

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings
October 14, 2014
Second Floor - County Administration Building
212 South Lake Drive, Lexington, SC 29072
Telephone - 803-785-8103 -- FAX 803-785-8101

If special accommodations are needed to participate in this public meeting, please contact the Lexington County Council Office at (803) 785-8103 or dburnett@lex-co.com at least two business days prior to the scheduled meeting date

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. Also, if time permits, Council may elect to enter into Executive Session to discuss contractual, legal, personnel matters, etc.

2:15 p.m. - 2:20 p.m. - Economic Development

- (1) Meeting of August 26, 2014 - Approval of Minutes..... A
- (2) Old Business/New Business
- (3) Adjournment

2:20 p.m. - 2:25 p.m. - Planning and Administration

- (1) Meeting of August 26, 2014 - Approval of Minutes..... B
- (2) Old Business/New Business
- (3) Adjournment

2:25 p.m. - 2:35 p.m. - Justice

- (1) Meeting of August 26, 2014 - Approval of Minutes..... C
- (2) 11th Judicial Circuit Law Enforcement Network (LEN) Grant Award (Goal 1) - Sheriff's Department - Capt. Lee Marshall..... D
- (3) Advanced Impaired Driver Enforcement (AIDE) Grant Award (Goal 1) - Sheriff's Department - Capt. Lee Marshall..... E
- (4) Old Business/New Business
- (5) Adjournment

2:35 p.m. - 2:40 p.m. - Health and Human Services

- (1) Meeting of August 26, 2014 - Approval of Minutes..... F
- (2) Old Business/New Business
- (3) Adjournment

2:40 p.m. - 3:15 p.m. - Public Works & Solid Waste Management

- (1) Ben Kyzer Proposed Partial Road Closing - Council District 2 (Goal 3) - Public Works - Wrenn Barrett, P.E., Director and Joe Montgomery, Engineer Associate III G

- (2) Bennington Court Proposed Road Closing - Council District 6 - Public Works - Wrenn Barrett, P.E., Director of Public Works; Joe Montgomery, Engineer Associate III H
- (3) Central Midlands Air Quality Pledge - Public Works - Susan Licher, Environmental Coordinator I
- (4) Desoto Drive Proposed Road Closing - Council District 2 (Goal 3) - Public Works - Wrenn Barrett, P.E., Director of Public Works; Joe Montgomery, Engineer Associate III J
- (5) Stormwater Land Development Manual - Detention Ponds (Goal 2) - Public Works - Wrenn Barrett, PE., Director K
- (6) Meeting of August 26, 2014 - Approval of Minutes L
- (7) Old Business/New Business - Pine Glen Alternative Exit (Emergency Access Road) Cost Estimates and Legal Question Regarding Illegal Stopped Trains on Railroad Tracks; Stormwater Utility Fee (Municipalities); Alternative Paving Ordinance
- (8) Adjournment

3:15 p.m. - 4:15 p.m. - Committee of the Whole

- (1) Possible Executive Session if Time Permits
- (2) Old Business/New Business
- (3) Adjournment

GOALS

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

Economic Development

B. Banning, Sr., Chairman
D. Summers, V Chairman
J. Kinard
B. Keisler
B. Matthews
J. Jeffcoat

Planning & Administration

D. Summers, Chairman
K. Collins, V Chairman
J. Kinard
B. Banning, Sr.
T. Cullum
J. Jeffcoat

Justice

J. Kinard, Chairman
K. Collins, V Chairman
D. Summers
B. Keisler
T. Cullum
J. Jeffcoat

Health & Human Services

B. Matthews, Chairman
B. Banning, V Chairman
B. Keisler
F. Townsend, III
K. Collins
J. Jeffcoat

Public Works & Solid Waste Management

T. Cullum, Chairman
D. Summers, V Chairman
B. Keisler
J. Kinard
B. Matthews
J. Jeffcoat

Committee of the Whole

J. Jeffcoat, Chairman
T. Cullum, V Chairman
J. Kinard
F. Townsend, III
K. Collins
D. Summers
B. Keisler
B. Matthews
B. Banning, Sr.

**AGENDA
LEXINGTON COUNTY COUNCIL**

October 14, 2014

**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**

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4:30 P.M. - COUNCIL CHAMBERS

Call to Order/Invocation

Pledge of Allegiance

Chairman's Report

Presentation

- (1) Lexington Richland Alcohol Drug Abuse Council Update - Gayle Aycock, President & CEO (Goal 1)

Administrator's Report

Employee Recognition - Joe Mergo, County Administrator

Appointments

- (1) Boards and Commissions Appointment Memo M

Bids/Purchases/RFPs

- (1) Engineering Design Services for US 321/Sandhill Parkway Turn Lane - Public Works N
- (2) Four (4) Power Pro XT Stretchers - Sole Source - Public Safety-EMS O
- (3) Housing Rehabilitation Project: 370 Hampton Terrace, Leesville, SC, 29070 - Community Development P
- (4) Liquefied Petroleum (LP) Gas (Term Contract) - Countywide Q
- (5) Security Fencing around Detention Ponds at Wild Meadows/Phase IX and Whispering Glen - Public Works R

Approval of Minutes

- (1) Meeting of August 26, 2014 S

Zoning Amendments

(1) Zoning Map Amendment M14-04 - 3rd and Final Reading (Goal 1)..... T

Committee Reports

Planning & Administration, D. Summers, Chairman

(1) Zoning Text Amendment #T13-04 - Mining Operations - Amended 2nd Reading (Goal 2)..... U

Justice, J. Kinard, Jr., Chairman

(1) 11th Judicial Circuit Law Enforcement Network (LEN) Grant Award (Goal 1) D

(2) Advanced Impaired Driver Enforcement (AIDE) Grant Award (Goal 1)..... E

Public Works & Solid Waste Management, T. Cullum, Chairman

(1) Stormwater Land Development Manual - Detention Ponds (Goal 2)..... K

Budget Amendment Resolutions

OLD BUSINESS/NEW BUSINESS

EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT

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COUNTY OF LEXINGTON Grant Request Summary Form

Title of Grant: 11th Circuit Law Enforcement Network

Fund: 2416 11th Circuit Law Enforcement Network **Department:** 151200 LE / Operations
No. Title No. Title

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

Grant Overview:

The Lexington County Sheriff's Department has been awarded a mini-grant totaling \$28,000 as the Coordinating Agency for the 11th Judicial Circuit Law Enforcement Network. The Law Enforcement Network Traffic Support Team will be allocated 75% of the awarded funds to increase the efficiency and effectiveness of the traffic enforcement units in all Lexington County municipalities. The remaining 25% is mandated to be used by the Coordinating Agency for the same purpose. The grant does not have a match amount.

Grant Period: October 1, 2014 to September 30, 2015

Responsible Departmental Grant Personnel: Nandalyn Heaitley

Date Grant Information Released: 9/23/2014

Date Grant Application Due: N/A

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

Personnel	\$	-
Operating	\$	8,350.00
Capital	\$	19,650.00
Total	\$	<u>28,000.00</u>

* Application Amount: No application submitted
 * Award Amount: \$28,000

Local Match Required: Yes No

If Yes, What is the Percentage / Amount: _____

% \$ Amount

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

None

No application was submitted, SC Department of Public Safety (SCDPS) awards each Judicial Circuit a Law Enforcement Network (LEN) Grant.

F:\windows\excel2k\forms\grants\blankgrantsummaryform.xls
 Last Updated: 12/13/06 By: AD

Dept. Preparer:	<u>NH</u>	<u>10/2/2014</u>
Dept. Approval:	<u>LM</u>	<u>10/2/2014</u>
Finance Approva	<u>JH</u>	<u>10/2/2014</u>
	<i>Initials</i>	<i>Date</i>

**COUNTY OF LEXINGTON
11TH CIRCUIT LAW ENFORCEMENT NETWORK
Annual Budget
Fiscal Year - 2014-15**

Object Code	Revenue Account Title	Actual 2012-13	Received Thru Jun 2013-14	Amended Budget Thru Jun 2013-14	Projected Revenues Thru Jun 2013-14	Requested 2014-15	Approved 2014-15	Awarded 2014-15
* LE - 11th Circuit LEN Grant 2416:								
Revenues (Organization: 000000)								
457000	Federal Grant Income	25,046	23,371	26,399	26,399	0	0	28,000
461000	Investment Interest	0	0	0	0	0	0	0
469100	Gifts & Donations	0	0	0	0	0	0	0
** Total Revenue		25,046	23,371	26,399	26,399	0	0	28,000
***Total Appropriation					26,399	0	0	28,000
FUND BALANCE								
Beginning of Year					0	0	0	0
FUND BALANCE - Projected								
End of Year					0	0	0	0

* Grant will be funded 100% from DPS.

Fund: 2416
Division: Law Enforcement
Organization: 151200 - LE/Operations

Object Expenditure Code	Classification	BUDGET					
		2012-13 Expend	2013-14 Expend (Jun)	2013-14 Amended (Jun)	2014-15 Requested	2014-15 Approved	2014-15 Awarded
Personnel							
* Total Personnel		0	0	0	0	0	0
Operating Expenses							
521200	Operating Supplies	399	0	0	0	0	1,400
521208	Police Supplies	1,387	0	0	0	0	3,500
525210	Conference, Meeting & Training Expense	2,161	2,259	2,259	0	0	3,450
525230	Subscriptions, Dues, & Books	0	0	0	0	0	0
525600	Uniforms & Clothing	1,397	0	0	0	0	0
529903	Contingency	0	0	0	0	0	0
* Total Operating		5,344	2,259	2,259	0	0	8,350
** Total Personnel & Operating		5,344	2,259	2,259	0	0	8,350
Capital							
540000	Small Tools & Minor Equipment	0	2,745	2,745	0	0	900
540010	Minor Software	0	0	0	0	0	0
	All Other Equipment	19,702	21,395	21,395	0	0	
	(7) Radar Units						9,900
	(2) Lidar Units						5,500
	(1) Wireless Statistical Radar Data System						3,350
** Total Capital		19,702	24,140	24,140	0	0	19,650
*** Total Budget Appropriation		25,046	26,399	26,399	0	0	28,000

SECTION III. – PROGRAM OVERVIEW

The Lexington County Sheriff's Department has been awarded a mini-grant totaling \$28,000 as the Coordinating Agency for the 11th Judicial Circuit Law Enforcement Network. The Law Enforcement Network Traffic Support Team will be allocated 75% of the awarded funds to increase the efficiency and effectiveness of the traffic enforcement units in all Lexington County municipalities. The remaining 25% is mandated to be used by the Host Agency for the same purpose. The grant does not have a match amount.

SECTION V. B. – OPERATING LINE ITEM NARRATIVES

521200 -- OPERATING SUPPLIES \$1,400

Plaques, service award certificates, insignia and challenge coins will be required for recognition of agency achievements. These awards will be presented to the officers at meetings as an incentive for performance in their job duties in traffic enforcement with the Law Enforcement Team.

521208 --POLICE SUPPLIES \$3,500

Ticket book covers are necessary for the protection of the tickets used for traffic violations. The ticket book covers will be designed with the LEN logo with the Eleventh Judicial Circuit emblem. Rechargeable LED flashlights will be purchased for the traffic officers of the Eleventh Judicial Circuit. These flashlights will provide three times the illumination of the battery operated type and will provide for a safer approach to a vehicle when making a stop. These items will be used for incentive prizes for the agencies within the circuit.

525210 – CONFERENCE AND MEETING EXPENSES \$3,450

The LEN Highway Safety grant terms and conditions require that the Coordinator and the Assistant Coordinator attend the National Highway Safety Law Enforcement Conference. The grant also requires that meetings are held monthly for the purpose of training for the Eleventh Judicial Circuit Law Enforcement Traffic Teams.

The cost is estimated for the Coordinator and Assistant Coordinator to attend the National Highway Safety Law Enforcement Conference to be held at a location to be determined. The cost is estimated for the monthly meetings because the amount charged will be based on the number of attendees. There will be a monthly meeting for the 11th Judicial Circuit agencies.

SECTION V. C. –CAPITAL LINE ITEM NARRATIVES

540000 - SMALL TOOLS AND MINOR EQUIPMENT \$ 900

The tint meters that check the darkness of the windows will be purchased for the Support LEN agencies of the 11th Judicial Circuit for incentive items. These meters are the standard tint meters used by law enforcement. The cost is estimated.

(7) RADAR UNITS \$ 9,900

The radar units will target specific problem areas of traffic speed enforcement for the protection of citizens in the 11th Judicial Circuit. The radar units will log the speed of violators and will aid in the documentation of traffic enforcement. The units will be purchased under State Contract for the Support agencies of the 11th Judicial Circuit. These radar units will be given as incentive prizes to the support agencies.

(2) LIDAR UNITS \$5,500

The Lidar radar units are necessary to enforce traffic laws for the 11th Judicial Circuit. These are laser speed detection devices that will be distributed as incentive items for the Support LEN agencies of the 11th Judicial Circuit. The units will be purchased for the support agencies under State Contract.

(1) WIRELESS STATISTICAL RADAR DATA SYSTEM \$3,350

The wireless statistical radar data system will be used to collect data for speed, the number of vehicles traveling in the specific area, and the direction of travel. This device is a stand- alone system that works in conjunction with radar to collect the data.



South Carolina Department of Public Safety

Office of Highway Safety and Justice Programs

September 4, 2014

Sheriff A. Lewis McCarty
Lexington County Sheriff's Office
P.O. Box 639
Lexington, SC 29071

Re: Highway Safety Grant Number: 2JC15011

Dear Sheriff McCarty:

I am pleased to provide you, as the Host Agency for the 11th Judicial Circuit Law Enforcement Network, with a grant award approved by this office in the amount of **\$28,000** (\$7,000 for the Host Agency and \$21,000 for LEN Support), with funding beginning October 1, 2014. In order to complete the contract for this award, it is necessary for you, as the Sheriff, to return the original mini-grant award with an original signature within 30 days. The signed original should be sent to:

Dr. Ed Harmon, Assistant Director
Office of Highway Safety and Justice Programs
S. C. Department of Public Safety
P. O. Box 1993
Blythewood, South Carolina 29016

A copy of the Request for Payment form is available online at www.scdps.gov/ohsjp. This form is to be completed and submitted quarterly. The first Request for Payment for this grant is due February 1, 2015 for the quarter ending December 31, 2014. Timely submission of the request will ensure that reimbursement of eligible claims filed against this grant is not hindered.

Also included are the Grant Terms and Conditions and the approved budget. Please review these documents carefully, as returning the signed grant award indicates your willingness to accept the Grant Terms and Conditions placed upon you as the subgrantee and the budget as presented.

Congratulations on your network's funding for FFY 2015. Our staff looks forward to working with you in our joint mission to reduce the incidence and severity of traffic crashes in our state. Please contact your assigned Law Enforcement Liaison, Brent Kelly, toll free at 1-877-349-7187, if you have any questions regarding this award.

