

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings

January 10, 2012

Second Floor - County Administration Building
212 South Lake Drive, Lexington, SC 29072
Telephone - 803-785-8103 -- FAX 803-785-8101

***Times are tentatively scheduled committee meetings that may run behind or ahead of schedule; therefore, the times could change by as much as 30 minutes. Also, if time permits, Council may elect to enter into Executive Session to discuss contractual, legal, personnel matters, etc.**

2:30 p.m. - 2:50 p.m. - Planning and Administration

- (1) Zoning Text Amendment #T11-04 - Amendments to Buffering Restrictions (Goal 2) - Planning & GIS - Charlie Compton, Director of Planning and GIS A
- (2) Midlands Housing Trust Fund Proposal - Jennifer Moore, Senior Director, United Way of the Midlands B
- (3) Old Business/New Business - Federal CDBG Demolition Reimbursement Requirements, Additional Language/Information (Pennington) for Communication Towers, Assessment & Appeals Board By-Laws, Golf Course Valuation
- (4) Adjournment -

2:50 p.m. - 3:10 p.m. - Public Works

- (1) 800 Mhz Radio Talk Group Sharing - SCDOT - Public Works - John Fechtel, Director of Public Works/Assistant County Administrator..... C
- (2) Reserve at Lake Murray - Public Works - John Fechtel, Director of Public Works/Assistant County Administrator..... D
- (3) Old Business/New Business - Traffic Congestion, Alternate Material for Road Swells New Road/Corley Mill/Riverchase Monthly Update, Flooding Issues/Kinley Creek Criteria, Stormwater Land Development Manual Chapter 7, Stormwater Utility Fee Update, Pine Glen Alternate Exit, Chaney Road Closing, Nursery Road Project
- (4) Adjournment

3:10 p.m. - 4:15 p.m. - Committee of the Whole

- (1) Capital City/Lake Murray Country Regional Tourism Update - Miriam S. Atria, President/CEO, Capital City/Lake Murray Country Regional Tourism Board
- (2) Environmental Update on the Status of the BC Components Site - John Sowards, Board Chairman, Irmo Chapin Recreation Commission
- (3) Possible Executive Session if Time Permits
- (4) Old Business/New Business - Local Contractor Procurement
- (5) 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.

Planning & Administration

J. Jeffcoat, Chairman
S. Davis, V Chairman
B. Matthews
B. Banning, Sr.
J. Kinard

Public Works

T. Cullum, Chairman
B. Keisler, V Chairman
B. Matthews
B. Banning, Sr.
J. Kinard

Committee of the Whole

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

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212 South Lake Drive, Lexington, South Carolina 29072
Telephone - 803-785-8103 FAX - 803-785-8101**

4:30 P.M. - COUNCIL CHAMBERS

Call to Order/Invocation

Pledge of Allegiance

Election of Officers

(1) Chairman, Vice-Chairman, and Appointment of Parliamentarian

Presentation

(1) Presentation of Awards to the 2011 Spare the Air Contest Winners - Public Works - Synithia Williams, Environmental Coordinator E

Chairman's Report

Administrator's Report

(1) Employee of the 3rd Quarter 2011

Employee Recognition - Joe Mergo, Interim County Administrator

Resolution

(1) Melisha Shumpert F

Appointments

(1) Boards and Commissions G

Bids/Purchases/RFPs

(1) HeartStart MRX ALS Monitors - Public Safety/EMS H

(2) Wood Moor on Wescott Drainage Pipe Replacement Phase II (Bond Funds) - Public Works..... I

(3) Purchase of Twenty (20) Toughbook Laptops and Accessories - Public Safety/EMS and Sheriff's Department J

Zoning Amendment

(1) Zoning Map Amendment #M11-05, The Palms at Rocky Point Phase II, TMS#'s 001850-02-001 thru 025, 001850-02-027 - 1st Reading K

Ordinance(s)

- (1) Ordinance 11-22 - An Ordinance Adopting Supplemental Appropriation to Not Exceed Eight Million (\$8,000,000) Dollars - 2nd Reading..... L
- (2) Ordinance #12-1 - Amendments to the Lexington County Landscape and Open Space Ordinance - 1st Reading M

Budget Amendment Resolutions

OLD BUSINESS/NEW BUSINESS

EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT



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 # **T11-04**

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

ARTICLE 2-APPLICATION OF REGULATIONS-Chapter 3. Buffering Restrictions

Reason for the request: To create an easier method for monitoring buffering restrictions for residential detached and residential attached (2 dwelling units).

Submitted on behalf of: County Council Planning Commission

Printed Name: Charles M. Compton Title: Director, Planning & GIS

Signature: signature on file

10/28/11	Application Received	11/17/11	Newspaper Advertisement
12/15/11	Planning Commission		

Planning Commission Recommendation: 7-0 approval for December 9, 2011 draft

11/08/11	First Reading	12/13/11	Public Hearing	Second Reading	Third Reading
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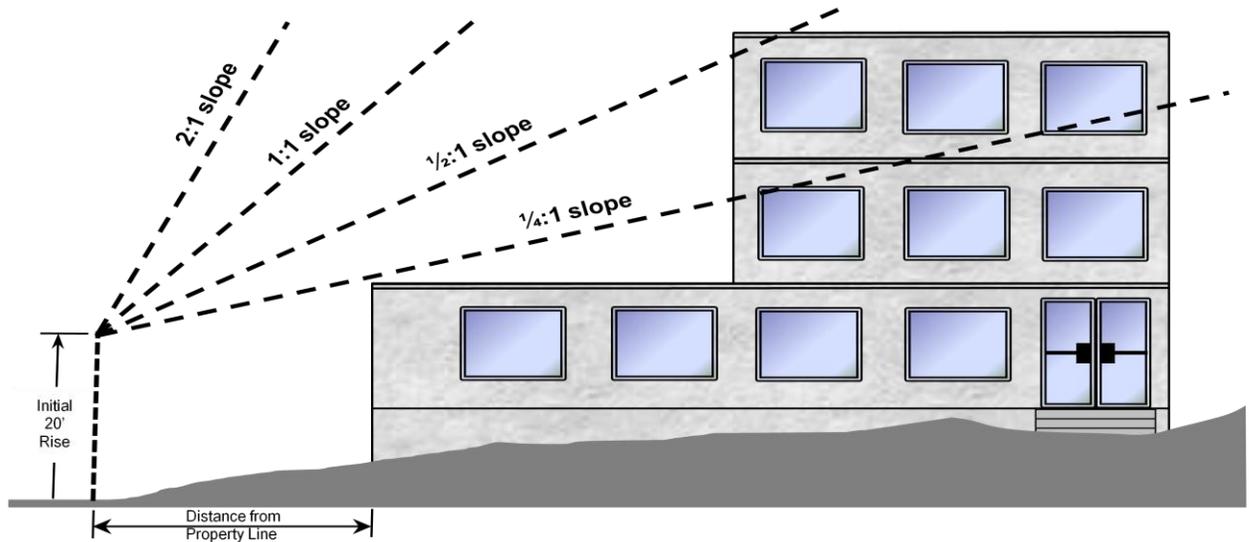
Results: _____

23.00 Purpose

Buffering restrictions are a key component of this Ordinance which strive to achieve compatibility of neighboring activities. To accomplish this goal, each principal activity classification has a separate set of recommended maximum buffering restrictions which address height, buffers, setbacks, and screening. These principal activity categories will find themselves located in projects containing varying degrees of intensity depending on the layout, size, shape, design, etc., of the specific activity itself, the accessory activities, and the associated buildings and structures. Determination of the ideal buffering restrictions for each specific principal activity will be subject to a process outlined in this chapter. Likewise subdivisions and other new developments which may contain a variety of activities will be given internal flexibility with the application of these restrictions in order to achieve a maximum level of creativity in the formation of their project layout.

23.10 Height Regulations

Height regulations are based on the establishment of a height control slope. Initially, a 20-foot rise is permitted at the property line perpendicular to the property line. Then, based on the district concerned, and the activity involved, a height control slope is specified in terms of a ratio of vertical rise to horizontal distance. For example, a 2:1 ratio means that for every 2 feet of vertical rise, an additional 1 foot of horizontal distance is measured off into the interior of the property. The following diagram describes the nature of the height control slope:



The *International Residential Code for One- and Two-family Dwellings* allows no more than three stories above-grade in height; therefore, any Residential Detached or Residential Attached (2 dwelling units) activity that meets a 10-foot setback from adjoining property is exempt from the height requirements of this section.

The following chart is published to assist in determining the maximum permissible structure height allowed with various height control slopes. Heights are listed in feet based upon an initial 20-foot rise at the property line.

Distance from the Property Line	Height Control Slope					
	1/4:1	1/2:1	1:1	2:1	3:1	4:1
5	21.25	22.5	25	30	35	40
10	22.5	25	30	40	50	60
15	23.75	27.5	35	50	65	80
20	25	30	40	60	80	100
25	26.25	32.5	45	70	95	120
30	27.5	35	50	80	110	140
35	28.75	37.5	55	90	125	160
40	30	40	60	100	140	180

Distance from the Property Line	Height Control Slope					
	¼:1	½:1	1:1	2:1	3:1	4:1
45	31.25	42.5	65	110	155	200
50	32.5	45	70	120	170	220
55	33.75	47.5	75	130	185	240
60	35	50	80	140	200	260
65	36.25	52.5	85	150	215	280
70	37.5	55	90	160	230	300
75	38.75	57.5	95	170	245	320
80	40	60	100	180	260	340
85	41.25	62.5	105	190	275	360
90	42.5	65	110	200	290	380
95	43.75	67.5	115	210	305	400
100	45	70	120	220	320	420

A maximum of two above-ground stories are permitted in the LC district.

The chart in Section 23.50 lists the height requirements of this Ordinance by activity type and location.

23.11 Special Requirements for Waterfront Property

In order to protect the unique scenic vistas of significant waterways in Lexington County, special requirements are to be applied to the development of properties in the vicinity of the Saluda River, the Edisto River, the Congaree River, and Lake Murray. Where there are multiple methods for computing the allowed height for a building in this chapter, the most restrictive shall apply. *The International Residential Code for One- and Two-family Dwellings allows no more than three stories above-grade in height; therefore, any Residential Detached or Residential Attached (2 dwelling units) activity that meets a 50-foot buffer distance from the waters of Lake Murray or a 100-foot buffer distance from the shores of the three rivers listed below is exempt from the Special Requirements for Waterfront Property.*

Lake Murray: A special height control slope of ½:1 is to be used along the shores of Lake Murray where the regulated property is designated as a Restrictive Development District. If the property is designated as an Intensive Development District, then a height control slope of 2:1 shall apply. Along the shores of Lake Murray, the location of the initial 20-foot rise shall be considered to be the location of the 360-foot (mean sea level) contour *or the waterfront property line, whichever is the least restrictive.* All property within 1000 feet of the 360-foot contour and designated as a Restrictive Development District shall also comply with the following additional height restrictions which are based on the street classification providing access to the proposed activity:

Local (L) street – No building taller than 70 feet is allowed. That height is measured from the average elevation of the building as it leaves the ground.

