Official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

Section 11.3 Authority to Disconnect Service Utilities. The Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this ordinance and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

ARTICLE 12

Building Code Board of Appeals

Section 12.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this ordinance, there shall be and is hereby created a Board of Appeals. The board of appeals shall be appointed by County Council and shall hold office at its pleasure.

Section 12.2 Application for Variances or Appeals. A written application for a variance or an appeal shall be filed with the Building Official by the property owner or his designated agent or the aggrieved party. Copies of the application shall be transmitted to the members of the Board.

Section 12.3 Limitation on Authority. An application for appeal shall be based on a claim that the true intent of the ordinance or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this ordinance do not fully apply or an equally good or better form of construction is proposed. The Board shall have no authority to waive requirements of this ordinance.

Section 12.4 Qualifications. The Building Code Board of Appeals shall consist of nine (9) members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of Lexington County. The Board shall consist of at least one (1) architect, one (1) engineer, one (1) general contractor, one (1) residential builder, one (1) member at large, and one (1) member each from the building, electrical, mechanical, and plumbing industries. All members shall be residents of the County. All members shall be appointed by the County Council and serve without compensation. The Building Official shall be an ex officio member of said Board but shall have no vote on any matter before the Board.

Section 12.5 Terms. Members of the Board shall be appointed for four (4) year terms. The Board shall annually select members to serve as chairman and vice-chairman. The chairman and vice-chairman shall be selected at the meeting occurring in January.

Section 12.6 Rules and Proceedings with the Board. The Board shall adopt rules of procedure for conducting its business. A member shall not hear an appeal in which that member has a personal, professional, or financial interest.

The Board may call upon any other agency of Lexington County or information in the performance of its duties and it shall be the duty of such other agency to render such information to the Board as may be reasonably required.

Section 12.7 Meetings of the Board. The Board shall meet at least once each month when there are appeals or applications for variances. Special meetings may be held at the call of the chairman provided that at least a 24-hour notice of such meeting is given to every member.

The presence of five (5) members shall create a quorum and motions shall pass or fail by majority of those members actually voting. Motions which receive an equal number for and against shall be deemed to fail. Only members in attendance at a meeting shall be eligible to vote on motions before the Board. Proxy votes shall not be used.

Section 12.8 Public Hearings. A public hearing shall be held by the board for all appeals and variances.

Section 12.9 Decisions. Every decision of the Board of Appeals shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the Office of the Building Official, and shall be open to public inspection; a certified copy shall be sent by mail or otherwise to the appellant.

Section 12.10 Appeals of Decisions of the Board. Any appeal of a decision previously rendered by the Board shall be heard again in its entirety when in the opinion of the chairman new or different information warrants such a hearing. The chairman shall have sole authority to decide if the requested appeal is to be reheard. Any person, whether or not a previous party of the original appeal, shall have the right to apply to the appropriate court for a writ of certiorari or other injunctive relief. Such appeals shall be made in a manner and time as prescribed by law.

Section 12.11 Records. The Building Official shall designate a qualified staff member to serve as secretary to the Board who shall make a detailed record of all its proceedings, which shall set forth the reasons for its decisions, the vote of each member participating therein, the absence of a member, and any failure of a member to vote.

ARTICLE 13

Violations

Section 13.1 Unlawful Acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, move, demolish or occupy any building, structure or equipment regulated by this ordinance, or cause same to be done, in conflict with or in violation of any of the provisions of this ordinance.

Section 13.2 Penalties for Violation. Violation of the provision of this ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Any person, firm, or corporation who violates this ordinance or fails to comply with any of its requirements shall, upon convictions thereof, be fined not more than the maximum allowable penalty 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 here in provided.

The Building Official 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.

ARTICLE 14

Stop Work Order

Section 14.1 Authority. Whenever the Building Official finds any work regulated by this ordinance being performed in a manner either contrary to the provisions of this ordinance or dangerous or unsafe, the Building Official is authorized to issue a stop work order.

Section 14.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

Section 14.3 Unlawful Continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed in this ordinance.

ARTICLE 15

Unsafe Structures and Equipment

Section 15.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the Building Official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

Section 15.2 Record. The Building Official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

Section 15.3 Notice. If an unsafe condition is found, the Building Official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time.

Section 15.4 Method of Service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by law. If the certified or registered letter is returned showing that letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

Section 15.5 Restoration. The structure or equipment determined to be unsafe by the Building Official is permitted to be restored to a safe condition to the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with this ordinance.

Section 15.6 Failure to Comply. If the owner fails to comply with the order to repair, alter, or improve or to remove and demolish, they shall be in violation of this ordinance and subject to such penalty as outlined in Section 13.2.

Section 15.7 Removal or Demolition. If the owner of an unsafe structure fails to comply with the order to remove or demolish the dwelling, building, or other structure, the Building Official, or other authorized representatives, may cause such dwelling or building or other structure to be removed or demolished.

The amount of the cost of such removal or demolition shall be a lien against the real property placed and collected through appropriate judicial process.

ARTICLE 16

Electrical Inspections and Testing

Section 16.1 General. The Building Official, upon notification, shall make the inspections set forth in this section.

Section 16.2 Concealed Work. Work shall remain accessible and exposed for inspection purposes until approved. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Wherever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the Building Official shall have the authority to require that such work be exposed for inspection. Neither the Building Official nor Lexington County shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Section 16.3 Underground. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping and conductors installed, and before backfill is put in place. Where excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the raceway, cable or conductors, or where corrosive action will occur, protection shall be provided in the form of granular or selected materials, approved running boards, sleeves or other means.

Section 16.4 Rough-In. Rough-in inspection shall be made after the roof, framing, fireblocking and bracing are in place and all wiring and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes.

Section 16.5 Other Inspections. In addition to the inspections specified above, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provision of this ordinance, which is enforced by this Division.

Section 16.6 Final Inspection. The final inspection shall be made after all work required by the permit is complete.

ARTICLE 17

Plumbing Inspections and Testing

Section 17.1 Required Inspections and Testing. The Building Official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and such other inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or agent of any violations that must be corrected. The holder of the permit shall be responsible for the scheduling of such inspections.

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping installed, and before any backfill is put in place.
2. Rough-in inspection shall be made after the roof, framing, fireblocking, firestopping, draftstopping, and bracing is in place and all sanitary, storm and water distribution piping is roughed-in, and prior to the installation of wall or ceiling membranes.
3. Final inspection shall be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

Section 17.2 Special Inspections. Special inspections of alternative engineered design plumbing systems shall be conducted in accordance with Sections 17.2.1 and 17.2.2.

17.2.1 Periodic Inspection. The registered design professional or designated inspector shall periodically inspect and observe the alternative engineered design to determine that the installation is in accordance with the approved construction documents. All discrepancies shall be brought to the immediate attention of the plumbing contractor for correction. Records shall be kept of all inspections.

17.2.2 Written Report. The registered design professional shall submit a final report in writing to the Building Official upon completion of the installation, certifying that the alternative engineered design conforms to the approved construction documents. A notice of approval for the plumbing system shall not be issued until a written certification has been submitted.

Section 17.3 Testing. Plumbing work and systems shall be tested as required in the International Plumbing Code.

17.3.1 New, Altered, Extended, or Repaired Systems. New plumbing systems and part of existing systems that have been altered, extended or repaired shall be tested as prescribed herein to disclose leaks and defects, except that testing is not required in the following cases:

1. In any case that does not include addition to, replacement, alteration or relocation of any water supply, drainage, or vent piping.
2. In any case where plumbing equipment is set up temporarily for exhibition purposes.

17.3.2 Reinspection and Testing. Where any work or installation does not pass any initial test or inspection, the necessary corrections shall be made to comply with this ordinance. The work or installation shall then be resubmitted to the code official for inspection and testing.

Section 17.4 Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the Building Official.

ARTICLE 18

Mechanical and Fuel Gas Inspections and Testing

Section 18.1 Required Inspections and Testing. The Building Official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and such other inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or agent of any violations that must be corrected. The holder of the permit shall be responsible for the scheduling of such inspections.

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping installed, and before backfill is put in place. When excavated soil contains rocks, broken concrete, frozen chunks, and other rubble that would damage or break the piping or cause corrosive action, clean backfill shall be on the job site.
2. Rough-in inspection shall be made after the roof, framing, fireblocking, and bracing are in place and all ducting and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes.
3. Final inspection shall be made upon completion of the mechanical system.

Exception: Ground-source heat pump loop systems shall be permitted to be backfilled prior to inspection.

The requirements of this section shall not be considered to prohibit the operation of any heating equipment or appliances installed to replace existing mechanical systems serving an occupied portion of a structure provided that a request for inspection of such mechanical systems has been filed with the Division not more than 48 hours after such replacement work is completed and before any portion of such mechanical system is concealed by any permanent portion of the structure.

Section 18.2 Testing. Mechanical systems shall be tested as required in the International Mechanical and Fuel Gas Codes. Test shall be made by the permit holder and observed by the Building Official.

18.2.1 New, Altered, Extended, or Repaired Systems. New mechanical systems and part of existing systems, which have been altered, or extended, shall be tested as prescribed herein to disclose leaks and defects.

18.2.2 Apparatus, Material, and Labor for Tests. Apparatus, material, and labor required for testing a mechanical system or part thereof shall be furnished by the permit holder.

18.2.3 Reinspection and Testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this ordinance. The work or installation shall then be resubmitted to the Building Official for inspection and testing.

Section 18.3 Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this ordinance, a notice of approval shall be issued by the Building Official.

Section 18.4 Temporary Connection. The Building Official shall have the authority to authorize the temporary connection of a mechanical system to the sources of energy for the purpose of testing mechanical systems or for use under a temporary certificate of occupancy.

ARTICLE 19

Fire Code Inspections

Section 19.1 General. The Building Official shall appoint a fire code official authorized to enforce the provision of this ordinance and shall have the authority to render interpretations of the fire code and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this ordinance and shall not have the effect of waiving requirements specifically provided for in the fire code.

Section 19.2 Inspection Authority. The fire code official is authorized to enter and examine any building, structure, marine vessel, vehicle or premises in accordance with and for the purpose of enforcing this ordinance.

Section 19.3 Inspections. The fire code official is authorized to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of this ordinance and to approve reports of inspection by approved agencies or individuals. All reports of such inspections shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such approved agency or by the responsible individual.

Section 19.4 Chapter One of the Fire Code. The requirements in Chapter One of the International Fire Code shall be included in this ordinance whose purpose is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazard of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to fire fighters and emergency responders during emergency operations. Where differences occur between provisions in Chapter One of the International Fire Code and this ordinance, the provisions of this ordinance shall apply.

ARTICLE 20

Manufactured Homes

Section 20.1 Manufactured Home Inspections. One inspection will be performed by Lexington County. The inspection is to be scheduled after the manufactured home has been placed on site and connected to a septic tank or sewer system, all electrical work and mechanical appurtenances are completed and ready to be energized by the utility supplier, a current Lexington County Mobile Home Tax Sticker has been displayed, the address has been appropriately posted, and all provision of this article have been completed. If all items are approved, a utility release will be forwarded to the utility supplier.

Section 20.2 Steps, Landings, and Railings. Manufactured homes shall be equipped with steps, landings, and railings as prescribed in the International Residential Code.

Section 20.3 Foundations, Anchoring Systems, and Tiedowns. Manufactured homes must be installed per the manufacturer's installation instruction. Used homes, without manufacturer's installation instructions, are to be installed per the Manufacturer Housing Board Regulations as promulgated by the South Carolina Department of Labor, Licensing and Regulation.

Section 20.4 Underpinning. Manufactured homes must be underpinned with masonry, mobile home skirting, or other material approved by the Building Official. Underpinning shall be installed in accordance with the installation specifications and instructions of the particular manufactured home, or the specifications and instructions of the mobile home skirting manufacturer, or the applicable section of the International Building Code for the material involved.

Access to and ventilation of these enclosed under floor areas shall be in accordance with the specifications of the manufactured home. If such specifications are not obtainable, the requirements of the International Residential Code shall be followed.

Section 20.5 Date of Construction. Manufactured homes manufactured before June 15, 1976 shall not be considered in compliance with the minimum construction standards established by this ordinance. Such homes may not be established as new residences with existing homes allowed to continue to be occupied at their current location only.

Section 20.6 Derelict Mobile Homes. No owner of real property shall maintain, store, collect or allow to remain, any derelict mobile home on their property. For the purposes of this section, a derelict mobile home shall be defined by Section 6-1-150 of the South Carolina Code of Laws.

Section 20.7 Manufactured Home Retail Dealers. This section shall not apply to any sales lot of a manufactured home retail dealer currently licensed through the South Carolina Manufactured Housing Board.

MEMORANDUM

TO: KATHERINE HUBBARD, COUNTY ADMINISTRATOR

FROM: JIM SCHAFER, IT MANAGER

SUBJECT: INTERGOVERNMENTAL AGREEMENT (IGA) AND SOFTWARE LICENSE—WEBTRAX

DATE: 2/18/2008

CC: MIKE UJCICH, CIO

Lexington County previously entered into a Memorandum of Understanding (MOU), with Richland, Anderson and Sumter counties for the cooperative development and sharing of software. Under the MOU, the particulars relating to future cooperative projects will be formalized in an Intergovernmental Agreement addressing the specific software systems, terms of ownership and continuing relationships. The current ROD system previously used this process.

IS and the Community Development Department demonstrated our WebTrax permit tracking system for the other MOU counties. Richland County Planning and IT officials expressed an interest in that system. After further evaluation, they are requesting consideration of the attached Intergovernmental Agreement (IGA) and Software License to acquire the rights to use and partner with Lexington County on its further development.

The proposed IGA was reviewed and approved by the County Attorney. It has essentially the same provisions that Council approved previously as the IGA for the ROD system, except this time it is Lexington County's system that is being shared with Richland County.

**Intergovernmental Agreement and Software License
WebTrax Software System**

Date:			
User's Name:	Richland County Government	and	Lexington County Government
Address:	2020 Hampton Street, Suite 4058		212 S. Lake Drive
City/State:	Columbia, SC 29204		Lexington, SC. 29072
Phone:	(803) 576-2050		(803) 785-8100
Email:	<u>ombudsman@richlandonline.com</u>		countycouncil@lex-co.com

TERMS AND CONDITIONS

THIS INTERGOVERNMENTAL AGREEMENT is made as of the date set forth above between the County of Richland (hereinafter referred to as "RICHLAND") and the County of Lexington (hereinafter referred to as "LEXINGTON") and pursuant to the Memorandum of Understanding (MOU) between Anderson, Charleston, Lexington, Richland and Sumter Counties for the joint development and use of new software systems and the permitted use of each Party's solely owned software systems.