Sincerely,

Phil Riley
Director

Enclosures

cc: Sgt. Brad White
Brent Kelly
Grant File

SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS
P. O. BOX 1993
BLYTHEWOOD, SOUTH CAROLINA 29016

MINI-GRANT AWARD

Subgrantee: Lexington County Sheriff's Office

Grant Period: 10/1/2014 – 9/30/2015

Date of Award: October 1, 2014

Amount of Award: \$28,000

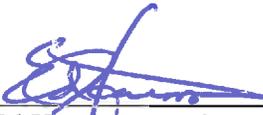
Mini-Grant Number: 2JC15011

In accordance with the provisions of the Highway Safety Act of 1966, 72 Stat. 885, as amended, CFDA No. 20.600, the S. C. Department of Public Safety hereby awards to the foregoing Subgrantee, a mini-grant in the amount shown above for the continuation of the 11th Judicial Circuit Law Enforcement Network and within the purposes and categories authorized for the Highway Safety grants.

The grant shall become effective as of the date of the award, contingent upon the return of the original of this form to the Office of Highway Safety and Justice Programs, signed by the Subgrantee in the space provided below. This award must be accepted within 30 days, and such progress and other reports required by the S. C. Department of Public Safety must be submitted to the Office of Highway Safety and Justice Programs in accordance with regulations.

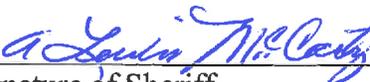


Phil Riley, Director
Office of Highway Safety
and Justice Programs



Ed Harmon, Assistant Director
Office of Highway Safety
and Justice Programs

Acceptance of Grant Award:



Signature of Sheriff

Signature – Other Required Official

THIS MINI-GRANT AWARD IS SUBJECT TO SPECIAL CONDITIONS ATTACHED.

**COUNTY OF LEXINGTON
 ADVANCED IMPAIRED DRIVER ENFORCEMENT
 Annual Budget
 FY 2014-15**

Object Code	Revenue Account Title	Actual 2012-13	Received Thru Nov 2013-14	Amended Budget Thru Nov 2013-14	Projected Revenues Thru Jun 2013-14	Requested 2014-15	Recommend 2014-15	Approved 2014-15
*LE - Advanced Impaired Driver Enforcement 2425:								
Revenues:								
457000	Federal Grant Income	0	0	270,547	270,547	171,005	171,005	166,105
801000	Op Trn from General Fund/LE	0	17,436	17,436	17,436	0	0	
** Total Revenue		<u>0</u>	<u>17,436</u>	<u>287,983</u>	<u>287,983</u>	<u>171,005</u>	<u>171,005</u>	<u>166,105</u>
***Total Appropriation					287,983	171,005	171,005	166,105
FUND BALANCE								
Beginning of Year						<u>0</u>	<u>0</u>	<u>0</u>
FUND BALANCE - Projected								
End of Year						<u>0</u>	<u>0</u>	<u>0</u>

COUNTY OF LEXINGTON
ADVANCED IMPAIRED DRIVER ENFORCEMENT
Annual Budget
Fiscal Year - 2014-15

Fund: 2425
Division: Law Enforcement
Organization: 151200 - LE/Operations

Object Expenditure Code Classification	2012-13	2013-14	2013-14	2014-15	<i>BUDGET</i>	
	Expend	Expend (Nov)	Amended (Nov)	Requested	2014-15 Recommend	2014-15 Approved
Personnel						
510100 Salaries & Wages - 2	0	0	92,500	86,000	86,000	86,000
510199 Special Overtime	0	0	0	0	0	0
510200 Overtime	0	0	0	0	0	0
511112 FICA - Employer's Portion	0	0	7,076	6,579	6,579	6,579
511114 Police Retirement - Employer's Portion	0	0	11,877	11,042	11,042	11,042
511120 Insurance Fund Contribution - 2	0	0	15,600	16,000	16,000	16,000
511130 Workers Compensation	0	0	3,324	3,090	3,090	3,090
519999 Personnel Contingency	0	0	0	0	0	0
* Total Personnel	0	0	130,377	122,711	122,711	122,711
Operating Expenses						
521000 Office Supplies	0	0	500	240	240	240
521200 Operating Supplies	0	0	1,000	600	600	600
521208 Police Supplies	0	0	0	0	0	0
522300 Vehicle Repairs & Maintenance - 2	0	0	1,200	1,200	1,200	1,200
524100 Vehicle Insurance - 2	0	0	1,092	1,150	1,150	1,150
524201 General Tort Liability Insurance	0	0	1,490	1,490	1,490	1,490
524202 Surety Bonds	0	0	0	0	0	0
525004 WAN Service Charges - 2	0	0	1,440	940	940	940
525020 Pagers & Cell Phones - 2	0	0	1,440	1,440	1,440	1,440
525030 800 MHz Radio Service Changes - 2	0	0	1,200	1,362	1,362	1,362
525041 E-mail Service Charges - 2	0	0	162	162	162	162
525210 Conference, Meeting & Training Expense	0	0	4,600	4,000	4,000	4,000
525400 Gas, Fuel and Oil	0	0	19,396	24,860	24,860	24,060
529903 Contingency	0	0	0	0	0	0
* Total Operating	0	0	33,520	37,444	37,444	36,644
** Total Personnel & Operating	0	0	163,897	160,155	160,155	159,355
Capital						
540000 Small Tools & Minor Equipment	0	0	450	0	0	0
540010 Minor Software	0	0	0	0	0	0
All Other Equipment	0	0	123,636			
(2) LIDAR Speed Measurement Devices				10,850	10,850	5,500
(1) Impaired Vision Kit				0	0	1,250
** Total Capital	0	0	124,086	10,850	10,850	6,750
*** Total Budget Appropriation	0	0	287,983	171,005	171,005	166,105

SECTION V. – PROGRAM OVERVIEW

The ultimate goal of the Advanced Impaired Driver Enforcement (AIDE) in Lexington County is to combine resources to effect a positive change in the collision, injury, and arrest rate of traffic DUI violations. By consolidating the resources and expanding knowledge and skills to perform DUI traffic enforcement, the quality of enforcing the traffic laws will result in an effort to reduce severe and fatal traffic collisions. The expertise and knowledge gained from the specialized training will enhance the unit's capability by using technologically sound equipment and techniques to collect and process evidence for court cases for effective discovery, documentation, and judicial prosecution of criminal offenders.

SECTION VI. B. – LISTING OF POSITIONS

	<u>Positions</u>	<u>Full Time Equivalent</u>		<u>Grade</u>
		<u>General Fund</u>	<u>Other Fund</u>	
Current Staffing Level:				
LE / Operations (151200)				
AIDE Traffic Deputies	2	0	2	12
Totals:	2	0	2	

SECTION VI. C. – OPERATING LINE ITEM NARRATIVES

521000 - OFFICE SUPPLIES \$ 240

Items to be purchased including but not limited to pens, file jackets, folders, DVD's and DVD holders, clip boards, chair mats, envelopes, calendars and other general supplies used daily.

521200 - OPERATING SUPPLIES \$ 600

Funds to purchase traffic supplies such as video and audio tapes, computer cleaning pads, OSHA kits, traffic books, disks, batteries etc. are required for operational purposes for the traffic officers. The estimated cost of all operating supplies is estimated.

522300 - VEHICLE REPAIRS AND MAINTENANCE \$ 1,200

Vehicle repairs and maintenance is needed for the grant vehicles. The amount budgeted is an estimate.

524100 - VEHICLE INSURANCE \$ 1,150

Vehicle insurance is required for the grant vehicles. The amount budgeted is an estimate.

524201 - GENERAL TORT LIABILITY INSURANCE \$ 1,490

General Tort Liability Insurance is required for each person employed by the County. The amount budgeted is an estimate.

525004 – WAN SERVICE CHARGES \$ 940

Air card service will be charged for the investigators to have wireless access to the web GNET and other databases from other counties as well as LCSD to obtain immediate information on the person in question. The cost is estimated.

525020 - PAGERS AND CELL PHONES \$ 1,440

The mobile telephones for the grant traffic officers will allow them to communicate effectively with each other and to make contact to those individuals that are involved in traffic situations. The cost is estimated at \$60/month x 2 traffic officers x 12 months = \$1,440.

525030 – 800 MHz RADIO SERVICE CHARGES \$ 1,362

The 800 MHz radio fees plus roaming fees is required for the operation of the two 800 MHz radios. The estimated annual cost per radio is \$681.

525041 – E-MAIL SERVICE CHARGES \$ 162

The email service is required for immediate communication and immediate transfer of documents for investigative purposes. The estimated annual cost per account is \$81.

525210 – CONFERENCE AND MEETING EXPENSE **\$ 4,000**

The grant requires that each grant-funded person attend at least two training seminars per grant year. The registration fees are required to secure attendance to training classes, which will be announced in the upcoming year. The training will be in state at a time and location that will be announced later. These training seminars will teach the most current technological approaches to DUI, vehicle inspections, laws, and investigations that will allow the traffic officers to present cases in court for prosecution purposes. The cost budgeted is an estimate.

525400 - GAS, FUEL, AND OIL **\$ 24,060**

The grant reimburses the mileage at the federal rate of .565 for the grant-funded personnel to allow them to travel to work while performing their duties. The cost budgeted is an estimate based on miles traveled for existing traffic officers.

SECTION VI. D. –CAPITAL LINE ITEM NARRATIVE

(1) IMPAIRED VISION KIT **\$1,250**

The impaired vision kit provides a realistic and engaging activity to help teach the consequences associated with the misuse and abuse of drugs and alcohol. This kit will be used as a hands on preventive tool in classrooms to educate students on the effects of driving under the influence of alcohol or drugs.

(2) LIDAR SPEED MEASURING DEVICES **\$5,500**

The LIDAR units enable the apprehension of traffic violators. These particular LIDAR units record a digital photograph of the violator's vehicle with the speed, time, date, and location stamped on the picture. This evidence will be used in court to aide in the prosecution of DUI cases. The estimated cost for both units is estimated.



South Carolina Department of Public Safety

Office of Highway Safety and Justice Programs

September 24, 2014

Mr. Joe Mergo
County Administrator
County of Lexington
212 South Lake Drive
Lexington, South Carolina 29072



RE: Highway Safety Grant No. M4HVE-2015-HS-16-15
Advanced Impaired Driver Enforcement (AIDE)

Dear Mr. Mergo:

I am pleased to provide you with the original and one copy of a grant award approved by this office in the amount of **\$166,105**, with funding beginning October 1, 2014. In order to complete the contract for this award, it is necessary for you, as the Official Authorized to Sign, to return the original grant award with an original signature within 30 days. The signed original should be sent to:

Dr. Ed Harmon, Assistant Director
Office of Highway Safety and Justice Programs
S. C. Department of Public Safety
P. O. Box 1993
Blythewood, South Carolina 29016

Copies of the Request for Payment/Quarterly Fiscal Report forms have been forwarded to the Project Director. The first report for this grant is due February 1, 2015, for the quarter ending December 31, 2014. Timely submission of progress reports will ensure the processing of eligible claims filed against this grant.

Congratulations on your project's selection for funding for FFY 2015. Our staff looks forward to working with you in our joint mission to reduce the incidence and severity of traffic crashes in our state. Please contact your assigned program manager, Cothea Scott, if you have any questions regarding this award.

Sincerely,

Phil Riley
Director

Enclosures

c: Ms. Nandalyn S. Heaitley
Grant File

SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS
P. O. BOX 1993
BLYTHEWOOD, SOUTH CAROLINA 29016

GRANT AWARD

Subgrantee: County of Lexington
Grant Title: Advanced Impaired Driver Enforcement (AIDE)
Grant Period: 10/1/2014 - 9/30/2015 Date of Award: 10/1/2014
Amount of Award: \$166,105 Grant No.: M4HVE-2015-HS-16-15

In accordance with the provisions of the Highway Safety Act of 1966, 72 Stat. 885, as amended, CFDA No. 20.616, and on the basis of the application for a grant award submitted to the Office of Highway Safety and Justice Programs, the S. C. Department of Public Safety hereby awards to the foregoing Subgrantee, a grant in the amount shown above for the projects specified in the application and within the purposes and categories authorized for the Highway Safety grants.

This grant is subject to conditions set forth within the application and must begin implementation within 90 days following the award date or be subject to automatic cancellation of the grant. Evidence of implementation must be detailed in the first progress report.

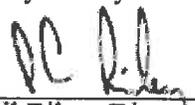
The grant shall become effective as of the date of the award, contingent upon the return of the original of this form to the Office of Highway Safety and Justice Programs, signed by the Subgrantee in the space provided below. This award must be accepted within 30 days, and such progress and other reports required by the S. C. Department of Public Safety must be submitted to the Office of Highway Safety and Justice Programs in accordance with regulations.

ACCEPTANCE FOR THE SUBGRANTEE

ACCEPTANCE FOR THE SFA

Signature of Official Authorized to Sign
Joe Mergo



Ed Harmon, Assistant Director/
Justice Programs Administrator
Office of Highway Safety and Justice Programs


Phil Piley, Director
Office of Highway Safety and Justice Programs

GRANT AWARD DATA: THIS AWARD IS SUBJECT TO SPECIAL CONDITIONS ATTACHED AND THE TERMS AND CONDITIONS CONTAINED IN THE APPLICATION PAGES.

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COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

M E M O R A N D U M

DATE: October 14, 2014

TO: Joe Mergo, III, County Administrator

FROM: Wrenn Barrett, PE, Public Works Director
Joe Montgomery, Engineering Associate III

RE: Ben Kyzer Partial Road Closing – Council District 2

Lexington County Public Works has received a request from Tiger Forestry LLC to close approximately 5,000 feet portion of Ben Kyzer Road from Crout Pond Way Road to approximately . 800 feet short of Two Notch Road (S-32-77). The remaining 800 feet of Ben Kyzer Road is being requested to be closed as a County road also, but to be converted to a private road instead of being completely closed.

Tiger Forestry, LLC, as the Petitioner, has informed Public Works that they will pay for all costs associated with this road closing as well as the cost to convert the remaining 800 feet portion of Ben Kyzer Road to Two Notch Road to a private driveway access to the two properties at that end of Ben Kyzer Road.