Collector (C) street – No building taller than 100 feet is allowed. That height is measured from the average elevation of the building as it leaves the ground.

Arterial (A) street – Height of buildings shall be determined by the other requirements from this chapter.

Congaree River: Because of the extremely varied terrain along the banks of this river, it is very difficult to determine the best elevation from which to measure the “initial 20-foot rise” referenced in Section 23.10. For this river, the beginning elevation for calculating the height control slope for the waterfront property line shall be uniform along the river bank. That elevation shall be the same as the highest elevation on the property that falls within 300 feet of the waterfront property line. A height control slope of 1:1 shall apply to this waterfront property line.

Saluda River: Because of the unique scenic character of the Saluda River, stricter height requirements apply to the adjacent lands. All buildings within 500 feet of the waterfront property lines shall not exceed ~~40~~ 50 feet. Buildings farther than 500 feet but within 1000 feet of the waterfront property lines shall not exceed ~~60~~ 70 feet. That height is measured from the highest elevation of the building as it leaves the ground. ~~A height control slope of~~

~~1:1 shall also apply to the waterfront property lines.~~ For the purpose of this Ordinance, the Saluda River is considered to begin 4000 feet downstream from its discharge point below the Lake Murray Dam.

Edisto River: Because of the unique “black water” aspects of the North Fork of the Edisto River, stricter height requirements apply to the adjacent lands. All buildings within 500 feet of the waterfront property lines shall not exceed ~~40~~ 50 feet. That height is measured from the highest elevation of the building as it leaves the ground. ~~A height control slope of 1:1 shall also apply to the waterfront property lines.~~ For the purpose of this Ordinance, the Edisto River is considered to begin at the I-20 bridge crossing.

The average elevation as referenced in these regulations shall be computed by selecting the halfway point between the highest and lowest ground elevations surrounding the structure.



Midlands Housing Trust Fund

CONTACT INFORMATION

Legal Name of Organization

Midlands Housing Trust Fund

Mailing and Physical Address

1800 Main Street, Columbia, SC, 29201
c/o United Way of the Midlands

Website

http://www.uway.org/midlands_housing_trust_fund/

Federal Tax Identification Number

27-4149384

Type of Organization

Incorporated in South Carolina October 2010
501(c)(3) approved – effective date 10/29/10

Contact Name

Jennifer Moore
Senior Director, United Way of the Midlands
Corporate Secretary, Midlands Housing Trust Fund

Contact Telephone Number and Fax Number

803.733.5421 (phone) 803.779.7803 (fax)

Contact Email Address

jmoore@uway.org

SUPPORT REQUEST

Request of the Midlands Housing Trust Fund to Lexington County consists of two items of support: 1.) Adoption by ordinance or resolution signifying the County ‘joins’ MHTF as a geographic entity. There is no funding commitment (present or future) with adoption; 2.) Funding support for the next fiscal year (FY2012-13) of up to \$100,000 with MHTF providing matching investment funds at a rate of 1:1 for housing projects (80% AMI and below) in Lexington County.

ORGANIZATIONAL & BACKGROUND INFORMATION

Housing and Market Overview

One in five South Carolinians live in poverty and identifying and maintaining stable housing consistently ranks highest among needs. South Carolina has been hard hit by the economic downturn with deep job losses in manufacturing and construction sectors. This is in addition to a \$2 billion dollar decline in the state budget in the last two years forcing many state programs such as Medicaid and social services to cut program services to 20 year low levels. In South Carolina, in the past two years (2008-10) the number of families receiving food stamps has increased by 40% and the number enrolled in Family Independence (welfare) has increased by 38% (S.C. Dept. of Social Services).

In the Midlands, we know that as many as half of renters and 35% of homeowners experience 'housing burden' paying more than 30% of their income for housing. This struggle with housing costs forces many low-income families to make difficult choices between addressing basic needs, healthcare, and housing. In the Midlands, homelessness has increased 17% in the last two years with a third representing families with children (2011 homeless count data). Quality affordable housing keeps families financially stable, attracts economic development opportunities, and maintains strong communities.

General Information

Housing Trust Funds generate and leverage funding to increase the stock of quality, affordable housing. Typically, Housing Trust funds do not engage in direct housing development, but invest flexible resources into projects for activities such as acquisition, preservation, construction and rehabilitation. Trust funds can support hard-to-fund activities like capacity building (predevelopment costs), land banking, innovative housing projects, project based support for multifamily units and otherwise provide incentives to non-profit and for-profit affordable housing developers. The funding can be awarded as loans or grants depending on the balance between the need to subsidize units and the need to generate program income or recycle the funding. Established trust funds typically leverage other funding at a ratio of 1:8. Newer trust funds typically leverage investments from local governments at a range of 1:2 to 1:4.

Funding sources for trust funds typically include grants from local governments (unrestricted general funds and other funding such as CDBG/HOME), corporate sources, foundations and United Ways, and federal funding from NSP and Treasury sources. Funding sources also include equity investments (loans) from private foundations and corporate sources.

In 2007 the "William C. Mescher Local Housing Trust Fund Act", located at SC Code Ann. §31-22-10 created opportunities in South Carolina to address gaps in quality, affordable housing for our state's most vulnerable, low-income populations through the creation of housing trust funds to support innovative approaches to project financing (Attachment A). Mescher allows local governments to join local and regional housing trust funds and to commit resources to their efforts.

Mission of the Midlands Fund

The Midlands Housing Trust Fund (MHTF) is a regional housing trust fund with the functions and duties in keeping with the requirements of the Mescher Act. The MHTF is established as a South Carolina non-profit corporation exclusively for charitable purposes and is approved as a 501(c)(3) with the Internal Revenue Service. The MHTF will serve households at or below 80% Area Median Income.

Columbia MSA Median 2011 Income Amounts (family of four)

80% AMI	\$50,900
50% AMI	\$31,800
50% AMI	\$19,100

*www.huduser.org

The mission of MHTF is to create and preserve the stock of affordable housing in Central Midlands region of South Carolina through financing and technical assistance of affordable housing projects. MHTF will focus on projects serving low to moderate income households who struggle to secure housing including people who work at low wage jobs, people with disabilities and other special needs. The MHTF will serve households at or below 80% of area median income. Programs and projects that promote the development or rehabilitation or special needs housing, or development or rehabilitation of homeless housing as defined in S.C. Code Ann. § 31-22-20 shall receive preference funding. The MHTF will include funding activities such as financing acquisition, preservation of existing affordable housing, construction and creation of new affordable housing, rehabilitation, conversion of market rate units to affordable housing, land banking, and project or tenant-based rental assistance. Funding may be provided to projects in the form of collateralized grants or loans.

The MHTF will receive funding from private donations, foundations, program income from principal and interest repayments, and grant or loan funds from local, state, federal government sources. The trust fund will use innovative funding mechanisms and technical assistance to promote housing in ways local governments typically are unable to accomplish.

Other Regional Trust Funds in SC

The MHTF was established to fill a gap in resources for affordable housing in the Midlands. Other areas of South Carolina have local housing trust funds that have successfully generated new resources for housing including private, local, state, and federal dollars. The Lowcountry Housing Trust (originally named the Charleston Housing Trust) was established in 2004. In 2007 Lowcountry became certified as a Community Development Finance Institution (CDFI). The Lowcountry Housing Trust has provided nearly \$14 million dollars in housing incentives since inception leveraging total projects costs of over \$103 million. Annual economic impact is 398 jobs, \$23.2 million in local revenue, and \$5.5 in tax revenue to the Charleston area. Most recently, July 2011 Lowcountry received an additional federal CDFI grant for \$1.5 million to develop affordable projects and is expanding its work to address economic development initiatives. The Greenville Housing Fund was established in 2007 through a partnership with Greenville United Way, City of Greenville, and Greenville County Redevelopment Authority. The Greenville Housing Trust (GHT) has recently been approved for CDFI certification. Although the GHT started during more difficult economic times they are growing resources and partnerships and have established the Trust as a critical resource in the Upstate with assets of \$2.2 million. The GHT is in the process of expanding its footprint in the Upstate to up to eleven counties.

Organizational Information

Board of Directors

The MHTF's initial board consists of nine members representing diverse backgrounds with a common interest of addressing affordable housing issues. The MHTF by-laws specify representation from specific areas such as: non-profit developer, for-profit developer, homeless or special needs housing provider, social service provider, housing advocate, and a consumer. The by-laws allow expansion to 19 members to reflect geographic diversity of the Trust Fund's footprint. This working Board is highly engaged with developing the organization's mission, fundraising, and operations.

The Board of Directors has established five standing Committees: Finance, Audit, Operations, Marketing, and Resource Development. The Committees are comprised of Trust Fund Board Members and local experts in topic areas.

Staffing is provided by United Way of the Midlands, at a no-fee basis. Jennifer Moore, Senior Director, is primarily responsible for the day-to-day organizational development of the MHTF. Ms. Moore is responsible for organizational capacity development such as initial start up activities such as the 501(c)(3) application, incorporation, 990 and legal filings, development of operating guidelines, oversight of marketing and public relations activities, and outreach to local governments. Ms. Moore has over ten years experience with non-profit and federal grants management with United Way and City of Columbia. Ms. Moore also worked in banking for eight years as a loan officer and investment specialist.

Development Plan

The MHTF Board is embarking on an ambitious resource development plan which outlines timeline and funding benchmarks for the next 18 months. On April 19, 2011, the City of Columbia adopted via ordinance the Fund as a regional effort and pledged start-up funding to establish operations. Staff and Board members are in the process of briefing local jurisdictions across a seven county region and corporate funders on the Fund and requesting their support. The Trust Fund has set a goal of generating \$1 million in funding and participation of the seven counties within three years for direct financing of housing projects. The Board will engage in strategic and capitalization planning in February 2012.

Operating Guidelines

General Policies

1. Projects should demonstrate full compliance with applicable local planning restrictions and zoning ordinances.
2. Projects should complement and enhance the aesthetic quality of neighborhoods, use quality materials, promote efficient land use, and incorporate features that will minimize impact on the environment.
3. Eligible Activities
 - a. Creation of new affordable housing
 - b. Preservation of existing affordable housing
 - c. Assistance with multi-family housing rehabilitation programs

- d. Conversion of markets rate units to affordable housing units
 - e. Creation, preservation, and operation of emergency, transitional, or permanent residential housing for shelters for the homeless, except that no funds shall be used for services
 - f. Creation and preservation of elderly housing and other special needs housing
 - g. The provision of tenant-based or project-based rental assistance
4. Eligible Applicants: Non-profit and for profit developers and governmental entities are eligible to apply for loan or grant funding.
 5. Maximum Amount: Up to twenty-five percent (25%) of the development costs of any project.
 6. Affordability: Units supported by MHTF support must be occupied by households at 80% and below Area Median Income. Units will be subject to affordability controls through a covenant that limits the property rights of the owner for a period as determined in the grant agreement/closing documents.

