

MINUTES
LEXINGTON COUNTY COUNCIL
SEPTEMBER 26, 2006

Lexington County Council held its regular meeting on Tuesday, September 26, 2006 in Council Chambers, beginning at 4:30 p.m. Mr. Cullum presided. Mr. Davis gave the Invocation and Mr. Kinard led the Pledge of Allegiance.

Members attending:	M. Todd Cullum	James E. Kinard, Jr.
	William C. Billy Derrick	George H. Smokey Davis
	Debra B. Summers	Bobby C. Keisler
	Johnny W. Jeffcoat	John W. Carrigg, Jr.
	Joseph W. Owens	

Also attending: Katherine Doucett, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; John Fechtel, Director of Public Works/Deputy County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Presentation of Resolution - Samuel J. Tenenbaum Presented by Councilman Davis and Councilwoman Summers - Councilman Davis and Councilwoman Summers presented a framed resolution to Samuel J. Tenenbaum for his leadership in establishing South Carolina Cares, a non-profit organization dedicated to help evacuees during Hurricane Katrina, and for the many humanitarian contributions he has made and continues to make.

Presentation of the Counties that Care Award - Presented by Ms. Blakely Hallman, Marketing Director, National Kidney Foundation of South Carolina - Ms. Blakely Hallman presented to Council, on behalf of all the citizens of Lexington County, the Counties that Care Award. Lexington County residents raised \$680,000 through donations of 2,700 unwanted vehicles that were auctioned to benefit the National Kidney Foundation.

Mr. Cullum wished Councilman Kinard a happy birthday as well as belated birthday wishes to Councilman Carrigg.

Lexington High School Economic Class - Mr. Cullum recognized several students from Lexington High School attending as part of their Economic class.

Employee Recognition - Katherine Doucett, County Administrator - Ms. Doucett recognized Ms. Dayle Blackmon, Administrative Assistant, and Maj. James “Stick” Harris, Sheriff’s Office, for their kind assistance in making arrangements for an inmate at the Detention Center to see his father who was terminally ill.

Maj. James “Stick” Harris; Sgt. Randall Pfannenstiel; Sgt. Scott McDermott; Sgt. Jack Granger; and Correctional Officers, Deborah McClary, Linda Mickens, Carol Aeschbacher, and Lori Ann Bailey employees of the Sheriff’s Department were recognized for the respect and outstanding care they provided an inmate who had been incarcerated at the Detention Center.

Investigator Robbie Lint, Sheriff’s Department, was recognized for his assistance in helping to identify stolen items that enabled the Richland County Sheriff’s Department to solve approximately forty burglary cases in the Columbia, Hopkins, and Eastover areas.

Marty Taylor, Chief Building Inspector, Community Development was recognized for going the “extra mile” to assist an individual who had encountered problems with his building inspection due to incorrect electrical work.

Robbie Derrick, Zoning Assistant, Community Development was recognized for assisting a consultant with the Planning and Zoning Resource Corporation in Cicero, NY with a due diligence report on property in Lexington County.

Jamie Glover, Mechanic II, Fleet Services was recognized for successfully passing the examinations and requirements of the National Institute for Automotive Service Excellence to receive his Automotive Service Excellence certificate (ASE) in brakes and heating and air-conditioning systems.

Shining Stars - Ms. Doucett recognized Jennifer Leighton, Public Safety/Communications; Danielle Long, Library Services; Linda Matthews, Treasurer’s Office; Anna Lusk, Register of Deeds; Derrial Gardner, Human Resources; and Mary Kay Hatchell, Clerk of Court as the winners of the quarter for the Customer Service Shining Star award. Ms. Gardner was not present during the presentation.

Ms. Doucett presented each recipient an engraved acrylic “Shining Star.” In addition, Ms. Matthews, Ms. Lusk, and Ms. Gardner, employees in the Administration complex, will each receive a prime parking space at the Administration Building donated by County Council.

Resolutions - Justin Michael Hall - Mr. Davis made a motion, seconded by Mr. Jeffcoat that the resolution be adopted.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Jeffcoat	Mr. Kinard
	Mr. Derrick	Ms. Summers

Mr. Keisler Mr. Carrigg
Mr. Owens

Irmo-Chapin Recreation Commission - Mr. Jeffcoat made a motion, seconded by Mr. Owens that the resolution be adopted.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Cullum Mr. Jeffcoat
 Mr. Owens Mr. Kinard
 Mr. Derrick Mr. Davis
 Ms. Summers Mr. Keisler
 Mr. Carrigg

Appointments - Prior to consideration of appointments/reappointments, Mr. Cullum stated he had received a letter from Mr. William Powers, Chairman of the Lexington County Assessment Appeals Board, notifying him of two vacancies that needed to be filled.

Museum Commission - Ms. Kelley Mintz - A motion was made by Mr. Davis, seconded by Mr. Derrick to reappoint Ms. Kelley Mintz to the Museum Commission.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Cullum Mr. Davis
 Mr. Derrick Mr. Kinard
 Ms. Summers Mr. Keisler
 Mr. Jeffcoat Mr. Carrigg
 Mr. Owens

Accommodations Tax Advisory Board - Mr. David S. Murray, Jr. - On behalf of Mr. Cullum, a motion was made by Mr. Owens, seconded by Mr. Kinard to reappoint Mr. David S. Murray, Jr. to the Accommodations Tax Advisory Board.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Cullum Mr. Owens
 Mr. Kinard Mr. Derrick
 Mr. Davis Ms. Summers
 Mr. Keisler Mr. Jeffcoat
 Mr. Carrigg

Bids/Purchases/RFPs - A motion was made by Mr. Keisler, seconded by Mr. Kinard that the following Bids/Purchases/RFPs (Tab Y, Z, 1, 2, 3, 4, 5, 6, and 7) be approved.

Mobile Filing System - Tab Products/Tennsco - Clerk of Court - Bids were advertised and solicited from qualified bidders for one (1) Mobile Filing System - Tab Products/Tennsco for the Clerk of Court's office. The additional mobile filing system will provide the needed file space for the Clerk of Court's records room. Three (3) bids and two (2) no bids were received. Staff recommended that the award be made to Tab Media Management as the lowest responsible bidder. The cost including tax and installation is \$9,325.00.

Request for Approval to Utilize Request for Qualifications Process for Minor Home Repair Program Consultant and Contractor Services - Community Development - Staff requested authorization to use the Request for Qualifications process in order to select the services of a qualified consultant and qualified contractors for the Minor Home Repair Program developed by the Community Development Department. The program will provide assistance with minor household repairs to low and moderate-income residents meeting program guidelines. The Community Development Block Grant (CDBG), administered by the US Department of Housing and Urban Development (HUD) will fund the program.

Due to the scope of the project, it is not practical or advantageous to write a comprehensive set of specifications that may limit our resources or restrict competition. In selecting consultations/contractors, other award criteria in addition to cost will be considered. A review panel will be responsible for reviewing and evaluating proposals based upon specific evaluation factors.

Five (5) Function Laptop Computers and Accessories - Various Departments - Staff recommended the purchase of five (5) Hewlett Packard laptops and accessories for various departments. The Hewlett Packard laptops will be purchased from Applied Data Technologies through State Contract Number 05-S6656-A11230 for a cost of \$9,004.70. The accessories will be purchased directly from the manufacturer (Hewlett Packard) through State Contract Number 05-S6656-A11230 at a cost of \$1,680.10. Total cost of laptops and accessories including tax is \$10,684.80.

Construction of South Congaree Branch Library - Library Services - Bids were advertised and solicited from qualified contractors for the construction of a 3,923 square foot brick veneer structure for the South Congaree Library. The base bid for the project included site improvements, tap fees, landscaping, and exterior lighting. The bid required, as an alternate, additional pricing for asphalt paving and concrete walks. Also included, as an option, was a deduct if awarded a combination of the Swansea and South Congaree libraries.

A mandatory pre-bid was held on August 02, 2006 in which eight (8) general contractors attended. Four (4) bids were received. Staff recommended the award of the contract to Edgefield Construction, Inc. in the amount of \$575,100. The total bid amount includes the base bid of \$547,600, asphalt paving and concrete walks in the amount of \$32,000 and the deduction of \$4,500 for the combination award.

Construction of Swansea Branch Library - Library Services - Bids were advertised and solicited

from qualified contractors for the construction of a 3,923 square foot brick veneer structure for the Swansea Library. The base bid for the project included site improvements, tap fees, landscaping, and exterior lighting. The bid required, as an alternate, additional pricing for asphalt paving and concrete walks. Also included, as an option, was a deduct if awarded a combination for the Swansea and South Congaree libraries.

A mandatory pre-bid was held on August 02, 2006 in which seven (7) general contractors attended. Four (4) bids were received. Staff recommended the award of the contract to Edgefield Construction Inc. in the amount of \$574,100. The total bid amount includes the base bid of \$550,600, asphalt paving and concrete walks in the amount of \$28,000 and the deduction of \$4,500 for the combination award.

Dell Computers, Monitors and Laptop - Library Services - A request was submitted for the purchase of thirty-one (31) Dell computers, twenty-nine (29) Dell monitors and one (1) Dell laptop to be paid with State Aid funds for Library Services. The purchase will provide new equipment for the libraries that will be constructed in fiscal year 2007 as well as replacement of existing machines. The equipment will be purchased directly from the manufacturer, Dell Computers, through State Contract Number 05-S6656-A11104. Total cost including sales tax is \$27,595.36.

Motorola XTS 5000 and XTS 2500 800 MHz Radio Batteries - Public Safety/Emergency Management - Public Safety/Emergency Management submitted a requisition for the purchase of eighty-four (84) Motorola XTS 5000 and seventeen (17) XTS 2500 800 MHz radio batteries for the COBRA Team. The batteries will be purchased directly from the manufacturer, Motorola, through State Contract Number OIR2002.07. The funds are provided through the Homeland Security Grant Program which require no County matching funds. Total cost including tax is \$6,117.26.

Computer Equipment - ROD System Development Project - Register of Deeds - A request was submitted by the Register of Deeds Office for the purchase of two (2) scanners, six (6) printers, five (5) DAC card readers, one (1) DAC card management system and various other components of used hardware from Team IA. The Register of Deeds has had a computerized Records Management and Document Imaging system in place with Team IA since November 1999 in which the contract will expire November 30, 2006. The Register of Deeds and Information Services have entered into a collaborative effort with Richland County to further develop and enhance the Records Management and Document Imaging software program already written and in production in Richland County. Total cost including sales tax is \$15,507.80.