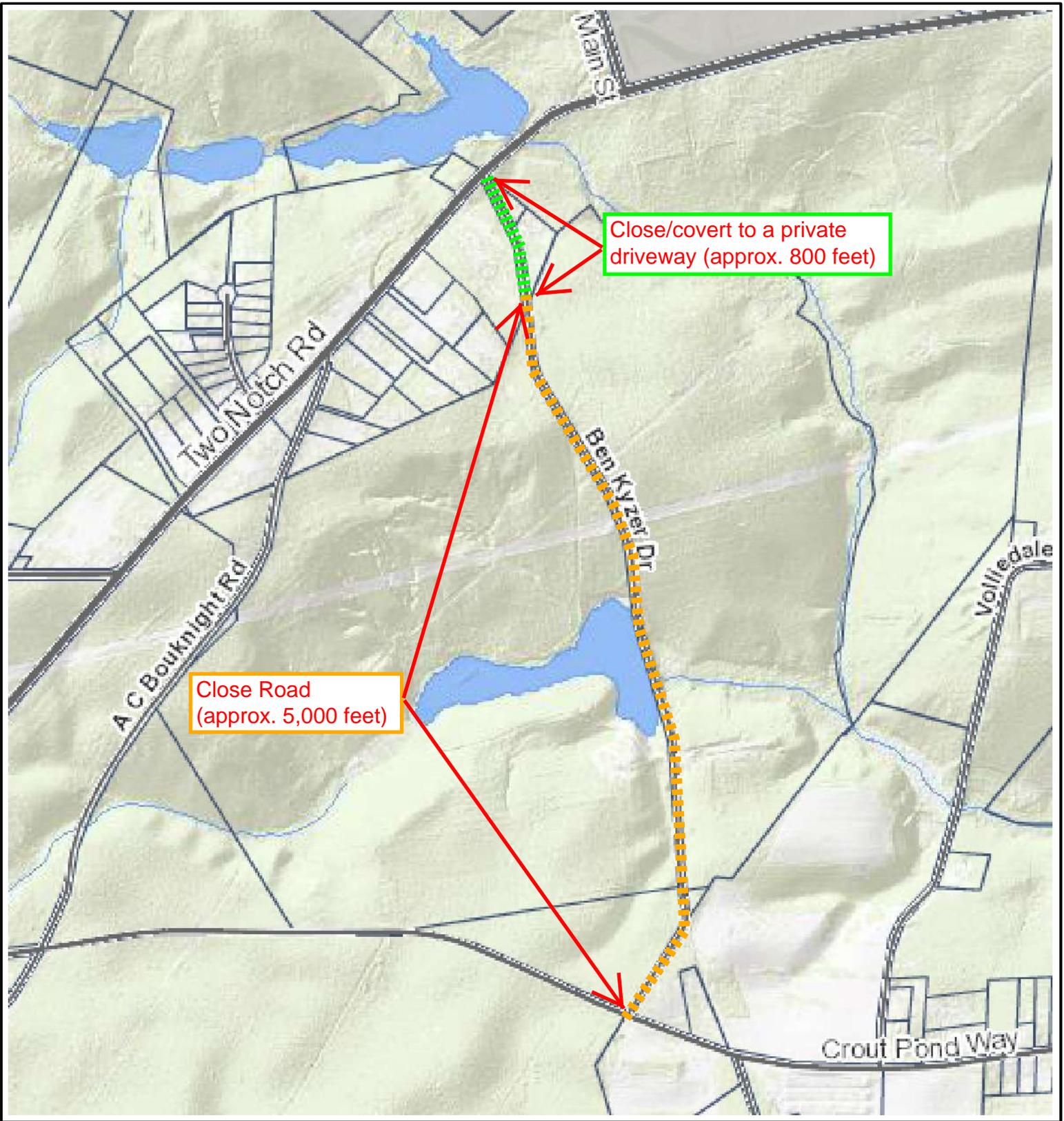
Tiger Forestry, LLC, and three other parcels are the abutting properties along both sides of this road for the entire length being requested for closure. Tiger Forestry, LLC, has received permission from two of the three parcels and is in communications with the third parcel. The third parcel has entrance to their property from Crout Pond Way Road as well; the Petitioner states that he is in negotiation with this landowner to acquire written agreement to the closing of Ben Kyzer Road.

Mr. Kim Johnson of with Tiger Forestry, LLC will be in attendance during the Public Works Committee meeting to answer any questions by the Committee.

Public Works performed a traffic count on this road September 30, 2014 to October 2, 2014 and the ADT was 14. Public Works also contacted Director of Public Safety David Kerr, who indicated that they do not have a response time issue pertaining to the closing of this road.

Based on the information provided above, Lexington County Public Works Department has no objection with this road closing, given that the Petitioner follows through with all items detailed above. This road closing would result in a decrease of 1.1 miles in our dirt road maintenance. Moreover, this road has significant extraordinary stormwater maintenance issues which can be corrected by the closing of this road. Furthermore, this roadway passes over a private dam of which the private citizen must fund the maintenance; given the very low ADT of this road, which is probably mostly by the one citizen, the cost of this dam maintenance is extremely excessive.

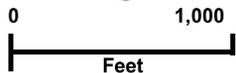
Requested Action: To be presented to the Public Works Committee for information and action at the October 14, 2014 meeting.



Ben Kyzer Rd

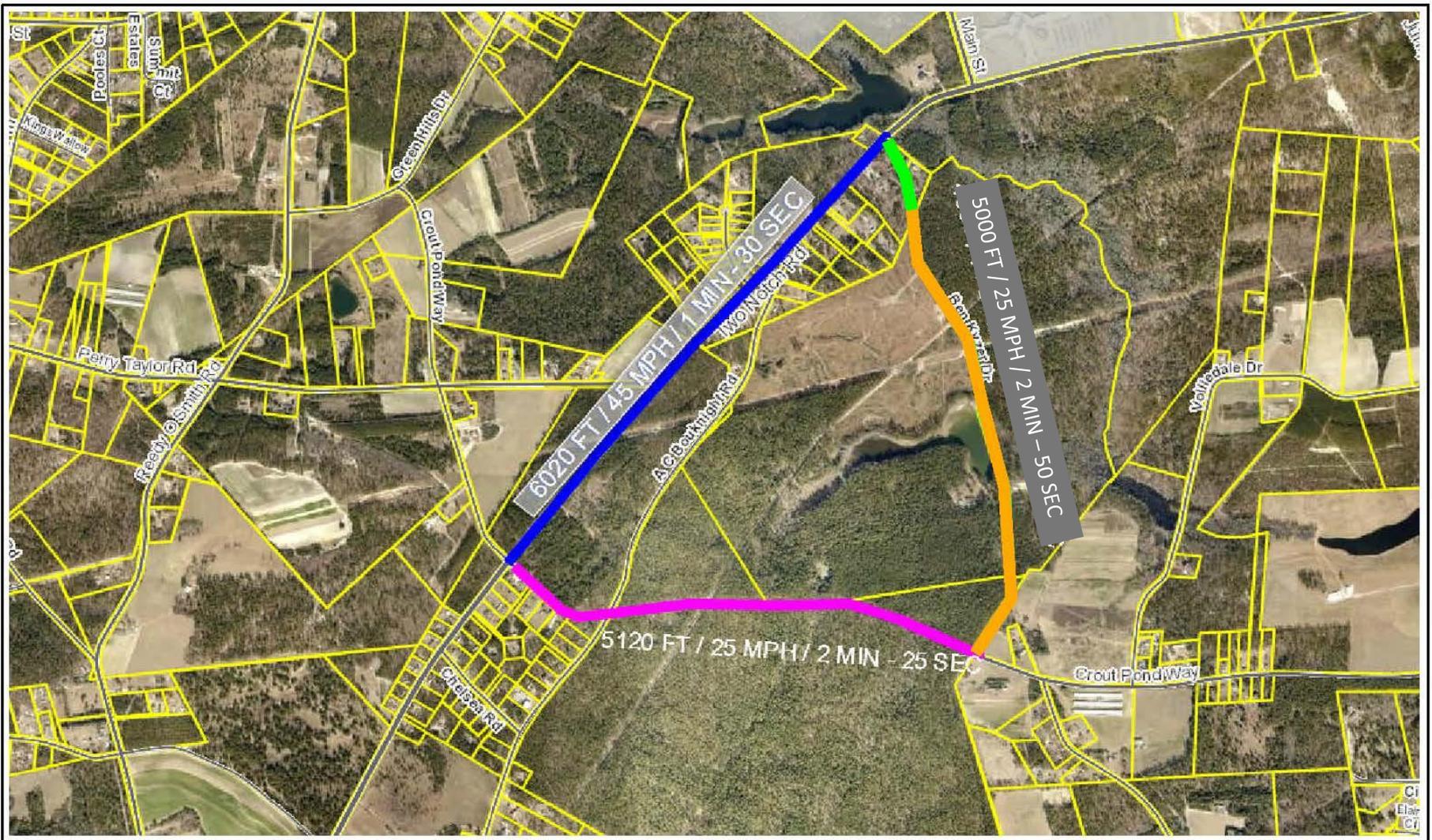
Proposed Closing fr Crout Pond Way to Two Notch Rd

Printed: Sep 22, 2014



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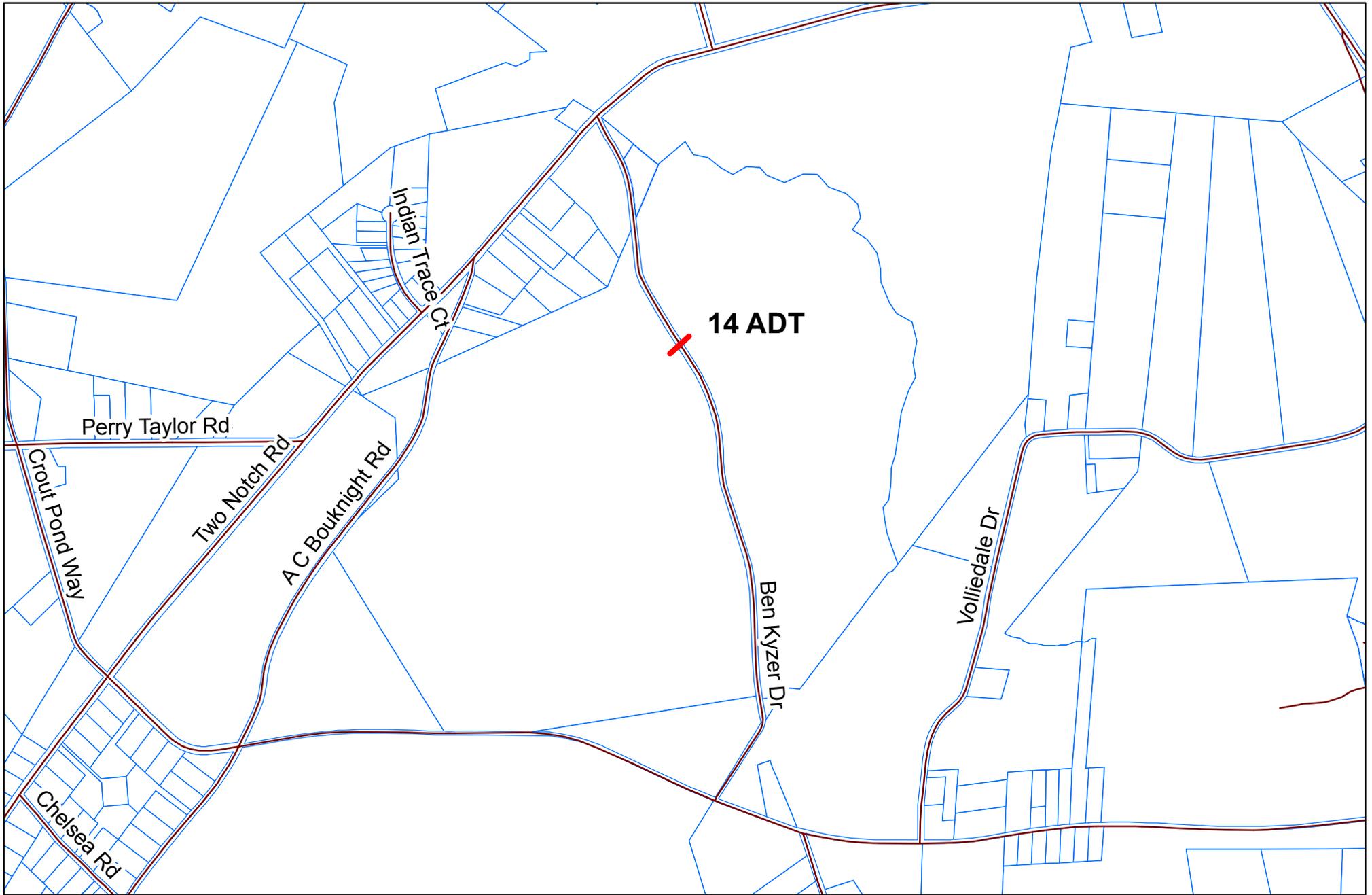
Lexington County BEN KYZER DRIVE CLOSING PROPOSAL

Printed: Oct 14, 2013



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**Ben Kyzer Drive
Traffic Count
ADT 14**

Traffic Count from 9/30/14 to 10/02/14





COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

M E M O R A N D U M

DATE: October 14, 2014
TO: Joe Mergo, III, County Administrator
FROM: Wrenn Barrett, PE, Public Works Director
Joe Montgomery, Engineering Associate III
RE: Bennington Court Road Closing – Council District 6

Lexington County Public Works has received a request from the Town of Chapin to close Bennington Court Road from Amicks Ferry Rd to its dead end, for a distance of 560 feet.

As the Petitioner in the action, the Town of Chapin will pay for all associated costs for this closing and has contacted all of the abutting parcel owners concerning this road closing.

Public Works performed a traffic count on this road from September 30, 2014 to October 2, 2014 and the ADT was 1. Public Works also contacted Director of Public Safety David Kerr, who indicated that they do not have a response time issue pertaining to the closing of this road.

Based on the information provided above, Lexington County Public Works Department has no objection with this road closing, which will result in a decrease of 0.1 miles in our dirt road maintenance.

Requested Action: To be presented to the Public Works Committee for information and action at the October 14, 2014 meeting.



103 Columbia Avenue • P.O. Box 183 • Chapin, SC 29036

July 30, 2014

Mr. Scott Martin, Plan Reviewer
Lexington County Public Works
440 Ball Park Road
Lexington, South Carolina 29072

Re: Amicks Ferry Road Access Drive (A.K.A. Bennington Court)
Chapin United Methodist Church

Dear Mr. Martin:

We have received your e-mail of July 3, 2014 to Hybrid Engineering, Inc. regarding Chapin United Methodist Church's proposed Amicks Ferry Road Access Drive Project. This project, as you know, would provide an access drive to the west side of the Church's campus directly from Amicks Ferry Road. The location of this access drive is across what is now called Bennington Court. You noted that Lexington County's records indicate that this is a Town of Chapin Road maintained by Lexington County, and you provided an excerpt from the Lexington County Road Index of January 2010 which reflected this. We understand that former Lexington County Public Works Director John Fechtel had reported that Bennington Court was a Town of Chapin road that was maintained by Lexington County under an "unwritten agreement".

We have researched our files and consulted with our attorney who has undertaken extensive research on Bennington Court and the nearby properties. We have no record of the Town's ownership of Bennington Court, and we are not aware of any maintenance ever performed on it by Lexington County. The Town does have a sewer easement along Bennington Court, and we have executed an Agreement with Chapin United Methodist Church regarding their proposed access drive across this easement. The Town has no objection to the closing of Bennington Court, but we believe we have no authority to formally authorize its closing.

By copy of this letter to Lexington County Council Chairman Johnny Jeffcoat, we would respectfully request his assistance in resolving this matter so that construction of these much needed improvements can proceed.

Let us know if you have any questions or if we might provide additional information.

Yours sincerely,

Town of Chapin

J. Robert "Skip" Wilson, Mayor

cc: The Honorable Johnny W. Jeffcoat, Chairman (Lexington County Council)
Mr. Rick Faulkner (CUMC)
Mr. C. Douglas Clary, Jr., P.E. (Hybrid Engineering, Inc.)