Lending Guidelines

1. Interest rates on loaned funds will be based on the Wall Street Journal Prime with the potential of adjustment higher or lower at the discretion of the MHTF. In special circumstances rate adjustments may be offered to increase feasibility of projects reaching deeper affordable housing levels such as projects targeting very low-income households.
2. The MHTF Loan Committee reviews project applications. Operating guidelines specify the Committee must be at least three Members appointed by the Board of Directors with at least one being a member of the Board. All Members will have full voting rights on the Loan Committee. Loan Committee Members cannot be elected officials from jurisdictions providing funding to MHTF, current borrowers or applicants of MHTF, or MHTF staff or consultants. Committee decisions are made by a simple majority.
3. MHTF will require security assurances such as appraisal, environmental assessment, title insurance, liability and flood plain insurance, certificate of occupancy, approval of zoning exceptions, and inspection documents.
4. Borrowers are responsible for closing costs and document preparation. MHTF will secure its funds with a mortgage and promissory note payable to MHTF and filed with the county office of record. MHTF may be willing to subordinate depending on project feasibility.

Confidentiality

Staff, Committee Members, and Board members acknowledge that information collected on or behalf of applicants is private and confidential. Information will only be disclosed for the purposes of evaluating an application for funding or to report required information to funders. Applicant files will be maintained in a secure, locked cabinet of the MHTF offices. Applicant information will not be released (except to those noted above) without the express written consent of the applicant authorizing its release.

Nondiscrimination

MHTF will not discriminate on the basis of race, color, religion, gender or sexual preference, national origin, age, handicap or familial status. MHTF requires all applicants to comply with the federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, and any similar state laws or municipal ordinances.

MHTF is an 'equal housing opportunity' lender. MHTF reserve the right to give preference to projects for specific purposes or geographic areas in compliance with restrictions in applicable federal, state, and local laws or grants that provide funding to benefit a specific population.

Conflict of Interest

The MHTF Board maintains a Conflict of Interest Policy which states no members of the Board or staff having any direct or indirect interest that would conflict in any manner with delivery of services or participate in decision making on projects in which they have such interest.

Portfolio Management

United Way of the Midlands (UWM) under agreement serves as fiscal agent for the MHTF. UWM maintains separate cost center tracking of MHTF revenue and expenses. The MHTF Treasurer and Finance Committee provides oversight of financial management of UWM for the Fund. United Way also monitors for compliance with funding restrictions. Budgets are established with detailed line items by eligible expenditure by funding source. Restricted funding sources are separated by internal cost centers with coding by program staff to maintain internal controls of grant cost allocations.

Fiscal Agent – United Way of the Midlands

In 1887, four religious leaders in Denver recognized the need for cooperative action to address their city's welfare problems and put their heads together to plan the first united campaign for 10 health and welfare agencies. They created an organization to serve as an agent to collect funds for local charities, as well as to coordinate relief services, counsel and refer clients to cooperating agencies, and make emergency assistance grants in cases which could not be referred. That year, Denver raised \$21,700 and created a movement that would spread throughout the country to become United Way.

The Community Chest was launched in Columbia in 1925 through the Columbia Chamber of Commerce, and the community-wide, week-long campaign raised its goal of \$60,000 that year. The United Way organization and local community support have continued to develop since then. In 1976 and 1977, United Way services in Richland, Lexington, Fairfield, and Newberry counties merged to create United Way of the Midlands. In 2009 The Edisto Council of United Way of the Midlands decided to become a full partner with the benefits of area-wide fundraising. Volunteers from the counties participate in the work of the Community Impact Councils and Committees to identify needs, determine priorities and offer grants for programs in Orangeburg and Calhoun that meet the health and human service needs of the community.

Since then United Way of the Midlands has grown in membership to more than 80 certified partner agencies and grown its campaign to over \$10 million in 2010 with more than 45,000 residents donating. United Way of the Midlands also serves as fiscal agent to the Midlands Housing Alliance managing their \$15 million dollar capital fund and \$2 million operating budget. With a mission to unite people and resources to improve the quality of life in the Midlands, United Way of the Midlands continues to work to understand the needs of our community and then put programs in place that address those needs. Support of the MHTF is a priority of the UWM 10-year Community Plan approved by the UWM Board of Directors in 2010. Additionally, UWM allocated \$100,000 in funding through the Financial Stability Council to initially capitalize the Trust Fund starting July 2011.

Attachments

- A. Mescher Act §31-22-10
- B. Board Roster
- C. SC Incorporation Document
- D. IRS Determination Letter
- E. Agreement with United Way of the Midlands for staffing and fiscal agent services
- F. Marketing Brochure

ATTACHMENT A

South Carolina General Assembly

117th Session, 2007-2008

A19, R36, H3509

STATUS INFORMATION

General Bill

Sponsors: Reps. Mitchell, Whipper, Parks, Haley, Hodges, J.H. Neal, Bedingfield, F.N. Smith, Gullick, Pinson, Agnew, Alexander, Allen, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bingham, Bowen, Brady, Branham, Brantley, Breeland, G. Brown, R. Brown, Cato, Ceips, Chalk, Chellis, Clemmons, Clyburn, Cobb-Hunter, Coleman, Cooper, Cotty, Crawford, Dantzler, Davenport, Delleney, Duncan, Edge, Funderburk, Gambrell, Govan, Hagood, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Haskins, Hayes, Herbkersman, Hinson, Hiott, Hosey, Howard, Huggins, Jefferson, Jennings, Kelly, Kennedy, Kirsh, Knight, Leach, Limehouse, Littlejohn, Lowe, Lucas, Mack, Mahaffey, McLeod, Merrill, Miller, Moss, Neilson, Ott, Owens, Perry, Phillips, E.H. Pitts, M.A. Pitts, Rice, Rutherford, Sandifer, Scarborough, Scott, Sellers, Shoopman, Skelton, D.C. Smith, G.M. Smith, G.R. Smith, J.R. Smith, W.D. Smith, Spires, Stavrinakis, Stewart, Talley, Taylor, Thompson, Toole, Vick, Viers, Walker, Williams, Witherspoon, Young, Bowers, J.M. Neal, Loftis, Simrill, White, Mulvaney, Whitmire, Frye and Weeks

Document Path: I:\council\bill\ncd\11197ab07.doc

Companion/Similar bill(s): 473

Introduced in the House on February 13, 2007

Introduced in the Senate on March 13, 2007

Last Amended on April 18, 2007

Passed by the General Assembly on April 19, 2007

Governor's Action: May 2, 2007, Vetoed

Legislative veto action(s): Veto overridden

Summary: Local Housing Trust Fund Enabling Act

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
2/13/2007	House	Introduced and read first time HJ-37
2/13/2007	House	Referred to Committee on Ways and Means HJ-38
2/14/2007	House	Member(s) request name added as sponsor: Bowers, J.M.Neal, Loftis
2/14/2007	House	Recalled from Committee on Ways and Means HJ-31
2/14/2007	House	Referred to Committee on Medical, Military, Public and Municipal Affairs HJ-31
2/21/2007	House	Member(s) request name added as sponsor: Simrill, White, Mulvaney, Whitmire, Frye

2/28/2007 House Member(s) request name removed as sponsor: Umphlett
3/7/2007 House Committee report: Favorable with amendment **Medical, Military, Public and Municipal Affairs** [HJ-2](#)
3/8/2007 House Member(s) request name added as sponsor: Weeks
3/8/2007 House Amended [HJ-30](#)
3/8/2007 House Read second time [HJ-32](#)
3/8/2007 House Unanimous consent for third reading on next legislative day [HJ-32](#)
3/9/2007 House Read third time and sent to Senate [HJ-2](#)
3/13/2007 Senate Introduced and read first time [SJ-14](#)
3/13/2007 Senate Referred to Committee on **Labor, Commerce and Industry** [SJ-14](#)
4/5/2007 Senate Polled out of committee **Labor, Commerce and Industry** [SJ-11](#)
4/5/2007 Senate Committee report: Favorable with amendment **Labor, Commerce and Industry** [SJ-11](#)
4/9/2007 Scrivener's error corrected
4/10/2007 Senate Amended [SJ-15](#)
4/10/2007 Senate Read second time [SJ-15](#)
4/11/2007 Scrivener's error corrected
4/12/2007 Senate Read third time and returned to House with amendments [SJ-22](#)
4/18/2007 House Senate amendment amended [HJ-96](#)
4/18/2007 House Returned to Senate with amendments [HJ-96](#)
4/19/2007 Senate Concurred in House amendment and enrolled [SJ-40](#)
4/26/2007 Ratified R 36
5/2/2007 Vetoed by Governor
5/8/2007 House Debate adjourned until Wednesday, May 9, 2007 [HJ-50](#)
5/9/2007 House Veto overridden by originating body Yeas-100 Nays-5 [HJ-31](#)
5/15/2007 Senate Veto overridden Yeas-38 Nays-1 [SJ-3](#)
5/17/2007 Copies available
5/17/2007 Effective date 05/15/07
5/22/2007 Act No. 19

View the latest [legislative information](#) at the LPITS web site

VERSIONS OF THIS BILL

[2/13/2007](#)

[3/7/2007](#)

[3/8/2007](#)

[4/5/2007](#)

[4/9/2007](#)

[4/10/2007](#)

[4/11/2007](#)

[4/18/2007](#)

(A19, R36, H3509)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 22 TO TITLE 31 TO ENACT THE "WILLIAM C. MESCHER LOCAL HOUSING TRUST FUND ENABLING ACT", TO MAKE CERTAIN FINDINGS BY THE GENERAL ASSEMBLY, TO DEFINE CERTAIN TERMS, AND TO ALLOW A LOCAL GOVERNMENT TO CREATE AND OPERATE A "LOCAL HOUSING TRUST FUND" OR A "REGIONAL HOUSING TRUST FUND".

Be it enacted by the General Assembly of the State of South Carolina:

Citation

SECTION 1. This chapter may be cited as the “William C. Mescher Local Housing Trust Fund Enabling Act.”

Creation of William C. Mescher Local Housing Trust Fund Enabling Act

SECTION 2. Title 31 of the 1976 Code is amended by adding:

“CHAPTER 22

William C. Mescher Local Housing Trust Fund Enabling Act

Section 31-22-10. (A) The General Assembly finds:

(1) Throughout this State, there is a shortage of adequate shelter for South Carolinians including the availability of an affordable residence or permanent domicile with adequate privacy, space, physical accessibility, security, structural stability and durability, and adequate electrical, plumbing, and heating systems.

(2) Private enterprise and investment has not produced, without government assistance, the needed construction of sanitary, decent, and safe residential housing that people with lower incomes can afford to buy or rent.

(3) The public’s health, safety, and economic interests are best served by the provision of permanent affordable housing because such housing enables South Carolinians to maintain employment, assists this state’s children to succeed in school, and helps this state’s economic growth and prosperity.

(B) The purpose of this chapter is to authorize a local government to individually or jointly create and operate a local housing trust fund or regional housing trust fund to promote the development of affordable housing, as defined in this chapter.

Section 31-22-20. For purposes of this chapter:

(1) ‘Affordable housing’ means residential housing for rent or sale that is appropriately priced for rent or sale to a person or family whose income does not exceed eighty percent of the median income for the local area, with adjustments for household size, according to the latest figures available from the United States Department of Housing and Urban Development (HUD).