Whereas, LEXINGTON is the sole owner of the WebTrax Software System delivered under this agreement (hereinafter referred to as "**WEBTRAX SYSTEM CODE**") with the right to license and distribute the **WEBTRAX SYSTEM CODE**; and

Whereas, RICHLAND desires a license to use the **WEBTRAX SYSTEM CODE** and LEXINGTON desires to grant such a license to RICHLAND for the sole purpose of permitting RICHLAND to use the **WEBTRAX SYSTEM CODE** in its business activity according to the following restrictions and obligations, and

Whereas, expected benefits of this Agreement are consistent with the benefits identified in the aforementioned MOU, Section 3., as well as with the intention to allow one government entity to help another government entity reduce costs for similar services provided;

NOW, THEREFORE, in consideration of these premises, the mutual covenants set forth herein, the parties agree to the following terms and conditions:

ARTICLE 1. LICENSE GRANT; RIGHTS AND RESPONSIBILITIES

- 1.1 The County of Lexington, through its Information Services Department and other participating departments, has developed software (**WEBTRAX SYSTEM CODE**) to support the business operations and online presentation of information for development permit tracking and reporting. System features include, but are not limited to, a management system for planning, zoning and building services. Functionality includes creation of projects with electronic storage of relevant records, access to monitor and update such projects and records, online view ability from the Internet, and appropriate security for granting access. System is thin-client and web-based. It is the intent that **WEBTRAX SYSTEM CODE** shall be fully integrated with GIS and with the computer assisted mass (CAMA) appraisal software in the future.
- 1.2 The Parties agree that the copyright and all other rights related to the **WEBTRAX SYSTEM CODE**, in whatever form, including but not limited to the source code, the object code and user documentation, are vested in LEXINGTON.
- 1.3 LEXINGTON herewith agrees to grant to RICHLAND a perpetual, nonexclusive, nontransferable license to use, copy and make modifications of the **WEBTRAX SYSTEM CODE**, including the source code, the object code and the user documentation exclusively for the purpose defined herein and subject to the conditions stated herein.
- 1.4 RICHLAND shall be solely responsible for decisions regarding the **WEBTRAX SYSTEM CODE**'s suitability for RICHLAND'S planned use, the installation of the **WEBTRAX SYSTEM CODE**, any data conversion, system maintenance, and the provision of training to its employees pursuant to industry standards and the provided documentation.
- 1.5 In consideration for the license granted by LEXINGTON under this Agreement, RICHLAND shall pay a license fee of \$18,600, said fee to be payable after the execution of this Agreement, the acceptance by RICHLAND of the **WEBTRAX SYSTEM CODE** in the production mode and the deliverables listed below, and the presentation of an invoice by LEXINGTON.
 - 1.5.1 Deliverables

- 1.5.1.1 Software. LEXINGTON shall provide RICHLAND one executable copy of the most current version of **WEBTRAX SYSTEM CODE's** computer program, including source code and object code.
- 1.5.1.2 Documentation. LEXINGTON shall provide RICHLAND one electronic copy of the most current available documentation to be used for official county uses only.
- 1.5.2 Time of Delivery.
 - 1.5.2.1 The **WEBTRAX SYSTEM CODE** shall be in production and the deliverables in the possession of RICHLAND by _____.
- 1.6 RICHLAND shall not disclose, lease, sell, distribute, make, transfer, or assign the **WEBTRAX SYSTEM CODE** or this Agreement to anyone, including any subsidiaries, affiliated entities or third parties, or engage in any other transaction which has the effect of transferring the right of use of all or part of the **WEBTRAX SYSTEM CODE**, without the express written consent of LEXINGTON.

ARTICLE 2. REPRESENTATIONS AND WARRANTIES

- 2.1 Limited Warranty
 - (A) LEXINGTON shall make reasonable efforts to deliver **WEBTRAX SYSTEM CODE** in the format requested by RICHLAND.
 - (B) LEXINGTON shall make full disclosure to RICHLAND, to the best of LEXINGTON'S knowledge, of all system requirements, technical configurations, architecture, and related system features, and shall assist RICHLAND in its evaluation that the **WEBTRAX SYSTEM CODE** will perform as required by the RICHLAND Planning Department, and LEXINGTON warrants that such disclosure and assistance shall be done prior to transfer such that RICHLAND will have the information necessary to independently operate and/or modify the system in the future.
 - (C) LEXINGTON HEREBY DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.
 - (D) The entire risk as to the uses, results, or performances of **WEBTRAX SYSTEM CODE** is assumed by RICHLAND.
 - (E) RICHLAND agrees to seek legal advice regarding the use of the **WEBTRAX SYSTEM CODE** and any information which may be acquired through its use, and agrees to use the **WEBTRAX SYSTEM CODE** in a manner consistent with all applicable laws, rules and regulations.
- 2.2 The execution, delivery and performance of this Agreement are within LEXINGTON'S and RICHLAND'S power and authority, and LEXINGTON and RICHLAND have duly authorized, executed, and delivered such Agreements and have taken or will take all action necessary to carry out and give effect to the transactions contemplated by the Agreement.

ARTICLE 3. USE AND MODIFICATION

- 3.1 Restrictions on Use
 - (A) RICHLAND is authorized to use the **WEBTRAX SYSTEM CODE** for automating the business processes of the RICHLAND Planning Department and making available over the RICHLAND web site, public information maintained by the RICHLAND Planning Department in the manner it determines using its sole discretion.
- 3.2 Modifications
 - (A) RICHLAND shall have the right to modify the software licensed hereunder in any manner necessary to achieve its intended use.
 - (B) RICHLAND shall inform LEXINGTON of any mistakes, errors or inaccuracies which are identified in the **WEBTRAX SYSTEM CODE**.
 - (B) The Parties agree to make good faith reasonable efforts to work together to make desired changes and enhancements to the software or to correct any errors discovered. It is the responsibility of each party to determine the fitness of use for a particular purpose of such enhancements and/or modifications.
 - (A) Each Party agrees to notify the other of the creation of any modifications of the **WEBTRAX SYSTEM CODE** which is based on or derived from the **WEBTRAX SYSTEM CODE**, or which incorporates any element of the **WEBTRAX SYSTEM CODE** and hereby grants to the other a royalty-free and non-exclusive license to use such modifications of the **WEBTRAX SYSTEM CODE**.

- i. RICHLAND shall ensure that all copies and modifications of the **WEBTRAX SYSTEM CODE** shall contain in full the copyright statement which is included in the **WEBTRAX SYSTEM CODE**.
- ii. LEXINGTON shall maintain a consolidated electronic file accessible to RICHLAND of all modifications created by the Parties.

ARTICLE 4 RELEASE AND INDEMNIFICATION

- 4.1 Each party shall be responsible for its own liability from all claims, costs, damages, or expenses of any kind, including attorneys' fees and other costs and expenses of litigation, for personal or property damage arising out of that party's performance required by this agreement. It is the intent of this section that each party assume any and all liability for its respective data and products.
- 4.2 LEXINGTON shall not be liable for any activity involving the DATA with respect to the following:
 - (A) Lost profits, lost savings or any other consequential damages.
 - (B) The fitness of the **WEBTRAX SYSTEM CODE** for a particular purpose.
 - (C) The installation of **WEBTRAX SYSTEM CODE**, its use, or the results obtained.
- 4.3 LEXINGTON shall not be liable for indirect, special, incidental, compensatory, or consequential damages or third party claims resulting from the use of **WEBTRAX SYSTEM CODE**, even if they have been advised of the possibility of such potential loss or damage arising from RICHLAND'S use of the system.
- 4.4 Richland and Lexington County agree to exercise their best efforts to provide timely notification to the other of any actual or potential third-party claim or cause of action associated with the operation of the **WEBTRAX SYSTEM CODE**.

ARTICLE 5 MISCELLANEOUS

- 5.1 Invalidity/Severability. To the extent that any provision of this Agreement is determined to be in contradiction of, or in conflict with the Code, any State law, or any regulation, the Code, State law or regulation shall control. The provisions of this agreement are severable, and to the extent that the remaining sections may operate to govern the intent of the parties should a section be deemed invalid, the remaining sections shall continue in force and of effect.
- 5.2 Entire Agreement. This INTERGOVERNMENTAL AGREEMENT contains the entire agreement of the parties hereto with respect to the matters covered hereby, and no other agreement, statement or promise made by any party hereto, which is not contained herein, shall be binding or valid.
- 5.3 Problem/Dispute Resolution. Pursuant to the MOU mentioned above for the joint development and sharing of software systems, problems and/or disputes arising from the implementation of this Agreement shall be referred to the Program Management Group authorized therein for assistance and guidance in resolving such problems and/or disputes. Nothing herein, however, shall preclude any party from seeking any legal remedy available at law if such disputes and/or problems are not satisfactorily resolved by the Program Management Group.
- 5.4 Governing Laws. This Agreement is made under and shall be construed in according with the laws and regulations of the State of South Carolina. By executing this Agreement, the parties agree to submit to the jurisdiction the Courts of South Carolina for all matters arising hereunder.
- 5.5 Termination.

Either party may terminate this Agreement with 180 days written notice, or upon the breach by the other party of any duty, term or condition of this Agreement. Upon such termination for breach of this Agreement, the terminating party shall give written notice to the breaching party of its intent to terminate.

 - 5.5.1 Use of Software After Termination
 - 5.5.1.1 RICHLAND shall continue to have the usage rights to the **WEBTRAX SYSTEM CODE** after termination of this Agreement and shall continue to be bound by the copyright and licensing restrictions contained herein.
- 5.6 Waiver; Modification. Failure of either party to enforce any provision of this Agreement does not constitute the party's continuing waiver of that provision, any other provision, or of the entire Agreement. The rights and duties under this agreement shall not be modified, delegated, transferred or assigned, except upon the written-signed consent of the parties.
- 5.7 Notices. Any notice required or permitted under this Agreement shall be in writing and deemed given when:
 - 5.7.1 Actually delivered, or
 - 5.7.2 Three days after deposit in United States certified mail, postage prepaid, addressed to the other party at their last known address.

WITNESS the hands and seals of the parties this day and date first above written:

And approved by Lexington County Council on _____ of _____.

And approved by Richland County Council on _____ of _____.

Richland County

Lexington County

Signature

Signature

County Administrator
Title

County Administrator
Title

Memorandum

February 14, 2008

To: Katherine Hubbard
County Administrator

For: Planning and Administration Committee
County Council

From: Charlie Compton, Director
Department of Planning and GIS

Reference: Landscape Ordinance Amendments

The Landscape Ordinance amendments are a fairly complex inter-working of several important new ideas addressing multiple issues. In order to work through the review and adoption process as fast as possible I am recommending the following plan. Since by South Carolina enabling legislation, the Planning Commission must first make a recommendation to Council, we had portions of the amendments directed to the Commission within 24 hours of the January 8th first reading by title only. That allowed them to have a reasonable discussion on the golf course section and some time with the mandatory open space section for residential subdivisions for the purpose of saving trophy trees.

At their meeting next week I expect them to have some sort of recommendation on those sections as well as perhaps a couple others. Based on that I am forwarding to this Committee information in this memo on at least four issues that we can address at your meeting on February 26th. That will give us a big jump on this project and perhaps save as much as a month in scheduling the public hearing and final votes.

Council has also asked us to send these amendments through the existing Public Works Stakeholders Committee. The sections we are dealing with first are the ones most important to that group, so this schedule will also allow us to more quickly forward a draft to them that hopefully represents the general feelings of the Council and the Planning Commission.

First, we are addressing the difference in legitimate timberharvesting and land clearing that is done in preparation for development. I expect the following language to improve after the Planning Commission meeting next Thursday.

3.1.7 Timberharvesting

Timberharvesting as a purely agricultural activity, when reclamation for a later harvest is planned, shall be regulated by the Lexington County Stormwater Management Ordinance so that appropriate buffers and water quality filtering of runoff is accomplished. If development of the property is the proposed activity, then the timbering may occur only after plans are developed and approved in accordance with all of the provisions of this Ordinance, to include the open space requirements of Article 4.

Second, we can discuss the following draft of the opening portion of the proposed “new” Open Space article. This section addresses the issue of mandatory open space in residential subdivisions to help provide opportunities to preserve trophy trees.

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 and 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.

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 shall be counted toward the minimum open space requirement.

Natural features (riparian areas, wetlands, wildlife corridors, steep slopes, etc.), natural hazard areas (floodplains, floodways, etc.), water features (drainage channels, ditches, natural ponds, streams, etc.), and land area occupied by Low Impact Development (LID) stormwater management devices, may be designated as open space, but 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. A portion of the open space should provide focal points for the subdivision, preferably at the entrance. (may need to get more specific here)

On Scenic Corridors (should probably apply only to the strictest category) at least the first 25 feet from the road right-of-way shall be designated as open space.

4.1.3 Configuration

The land shall be compact and contiguous unless the land is used as a continuation of an existing trail, as a part of a buffer area or scenic corridor, as part of a natural feature, 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, or enhance as many of the following open areas and features as possible:

- 1. Natural features (riparian areas, wetlands, wildlife corridors, steep slopes, etc.), natural hazard areas (floodplains, floodways, etc.), water features (drainage channels, ditches, natural ponds, streams, etc.), and land area occupied by Low Impact Development (LID) stormwater management devices;*
- 2. Areas containing groupings of mature trees, especially those characterized in this Ordinance as Trophy Trees;*
- 3. Landscaped buffers or visual transitions between different types or intensities of uses; and*
- 4. Habitat 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.

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

Third, we will look at the following section on golf courses from the new Open Space article. It is the same as you saw in January, except that we now have maps drawn that precisely depict how such an amendment would affect existing golf courses in the County.

4.3 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.

4.3.1 Quantity of Open Space

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

4.3.2 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 golf course portion of the development. The designated buffer strip shall extend along the entire length of the residential property line that adjoins the golf course.

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.

4.3.3 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.

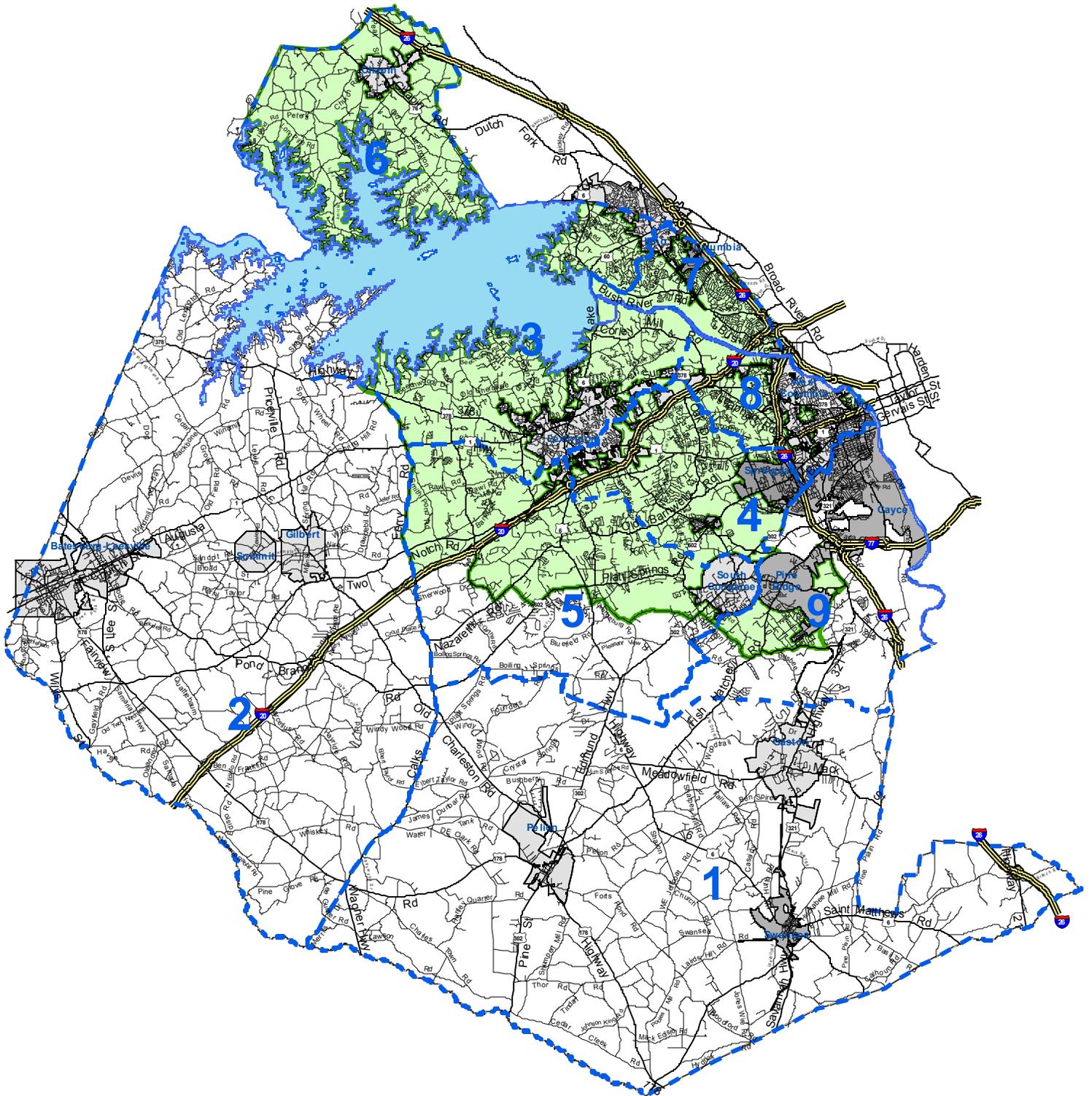
Motorized vehicles other than golf carts, such as motorcycles or all-terrain vehicles, shall not be allowed access to this designated open space.