560 feet from Amicks Ferry Rd to Dead End

Bennington Ct

Proposed closing by Town of Chapin

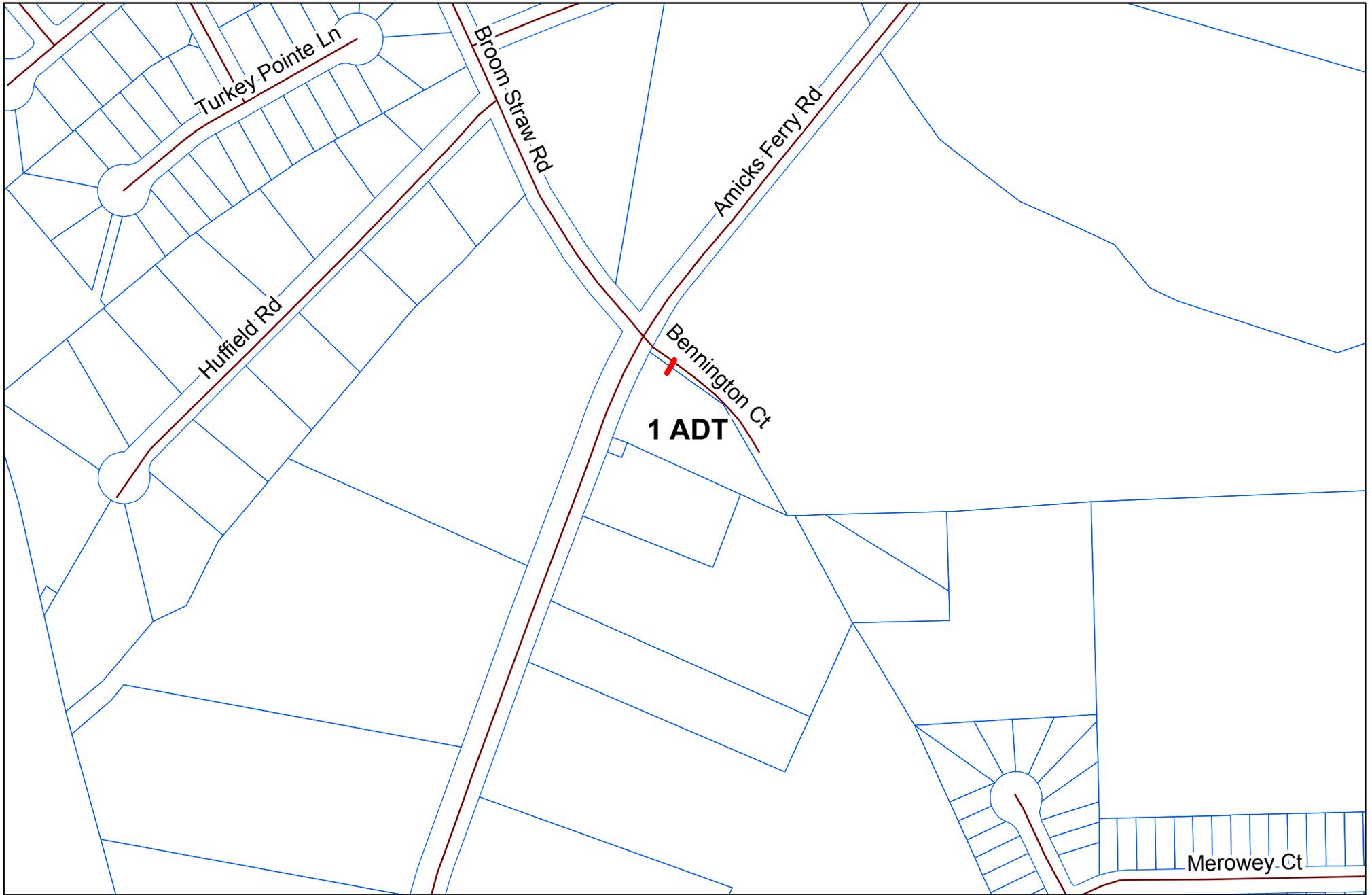
Printed: Sep 22, 2014

Council District 6



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Bennington Court Traffic Count ADT 1

Traffic Count from 9/23/14 to 9/26/14





COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT

M E M O R A N D U M

DATE: October 14, 2014
TO: Joe Mergo, County Administrator
FROM: Wrenn Barrett, Director of Public Works
Susan Licher, Environmental Coordinator
RE: Central Midlands Air Quality Pledge of Support

The Midlands Air Quality Coalition is requesting that Lexington County Council support and sign the attached "Central Midlands Air Quality Pledge of Support". Susan Licher, our County's Environmental Coordinator, serves as a member and will brief Council on the significance of this pledge.

In summary, the U.S. EPA is currently reviewing and will be revising air quality standards as necessary. Depending on their review and revisions, especially possible revisions to the ground-level ozone concentrations, it is possible that a large portion of South Carolina, including Lexington County, will be in non-attainment. Should Lexington County enter into non-attainment status, businesses locating into our County that require an air quality permit will likely see an increase in project costs up to 20%. The status may also create additional operational requirements. Therefore, DHEC is working with local governments to proactively maintain and improve the State's air quality.

Thus, in so much as air quality is an economic, public health, and environmental issue; by signing the Central Midlands Air Quality Pledge of Support, Lexington County:

- Signifies our involvement and active participation in the Central Midlands Air Quality Coalition;
- Demonstrates to the U.S. EPA and DHEC that we are committed to proactively addressing air quality through strategic planning and partnerships;
- Addresses air quality regionally since City of Columbia, Lexington County, and Richland County are considered one area for the purposes of determining compliance with air quality standards;
- Addresses air quality locally in an attempt to avoid mandated actions.

This pledge does not require any financial assurances from the County.

Request Action: To be presented to the Public Works Committee for information and approval to support the "Central Midlands Air Quality Pledge of Support" at the October 14, 2014, meeting.

Central Midlands Air Quality Pledge of Support

The U.S. Environmental Protection Agency (EPA), as required by the Clean Air Act, will "review and, if necessary, revise air quality standards every five years to ensure that they protect public health with an adequate margin of safety." Accordingly, it is expected that EPA would propose actions and finalize any National Ambient Air Quality Standards (NAAQS) revisions in the near future.

Here in the Central Midlands of South Carolina, we recognize that improving air quality and maintaining clean air that is in attainment of the NAAQS established by EPA is critical to both the physical health of residents and the economic vitality of the region. Therefore, we join other city and county governments, businesses, institutions, and organizations from across the Central Midlands region to support the development, implementation, and maintenance of the Central Midlands Air Quality Action Plan and Clean Air initiative.

We are committed to supporting outreach and education efforts, as well as identifying the specific actions that our organization can implement as part of collaborative efforts, to ensure that the Central Midlands maintains a level of air quality that allows our region to reach its full potential as a great place to live, learn, do business, and raise a family.

Local Government/Business/Institution: _____

Authorized Signature: _____

Primary Contact Person: _____

E-Mail Address: _____

Phone Number: _____

(As part of the pledge, we will identify actions from the Central Midlands strategies/actions list that our local government/business/organization can implement, support, or promote. We commit to communicating with the Central Midlands Air Quality Coalition Steering Committee and DHEC to ensure that our efforts are included in the Clean Air Report to EPA's Ozone Advance Program.)





COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

M E M O R A N D U M

DATE: October 14, 2014

TO: Joe Mergo, III, County Administrator

FROM: Wrenn Barrett, PE, Public Works Director
Joe Montgomery, Engineering Associate III

RE: Desoto Drive Road Closing – Council District 2

Lexington County Public Works has received a request from the Town of Summit to close Desoto Drive from Reedy-O-Smith Rd to Brady Taylor Rd, for a total distance of 680 feet.

As the Petitioner in the action, the Town of Summit will pay for all associated costs for this closing and has acquired signed petitions from all of the abutting parcel owners.

Public Works performed a traffic count on this road from September 30, 2014 to October 2, 2014 and the ADT was 53. Public Works also contacted Director of Public Safety David Kerr, who indicated that they do not have a response time issue pertaining to the closing of this road.

Based on the information provided above, Lexington County Public Works Department has no objection with this road closing, which will result in a decrease of 0.13 miles in our dirt road maintenance.

Requested Action: To be presented to the Public Works Committee for information and action at the October 14, 2014 meeting.

TOWN OF SUMMIT

December 6, 2013

Mr. Wrenn Barrett
Public Works Director
440 Ball Park Road
Lexington, SC 29073

RE: REQUEST TO CLOSE DESOTO DRIVE IN SUMMIT, SC

Dear Mr. Barrett:

On behalf of the property owners on Desoto Drive, the Town of Summit is requesting this road be closed at Reedy O. Smith, allowing access to their property via Brady Taylor Road. I have attached copies of the approval letters from each property owner.

Please let us know if this is feasible and what steps need to be taken to accomplish closing Desoto Drive.

Thank you for your time and assistance.

Sincerely,



Rosalyn Reeder
Mayor, Town of Summit
mavoreeder@yahoo.com
803-892-6161

12/13/13 - Notified Don via email to assess and update.

Petitioner Summit Town Council

Petition letter:

The Summit Town Council (the Petitioner) voted to proceed with the permanent road closing of DeSoto Drive in Summit, South Carolina.

There are four tracks of property bordering this road. A map is attached and the property owners addresses and tax map numbers are listed below:

Richard and Brenda Freeman
PO Box 198
Gilbert, SC 29054
TM# 006100-03-063

Margaret Vivian Shealy
324 Brady Tayler Road
Leesville, SC 29072
TM# 006117-01-002

St. James Lutheran Church
308 Church Street
Leesville, SC 29070
TM# 006117-08-003 and TM# 006100-03-056

We have received all the proper signatures from adjoining property owners. Copies of the letters are attached.

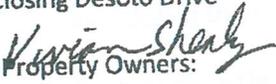
Reason for closing the road.

DeSoto Road is a dirt road measuring _____ mile long. It has become a well-known location for people dumping their trash (including TV's, computers, bags of garbage, etc.). Numerous wrecks have occurred on this road. It is a "hangout" for people to park at night and drink and swap drugs. Our resident deputy, Joe Ackerman, is a great proponent in having this road closed. He is well aware of the wrong-doings that happen there – some of which he will not even discuss with us.

June 18, 2013

✓ Vivian Shealy
Richard and Brenda Freeman
St James Lutheran Church

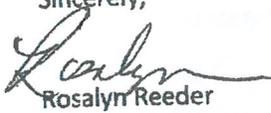
Re: Closing Desoto Drive

Dear Property Owners: 

Due to many complaints of speeding, dumping trash, etc., along Desoto Drive, the Summit Town Council has voted to proceed with trying to get Lexington County Public Works to close Desoto Drive. The first step is getting approval from the property owners along Desoto Drive. After approval from the property owners, the Mayor will send a letter to Lexington County requesting that they start the process in closing the road. The County will determine which end of the road will stay open for access to your property, preferably the end closest to Brady Taylor Road.

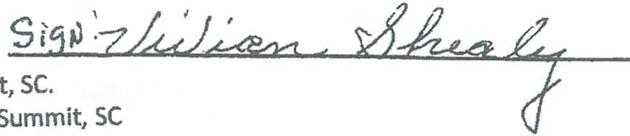
Please indicate below whether or not you would want the Town to proceed with trying to get Desoto Drive closed and return this letter to the Summit Town Hall. Thank you and, if you have any questions, please do not hesitate to contact us at 892-6161.

Sincerely,


Rosalyn Reeder

On behalf of the Summit Town Council

Vivian Shealy, 324 Brady Taylor Road, Leesville, SC 29070



SIGN: Vivian Shealy

Yes, I approve of closing Desoto Drive (L-3) in Summit, SC.
 No, I do not approve of closing Desoto Drive (L-3) in Summit, SC

Richard and Brenda Freeman, P.O. Box 198 Gilbert, SC 29054

Yes, we approve of closing Desoto Drive (L-3) in Summit, SC
 No, we do not approve of closing Desoto Drive (L-3) in Summit, SC

St. James Lutheran Church, 308 Church Street, Leesville, SC 29070

Yes, we approve of closing Desoto Drive (L-3) in Summit, SC
 No, we do not approve of closing Desoto Drive (L-3) in Summit, SC

June 18, 2013

Vivian Shealy
Richard and Brenda Freeman
St James Lutheran Church

Re: Closing Desoto Drive

Dear Property Owners: *Richard and Brenda*

Due to many complaints of speeding, dumping trash, etc., along Desoto Drive, the Summit Town Council has voted to proceed with trying to get Lexington County Public Works to close Desoto Drive. The first step is getting approval from the property owners along Desoto Drive. After approval from the property owners, the Mayor will send a letter to Lexington County requesting that they start the process in closing the road. The County will determine which end of the road will stay open for access to your property, preferably the end closest to Brady Taylor Road.

Please indicate below whether or not you would want the Town to proceed with trying to get Desoto Drive closed and return this letter to the Summit Town Hall. Thank you and, if you have any questions, please do not hesitate to contact us at 892-6161.

Sincerely,

Rosalyn Reeder

Rosalyn Reeder
On behalf of the Summit Town Council

Vivian Shealy, 324 Brady Taylor Road, Leesville, SC 29070

Yes, I approve of closing Desoto Drive (L-3) in Summit, SC.
 No, I do not approve of closing Desoto Drive (L-3) in Summit, SC

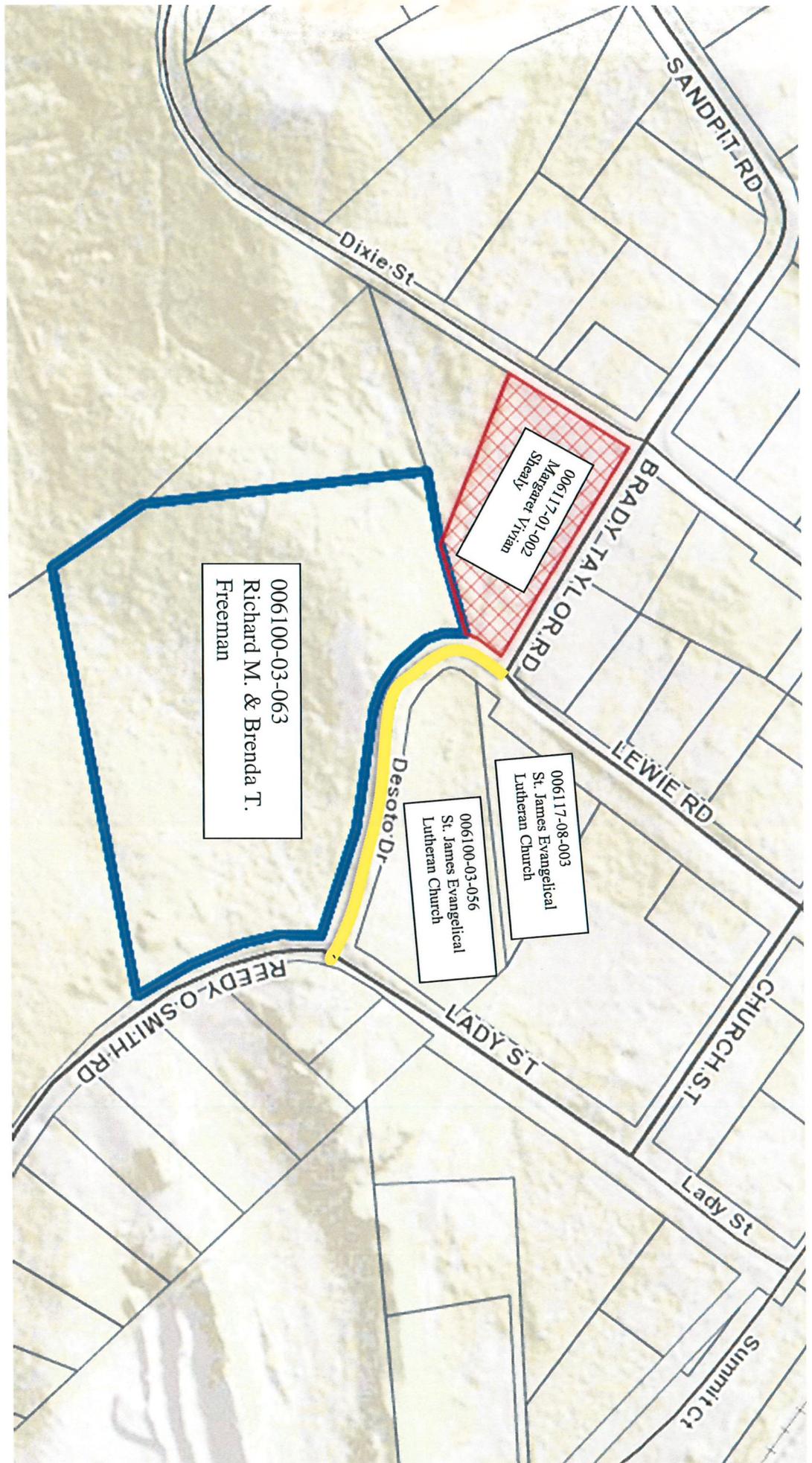
Richard and Brenda Freeman, P.O. Box 198 Gilbert, SC 29054