(2) ‘Homeless housing’ means emergency, transitional, or permanent residential housing shelter for a person needing special assistance and shelter because he is homeless as defined by HUD or consistent with another definition of homelessness under which a person may receive federal financial assistance, state financial assistance, or another supportive service.

(3) ‘Local housing trust fund’ (LHTF) means a local government fund separate from the general fund established by the governing authority of a local municipality or county government with one or more dedicated sources of public revenue and authorized expenditures as provided in this chapter.

(4) 'Regional housing trust fund' (RHTF) means a multi-jurisdictional government fund separate from the general fund and established jointly by the governing authorities of one or more municipalities or county governments with one or more dedicated sources of public revenue and authorized expenditures as provided in this chapter.

(5) 'Special needs housing' means housing or shelter provided by private or public entities including privately operated elderly housing, nursing homes, community residential care facilities, and other special needs population housing facilities regardless of purpose or type of facility.

Section 31-22-30. (A) A local government, including a municipality or county, may create and operate an LHTF or RHTF by ordinance, or join an existing trust fund to implement either a local or regional program for affordable housing as defined in this chapter. A local government may jointly form a regional housing trust fund by ordinance. A regional housing trust fund created under this chapter is subject to the same requirement and has the same power as a local housing trust fund created by an individual local government.

(B) A local government that creates an LHTF or RHTF may finance the LHTF or RHTF with money available to the local government through its budgeting authority unless expressly prohibited by the law of this State. Sources of these funds include, but are not limited to, one or more of the following:

- (1) donations;
- (2) bond proceeds; and
- (3) grants and loans from a state, federal, or private source.

The local government may alter a source of funding for the LHTF or RHTF by amending the ordinance that establishes financing for the LHTF or RHTF, but only if sufficient funds exist to cover the projected debts or expenditures authorized by the LHTF or RHTF in its budget. This chapter does not create, grant, or confer a new or additional tax or revenue authority to a local government or political subdivision of the State unless otherwise provided by the law of this State.

(C) A local government operating an LHTF or RHTF shall safeguard the fund in the same manner as the general fund or a separate utility fund established for specific purposes. The LHTF or RHTF may be included in the required financial expense reports or annual audit for each local government.

(D) A local government operating an LHTF or RHTF may allocate funds to a program that promotes the development or rehabilitation of affordable housing as defined in this chapter. Regarding the distribution of funds from an LHTF or RHTF, preference must be given to a program or project that promotes the development or rehabilitation of affordable housing for an individual or family with an annual income at or below fifty percent of the median income for the local area, adjusted for family size according to current data from HUD, the development or rehabilitation of special needs housing, or the development or rehabilitation of homeless housing.

(E) LHTF or RHTF funds may be used to match other funds from federal, state, or private resources, including the State Housing Trust Fund. A local government shall seek additional resources for housing

programs and projects to the maximum extent practicable. A local government shall administer its housing trust fund through new or existing nonprofit organizations to encourage private charitable donation to the funds. Where an LHTF or RHTF receives such a donation, the donation must be used and accounted for in accordance with the provisions of this chapter.

(F) An LHTF or RHTF established, utilized, or funded under this chapter must provide an annual report to the local government that created the fund. The local government shall require the LHTF or RHTF to provide an accounting of its funds each year. This report must be made available to the public by posting on the appropriate website of the local government.

Section 31-22-35. An LHTF or RHTF existing on the effective date of this act shall not be required to alter the existing terms of its governing documents; provided, however, that any alteration or amendment to such governing documents must conform to the provisions of this act.

Section 31-22-40. The provisions of this chapter must control where inconsistent with the provisions of another law.”

Severability

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this chapter, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 26th day of April, 2007.

Vetoed by the Governor -- 5/2/07.

Veto overridden by House -- 5/9/07.

Veto overridden by Senate -- 5/15/07.

ATTACHMENT B

**Midlands Housing Trust Fund
Board of Directors & Staff – as of July 1st, 2011**

Members

Jeffrey Allen – Vice Chair
McNair Law Firm

Julie Ann Avin
Mental Illness Recovery Center Inc.

Cynthia Cox
AT&T

Mark Cox – Chair
Capital Bank

Tommy Harris
First Citizens Bank

Rose Lopez
Growing Home Southeast

Kyle Michel
The Kyle Michel Law Firm

Win Robinson – Treasurer
Wells Fargo Bank

Veronica Rodriguez
Community Assistance Provider

Staff

Jennifer Moore – Corporate Secretary
United Way of the Midlands

The State of South Carolina



Office of Secretary of State Mark Hammond

Certificate of Incorporation, Nonprofit Corporation

I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:

MIDLANDS HOUSING TRUST FUND,
a nonprofit corporation duly organized under the laws of the State of South Carolina on October 29th, 2010, and having a perpetual duration unless otherwise indicated below, has as of the date hereof filed a Declaration and Petition for Incorporation of a nonprofit corporation for Religious, Educational, Social, Fraternal, Charitable, or other eleemosynary purpose.

Now, therefore, I Mark Hammond, Secretary of State, by virtue of the authority in me vested by Chapter 31, Title 33, Code of 1976 and Acts amendatory thereto, do hereby declare the organization to be a body politic and corporate, with all the rights, powers, privileges and immunities, and subject to all the limitations and liabilities, conferred by Chapter 31, Title 33, Code of 1976 and Acts amendatory thereto.

Given under my Hand and the Great Seal of the State of South Carolina this 29th day of October, 2010.


Mark Hammond, Secretary of State

Note: This certificate does not contain any representation concerning fees or taxes owed by the Corporation to the South Carolina Tax Commission or whether the Corporation has filed the annual reports with the Tax Commission. If it is important to know whether the Corporation has paid all taxes due to the State of South Carolina, and has filed the annual reports, a certificate of compliance must be obtained from the Tax Commission.

ATTACHMENT D

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **AUG 15 2011**

MIDLANDS HOUSING TRUST FUND
1800 MAIN STREET
COLUMBIA, SC 29201-2433

Employer Identification Number:
27-4149384
DLN:
17053188331031
Contact Person:
DEL TRIMBLE ID# 31309
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
June 30
Public Charity Status:
170 (b) (1) (A) (vi)
Form 990 Required:
Yes
Effective Date of Exemption:
October 29, 2010
Contribution Deductibility:
Yes
Addendum Applies:
No

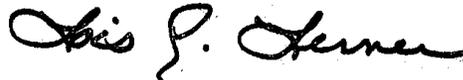
Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Lois G. Lerner
Director, Exempt Organizations

Enclosure: Publication 4221-PC

Letter 947 (DO/CG)

Agreement

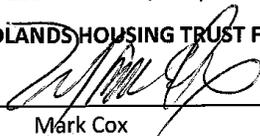
This agreement (the "Agreement") outlines a relationship between **United Way of the Midlands** ("UWM") and **Midlands Housing Trust Fund** ("MHTF"), in connection with development of an affordable housing trust fund in the Midlands, and is initiated under the following terms/conditions as of June 16, 2011 (the Effective Date"):

Section One: Funding Level, Period, Payment Schedule and Purpose

1. Subject to the terms and conditions set forth herein for a **one-year period** commencing **June 16, 2011** and ending **June 30, 2012**.
2. UWM to perform the following duties:
 1. Provide program, operating, and administrative support to MHTF including submission of grant proposals, legal documents, and coordination of fundraising activities.
 2. UWM will accept contributions on behalf of MHTF and record gifts to MHTF in software and assure the ability to transfer this information to MHTF at some date in the future.
 3. Prepare acknowledgements for donors who have made gifts or pledges.
 4. Receive requests for payments for MHTF expenses, record payables in software and prepare checks.
 5. Handle all deposits, payments, and other financial management consistent with policies of UWM.
 6. Provide regular financial reports for MHTF accounts.
 7. Establish and reconcile MHTF bank accounts set up with a FDIC insured bank.
3. UWM agrees to perform these services without a fee during the agreement period. MHTF or UWM may suspend this agreement with 15 days written notice.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

MIDLANDS HOUSING TRUST FUND

By: 

Mark Cox
Chairman of the Board of Directors

UNITED WAY OF THE MIDLANDS

By: 

J. Mac Bennett
President and CEO

ATTACHMENT F



Overview

Housing Trust Funds are distinct accounts with dedicated revenue sources that finance development of quality housing for those most in need. Trust funds are valuable as flexible sources of funding to fill gaps that federal programs do not meet.

In addition to funding activities like acquisition, preservation, construction and rehabilitation, trust funds can support hard-to-fund activities like capacity building (pre-development costs), land banking,

Columbia MSA Median Income	2010 Dollar Amounts
100% AMI	\$62,400
80% AMI	\$49,900
50% AMI	\$31,200
30% AMI	\$18,700

Source: U.S. Department of Housing and Urban Development. HUD.gov

innovative housing projects, project based support for multifamily units and otherwise provide incentives to non-profit and for-profit affordable housing developers.

The funding can be awarded as loans or

grants depending on the balance between the need to subsidize units and the need to generate program income or recycle the funding. Trust funds typically leverage other funding at a ratio of 1:9.

One of United Way of the Midlands' newest initiative is supporting development of a regional affordable housing trust fund. The Midlands Housing Trust Fund (MHTF) will not own or manage housing. Rather, it will provide gap funding for creating and preserving quality, affordable housing.

The MHTF will focus on people who struggle to secure housing including people who work at low wage jobs, people with disabilities and other special needs. Typically, these are people with incomes at 50% or below area median income but the fund is intended to serve people up to 80% area median income.

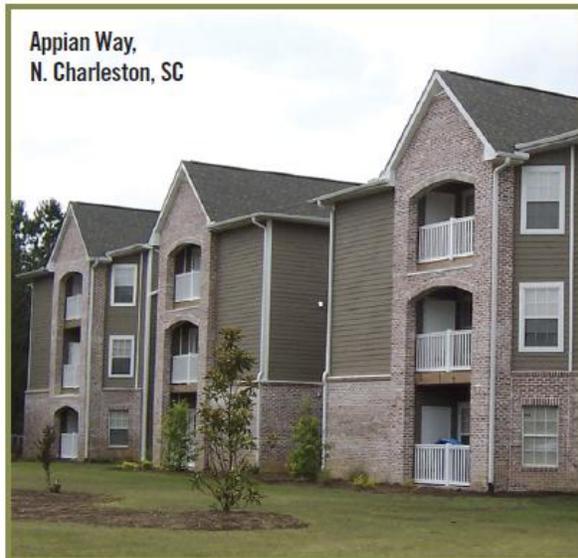
The MHTF is established as a 501(c)(3) non-profit with an initial board of

directors in place with active committees. In April 2011, the City of Columbia adopted the MHTF as its regional fund and committed start-up funding. United Way of the Midlands (UWM) also pledged match funding of \$100,000 for direct program financing.

UWM is providing initial staff support and fiscal management; however, in the future the MHTF will function as a stand-alone non-profit.

Thirty-eight states and over 700 cities and counties use housing trust funds to develop and preserve affordable housing. In South Carolina, there are three housing trust funds: the SC Housing Trust Fund (1992), the Lowcountry Housing Trust (2004), and Greenville Housing Fund (2008).