4.3.4 Use of the open space

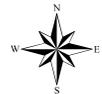
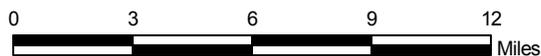
This open space is being required as a buffer area and shall be used for no activities more intense than passive recreation.

Last, as a part of this amendment process, we should discuss the possibility of expanding the area of the County in which the Landscape Ordinance applies. On the next page is a copy of a map that depicts the current coverage by that ordinance.

Lexington County Landscape Ordinance Boundary




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



 County Council Districts
 Landscape Ordinance Area 2000



COUNTY OF LEXINGTON, SOUTH CAROLINA

Community Development

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

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

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

3512 Bush River Road, Columbia

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

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

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

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

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

Phone #(s): work 803-772-7930 _____

Signature: _____ Printed Name: Chris Schroeder

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

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

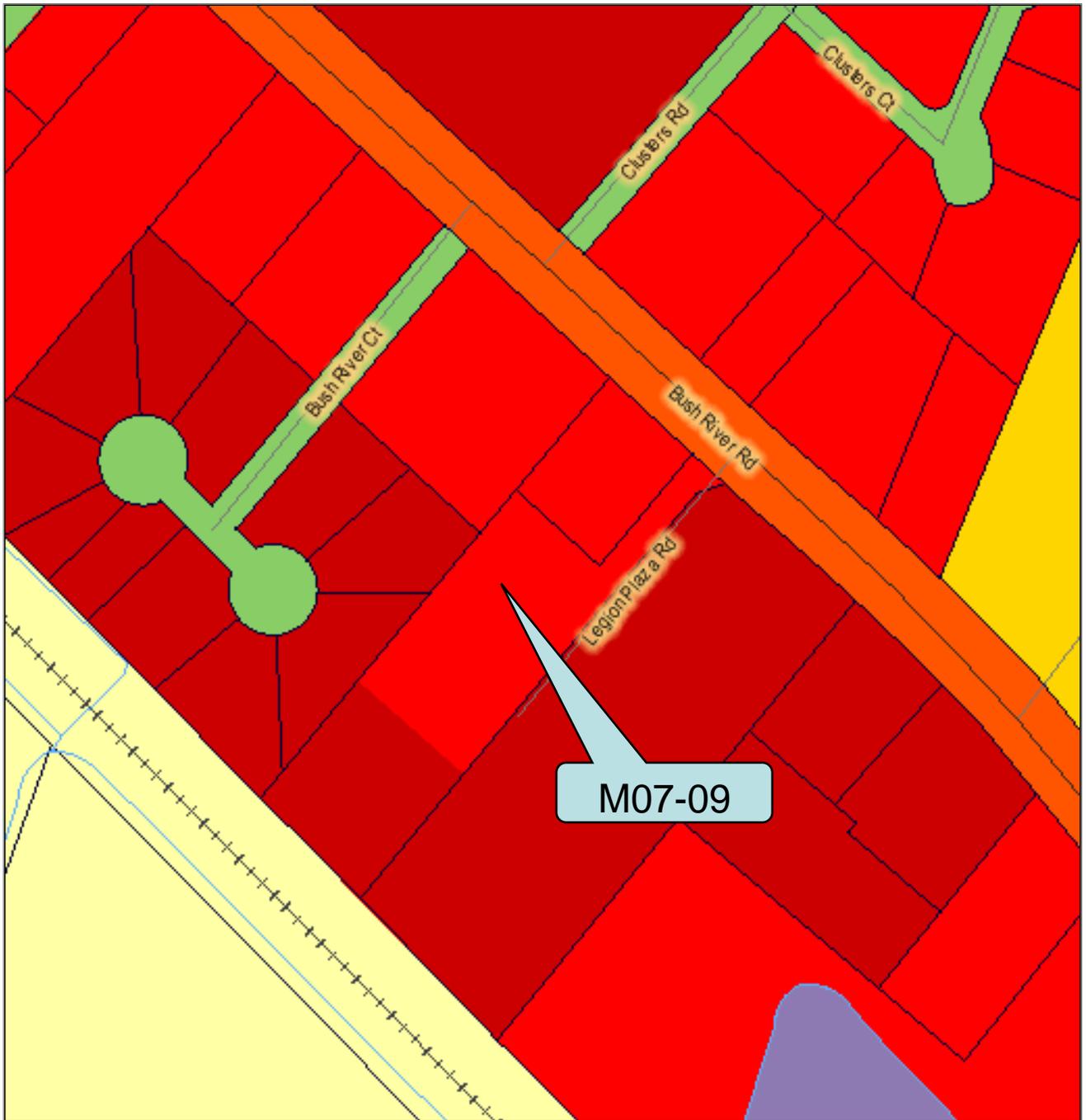
11/14/07	Fee Received
1/6/08	Property Posted
2/21/08	Planning Commission

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

12/11/07	First Reading	1/22/08	Public Hearing	Second Reading	Third Reading
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Results: _____

Zoning Map Amendment Application M07-09



ZONING LEGEND

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

Zoning Map Amendment Application M07-09

3512 Bush River Rd



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



COUNTY OF LEXINGTON, SOUTH CAROLINA

Community Development

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

ZONING MAP AMENDMENT APPLICATION # **M07-10**

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

(Road Classification Change) Approx. 480 feet of Linwood Drive, Lexington SC 29072 beginning at current RL4 boundary to common property line of TMS 004200-03-042 and 004200-03-041

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

TMS#: n/a Property Owner: n/a

Reason for the request: To maximize the distance of the proposed entrance/exit drive to the proposed medical park from the intersection of Linwood Drive & Augusta Hwy. as well as provide secondary access for emergency vehicles and ingress/egress efficiency to the medical park.

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: 12/19/07 Applicant: Owner Agent

Phone #(s): cell (803) 518-5437 work (803) 791-2217 _____

Signature: _____ Printed Name: Glenn Mack

Street/Mailing Address: 2720 Sunset Blvd., West Columbia SC 29169

12/19/07	Application Received
1/3/08	Newspaper Advertisement
12/31/07	Notices Mailed

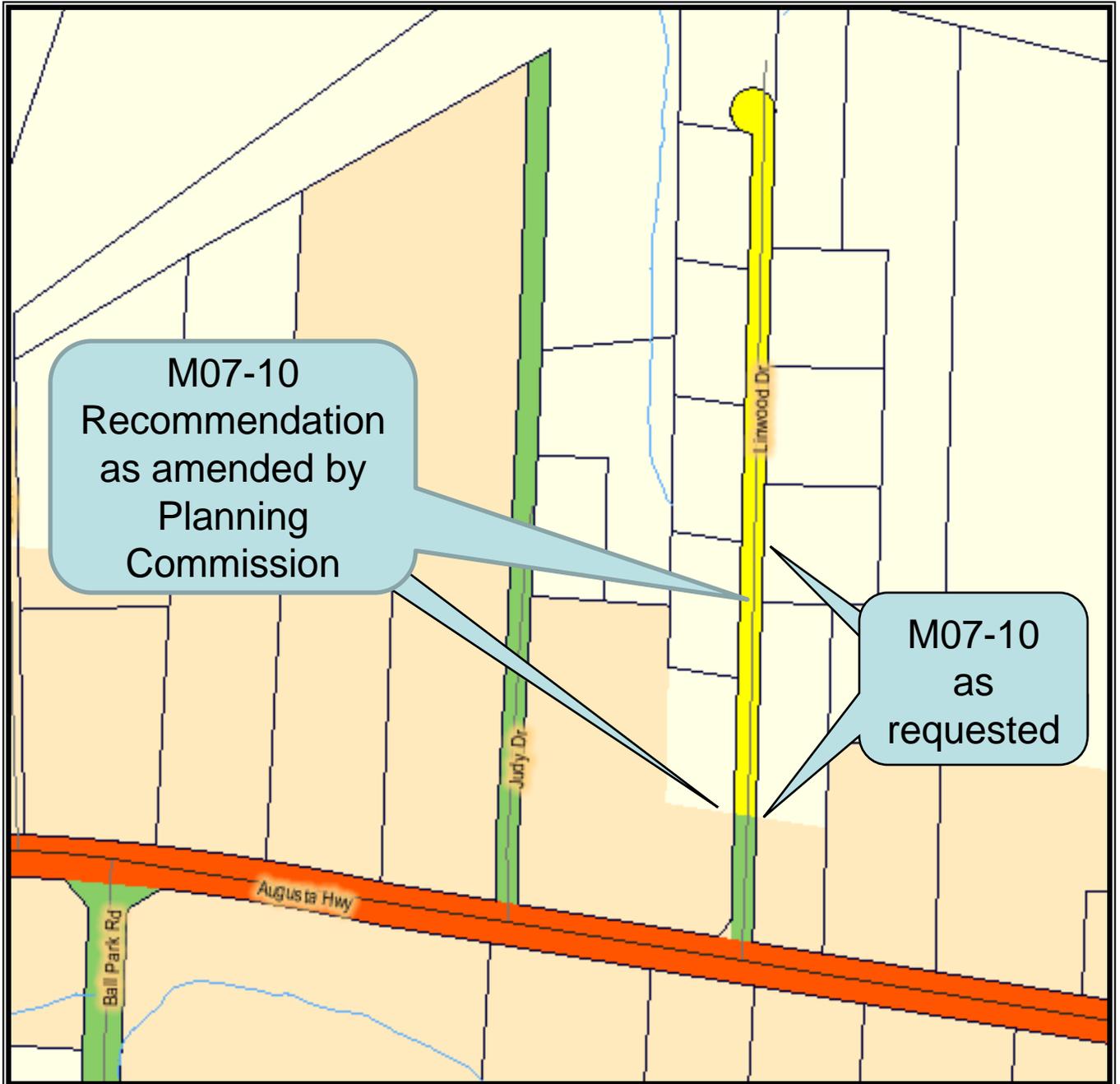
12/19/07	Fee Received
1/6/08	Property Posted
2/21/08	Planning Commission

Planning Commission Recommendation: 7 to 1 vote to recommend approval with amendment to end Local classification at southern most parcel line of TMS# 004200-03-121 (approx. 375 ft.)

01/08/08	First Reading	1/22/08	Public Hearing	Second Reading	Third Reading
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Results: _____

Zoning Map Amendment Application M07-10



ZONING LEGEND

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

Zoning Map Amendment Application M07-10

As requested: 480 ft. of Linwood Dr

As amended: 375 ft. of Linwood Dr



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

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

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COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
STORMWATER DIVISION

M E M O R A N D U M

DATE: February 14, 2008
TO: John Fechtel, Director of Public Works
FROM: Synithia Williams, Environmental Coordinator
RE: LCSC Citizen Appointee

The Public Works Stormwater Division has recommended Chris Monsma to serve as Lexington County's citizen appointee to the Lexington Countywide Stormwater Consortium (LCSC).

Mr. Monsma works at the University of South Carolina in the College of Social Work. He is familiar with water quality issues through his experiences working as a Senior Consultant for Natural Resources and with the Michigan Department of Natural Resources. He also worked with the Upper Rouge River National Wet Weather Demonstration Project in Detroit MI.

We ask that the Public Works Committee appoint Mr. Monsma as the citizen appointee to the LCSC.

LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM

Name of Board/Commission: LEXINGTON COUNTYWIDE STORMWATER CONSORTIUM

Nominee: JOEL C. MONSMA

Address: 202 RAMA LANE, LEXINGTON, SC 29072

Employed by: USC

Address: 109 TORNWELL ANNEX, COLLEGE OF SOCIAL WORK, COLA, SC 29208

Home Telephone: 358-9702

Business Telephone: 777-5912

Mobile Phone: 556-0040

Beeper Number:

Fax Number: 777-3498

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

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

EDUCATION:

- GRADUATE CERTIFICATE OF APPLIED STATISTICS, USC, 2006

- MPA (URBAN PLANNING), WESTERN MICHIGAN UNIVERSITY, 1996

- BA (POLITICAL SCIENCE), KALAMAZOO COLLEGE, 1991

WORK EXPERIENCE:

WEBMASTER, COLLEGE OF SOCIAL WORK, USC 2000-PRESENT

SENIOR CONSULTANT FOR NATURAL RESOURCES, PUBLIC SECTOR

CONSULTANTS 1998-1999

MICHIGAN DEPARTMENT OF NATURAL RESOURCES 1996-1998

WORKED WITH THE UPPER ROUGE RIVER NATIONAL WET WEATHER
DEMONSTRATION PROJECT IN DETROIT, MI

Submitted by: _____ Lexington County Council

Council District Number: _____ Telephone 803-785-8103

Date: _____ FAX - 803-735-8101



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

MEMORANDUM

DATE: November 2, 2007

TO: Katherine Hubbard
County Administrator

FROM: John Fechtel, Public Works Director
Assistant County Administrator

RE: Town of Irmo Request – Maintenance of Roads

Public Works received a request from the Town of Irmo dated July 9, 2007, regarding acceptance/maintenance of the following six (6) roads:

Gibbes Street
N. Royal Tower Drive (Lexington County portion is 1400 ft)
Friarsgate Court
Bickleigh Court
Friarsgate Boulevard
Cressfell Road

Staff has made a recommendation (Exhibit "A") that the County assume maintenance (Exhibit "B") of the roads listed above. The Town will make all improvements necessary to comply with County standards. One road in question is Gibbes Street, which has potential right-of-way and drainage issues.

Based on verification that the recommended improvements are complete, we are recommending Council approve the acceptance of these roads. Most of the roads listed on Exhibit "B" have been constructed for many years and acceptance of these roads will have a one-year warranty from the Town.

Please present this memo to the Public Works Committee for their consideration.

Attachments

/lh



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

MEMORANDUM

DATE: September 12, 2007

TO: John Fechtel, Public Works Director
 Assistant County Administrator

FROM: Don Rumbaugh, Engineering Associate

RE: Acceptance of Irmo Roads into County System

I have looked at the roads requested by Irmo and offer the following:

1. **Gibbes Street**: A) 850' long. B) 50' +/- pavement width. C) One way at entrance off Lake Murray Blvd. D) Surface condition (ok). E) Commercial property draining toward Gibbes from tracts along St. Andrews (possible drainage issues) F) Unknown R/W.
2. **N. Royal Tower Road**: A) 36' wide (Collector road) B) 60' R/W C) Richland County maintains either end. D) No apparent deficiencies.
3. **Friarsgate Court**: A) 200' long. B) 50' R/W. C) Need to replace broken curbing. D) Remove and full depth patch, alligatored areas, and overlay entire court.
4. **Bickleigh Court**: A) 320' long. B) 50' R/W. C) Clean debris from gutter line. D) Replace curbing at 106 driveway.
5. **Friarsgate Boulevard**: A) 980' long. B) 50' or greater R/W. C) Remove and full depth patch, alligatored areas, and overlay entire section. D) Replace broken curbing.
6. **Cressfell Road**: A) 25' long. B) 50' R/W C) No apparent deficiencies.



