

MINUTES
LEXINGTON COUNTY COUNCIL
JULY 24, 2007

Lexington County Council held its regular meeting on Tuesday, July 24, 2007 in Council Chambers, beginning at 4:30 p.m. Mr. Derrick presided.

Reverend Tom Jones of The Lexington Medical Center Pastoral Care Department gave the invocation.

Mr. Kinard led the Pledge of Allegiance.

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

Also attending: Katherine Hubbard, County Administrator; Larry Porth, Finance Director/Assistant County Administrator; John Fechtel, Director of Public Works/Assistant 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.

Resolution - Town of South Congaree 50th Anniversary - A motion was made by Mr. Keisler, seconded by Mr. Cullum to approve the adoption of the resolution.

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

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

Employee Recognition - Katherine Hubbard, County Administrator - Ms. Gail Grimm, Senior Administrative Assistant I, Treasurer's office was recently recognized by a citizen who she assisted with a tax penalty on a boat and motor. The citizen said it is too easy to give a streamline answer and that it takes a special person like Gail to put forth the extra effort to solve a problem.

Appointments - Mr. Derrick opened the meeting for Board and Commission appointments; no nominations were made.

Bids/Purchases/RFPs - A motion was made by Mr. Keisler, seconded by Mr. Davis that the following Bids/Purchases/RFPs (Tabs T through Y) be approved.

F1 Computers and Monitors - Information Services - A requisition was submitted by Information Services for the purchase of fourteen (14) Dell Computers and seven (7) monitors. The Dell computers will be purchased directly from the manufacturer (Dell Computer) through the South Carolina State Contract Number 05-S6656-A11104. Quotations were solicited from qualified vendors for the purchase

of seven (7) monitors. Three (3) quotes were received. Staff recommended the purchase of the monitors from Florida Micro as being the lowest responsible bidder. The cost of the Dell computers is \$8,512.40 including applicable sales tax and the cost of the monitors is \$1,243.34 including applicable sales tax, for a grand total of \$9,755.74.

Network Switches, Maintenance and Installation - Library Services - A requisition was submitted by Library Services for the purchase of thirteen (13) network switches, maintenance, and installation. With the changeover to the new State Metro-Ethernet network system, which is being installed in all k-12 schools and public libraries in the State, new network switches must be installed in each branch. The network switches, maintenance and installation will be purchased from Data Network Solutions through the South Carolina State Contract Number 05-S6850-A11536 for a total cost of \$35,370.75 including applicable sales tax and shipping. The purchase will be funded through State Aid and Lottery funds.

Two (2) 12-Ton Platform Trailers and One (1) Alamo Bush Cutter - Replacements - Public Works - A requisition was submitted by Public Works for the purchase of two (2) 12-ton platform trailers and one (1) Alamo bush cutter. The trailers will replace two (2) 1979 trailers, which have met or exceeded their expected capital recovery. The bush cutter that was replaced eight (8) years ago is starting to have some metal fatigue in the hinge pin area, which carries the weight of the arm and cylinder. This equipment is recommended and approved in accordance with the Fleet Management Policy by Ellis Gammons, Fleet Manager. The trailers are available from Carolina Trailer Sales through South Carolina State Contract Number 06-S7239-A12515. The cutter is available from Altman Tractor Company through South Carolina State Contract Number 05-S6476-A10997. The total cost of the equipment is \$65,940.02 including applicable sales tax.

Plat Cabinets With Hangers - Register of Deeds - A requisition was submitted by the Register of Deeds for one (1) plat cabinet with hangers. The Register of Deeds has determined that they can best serve the Public by preserving the plats, which are permanent records, by putting them on wishbone hangers and placing those in an open face cabinet, rather than repairing the plat books. Three (3) bids were received. Staff recommended the award of the bid to American Systems as the lowest responsible bidder for a total amount of \$5,861.46, including delivery and applicable sales tax.

Fleet Vehicle Replacements - Sheriff's Department - Requisitions were submitted by the Sheriff's Department for the purchase of two (2) fleet vehicle replacements. The vehicles requested are being purchased from Herndon Chevrolet, which were under State Contract in 2006. These new vehicles were built with the special police package installed and were left over from the previous year contract and have been reduced due to age, but will carry the complete factory warranty. The vehicles will require the purchase and installation of emergency equipment and accessories, which will be purchased from various vendors through the appropriate County Contract and South Carolina State Contract. These vehicles are recommended and approved in accordance with the Fleet Management Policy by Ellis Gammons, Fleet Manager. The total cost including applicable sales tax for all vehicles is \$54,911.28.