In 2007, the Mescher Act of 2007 (H3509) was passed in SC to allow local governments to join housing trust funds and use public dollars to support them.



Economic Benefits of Housing Trust Funds

The Need

- Housing is considered affordable when people pay no more than 30% of monthly income for housing. Paying more than 30% is considered housing burdened.
- In the Midlands, between 35% and 50% of renters are housing burdened, and between 20% and 35% of homeowners are housing burdened.
- In the Midlands, professions making 80% or less of the area median income (AMI) may include bank tellers, nurses (LPN) and administrative assistants.



Trust Funds in South Carolina



South Carolina Housing Trust Fund—South Carolina Housing and Finance and Development Authority operates the state trust fund. The South Carolina Housing Trust Fund (SCHTF) was established in 1992. Dedicated funding is provided to the Fund through a portion of the documentary deed stamp. In 2009, the trust fund awarded \$11.17 million in funding. When the National Housing Trust Fund is funded the SC Housing Authority will be the likely recipient of the State’s allocation of funding (estimated \$8.9 million).

In 2010, the SC State Housing Authority worked with the University of South Carolina’s Moore School of Business to determine its economic impact. The economic multiplier for their efforts was 1.58, meaning that every \$100 in direct spending from their affordable housing initiatives resulted in a total spending impact of \$158 on South Carolina’s economic output.

Lowcountry Housing Trust—The Lowcountry Housing Trust (LHT) was established in 2004. In 2007 the Trust became certified as a Community Development Finance Institution (CDFI).

Since inception, LHT has created 684 units of housing with financing at nearly \$14 million dollars to date. It is estimated that between 2005-2009, 900 jobs were created or retained in the Charleston area due to LHT financing of housing.



Greenville Housing Fund—The Greenville Housing Fund was established in 2007 through a partnership with Greenville United Way, City of Greenville, and Greenville County Redevelopment Authority. The Greenville Housing Trust has recently applied for CDFI certification.

In Greenville, an Economic Benefit study conducted by the Clemson Strom Thurmond Institute projects the following benefits from the development 200 affordable housing units:

- A \$4.3 million gain in gross regional product per year and a \$4.6 million gain in disposable income per year.
- An annual gain of \$459,000 in local government revenues, including an annual gain of \$116,637 in local property tax revenue and an increase of \$10,089 in local sales tax revenues per year.

For more information on the Midlands Housing Trust Fund, contact Jennifer Moore, Senior Director, Financial Stability Council of United Way of the Midlands at jmoore@uway.org.





COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

M E M O R A N D U M

DATE: December 30, 2011
TO: Joe Mergo, Interim County Administrator
FROM: John Fechtel, Director of Public Works/Assistant County Administrator
RE: 800 Mhz Radio Talk Group Sharing - SCDOT

During our discussion with SCDOT on the Winter Storm Plan, we found out that they have purchased a few 800 Mhz radios on the Palmetto 800 System. In the past during winter storm events, we have loaned SCDOT some of our radios for communication purposes. This allows direct radio communications between Public Works and SCDOT.

I recommend that Public Works and SCDOT share a talk group from each entity. Public Works will have a SCDOT talk group in select radios and SCDOT will have the Public Works Transportation talk group in their radios. There will not be any additional budgetary requirement, since each of the entities has technical staff to do the actual programming that is required.

This will greatly enhance our communications ability with SCDOT, not only for severe weather events but also on a day to day basis. SCDOT is Public Works largest outside entity and the one we have the most contact with.

Please present this to the Public Works Committee for their review and approval. Upon their approval, I recommend this be sent to County Council to approve at the 4:30 pm Council Meeting on January 24, 2012.



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

M E M O R A N D U M

DATE: January 3, 2012

TO: Joe Mergo, Interim County Administrator
John J. Fechtel, Director of Public Works

FROM: J. Randy Edwards, P.E., County Engineer

RE: Reserve at Lake Murray

On June 2, 2010 Lexington County Stormwater Dept. pulled the bond for this sub-division due to bankruptcy by the developer. In an effort to complete the unfinished work, Public Works staff has reviewed and developed a cost estimate for the work required to complete this subdivision per the approved plans. It was determined that much of this work could be performed by Lexington County forces easier than developing complete and accurate plans and specifications that would address all the details in a bidding process. However, a determination was not made regarding the anticipated serious shortfall in funds necessary to complete the work, whether we use in-house staff or contracted forces. The surety for this sub-division was in the amount of \$2,500 and is available in account No. 2999-999900-5R0135.

The estimate to complete the work is as follows:

\$44,700 - using contracted forces
\$5,000 - Lexington County Engineering Dept develop bid documents
\$49,700

OR

\$5,800 - 400 LF of concrete curb installation (contracted)
\$15,800 - Materials (includes: asphalt, pipe and erosion control)
\$25,000 - Lexington County Labor and Equipment
\$46,600

Given the significant difference in work required and available funds, we recommend using in-house staff and appropriating \$19,100 from C-Funds to complete the remaining work. All man-hours and equipment hours will be recorded for future use and to determine the true costs for this subdivision. These funds can be made available from the unclassified account No. 2700-121300-539900. Upon council's approval, staff is prepared to move forward on this project.



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
STORMWATER DIVISION

M E M O R A N D U M

DATE: December 30, 2011

TO: Katherine Hubbard, County Administrator

FROM: Synithia Williams, Lexington County Environmental Coordinator

RE: 2011 Spare the Air Calendar Contest

To increase awareness of air quality issues in South Carolina, Lexington County in partnership with S.C. Department of Health and Environmental Control and the S.C. Department of Education held the first Spare the Air Calendar Contest. The contest was open to Lexington County public, private and home school students in the 5th-7th grade. Students were challenged to creatively illustrate activities that they can adopt in their daily lives that will help keep the air we breathe clean.

Over 160 posters were received as part of the contest. The top twelve entries, their school and the month they represent in the calendar are listed below.

Month	Name	School	Grade
January	Freya Bairdsen*	Bairdsen Home School	6th
February	Kendall Ridge	Batesburg-Leesville Elementary	5th
March	Tamirah Parks	Batesburg-Leesville Elementary	5th
April	Aliah Henry	Pelion Middle School	6th
May	Sa'Nia Perry	Batesburg-Leesville Elementary	5th
June	Tristan Keisler	Carolina Springs Elementary	6th
July	Cindy Diaz	Batesburg-Leesville Elementary	5th
August	Kamryn Buchardt	Batesburg-Leesville Elementary	5th
September	Allie Paige Thornton	Pineview Elementary	5th
October	Lauren Connelly	Batesburg-Leesville Elementary	5th
November	Gracie Louk	Batesburg-Leesville Elementary	5th
December	Avonlea Smith	Batesburg-Leesville Elementary	5th

*Grand Prize Winner

_____ 440 BALL PARK ROAD LEXINGTON, SOUTH CAROLINA 29072 803-785-8201 _____

The Grand Prize Winner will receive a bicycle and helmet. The eleven other winners will receive a Visa gift card, and goody bag donated by the Giving Tree and Sun Printing. The winning school will receive a set of air quality alert flags and the teachers will receive a school supply gift basket donated by FSI Office Supply. Lexington Medical Center and Shaw Industries sponsored the printing of the calendars which will be made available, free of charge, to citizens of Lexington County.

I ask that these students be recognized and presented their awards at the 4:30 Council Meeting.

_____440 BALL PARK ROAD LEXINGTON, SOUTH CAROLINA 29072 803-785-8201_____

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 10TH DAY OF JANUARY, TWO THOUSAND AND TWELVE, ADOPTED THE FOLLOWING:

WHEREAS, Melisha Shumpert, Town of South Congaree Town Administrator, created a program called the Stuff-a-Stocking Program in 2005 to provide over 1,000 children in the South Congaree/Pine Ridge with Christmas for families in need; and

WHEREAS, the Town receives the names of children from the three local primary and middle schools' guidance offices where they are gathered and attached to a stocking for adoption by good Samaritans; and

WHEREAS, in addition to the Stuff-a-Stocking Program, Ms. Shumpert also plans a car show hosted by the Town's Police department that provides additional funds for the children not adopted through the program; and

WHEREAS, approximately \$3,000 to \$5,000 is donated each year with \$15,000 collectively in both presents and monies for the Stuff-a-Stocking Program; and

WHEREAS, Ms. Shumpert began with the Town in 2001 and is currently the Town Administrator; she is a lifelong resident of Lexington County; she served on the South Congaree Elementary Student Improvement Council; and attends Oak Wood Baptist Church. She spends all her free time with her two sons Jacob and Caleb.

NOW, THEREFORE, BE IT RESOLVED that we, the members of Lexington County Council, extend to **Melisha Shumpert**, our sincere thanks and gratitude for the tremendous job she has done not only for the Town and Community of South Congaree, but for Lexington County, and the citizens of Lexington County.

James E. Kinard, Jr., Chairman

William B. Banning, Sr., Vice Chairman

Frank J. Townsend, III

George H. "Smokey" Davis

Debra B. Summers

Bobby C. Keisler

Johnny W. Jeffcoat

Kenneth Brad Matthews

M. Todd Cullum

ATTEST:

Diana W. Burnett, Clerk



APPOINTMENTS BOARDS & COMMISSIONS

January 10, 2012

JOHNNY JEFFCOAT

- **Museum** - Laura Howell; term expired 11/01/11; *confirmed desire NOT to serve another term*

BILL BANNING

- **Assessment Appeals Board** - Paige Hicks; term expires 09/21/13; resigned 12/31/11 see attached

TODD CULLUM

- **Board of Zoning Appeals** - Vacant; term expires 12/31/13
- **Museum** - Vacant; term expires 11/01/13

AT LARGE:

Building Codes Board of Appeals

- **Plumbing** - Ashton Shuler; term expired 08/13/11; eligible for reappointment; *confirmed desire NOT to serve another term*
- **Gas/Mechanical** - Marvin Smith; term expired 08/13/11; eligible for reappointment; *confirmed desire NOT to serve another term*

Stormwater Advisory Board

- **Environmental Steward** - Sue Green; term expires 12/09/12; resigned effective 11/16/11; see attached
- **Engineer** - Robert T. Blackwell; term expired 12/09/11; eligible for reappointment; *confirmed desire to serve another term*
- **Contractor** - Walter L. "Tripp" Hunter, III; term expired 12/09/11; eligible for reappointment; *confirmed desire to serve another term*
- **Environmental Steward** - R. Hugh Caldwell; term expired 12/09/11; eligible for reappointment; *confirmed desire to serve another term*

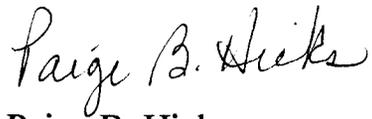
1505 Whippoorwill Drive
West Columbia, SC 29169
December 15, 2011

Dear Bill:

I am resigning my position on the Assessment Appeals Board effective December 31, 2011 for family reasons.

Thank you so much for giving me the opportunity to serve on this important Board.

Sincerely,



Paige B. Hicks

cc.