RECEIVED

JUL 10 2007

LEXINGTON COUNTY
ENGINEERING DEPARTMENT

July 9, 2007

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

Re: Acceptance of the following roads into the Lexington County System

Dear Mr. Fechtel,

The Town of Irmo is requesting that the following roads / streets be accepted by Lexington County for maintenance. Some of these roads already meet or exceed county standards (maps identifying the areas are enclosed).

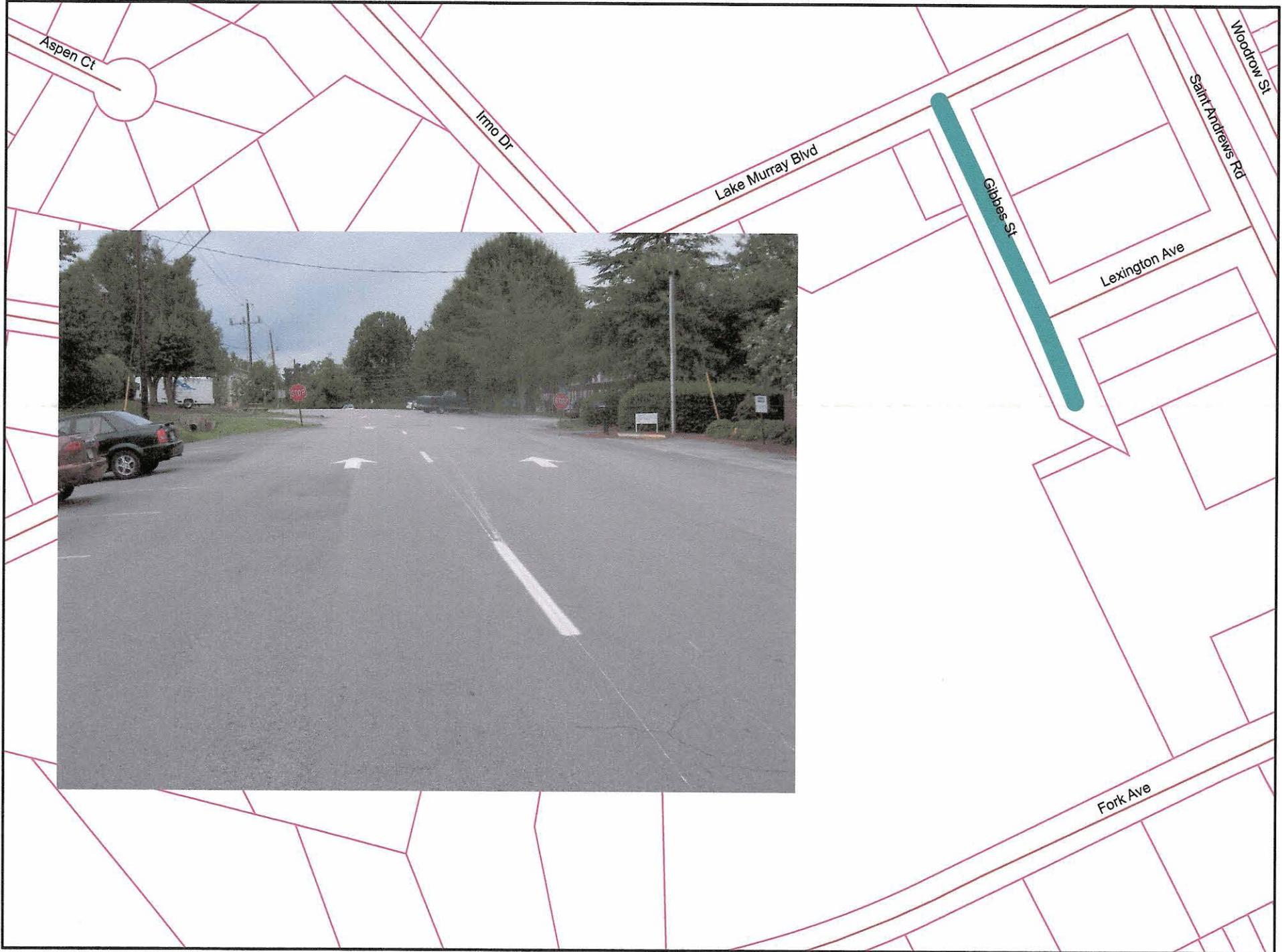
1. **Gibbes Street** - The Street is approximately 850' and is in good condition. A portion has been recently repaved and additional drainage work was completed when parking was added at the intersection with Lake Murray Boulevard.
2. **N. Royal Tower (3) Road** - Approximately 1,400', is in very good condition.
3. **Friarsgate Court** - Approximately 200' in length and in acceptable condition.
4. **Bickleigh Court** - Approximately 320' in length and in acceptable condition.
5. **Friarsgate (2) Boulevard** - Approximately 980' in length and in poor condition.
6. **Cressfell (2) Road** - Approximately 250' in length and in fair condition.

Road conditions have been determined through a visual evaluation. Irmo does not have an engineering department and is unable to evaluate the structural integrity of these roads. For roadways that do not meet current county standards we would appreciate a detailed description of what actions would be required for acceptance. If you need additional information please contact Bob Brown or me at (803) 781-7050.

Sincerely,

John Hanson
 Town Administrator

Gibbes Street



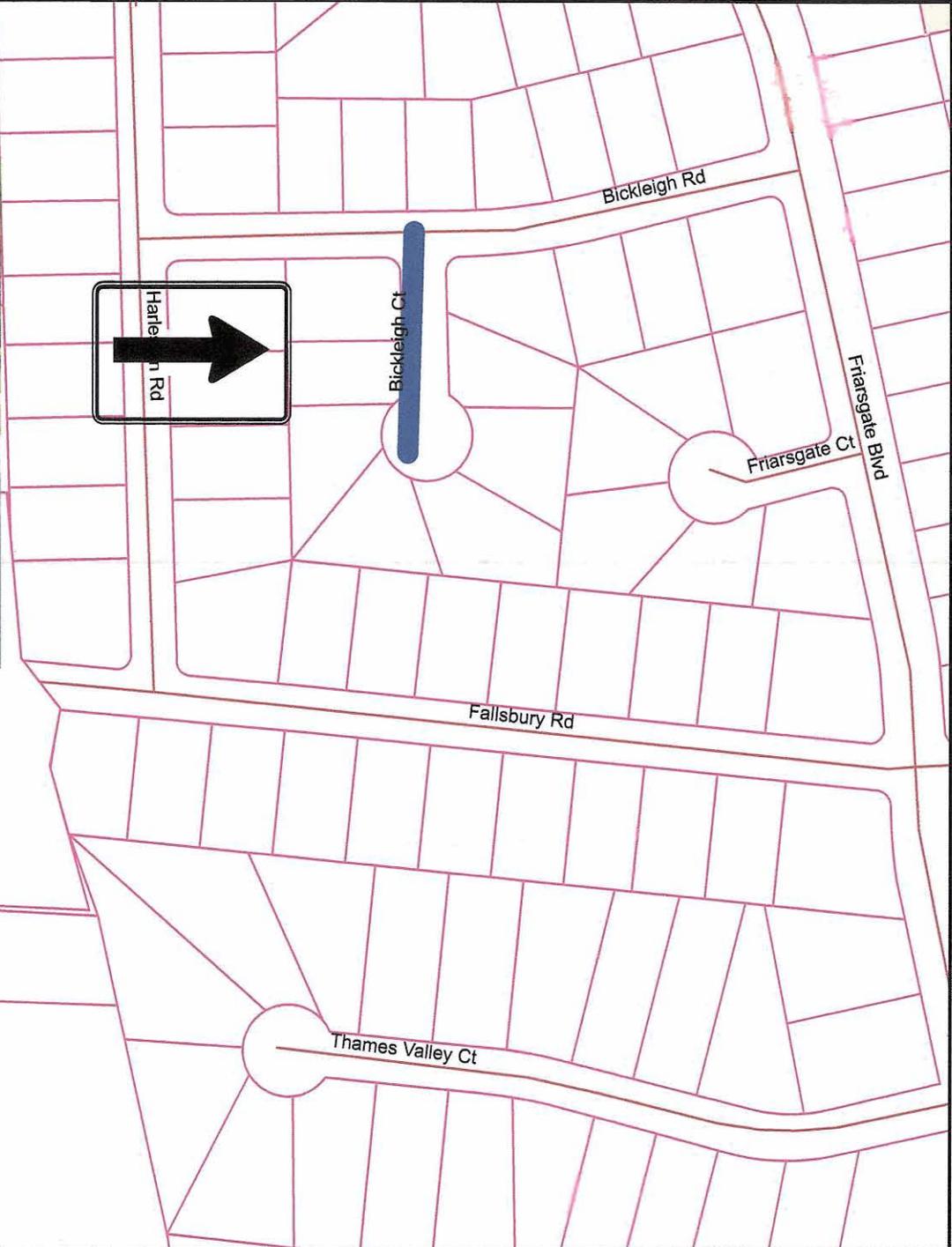
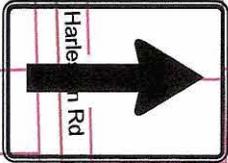
North Royal Tower (3) Road



Friarsgate Court



Bickleigh Court



Friarsgate (2) Boulevard



Cressfell (2) Road





COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

MEMORANDUM

DATE: November 30, 2007

TO: Katherine Hubbard
County Administrator

FROM: John Fachtel, Public Works Director
Assistant County Administrator

RE: Retrospective of Maintenance of County/Municipal Roads

County Council has asked for additional follow-up from the staff pertaining to the county's maintenance of roads within municipalities. The following information should clarify this issue.

Current records indicate the County has maintained roads within municipal limits since the mid 1970's. Until the early 1990's, counties received a portion of the gasoline rebate tax for road maintenance. An Engineering Agreement (Example Agreement "A") between Lexington County and each municipality was executed in 1978, and states that the County would provide Engineering Review of Development and perpetually maintain roads that were built to County standards (Example Agreement A, Item 3). The document also states that the Engineering Agreement may be terminated by a 30-day notice between each party (Example Agreement A, Item 4).

In 1982, Lexington County Council voted to share the state motor fuel rebates it received with the municipalities for road maintenance, based upon the number of registered vehicles. The option to receive a portion of the rebate was done in lieu of the County maintaining the roads. Some municipalities agreed, some did not, but the County continued maintenance on these roads. In late 1991, all municipalities whose roads were previously maintained by the County were reverted back to the County for maintenance.

The County has received requests to assume maintenance of certain roads not covered by the Engineering Agreement and has always brought the requests before County Council for approval; while Public Works insured that the subject roads met County standards as closely as possible. In most cases, we believe these roads were constructed prior to the 1978 Engineering Agreement.

Exhibit "B" reflects the municipal/county road mileage breakdown which shows the mileage each municipality maintains and the mileage the County is maintaining within each municipality. It also appears that most counties do not provide maintenance inside municipalities, but may share revenues as in road maintenance fees.

Example Agreement "A"

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)

AGREEMENT

This Agreement made and entered into this 21st day of Dec., 1978,
by and between THE COUNTY OF LEXINGTON, a political subdivision of the State
of South Carolina hereinafter referred to as the "County," and the
Town of Gaston a political subdivision of the State of
South Carolina hereinafter referred to as the "Town."

WHEREAS, the Town of Gaston is desirous of providing a
uniformity of roads and storm drainage system improvements in the best
interest of the health, safety, and general welfare of its citizenry; and

WHEREAS, the Town of Gaston desires to utilize the services
of the County's Department of Public Works to obtain such uniformity; and

WHEREAS, the County is able to provide such uniformity through the
review of the engineering of roads and storm drainage systems and through the
acceptance of perpetual maintenance responsibility for such improvements
once satisfactorily installed; and

WHEREAS, the County is willing to promulgate such uniformity of roads
and storm drainage systems within any locale within the bounds of the County;
and

WHEREAS, both of the parties hereto are authorized to enter into this
Agreement by virtue of the provisions of Section 4-9-40 of the South Carolina
Code of Laws of 1976.

NOW, THEREFORE, it is mutually agreed by and between the parties hereto
as follows:

1. The Engineer's Office of the County, a division of the Department
of Public Works, shall provide such engineering services as are necessary
to secure the uniformity of roads and storm drainage improvements within
the Town in compliance with the policy standards of the County Engineer's
Office for roadway construction and in accordance with the Storm Drainage
Ordinance of the County for such improvements and in accordance with the
development ordinances of the Town.



2. The Town shall not authorize construction or installation of such improvements until such time as the Engineer's Office of the County has been provided with and approved plans for road or storm drainage system installation.

3. The County, upon the satisfactory completion of such improvements in accordance with the plans approved by the County Engineer, shall agree to maintain such improvements perpetually as part of the County system of such improvements.

4. Either party hereto may terminate this Agreement at any time by giving the other party thirty (30) days written notice of its desire to terminate this Agreement.

5. This Agreement may be amended, modified or changed only upon the written Agreement of the County Council of Lexington County and the Town Council of the Town of Goston.

IN WITNESS WHEREOF, the County of Lexington has by direction of its County Council caused this Agreement to be executed by the Chairman of the Lexington County and the Town of Goston has by direction of its Town Council caused this Agreement to be executed by the effective date of this Agreement.

WITNESS:

Bartholomew R. Wingard

COUNTY OF LEXINGTON, SOUTH CAROLINA

BY: Marc H. Westlund
Chairman, Lexington County Council

TOWN OF

James F. Knight
Randall H. Jeffers

BY: Lewis C. Shupe
Mayor, Town of

MUNICIPAL/COUNTY ROAD MILES

<u>MAINTENANCE BY MUNICIPALITY</u>	<u>MILES</u>	<u>MAINTENANCE BY COUNTY W/IN MUNICIPALITY</u>	<u>MILES</u>
Batesburg	3.25	L3-Batesburg/Leesville	4.94
Cayce	1.12	L1-Cayce	9.45
Chapin	0.00	L4-Chapin	4.58
Gaston	0.36	L2-Gaston	6.62
Irmo	0.86	L4-Irmo	12.24
Leesville	0.41	L3-Batesburg/Leesville	see above
Lexington	24.46	L1-Lexington	4.70
Pelion	0.18	L2-Pelion	1.28
Pine Ridge	0.00	L2-Pine Ridge	5.43
South Congaree	0.06	L2-South Congaree	4.40
		L1-South Congaree	0.87
Springdale	0.10	L1-Springdale	3.76
Summit	0.00	L3-Summit	2.44
Swansea	0.00	L2-Swansea	1.63
West Columbia	0.57	L1-West Columbia	4.51
TOTAL	31.37	TOTAL	66.85
		MUNICIPAL MAINTAINED	31.37
		COUNTY MAINTAINED	+ 66.85
		TOTAL MILES	98.22

TOTAL PAVED = 66.44
TOTAL DIRT = 31.78



COUNTY OF LEXINGTON

PUBLIC WORKS DEPARTMENT

STORMWATER DIVISION

MEMORANDUM

DATE: January 28, 2008

TO: John Fachtel, Director of Public Works

FROM: Sheri Armstrong, Stormwater Manager
Synithia Williams, Environmental Coordinator

RE: Water Quality Buffers and Stormwater Credits

Enclosed are the follow-up recommendations from the Public Works Stormwater Division for existing water quality buffer requirements (3.4.4) as pertaining to the Land Development Manual. A new section, Stormwater Credits (3.10), has been added as an incentive for water quality buffers and open space preservation.

Water Quality Buffer Requirements (3.4.4)

The water quality buffer requirement has increased from a 50 foot to a 100 foot buffer on perennial streams, and 25 foot to 50 foot on wetland areas. Details were added to the section concerning: requirements for buffer design, management and maintenance, platting procedures, buffer averaging procedures, width adjustments and variance procedures. The expansion of the buffer section is based on research of other water quality buffer requirements in the southeast and research on water quality buffer effectiveness. Suggestions from the stakeholder's group and Planning Commission were considered and incorporated as deemed appropriate.