One (1) New Caterpillar E-420 Backhoe - Solid Waste Management - Staff recommended the purchase of one (1) new Caterpillar E-420 backhoe for Solid Waste Management from Blanchard Machinery Company through State Contract Number 05-S6779-A11352. The backhoe is being purchased for the construction and demolition landfill. Total cost including sales tax, a 12-month full Caterpillar warranty, and a 3-year, 5,000 hour Power train is \$66,870.10.

Mr. Cullum opened the meeting for discussion.

Mr. Derrick stated he had spoken with both Ms. Doucett, and Ms. Sheila Fulmer, Procurement Manager, about the possibility of the County taking advantage of the tax-free weekend on the above bids and purchases.

Ms. Sheila Fulmer stated the County will be able to take advantage of the tax-free weekend on the following items: Item #3 - Five (5) Function Seven Laptop Computers (Hewlett Packard) - the County will be able to save \$400 and on Item #9 - One (1) New Caterpillar E-420 Backhoe - the County will be able to save \$3785.10.

Ms. Fulmer said because of different circumstances, the County will be unable to benefit a savings on the following items: Item #4 - Dell Computers, Monitors and Laptops - because Dell is closed the following Friday and does not deliver on the weekend, the County will not be able to enjoy the tax-free weekend because one must take delivery of the product on those days. Item #7 - Motorola XTS 5000 and XTS 2500 800 MHz Radio Batteries - the County is unable to utilize the tax savings because the purchase is part of a grant that specifies that funds must be encumbered by September 30th with the product delivered and invoiced within 45 days. Item #8 - Computer Equipment - ROD System Development Project - the County is unable to utilize the tax savings because the system has to be up and running by October 1.

Mr. Derrick commended Ms. Fulmer for working so diligently to determine what purchases could be purchased during the tax-free weekend in order to save taxpayers' dollars. In addition, Mr. Derrick expressed his appreciation to Ms. Fulmer, her staff as well as the Architects involved with the bids received for the construction of the South Congaree and Swansea libraries.

In Favor:	Mr. Cullum	Mr. Keisler
	Mr. Kinard	Mr. Derrick
	Mr. Davis	Ms. Summers
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

Chairman's Report - Mr. Cullum reported on Tuesday, September 12, he attended a celebration honoring Mr. Satch Krantz, Executive Director, of Riverbanks Zoo and Botanical Gardens for his 30-years of service.

Administrator's Report - Register of Deeds - HVAC System - Ms. Doucett stated the County has been in the process of getting architectural and engineering service quotes on the plans to go out to bid to replace the HVAC system in the Register of Deeds office. Quotes were received from Mechanical Design Incorporated and Vista Engineering, LLC. Vista Engineering, LLC was the low bidder at a cost of \$11,500. Ms. Doucett said in order to determine that the quote submitted by Vista Engineering, LLC was a reasonable cost, Ms. Fulmer checked the State Engineer Guideline Fee Schedule, which establishes a percentage of the total construction cost to determine if the architectural fees are reasonable. She said in this case, if the project were to cost the budget amount of approximately \$125,000, the Vista Engineering, LLC quote is within state the guidelines.

Mr. Derrick asked that Council postpone any action until after a legal briefing.

Mr. Cullum stated with all the problems that the Register of Deeds office is having with their HVAC system that he would like for Council to consider taking action tonight on getting the HVAC replaced.

Target Donation - Ms. Doucett stated that Library Services received a \$1,500 donation from Target Stores through their Community Giving Program for the Library's Reading Summer Program.

Builders' Information Central - Ms. Doucett recognized Community Development, Planning and GIS, and Public Works for their involvement in the Builders' Information Central sponsored by the Home Builders' Association of Greater Columbia for home builders, developers, engineers, etc.

Ms. Doucett said in Community Development's effort to continue to assist the public, builders/developers, etc. as they go through the development process, four additional brochures have been developed. They are: **Understanding the Landscape Ordinance, Residential Building Codes in Lexington County, Minor Home Repair Program, and Building Better Futures in Lexington County.**

Ms. Doucett said she has heard from several members of Central Midlands Council of Governments about the federal earmark that has been placed on the Lexington Connector Program, as well as to some improvements in the Town of Lexington. She said the CMCOG is asking that the County meet with them to discuss any matching programs that may be available to get these projects going.

Mary Kay Hatchell - Ms. Doucett stated, Ms. Mary Kay Hatchell, who was earlier recognized as a Shining Star is truly a "Shining Star." She said Ms. Hatchell will be undergoing surgery on October 6 to donate a kidney to Mark Phillips, two near-strangers who believe their two families were brought together by nothing short of a miracle.

Approval of Minutes - Meeting of August 22, 2006 - A motion was made by Mr. Davis, seconded by Mr. Owens to approve the minutes of August 22, 2006 as submitted.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Owens	Mr. Kinard
	Mr. Derrick	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Zoning Amendments - Zoning Map Amendment M06-11 - North of Bush River Road and South of Jimmy Love Lane, Columbia, SC 29212 - Announcement of 1st Reading - Mr. Cullum announced first reading of Zoning Map Amendment M06-11.

Zoning Map Amendment M06-13 - Brittany II Subdivision - Announcement of 1st Reading -
Mr. Cullum announced first reading of Zoning Map Amendment M06-13.

Ordinances - Ordinance 06-09 - An Ordinance to Impose the Provisions as Allowed by South Carolina Code Section 12-37-670 so as to Allow Improvements that are Completed on or Before June 30th to be Taxable for the Period of July 1st to December 31st of that Property Tax Year - 2nd Reading - A motion was made by Mr. Owens, seconded by Mr. Davis that Ordinance 06-09 be given second reading.

Mr. Cullum opened the meeting for discussion.

Mr. Cullum stated that the County is still communicating with the Department of Revenue for clarification of exactly how the ordinance will be implemented and the start date.

In Favor: Mr. Cullum Mr. Owens
 Mr. Davis Mr. Kinard
 Mr. Derrick Ms. Summers
 Mr. Keisler Mr. Jeffcoat
 Mr. Carrigg

Ordinance 06-11 - An Ordinance to Develop a Joint Industrial/Business Park in Conjunction with Saluda County - 2nd Reading - A motion was made by Mr. Jeffcoat, seconded by Mr. Kinard that Ordinance 06-11 be given second reading.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Cullum Mr. Jeffcoat
 Mr. Kinard Mr. Derrick
 Mr. Davis Ms. Summers
 Mr. Keisler Mr. Carrigg
 Mr. Owens

Ordinance 06-12 - An Ordinance Authorizing a Fee-in-Lieu of Tax Arrangement and the Amendment of Certain Existing Fee-in-Lieu of Tax Arrangements Between Lexington County and SCANA Corporation or of South Carolina Electric & Gas Company, or an affiliate of SCANA Corporation or South Carolina Electric & Gas Company and/or a financing entity of SCANA Corporation or South Carolina Electric & Gas Company - 2nd Reading - A motion was made by Mr. Jeffcoat, seconded by Mr. Davis that Ordinance 06-12 be given second reading.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Jeffcoat Mr. Davis
 Mr. Kinard Mr. Derrick

Ms. Summers Mr. Keisler
Mr. Carrigg Mr. Owens

Abstaining: Mr. Cullum *

* Mr. Cullum abstained from voting because his spouse is an employee of SCE&G.

Committee Reports - Planning & Administration, J. Owens, Chairman - Mr. Owens made a motion, seconded by Mr. Keisler to approve the following Committee items (Tabs A, C, and D) that were discussed during the afternoon Committee meeting and recommended to full Council for approval.

Gates Library Initiative - The grant request in the amount of \$37,780 is from the Bill and Melinda Gates Foundation that will benefit South Carolina public libraries. It will provide funding to replace computers originally granted by the Foundation's US Library Program in 1999-2000. There is no cost to the County.

Pictometry Project - The Pictometry is new ortho and oblique photography with coordinating software. An Administrative Budgetary Transfer in the amount of \$81,835 (\$45,000 from the US Geodetic Survey (USGS) is for income and expenditures related to the project that was recommended for approval. In addition, staff was asked to further work on the pricing options with other users.

Memorandum of Understanding (Software System Development and Use) and Intergovernmental Agreement and Software License, Register of Deeds Line of Business Software System - The Memorandum of Understanding is between Lexington, Richland, Sumter, Charleston, and Anderson counties for the sharing and joint development of software.

The Intergovernmental Agreement and Software License is for sharing of software for the Register of Deeds office between Lexington and Richland counties.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Cullum Mr. Owens
 Mr. Keisler Mr. Kinard
 Mr. Derrick Mr. Davis
 Ms. Summers Mr. Jeffcoat
 Mr. Carrigg

Justice, S. Davis, Chairman - Mr. Davis made a motion, seconded by Mr. Owens to approve the following Committee items (Tabs F and G) that were discussed during the afternoon Committee meeting and recommended to full Council for approval.

Worthless Check Unit Agreement - The Worthless Check Unit Agreement is an agreement between the County of Lexington and the Solicitor of the Eleventh Judicial Circuit for the purpose of processing worthless checks and to assist the victims of these cases in the collection of restitution in the County of Lexington.

Memorandum of Understanding With the Town of Pine Ridge - The Memorandum of Understanding is between the Lexington County Sheriff's Department and the Town of Pine Ridge to enhance law enforcement in Pine Ridge. The Memorandum of Understanding will allow the Sheriff's Department to patrol the portion of Bachman Road from the Pine Ridge Town limits southeast of Glenn Road to include all intersections, roadways, and those properties contiguous and adjacent to the above described road.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Owens	Mr. Kinard
	Mr. Derrick	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Health & Human Services, J. Carrigg, Jr., Chairman - City of Cayce and the City of West Columbia Automatic Aid Agreements - Mr. Carrigg reported that his committee met during the afternoon to consider Automatic Aid Agreements with the City of Cayce and the City of West Columbia. The agreements will allow for the cities to provide automatic fire services to certain areas lying outside the defined boundaries of the County service area and the municipal limits of their respective cities.