Rick Dolan

Bill Powers

From: Sue Green [\[mailto:sgreen@communityopenlandtrust.org\]](mailto:sgreen@communityopenlandtrust.org)

Sent: Wednesday, November 16, 2011 2:23 PM

To: Armstrong, Sheri; 'Frank Hahne'; 'Hugh Caldwell'; 'jim Lewis'; 'Larry Cooke'; 'Pearce Atkins'; 'Ted Blackwell'; 'Tripp Hunter'; Williams, Synithia

Cc: Fechtel, John; BROOME, CHRISTOPHER

Subject: Stormwater Advisory Board

Dear Sheri, Synithia and fellow Advisory Board members,

Please accept this notification as my resignation from the stormwater advisory board.

I recently moved to Hendersonville, NC with my family and feel that I can no longer serve on the board being that I now live out of state.

I have enjoyed serving on the advisory board with you all and feel that we have served the community well - keep up the good work!

Please feel free to contact me through the information below.

Best regards,

Sue
Sue Green
sgreen@sommergreen.org
803.917.4989

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: December 6, 2011

TO: Interim County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **HeartStart MRX ALS Monitors**
B12028-11/21/11S
Public Safety/EMS

Competitive bids were solicited and advertised for a HeartStart MRX ALS Monitors for Public Safety/EMS. We received two (2) bids and one (1) no bid on November 21, 2011 (see attached Bid Tabulation).

The bids were evaluated by Chief T. Brian Hood, EMS Director and Angela M. Seymour, Procurement Officer. It is our recommendation that it be awarded to Bound Tree Medical, LLC, as the lowest responsive bidder. The total cost, including applicable sales tax, is \$65,542.84.

Funds are appropriated in the following account:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>
1000-131400-5AC115	(3) Cardiac Monitors	\$71,130.00

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 January 10, 2012.

Copy: Larry Porth, Director of Finance/Assistant County Administrator
Chief T. Brian Hood, EMS Director

County of Lexington

Bid Tabulation

BID # : B12028-11/21/11S

HEARTSTART MRX ALS MONITOR

Item	Qty	U/M	Description	Zoll		Southeastern Emergency Equipment		Bound Tree Medical, LLC.	
				Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost
1	3	EA	HeartStart MRX ALS Monitor		No Bid	\$ 20,886.34	\$ 62,659.02	\$ 20,418.33	\$ 61,254.99
			Taxes		No Bid		\$ 4,386.13		\$ 4,287.85
			Total		No Bid		\$ 67,045.15		\$ 65,542.84

**** Zoll could not meet the solicitation's specifications.**

Bids Received: November 21, 2011 @ 3:00 PM

Angela M. Seymour
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: December 22, 2011

TO: Joe Mergo, III
Interim County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **Wood Moor on Wescott Drainage Pipe Replacement Phase II (Bond Funds)**
B12030-11/30/11S
Public Works

Competitive bids were solicited and advertised for Phase II improvements to Wood Moor on Wescott Drainage Pipe Replacement. This project consists of supplying materials, equipment, and labor to effectively replace existing drainage pipes under Lexington County maintained roads. We received ten (10) responsive bids on November 30, 2011 (see attached Bid Tabulation).

The bids were evaluated by John Fechtel, Director of Public Works; J. Randy Edwards, County Engineer; and Angela M. Seymour, Procurement Officer. It is our recommendation to award this project to Martin & Son Contracting, Inc. as the lowest bidder for a total amount of \$109,360.00.

County funds are appropriated in the following account:

2999-999900-5R0082	Pass Thru Grants
Wood Moor Subdivision	\$114,912.63

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 January 10, 2012.

copy: Larry Porth, Director of Finance/Assistant County Administrator
John Fechtel, Director of Public Works/Assistant County Administrator
J. Randy Edwards, County Engineer

County of Lexington

Bid Tabulation

BID # : B12030-11/30/11S

Wood Moor on Wescott Drainage Pipe Replacement - Phase II

Item	Qty	U/M	Description	Martin & Son Contracting, Inc.		C. Ray Miles Construction Company, Inc.		R & T Grading, Inc.		Eagle Construction Company, Inc.		Cherokee, Inc.	
				Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost
1	3	EA	Removal & Disposal of Existing Storm Drainage Structures	\$ 600.00	\$ 1,800.00	\$ 900.00	\$ 2,700.00	\$ 2,000.00	\$ 6,000.00	\$ 1,500.00	\$ 4,500.00	\$ 2,000.00	\$ 6,000.00
2	188	LF	Removal & Disposal of Existing Storm Drainage Pipe	\$ 10.00	\$ 1,880.00	\$ 32.50	\$ 6,110.00	\$ 30.00	\$ 5,640.00	\$ 42.00	\$ 7,896.00	\$ 15.00	\$ 2,820.00
3	400	CY	Unclassified Excavation	\$ 7.00	\$ 2,800.00	\$ 32.00	\$ 12,800.00	\$ 50.00	\$ 20,000.00	\$ 40.00	\$ 16,000.00	\$ 25.00	\$ 10,000.00
4	350	CY	Contingent Unsuitable Material Excavation	\$ 10.00	\$ 3,500.00	\$ 12.00	\$ 4,200.00	\$ 42.00	\$ 14,700.00	\$ 45.00	\$ 15,750.00	\$ 25.00	\$ 8,750.00
5	10	TON	Contingent Maintenance Stone	\$ 35.00	\$ 350.00	\$ 30.00	\$ 300.00	\$ 35.00	\$ 350.00	\$ 75.00	\$ 750.00	\$ 50.00	\$ 500.00
6	390	SY	Graded Aggregate Base Course (6" Uniform)	\$ 25.00	\$ 9,750.00	\$ 10.00	\$ 3,900.00	\$ 12.00	\$ 4,680.00	\$ 25.00	\$ 9,750.00	\$ 25.00	\$ 9,750.00
7	377	LF	Abandon Existing Pipe in Place	\$ 10.00	\$ 3,770.00	\$ 10.00	\$ 3,770.00	\$ 35.00	\$ 13,195.00	\$ 38.00	\$ 14,326.00	\$ 16.00	\$ 6,032.00
8	24	CY	Approved Pipe Fill Material	\$ 100.00	\$ 2,400.00	\$ 140.00	\$ 3,360.00	\$ 120.00	\$ 2,880.00	\$ 225.00	\$ 5,400.00	\$ 120.00	\$ 2,880.00
9	15	CY	Modify Existing Storm Drainage	\$ 100.00	\$ 1,500.00	\$ 150.00	\$ 2,250.00	\$ 925.00	\$ 13,875.00	\$ 300.00	\$ 4,500.00	\$ 250.00	\$ 3,750.00
10	4	EA	New Junction Box	\$ 1,000.00	\$ 4,000.00	\$ 3,800.00	\$ 15,200.00	\$ 2,200.00	\$ 8,800.00	\$ 5,300.00	\$ 21,200.00	\$ 2,500.00	\$ 10,000.00
11	1	EA	New Catch Basin	\$ 2,000.00	\$ 2,000.00	\$ 3,800.00	\$ 3,800.00	\$ 2,000.00	\$ 2,000.00	\$ 2,700.00	\$ 2,700.00	\$ 2,500.00	\$ 2,500.00
12	2	EA	New Wingwall Headwall	\$ 1,000.00	\$ 2,000.00	\$ 1,100.00	\$ 2,200.00	\$ 1,100.00	\$ 2,200.00	\$ 2,500.00	\$ 5,000.00	\$ 1,500.00	\$ 3,000.00
13	212	LF	Curb & Gutter Removal and Replacement	\$ 40.00	\$ 8,480.00	\$ 16.50	\$ 3,498.00	\$ 23.00	\$ 4,876.00	\$ 70.00	\$ 14,840.00	\$ 50.00	\$ 10,600.00
14	390	SY	Asphalt Removal & Disposal	\$ 5.00	\$ 1,950.00	\$ 4.50	\$ 1,755.00	\$ 42.00	\$ 16,380.00	\$ 18.00	\$ 7,020.00	\$ 15.00	\$ 5,850.00
15	30	SY	Asphalt Driveway Removal & Replacement	\$ 90.00	\$ 2,700.00	\$ 40.00	\$ 1,200.00	\$ 62.00	\$ 1,860.00	\$ 75.00	\$ 2,250.00	\$ 50.00	\$ 1,500.00
16	50	CY	Contingent Drainage Stone	\$ 30.00	\$ 1,500.00	\$ 80.00	\$ 4,000.00	\$ 42.00	\$ 2,100.00	\$ 70.00	\$ 3,500.00	\$ 40.00	\$ 2,000.00
17	50	LF	Contingent Pipe Underdrain	\$ 30.00	\$ 1,500.00	\$ 8.00	\$ 400.00	\$ 11.00	\$ 550.00	\$ 35.00	\$ 1,750.00	\$ 50.00	\$ 2,500.00
18	377	LF	Replace Existing 15" HDPE with 15" RCP	\$ 30.00	\$ 11,310.00	\$ 70.00	\$ 26,390.00	\$ 32.00	\$ 12,064.00	\$ 121.60	\$ 45,843.20	\$ 50.00	\$ 18,850.00
19	169	LF	Replace Existing 15" HDPE with 24" RCP	\$ 50.00	\$ 8,450.00	\$ 80.00	\$ 13,520.00	\$ 36.00	\$ 6,084.00	\$ 141.00	\$ 23,829.00	\$ 60.00	\$ 10,140.00
20	80	LF	New 15" Reinforced Concrete Pipe	\$ 40.00	\$ 3,200.00	\$ 60.00	\$ 4,800.00	\$ 18.00	\$ 1,440.00	\$ 124.50	\$ 9,960.00	\$ 40.00	\$ 3,200.00
21	413	LF	New 24" Reinforced Concrete Pipe	\$ 40.00	\$ 16,520.00	\$ 70.00	\$ 28,910.00	\$ 26.00	\$ 10,738.00	\$ 137.60	\$ 56,828.80	\$ 50.00	\$ 20,650.00
22	6	CY	Rip Rap (Class B)	\$ 100.00	\$ 600.00	\$ 135.00	\$ 810.00	\$ 82.00	\$ 492.00	\$ 300.00	\$ 1,800.00	\$ 200.00	\$ 1,200.00
23	1	LS	Moving Items	\$ 7,000.00	\$ 7,000.00	\$ 21,000.00	\$ 21,000.00	\$ 7,000.00	\$ 7,000.00	\$ 8,200.00	\$ 8,200.00	\$ 10,000.00	\$ 10,000.00
24	2100	SY	Soil Stabilization	\$ 2.00	\$ 4,200.00	\$ 5.00	\$ 10,500.00	\$ 4.50	\$ 9,450.00	\$ 5.00	\$ 10,500.00	\$ 6.00	\$ 12,600.00
25	150	LF	Inlet Structure Filter (Type B)	\$ 20.00	\$ 3,000.00	\$ 8.50	\$ 1,275.00	\$ 9.00	\$ 1,350.00	\$ 15.00	\$ 2,250.00	\$ 10.00	\$ 1,500.00
26	2000	SY	Contingent Temporary Erosion Control Blanket (Class B)	\$ 1.00	\$ 2,000.00	\$ 2.00	\$ 4,000.00	\$ 2.60	\$ 5,200.00	\$ 2.00	\$ 4,000.00	\$ 5.00	\$ 10,000.00
27	400	LF	Silt Fence Installation & Maintenance	\$ 3.00	\$ 1,200.00	\$ 5.50	\$ 2,200.00	\$ 4.50	\$ 1,800.00	\$ 5.25	\$ 2,100.00	\$ 5.00	\$ 2,000.00
			Grand Total		\$ 109,360.00		\$ 184,848.00		\$ 175,704.00		\$ 302,443.00		\$ 178,572.00