Stormwater Credits (3.10)

A new section titled Stormwater Credits (Section 3.10) has been added to Chapter 3 which provides credit for conservation areas, including water quality buffers. Conservation area credits allow the areas that are set aside in water quality buffers, along with other preserved open space, to be subtracted from the area that must be treated for volume. Conservation area credits serve as a benefit to those who must leave a water quality buffer and encourage setting aside areas as open space.

We are asking the Committee to adopt the revisions to Section 3.4.4 and Section 3.10.

3.4.4 Water Quality Buffer Requirements-(Expanded the introduction on the benefits of buffers)

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

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

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

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

3.4.4.1 Intent - (Added the intent of the buffer requirements)

It is the intent of the PW/SWD to establish minimal acceptable requirements for the design of buffers to protect the streams, wetlands and floodplains of the County of Lexington; to protect the water quality of watercourses, reservoirs, lakes, and other significant water resources; to protect riparian

and aquatic ecosystems; and to provide for the environmentally sound use of the County's land resources.

3.4.4.2 Applications-(Added the applications of the buffer requirements)

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

3.4.4.3 Exemptions-(Included exemptions to from the buffer requirements)

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

3.4.4.4 Selection of Buffers-(Removed General Requirements and replaced with specific requirements for stream and shoreline buffers)

3.4.4.4.1 Stream Buffers-(Added specific requirements for stream buffers; Removed the add on requirement when there is a floodway; increased buffer from 50 to 100 feet along perennial streams; increased buffer from 25 to 50 feet along wetlands)

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

The buffer width shall be calculated as follows:

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

for total distance of 100 feet from top of bank). This buffer width is independent of any wetland offset requirements of the USACE.

6. For delineated wetland areas associated with intermittent streams; if the delineated wetland is less than 50 feet from the top of bank, the distance to bring the buffer to 50 feet must be added. (i.e. If the wetland area is 25 feet then an additional 25 foot of buffer must be added for total distance of 50 feet from top of bank). This buffer width is independent of any wetland offset requirements of the USACE.
7. For wetland areas not associated with perennial, intermittent streams, or floodway the buffer shall be the extent of the wetland area plus an additional 50 feet perpendicular beyond the wetland edge.

3.4.4.4.2 Stream Buffer Management and Maintenance-(Added management and maintenance requirements specific to stream buffers including permitted activities)

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

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

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

3.4.4.5 Shoreline Buffers-(Added specific requirements for shoreline buffers)

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

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

3.4.4.5.1 Shoreline Buffer Management and Maintenance-(Added specific requirements for

shoreline buffer management and maintenance including allowed activities)

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

A. Management of the shoreline buffer includes specific limitations on alteration of the natural conditions. The following structures, practices and activities are restricted in the shoreline buffer unless prior approval is granted by the PW/SWD:

1. Septic systems;
2. Permanent structures;
3. Impervious cover, with the exception of paths;
4. Soil disturbance by grading, stripping or other practice;
5. Filling or dumping;
6. Stormwater management facilities;
7. Use, application, or storage of pesticides or herbicides except for the spot spraying of noxious weeds or other non-native species consistent with approved agency recommendations. (Lexington County, State Forestry Commission, SCE&G Land Management);

B. The following structures, practices, or activities are permitted in the shoreline buffer subject to the prior approval of the PW/SWD:

1. Biking or hiking paths;
2. Recreational uses as approved by the PW/SWD;
3. Limited tree or underbrush clearing with approval from the PW/SWD;

34.4.6 Water Quality Buffer Plat Requirements-(Added platting requirements for buffers)

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

1. Show the extent of any stream or shoreline buffer on the subject property by metes and bounds;

2. Label the stream and shoreline buffer;
3. Provide a note to reference all buffers stating: “There shall be no clearing, grading, construction or disturbance of vegetation except as permitted by the PW/SWD,”;
4. Provide a note to reference any protective covenants governing all buffer areas stating: “Any buffer shown on the plat is subject of protective covenants which may be found in the land records and which restrict disturbance and use of these areas,”;
5. If the buffer area will not be part of an individual lot then ownership must be stated by identifying who is the responsible party.
6. Provide location of permanent boundary marker signs.

3.4.4.7 Design Requirements-(Added design requirements for buffers; requirements for dedicating the buffer to Lexington County, a Homeowners Association or putting the buffer in a Conservation Easement.)

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

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

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

1. Water quality buffers must be clearly identified on all stormwater management plans and construction drawings and marked with the statement “Water Quality Buffer. Do Not Disturb”
2. Water quality buffers cannot be encroached upon or disturbed during project construction, unless in accordance with Section 3.4.4.3, Section 3.4.4.12 or unless they are being established, restored, or enhanced in accordance with an approved Buffer Enhancement Plan.
3. Water quality buffers must be clearly marked with warning barrier before the pre-construction conference. The marking shall be maintained until completion of construction activities. All contractors and others working on the construction site must be made aware of the existence of the buffer(s) and the restrictions on disturbing the buffer(s).
4. All areas of the water quality buffer, including stream banks, must be left in the existing condition upon completion of construction activities. Should construction activities

associated with development cause degradation to stream banks all eroding, bare or unstable stream banks shall be restored to existing conditions.

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

- i. Membership in the HOA is mandatory and automatic for all homeowners for the subdivision and their successors;
- ii. The HOA shall have lien authority to ensure the collection of dues from all members;
- iii. The HOA assumes the responsibility for protecting, monitoring and maintaining the area as an undisturbed natural area, in perpetuity;

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

3.4.4.8 Water Quality Buffer Width Adjustments-(Lowered the width adjustments due to an increase in the overall buffer width requirement)

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

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

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

3.4.4.9 Water Quality Buffer Averaging-(Added buffer averaging procedures including when averaging is allowed and an example calculation)

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

3.4.4.9.1 Requirements and Policies

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

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

3.4.4.9.2 Areas Where Buffer Averaging is Prohibited

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

1. Developments or facilities that include on-site sewage disposal and treatment systems (i.e., septic systems), raised septic systems, subsurface discharges from a wastewater treatment plant, or land application of bio-solids or animal waste;
2. Landfills (demolition landfills, permitted landfills, closed-in-place landfills);

3. Junkyards;
4. Commercial or industrial facilities that store and/or service motor vehicles;
5. Commercial greenhouses or landscape supply facilities;
6. Developments or facilities that have commercial or public pools;
7. Animal care facilities, kennels, and commercial/business developments or facilities that provide short-term or long-term care of animals;
8. Other land uses deemed by the PW/SWD to have the potential to generate higher than normal pollutant loadings.

3.4.4.9.3 Example Calculation

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

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

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

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

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

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

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

$$\begin{aligned}
 \text{Maximum length of 25 ft buffer} &= \text{length of buffer} \times 50\% \\
 &= 800 \text{ ft} \times 50\% \\
 &= 400 \text{ linear feet}
 \end{aligned}$$

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

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

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

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

Step 4. Determine the width of remaining buffer.

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

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

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

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

3.4.4.10 Signage-(Added requirements for marking buffers)

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

1. Generally, buffer boundary markers shall be located on the landward edge of the buffer, and at other locations which will approximately delineate the buffer boundary. For commercial developments, markers shall be posted every 100 feet along the buffer boundary. For

subdivisions where multiple lots are located along the buffer, it is recommended that a buffer boundary marker be located at the intersection of every other lot line with the landward edge of the buffer.

2. Buffer boundary markers shall include the statement “Water Quality Buffer-Do Not Disturb”.
3. Where possible, the markers should be mounted to a tree larger than three (3) inches in diameter. Where it is not possible to mount the marker to a tree, a treated wood, or metal, signpost must be used. The post must extend below the ground surface at least twenty-four (24) inches.
4. The boundary markers must be mounted between four (4) and six (6) feet above the ground surface.
5. The boundary markers must be at least twelve by eighteen inches (12”x 18”).
6. Buffer boundary markers may be purchased from the PW/SWD or from another vendor.

3.4.4.11 Buffer Restoration and Enhancement Plans-(Added requirements for buffer restoration and enhancement plans including when a plan is needed)

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

3.4.4.11.1 Buffer Restoration and Enhancement Plan Requirements

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

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

3. The schedule for when plantings will occur and a two year survival guarantee provided by the responsible party.

3.4.4.12 Variances-(Added buffer variance procedures)

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

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

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

3.4.4.12.1 Buffer Variance Criteria:

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

- ii. The COE has approved a mitigation plan, and;
- iii. Implementation of the plan in a 404 permit condition;

3.4.4.12.2 Buffer Variance Submittal Requirements

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

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

3.4.4.13 Inspections, Violations, Enforcement and Penalties-(Added section on inspection and enforcement procedures for disturbing buffer areas.

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

3.10 Stormwater Credits

3.10.1 Natural Area Conservation Credit

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

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

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

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

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

Example Calculation:

Total Site Area: 38 acres

Natural Conservation Area: 7 acres

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

Conservation Area Credit Formula:

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

Where:

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

A_{NA} = Natural Conservation Area (acres)

A = Total Site Area (acres)

WQ_v = Original Water Quality Volume (ac-ft)

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

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

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

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



South Carolina Department of Health
and Environmental Control

**OFFICE OF SOLID WASTE REDUCTION AND RECYCLING
MODIFICATION/CHANGE OF SCOPE APPROVAL**

Grantee: Lexington County	Grant Number: 32WO08
SWAC APPROVAL DATE: DECEMBER 3, 2007	

This modification is for additional funds to support the Statewide Used Oil recycling educational campaign to be aired in the Spring 2008 and for training for county staff.

SCOPE OF WORK

All purchases made under the scope of the grant must be requisitioned, purchased or procured by the end of the third quarter unless otherwise approved by the Office.

The grantee will use funds to increase outreach and education for the used oil recycling collection program including motor oil, motor oil bottles and motor oil filters. Grantee will purchase holders and place handouts at displays catered to diy's at auto part retail stores. Grantee will purchase a 3panel display to be used for recycling and used oil recycling for local events. Grantee also will place a series of ads in the Lexington Chronicle and the Neighbors section of the State newspaper using the DHEC used oil ad from the original grant announcement. Funds also will be used for professional development for county staff to attend recycling and recycling-related workshops/conferences. All public education and professional development must be pre-approved by the Office.

Budget:

Equipment:

Portable tabletop display	\$500
Public Education	
30 display holders	\$ 375
15,000 educational brochures	\$2,500
Production of display materials	\$100
Nine weekly "Lexington Chronicle" Ads	\$1,550
Nine "State" newspaper ads	\$4,725
Professional Development	\$250

Total Modification Amount: \$10,000

Total Grant Award: \$38,800

The Office of Solid Waste Reduction and Recycling has modified your grant budget as shown above.

This document will be added to the original grant agreement. All modifications and changes of scope adhere to the same guidelines and terms and conditions as listed in the original grant agreement. By signing below you are accepting and agreeing to the above changes.

Authorized Representative
SC DHEC

02/01/08

Date

Authorized Representative
Grantee

Date

**COUNTY OF LEXINGTON
SW/DHEC USED OIL GRANT
Annual Budget
Fiscal Year - 2007-08**

Object Code	Revenue Account Title	Approved 2007-08	Additional Requested 2007-08	Total 2007-08
* SW/DHEC Used Oil Grant 5722:				
Revenues: (C/C - 000000)				
458000	State Grant Income	28,800	10,000	38,800
** Total Revenue		28,800	10,000	38,800
***Total Appropriation		28,800	10,000	38,800
FUND BALANCE				
	Beginning of Year	0	0	0
FUND BALANCE - Projected				
	End of Year	0	0	0

Fund: 5722
Division: Public Works
Organization: 121207 - Solid Waste / Recycling

		BUDGET		
Object Expenditure Code	Classification	2007-08 Approved	2007-08 Additional Request	2007-08 Total
Personnel				
*Total Personnel		0	0	0
Operating Expenses				
520200	Contracted Services	3,750	0	3,750
520400	Advertising & Publicity	3,000	6,275	9,275
521200	Operating Supplies	7,150	0	7,150
521213	Public Education Supplies	0	3,475	3,475
525210	Conference & Meeting Expense	750	250	1,000
* Total Operating		14,650	10,000	24,650
**Total Personnel & Operating		14,650	10,000	24,650
Capital				
599999	Capital Clearing	0	0	0
	All Other Equipment			
5A8350	(1) Farmer's Used Oil Tank	14,150	0	14,150
**Total Capital		14,150	0	14,150
** Total Appropriation		28,800	10,000	38,800

SECTION V. B. – OPERATING LINE ITEM NARRATIVES

520400 – ADVERTISING & PUBLICITY **\$6,275**

Nine 2x10 weekly newspaper ads, Lexington Chronicle
Nine 2x10 newspaper ads, The State – Neighbors zones 1,5,6

521213 – PUBLIC EDUCATION SUPPLIES **\$3,475**

30 combination literature display/brochure holders for point-of-purchase locations
15,000 educational brochures
Three panel, portable tabletop display
Display materials production

525210 – CONFERENCE & MEETING EXPENSE **\$250**

Expenses for travel to Carolina Recycling Association conference, March 2008

COUNTY OF LEXINGTON
SW/DHEC MANAGEMENT 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
* SW/DHEC Management Grant 5720:							
Revenues: (C/C - 000000)							
458000	State Grant Income	0	33,297	113,600	113,600	39,485	
461000	Investment Interest	2	8	0	8	0	
** Total Revenue		<u>2</u>	<u>33,305</u>	<u>113,600</u>	<u>113,608</u>	<u>39,485</u>	
***Total Appropriation					148,600	39,485	
FUND BALANCE							
Beginning of Year					1,403	-33,589	-33,589
FUND BALANCE - Projected							
End of Year					<u>-33,589</u>	<u>-33,589</u>	<u>-33,589</u>

Fund: 5720
Division: Public Works
Organization: 121207 - Solid Waste / Recycling

BUDGET						
Object Expenditure Code Classification	2006-07 Expend	2007-08 Expend (Dec)	2007-08 Amended (Dec)	2008-09 Requested	2008-09 Recommend	2008-09 Approved
Personnel						
* Total Personnel	0	0	0	0		
Operating Expenses						
520200 Contracted Services	0	0	0	0		
520400 Advertising & Publicity	0	0	0	2,650		
521200 Operating Supplies	0	0	0	0		
* Total Operating	0	0	0	2,650		
**Total Personnel & Operating	0	0	0	2,650		
Capital						
599999 Capital Clearing	0	0	0	0		
All Other Equipment	0	31,904	148,600			
(4,300) Six Gallon Recycling Containers				24,510		
(500) 14-Gallon Curbside Recycling Bins				3,125		
(12) Banners				2,400		
(24) Magnetic Signs				1,800		
(1) Protective Metal Canopy				5,000		
**Total Capital	0	31,904	148,600	36,835		
** Total Budget Appropriation	0	31,904	148,600	39,485		

COUNTY OF LEXINGTON
Capital Item Summary
Fiscal Year - 2008 - 2009

Fund # 5720
 Organization # 121207
 Program #

Fund Title: Solid Waste DHEC Management Grant
 Organization Title: Solid Waste/Recycling Collections
 Program Title:

BUDGET
 2008-2009
 Requested

<u>Qty</u>	<u>Item Description</u>	<u>Amount</u>
<u>4,300</u>	<u>Norseman MURFE recycling containers</u>	<u>24,510</u>
<u>500</u>	<u>14-gallon curbside recycling bins</u>	<u>3,125</u>
<u>12</u>	<u>2 x 6 banners for collection and recycling centers</u>	<u>2,400</u>
<u>24</u>	<u>2 X 4 magnetic signs</u>	<u>1,800</u>
<u>1</u>	<u>Canopy for office paper compactor</u>	<u>5,000</u>

**** Total Capital (Transfer Total to Section I and IA) 36,835**

SECTION III – PROGRAM OVERVIEW

Summary of Program

DHEC Solid Waste Management Grant

Objective:

This program is a proposed grant application with South Carolina Department of Health and Environmental Control (DHEC). DHEC is offering grant funds to increase the collection of recycling of office paper, cardboard and plastic containers. We propose to increase collection of these materials in Lexington County by using grant funds to:

- Educate current collection/recycling center users about office paper, cardboard and plastic container recycling – what we accept, how to prepare it and why recycling is important.
 - Identify audiences who don't use the collection/recycling centers and explain how they can use them to recycle office paper, cardboard and plastic containers
 - Educate collection/recycling center attendants about office paper, cardboard and plastic recycling so they can educate residents and reduce contamination and motivate them to increase collection through collection/recycling center competitions.
 - Motivate residents to recycle office paper, cardboard and plastic containers by instituting a "we caught you recycling" recognition program.
 - Increase the amount of office paper and plastic containers recycled at the centers by distributing free recycling bins designed to make collection and transportation of the paper easier and more convenient.
 - Increase the amount of plastic containers collected curbside by purchasing a limited number of curbside bins and offering them to residents at no charge.
 - Assist with collection and transport of office paper by protecting the paper from the elements between collection, compaction and transfer (canopy for office paper compactor at LCSWM landfill).
-

SECTION IV. – SUMMARY OF REVENUES

458000 – State Grant Income **\$39,485**

SECTION V. – LINE ITEM NARRATIVES

SECTION V. B. OPERATING LINE ITEM NARRATIVES

520400 – ADVERTISING AND PUBLICITY **\$2,650**

(5,000) Recycling Education Fliers @ \$400

8 ½ by 6 ½ educational fliers, copied on recycled paper, to distribute with six gallon stackable recycling bins. Will advise residents on items collected at collection and recycling centers and how to prepare them for recycling.