Yes, we approve of closing Desoto Drive (L-3) in Summit, SC
 No, we do not approve of closing Desoto Drive (L-3) in Summit, SC

*Sign: Brenda J Freeman
Richard M. Freeman*

St. James Lutheran Church, 308 Church Street, Leesville, SC 29070

Yes, we approve of closing Desoto Drive (L-3) in Summit, SC
 No, we do not approve of closing Desoto Drive (L-3) in Summit, SC



006100-03-063
Richard M. & Brenda T.
Freeman

006117-01-002
Margaret Vivian
Shealy

006117-08-003
St. James Evangelical
Lutheran Church

006100-03-056
St. James Evangelical
Lutheran Church

Donna Taylor

From: Mergo, Joe <jmergo@lex-co.com>
Sent: Tuesday, March 11, 2014 10:52 AM
To: Donna Taylor
Cc: Barrett, Wrenn; Jeff Anderson
Subject: FW: Road closure in Summit
Attachments: SKMBT_28314010717300.pdf; DRAFT Lex Co Road Closing SOP Ir 1 16 14.docx

Ms. Taylor,

Our staff spoke with Mayor Reeder a few weeks ago. Since the Town owns the road, we had proposed that the Town bring the action to close the road and pay the associated closing costs. There is a specific SC Statute that outlines the process for closing a road. I've attached a draft of our internal procedures that may help you navigate the process. Our Public Works Staff is available to answer any questions you may have. Wrenn Barrett is our director and he is copied on this email. At some point I believe the Town of Summit will need to engage an attorney in the process. I've copied our County Attorney on this e-mail and he is more than happy to walk your attorney through the process.

Thanks,
Joe

From: Donna Taylor [<mailto:dtaylor@scbankers.org>]
Sent: Friday, March 07, 2014 8:37 AM
To: Mergo, Joe
Subject: Road closure in Summit

Hi Joe,

Hope you are doing well and staying dry.

We (Summit Town Council) voted a while back to close Desoto Drive in Summit. We received all the proper signatures from adjoining property owners and it is my understanding this has been delivered to the proper county people to proceed with the closing. However, nothing has been done.

Let me give you a little background. This dirt road is well known for people dumping their trash (including TV's, computers, bags of garbage, etc.), numerous wrecks as well as a hangout for people to park at night and drink and swap drugs. Our resident deputy, Joe Ackerman, is a great proponent in having this road closed. He is well aware of the wrong-doings that happens there – some of which he will not even discuss with us. There is one resident on Desoto Drive. I believe he contacts Mayor Reeder on a constant basis to see where the process stands because all of this is happening at his driveway.

It seems that this is taking a long time and the situation is getting worse and worse. I watched in broad daylight one day last week someone throwing their bags of garbage out and driving off.

Is there anything you can do to help speed this along?

Thanks for your time and consideration and I look forward to hearing from you soon.

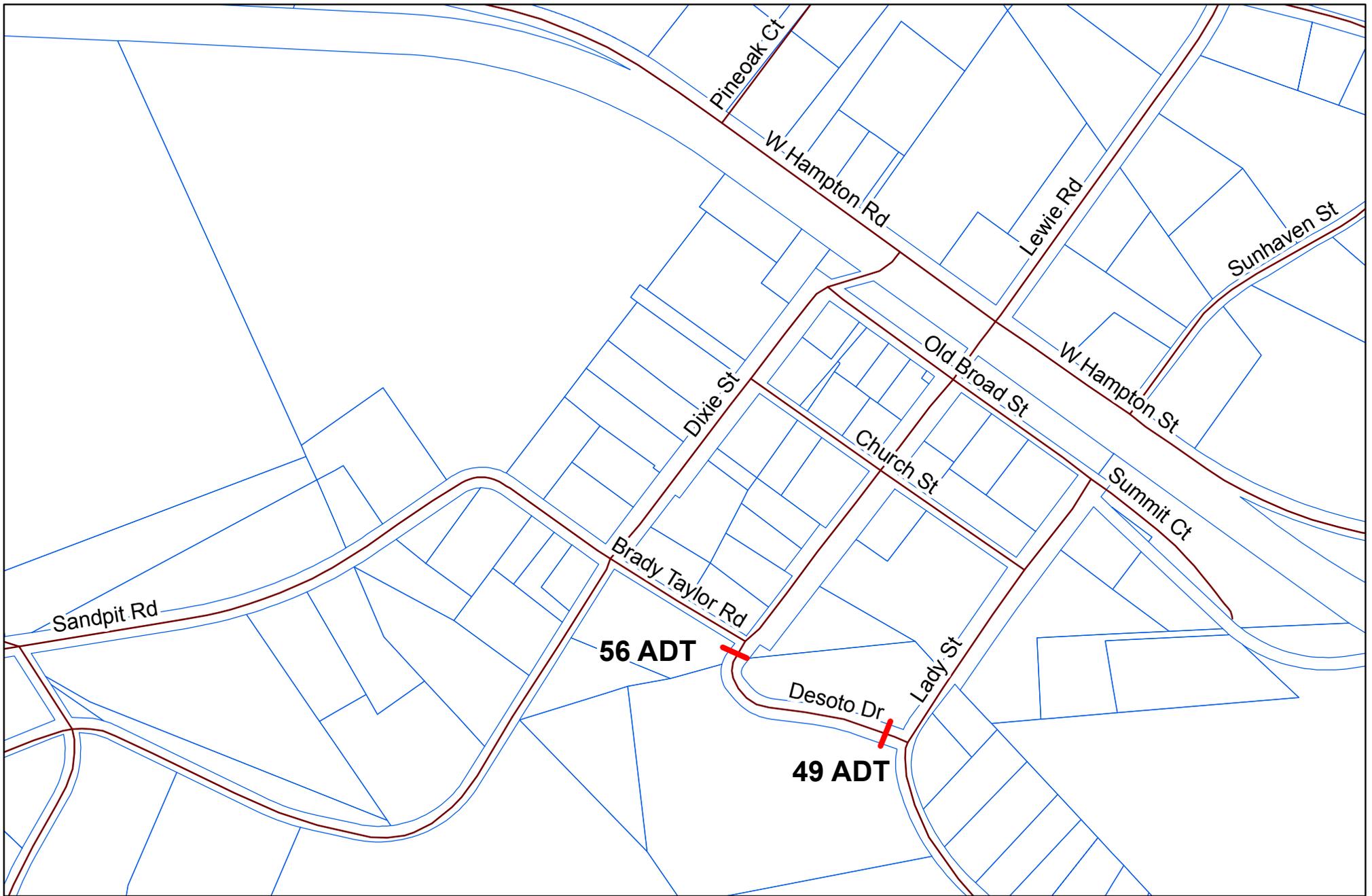
Donna

Summit Town Council
803-240-1434

Donna S. Taylor

Executive Vice President/CFO
South Carolina Bankers Association
PO Box 1483
Columbia, SC 29202
Phone: 803-779-0850
Cell: 803-240-1434
Fax: 803-779-0890
Email: dtaylor@scbankers.org





**Desoto Drive
Traffic Count
ADT 53**

Traffic Count from 9/30/14 to 10/02/14





COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

M E M O R A N D U M

DATE: October 14, 2014
TO: Joe Mergo, III, County Administrator
FROM: Wrenn Barrett, PE, Public Works Director
RE: Stormwater Land Development Manual – Detention Ponds

As the Public Works Department continues to complete the process of updating the County's Land Development Manual, there has been tremendous cooperation between the Stakeholders and the Public Works staff during the many meetings required to accomplish this task.

Throughout these meetings, hundreds of items have been worked out. However, a few "bucket items" have been put aside for future conclusion. One of these items is the use of Unified Sizing Criteria for the sizing of detention ponds, which is included as a revision in the new Land Development Manual.

During discussions among Public Works staff and representatives of the Development and Homebuilders industry, the suggestion to "pilot test" this new Unified Sizing Criteria for detention ponds was mutually proposed. This would allow us to do several "real world" applications of this new criterion to determine if in fact that it will reduce the size of the detention ponds as it is projected to do.

Therefore, Public Works is requesting that Council allow our Stormwater Division to accept stormwater designs on a select group of plans using the Unified Sizing Criteria as a test pilot program prior to the final approval of the Land Development Manual.

Requested Action: To be presented to the Public Works Committee for discussion and approval to allow Public Works to accept stormwater designs on plans using the Unified Sizing Criteria as a "test pilot" program prior to the final approval of the Land Development Manual. Further request that the Public Works Committee present it to County Council at the October 14 or the October 28, 2014 meeting, depending on what Council desires, for their consideration.

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APPOINTMENTS BOARDS & COMMISSIONS

October 14, 2014

JIM KINARD

- **Board of Zoning Appeals** - Dr. Sarah Wise; term expires 12/31/14; *eligible for reappointment*
- **Museum** - Jean Annette Lucas; term expires 11/01/14; not eligible for reappointment; *pending qualified board nominee*
- **Planning Commission** - Warren Cope; term expired 08/26/14; not eligible for reappointment; *pending qualified board nominee*

FRANK TOWSEND

- **Assessment and Appeals Board** - Tommy Hayden Jr.; term expired 09/21/14; not eligible for reappointment; *pending qualified board nominee*

DEBRA SUMMERS

- **Assessment Appeals Board** - Linda Ham; term expired 09/21/13; *pending qualified board nominee*
- **Museum** - Miley Hall Rhodes; term expires 11/01/14; not eligible for reappointment; *pending qualified board nominee*

BOBBY KEISLER

- **Museum Board** - Wanda Porter; resigned effective 07/02/14; term expires 11/01/16; *pending qualified board nominee*
- **Board of Zoning Appeals** - Tracy Mitchell; term expires 12/31/14; eligible for reappointment; *confirmed desire to serve another term*

JOHNNY JEFFCOAT

- **Museum** - Laura (Howell) Batey; term expires 11/01/14; *not eligible for reappointment*

AT LARGE:

Central Midlands Council of Governments (CMCOG)

- **Wilbur Lee Jeffcoat** - term expired 06/15/14; not eligible for reappointment; *pending qualified board nominee*

Lexington Richland Alcohol and Drug Abuse Council

- **William L. Rawl** - term expires 12/31/14; *eligible for reappointment*
- **Lynn L. Dooley** - term expires 12/31/14; not eligible for reappointment; *pending qualified board nominee*

Midlands Housing Alliance Transitions Board

- Tonnya Kennedy Kohn - term expires 12/31/14; *eligible for reappointment*

Stormwater Advisory Board

- Environmental Steward - Rebecca Ann Connelly; term expires 12/09/14; eligible for reappointment; *confirmed desire to serve another term*
- Environmental Consultant - Jim Lewis; term expires 12/09/14; *eligible for reappointment*
- Stormwater Professionals - Pearce L. Adkins, P.E.; term expires 12/09/14; eligible for reappointment; *confirmed desire to serve another term*

River Alliance

- **Mike Crapps** - partial term expires 01/26/16; *see attached nomination forms for Vaughn Robison Dozier and Morris Kirton Philips, Jr.*



LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM

River Alliance
(Name of Board/Commission to which you are applying)

Name: Dozier Vaughan Robison
(Last) (First) (Middle)

Home Address (Please provide both physical and mailing address if different)

Street 231 Royal Creek Dr
City Lexington State SC Zip 29072
Address: 211 Melann Pass Lexington SC 29073
(Former address if less than five (5) years at current address)

Telephone: Home (803) 356-5101 Office () Mobile (803) 446-2619

E-mail Address: vdozier@firstcommunitysc.com

Are you a permanent resident of Lexington County? Yes X No

Are you related to anyone that is employed by the County or affiliated with the Board/Commission for which you are applying? Yes No X

If yes, please list the relative's name

Voter Registration Number: 326251375 Driver's License State/Number SC 100689382

Occupation: Banker

Employer: First Community Bank

Address: 506 Meeting St city West Columbia State SC zip 29169

Why would you like to serve on this Board/Commission? To continue the alliance's mission of seeing the beauty of the river enjoyed by all.

Do you serve on any local or state board, commission, committee or in an elected position? Yes No X

If yes, please give details.

List other Boards/Commissions on which you currently serve and have served and dates Greater Cayce - West Columbia Chamber Board

Have you ever been convicted of a crime other than a minor traffic violation? Yes No X

If yes, please explain.

Highest Level of Education: Bachelor of Science

High School Graduate Yes GED Equivalent _____

College/University Attended Presbyterian College

Degree Business Administration

Do you have any interest in any business that has, is, or will do business with the County of Lexington or with the Board or Commission entity for which you are applying? Yes _____

No X

If yes, please provide details. _____

Initial VB I understand that my appointment to this Board/Commission may/will require some training and/or certification, and if selected to serve, I agree to give the time necessary for such training and/or certification.

Initial VB I understand that my attendance at all meetings is important. I hereby agree to attend all of the stated and called meetings of this entity to which I am being considered for appointment, and I further agree that I will resign my appointment should I miss:

- A. As per Section 2-133. Absences - 25 percent of the meetings within a one-year period. The Council may, in its discretion waive enforcement of this section in the case of illness, death of a family member, court appearance or other similar circumstance beyond the control of the appointee.

CERTIFICATION OF APPLICANT

By signing below, applicant certifies that his/her statements are true, accurate, and complete, and that he/she knows and agrees that any misrepresentation or omission of the facts may result in his/her being disqualified or being discharged should he/she already be appointed by the County Council as their assignee. I understand that my application will be considered by County Council and voted upon by Council. I further understand that if I am selected for service, I will receive written confirmation by Council.

At the County's discretion, the County and/or its agents may conduct a criminal background check and that information can be used for or against an appointment on a board/commission for Lexington County.