Item	Qty	U/M	Description	Corley Construction		LCI - Lineberger Construction, Inc.		C.R. Jackson, Inc.		L-J, Inc.		Trussell Brothers Construction Company, Inc.	
				Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost
1	3	EA	Removal & Disposal of Existing Storm Drainage Structures	\$ 600.00	\$ 1,800.00	\$ 2,500.00	\$ 7,500.00	\$ 8,650.00	\$ 25,950.00	\$ 2,290.00	\$ 6,870.00	\$ 1,000.00	\$ 3,000.00
2	188	LF	Removal & Disposal of Existing Storm Drainage Pipe	\$ 10.00	\$ 1,880.00	\$ 50.00	\$ 9,400.00	\$ 135.00	\$ 25,380.00	\$ 61.50	\$ 11,562.00	\$ 30.00	\$ 5,640.00
3	400	CY	Unclassified Excavation	\$ 25.00	\$ 10,000.00	\$ 40.00	\$ 16,000.00	\$ 38.00	\$ 15,200.00	\$ 47.00	\$ 18,800.00	\$ 30.00	\$ 12,000.00
4	350	CY	Contingent Unsuitable Material Excavation	\$ 25.00	\$ 8,750.00	\$ 40.00	\$ 14,000.00	\$ 26.00	\$ 9,100.00	\$ 47.00	\$ 16,450.00	\$ 30.00	\$ 10,500.00
5	10	TON	Contingent Maintenance Stone	\$ 30.00	\$ 300.00	\$ 50.00	\$ 500.00	\$ 50.00	\$ 500.00	\$ 58.25	\$ 582.50	\$ 46.00	\$ 460.00
6	390	SY	Graded Aggregate Base Course (6" Uniform)	\$ 22.00	\$ 8,580.00	\$ 25.00	\$ 9,750.00	\$ 23.00	\$ 8,970.00	\$ 30.90	\$ 12,051.00	\$ 10.00	\$ 3,900.00
7	377	LF	Abandon Existing Pipe in Place	\$ 15.00	\$ 5,655.00	\$ 50.00	\$ 18,850.00	\$ 10.00	\$ 3,770.00	\$ 63.55	\$ 23,958.35	\$ 10.00	\$ 3,770.00
8	24	CY	Approved Pipe Fill Material	\$ 120.00	\$ 2,880.00	\$ 350.00	\$ 8,400.00	\$ 260.00	\$ 6,240.00	\$ 218.00	\$ 5,232.00	\$ 100.00	\$ 2,400.00
9	15	CY	Modify Existing Storm Drainage	\$ 100.00	\$ 1,500.00	\$ 500.00	\$ 7,500.00	\$ 460.00	\$ 6,900.00	\$ 255.00	\$ 3,825.00	\$ 200.00	\$ 3,000.00
10	4	EA	New Junction Box	\$ 2,500.00	\$ 10,000.00	\$ 3,850.00	\$ 15,400.00	\$ 2,620.00	\$ 10,480.00	\$ 3,890.00	\$ 15,560.00	\$ 2,500.00	\$ 10,000.00
11	1	EA	New Catch Basin	\$ 2,000.00	\$ 2,000.00	\$ 2,850.00	\$ 2,850.00	\$ 3,425.00	\$ 3,425.00	\$ 3,205.00	\$ 3,205.00	\$ 3,000.00	\$ 3,000.00
12	2	EA	New Wingwall Headwall	\$ 2,000.00	\$ 4,000.00	\$ 3,500.00	\$ 7,000.00	\$ 3,690.00	\$ 7,380.00	\$ 2,075.00	\$ 4,150.00	\$ 2,000.00	\$ 4,000.00
13	212	LF	Curb & Gutter Removal and Replacement	\$ 20.00	\$ 4,240.00	\$ 40.00	\$ 8,480.00	\$ 27.00	\$ 5,724.00	\$ 35.65	\$ 7,557.80	\$ 40.00	\$ 8,480.00
14	390	SY	Asphalt Removal & Disposal	\$ 25.00	\$ 9,750.00	\$ 25.00	\$ 9,750.00	\$ 4.00	\$ 1,560.00	\$ 12.75	\$ 4,972.50	\$ 5.00	\$ 1,950.00
15	30	SY	Asphalt Driveway Removal & Replacement	\$ 50.00	\$ 1,500.00	\$ 150.00	\$ 4,500.00	\$ 145.00	\$ 4,350.00	\$ 110.00	\$ 3,300.00	\$ 100.00	\$ 3,000.00
16	50	CY	Contingent Drainage Stone	\$ 40.00	\$ 2,000.00	\$ 125.00	\$ 6,250.00	\$ 50.00	\$ 2,500.00	\$ 77.25	\$ 3,862.50	\$ 54.00	\$ 2,700.00
17	50	LF	Contingent Pipe Underdrain	\$ 18.00	\$ 900.00	\$ 25.00	\$ 1,250.00	\$ 14.50	\$ 725.00	\$ 15.50	\$ 775.00	\$ 20.00	\$ 1,000.00
18	377	LF	Replace Existing 15" HDPE with 15" RCP	\$ 50.00	\$ 18,850.00	\$ 100.00	\$ 37,700.00	\$ 82.00	\$ 30,914.00	\$ 99.00	\$ 37,323.00	\$ 25.60	\$ 9,651.20
19	169	LF	Replace Existing 15" HDPE with 24" RCP	\$ 70.00	\$ 11,830.00	\$ 125.00	\$ 21,125.00	\$ 105.00	\$ 17,745.00	\$ 152.00	\$ 25,688.00	\$ 34.60	\$ 5,847.40
20	80	LF	New 15" Reinforced Concrete Pipe	\$ 25.00	\$ 2,000.00	\$ 75.00	\$ 6,000.00	\$ 47.00	\$ 3,760.00	\$ 74.50	\$ 5,960.00	\$ 25.60	\$ 2,048.00
21	413	LF	New 24" Reinforced Concrete Pipe	\$ 35.00	\$ 14,455.00	\$ 150.00	\$ 61,950.00	\$ 101.00	\$ 41,713.00	\$ 104.50	\$ 43,158.50	\$ 34.60	\$ 14,289.80
22	6	CY	Rip Rap (Class B)	\$ 2.00	\$ 12.00	\$ 150.00	\$ 900.00	\$ 400.00	\$ 2,400.00	\$ 230.00	\$ 1,380.00	\$ 500.00	\$ 3,000.00
23	1	LS	Moving Items	\$ 2,000.00	\$ 2,000.00	\$ 3,500.00	\$ 3,500.00	\$ 4,550.00	\$ 4,550.00	\$ 47,850.00	\$ 47,850.00	\$ 2,407.00	\$ 2,407.00
24	2100	SY	Soil Stabilization	\$ 5.00	\$ 10,500.00	\$ 2.00	\$ 4,200.00	\$ 6.00	\$ 12,600.00	\$ 7.60	\$ 15,960.00	\$ 5.00	\$ 10,500.00
25	150	LF	Inlet Structure Filter (Type B)	\$ 5.00	\$ 750.00	\$ 25.00	\$ 3,750.00	\$ 12.00	\$ 1,800.00	\$ 17.50	\$ 2,625.00	\$ 13.00	\$ 1,950.00
26	2000	SY	Contingent Temporary Erosion Control Blanket (Class B)	\$ 3.00	\$ 6,000.00	\$ 2.50	\$ 5,000.00	\$ 2.00	\$ 4,000.00	\$ 2.50	\$ 5,000.00	\$ 2.00	\$ 4,000.00
27	400	LF	Silt Fence Installation & Maintenance	\$ 5.00	\$ 2,000.00	\$ 3.75	\$ 1,500.00	\$ 7.00	\$ 2,800.00	\$ 5.50	\$ 2,200.00	\$ 5.50	\$ 2,200.00
Grand Total					\$ 144,132.00		\$ 293,005.00		\$ 260,436.00		\$ 329,858.15		\$ 134,693.40

per 30, 2011 @ 3:00 PM E.S.T.

a M. Seymour
 erment Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: December 15, 2011

TO: Joe Mergo, III
Interim County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

**SUBJECT: Purchase of Twenty (20) Toughbook Laptops and Accessories
Public Safety/EMS and Sheriff's Department**

We are in receipt of three (3) requisitions for the purchase of twenty (20) toughbook laptops and accessories for Public Safety/EMS and the Sheriff's Department. These items are being purchased from Synnex Corporation through South Carolina State Contract WSCA #SC 5000010881/B27172. This South Carolina State contract expires on August 31, 2014.

The total cost including applicable sales tax for this purchase is \$88,489.99.

Funds are appropriated in the following accounts:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>
1000-131400-5AC111	(3) Toughbook Laptops - Replacement	\$13,650.00
2411-151200-5AC484	(3) Toughbook Laptops - Replacement	\$13,317.00
1000-151200-5AC476	(14) Toughbook Laptops with Accessories	\$62,145.00

I concur with the above recommendation and further recommend that this procurement be placed on County Council's agenda for their next scheduled meeting on January 10, 2012.