Fleet Vehicle Replacements/Additions - Various Departments - Requisitions have been submitted by various departments for the purchase of twenty-nine (29) fleet vehicle replacements/additions. All vehicles are being purchased through the appropriate South Carolina State Contract. Nineteen (19) vehicles will require the purchase and installation of emergency equipment and accessories, which will be purchased from various vendors through the appropriate County Contract and South Carolina State Contract or appropriate low bidder. These vehicles are recommended and approved with the Fleet

Management Policy by Ellis Gammons, Fleet Manager. The total cost including applicable sales tax for all vehicles is \$701,936.37.

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

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

Chairman's Report - No report.

Jeffrey Chavis Burn Center - Mr. Keisler recognized Fire Service for raising approximately \$68,000 during the recent boot drive for the Jeffrey Chavis Burn Center House in memory of the nine Charleston fire fighters who lost their lives on June 18, 2007.

2007 Junior Wildwater World Championship - Mr. Cullum reported that the County had fifteen countries represented in the 2007 Junior Wildwater World Championship, a canoe and kayak event, that was held on the Saluda River July 18. He said Lexington County hosted the opening ceremonies at the West Columbia Amphitheater.

Cayce EMS - Mr. Kinard reported on July 3, he had the opportunity to ride with the Cayce EMS unit and thanked Chief Hood and his staff for this opportunity.

Administrator's Report - Ms. Hubbard recognized Ms. Mary Pat Baldauf, Recycling Coordinator with Solid Waste Management. Ms. Baldauf was recently highlighted in the Neighbor's section of *The State* talking about the County's recycling program. Mary Pat began with the County in May after nine years as director of Keep the Midlands Beautiful.

First Regional User Group Meeting for Pictometry - Ms. Hubbard reported the County will host the first regional user group meeting for pictometry users from North and South Carolina on Wednesday, August 1.

Emergency Preparedness StormReady - Ms. Hubbard congratulated the Emergency Preparedness division for having Lexington County as a StormReady designation. StormReady is a nationwide community preparedness program that comes through the National Weather Service (NWS). In order to be officially StormReady, a community must establish a 24-hour warning point and emergency operations center; have more than one way to receive severe weather warnings forecast and alert the public; create a system that monitors weather conditions locally; promote the importance of public readiness through community seminars; and to develop a formal hazardous weather program, which includes training for severe weather spotters and holding emergency exercises. Ms. Hubbard congratulated Chief Rucker and Mike McMasters, Emergency Response Coordinator, on having the program recognized for Lexington County.

My-911 Program - Ms. Hubbard gave an update of the My-911 Program. She said the County continues to receive applications and thanked Lexington Medical Center and their marketing department for working closely with Nikki Rodgers, Communications Coordinator, and Chief Rucker on radio spots for August, bill boards, distributions through physicians' offices, and urgent care locations.

Outdoor Burning Ordinance Update - Ms. Hubbard reported from July 2006 through June 2007 that

Fire Service and code enforcement officers have issued 251 warnings and 33 citations. An additional 22 warnings and 2 citations have been issued for the month of July.

Approval of Minutes - Meeting of June 12, 2007 - A motion was made by Mr. Cullum, seconded by Ms. Summers to approve the June 12, 2007 minutes as submitted.

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

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

Ordinances - Ordinance 06-10 - Stormwater Management Ordinance (Goals 1,2) - 3rd and Final Reading - A motion was made by Mr. Banning, seconded by Mr. Keisler that Ordinance 06-10 receive third and final reading.

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

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

Ordinance 07-09 - Amendments to the False Alarm Ordinance - 1st Reading by Title - A motion was made by Mr. Banning, seconded by Mr. Davis that Ordinance 07-09 receive first reading by title.

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

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

Committee Reports - Justice, B. Banning, Chairman – “Alive at 25” Grant Application - Mr.