Mr. Carrigg made a motion, seconded by Mr. Keisler to approve the Automatic Aid Agreements.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Carrigg
	Mr. Keisler	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Ms. Summers	Mr. Jeffcoat
	Mr. Owens	

Mr. Cullum announced on Friday, October 6 at 9:00 a.m. in the atrium at the City of West Columbia Municipal Complex there will be a multi-jurisdictional signing of the Automatic Aid Agreements by Lexington County, Mayor Wilkerson, Jr. of Cayce, and Mayor Bobby Horton of West Columbia.

Public Works, B. Derrick, Chairman - Mr. Derrick made a motion, seconded by Mr. Jeffcoat to approve the following Committee items (Tabs O and 14) that were discussed during the afternoon

Committee meeting and recommended to full Council for approval

Town of Chapin - "C" Fund Request - The Town of Chapin requested an additional \$70,000 in "C" Funds in addition to their original request of \$36,250 for a total of \$106,250 to assist them in constructing approximately one mile of sidewalk from Chapin Road to Murray Lindler Road. The projected cost of \$316,238 is currently \$134,988 over budget. The Town of Chapin will fund half (\$70,000) of the overage from their funds. Funds will be provided out of the "C" Funds Special Project budget.

Through Truck Prohibition - Calvary Church Road - The through truck prohibition will prohibit large through truck traffic on Calvary Church Road between US Route 1 and US Route 6. Staff to request that SCDOT post the necessary signs. In addition, staff was asked to work on a policy for road closings that would include community involvement, SCDOT, and Council approval.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Jeffcoat	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Carrigg
	Mr. Owens	

Economic Development, J. Jeffcoat, Chairman - Ordinance 06-13 - Ordinance Approving the Conveyance of Real Property from the County of Lexington to Project Blue - 1st Reading - Mr. Jeffcoat reported his committee met to discuss and consider first reading of Ordinance 06-13 conveying approximately eight acres of real property from the County of Lexington to Accurate Therapeutic Supply, Inc., dba Accurate Mfg. Inc. (Project Blue).

Mr. Jeffcoat made a motion, seconded by Mr. Derrick that Ordinance 06-13 receive first reading.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Derrick	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Carrigg
	Mr. Owens	

Ordinance 06-14 - Amend Ordinance 95-12 and to Approve the Amendment of Agreement of Joint County Industrial Park of Lexington and Calhoun Counties and the Agreement Concerning SCANA Services, Inc. - 1st Reading - Mr. Jeffcoat made a motion, seconded by Mr. Davis that Ordinance 06-14 receive first reading.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Jeffcoat	Mr. Davis
	Mr. Kinard	Mr. Derrick
	Ms. Summers	Mr. Keisler
	Mr. Carrigg	Mr. Owens

Abstaining: Mr. Cullum *

* Mr. Cullum abstained from voting because his spouse is an employee of SCE&G.

Project Gas - Mr. Jeffcoat reported his committee met and discussed the Option to Sell and the Agreement of Purchase and Sale of approximately 180 acres to AEPLLC (Project Gas).

Mr. Jeffcoat made a motion, seconded by Mr. Derrick to approve the Option to Sell and the Agreement of Purchase and Sale of approximately 180 acres to AEPLLC at a cost of \$2,875 per acre contingent upon the County attorney's approval.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Derrick	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Carrigg
	Mr. Owens	

Amendment to Contract of Sale from Primint, Inc. and the Amendment to Contract for the McMahon Property - Mr. Jeffcoat made a motion, seconded by Mr. Derrick to approve the amendment to Contract of Sale from Primint, Inc. and the Amendment to Contract for the McMahon property.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Derrick	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Carrigg
	Mr. Owens	

Amendment of Contract - Loxcreen - Mr. Jeffcoat made a motion, seconded by Mr. Davis to approve a 60-day extension (November 17, 2006) on the Contract of Sale with Loxcreen Company.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Cullum Mr. Jeffcoat
 Mr. Davis Mr. Kinard
 Mr. Derrick Ms. Summers
 Mr. Keisler Mr. Carrigg
 Mr. Owens

Executive Session/Legal Briefing - Mr. Kinard made a motion, seconded by Mr. Owens to enter into Executive Session to discuss contractual and legal matters.

Mr. Cullum stated Executive Session will consist of six contractual matters, fourteen legal matters, and one matter relating to Bids/Purchases/RFPs.

In Favor: Mr. Cullum Mr. Kinard
 Mr. Owens Mr. Derrick
 Mr. Davis Ms. Summers
 Mr. Keisler Mr. Jeffcoat
 Mr. Carrigg

Mr. Cullum reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Council received some of the legal briefings and contractual matters during the Executive Session with one motion to be considered.

6:00 P.M. - Public Hearings - Zoning Map Amendment M06-07 - Amicks Ferry Rd., Timberlake Dr., Lake Estates Dr., p/o - Mr. Cullum stated the purpose of the hearing is to receive feedback in support or in opposition to the application for zoning change. He asked that each speaker provide name and mailing address and that comments be limited to three (3) minutes. He asked that if there was anyone present who had signed up to speak but chose not to speak, but wanted to concur with what had been said, it was acceptable to indicate concurrence. Mr. Cullum added that no one would be denied the opportunity to speak.

Mr. Cullum opened the public hearing and recognized Mr. Bruce Hiller, Development Administrator, Community Development.

Prior to Mr. Hiller's presentation, he indicated there are two public hearings tonight for zoning requests; Zoning Map Amendment M06-07 and Zoning Map Amendment M06-08. While Zoning Map Amendment M06-07 and Zoning Map Amendment M06-08 are separate zoning map amendments, they are very closely related. One may find that a lot of the comments from one pertain to the other.

Mr. Hiller pointed out that several e-mails received by Council referred to the rezoning of a particular parcel or piece of property and wanted to clarify that both of the Zoning Map Amendments are requests for street classification changes, which do affect the use of the property.

Mr. Hiller stated that the applicant, Ms. Brandy Frick, has requested a change in road classification of Amicks Ferry Road at the intersection of Amicks Ferry and Three Oak Lane (approximately 1450 feet) to the intersection of Amicks Ferry and Timberlake Drive. Also, the applicant requests to change a 700-foot section of Timberlake Drive starting at the intersection of Amicks Ferry and Timberlake ending at the intersection of Timberlake and Lake Estates Drive. In addition, the applicant requests a change of road classification of Lake Estates Drive starting at the intersection of Lake Estates and Timberlake, ending at the intersection of Lake Estates and Water Links Drive. He stated that Ms. Frick indicated on the application that the reason for the request is that the developer wants to construct 42 residential units on Lake Estates Drive. The parcel of land is 3.51 acres. Local Road classification will allow a maximum eight units per gross acre.

Mr. Hiller reviewed the maps and area by using a Power Point presentation.

Mr. Cullum opened the meeting for comments from those in favor of Zoning Map Amendment M06-07.

Mr. Rocky Archer, 107-B Virginia St. Ste #2, Chapin, SC 29036 - (Engineering Resources Corp.) - I am an engineer with that company, and I am here representing Mr. Mitchell Deutsch the owner of the property, also on behalf of Brandy Frick who could not make it who did sign the application as the agent for the owner.

Thank you for giving us the opportunity to speak this evening and present to you what our client has proposed in changing the local road to a collector road. And as you can see up here on the map, (referring to the map) it's just a little bit, a portion of it on Lake Estates Drive, and I do have here that I'm going to show for you, that the idea of going from eight to twelve would simply be a patio-home type development which is very congruent to the area already, and I believe there are already a few other residential type communities like that in the Timberlake area. I know probably most of you are not against or are not here for me, I can only imagine, but I do live in Chapin and I can understand your concerns. But wanted to show you this (proposed rendering of the development). It's not going to be something that would be against what is already out there. These are going to be simply patio homes, nicely landscaped and would have the opportunity for retired people to work there and retire and play golf. Simple as that. That said, we would like you to consider our request for the map amendment and would be happy to take any questions from the Council.

Mr. Jeffcoat asked, what price homes are these? What do they think they are going to sell for?

Mr. Archer replied, I don't know the answer to that.

Mr. Jeffcoat asked, are they going to be brick?

Mr. Archer replied, they will be fair-market value for the area.

Mr. Jeffcoat asked, are they going to be brick homes, framed, or do you have any idea?

Mr. Archer replied, I don't know the answer to that question either. I do know, that perhaps might be of concern, is that the owner of the property and the development once it goes in regardless of the size, that he is going to make a request to the Timberlake Homeowners' Association to be part of that group and thereby, if you do let him in, would give you the ability to speak for things that are going on in that community as well as abide by the restrictions and covenants that are already in place.

Mr. Cullum reminded the audience that the public hearing is not for public debate but to receive comments from those either for or against the request.

Mr. Cullum asked if there was anyone else who wished to speak in favor of the amendment. No response. Mr. Cullum closed that portion of the hearing.

Mr. Cullum opened the hearing for those in opposition of the Zoning Map Amendment M06-07.

Mr. George Duke, 637 Webster Point Drive, Chapin, SC 29036 - I am the president of the Timberlake Estates Homeowners' Association and in that capacity I'm going to go a little over my three minutes because instead of having everybody sign up to talk, they have agreed to let me talk for them, which is highly unusual.

First of all, I was not prepared to address the buildings. I was going to address the density issue. As far as the building concern, I disagree with the young man who just spoke. There are no homes or patio homes in Timberlake Estates that do not have garages and his drawings show 106 parking spots which is totally not in congruence with the rest of Timberlake Estates.

Let me start with Zoning Ordinance Chapter 2, Section 22 which I have read over and over and probably still don't have it right. But as I read collector, it is defined for high volumes of traffic from arterial to local. Timberlake Estates Drive is 99%, homes that are 99% in the RL4 district. All these roads that go off Lake Estates Drive, its about three miles. This is about 1000 feet in here (referring to the map). Every one of them dead ends at the lake. So the only people that use those roads are the people who live there. As a matter of fact, this road is used by a lot of walkers. So, a lot of people pushing their baby buggies and things like that. So it is only residential traffic. Even though Timberlake Estates is zoned RL4, typically there are two homes to the acre and not four. So we are not comparing eight or twelve to four, we are comparing eight to twelve to two homes per acre. So the typical home in Timberlake Estates is on 4.24.6 acres. So it is totally out of phase with the rest of the development. And in addition to that, it's at the front of our development so as you come into it, the first thing you see would be what the young man proposed. It seems unreasonable that the residents would have to put up with a high density strip when 90% of them or 99% of them have all bought into the RL4, bought the nice homes and all that.