Rick Jager
Witness

[Signature]
Applicant's Signature

9-29-14
Date

Submitted by: Councilwoman Debbie Summers/kms
 New Appointee or Reappointee: New
 Council District Number: At-large
 Date: 10/2/14

Please return completed form to:
 Lexington County Council
 212 South Lake Drive, Suite 601
 Lexington, SC 29072
 Or Fax to 803-785-8101
 For questions call 803-785-8103



LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM

RIVER ALLIANCE

(Name of Board/Commission to which you are applying)

Name: PHILLIPS JR. MORRIS KIRTON
(Last) (First) (Middle)

Home Address (Please provide both physical and mailing address if different)

Street 105 ASHLEY COURT
City WEST COLUMBIA State SOUTH CAROLINA Zip 29169

Address: N/A
(Former address if less than five (5) years at current address)

Telephone: Home (803) 739-2892 Office () N/A Mobile (803) 404-1850

E-mail Address: MKPJR@ATT.NET

Are you a permanent resident of Lexington County? Yes [X] No

Are you related to anyone that is employed by the County or affiliated with the Board/Commission for which you are applying? Yes No [X]
If yes, please list the relative's name N/A

Voter Registration Number: 1097502 Driver's License State/Number SCDL# 002009734

Occupation: RETIRED - FROM STATE OF SC (PROGRAMMER)

Employer: SCE SC (SOUTH CAROLINA EMPLOYMENT SECURITY COMMISSION)

Address: GASTON ST. City COLUMBIA State SC Zip 29202

Why would you like to serve on this Board/Commission? HAVE ALWAYS BEEN INTERESTED IN THE RIVER ALLIANCE - WOULD LIKE TO SERVE MY COMMUNITY IN THIS AREA

Do you serve on any local or state board, commission, committee or in an elected position? Yes No [X]
If yes, please give details.

List other Boards/Commissions on which you currently serve and have served and dates 2006-2014
FORMER MEMBER OF LEX. CO. ZONING BOARD OF APPEALS

Have you ever been convicted of a crime other than a minor traffic violation? Yes No [X]

If yes, please explain. N/A
Highest Level of Education: COLLEGE

High School Graduate _____ GED Equivalent _____

College/University Attended CHARLOTTE BUSINESS COLLEGE

Degree AUTOMATED ACCOUNTING AND FINANCE

Do you have any interest in any business that has, is, or will do business with the County of Lexington or with the Board or Commission entity for which you are applying? Yes _____

No X

If yes, please provide details. N/A

Initial MSF I understand that my appointment to this Board/Commission may/will require some training and/or certification, and if selected to serve, I agree to give the time necessary for such training and/or certification.

Initial MSF I understand that my attendance at all meetings is important. I hereby agree to attend all of the stated and called meetings of this entity to which I am begin considered for appointment, and I further agree that I will resign my appointment should I miss:

- A. As per Section 2-133. Absences - 25 percent of the meetings within a one-year period. The Council may, in its discretion waive enforcement of this section in the case or illness, death of a family member, court appearance or other similar circumstance beyond the control of the appointee.

CERTIFICATION OF APPLICANT

By signing below, applicant certifies that his/her statements are true, accurate, and complete, and that he/she knows and agrees that any misrepresentation or omission of the facts may result in his/her being disqualified or being discharged should he/she already be appointed by the County Council as their assignee. I understand that my application will be considered by County Council and voted upon by Council. I further understand that if I am selected for service. I will receive written confirmation by Council.

At the County's discretion, the County and/or its agents may conduct a criminal background check and that information can be used for or against an appointment on a board/commission for Lexington County.

Thom Stotts
Witness

Morris F. Phillips
Applicant's Signature

10/9/14
Date

Submitted by: Councilman Bill Banning
New Appointee or Reappointee: New
Council District Number: 8
Date: 10/9/14

Please return completed form to:
Lexington County Council
212 South Lake Drive, Suite 601
Lexington, SC 29072
Or Fax to 803-785-8101
For questions call 803-785-8103

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: September 30, 2014

TO: Joseph G. Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **Engineering Design Services for US 321/Sandhill Parkway Turn Lane
Public Works**

We received a purchase requisition from Public Works for the engineering design services for US 321/Sandhill Parkway Turn Lane. This service will be procured under Lexington County contract number PQ13001-08/01/12S from the URS Corporation.

Wrenn Barrett, Director of Public Works has reviewed and recommended this purchase. The total cost, including applicable sales tax, is \$37,000.00.

Funds will be appropriated in the following account:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>	<u>Requisition Amount</u>
2700-121304-5R0195	US 321/Sandhill Pkwy Turn Lane	\$50,000.00	\$37,000.00

I concur with the above recommendation and further recommend that this purchase request be placed on County Council's agenda for their next scheduled meeting on October 14, 2014.

copy: Randy Poston, Chief Financial Officer
Wrenn Barrett, Director of Public Works
Joey Derby, County Engineer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8166

(F) 785-2240

DATE: October 1, 2014

TO: Joe Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Kay Keisler
Procurement Officer

SUBJECT: **Four (4) Power Pro XT Stretchers – Sole Source
Public Safety-EMS**

We received a purchase request from Public Safety-EMS for four (4) Power-Pro XT Stretchers with accessories. This will be a “sole source” purchase from Stryker Sales as they are the only vendor that can provide this equipment and still maintain standardization of our inventory and familiarity for training purposes.

David Kerr, Director of Public Safety and T. Brian Hood, Public Safety/EMS Coordinator have reviewed and recommended this purchase. The total cost, including applicable sales tax, is \$69,916.28.

Funds are appropriated in the following account:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>	<u>Requisition Amount</u>
1000-131400-5AF084	(4) Automated Stretchers	\$70,000.00	\$69,916.28

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 October 14, 2014.

copy: Randolph C. Poston, Chief Financial Officer
David Kerr, Director of Public Safety
T. Brian Hood, Public Safety/EMS Coordinator

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: September 25, 2014

TO: Joe G. Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **B15006-07/23/14S**
Housing Rehabilitation Project: 370 Hampton Terrace, Leesville, SC, 29070
Community Development

Competitive bids were solicited and advertised for a housing rehabilitation project at 370 Hampton Terrace, Leesville, SC, 29070. A pre-bid meeting was held on July 10, 2014 with six (6) potential bidders in attendance. On July 23, 2014 we received three (3) bid responses and one (1) "no bid" response (see attached bid tabulation).

The bids were evaluated by Caleb Pozsik, EIT, Construction Services, Mead & Hunt, Inc.; Stephany Snowden, Community Development Title VI/Grant Administrator; Sandy Fox, Community Development HOME Administrator; Fran Mullaney, Community Development Grant Assistant; and Angela Seymour, Procurement Officer. It is our recommendation to award this procurement to the lowest responsible, responsive bidder Anthony John Construction for the total amount of \$28,595.00.

County funds are appropriated in the following account:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>	<u>Requisition Amount</u>
2401-181201-537140	Housing Rehabilitation Program	\$382,946.00	\$28,595.00

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on October 14, 2014.

copy: Randolph C. Poston, Chief Financial Officer
Caleb Pozsik, EIT, Construction Services, Mead & Hunt, Inc.
Charles Garren, Director of Community Development
Stephany Snowden, Community Development Title VI/Grant Administrator
Sandy Fox, Community Development HOME Administrator
Fran Mullaney, Community Development Grant Assistant

County of Lexington

Bid Tabulation

BID # : B15006-07/23/14S

Housing Rehabilitation Project: 370 Hampton Terrace, Leesville, SC 29070

Item	Qty	U/M	Description	**KJ Construction, LLC.		Anthony John Construction		C & R Builders of Columbia	
				Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost
1	1	JOB	Housing Rehabilitation Project: 370 Hampton Terrace, Leesville, SC 29070	\$ 19,495.00	\$ 19,495.00	\$ 28,595.00	\$ 28,595.00	\$ 39,597.00	\$ 39,597.00

**KJ Construction deemed non-responsive due to prior performance with Lexington County.

**Carolina Supply Services submitted a "no bid" response forms due to not have a lead paint abatement certificate.

Bids Received: July 23, 2014 @ 3:30 PM E.S.T.

Angela M. Seymour
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: September 29, 2014

TO: Joe G. Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **Liquefied Petroleum (LP) Gas (Term Contract) - Countywide
C15004-09/24/14S
Countywide**

Competitive bids were solicited and advertised for a countywide term contract for Liquefied Petroleum (LP) Gas. We received two (2) bids on September 24, 2014 (see attached Bid Tabulation).

The bids were evaluated by Billy Derrenbacher, Animal Control Coordinator; Bob Hall, Building Services Assistant Manager; Rod Pimental, Central Stores; Lt. Eric Kehl, Public Safety - EMS; Chief Brad Cox, Public Safety – Fire Service; Sylvia Dillon, Sheriff’s Department; David Kerr, Director of Public Safety; Martha Jenkins, Public Works; Dave Eger, Director of Solid Waste Management; and Angela M. Seymour, Procurement Officer. It is our recommendation to make the award to Palmetto Propane, Incorporated as the lowest bidder meeting specifications for an estimated yearly cost, including applicable sales tax, of \$32,000.00.

We further recommend that this term contract be awarded for the initial period of one (1) year with the option to extend the contract for four (4) additional 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 October 14, 2014.

copy: Randolph C. Poston, Chief Financial Officer
Billy Derrenbacher, Animal Control Coordinator
Mark Kerley, Building Services Manager
Rod Pimental, Central Stores
Chief Butch Reynolds, Sheriff’s Department
David Kerr, Director of Public Safety
Wrenn Barrett, Director of Public Works
Dave Eger, Director of Solid Waste Management

County of Lexington

Bid Tabulation

BID # : C15004-09/24/14S
Liquefied Petroleum (LP) Gas

Item	Qty	U/M	Description	Palmetto Propane Inc.		Ferrellgas	
				Unit Total	Total Cost	Unit Total	Total Cost
1	1	GAL	Liquefied Petroleum (LP) Gas	\$ 0.2750	\$ 0.2750	\$ 0.37	\$ 0.37

Bids Received: September 24, 2014 @ 3:00 PM E.S.T.

Angela M. Seymour
 Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8166

(F) 785-2240

DATE: September 29, 2014

TO: Joe G. Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: Security Fencing around Detention Ponds at Wild Meadows/Phase IX and
Whispering Glen
Public Works
Bid Number: B14043-06/30/14S

Competitive bids were solicited and advertised for installing fencing around the detention ponds at Wild Meadows (Phase IX) and Whispering Glen subdivisions. On June 30, 2014, we received one (1) bid (see attached bid tabulation).

The bid was evaluated by Wrenn Barrett, Director of Public Works; Sheri M. Armstrong, Stormwater Manager; and Angela M. Seymour, Procurement Officer. It is our recommendation to award this bid to Henley Construction Company, Inc. for the total amount of \$31,402.50. Funding for these projects is being provided by the performance bonds that have been pulled and placed into the County pass thru grant accounts.

County funds are appropriated in the following accounts:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>	<u>Requisition Amount</u>
2999-999900-5R0186	Wild Meadows – Phase IX	\$50,310.00	\$18,757.25
2999-999900-5R0144	Whispering Glen Subdivision	\$29,676.00	\$12,645.25

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 October 14, 2014.

copy: Randolph C. Poston, Chief Financial Officer
Wrenn Barrett, Director of Public Works
Sheri M. Armstrong, Stormwater Manager

County of Lexington

Bid Tabulation

BID # : B14043-06/30/14S

Security Fencing Around Detention Ponds at Wild Meadows/Phase IX and Whispering Glen

				Henley Construction Company, Inc.	
--	--	--	--	--	--

Wild Meadows/Phase IX Security Fence

Item	Qty	U/M	Description	Unit Total	Total Cost
1	1450	LF	New fabric for the detention pond	\$ 4.50	\$ 6,525.00
2	127	EA	Line posts for the detention pond	\$ 28.00	\$ 3,556.00
3	11	EA	New corner post for the new fence area	\$ 218.75	\$ 2,406.25
4	2900	LF	Top and Bottom Tension Wire for the fence	\$ 1.30	\$ 3,770.00
5	2	EA	New entrance gates for the detention pond	\$ 950.00	\$ 1,900.00
6	3	EA	Electrical Grounds fence area for the fence area	\$ 200.00	\$ 600.00
Total					\$ 18,757.25

Whispering Glen

Item	Qty	U/M	Description	Unit Total	Total Cost
1	810	LF	New fabric for the detention pond	\$ 4.50	\$ 3,645.00
2	71	EA	Line posts for the detention pond	\$ 28.00	\$ 1,988.00
3	11	EA	New corner post for the new fence area	\$ 218.75	\$ 2,406.25
4	1620	LF	Top and Bottom Tension Wire for the fence	\$ 1.30	\$ 2,106.00
5	2	EA	New entrance gates for the detention pond	\$ 950.00	\$ 1,900.00
6	3	EA	Electrical Grounds fence area for the fence area	\$ 200.00	\$ 600.00
Total					\$ 12,645.25
Project Total					\$ 31,402.50

Bids Received: June 30, 2014 @ 3:30 PM E.S.T.

Angela M. Seymour
Procurement Officer

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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 # M14-04

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

201 St. Andrews Road, portion of parcel (275'x275') located at intersection of St. Andrews Road and Tram Road

Zoning Classifications: (Current) R1 (Low Density Residential) (Proposed) RA (Recreational/Agricultural)

TMS#: 002822-04-015 Property Owner: Michaels Garden, LLC

Reason for the request: Current zoning classification does not allow the proposed activity. The RA zoning classification would allow the proposed 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: 7/22/2014 Applicant: Property Owner [] Authorized Agent [x]

Phone #(s): work (803) 785-8121

Signature: signature on file Printed Name: Walt McPherson/Zoning Administrator on behalf of County Council

Street/Mailing Address: 212 South Lake Drive Suite 401 Lexington SC 29072

Table with 2 columns: Date, Action. Rows: 07/22/2014 Application Received, 08/07/2014 Newspaper Advertisement, 08/13/2014 Notices Mailed