(500) Recycled Cardboard Magnets @ \$500

Promotional magnets made from recycled cardboard in the shape of a cardboard box. Will be used to educate and motivate residents to recycle cardboard at collection and recycling centers.

(500) Recycled Plastic Promotional Items @ \$1,000

Promotional item, TBD, made from recycled plastic. Will be used to educate and motivate residents to recycle plastic at collection and recycling centers.

(50) Promotional Items for Collection and Recycling Center Staff @ \$750

Recycled promotional items, to be determined, to distribute quarterly to collection and recycling center staff with highest increase in recycling. Used in conjunction with a public education campaign, this extra recognition should motivate staff to help increase collection of recyclables. Item will be something the attendants can proudly display or wear and will also increase awareness of the County's recycling program.

SECTION V. C. –CAPITAL LINE ITEM NARRATIVES

(4,300) SIX GALLON RECYCLING CONTAINERS **\$24,510**

Six gallon stackable recycling containers with a swing arm and ergonomic handle. Bins will increase convenience of collecting and transporting recyclables to collection and recycling centers, thus increasing collection and recycling of targeted commodities. Will be distributed to residents at collection and recycling centers.

(500) 14-GALLON CURBSIDE RECYCLING BINS **\$3,125**

Fourteen gallon curbside recycling containers will be offered to residents free while supplies last through our franchise collectors. This will increase recycling households by 500, thus increasing curbside recycling significantly.

(12) BANNERS **\$2,400**

All weather, 2 by 6 banners for display at collection and recycling centers to promote recycling.

(24) MAGNETIC SIGNS **\$1,800**

All weather “No Cardboard Please” magnetic signs for placement on all household garbage compactors to help divert cardboard from the garbage to recycling bins. Along with public education campaign, signs should help significantly increase amount of cardboard collected for recycling at collection and recycling centers.

(1) PROTECTIVE METAL CANOPY **\$5,000**

20 by 40 metal canopy to protect landfill office paper recycling compactor from the elements. Will also protect office paper between collection and transport.

COUNTY OF LEXINGTON
SW/DHEC USED OIL 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
* SW/DHEC Used Oil Grant 5722:							
Revenues: (C/C - 000000)							
458000	State Grant Income	3,845	15,368	28,800	28,800	131,875	
** Total Revenue		<u>3,845</u>	<u>15,368</u>	<u>28,800</u>	<u>28,800</u>	<u>131,875</u>	
***Total Appropriation					28,800	131,875	
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: 5722
Division: Public Works
Organization: 121207 - Solid Waste / Recycling

					BUDGET		
Object Expenditure Code Classification	2006-07 Expend	2007-08 Expend (Dec)	2007-08 Amended (Dec)	2008-09 Requested	2008-09 Recommend	2008-09 Approved	
Personnel					0		
*Total Personnel		0	0	0	0		
Operating Expenses							
520200	Contracted Services	0	0	3,750	0		
520400	Advertising and Publicity	0	0	3,000	0		
521200	Operating Supplies	3,636	116	7,150	5,875		
521213	Public Education Supplies	0	0	0	5,000		
525210	Conference & Meeting Expense	209	300	750	1,000		
* Total Operating		3,845	416	14,650	11,875		
**Total Personnel & Operating		3,845	416	14,650	11,875		
Capital							
599999	Capital Clearing	-12,455					
	All Other Equipment	12,455	0	14,150	0		
	(24) Profile 400 Used Oil Tanks w/ Acc.				114,000		
	(24) Signs for Collection & Recycling Cen.				6,000		
**Total Capital		0	0	14,150	120,000		
** Total Appropriation		3,845	416	28,800	131,875		

SECTION III – PROGRAM OVERVIEW

Summary of Programs

DHEC Used Oil Recycling Grant

Objective:

This proposed grant application is with South Carolina Department of Health and Environmental Control (DHEC). We are requesting funds to help maintain and upgrade each of the County's 12 used oil recycling site, educate the County's residents about the program and provide training for our recycling coordinator.

We have requested funds to upgrade used oil collection at our 12 collection and recycling centers by replacing the County's old collection tanks with Profile 400 Used Oil Tanks with Spill Pan and 14' sock. We have also requested oil bottle bags, new signage for collection and recycling centers, and dry absorbent.

To educate the public about the County's oil recycling program, we will develop and print a new used oil recycling brochure, purchase and distribute tire gauges with used oil recycling messages, and purchase supplies to devise a used oil recycling booth/activity at Kid's Day Lexington.

Finally, we will use available funding to send our recycling coordinator to the National Recycling Congress or Carolina Recycling Annual Conference.

SECTION IV. – SUMMARY OF REVENUES

458000 – State Grant Income

\$131,875

SECTION V. – LINE ITEM NARRATIVES

SECTION V. B. – OPERATING LINE ITEM NARRATIVES

521200 – OPERATING SUPPLIES **\$5,875**

(15) Oil Bottle Bags (100 bags per box) @ \$5,625

These bags are used to line oil bottle recycling containers used for the collection and recycling of oil bottles from the County's 12 collection and recycling Centers.

(50) Bags of Dry Absorbent @ \$250

Highly absorbent, nonflammable, mineral granules used to absorb oil from and reduce hazards/slipping at Collection and Recycling Centers, primarily surrounding the used oil recycling tanks.

521213 – PUBLIC EDUCATION **\$5,000**

(5,000) Used Oil Recycling Brochures @ \$1,380

Tri-fold brochures printed on recycled paper to educate residents about Lexington County's used oil recycling program. The brochures will be distributed via mail, presentations, special events, collection and recycling centers.

(1,000) Tire Gauges @ \$3,150

High quality, durable metal tire gauge imprinted with used oil recycling message to promote County's used oil recycling program. Made for cars and light trucks; gauge measures 10 - 50 PSI and are calibrated to LBS and KGS. The tire gauges will be distributed via mail, presentations, special events, collection and recycling centers.

Supplies For LCSWM Booth At Kid's Day Lexington @ \$470

To promote the County's used oil recycling program, Lexington County SWM will create and staff a used oil recycling booth at 2009 Kid's Day Lexington. We will devise a hands-on activity for children and distribute information to the parents, as well. Detailed list of supplies will be available as the activity is determined, but will likely include paper, glue, markers and similar items.

525210 – CONFERENCE AND MEETING EXPENSE **\$1,000**

The \$1,000 professional development allotment will be used toward Recycling Coordinator's attendance at the Carolina Recycling Association Annual Meeting and/or the National Recycling Congress.

SECTION V. C. – CAPITAL LINE ITEM NARRATIVES

(24) PROFILE 400 USED OIL TANKS W/SPILL PAN AND 14' SOCK **\$114,000**

Specially designed to accept used oil from the public, these used oil tanks improve program participation and aid in keeping the collection and recycling centers clean. The Profile Oil Container combines the unique feature of a steel inner tank surrounded by a rust resistant fiberglass secondary containment. Other features include a large disposal funnel, rain resistant lockable lid, level gauge, instruction decals and a 2" service coupling for pumping out the used oil.

(24) SIGNS FOR COLLECTION AND RECYCLING CENTERS **\$6,000**

Consistent, attractive signage for each collection and recycling center will help educate residents about operation schedule, promote use of the centers and reduce contamination in collection and recycling bins.

COUNTY OF LEXINGTON
SW/WASTE TIRE 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
* SW/Waste Tire Grant 5721:							
Revenues: (C/C - 000000)							
458000	State Grant Income	0	2,983	0	2,983	6,000	
461000	Investment Interest	0	2	0	0	0	
** Total Revenue		<u>0</u>	<u>2,985</u>	<u>0</u>	<u>2,983</u>	<u>6,000</u>	
***Total Appropriation					3,750	6,000	
FUND BALANCE							
Beginning of Year							
					<u>2,988</u>	<u>2,221</u>	
FUND BALANCE - Projected							
End of Year							
					<u><u>2,221</u></u>	<u><u>2,221</u></u>	

Fund: 5721
Division: Public Works
Organization: 121207 - Solid Waste / Recycling Collections

							BUDGET
Object Expenditure Code Classification	2006-07 Expend	2007-08 Expend (Dec)	2007-08 Amended (Dec)	2008-09 Requested	2008-09 Recommend	2008-09 Approved	
Operating Expenses							
520200	Contracted Services	0	0	0	0		
521213	Public Education Supplies	0	0	3,000	5,000		
525210	Conference & Meeting Expenses	0	0	750	1,000		
* Total Operating		0	0	3,750	6,000		
**Total Personnel & Operating		0	0	3,750	6,000		
Capital							
**Total Capital		0	0	0	0		
** Total Appropriation		0	0	3,750	6,000		

SECTION III – PROGRAM OVERVIEW

Summary of Program

DHEC Waste Tire Grant

Objective:

This program is a proposed grant application with South Carolina Department of Health and Environmental Control (DHEC).

The grant funds will be used to educate the public about the County's Waste Tire Recycling program:

- Develop tri-fold brochures, printed on recycled paper, targeted to educate new Lexington County residents the County's recycling and garbage collection program.
- Purchase and distribute Tire tread depth gauge imprinted with waste tire recycling message to promote County's tire recycling program.
- Purchase and distribute tire gauges imprinted with waste tire recycling message to promote County's tire recycling program.

Also, available funds will be used to send the County's recycling coordinator to the National Recycling Congress or Carolina Recycling Annual Conference.

SECTION IV. – SUMMARY OF REVENUES

458000 – State Grant Income

\$ 6,000

SECTION V. – LINE ITEM NARRATIVES

SECTION V. B. – OPERATING LINE ITEM NARRATIVES

521213 PUBLIC EDUCATION SUPPLIES \$5,000

(5,000) Recycling Brochures @ \$1,750

Tri-fold brochures, printed on recycled paper, targeted to educate new Lexington County residents the County's recycling and garbage collection program.

(500) Tire Tread Depth Gauge @ \$750

Tire tread depth gauge imprinted with waste tire recycling message to promote County's tire recycling program. Easily checks tire tread for safe driving. These tire tread depth gauges will be distributed via mail, presentations, special events, collection and recycling centers.

(1,000) Tire Gauges @ \$2500

High quality, durable metal tire gauge imprinted with waste tire recycling message to promote County's tire recycling program. Made for cars and light trucks; gauge measures 10 - 50 PSI, which are calibrated to LBS and KGS. These tire gauges will be distributed via mail, presentations, special events, collection and recycling centers.

525210 CONFERENCE AND MEETING EXPENSES \$1,000

The \$1,000 professional development allotment will be used toward Recycling Coordinator's attendance at the Carolina Recycling Association Annual Meeting and/or the National Recycling Congress.

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

APPOINTMENTS - BOARDS & COMMISSIONS

February 26, 2008

JIM KINARD

Health Services District – Heather W. Jackson – Term expires 03/10/08 – Eligible for reappointment

SMOKEY DAVIS

Board of Zoning Appeals - Bryan Clemenz (Resigned 03/20/07) Term expired 12/31/07
Children's Shelter - David S. Hipp – Term expired 06/30/06 – Eligible for reappointment
Health Services District – Vasa W. Cate, MD – Term expires 03/10/08 – Eligible for reappointment

DEBBIE SUMMERS

Health Services District – Leon A. Love – Term expires 03/10/08 – Not eligible for reappointment

JOHNNY JEFFCOAT

Assessment Appeals Board – Beth Dorn Lindardt – Term expired 09/21/07 – Eligible for reappointment
Health Services District:
Robert O. Heilman – Term expires 03/10/08 – Eligible for reappointment
Museum Commission – Sandra Burdett – Term expired 11/01/05 – Not eligible for reappointment

JOHN CARRIGG

Assessment Appeals Board – Vacant – Term expired 09/21/06
Museum Commission – Vacant – Term expired 11/01/06

BILL BANNING

Museum Commission – Toni L. Greer – Term expired 11/1/07 – Not eligible for reappointment (Due to attendance)
Planning Commission – William E. Unthank, Jr. (Resigned December 2007) – Term expires 8/26/11

TODD CULLUM

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

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

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

COUNTY OF LEXINGTON

Procurement Service

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: February 21, 2008

TO: Katherine L. Hubbard
County Administrator

THROUGH: Rod Pimental
Interim Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

**SUBJECT: HVAC Renovations for the County Administration Building
Bid No. B08041-02/19/08B
Building Services**

Competitive bids were solicited for the renovations of the HVAC system for the old section of the County Administration Building. This project consists of the removal and replacement of the heating, ventilation, and air conditioning system on all floors with the exception of the basement and third floor. These two floors have been recently renovated. The work will be accomplished while the building is occupied through coordination with Building Services, Department Heads, and the contractor.

We received ten (10) bids of which six (6) were no bids (see attached bid tabulation). Danny Wilds, Mechanical Engineer for the project; Randy Quattlebaum, Building Services Manager; and Rod Pimental, Interim Procurement Manager evaluated the bids. It is their recommendation to award this project to Columbia Cooling and Heating Company Inc. as the lowest responsive bidder. The total cost including applicable sales tax is \$840,766.41.