All the homes in Timberlake Estates have garages. All the homes in Timberlake Estates have 2000

square foot minimum and a 1400 square foot footprint. I don't think you can get 42 homes with a 2000 square feet, 1400 foot footprint. So as far as becoming a part of our homeowners' association, I don't think that will work. We have rigorously enforced architectural guidelines and rules of behavior such as trash cans have to go back the next day and we enforce these rules. No trailers in driveways; no cars parked in the street overnight. We have a bunch of rules. People bought in there, knowing these rules and abide by them. We just revised the rules in April so that everybody who did move in has got a say in agreeing that we want a tightly run community.

There is documented proof that when high-density homes go into an area, it has an impact on a lot of things. There is impact on infrastructure, negatively, and it has an impact on the value of the homes that are already there. It covers fire, schools, law enforcement, and roads which are a concern to everyone. Anyone who's going out Amicks Ferry Road knows there is no place to pass. It is a very dangerous road, and we are looking at a lot of development; I understand that. Development that comes with homes, like the homes that are there now, is not as quick as overnight popping 42 homes in there.

I can see no compelling reason to dramatically increase the density of what's being proposed. The only reason would be to make an out-of-state developer some money. I don't think it has a favorable impact on the tax base compared to what it would cost to cover the infrastructure, and I don't think it has any favorable effect on any of the current or prospective residents of Timberlake Estates. We in the Estates still have some 60 lots to be developed. Those people don't come to these meetings, but those people have a vested interest in those properties.

As far as our bylaws and architectural guidelines, as I said, they are rigorously enforced, they are self-imposed, they are self-regulating, and we did that to keep down trailers, and boats, and cars and things that you see in high-density subdivisions that are without garages that are just offensive.

Another thing I want to point out that is kind of insidious in this, is that if you change this to collector, you also change this and this which means these lands here, and these lands here, and these lands in here (referring to an area of the map), in the event something happened to the golf course, let's say it goes under, let's say some developer buys it, they all could have high-density housing because they would tap off this street, right here, this is the 11th hole, this is the 17th hole, this is the end of the 7th hole and 8th hole (referring to an area of the map). They could cut roads in there because it's now collector, it could be all high-density development. And that's about all I can say except in summary, we in the Timberlake Estates, Timberlake Plantation, are adamantly opposed to higher density within our subdivision. Thank you very much.

Mr. Clark Weber, 718 Cove Trail, Chapin, SC 29036 - I am currently the Chairman of the Board of the Timberlake Plantation Property Owners' Association, and I am here tonight to speak on behalf of our 300 property owners, many of whom are here tonight.

We in Timberlake feel that the request to rezone this piece of property, which is in the very heart of the Timberlake community, to collector zoning is totally inappropriate and it is totally out of place

in this community. Collector zoning allows a maximum of 12 housing units per acre. This is high-density housing. To put high density housing in the middle of Timberlake, which is a community of high property values and single-family homes, is totally inappropriate and is absolutely the wrong thing to do. The homes that are currently on Timberlake Estates Drive and Timberlake Drive are all high-end single-family homes that sell in a price range of \$400,000 to over \$1 million for the lakefront properties. To put high density, and it is going to be lower income housing on these streets in this neighborhood, would dramatically change the character of the whole Timberlake community, a change that would definitely not be for the best. It will also have a negative impact on property values; property values that currently pays some of the highest property taxes in Lexington County. There is also plenty of undeveloped land in the Chapin area where this type of housing could be put. You don't have to put this type of housing in Timberlake. All you have to do is drive down Old Lexington Highway or Amicks Ferry Road to see there is plenty of housing out there where you could put this type of thing. I guess in summary, we the 300 property owners of Timberlake Plantation respectively request the County Council here to reject and deny this application to zone this property to collector. Also, one other thing is that the Lexington County Planning Commission will be making a separate recommendation to the County Council on this zoning request. We hope that the Planning Commission is going to have an open public meeting when they discuss this issue so we can be there to voice our objections. Thank you.

Mr. Hiller stated that the opportunity for public comment is tonight. What we do for the Planning Commission, is that I make this very same presentation to them and we do a summary of the comments that are made for and against and present that to them. It is a public meeting to attend, but not an opportunity for a public hearing again. That opportunity is here tonight.

Mr. Carrigg stated for the record that every seat is occupied and everyone is against Zoning Map Amendment M06-07.

Mr. Jeffcoat stated so that everyone understands the procedure, the Planning Commission's responsibility is to make a recommendation to County Council, but County Council has the final say.

Mr. Cullum stated that if anyone had any questions about the procedure after tonight's public hearing that Mr. Hiller and his staff would be available to answer questions.

Ms. Kathie Scott, 841 Island Point Lane, Chapin, SC 29036 - I am just speaking as a homeowner in Lake Estates tonight. Two and one-half years ago, my husband and I moved here. When we moved here it was recommended to go look at Timberlake. We drove out Amicks Ferry Road, and I remember saying to my husband, this is way too far. We got to Timberlake Drive, we turned in, and we said, Oh my gosh, this is beautiful here, and we never looked at another development.

If this high density is approved, there will be no one who drives into Timberlake Drive and has the impression that my husband and I had when we moved here. The homes in Timberlake and Lake Estates have maintained a standard. You look at the landscaping, the homes, the care and pride the people take in that community. It speaks to itself, and it stands high and above any other

development that I have seen in this area.

If we allow high density to come in here, not only for this particular development that is being proposed but, if you allow it, then as it was stated before, it opens it up for any other property that becomes available and you totally disintegrate the level and quality of the community that we have and for which we pay significant taxes to live in and appreciate the beauty of that area. So I speak for my husband and myself, I think I speak for my neighbors as individual homeowners to say that we are very, very much opposed to this and that we are opposed to taking and having the opportunity for someone to come in and integrate a development, a high-density development, into an already established neighborhood. It doesn't make any sense to us. Take that development and put it somewhere else. This is already an established community and we are very much against having someone come in and try to integrate into it. So, I appreciate the opportunity to say that.

Ms. Kathleen Wood, 204 Bay's End Court, Chapin, SC 29036 - I am going to read tonight because I have so much I want to say, and I just won't get it all out.

Thank you for giving me the opportunity to discuss a few concerns I have regarding the collector map amendment. I am president of the School Improvement Council at Chapin High School. Because of the large influx of development, both high-density residential and residential in the Chapin area, our enrollment has increased to 1200 students at Chapin High School. Chapin High School was built in the early 70s for an enrollment of 400 to 500 students. We have basically tripled and with very few adjustments or very few building additions.

Dutch Fork presently has about 2400 students. We have 19 new developments planned for the Chapin area and I am very concerned because several of these are high-density duplex-style units, patio-courtyard units, and what some people call, starter homes with intentions of more than 100 units per development. These usually end up becoming rentals which people stay in for six months to a year and then they are gone. There is really no commitment to having stake in our community or schools from the developers or usually the renters. It seems like Chapin, and down Amicks Ferry Road has become a place just to put patio homes or, I guess you can almost say, disposal units, and I hate to use that term, but after five years they tend to not look as pretty as they may have been in the beginning. Because of the quick progression of these developments, we have not been able to catch up with our student population in the Chapin cluster. We have a serious problem at Chapin High School. We are very overcrowded and I'm sure you have heard every school is overcrowded, but let me give you some examples.

We are busting at the seams with almost 20 portables. As well, we are decreasing the physical size of the classrooms but adding more kids in them. We have children who either do not get to eat lunch because the line is too long and they run out of time, or once they get their lunch, they have to eat on the floor because there is nowhere for them to sit. I'm not trying to tug at your heart strings, but it's very true. With all the developments we have coming in, we're struggling with what to do. Another issue regarding, which is a very important issue to me, is we have one fire station on Amicks Ferry Road and I went and talked to some of the EMTs yesterday. There have been

approximately 15 very serious accidents along Amicks Ferry Road. There also have been other accidents along Amicks Ferry in the Timberlake area which did not require emergency care, but did require a policeman to come out and take care of things. But, there are also accidents there that never get reported. Someone lands in the ditch and they call the tow truck to come and get them out because they don't want to have that insurance issue.

Presently, if you do the proper speed down Amicks Ferry Road, if you leave the Timberlake area, it takes you 20 minutes to go seven miles. Then another ten minutes to get into town to drop my kids off at school. You would think that we are living in Atlanta right now. I didn't expect that. Now with all these proposed developments, especially 42 units, that'll be, what you can figure two cars a person, 84 additional cars on the road.

The infrastructure and schools are not able to keep up with the developments. I would like to appeal to you, the Lexington County Council, as well as the Zoning Administrator, the development division, and Planning Commission to please put a moratorium on high-density residential developments in and around Chapin, especially the Amicks Ferry Road area. We all need to be aware of the problems developing too much at once brings. We need to be proactive instead of reactive. By placing a moratorium on future developments, we could all work together to improve and enhance the area by providing utilities, schools, roads, just to name a few, to keep things updated and to get caught up. I consider safety and children's education and welfare to be a priority over any development any day and I hope you do too. Yes, I am a homeowner in the area, and I am very concerned about setting a precedent for a collector road classification in and among \$300,000 homes on up to over \$2 million and I would appreciate if you would seriously consider not approving this amendment. Thank you very much.

Mr. Cullum asked if there was anyone else who wished to speak in opposition of Map Amendment M06-07.

Mike Lawhead, MD., 528 Ramblewood Lane, Chapin, SC 29036 - I am a physician and my speciality is emergency medicine. As I sat here and looked at all this and watched everybody talk about it, my biggest concern is bodily injury, the danger that this proposes. I have four children and we traverse this area regularly. This is going to become a virtual drag strip once this comes in here. I personally think they ought to turn it into a nice little park and we could pay money toward that and give them some money for that, but I really think in this situation, if you look (referring to the map), I live on this end of Lake Estates and my children and I walk regularly; we ride our bikes. This is a dangerous situation and I'm talking about human lives here now as opposed to the other aspects the people have addressed here today. And as a doctor, in particular as an emergency doctor, I know that auto-pedestrian is an ugly sight and this is what we are looking at here. This is the danger and this is the real crime here today. This will be on everybody's conscience, this is a very dangerous situation and you cannot deny it. So from my prospective as a physician, I was listening to all the other comments but really that to me is the crux of the matter, is protecting our children here in this community and I've got four children and I plan to stay and live in Timberlake, but this is a crisis situation and I believe it poses a danger. Thank you.