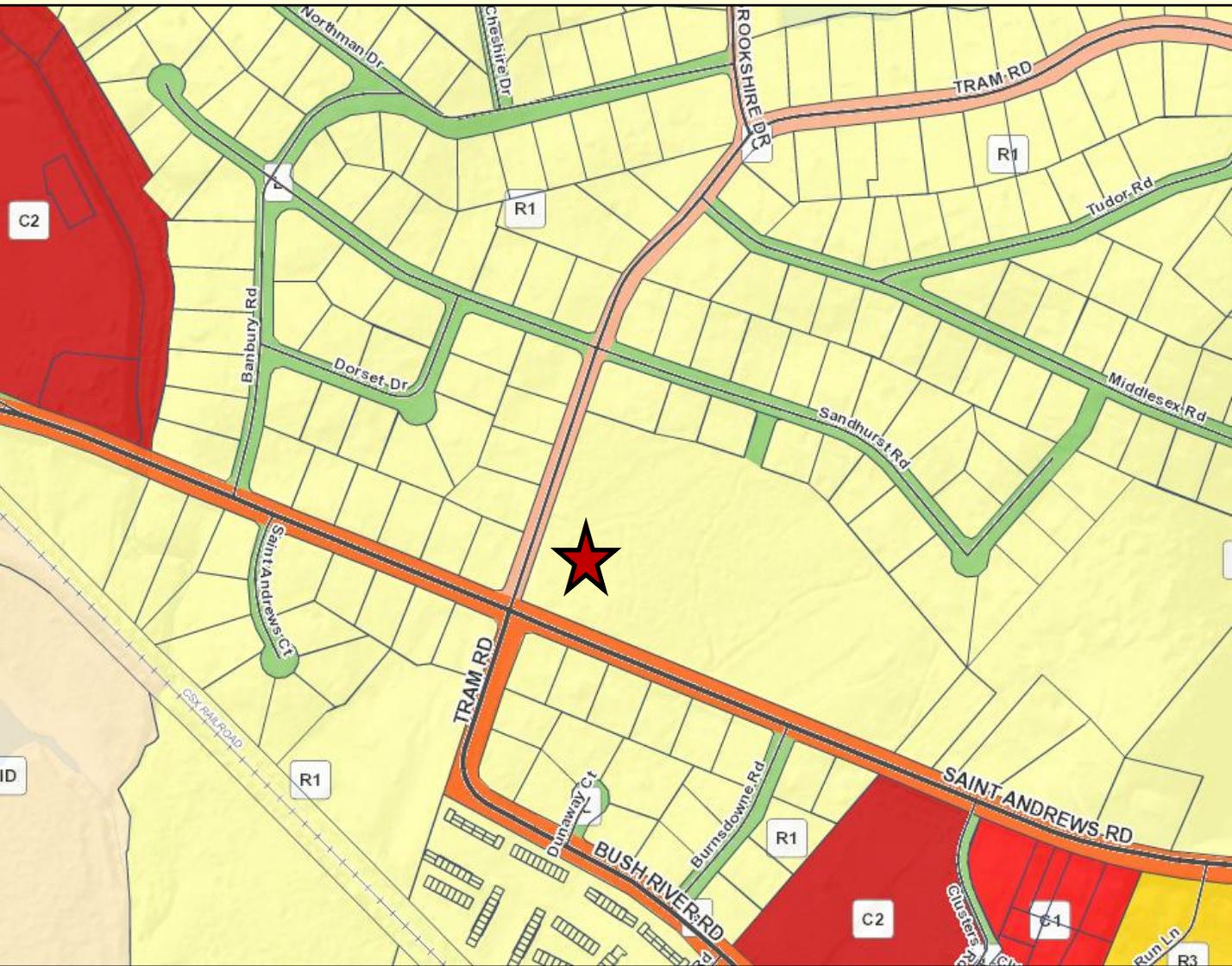
Table with 2 columns: Date, Action. Rows: N/A Fee Received, 08/11/2014 Property Posted, 09/18/2014 Planning Commission

Planning Commission Recommendation: vote 5-0 approval

Table with 4 columns: Date, Action, Date, Action. Rows: 7/30/14 First Reading, 8/26/14 Public Hearing, 9/23/14 Second Reading, Third Reading

Results:

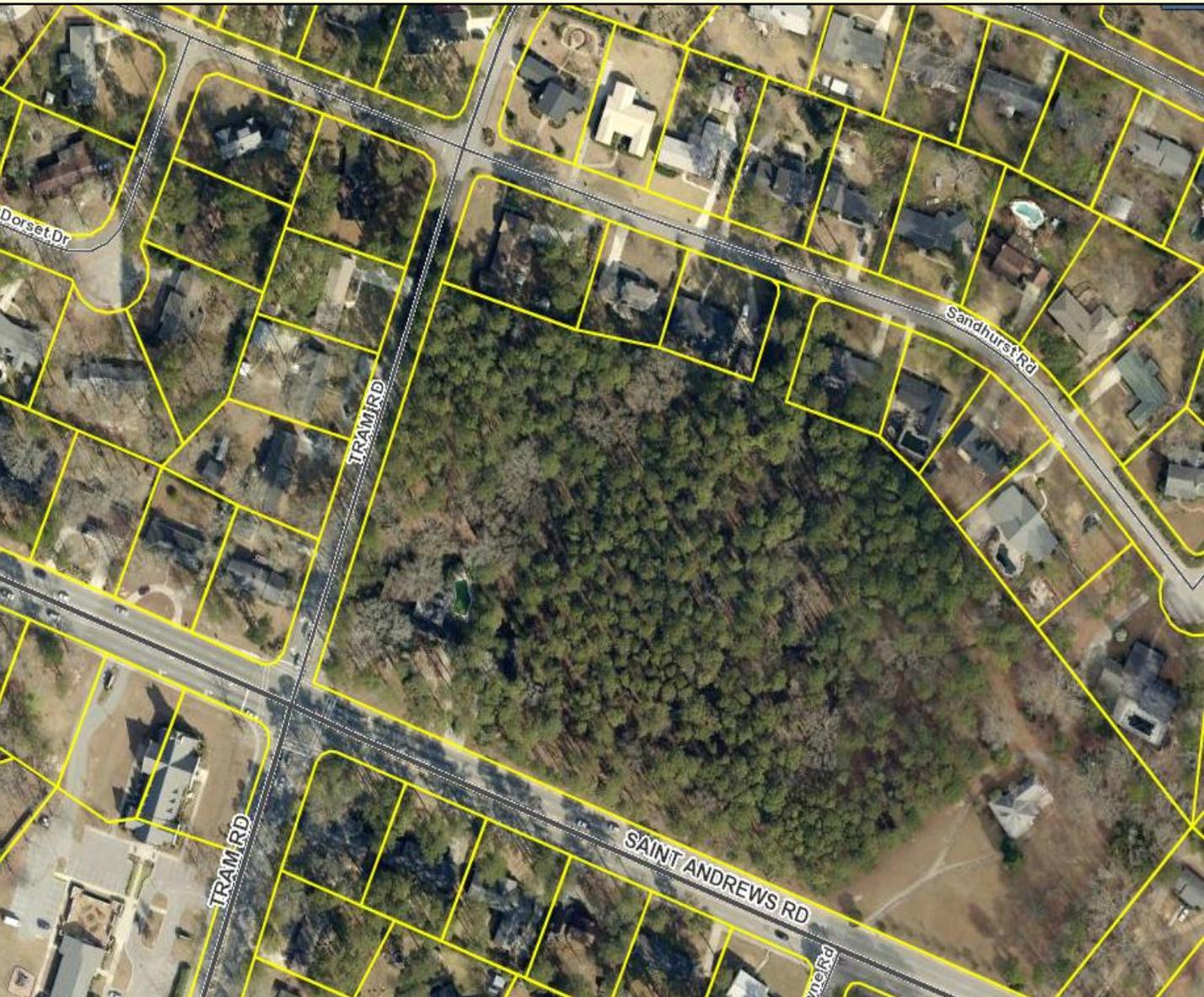
Zoning Map Amendment Application #M14-04



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

2013 Aerial Photo Zoning Map Amendment Application #M14-04



2013 Aerial Photo Zoning Map Amendment Application #M14-04



Description of Proposed Activity

Leeza's Care Connection

The mission of Leeza's Care Connection is to be a "place for caregivers." It is a community gathering place and resource center committed to providing free services, resources and programs for family caregivers taking care of a loved one with a memory disorder or any chronic and/or progressive illness. Their job is to connect caregivers to each other and to the resources that will help them navigate their difficult path so that they can find the strength to adjust to their "new normal." Nearly one in four households (28.5%) is involved with caregiving. In 85% of caregiving cases, care is provided in the home.

Often when someone in a family gets a diagnosis of cancer or Alzheimer's, has stroke or another disease, the entire family gets "sick." Caregivers report worsening health with significant energy and sleep issue (87%), stress and/or panic attacks (70%), depression (52%), and headaches (41%). They are unsure of how to cope with the overwhelming demands of what to do now. This is where Leeza's Care Connection comes in.

Through programs offering exercise, socialization, information, relaxation and motivation, Leeza's Care Connection helps caregivers and their diagnosed loved ones know they are not alone by giving them the support and resources to confidently move forward.

The space is designed to be a living room environment to feel like home. It promotes relaxation and provides a sense of belonging. Leeza's Care Connection will offer the following:

Education Seminars – designed to empower, educate and uplift

Care Café – a place to grab a cup of coffee, share ideas and take a moment for yourself (there is no charge for coffee or snacks)

Learning Lab – try the latest and greatest, most innovative, newest products to make a caregivers' job easier

Wellness Warriors – caregivers interested in engaging in de-stressing activities such as yoga, guided meditation, and creative expression.

Reflect and Relax Room – a quiet, meditative space to gather your thoughts or slip on some headphones to sooth your soul

Red Carpet Respite Club – A safe and inviting space for your loved ones to socialize and engage while you take a break (this is not an overnight program)

Care Connectors – caregivers who have already walked this path, who are now mentors sharing their stories, experiences and expertise



COMMITTEE REPORT

RE: Zoning Text Amendment #T13-04 - Mining Operations

DATE: September 25, 2014

COMMITTEE: Planning & Administration

MAJORITY REPORT: Yes

The Planning & Administration Committee convened on Tuesday, September 23, 2014 to review Zoning Text Amendment #T13-04 - Mining Operations.

Mr. Charlie Compton, Planning and GIS Director and Planning Commission Secretary, presented the Planning Commission's recommendations from their August 21st meeting for Zoning Ordinance Article 2 - Application of Regulations and Article 8 - Mining Operations. He noted there were two attachments to the Zoning Text Amendment application form in the agenda packet. Mr. Compton reported the first is the original December 2013 text submitted by the Commission and the second is the revised recommendation from the Commission as a result of additional work at their June, July, and August meetings. He explained the Committee could consider recommending any of the material found in both documents or suggesting additional revisions. Mr. Compton did clarify, however, that if the Committee recommends any text changes other than those found in the December 2013 document, then it would be necessary for the full Council to have an additional 2nd reading vote.

Mr. Compton reviewed the Commission's recommendation section by section, noting where the text had changed from the December 2013 version. He stated that during those months the Commission was able to address many of the public hearing comments and spent much of that time on the expanded concepts of Access Plan (Chapter 2, Section 82.30) and Noise Containment Plan (Chapter 2, Section 82.60). He explained that the Commission's greatest concern was on the proper handling of important issues such as dewatering/groundwater-related impacts, fugitive dust, and surface blasting which are regulated by the South Carolina Department of Health and Environmental Control (SCDHEC) in accordance with State legislation. Therefore, the Commission wanted their recommendation to make a clear distinction between County and DHEC responsibilities. The Committee members had a number of questions, especially as they discussed in greater detail the enforcement roles of the County and SCDHEC.

The Planning & Administration Committee voted unanimously to recommend full Council approve adopting the Planning Commission's recommendations.

Enclosure: Material from September 23rd Planning and Administration Committee meeting

Memorandum

September 11, 2014

To: Joe Mergo
County Administrator

For: Planning and Administration Committee
County Council

From: Charlie Compton, Director
Department of Planning and GIS

Reference: Zoning Text Amendment #T13-04 – Mining Operations

The Planning Commission took the information from the public hearing in May and spent their June, July, and August meetings trying to improve on the original draft from December 2013 and addressing as many of the public hearing comments as possible.

There are two attachments to the enclosed Zoning Text Amendment application form. The first one is the original December 2013 text submitted by the Planning Commission. The second attachment is the revised recommendation from the Planning Commission as a result of their work this summer.

The Committee may consider recommending any of the material found in both documents or suggest additional revisions. If the Committee recommends any text changes other than those found in the December 2013 document, then it will be necessary to have an additional 2nd reading vote.

Enclosures: Zoning Text Amendment Application #T13-04
Attachment #1 – text from the 1st and 2nd readings
Attachment #2 – Planning Commission recommended text



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 TEXT AMENDMENT APPLICATION # **T13-04**

Section(s) of the Zoning Ordinance that are affected:

ARTICLE 2--APPLICATION OF REGULATIONS and ARTICLE 8--MINING OPERATIONS

Reason for the request: To address compatibility of mining operations with surrounding areas

Submitted on behalf of: County Council Planning Commission

Printed Name: Charles M. Compton Title: Secretary

Signature: signature on file

12/19/2013	Application Received	04/24/2014	Newspaper Advertisement
08/21/2014	Planning Commission		

Planning Commission Recommendation: 6-0 Approval

01/14/14	First Reading	05/13/14	Public Hearing	05/13/14	Second Reading	Third Reading
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Results: _____

Attachment #1

Make the following changes and additions to this Article:

ARTICLE 8 – MINING OPERATIONS

Chapter 1. General Provisions

81.00 Purpose

The purpose of this article is to address the unique needs of Mining Operations in order that these activities function in a manner that is compatible with the surrounding area.

81.10 Jurisdiction

The regulations set forth herein shall apply to any property located within the jurisdiction of this Ordinance that is now or is proposed to be developed as a Mining Operation.

81.20 Definitions

Minerals are solids, liquids, or gases found in natural deposits on or in the earth, including, but not limited to, soil, sand, clay, gravel, stone, rock, coal, phosphate, metallic ore, petroleum, or natural gas.

Mining Area is the area of land from which overburden or minerals have been removed, or upon which overburden has been deposited, including the location of on-site mineral processing, stockpiles, settling ponds, mining vehicle operation, and active reclamation areas. The mining area does not include land which has been reclaimed, the access road or ~~overburden deposits and~~ earthen berms which are part of County approved screening.

Mining includes the extraction or removal of minerals for sale, processing, or consumption even if the mining activity is not required to obtain a mining permit from the South Carolina Department of Health and Environmental Control (SCDHEC). It does not include grading, backfilling, plowing, or excavating areas for agriculture or on-site construction, unless the extraction or removal of materials exceeds 25,000 cubic yards or the activity continues for longer than six months.

Mining (Limited) includes all mining operations where the mining area does not exceed five (5) acres. This activity category does not permit on-site mineral processing, including, but not limited to, milling, crushing, screening, washing, flotation, or refining. This activity category does not include chemical leaching of minerals, hard rock quarrying, or blasting.

Mining (Intermediate) includes all mining operations where the mining area does not exceed twenty-five (25) acres. This activity category permits on-site mineral processing, chemical leaching of minerals, hard rock quarrying, or blasting, provided that the blasting or chemical leaching of minerals meets the buffering restrictions of the Mining (Extensive) category.

Mining (Extensive) includes all other mining activities not included within the definition of Mining (Limited) or Mining (Intermediate). This activity category permits on-site mineral processing, chemical leaching, and blasting.

81.30 Application of Regulations

Upon the effective date of these regulations, Mining Operations can be developed or expanded only in accordance with the applicable restrictions contained herein. Legally nonconforming Mining Operations are subject to the provisions found in Article 11.

81.40 Zoning Permit

It shall be the sole responsibility of a Mining Operation owner to establish and operate a Mining Operation in accordance with the regulations as set forth in this article. The zoning permit shall be issued on the basis of compliance with all applicable state and local regulations.

Chapter 2. Mining Regulations

82.10 Adherence to Other Regulations

The Mining Operation regulations contained herein are in addition to any applicable regulations from the South Carolina Department of Health and Environmental Control (SCDHEC) and any other state or federal agencies. If a Mining Operation is regulated by SCDHEC it shall be issued a zoning permit after meeting all zoning requirements and after receiving a mining permit from that agency. There may be Mining Operations that are governed only by this ordinance and other regulations of Lexington County.

82.20 Buffering Restrictions

Each Mining Operation shall adhere to the Buffering Restrictions covering height regulations, buffers, setbacks, and screening as outlined in Chapter 3 of Article 2, **except where more restrictive regulations exist in this Article or elsewhere in this Ordinance. Where an existing residence is located less than 500 feet from the property line of a mining activity, the required buffering restrictions shall be doubled. Where an existing residence is located between 500 and 1000 feet from the property line of a mining activity, the required buffering restrictions shall be increased 1½ times.**

82.21 Buffers

In the event that an encroachment appears to be within the buffer area, and/or the buffer area is likely to be encroached unintentionally, the designated area may be required to be clearly delineated by a material approved by the Zoning Administrator.