Copy: Larry Porth, Director of Finance/Assistant County Administrator
Mike Ujcich, Chief Information Officer
Dan MacNeill, Interim Information Services Manager
Colonel Allan Paavel, Sheriff's Department
Andre Johnson, Sheriff's Department
Sylvia Dillon, Sheriff's Department
Chief T. Brian Hood, EMS Director



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 # M11-05

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

The Palms at Rocky Point Phase II located off of Rocky Point Drive

Zoning Classifications: (Current) D (Development) (Proposed) R3 (High Density Residential)

TMS#: 001850-02-001thru 025, 001850-02-027 Property Owner: Palms at Rocky Point II, LLC

Reason for the request: Phase II has been approved for a Residential Detached (Single Family Dwelling). Proposed change is to allow for Residential Attached (3 or more dwelling units)

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

Date of Application: 12/2/2011 Applicant: Property Owner [checked] Authorized Agent [unchecked]

Phone #(s): work 803-237-3777

Signature: Signature on file Printed Name: Juanita Wright

Street/Mailing Address: 6030 St. Andrews Rd. Ste J. Columbia SC 29212

Table with 2 columns: Date, Action. Rows: 12/2/2011 Application Received, Newspaper Advertisement, Notices Mailed

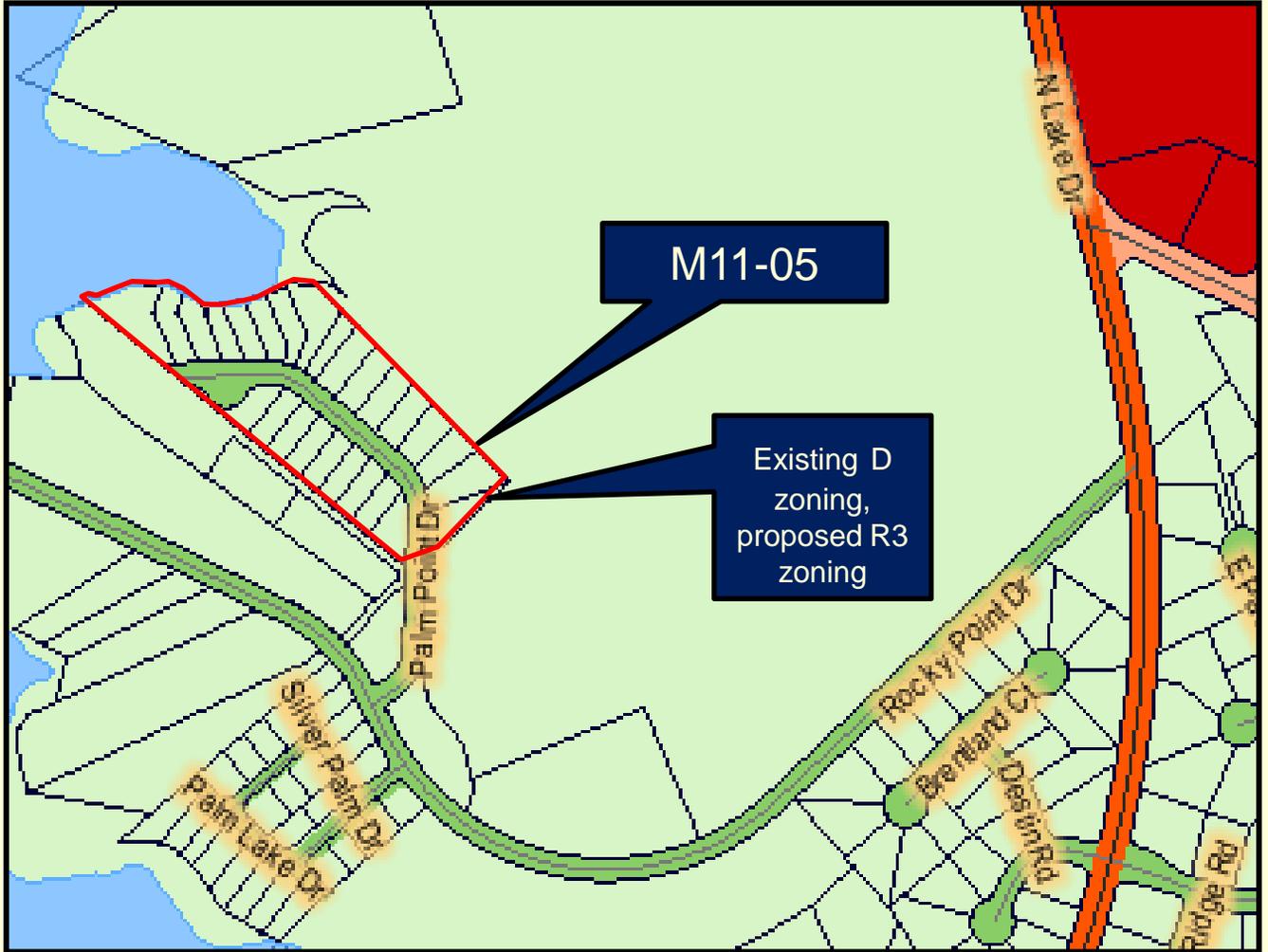
Table with 2 columns: Date, Action. Rows: 12/2/2011 Fee Received, Property Posted, Planning Commission

Planning Commission Recommendation: _____

Table with 5 columns: Date, Action, Public Hearing, Second Reading, Third Reading. Row: 01/10/12 First Reading, Public Hearing, Second Reading, Third Reading

Results: _____

Zoning Map Amendment Application M11-05



ZONING LEGEND

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

Zoning Map Amendment Application M11-05



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

COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE NO. 11-22

AN ORDINANCE ADOPTING SUPPLEMENTAL APPROPRIATION TO NOT EXCEED EIGHT MILLION (\$8,000,000) DOLLARS

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

WHEREAS, since the adoption of the annual budget for the fiscal year 2011-2012, County Council has determined the need to make a supplemental appropriations for the purpose of real property acquisition costs and related expenses in an amount not to exceed eight million (\$8,000,000) dollars; and

WHEREAS, these funds were not appropriated in the budget for 2011-2012:

NOW, THEREFORE, BE IT ENACTED that the County hereby makes a supplemental appropriation in an amount to not exceed eight million (\$8,000,000) dollars for the purposes of real preproperty acquisitions and related expenses.

Enacted this _____ day of _____, 2012

Chairman
Lexington County Council

ATTEST:

Diana Burnett
Clerk

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



DRAFT
(as of December 29, 2011)

COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE #12-1

AN ORDINANCE AMENDING THE LEXINGTON COUNTY LANDSCAPE AND OPEN SPACE ORDINANCE

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

Amendments to the Landscape and Open Space Ordinance are to be considered that would update the restrictions contained therein and as a minimum address the following issues:

1. Address the scope of the regulations.
2. Modify and expand the definitions.
3. Update and expand the Landscaping Requirements.
4. Modify the Open Space Requirements.

Make the following changes and additions to:

Article 1 – Authority

1.2 Intent

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

1.3 Scope of Regulations

Except as otherwise stated, the regulations set forth herein shall apply to all Residential Attached dwelling units and Mobile Home Parks, as defined within the Lexington County Zoning Ordinance; all residential and nonresidential subdivisions, as defined and regulated within Article 4; and all nonresidential development within the unincorporated area of Lexington County, with the exception of the following development conditions/activities:

- a. Any public road construction or utility construction project, except as described in Article 3, Section 4 Service Areas/Utilities.
- b. Any land used for Crops and Animal Operations, as defined in the Lexington County Zoning Ordinance. These definitions include the raising of trees, vines, field, forage, or other plant crops intended to provide food or fiber. However, processing areas/buildings, transport and warehousing, and retail or wholesale activities related

to crops and animal operations are not exempt from the terms of this Ordinance. Section 3.1.7 Clearcutting, further defines the exemptions allowed for timber harvesting.

- c. Nonresidential development containing a parking lot that is used as a display/storage area greater than 10,000 square feet shall be exempt from the provisions of Article 3, Section 3 Parking Lots, within the display area only (i.e., automobile, boat and craft dealerships; truck terminals; etc.).
- d. Advertising signs, as defined and regulated in the Lexington County Zoning Ordinance.

Some of the residential activities, exempted above from the scope of these regulations, must follow the requirements of Article 3, Section 7 Scenic Corridor Protection.

1.6 Exclusions

~~Because such activities are developed with benefit of public hearings and other input, In the interest of meeting the public need for services in an efficient and timely manner, and because such activities are developed with the benefit of public input, any facility or activity established or expanded~~ **owned and operated** by Lexington County is exempt from the provisions ~~and administrative procedures~~ of this Ordinance. However, the development **and operation plan** for all such **exempt** activities shall be ~~devised~~ **conducted** with a diligent effort to meet the requirements of this Ordinance.

Make the following changes and additions to:

Article 2 – Definitions

2.2 Definitions

Bioretention Pond – A structure that utilizes soils and woody and herbaceous plants to remove pollutants from stormwater runoff.

~~Tree, Canopy, Large~~ – Any single- or **multi-stem** tree of a species which normally reaches a height of 30 feet or more ~~and a crown spread of 20 feet or more~~ at maturity.

~~Tree, Understory, Small~~ – Any single- or multi-stem tree of a species which normally reaches a height of between 8 and 30 feet ~~and a crown spread of less than 20 feet~~ at maturity.

Make the following changes and additions to:

Article 3 – Landscaping Requirements

Sections 1(General), 3(Parking Lots), 4(Service Areas/Utilities), and 6(Road Corridors)

3.1.2 Planting and Maintenance

- c. All newly planted trees and shrubs shall be mulched evenly around each individual plant and extend to the dripline, but no less than a 4-foot radius from the trunk of the tree or shrub. The mulch should be two to three inches in depth. Group plantings, including shrubbery, shall have a defined bed area that shall be mulched. Natural areas with groupings of trees that are preserved to meet provisions of this Ordinance do not require mulch; however, individual trees that are protected will require mulch. The mulched areas should be maintained and kept free of weeds and grass.

~~e.d.~~ New trees must be planted properly, to include soil/site preparation and protection of roots. See Appendix.

3.1.3 Species Selection

f. To encourage diversity and flexibility of design, no more than ~~60~~ 40 percent of any one species ~~can be used for new tree plantings of tree may be used~~ in the overall development plan.

3.3.3 Trees

b. Where overhead utilities exist or are planned, ~~or where space restricts the use of canopy trees~~, understory trees may be required instead of large canopy trees, at a replacement density of ~~three~~ two understory trees for each canopy tree.

3.4.3 Detention/Retention Ponds

c. ~~For detention and retention ponds that are part of a storm/surface water system that is to be dedicated to the County, a common area shall be platted adjacent to the perimeter of the newly created County parcel. This common area shall be adequately sized to provide for either landscaping that is consistent with the overall design of the development or vegetation to screen the stormwater structure. Pond access across the common area must be provided and dedicated to the County. Easements for stormwater discharge may also be required within this common area. All platted parcels must conform to applicable Lexington County Subdivision and Land Development Regulations.~~

d. ~~Bioretention systems will be considered to have met the additional landscape requirements noted in this section of the Ordinance.~~

~~e.e.~~ The development of any system shall be in accordance with the provisions of the Lexington County Stormwater Management Ordinance, to include the requirement of fencing for safety purposes.

3.4.4 Screening

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

3.6.1 Identification of Road Corridors

Any road identified as an Arterial, Collector, or Local Road by the Lexington County Zoning Ordinance shall be considered a road corridor. ~~When the road, and/or its right-of-way, is located within the boundaries of a municipality, the provisions of this section shall still apply if the parcel is located in the unincorporated portion of Lexington County.~~ Where any road corridor or portion thereof is also identified as a scenic corridor, the requirements of Section 7 Scenic Corridor Protection shall prevail.

3.6.3 Trees

- d. ~~Large canopy trees to provide shade will be required except where there exist overhead utilities.~~ Where overhead utilities exist or are planned, **or where space restricts the use of canopy trees**, understory trees may be required instead of large canopy trees at a replacement density of ~~three~~ **two** understory trees for each canopy tree.

Make the following changes and additions to:

Article 4 – Open Space Requirements

4.1 Residential Subdivisions

The purpose of this section is to provide guidelines for the establishment of suitable and useable open space within all proposed residential subdivisions with lot sizes less than 2 acres or which have at least ten lots.

4.1.1 Quantity of Open Space

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

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

This Ordinance shall take effect _____, 2012.

Enacted the _____ day of _____, 2012

Chairman, Lexington County Council

ATTEST:

Diana W. Burnett, Clerk

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