Scott Rhodes, 613 Webster Point Drive, Chapin, SC 29036 - Prior to Mr. Rhodes presentation, he presented Council with maps and pictures for their review.

I would like to leave this with you because if you look at the access of what it takes for working families to get out of Chapin, out of this area, there is only one interstate. You are funneling a huge area, larger than the city of Lexington, larger than, in fact I superimposed this area on a Lexington map just for curiosity to see how big it is, it goes all the way out pass Red Bank into a single traffic light with two lane roads. It takes me on mornings to go to work 1.6 miles of Chapin at 3 miles an hour to get pass the high school. That is what it is today. We are not talking about new developments. We are talking about what it is right now. And I think until you address the infrastructure, and that was brought up by the young lady who spoke before, and that's to address this infrastructure. You have a tragic situation going to happen where homeowners are going to be denied sales of their homes because people aren't going to want to live out there. And I have my whole investment in Timberlake as my home is a major investment for everybody and I certainly don't want people that would come by my home and go, Oh, I don't want to buy there because I can't handle the traffic in and out of there. Just think about all of Lexington funneling to the intersection of Old Chapin and Old Cherokee and that's pretty much what you would have. And this situation with the infrastructure has got to be handled before any further development in this funnel area, which is in this map that I laid out, gets approved, I think it would be unwise to continue to throw homes into a situation without addressing the infrastructure of the schools. My daughter goes to the high school there, spends a lot of time in portables. I would appreciate you declining this.

Mr. Bill Sims, 102 Lake Vistas, Chapin, SC 29036 - I appreciate everybody's time. I am a latecomer because I've never been here before so it must be a serious issue to drag my butt out here from Chapin. It looks like it was for some other folks. So forgive me if I repeat something that has already been said. Is everybody aware that it takes a good two hours a day for my two little girls on the bus to get to school each way. So that's four hours a day out of their day that they've got to double up with other kids because they don't have enough school buses. How much homework can they get done on a bus with diesel fumes? I just think we are way past the limit on development at Amicks Ferry Road so I am definitely in opposition of the rezoning.

Marcie Ann Smoak, 424 Lake Estates Drive, Chapin, SC 29036 - I want to thank you for this opportunity to speak, and I will make it short. My husband and I looked forward to building our retirement home for seven years. We chose this area because of the beautiful community that Timberlake is. I cannot believe that a group of town homes and 106 cars parked at the entrance to this beautiful area plus boats and wave runners and whatever else could possibly continue to make Timberlake the area that it has been for the last 20 to 30 plus years. Please consider the impact that this will make on Timberlake Estates. We moved from Charleston for this reason, for this exact reason and we love Timberlake and we would like to remain. Thank you.

Rebecca Dixon, 631 Timberlake Drive, Chapin, SC 29036 - A year and a half ago, I looked at 23 homes in Lexington County. I chose our home in Timberlake because I didn't have to drive through, around, pass trailers, apartments to get to the home all in the same financial price range because I

consider this a huge financial investment on our part and the home we decided on is around lake homes so it will maintain its value and increase in value for our future retirement here. And the one thing that concerns me, you have a lot of people that are here, but a lot of us went to that other change, that dock change, that was up for that other development where they changed the zoning or the dock space issue. I was so disappointed to get a certified letter in the mail that said the dock issue was going to be changed on Lake Murray because I consider these things are all precedent setting in our county and on our lake. And when you look at the precedent that we are setting by changing the zoning to allow this to go on and to occur, this is a bigger issue than just Timberlake. It is a precedent setting issue and that's what concerns me is that we start changing or setting precedent that we can't defend in the future. We have to almost make the same decisions in the future and that's what kinda worries me. I look at our financial investment; we plan on retiring here. We plan on staying here and we chose our home out of 24 homes that I looked at based on the surrounding area and the maintaining of that financial investment. I appreciate your time. I appreciate you hearing all of us, and I'm sorry I did not sign up, I got here late. I got lost.

Mr. Cullum closed the public hearing.

Mr. Jeffcoat expressed his appreciation to everyone for their presence and letting the rest of Council know their feelings and noted that he had received a lot of letters, e-mails, and phones calls. He thanked Mr. Duke for giving him a tour of Timberlake and the property that is being discussed tonight and can understand why the residents are upset about having cluster homes being put in the entrance of the beautiful neighborhood. He said he is totally against the change (rezoning) and has talked with several members of Council seeking their support and feel pretty confident that they will support him in denying this request. Mr. Jeffcoat stated he appreciates the opportunity to serve as the Council representative for the Chapin area and has not forgotten the reason he ran for the office and that is "to be your voice." Mr. Jeffcoat reiterated that this is probably the largest crowd that we have ever had in these Council Chambers.

Zoning Map Amendment M06-08 - Lake Estates Drive (Intersection of Timberlake Dr. To Water Links Dr.)- Prior to opening the public hearing, Mr. Cullum asked that Mr. Hiller, Development Administrator address the process by which zoning requests will follow.

Mr. Hiller stated that the Zoning Ordinance allows for any interested party to file requesting a map amendment. He indicated the applicant does not have to own the property or be in the community, etc. but there is a filing fee. The ordinance requires three readings and a public hearing. The first reading is by Title Only, which is to formally introduce the proposed amendment. There will be no formal presentation, discussion or vote taken at that time. The next step is the Public Hearing. At the public hearing, County Council will seek information from proponents and opponents of the amendment request through the public hearing process and for the Zoning staff to be able to convey the feelings that are expressed to the Planning Commission when they meet to make a recommendation to Council. The next step is to the Planning Commission for recommendation to Council. After that, the amendment is placed in the Planning and Administration Committee for a recommendation to approve or deny the request to full Council. If approved, it will then be placed

in the 4:30 Council meeting for second reading. If that proceeds, then third and final reading. For any amendment to be approved, it requires three full readings. For an amendment to be denied, it only takes two. It can be denied at second reading.

Mr. Cullum stated after the public hearing, the request will go to the Planning Commission on October 19 for a recommendation. After that time, it will be presented to the Planning and Administration Committee on October 24 for their recommendation to full Council during the 4:30 Council meeting that evening.

Mr. Cullum recognized Mr. Bruce Hiller, Development Administrator, Community Development.

Mr. Hiller stated that the applicant Mr. Duke has requested that Lake Estates Drive (intersection of Timberlake Drive to Water Links Drive be reclassified from Local (L) to Residential Local Road (RL4).

He stated that Mr. Duke indicated on the application that the reason for the request is that all other residential construction on Lake Estates Drive is two houses per acre.

Mr. Hiller reviewed the maps and area by using a Power Point presentation.

Mr. Cullum opened the meeting for comments from those in favor of Zoning Map Amendment M06-08.

Mr. George Duke, 637 Webster Point, Chapin, SC 29036 - Some of the things that I'm going to say may be repetitive from what I said last time. As Bruce says, it does overlap. Ninety-nine percent of Lake Estates Drive is probably two and one-half, three miles long. That road itself and the feeder roads out of it goes up into another subdivision called Lookout Pointe. These are all dead end roads. As Mike mentioned before, a lot of traffic walking on this road. Timberlake Estates, four homes per acre. I mentioned that before. Actually there are more like a third to half acre. More like two houses rather than eight houses. What we wanted to do, this is not the first time I have been before you on this subject, is to make Lake Estates Drive from our entrance sign, which is at Timberlake Drive all the way down, was to make it consistent. To make the whole road the same and hopefully by doing that, we would encourage development at that part like the development in the rest of Timberlake Estates.

My interpretation of Section 22 of the Zoning Ordinance, and this may be my interpretation, but this is what it says to me. That if over 50% of the properties are one thing and, in this case RL4, then the remainder of the property should be consistent, access limited to this type of development. To me that is how I read Section 22 of the Zoning.

All the roads in Timberlake Estates are RL4, all roads that connect there are RL4. Again, we worked hard to maintain these. The entrance, the part where no houses are, (referring to the map) this part in here has been maintained and street lighted by the citizens who live in Timberlake Estates. We

maintain the rights-of-way. We mow it. We pay for the street lights and have for the last ten, twelve, fifteen years. Basically we consider that any density that is higher than RL4 would degrade the value of the properties on the rest of that street. The people in Timberlake Estates, the people in the Timberlake subdivision, the people at the Timberlake golf club and the owner of the bulk of the undeveloped property, which would be on the north side of that road, all agree that it should be RL4. Basically to have nice homes. The golf course people want it so the golf course is surrounded by nice homes. And that would mean that you could put, I think 12 to 15 homes in the area they have in question. Again, I want to make a picture. Our covenants and bylaws are very restrictive, they are very well enforced and all this goes to make our homes better. A better investment for us and a better investment for the county. The fact that everybody who lives in there, and now there are roughly 200 families living in there now, all have to use this road to get in and out. They also use it, as I said, for baby joggers, regular joggers, walkers, bicycles, the whole thing. So it is very much a community road. Any zoning that would be more dense than RL4 would be totally unacceptable to us and I ask that you approve the zoning amendment that Timberlake Estates has proposed. Thank you very much.

Mr. Clark Weber, 718 Cove Trail, Chapin, SC 29036 - This is a surprise to me. I think George wrote my name on that list. We are a sister community to Timberlake Estates. We think it makes perfect sense to have all of Timberlake Estates Drive zoned the same way, and we think the people in Timberlake Estates ought to have the right to make that decision. If you go down Timberlake Drive, which is in Timberlake Plantation, that road is almost all RL4. This is just making it all the same and it will help prevent another developer coming in looking at that piece of property and seeing it is eight and trying to take it to 12 and we'll be back here doing this same thing all over again. So, I support that 100 percent. Thank you.

Mr. Cullum asked if there was anyone else who wished to speak in favor of the amendment.

Mr. Lowell Schultz, 857 Island Point Lane, Chapin, SC 29036 - 857 Island Point Lane is just off Lake Estates Drive. I would like to reinforce everything that George presented so well and reinforce one issue that he mentioned earlier. We all moved out here because we loved the golf course, we loved the lake, we loved the country. The county in its wisdom, I don't know if it has passed yet, but you are in the process of changing the zoning so that where golf courses go bankrupt and will cease operations as a golf course that the property then, if there is housing in that area, the golf course will be the zoning of that area. And one of the things I would like to point out in your wisdom, that was very smart, and I would like to point out that in this particular section of property, if it is left as RL8, that section (referring to the map) in there that you see behind which is part of the golf course, which is the lower portion of that road, would then be prime target to become all RL8 and would increase the traffic density tremendously through the access road there on Lake Estates Drive. So we think there are a lot of very good reasons why this should be decreased to a lower density for the consistency with the rest of the communities and thank you for hearing us.