82.22 Setbacks

While accessory activities such as driveways and parking and reclamation thereof can occur within the designated setback, mining operations may not encroach on any part of the setback area. ~~Sites with natural vegetation may qualify for a reduction as stated in Section 82.23, paragraph 1 below.~~

82.23 Screening

1. **In a Restrictive Development (RD) District none of the mining activity shall be visible from any adjoining property. This shall include, but is not limited to, buildings, structures, stockpiles, overburden storage areas, etc.**
- ~~1.2.~~ **All Mining operations must use natural or landscaped vegetation for screening. The screening shall also include the use of earthen berms to insure noise containment and does not exclude the use of fencing for safety reasons. In an Intensive Development (ID) District the berms must be located beyond the required buffer. In a Restrictive Development (RD) District the berms must be located beyond the required setback and be totally screened. Existing natural vegetation shall be left undisturbed in the buffer areas located in an Intensive Development District and in the setback areas in a Restrictive Development District. Additional vegetation must be added as necessary to meet the screening requirements and shall be planted in a random manner to replicate natural forest conditions. The vegetation used must include sufficient quantities that are evergreen, drought-tolerant, and disease resistant to insure that the screening requirements of the Ordinance are met during all seasons of the year. A setback reduction of 25% may be obtained if existing natural vegetation meeting the partial screening requirement, as determined by the Zoning Administrator, is left undisturbed.**
- ~~2.3.~~ **Total road frontage screening is required in all districts, and the entrance shall be designed such that none of the mining activity shall be visible from the road.**

82.30 Access

A Mining (Intermediate) activity is allowed access by a local road provided that road is paved, and a Mining (Extensive) activity is allowed access by a collector road provided that road is paved.

82.40 Driveways

Driveway access to a paved road must consist of an asphalt apron 100 feet in length. Driveway access to an unpaved road must be stabilized in a manner to reduce excessive fugitive dust. Those driveways may also be required to have deceleration and/or acceleration lanes as a part of an encroachment permit from either Lexington County or the South Carolina Department of Transportation.

82.50 Hours of Operation

The following hours of operation restrictions shall apply:

Mining (Limited):	7am to 7pm, Monday through Friday
Mining (Intermediate):	7am to 7pm, Monday through Saturday
Mining (Extensive):	7am to 7pm, Monday through Saturday in an RD District No restriction for hours of operation in an ID District

82.60 Performance Standards

Each Mining Operation shall adhere to the Performance Standards as outlined in Chapter 4 of Article 2. **In addition to those standards mining activities with on-site mineral processing or blasting shall not create vibrations on any off-site properties and shall not create any off-site noise when located in a Restrictive Development (RD) District.**

82.70 Reclamation

An applicant for a mine not regulated by the SCDHEC shall submit a proposed Reclamation Plan with his application for a permit. The Plan must include as a minimum the following information:

- a. proposed practices to protect adjacent surface resources;
- b. specifications for surface gradient restoration to a surface suitable for the proposed use of the land after reclamation is completed, which must not exceed a 3 to 1 slope;
- c. manner and type of revegetation or other surface treatment of the affected areas;
- d. method of compliance with Lexington County's Stormwater Management and Sediment Control Ordinance;
- e. method of rehabilitation of settling ponds;
- f. method of restoration or establishment of stream channels and stream banks to a condition minimizing erosion, siltation, and other pollution;

To the extent feasible the Reclamation Plan must be conducted simultaneously with mining operations and be initiated at the earliest practicable time after completion or termination of mining on a segment of the permitted land. The Plan must provide that reclamation activities will be completed within six months after completion or termination of mining on each segment of the area for which a permit is requested.

82.80 Bonding

Each applicant for a zoning permit for a mine that is not regulated by the SCDHEC shall file with the Zoning Administrator, upon approval of the application, and maintain in force a performance bond to ensure the satisfactory completion of the Reclamation Plan. All bonds must be in favor of Lexington County with surety and procedures as determined by the County Council. The amount of each bond must be based upon the area of affected land to be reclaimed under the approved Plan to which it pertains, less any area whose reclamation has been complete and released from coverage by the County.

Make the following changes and additions to this Article:

ARTICLE 8 – MINING OPERATIONS

Chapter 1. General Provisions

81.00 Purpose

The purpose of this article is to address the unique needs of Mining Operations in order that these activities function in a manner that is compatible with the surrounding area.

81.10 Jurisdiction

The regulations set forth herein shall apply to any property located within the jurisdiction of this Ordinance that is now or is proposed to be developed as a Mining Operation.

81.20 Definitions

Minerals are solids, liquids, or gases found in natural deposits on or in the earth, including, but not limited to, soil, sand, clay, gravel, stone, rock, coal, phosphate, metallic ore, petroleum, or natural gas.

Mining Area is the area of land from which overburden or minerals have been removed, or upon which overburden has been deposited, including the location of on-site mineral processing, stockpiles, settling ponds, mining vehicle operation, and active reclamation areas. The mining area does not include land which has been reclaimed, the access road, or ~~overburden deposits and~~ earthen berms which are part of County approved ~~screening~~ **noise containment**.

Mining includes the extraction or removal of minerals for sale, processing, or consumption even if the mining activity is not required to obtain a mining permit from the South Carolina Department of Health and Environmental Control (SCDHEC). It does not include grading, backfilling, plowing, or excavating areas for agriculture or on-site construction, unless the extraction or removal of materials exceeds 25,000 cubic yards or the activity continues for longer than six months.

Mining (Limited) includes all mining operations where the mining area does not exceed five (5) acres. This activity category does not permit on-site mineral processing, including, but not limited to, milling, crushing, screening, washing, flotation, or refining. This activity category does not include chemical leaching of minerals, hard rock quarrying, or blasting.

Mining (Intermediate) includes all mining operations where the mining area does not exceed twenty-five (25) acres. This activity category permits on-site mineral processing, chemical leaching of minerals, hard rock quarrying, or blasting, provided that the blasting or chemical leaching of minerals meets the buffering restrictions of the Mining (Extensive) category.

Mining (Extensive) includes all other mining activities not included within the definition of Mining (Limited) or Mining (Intermediate). This activity category permits on-site mineral processing, chemical leaching, and blasting.

81.30 Application of Regulations

Upon the effective date of these regulations, Mining Operations can be developed or expanded only in accordance with the applicable restrictions contained herein. Legally nonconforming Mining Operations are subject to the provisions found in Article 11.

81.40 Zoning Permit

It shall be the sole responsibility of a Mining Operation owner to establish and operate a Mining Operation in accordance with the regulations as set forth in this article. The zoning permit shall be issued on the basis of compliance with all applicable state and local regulations.

Chapter 2. Mining Regulations

82.10 Adherence to Other Regulations

The Mining Operation regulations contained herein are in addition to any applicable regulations from the South Carolina Department of Health and Environmental Control (SCDHEC) and any other state or federal agencies. If a Mining Operation is regulated by SCDHEC it shall be issued a zoning permit after meeting all zoning requirements and after receiving a mining permit from that agency. There may be Mining Operations that are governed only by this ordinance and other regulations of Lexington County.

82.20 Buffering Restrictions

Each Mining Operation shall adhere to the Buffering Restrictions covering height regulations, buffers, setbacks, and screening as outlined in Chapter 3 of Article 2, **except where more restrictive regulations exist in this Article or elsewhere in this Ordinance. Where an existing residence is located less than 500 feet from the property line of a mining activity, the required buffering restrictions shall be doubled. Where an existing residence is located between 500 and 1000 feet from the property line of a mining activity, the required buffering restrictions shall be 1½ times the published requisites.**

82.21 Buffers

~~In the event that an encroachment appears to be within the buffer area, and/or the buffer area is likely to be encroached unintentionally, the designated area may be required to be clearly delineated by a material approved by the Zoning Administrator.~~ **Buffering requirements are defined in Section 23.20.**

82.22 Setbacks

While accessory activities such as driveways and parking and reclamation thereof can occur within the designated setback **as defined in Section 23.30**, mining operations may not encroach on any part of the setback area. ~~Sites with natural vegetation may qualify for a reduction as stated in Section 82.23, paragraph 1 below.~~

82.23 Screening

- 1. In all Districts all of the mining activity shall be screened from any neighboring property in accordance with the Chart of Maximum Buffering Restrictions of Section 23.60. This shall include, but is not limited to, buildings, structures, stockpiles, overburden storage areas, berms used for noise containment, etc.**
- ~~2.~~ **2. All Mining operations must use natural or landscaped vegetation for screening. The screening requirements shall include the use of earthen berms and does not exclude the use of fencing for safety reasons. Existing natural vegetation shall be left undisturbed in the buffer areas located in all Districts. In the portion of the setback areas beyond the required buffer areas existing natural vegetation shall also be left undisturbed with the single exception of grading in this area that is necessary to implement the best Noise Containment Plan as required in Section 82.60. However, this exception is allowed only if the vegetative screening requirements of this section can be met.**
- 3. Additional vegetation must be added and existing vegetation altered as necessary to meet the screening requirements and shall be planted in a random manner to replicate natural forest conditions. The vegetation used must include sufficient quantities that are evergreen, drought-tolerant, and disease resistant to insure that the screening requirements of the Ordinance are met during all seasons of the year. A setback reduction of 25% may be obtained if existing natural vegetation meeting the partial screening requirement, as determined by the Zoning Administrator, is left undisturbed.**
- ~~2.4.~~ **2.4. Total road frontage screening is required in all Districts, and the entrance shall be designed such that none of the mining activity shall be visible from the road.**

82.30 Access Plan

Any new mining operation, or expansion of an existing mining operation creating a new access, shall submit a proposed Access Plan and must receive approval of a Plan from the Lexington County Council. This Plan shall show the anticipated routing of all truck traffic in compliance with this Chapter as well as Section 22.02, Chart of Permitted Access by Street Classification. However, an alternate Plan that may not comply with all of these regulations may also be submitted if it is considered to have less of a traffic impact on the roads accessing the mining operation. A Mining (Intermediate) activity is allowed access by a local road provided that road is paved, and a Mining (Extensive) activity activities is are only allowed access by a collector road provided that roads that are is paved.

Any roads or bridges to be utilized must be capable of handling the additional traffic and weight loads of the mining activity. The entity responsible for the maintenance of such facilities will be asked to review the condition of any roads and bridges contained in the Access Plan and report that information along with recommendations to the Lexington County Council. This may be the South Carolina Department of Transportation, the Lexington County Department of Public Works, or a municipality.

The Lexington County Council will review the Access Plan(s) and reports from the maintenance entities and may require a different Plan using any roads available if it will lessen the impact of truck traffic in the immediate area.

82.40 Driveways

Driveway access to a paved road must consist of ~~an asphalt~~ a paved apron at least 100 feet in length. Driveway access to an unpaved road must be stabilized in a manner to reduce excessive fugitive dust. ~~These~~ Driveways may also be required to have deceleration and/or acceleration lanes as a part of an encroachment permit from either Lexington County or the South Carolina Department of Transportation.

82.50 Hours of Operation

The following hours of mining operation restrictions shall apply:

- Mining (Limited): 7am to 7pm, Monday through Friday
- Mining (Intermediate): 7am to 7pm, Monday through Saturday
- Mining (Extensive): No restriction for hours of operation in an ID District
7am to 7pm, Monday through Saturday in an RD District

82.60 Performance Standards

In addition to the requirements contained in this section Each Mining Operation shall adhere to any applicable the Performance Standards as outlined in Chapter 4 of Article 2.

Noise Containment Plan: To achieve the maximum protection from site-generated noise (i.e. mechanical and engine noise from mechanized equipment and vehicles, rock crushing, conveyors, etc.), a Noise Containment Plan shall be prepared and submitted for approval. That Plan must utilize earthen berms designed and integrated into the existing terrain so that there is a wall of dirt, natural or man-made, separating the source of the noise and all surrounding protected property lines. In all Districts the berms must be located beyond the required buffer. They may only encroach into the setback area if doing so achieves a greater degree of noise containment due to the natural shape of the terrain. Such encroachments will be the minimum needed and the inward toe of the berm must touch the setback line. Noise at any protected property line is limited to the following restrictions as regulated by the provisions of Section 24.13, Maximum Permitted Sound Pressure Levels.

(The following are the existing noise limits from Section 24.13. Unrelated to this Text Amendment the staff of the Department of Community Development has been studying the various methods of noise measurement. That study could include what method and numbers are best suited for this type activity.)

Preferred Center Frequency (Cycles/Second)	Adjacent Grandfathered Residential Use or Adjacent Restrictive Development District	Adjacent Intensive Development District
31.5	78dB	82dB
63	75	80
125	73	76
250	67	70
500	61	64
1000	56	59
2000	50	53
4000	44	47
8000	39	42
Impact Noise	85dB	95dB

South Carolina Mining Act: The South Carolina Department of Health and Environmental Control (SCDHEC) regulates and monitors all activities governed by the South Carolina Mining Act. Mining Operations shall adhere to these and all other State requirements which address issues such as sediment and erosion control related to mining activities, dewatering/groundwater-related impacts, fugitive dust, surface blasting, etc.

(It is recommended that the following two sections, 82.70 and 82.80, be reviewed by the Departments of Public Works and Community Development for possible deletion or alteration. As worded it has had the unintended consequence of causing “cut and fill” plans for routine developments to include unneeded design work and unnecessary bonds.)

82.70 Reclamation

An applicant for a mine not regulated by the SCDHEC shall submit a proposed Reclamation Plan with his application for a permit. The Plan must include as a minimum the following information:

- g. proposed practices to protect adjacent surface resources;
- h. specifications for surface gradient restoration to a surface suitable for the proposed use of the land after reclamation is completed, which must not exceed a 3 to 1 slope;
- i. manner and type of revegetation or other surface treatment of the affected areas;
- j. method of compliance with Lexington County’s Stormwater Management and ~~Sediment Control Ordinance~~;
- k. method of rehabilitation of settling ponds;
- l. method of restoration or establishment of stream channels and stream banks to a condition minimizing erosion, siltation, and other pollution;

To the extent feasible the Reclamation Plan must be conducted simultaneously with mining operations and be initiated at the earliest practicable time after completion or termination of mining on a segment of the permitted land. The Plan must provide that reclamation activities will be completed within six months after completion or termination of mining on each segment of the area for which a permit is requested.

82.80 Bonding

Each applicant for a zoning permit for a mine that is not regulated by the SCDHEC shall file with the Zoning Administrator, upon approval of the application, and maintain in force a performance bond to ensure the satisfactory completion of the Reclamation Plan. All bonds must be in favor of Lexington County with surety and procedures as determined by the ~~the~~ Lexington County Council. The amount of each bond must be based upon the area of affected land to be reclaimed under the approved Plan to which it pertains, less any area whose reclamation has been complete and released from coverage by the County.

Make the following additions to item #5 in Section 23.61:

5. Activities that provide total screening using existing natural vegetation and/or landscaped vegetation (including planted berms) shall be eligible for a 50 percent reduction in buffer and setback requirements. Acceptability of screening for this reduction shall be determined by the Zoning Administrator. The following activities are not eligible: Detention Centers, Recycling Centers, Salvage/Wrecking Yards, Scrap Operations, **Mining, Landfills**, Sexually Oriented Businesses, and Utility Substations.