Funds are appropriated in the following account:

1000-111300-5A8049	HVAC Renovation - Administration Building	\$840,766.41
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I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on February 26, 2008.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Randy Quattlebaum, Building Services Manager

County of Lexington

Bid Tabulation

B08040

ams

02/13/08

B08041-02/19/08B

Mechanical Renovations to the Lexington County Administration Building

Qty	Description	Cayce Company		International Construction		Cullum Services		O.L. Holley and Sons, Inc	
		Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Base Bid for Renovations		No Bid		No Bid		No Bid		No Bid
1	Alternate Bid Number 1		No Bid		No Bid		No Bid		No Bid
1	Alternate Bid Number 2		No Bid		No Bid		No Bid		No Bid
	Tax		No Bid		No Bid		No Bid		No Bid
	Total		No Bid		No Bid		No Bid		No Bid
	Addendums Acknowledged		No Bid		No Bid		No Bid		No Bid
	Electrical Subcontractor		No Bid		No Bid		No Bid		No Bid
	General Subcontractor		No Bid		No Bid		No Bid		No Bid
	Voice and Data Cabling		No Bid		No Bid		No Bid		No Bid

Qty	Description	Waldrop Mechanical		Rite Temp Heating & Air		Columbia Heating & Cooling		Walker-White, Inc.	
		Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Base Bid for Renovations		No Bid		No Bid		\$ 648,548.00		\$ 932,100.00
1	Alternate Bid Number 1		No Bid		No Bid		\$ 103,109.00		\$ 98,100.00
1	Alternate Bid Number 2		No Bid		No Bid		\$ 34,106.00		\$ 32,400.00
	Tax		No Bid		No Bid		\$ 55,003.41		\$ 74,382.00
	Total		No Bid		No Bid		\$ 840,766.41		\$ 1,136,982.00
	Addendums Acknowledged		No Bid		No Bid		Yes		Yes
	Electrical Subcontractor		No Bid		No Bid		Shealy and Sons		Shealy and Sons
	General Subcontractor		No Bid		No Bid		Accoustics Inc.		Accoustics Inc.
	Voice and Data Cabling		No Bid		No Bid		Taylorred Communications		Taylorred Communications

Qty	Description	W.B. Thomason		W.O. Blackstone & Co.	
		Unit Price	Total	Unit Price	Total
1	Base Bid for Renovations		\$ 678,000.00		\$ 861,290.00
1	Alternate Bid Number 1		\$ 110,500.00		\$ 119,575.00
1	Alternate Bid Number 2		\$ 36,000.00		\$ 36,650.00
	Tax		\$ 57,715.00		\$ 71,226.05
	Total		\$ 882,215.00		\$ 1,088,741.05
	Addendums Acknowledged		Yes		Yes
	Electrical Subcontractor		Shealy and Sons		Shealy and Sons
	General Subcontractor		Core Construction		W.O. Blackstone & Co
	Voice and Data Cabling		Taylorred Communication		Taylorred Communications

Bids opened: February 13, 2008

Angela M. Seymour
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: February 8, 2008

TO: Katherine L. Hubbard
County Administrator

THROUGH: Rod Pimental
Interim Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **Term Contract for the Elevator Service and Repairs at Seven (7) County Locations - Building Services C08010-02/07/08S**

Competitive bids were solicited and advertised for a term contract for providing Service and Repairs for elevators at Seven (7) County Locations for Building Services.

The County received four (4) bids (see attached bid tabulation). The bids were evaluated by Randy Quattlebaum, Building Services Manager and Angela M. Seymour, Procurement Officer. It is our recommendation to award the contract to Thyssen Krupp Elevator as the lowest bidder meeting specifications. The total annual cost including applicable sales tax is \$26,940.00.

Funds are available in the following account numbers:

1000-111300-520100	Contracted Maintenance	\$17,940.00
1000-151300-520100	Contracted Maintenance	\$3,600.00
1000-171100-520100	Contracted Maintenance	\$1,200.00
2300-230099-520100	Contracted Maintenance	\$4,200.00

It is our recommendation to award a term contract for the initial period of one (1) year with the option to extend the contract for four (4) additional one year periods if deemed to be in the best interest of the County. 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 February 26, 2008.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Randy Quattlebaum, Building Services Manager

County of Lexington

Bid Tabulation

C08010-02/07/08S

Term Contract for the Elevator Service and Repairs at Seven (7) County Locations

Quantity	Description	Otis Elevator		Carolina Elevator		Southern Elevator		Thyssen Krupp	
		Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Monthly Cost - Lexington County Health Department - #32-0039	\$125.00	\$1,500.00	\$140.00	\$1,680.00	\$125.00	\$1,500.00	\$ 100.00	\$ 1,200.00
1	Monthly Cost- Lexington County Courthouse - #32-0054	\$145.00	\$1,740.00	\$285.00	\$3,420.00	\$125.00	\$1,500.00	\$ 195.00	\$ 2,340.00
1	Monthly Cost - New Jail Annex - #32-0225 & #32-0236	\$250.00	\$3,000.00	\$330.00	\$3,960.00	\$250.00	\$3,000.00	\$ 200.00	\$ 2,400.00
1	Monthly Cost - Lexington County Administration - #32-0052 & #32-0053	\$600.00	\$7,200.00	\$685.00	\$8,220.00	\$440.00	\$5,280.00	\$ 500.00	\$ 6,000.00
1	Monthly Cost - Law Enforcement Center - #32-0051	\$125.00	\$1,500.00	\$145.00	\$1,740.00	\$125.00	\$1,500.00	\$ 100.00	\$ 1,200.00
1	Monthly Cost - Lexington Library - #32-0058	\$125.00	\$1,500.00	\$185.00	\$2,220.00	\$115.00	\$1,380.00	\$ 100.00	\$ 1,200.00
1	Monthly Cost - Lexington Library - #32-0059 (Dumb Waiter)	\$55.00	\$660.00	\$90.00	\$1,080.00	\$40.00	\$480.00	\$ 50.00	\$ 600.00
1	Monthly Cost - Cayce-West Columbia Library - #32-148 (Dumb Waiter)	\$55.00	\$660.00	\$90.00	\$1,080.00	\$40.00	\$480.00	\$ 50.00	\$ 600.00
1	Monthly Cost - Cayce-West Columbia Library - #32-145, #32-146, #32-147	\$165.00	\$1,980.00	\$175.00	\$2,100.00	\$120.00	\$1,440.00	\$ 150.00	\$ 1,800.00
1	Monthly Cost - Lexington County Judicial Center - #32-0294, #32-0295, #32-0300, #32-0301, #32-0302	\$1,020.00	\$12,240.00	No Bid	No Bid	\$1,270.00	\$15,240.00	\$ 800.00	\$ 9,600.00
	Annual Cost		\$31,980.00				\$31,800.00		\$ 26,940.00
1	Regular Hours - (1) Mechanic		\$155.00		\$149.00		\$201.00		\$ 170.00
1	Regular Hours - Mechanic and Helper		\$279.00		\$205.00		\$362.00		\$ 306.00
1	Overtime Hours - (1) Mechanic		\$310.00		\$253.30		\$302.00		\$ 289.00
1	Overtime Hours - Mechanic and Helper		\$558.00		\$348.50		\$544.00		\$ 612.00
1	Sundays and Holidays - (1) Mechanic		\$310.00		\$298.00		\$342.00		\$ 340.00
1	Helper		\$558.00		\$410.00		\$616.00		\$ 612.00
1	Cost per mile		\$0.51		\$0.49		\$65.00		0

Carolina Elevator bid was rejected as the vendor did not bid on all the items.

Bid Opened on February 7, 2008

Angela M. Seymour
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: February 11, 2008

TO: Katherine L. Hubbard
County Administrator

THROUGH: Rod Pimental
Interim Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

**SUBJECT: (1) 4WD Utility Vehicle - Replacement
Fleet Services/Motor Pool**

We are in receipt of a purchase request for one (1) 2008 4WD Chevrolet Trailblazer for the Fleet Services/Motor Pool. This vehicle is being purchased from Love Chevrolet Co. through South Carolina State Contract Number 07-S7325-A12742. The vehicle is recommended and approved in accordance with the Fleet Management Policy by Ellis Gammons, Fleet Manager. The total cost including applicable sales tax is \$21,385.00.

Funds are appropriated in the following account:

2456-151200-5A8498	Motor Pool Fund
(1) 4WD Utility Vehicle	\$21,385.00

I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on February 26, 2008.

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

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: February 15, 2008

TO: Katherine L. Hubbard
County Administrator

THROUGH: Rod Pimental
Interim Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: (2) GIS Cartographer Computers and (3) Personal Computers and Monitors
for Various Departments
Information Services

We received purchase requests for two (2) GIS Cartographer Computers and three (3) Personal Computers and Monitors for various departments from Information Services. These items will be purchased directly from the manufacturer (Dell) through the South Carolina State Contract #A63307.

Mike Ujcich, Chief Information Officer, and Jim Schafer, Information Technology Manager, have reviewed and recommended this purchase.

The total cost including applicable sales tax is \$11,143.41.

Funds are appropriated in the following accounts:

1000-101900-5A8027	Assessor	(2) GIS Cartographer Computers	\$4,453.30
1000-101600-5A8011	Planning & GIS	(3) Personal Computers and Monitors	\$6,690.11

I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on February 26, 2008.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Mike Ujcich, Chief Information Officer
Jim Schafer, Information Technology Manager

MEMORANDUM

TO: JANICE BELL, INTERIM PROCUREMENT MANAGER
FROM: JIM SCHAFER, IT MANAGER
SUBJECT: FUNCTION 3 PC'S AND MONITORS
DATE: 2/20/2008

Five (5) Function 3 (GIS Cartographer) PC's , four (4) 19" flat panel monitors and one (1) 21" CRT monitor remain to be purchased for the current fiscal year. These are replacements for existing PC's and monitors used by employees building GIS files in the Planning & GIS and Assessor departments.

Table 1 is a summary of the needed units, costs, and the various applicable accounts. It is proposed to make these purchases from Dell Computers under state contract NASPOWSCA # A63307.

Table 1.
Requested Function 3 PC and Monitor Acquisitions

Department/ Account	Item / Qty	Unit Cost	Subtotal	Sales Tax	Total
Planning & GIS 1000-101600- 5A8011	Dell Precision 490 PC (3)	\$1,820.98	\$5,462.94	\$382.41	\$5,845.35
	19" Flat Panel Monitor (2)	260.00	520.00	36.40	556.40
	21" CRT Monitor (1)	269.50	269.50	18.86	288.36
	Subtotal				6,690.11
Assessor 1000- 101900-5A8027	Dell Precision 490 PC (2)	\$1,820.98	3,641.96	254.94	3,896.90
	19" Flat Panel Monitor (2)	260.00	520.00	36.40	556.40
	Subtotal				4,453.30
Total					\$11,143.41

Approval to make these purchases is requested.

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: February 11, 2008

TO: Katherine L. Hubbard
County Administrator

THROUGH: Rod Pimental
Interim Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

**SUBJECT: Medical Supplies
Public Safety - EMS**

We received a purchase request for Medical Supplies for Public Safety - EMS. This has been deemed a Sole Source through Sovereign Medical, LLC as they are the exclusive distributors of EZ-IO adult intraosseous infusion systems. Chief Brian Hood, EMS Coordinator has reviewed and recommended this purchase. The total cost including applicable sales tax is \$8,797.27.

Funds are appropriated in the following account:

2477-131400-5A532	Supplemental Homeland Security Grant
Medical Supplies	\$8,797.27

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 February 26, 2008.

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

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: February 7, 2008

TO: Katherine L. Hubbard
County Administrator

THROUGH: Rod Pimental
Interim Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: (19) Personal Protection Kits
Public Safety/EMS

We received a purchase request for nineteen (19) Personal Protection Kits for Public Safety/EMS. These kits will be purchased from Aramsco through South Carolina State Contract #04-A6165-A10197. The total cost of including applicable sales tax is \$6,551.14.

Funds are appropriated in the following account:

1000-131400-5A8113	(19) Personal Protection Kits	\$6,551.14
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I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on February 26, 2008.

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

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: February 11, 2008

TO: Katherine L. Hubbard
County Administrator

THROUGH: Rod Pimental
Interim Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **Scopes and Accessories**
Public Safety - EMS

We received a purchase request for Scopes and Accessories for Public Safety - EMS. The County received three (3) bids (see attached bid tabulation). The bids were evaluated by Chief Brian Hood, EMS Coordinator and Angela M. Seymour, Procurement Officer. We recommend awarding the bid to Southeastern Emergency Equipment as the low bidder meeting specifications at a total cost of \$7,499.20.

Funds are appropriated in the following account:

1000-131400-5A8536	Scopes and Accessories	\$7,499.20
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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 February 26, 2008.

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

County of Lexington

Res-Q-Scope
AMS
02/05/08

Bid Tabulation

Scopes and Accessories

Quantity	Description	Southeastern Emergency Equipment		Emergency Medical Consultants		Tri County Training Academy	
		Unit Price	Total	Unit Price	Total	Unit Price	Total
6	Res-Q- Scope II	\$ 771.60	\$ 4,629.60	\$ 775.00	\$ 4,650.00	\$ 790.00	\$ 4,740.00
52	Disposable Blades	\$ 45.75	\$ 2,379.00	\$ 46.00	\$ 2,392.00	\$ 50.00	\$ 2,600.00
	Subtotal		\$ 7,008.60		\$ 7,042.00		\$ 7,340.00
	Tax		\$ 490.60		\$ 492.94		\$ 513.80
	Total		\$ 7,499.20		\$ 7,534.94		\$ 7,853.80

Quotes Received: February 5, 2008

Angela M. Seymour
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: February 15, 2008

TO: Katherine L. Hubbard
County Administrator

THROUGH: Rod Pimental
Interim Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: (11) Bay Heaters
Bid No. B08043-02/11/08S
Public Safety/Fire Service

Competitive bids were solicited and advertised for eleven (11) Bay Heaters for Public Safety/Fire Service. The County received two (2) bids (see attached bid tabulation). Randy Quattlebaum, Building Services Manager; Russell Rawl, Fire Services Coordinator; and Angela M. Seymour, Procurement Officer; have reviewed and recommended this purchase. We recommend award to Broom Heating and Air as the low bidder meeting specifications. The total cost including applicable sales tax is \$29,475.30.

Funds are appropriated in the following accounts:

1000-131500-5A8558	(2) Bay Heaters – Pine Grove	\$5,671.00
1000-131500-5A8479	(3) Bay Heaters – Lexington	\$7,940.48
1000-131500-5A8480	(3) Bay Heaters – Oak Grove	\$7,931.91
1000-131500-5A8481	(3) Bay Heaters – South Congaree	\$7,931.91

I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on February 26, 2008.

Attachment

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

County of Lexington
Bid Tabulation

BID: B08043-02/11/08S

Eleven (11) Bay Heaters

Qty	Description	O.L. Holley and Sons		Broom Heating & Air	
		Unit Price	Total Price	Unit Price	Total Price
3	Bay Heaters (Lexington Fire Station)	\$ 7,073.00	\$ 21,219.00	\$ 2,473.67	\$ 7,421.01
3	Bay Heaters (Oak Grove Fire Station)	\$ 5,765.00	\$ 17,295.00	\$ 2,471.00	\$ 7,413.00
3	Bay Heaters (South Congaree Fire Station)	\$ 5,825.00	\$ 17,475.00	\$ 2,471.00	\$ 7,413.00
2	Bay Heaters (Pine Grove Fire Station)		No Bid	\$ 2,650.00	\$ 5,300.00
	Subtotal		\$ 55,989.00		\$ 27,547.01
	Tax		\$ 3,919.23		\$ 1,928.29
	Total		\$ 59,908.23		\$ 29,475.30

Bids Opened: February 11, 2008

Angela M. Seymour
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: February 7, 2008

TO: Katherine L. Hubbard
County Administrator

THROUGH: Rod Pimental
Interim Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: (1) 800 MHZ Radio with Accessories
Sheriff's Department

We received a purchase request for one (1) 800 MHZ Radio with Accessories for the Sheriff's Department for the Violence Against Women Act Grant Project. This radio will be purchased directly from the manufacturer (Motorola) through South Carolina State Contract #OIR2002.07. This will be an additional radio for the Sheriff's Department. The total cost including applicable tax is \$5,490.34.