Mr. William Fleming - 538 Water Oak Trail, Chapin, SC 29036 - I am here with my wife, Susan Hurst. I suppose I have a little short statement then I have a question; I'm not sure who to address

it to. My wife and I moved here after looking in North Carolina and a number of places, Georgia, and we liked this place the best and so we retired here. I have owned three homes. I am in my third home in Timberlake Estates. I own two other lots which we are going to build on shortly and I will own my fourth home, I hope for the last time. I live (referring to the map) right here, Hole #10 on the golf course, this is Hole #11, and I live just north of there on Hole #12 currently. My question is this. If this road (referring to the map) zoning is changed on this road to prohibit what this developer wants to do here, there is a road that comes into Fairway Oaks above here called Three Oaks Drive. Is there some way if you deny him the zoning here that he could somehow put an entrance in from the other end and leave part of this land vacant and still build a development up there along Amicks Ferry Road? Maybe I need to address that to the Planning Commission but that is one thing that concerns me because we are talking about only the south end of where he proposes to build. Is my question clear?

Mr. Cullum stated that Mr. Fleming may need to talk with Zoning staff to have his question answered.

Mr. Fleming replied, I guess my question is, if he is denied this request, does it apply for the entire length of Amicks Ferry until you get to the next street up, which is Three Oaks Lane.

Mr. Cullum stated he did not know the road classification.

Mr. Hiller asked Mr. Fleming to restate his question.

Mr. Fleming replied, if this road (referring to the map) is changed, the south end of public property which is being developed, what happens if you want to build on the north end Is there anyway he can still get

Mr. Hiller stated if he understood the question correctly, Amicks Ferry, Three Oaks Lane, is also currently a local road classification. If this portion (referring to the map) of Lake Estates Drive changed to an RL4, you are absolutely right. Referring to a large portion of land, Mr. Hiller said it would then be allowed to be developed at the eight dwelling units per gross acre because it has access off Amicks Ferry and Timberlake Drive.

Mr. Fleming replied, so the answer to my question is then somebody needs to apply for Three Oaks Lane to be reclassified. If you rezone only the south end, is it not also necessary to rezone the north end of the property to be compatible with the request that George is making for the south end of the property?

Mr. Hiller replied, that's a good point.

Mr. Fleming replied, the answer is yes, it needs to be rezoned as well.

Mr. Hiller replied, if that is the desire of that community to change Three Oaks Lane to an RL4 to

prohibit access coming down, but again, you are speaking as if the golf course were to go under which would allow that property to come through. Mr. Hiller asked if there is a desire to file an amendment, to please contact his office.

Mr. Cullum asked the audience if there are any individual questions, to please contact Mr. Hiller.

Mr. Cullum asked if there was anyone else who wished to speak in favor of Zoning Map Amendment M06-08.

No response. Mr. Cullum closed that portion of the hearing.

Mr. Cullum opened the hearing for those in opposition of the Zoning Map Amendment M06-08.

Mr. Rocky Archer, 107-B Virginia St. Ste #2, Chapin, SC 29036 - (Engineering Resources Corp.) - Obviously I would be remissing my duty if I did not oppose the map amendment going the opposite direction and would like to point out that while, even if you don't make the change from local to collector, that changing it to RL4 would drastically change the use of the land which I don't think would hinder our client much in the first place. But secondly, I think I would like to ask the audience to promise to not throw tomatoes at me at the Bi-Lo when you see me.

Again, thank you for your time and attention. I know you will make the right decision.

Mr. Cullum asked if there was anyone else who wished to speak in opposition of Map Amendment M06-08.

John Denise, 124 Quiet Cove, Chapin, SC 29036 - I find myself surprisingly here in opposition to this amendment because I do live there, want to protect Timberlake like everybody else does. It's the reason we came here over other places like several other people have said. The last time I was here at County Council I was also proposing a more restrictive zoning and I want to pose this one on the same principle in that, and by the way, I opposed the other zoning amendment as well. I don't want them rezoning it for higher density, but I oppose this amendment for the reason that I think it is a dangerous precedent for us to set. Somebody else talked about precedent in rezoning land against the owner of that land's wishes. It is just a slippery slope to start going down when counties can start changing the use of things against the owners' wishes. So, what I would like to say to the whole crowd here, because I think several things have come up that are important. One being the golf course. It is an integral part of why we all moved to Timberlake and that it's all in our best interest to do what we can to make sure that it remains a golf course that it becomes a viable club, and so what I would like to suggest to everybody here is that we all get together and take the actions that we need to take as a community to make sure that we can protect that and as the one gentleman said, I would like to see that become a park, and if that's what we want to do, we ought to do that. I mean there's enough people here supporting it. We all have enough invested in Timberlake. I think we all have the financial means that we ought to together, if we are all that concerned about it, we should buy these lands and do what we want to do with these lands and if that involves buying

the golf course, or buying that land wanting to put a park on, that's what we need to do rather than try to use the system and the courts and the County Council to do zoning. If we buy it and the neighbors own it, we will never have another one of these meetings. Thank you.

Mr. Cullum asked if there was anyone else who wished to speak in opposition of Map Amendment M06-08. No response. Mr. Cullum closed the public hearing.

Mr. Cullum announced a five-minute recess for those attending the Zoning Map Amendments to leave prior to the next public hearing.

Mr. Cullum reconvened the meeting.

Ordinance 06-12 -An Ordinance Authorizing a Fee-in-Lieu of Tax Arrangement and the Amendment of Certain Existing Fee-in-Lieu of Tax Arrangements Between Lexington County and SCANA Corporation or of South Carolina Electric & Gas Company, or an affiliate of SCANA Corporation or South Carolina Electric & Gas Company and/or a financing entity of SCANA Corporation or South Carolina Electric & Gas Company - Mr. Cullum opened the public hearing for comments in favor of Ordinance 06-12. No comments were received.

Mr. Cullum opened the public hearing for comments in opposition to Ordinance 06-12. No comments were received.

Mr. Cullum closed the public hearing.

Register of Deeds HVAC System - A motion was made by Mr. Derrick, seconded by Mr. Owens to approve staff's recommendation to hire Vista Engineering, LLC to do mechanical design for the Register of Deeds HVAC system.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Owens	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Budget Amendment Resolutions - The following BAR's were distributed and signed.

A supplemental appropriation increase in the amount of \$37,780 to appropriate the Gates Foundation funds for Library public access computers.

A supplemental appropriation increase in the amount of \$9,300 to appropriate donated funds for the Judicial Center Fountain project.

A supplemental appropriation increase in the amount of \$136,436 to cover the increased bid construction cost over what was budgeted for the Swansea and South Congaree projects plus a small cushion for unexpected costs that may subsequently arise based upon bids received August 16, 2006 from Edgefield Construction, the low bidder.

An appropriation transfer of \$100,000 for funds to be used to purchase an opening day collection for the new South Congaree branch. Supplemented by funds received from the Lottery.

A supplemental appropriation increase in the amount of \$118,546 to appropriate State Lottery funds allocated to the County. \$100,000 to go toward the South Congaree Branch and \$18,546 would be used to purchase computer related hardware, software, software licenses for the South Congaree and Swansea libraries.

Mr. Carrigg stated that he thought that all funds for the libraries had been previously appropriated.

Ms. Doucett replied, these are additional funds that we did not have when the original budget was done for Library Services.

Mr. Carrigg asked if these additional funds are on top of what has been appropriated?

Ms. Doucett replied, yes. There was one Budget Amendment Resolution that was reallocating some funds and then there were additional ones that were appropriating new funds.

Mr. Cullum questioned the Budget Amendment Resolution for \$136,436 for increase in construction costs.

Mr. Dan MacNeill, Director of Library Services, replied the bids received did come in higher than the budget, but what Library Services has done is to move the funding for these projects from the Gaston Branch Library project. This had been discussed back in January when final approval was done for the building projects, and this was agreeable to the Gaston Community to do this.

Mr. Kinard stated it was his understanding that at the point Council approved the original \$2,000,000 was that we had them in priority order. The Gaston Library was at the end and whatever funds we had left would go to the improvements there. He said he is in the process of working on additional funding through the State in order to make up the shortfall. So at this point, we are trying to get one built that we have the money for.

Mr. Carrigg said the question he is asking is, we already appropriated the money to build everything but we are now appropriating additional funds

Mr. MacNeill stated Library Services is just transferring money from within the \$2,000,000 to cover the construction costs. Money will be taken from the Gaston project and put into the South Congaree and the Swansea branch projects.

Mr. Carrigg said the way he understood the Administrator to say was that it was Lottery funds coming in, that she said “additional appropriation.”

Mr. MacNeill stated in the very original proposal that the Library presented it was close to \$3,000,000 and that was when we were looking at 6,000 square foot buildings, etc. We also had in there an “opening day collection” for South Congaree, because it does not exist now. Swansea will move its collection to its new branch. So you have to have material books, tapes, etc. in there. We had a little over \$200,000 in there for an “opening day collection.” That was deleted when Council appropriated \$2,000,000 for the construction costs for all buildings and what the Library Board was looking at is coming up with another source of funds partly from a contingency item that we (Library Services) have in our regular budget, \$216,000.

Mr. Carrigg stated he was not worried about “opening day collection” but the additional cost.

Mr. Cullum stated for clarification from Mr. MacNeill’s comments is that Council appropriated \$2,080,000.

Mr. MacNeill said the appropriation was \$2,000,000 and the actual budget was \$2,080,000.

Mr. Cullum asked if these funds in question are in additional to the \$2,080,000.

Mr. MacNeill replied, no.

Mr. Cullum stated it was his understanding that Council had agreed to appropriate \$2,080,000 to construct the Chapin, Swansea, South Congaree, and Gaston libraries and that the Gaston Friends of the Library agreed that they would stay at the end if we would leave their library in place.

Mr. MacNeill replied, that’s correct.

Mr. Cullum asked, are we spending any money outside the \$2,080,000 budget?

Mr. MacNeill replied, not for construction of the buildings, no, sir.

Mr. Cullum stated, that is all I care about.

Mr. MacNeill said the lottery money deals only with the “opening day collection” of books and material.

Mr. Cullum stated we have a couple of fire stations we are going to build and is getting really, really irritated with this business about we take bids and it always increases out budgets. He said he will begin asking and calling a few commercial contracts to find out how many of those are building commercial projects in the region and how many of them are exceeding budgets, 10-20-30 percent. It seems like the government buildings are the only ones getting these big 30 percent increases.

Mr. Derrick said it is a lot of that going on. He said his company just bid a job (a school job) that went over the budget by 15 percent.

Mr. Cullum stated that is a government job. He said he is talking about private industry; people that are building and paying bank notes on.

Mr. MacNeill said he read an article in the US Construction Related Price Indices that says that “nonresidential construction from July 2005 to July 2006 increased 10.6 percent.” The increase in the libraries projects was 10.5 percent over that same period. So it matched the increase in general cost.

Mr. Cullum stated, we have a Sheriff’s Office being erected that increased 30 percent and is real curious of increases for the fire stations.

Mr. Owens stated if you appropriate funds this year and don’t build for two or three years, you’ve got a problem.

Mr. Derrick stated for clarification that the \$136,436 will be shifted from the Gaston Library project to the Swansea and South Congaree projects. It is not an additional appropriation.

Mr. MacNeill replied, correct.

Mr. Cullum commended Mr. MacNeill for staying within the budget.

Mr. MacNeill stated that the \$70,000 for the Chapin Library is because the original idea (which was in the budget) was to build out the side into the ravine and put in a huge retaining wall and fill in, but is technologically very difficult to do. We will be coming out the front and just moving that cost for the retaining wall and compacted fill into the construction of the building.

An appropriation transfer of \$70,100 to transfer funds originally designated for the construction of the retaining wall with compacted fill. This will not be built since the addition will come out from the front of the building and not the right side.

A supplemental appropriation increase in the of \$10,000. The company that collects and recycles used motor oil for Solid Waste is now offering to start purchasing the used motor oil as well. Revenues are projected to be \$23,000. Appropriating \$10,000 to cover the cost of maintaining the oil filter crusher machine, which DHEC will no longer fund from the SC Oil Grant.

A supplemental appropriation increase in the amount of \$3,858 to appropriate insurance recovery claims to the Fire Service Capital Contingency account (1998 Crown Victoria).

A supplemental appropriation increase in the amount of \$2,500 from the sale of safety vests by Solid Waste Management to the users of their facilities. Revenues from the sale of the vests are projected to be \$3,600. Appropriating \$2,500 to set up an expense account in order to purchase safety vests.

Executive Session/Legal Briefing - Mr. Kinard made a motion, seconded by Mr. Owens to enter into Executive Session to continue the discussion of contractual and legal matters.

In Favor:	Mr. Cullum	Mr. Kinard
	Mr. Owens	Mr. Derrick
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Mr. Cullum reconvened the meeting in open session

Matters Requiring a Vote as a Result of Executive Session - Chairman reported Council received the legal briefings and discussed contractual matters during the Executive Session and indicated no motions were to be considered.

Strategic Visioning Workshop - Mr. Cullum announced on Sunday and Monday, October 1 & 2, 2006, Council will be attending a Strategic Visioning Workshop at the Clarks Hill Training Facility in Plum Branch, SC.

OLD BUSINESS/NEW BUSINESS - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

M. Todd Cullum
Chairman

**SOLID WASTE LANDFILL COMMITTEE
MINUTES
SEPTEMBER 26, 2006**

The Solid Waste Landfill Committee met on Tuesday, September 26, 2006 in the Committee Room, located on the second floor of the Administration Building beginning at 3:45 p.m. Mr. Kinard, Committee Chairman presided.

Members Attending:

James E. Kinard, Jr., Chairman	Johnny W. Jeffcoat, V Chairman
William C. Billy Derrick	George Smokey Davis
M. Todd Cullum	

Also attending: Katherine Doucett, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Expiration of Contracts - Solid Waste Management - Joe Mergo, Director - Due to time constraints, the Committee Chairman deferred discussions of the Expiration of Contracts until the next scheduled committee meeting of October 10, 2006.

Approval of Minutes - Meeting of August 22, 2006 - A motion was made by Mr. Derrick and seconded by Mr. Cullum to approve the minutes of August 22, 2006 as submitted.

The vote in favor was unanimous.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to Clerk

James E. Kinard, Jr.
Chairman

Diana W. Burnett
Clerk

**PUBLIC WORKS COMMITTEE
MINUTES
SEPTEMBER 26, 2006**

The Public Works Committee met on Tuesday, September 26, 2006 in the Committee Room, located on the second floor of the Administration Building beginning at 1:15 p.m. Mr. Derrick, Committee Chairman presided.

Members Attending:

William C. Billy Derrick, Chairman	Bobby C. Keisler, V Chairman
George H. Smokey Davis	Joseph W. Owens
Debra B. Summers	M. Todd Cullum

Also attending: Katherine Doucett, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Subdivision Regulations, Development Guidelines and Stormwater Ordinance Update - Public Works - John Fachtel, Director - Mr. Fachtel gave an update on the progress of the subdivision regulations, development guidelines and stormwater ordinance. The committee agreed to postpone to the October 10, 2006 committee meeting for further discussion.

Town of Chapin - "C" Fund Request - Public Works - John Fachtel, Director - Mr. Fachtel presented the committee with a request from the Town of Chapin for \$70,000 in "C" Funds in addition to their original request of \$36,250 for a total of \$106,250. The project consists of constructing approximately one mile of sidewalk from Chapin Road to Murray Lindler Road for a cost of \$316,238 that is \$134, 988 over budget. The Town of Chapin will be funding half (\$70,000) of the overage from their funds.

A motion was made by Mr. Davis and seconded by Mr. Keisler to recommend to full Council for approval.

The vote was in favor. Mr. Cullum was not present went the vote was taken.

"No Through Trucks" Signage Policy - Public Works - John Fachtel, Director - Mr. Fachtel presented a proposal for Council to consider for placing or requesting signage on County or SCDOT maintained roads.

Mr. Davis made a motion to amend the proposed policy, seconded by Mr. Owens to add item #6,

“that a vote will have to be made by full Council to post a road.” Also, to add additional verbiage to item #5, “notify council member for that district of the road to be posted.”

Vote on amendment was unanimous.

Mr. Davis made a motion, seconded by Ms. Summers to approve the amended motion and recommend to full Council for approval.

The vote on the motion as amended was unanimous.

Alternate Funding Sources - Public Works - John Fechtel, Director - Mr. Fechtel provided the committee with possible alternate funding sources for road paving projects. They are: 1) “C” Fund Bond Option, 2) Road Maintenance (vehicle) Fees, 3) Stormwater Utility Fees, 4) Encroachment Permits, and 5) Capitol Project Sales Tax Act Section 4-10-300 to 4-10-380. Committee asked staff to obtain figures and information for the issuance of Bonds and to provide a list of dirt roads in each Council district.

“C” Fund Program - Public Works - John Fechtel, Director - Mr. Fechtel reported to the committee basic information for the method by which the “C” Fund program is administered by Public Works. These methods are a work in progress and may require Council to set policies. Information only. No action taken.

Approval of Minutes - Meeting of August 22, 2006 - A motion made by Mr. Owens, seconded by Mr. Davis to approve the August 22, 2006 minutes as submitted.

Vote in favor was unanimous.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to the Clerk

William C. Billy Derrick
Chairman

Diana W. Burnett
Clerk

**PLANNING and ADMINISTRATION COMMITTEE
MINUTES
SEPTEMBER 26, 2006**

The Planning and Administration Committee met on Tuesday, September 26, 2006 in the Committee Room, located on the second floor of the Administration Building beginning at 12:30 p.m. Mr. Owens, Committee Chairman presided.

Members Attending:

Joseph W. Owens, Chairman
John W. Carrigg, Jr.
Debra B. Summers*

Johnny W. Jeffcoat, V Chairman
William C. Billy Derrick
M. Todd Cullum

*Ms. Summers arrived during the meeting.

Also attending: Katherine Doucett, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Gates Library Initiative - Library Services - Dan MacNeill, Director - Mr. MacNeill presented a follow-up grant from the Bill and Melinda Gates Foundation originating from the Foundation's US Library Program in 1999-2000. Total Foundation Grant is \$37,780 with no cost to the county.

A motion was made by Mr. Cullum, seconded by Mr. Carrigg to recommend to full Council to approve acceptance of the \$37,780 grant.

The vote was in favor. Ms. Summers was not present when the vote was taken.

Amendment to Ordinance 06-24 - Authorizing the Acceptance of the Transfer of Authority for Conducting Municipal Elections in Municipalities within the County of Lexington to the Lexington County Voter Registration and Election Commission - Mr. Jeff Anderson, County Attorney, spoke on behalf of Lexington County Registration and Elections to answer any questions that the Committee had about the amendment. Mr. Anderson said the amendment is a minor change that the City of Cayce requested that would allow them the ability to keep their Municipal Election Commission intact in case they ever need them.

A motion was made by Mr. Cullum, seconded by Mr. Derrick to recommend to full Council for approval.

The vote was in favor. Ms. Summers and Mr. Jeffcoat were not present when the vote was taken.

Pictometry Project - Planning & GIS - Charlie Compton, Director - Mr. Compton indicated that the Pictometry Project is ready to move forward with the approval of a pricing schedule and a budget amendment of \$81,835. The budget amendment includes the \$45,000 grant from the United

States Geodetic Survey and an additional \$36,835 estimated amount from municipal and other agency agreements to obtain Pictometry and GIS data.

A motion was made by Mr. Derrick, seconded by Mr. Carrigg to recommend to full Council to approve the Administrative Budget Transfer of \$81,835. In addition, staff was asked to further work on the pricing options with other users.

The vote in favor was unanimous.

Memorandum of Understanding (Software System Development and Use) and Intergovernmental Agreement and Software License, Register of Deeds Line of Business Software System - Information Services - Jim Schafer, Director and Debbie Gunter, Register of Deeds - Mr. Schafer discussed the proposed Memorandum of Understanding and the Intergovernmental Agreement for the Register of Deeds project. The Memorandum of Understanding is between Lexington, Richland, Sumter, Charleston and Anderson counties for the sharing and joint development of software and the Intergovernmental Agreement and Software License is for sharing software for the Register of Deeds office between Lexington and Richland Counties.