Funds are appropriated in the following account:

2456-151200-5A8441	(1) 800 MHZ Radio with Accessories	\$5,490.34
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I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on February 26, 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, SOUTH CAROLINA

Community Development

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

ZONING MAP AMENDMENT APPLICATION # **M08-01**

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

Riverchase Way, 41.81 acres

Zoning Classifications: (Current) ID (Proposed) R1

TMS#: 003698-03-101 Property Owner: Edwardsplace, LLC & WCDM Dev., LP

Reason for the request: See Attachment

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: 02/07/08 Applicant: Owner Agent

Phone #(s): home 791-3679 _____

Signature: _____ Printed Name: Charles W. Crouch

Street/Mailing Address: 263 Royal Oaks Ct. Lexington SC 29072

02/07/08	Application Received
	Newspaper Advertisement
	Notices Mailed

02/07/08	Fee Received
	Property Posted
	Planning Commission

Planning Commission Recommendation: _____

2/26/08	First Reading	Public Hearing	Second Reading	Third Reading
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Results: _____

Attachment to Zoning Map Amendment Application # M08-01

Applicant requests the re-zoning of this parcel for the following reasons:

The conditions on and surrounding Riverchase Way have changed significantly since Riverchase Way was originally classified as an "L" road, and the parcel zoned "ID", as traffic flow patterns have pushed the Corley Mill Road/Riverchase Way/378/I-20 intersection well beyond the capacity of the roads as designed. Inherent traffic flaws that cannot be corrected at this time warrant the change in zoning for this parcel of land to one which would only allow housing of a lesser density. Allowing development on this parcel in a high-density application will overwhelm the intersection referenced above and work to the detriment of the public's safety, health, convenience, and general welfare.

This requested re-zoning would serve to only prevent high-density housing on the affected parcel, leaving adequate economic value to the parcel of land, yet prevent harm to the residents of Lexington County and those who utilize the intersection referenced above.

This request would also serve to provide for the better utilization of the Lexington County Fire/EMS Station currently under construction. Applicant believes allowing high density housing on the parcel in question would have a huge negative impact on the effectiveness of the Fire/EMS station due to the potential for traffic gridlock at the Corley Mill Road/Riverchase Way intersection.

This request would have no effect on other residential/commercial properties on Riverchase Way, as opposed to requesting a road re-classification, which could affect every parcel on Riverchase Way.

Zoning Map Amendment Application M08-01



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 M08-01

Riverchase Way



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

ORDINANCE #08-01

AN ORDINANCE AMENDING THE LEXINGTON COUNTY BUILDING CODE ORDINANCE

Pursuant to the authority granted by the Constitution of the State of South Carolina and General Assembly of the State of South Carolina, be it ordained and enacted by the Lexington County Council as follows:

Amendments to the Building Code Ordinance are to be considered that would update the restrictions contained therein. The revised Ordinance also amends various sections to more closely match the wording of the International Building Code and incorporates references to certain state laws.

This Ordinance shall be effective from the date that it is approved.

Enacted this ____ day of _____, 2008.

William C. Derrick
Chairman, Lexington County Council

ATTEST:

Diana W. Burnett, Clerk

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

ORDINANCE NO. 08-04

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

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

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

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

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

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

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

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

Enacted this _____ day of _____, 2008.

William C. Derrick
Chairman, Lexington County Council

ATTEST:

Diana Burnett, Clerk

First Reading: _____

Second Reading: _____

Public Hearing: _____

Third & Final Reading: _____

Filed W/Clerk of Court: _____

COMMITTEE REPORT

RE: Existing Non-paved Dirt Roads Section 4.3.3, Revision

DATE: February 14, 2008

COMMITTEE: Public Works

MAJORITY REPORT: Yes

The Public Works Committee met on Tuesday, February 12, 2008, to review staff recommendations from the Public Works Stormwater Division for existing non-paved dirt roads, Section 4.3.3, revisions as pertaining to the Land Development Manual.

Sheri Armstrong, Stormwater Manager presented staff's recommendations for revisions to Section 4.3.3 Requirements for Subdividing Land and Paving Roads on an Existing Non-paved County Maintained Dirt Road. The revisions expands the requirements for subdividing and paving a County road based on two design criteria, 1) Total Average Daily Traffic (ADT) which is set to a low volume ADT of 300 vehicles a day and, 2) Density that would be allowed of a certain acreage, tract of land and how much you could divide that tract without being required to pave a dirt road. This process addresses PW/SWD participation with obtaining right-of-ways (ROW), storm drainage easements, provisions for familial subdividing, and private roads.

Ms. Armstrong also presented the proposed procedures for assisting developers with ROW and Storm Drainage Easement Acquisition which included associated fees projected for providing this assistance. The procedures outlined how the proposed fees would be calculated.

Staff requested approval to adopt the revisions to Section 4.3.3, approve the proposed procedures and associated fees for ROW assistance and traffic counts.

This regulation does not apply to private dirt roads, only county dirt roads. The subdivision of tracts on private dirt roads is handled through the Planning Commission.

The Public Works Committee voted to recommend that full Council approve staff recommendations for the revisions to Section 4.3.3 Requirements for Subdividing Land and Paving Roads on an Existing Non-paved County Maintained Dirt Road, the draft procedures and associated fees.

Attached: Section 4.3.3 Requirements for Subdividing Land and Paving Roads on an Existing Non-paved County Maintained Dirt Road

4.3.3 Requirements for Subdividing Land and Paving Roads on an Existing Non-Paved County Maintained Dirt Road

When subdividing land on an existing County maintained dirt road, the developer must pave the existing dirt road to Lexington County standards when the total (existing and proposed) average daily traffic (ADT) is greater than 300 vehicles per day (vpd). This shall include the entire road frontage of the new subdivision to the nearest paved road intersection.

Additional subdividing on an existing privately maintained dirt road will need to be approved by the Planning Commission subject to Subdivision Regulations. If the existing private road accesses a County maintained dirt road the ADT requirements in Section 4.3.3.1 shall be followed.

When proposing a new private road subdivision accessing a County maintained dirt road the ADT requirements in Section 4.3.3.1, and density requirements in Section 4.3.3.2 shall be followed.

The developer shall be responsible for obtaining all right-of-ways for the road improvements, acquiring off-site easements for storm drainage, and submitting an engineering plan for the road to the PW/SWD for approval. Every attempt must be made to acquire a 50 foot right-of-way. All right-of-way and/or easements shall be obtained prior to issuance of a Land Disturbance Permit.

At the request of the developer, Lexington County will provide the following assistance for a fee:

1. Provide the developer with a petition packet for the road in question. The developer is responsible for securing signatures of all affected property owners on the petition. The petition packet shall contain tax map numbers, property owners, and addresses.
2. Upon a positive response from the above petition, a letter will be sent to all property owners explaining the proposed project and the need for right-of-way and/or storm drainage easements. The letter will ask the recipient to reply to granting a right-of-way and/or storm drainage easements.
3. If an on-site meeting is required, Lexington County will be available to attend as a third party along with the developer and the associated property owners.
4. Evaluate alternative road design.
5. Lexington County will prepare all road right-of-way documents, and associated storm drainage easement documents for the developer to secure notarized signatures from all property owners.

4.3.3.1 Determination of ADT

Existing ADT shall be determined as follows:

1. If the existing dirt road is a dead end road and has no intersecting roads the existing residences shall be counted and multiplied by a factor of 9.5 (ie 20 homes x 9.5 = 190 vpd is the existing ADT).
2. If the existing dirt road is a dead end road and has intersecting roads that gain access exclusively by using the existing dirt road, residences on all intersecting roads shall be counted and multiplied by a factor of 9.5 (ie (20 homes on dirt road + 10 homes on intersecting road = 30 homes) 30 x 9.5 = 285 vpd is the existing ADT).
3. If the existing dirt road is a cut through road (a road that terminates at both ends to another road) a traffic study shall be conducted to determine the existing ADT for the dirt road.

The existing ADT on cut through roads may be determined by a traffic study performed by the developer or the PW/SWD will perform the traffic count for a fee.

Total ADT shall be determined as follows:

1. Determine the existing ADT as shown above.
2. Determined proposed ADT from the proposed subdividing (ie number of lots being subdivided x 9.5 = proposed subdividing ADT).
3. Add existing ADT and proposed subdividing ADT for the total ADT.

When an ADT of 300 vpd or greater is reached paving of the dirt road shall be required.

4.3.3.2 Exemptions to Road Paving Requirements based on density

These exemptions shall only apply if the Total ADT is less than 300 vpd.

1. The paving requirement may be exempt for a subdivision if the following density criteria are met:
 - a. On parent parcels of 25 acres or less, a maximum of 10 lots shall be subdivided.
 - b. On parent parcels between 25 and 50 acres "Item a" shall apply, plus one additional lot for every 5 full acres up to 5 lots for a total subdivision of 15 lots.

- c. On parent parcels between 50 to 100 acres “Item a and b” shall apply, plus one additional lot per every 10 full acres up to 5 lots for a total subdivision of 20 lots.
 - d. On parent parcels greater than 100 acres “Items a, b, and c” shall apply, plus one additional lot for every 15 full acres.
2. Familial subdividing on any size parent parcels will be granted a division of 10 lots and be exempt from the paving requirement. Any further subdividing of these parcels are not exempt from the above requirements. Familial subdividing shall require right-of-way and/or storm drainage easements and all pertinent requirements for platting.

Lexington County assistance with Road Right-of-Way and Storm Drainage Easement Acquisitions

1. The developer shall forward a letter to PW/SWD requesting assistance with road right-of-way and storm drainage easement acquisitions for paving an existing Lexington County maintained dirt road.
2. Upon receipt of the above letter PW/SWD will prepare, within 10 working days, a petition packet to include tax map number(s), property owner's name(s), and address(es). Once the developer receives the petition packet he is responsible for securing the signatures of all property owners.
3. Once the signatures are obtained the developer shall return the petition packet to PW/SWD. Within 15 working days PW/SWD will send a letter to each individual property owner explaining the proposed paving project and request verification that road right-of-way and storm drainage easements can be secured.
4. PW/SWD will allow 30 calendar days for the property owners to respond to the above letter.
5. PW/SWD will require 10 working days to tabulate the property owners responses. This information will be provided to the developer.
6. The developer will be given 30 working days to evaluate the responses and if needed contact PW/SWD regarding a meeting, scheduled by the developer, with concerned property owners.
7. If the above process does not provide 100 per cent cooperation the developer can meet with PW/SWD to discuss alternative road design.
8. When a joint decision has been determined as to road design the PW/SWD will need at least 30 working days to prepare road right-of-way and storm drainage easement documents depending on the number of parcels associated with the existing dirt road. These documents will be given to the developer. The developer will be responsible for securing the necessary signatures including notary signatures.

Fee Associated with preparation of Petition Packet, Letters, Meetings, and Right of Way/Storm Drainage Easements Acquisition Documents

1. Estimated time and cost for Petition Packet

- a. Petition packet Grades: 1 Eng Associate I at pay grade 10
 1 Eng Associate II at pay grade 13

Average Pay grade = 12

b. Midrange pay for pay grade 12 = \$44,173/yr = \$21.24/hr rounded to \$22.00/hr

c. Petition Packet

- 15 minutes per parcel (includes property owner names, tax map numbers, and addresses)=\$22.00 x (0.25hr) x (total number of parcels)

2. Estimated time and cost for Right-of-way Letter

- a. Right-of-way Grades: 1 Eng Associate I at pay grade 10
 1 Eng Associate II at pay grade 13

Average Pay grade = 12

b. Midrange pay for pay grade 12 = \$44,173/yr = \$21.24/hr rounded to \$22.00/hr

c. Right-of-way letter

- 15 minutes per parcel (includes Map/Cama sheet, Excel Spread sheet, Letter)= \$22.00 x (0.25hr) x (total number of parcels)

3. Estimated time and cost for Meetings

- a. Right-of-way Grades: 1 Eng Associate I at pay grade 10
 1 Eng Associate II at pay grade 13

Average Pay grade = 12

b. Midrange pay for pay grade 12 = \$44,173/yr = \$21.24/hr rounded to \$22.00/hr

c. 2 hour minimum = (\$22.00 x 2) + (\$22.00 x number of hours over 2 hour minimum)

Performing a Traffic Study to Determine Average Daily Traffic (ADT)

9. The developer shall forward a letter to PW/SWD requesting a traffic study be performed for the proposed development on an existing Lexington County maintained dirt road.
10. PW/SWD will require 15 working days to perform the traffic study and provide the tabulated ADT to the developer.
11. The traffic study will be performed by placing traffic counters at major paved intersections and other locations along the road as deemed appropriate by PW/SWD. The traffic counters will remain in place for 48 hours. The ADT will be based on the display count from each counter and then averaged over the total number of counters and the number of days.
12. The above ADT shall be used to determine if the existing Lexington County maintained dirt road must be paved.

COMMITTEE REPORT

RE: Small Residential Land Disturbance Permit

DATE: February 14, 2008

COMMITTEE: Public Works

MAJORITY REPORT: Yes

The Public Works Committee met on Tuesday, February 12, 2008, to review the Small Residential Land Disturbance Permit process and associated fee.

Ms. Synthia Williams, Public Works Environmental Coordinator, presented the proposed procedures to obtain a small residential land disturbance permit with the recommended fee requirements. The NPDES General Permit for Stormwater Discharges from Large and Small Construction Activities (Construction General Permit) requires that land disturbance activities greater than one acre, including single family residential, receive a Construction General permit. The NPDES requirements have been included in the County's requirements. Ms. Williams indicated that the Small Residential Land Disturbance Permit is so a homebuilder, who is only building one house and disturbing only one acre, would not have to go through the full land disturbance permit process. An associated fee of \$152 was also recommended. Computation of the proposed fees associated with small residential land disturbance permit was outlined.

The Public Works Committee voted to recommend that full Council approve the Small Residential Land Disturbance Permit process and associated fee of \$152.

Attachments: Small Residential Land Disturbance Permit Process
Computation of Fee Associated with Small Residential Land Disturbance Permit

Small Residential Land Disturbance Permit Process

1. When land disturbance greater than 1 acre occurs during construction of a single family residence that is not part of a larger common development, a small residential land disturbance permit is required.
2. The applicant must fill out the Residential Building Erosion Protection & Sediment Control Certification. This certification is obtained from the Building Department during the application for a building permit.
3. A copy of the Certification, the property plat with tax map number, and the Small Residential Land Disturbance permit fee of \$152.00 must be submitted to the PW/SWD for review.
4. The PW/SWD has five working days to review the project. The review will include analysis of the site topography, location of waterways, location of special protection areas, etc. to ensure compliance with the Stormwater Management Ordinance and Land Development Manual.
5. Upon completion of the review, the applicant will be required to meet with PW/SWD staff to discuss recommendations for erosion and sediment control. This meeting helps the applicant understand their requirements under the Stormwater Ordinance and Land Development Manual and the installation and maintenance requirements of sediment and erosion control best management practices.
6. A small residential land disturbance permit will be issued. This permit must be displayed on site during construction of the residence.
7. A PW/SWD construction inspector will inspect the site at least once before the Certificate of Occupancy (CO) is issued to ensure compliance with the erosion and sediment control requirements. Other inspections will be performed on an as needed basis (i.e. a complaint is received concerning the property).
8. Once the CO is issued, the applicant is no longer under the requirements of the Small Residential Land Disturbance Permit.

Computation of Fee Associated with Small Residential Land Disturbance Permit

1. Estimated time associated with reviewing the property for erosion and sediment control requirements including meeting with the application after the in-house review = approx. 3 hrs
 - a. Plan reviewer pay grades: 1 Eng Associate II at pay grade 13
1 Eng Associate III at pay grade 18

Average Pay grade = $15.5 = 16$
 - b. Midrange pay for pay grade 16 = \$50,716 yr = \$24.38/hr
 - c. Cost of review = 3 hrs * \$24.38/hr = \$73.14
2. Estimated time associated with inspection of a single-family residential property associated with a small residential land disturbance permit = 3 hours
 - a. 1 Engineering Associate III (Lead Inspector) at pay grade 18
 - b. Midrange for Engineering Associate III = \$54,673 yr = 26.28/hr
 - c. Cost of Inspection = 3 hrs * 26.28/hr = \$78.84
3. Estimated cost of plan review and inspection associated with a small residential land disturbance permit:
 - a. \$73.14 (plan review) + \$78.84 (inspection) = \$151.98 = \$152.00

Based on the estimated times associated with review and inspection of a small residential land disturbance project, the suggested fee is \$152.00