Memorandum of Understanding (Software System Development and Use) - A motion was made by Mr. Jeffcoat and seconded by Mr. Cullum to recommend to full Council for approval.

The vote was in favor. Mr. Cullum did not cast a vote because he was discussing an issue with staff when the vote was taken.

Intergovernmental Agreement and Software License, Register of Deeds Line of Business Software System - A motion was made by Mr. Derrick and seconded by Ms. Summers to recommend to full Council for approval.

The vote was in favor. Mr. Cullum did not cast a vote because he was discussing an issue with staff when the vote was taken.

Approval of Minutes - Meeting of August 22, 2006 - A motion was made by Mr. Derrick, seconded by Ms. Summers to approve the August 22, 2006 minutes as submitted.

The vote was in favor. Mr. Cullum did not cast a vote because he was discussing an issue with staff when the vote was taken.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to the Clerk

Joseph W. Owens
Chairman

Diana W. Burnett, Clerk

**HEALTH & HUMAN SERVICES COMMITTEE
MINUTES
SEPTEMBER 26, 2006**

The Health & Human Services Committee met on Tuesday, September 26, 2006 in the Committee Room, located on the second floor of the Administration Building beginning at 1:10 p.m. Mr. Carrigg, Committee Chairman presided.

Members Attending:

John W. Carrigg, Jr., Chairman
Joseph W. Owens
Johnny W. Jeffcoat

Debra B. Summers, V Chairman
Bobby C. Keisler
M. Todd Cullum

Also attending: Katherine Doucett, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

City of Cayce and the City of West Columbia Automatic Aid Agreements - Public Safety/Fire Service - Chief Bruce Rucker, Assistant Sheriff and Director of Public Safety and Homeland Security - Chief Rucker presented two Automatic Aid Agreements coordinating fire services with Lexington County, the City of Cayce and the City of West Columbia. This would allow automatic responses from all three entities.

A motion was made by Mr. Cullum and seconded by Mr. Keisler to recommend to full Council for approval.

The vote in favor was unanimous.

Approval of Minutes - Meeting of August 22, 2006 - A motion was made by Mr. Cullum and seconded by Mr. Keisler to approve the August 22, 2006 minutes as submitted.

The vote in favor was unanimous.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to the Clerk

John W. Carrigg, Jr.
Chairman

Diana W. Burnett
Clerk

**208 PLAN SUB-COMMITTEE
MINUTES
SEPTEMBER 26, 2006**

The 208 Plan Sub-committee met on Tuesday, September 26, 2006 in the Committee Room, located on the second floor of the Administration Building beginning at 3:35 p.m. Mr. Carrigg, Committee Chairman presided.

Members Attending:

John W. Carrigg, Jr., Chairman
James E. Kinard, Jr.
Bobby C. Keisler

Johnny W. Jeffcoat, V Chairman
Debra B. Summers
M. Todd Cullum

Also attending: Katherine Doucett, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Open Forum for Discussion - Mr. Carrigg held an open forum to discuss the 208 Water Quality Management Plan (Sewer) for the Central Midlands Region. The committee asked staff to contact the Lexington Joint Municipal Water and Sewer Commission for the following information: 1) what plans they have, 2) what engineering needs to be done, 3) what plans they have now for infrastructure, 4) how are they going to finance it, 5) what are they going to put in, 6) where are they going to put it, and 7) justification why they want one-third of the County. Open forum for further discussion to continue at the next committee meeting on October 10, 2006.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to Clerk

John W. Carrigg, Jr.
Chairman

Diana W. Burnett
Clerk

**COMMITTEE of the WHOLE COMMITTEE
MINUTES
SEPTEMBER 26, 2006**

The Committee of the Whole Committee met on Tuesday, September 26, 2006 in the Committee Room, located on the second floor of the Administration Building beginning at 4:00 p.m. Mr. Cullum, Committee Chairman presided.

Members Attending:

M. Todd Cullum, Chairman	Joseph W. Owens, V Chairman
James E. Kinard, Jr.	William C. Billy Derrick
George H. Smokey Davis	Debra B. Summers
Bobby C. Keisler	Johnny W. Jeffcoat
John W. Carrigg, Jr.	

Also attending: Katherine Doucett, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Air Quality Update - Ms. Myra Reece, Air Quality Bureau Chief, DHEC - 2600 Bull Street, Columbia, South Carolina, 29201 - Ms. Reece presented information updating the Committee on the serious air quality challenges currently facing Lexington County. The biggest challenge is meeting the federal air standards - National Ambient Air Quality Standards (NAAQS). She said counties can be proactive and stay ahead of the standards, strengthen local measures, and take action. The County does monitor air quality, it has a PM2.5 air quality monitor in Irmo as well as a special purpose monitor, PM10, in Cayce. In addition, Ms. Reece pointed out that the ozone standard is a three-year average and cannot exceed .085 ppm, in which the current three-year average value for Lexington County is .082 (2004, 2005, 2006). The next attainment deadline is after next year's ozone season - the three-year average for 2005, 2006 and 2007, which can not exceed .085. Ms. Reece said if the County does not attain the ozone standard next year, the regulatory requirements for nonattainment will impact economic development and public health. Ms. Reese went on to indicate that creating a burn ordinance would be a golden opportunity for Lexington County. Information only. No action.

Approval of Minutes - Meeting of August 22, 2006 - A motion was made by Mr. Owens, seconded by Mr. Kinard to approve the August 22, 2006 minutes as submitted.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to Clerk

M. Todd Cullum
Chairman

Diana W. Burnett, Clerk

**JUSTICE COMMITTEE
MINUTES
SEPTEMBER 26, 2006**

The Justice Committee met on Tuesday, September 26, 2006 in the Committee Room, located on the second floor of the Administration Building beginning at 1:00 p.m. Mr. Davis, Committee Chairman presided.

Members Attending:

George H. Smokey Davis, Chairman	William C. Billy Derrick, V Chairman
Joseph W. Owens.	Bobby C. Keisler
James E. Kinard, Jr.	M. Todd Cullum

Also attending: Katherine Doucett, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Worthless Check Unit Agreement - Solicitor Office - Debbie Hester, Director of the Worthless Check Unit - The Worthless Check Unit Agreement is for the purpose of processing worthless checks and to assist the victims of these cases in the collection of restitution in the County of Lexington.

A motion was made by Mr. Derrick and seconded by Mr. Owens to recommend that full Council approve the Worthless Check Unit Agreement.

The vote in favor was unanimous.

Memorandum of Understanding With the Town of Pine Ridge - Sheriff's Department - Chief Bruce Rucker, Assistant Sheriff and Director of Public Safety and Homeland Security - Chief Rucker advised the committee that the chief of Pine Ridge has asked that portions of Bachman Road from the Pine Ridge Town limits southeast to Glenn Road to include all intersections, roadways, and those properties contiguous and adjacent to the above described roads be placed under the Sheriff's Department jurisdiction.

A motion was made by Mr. Keisler and seconded by Mr. Cullum to recommend to full Council for approval.

The vote was in favor. Mr. Owens did not cast a vote because he was discussing an issue with staff when the vote was taken.

Approval of Minutes - Meeting of August 22, 2006 - A motion was made by Mr. Derrick and seconded by Mr. Keisler to approve the August 22, 2006 minutes as submitted.

The vote was in favor. Mr. Owens did not cast a vote because he was discussing an issue with staff when the vote was taken.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to the Clerk

George H. Smokey Davis
Chairman

Diana W. Burnett
Clerk

**ECONOMIC DEVELOPMENT COMMITTEE
MINUTES
SEPTEMBER 26, 2006**

The Economic Development Committee met on Tuesday, September 26, 2006 in the Committee Room, located on the second floor of the Administration Building beginning at 2:35 p.m. Mr. Jeffcoat, Committee Chairman presided.

Members Attending:

Johnny W. Jeffcoat, Chairman
William C. Billy Derrick
James E. Kinard, Jr.

George H. Smokey Davis, V Chairman
John W. Carrigg, Jr.
M. Todd Cullum

Also attending: Katherine Doucett, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Ordinance 06-13 - Ordinance Approving the Conveyance of Real Property from the County of Lexington to Project Blue - Economic Development - Al Burns, Director - Mr. Davis made a motion, seconded by Mr. Cullum to go into Executive Session to discuss a contractual matter.

The vote in favor was unanimous.

Mr. Jeffcoat reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Ordinance 06-13 - Ordinance Approving the Conveyance of Real Property from the County of Lexington to Project Blue - Economic Development - Al Burns, Director - Mr. Kinard made a motion, seconded by Mr. Cullum to recommend that full Council move forward with first reading of Ordinance 06-13.

The vote in favor was unanimous.

Project Gas - Economic Development - Al Burns, Director - Mr. Davis made a motion, seconded by Mr. Derrick to go into Executive Session to discuss Economic Development contractual matters.

Mr. Jeffcoat reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Project Gas - Economic Development - Al Burns, Director - Mr. Cullum made a motion, seconded by Mr. Derrick to

recommend to full Council to approve the option to sell and the agreement of purchase and sale of approximately 180 acres to AEPLLC at a cost of \$2,875 per acre.

The vote in favor was unanimous.

Ordinance 06-14 - Amend Ordinance 95-12 and to Approve the Amendment of Agreement of Joint County Industrial Park of Lexington and Calhoun Counties and the Agreement Concerning SCANA services, Inc. - Economic Development - Al Burns - Mr. Cullum made a motion, seconded by Mr. Jeffcoat to recommend to full Council that Ordinance 06-14 receive first reading.

The vote in favor was unanimous.

Amendment to Contract of Sale from Premint, Inc. And the Amendment to Contract in the McMahon Property - Mr. Cullum made a motion, seconded by Mr. Davis to recommend to full Council for approval.

The vote was in favor was unanimous.

Amendment of Contract - Loxcreen - Mr. Cullum made a motion, seconded by Mr. Davis to recommend to full Council to approve a 60-day extension (November 17, 2006).

The vote in favor was unanimous.

Approval of Minutes - Meeting of August 22, 2006 - A motion made by Mr. Cullum, seconded by Mr. Kinard to approve the August 22, 2006 minutes as submitted.

The vote in favor was unanimous.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to Clerk

Johnny W. Jeffcoat
Chairman

Diana W. Burnett
Clerk