Banning reported the Justice Committee met this afternoon to discuss the “Alive at 25” Grant application. The National Safety Council has allocated \$57,199 for the “Alive at 25” program that will be managed by the Lexington County Sheriff’s Department. The grant will fund all personnel costs associated with a sergeant’s level position for a term of three (3) years but will not fund operating and capital costs. The mission of the “Alive at 25” program is to help young drivers, target age 16-24, choose safe driving practices, take responsibility for their behavior, and be aware of typical hazards. The program functions by using certified law enforcement officers to facilitate an intervention program which uses a combination of workbook exercises, interactive video segments, small group discussions, role-playing scenarios, and short lectures to help young drivers develop skills and strategies that will keep them safer on the road. Wray Automotive will donate a leased vehicle to the County for three (3) years at no cost, but the County will be responsible for the maintenance and insurance of the vehicle. Total program cost is \$84,585 with the County’s portion of \$27,386. \$15,581 has already been taken out of this year’s current operating

budget and set aside for the program. The Committee recommended that full Council approve.

A motion was made by Mr. Keisler, seconded by Mr. Jeffcoat to approve the "Alive at 25" program contingent upon staff's approval.

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

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

FY06 - State Criminal Alien Assistance Grant Award - Mr. Banning reported that the United States Department of Justice, Bureau of Justice Assistance (BJA) has awarded Lexington County \$33,615 for the FY06 State Criminal Alien Assistance Program (SCAAP). SCAAP provides assistance for the housing of alien prisoners for at least four consecutive days in the Lexington County Detention Center. The award is to reimburse a portion of the salaries and wages (no fringe) for personnel that work in the jail during fiscal year 2006. Total award is \$33,615 minus a 20% fee to Grants Management Systems, who provided the information from inmate statistics to determine the County's eligibility for funds. The Committee recommended that full Council approve acceptance of the FY06 State Criminal Alien Assistance Program (SCAAP) award.

A motion was made by Mr. Keisler and seconded by Mr. Cullum to approve acceptance of the grant award.

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

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

Public Works, D. Summers, Chairman - Lawrence Road - Partial Legal Closing - Ms. Summers reported that the Public Works Committee met this afternoon to discuss a request for the partial legal closing of Lawrence Road. It was reported that due to the short length of closure of approximately 202 linear feet that the property owner, Mr. Ross Snell, is willing to be solely responsible for all legal costs associated with the closure. The Committee recommended that full Council approve the partial legal closing of Lawrence Road and all the legal fees to be paid by the property owner.

A motion was made by Ms. Summers, seconded by Mr. Keisler to approve.

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

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

Mr. Cullum

Limerock Road - Partial Legal Closing - Ms. Summers reported that the Committee met to discuss the partial legal closing of Limerock Road. Staff has recommended to close approximately 2,156 linear feet of Limerock Road since there would be substantial costs incurred in restoring this section of road to a safe and maintainable state. It was also recommended that the County pay for the necessary legal costs of the partial closure. The Committee recommended that Council approve the partial legal closing of Limerock Road and for staff to meet with the property owners asking that they contribute at least 50% of the costs associated with the closing.

A motion was made by Mr. Keisler, seconded by Mr. Cullum to approve and that the expense of the closing will be determined by staff.

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

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

Planning & Administration, J. Jeffcoat, Chairman - Drafts Branch - Naming of a Tributary of Twelve Mile Creek - Mr. Jeffcoat reported that the Planning & Administration Committee met this afternoon to discuss Drafts Branch – naming of a tributary of Twelve Mile Creek. Dr. Erwin Shaw was not able to be present as requested due to his schedule but did submit a summary of the history on behalf of the Drafts’ family. Members of the Drafts’ family, Ms. Betty Drafts Shaw and Mr. John Drafts, were present for comments and/or questions. It was indicated that Drafts Branch falls under the category of a commemorative name to recognize an historical family. This naming would recognize the long-time ownership of the land on which the stream is located by the Drafts family, particularly Jefferson Luther Drafts (1838-1904). The Committee recommended that Council approve the naming of a tributary of Twelve Mile Creek to Drafts Branch.

A motion was made by Mr. Jeffcoat, seconded by Mr. Davis to approve the naming of a tributary of Twelve Mile Creek to Drafts Branch.

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

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

Approval of a Property Contract - Mr. Jeffcoat reported that the Planning and Administration Committee discussed during Executive Session a property contract whereas the County of Lexington would be the buyer and the seller would be the Delta Interest, LLC for property that is 6.25 acres located at Highway #6. This property is being purchased so that the County can consolidate some of the

properties currently being leased. The Committee recommended that Council take action on the contract.

A motion was made by Mr. Jeffcoat, seconded by Mr. Cullum to approve the property contract.

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

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

Presentation - Drafts Cemetery - Ms. Revious Amaker, 107 Teal Court, Lexington, SC 29072 or Dr. Carson Wise, Madison Avenue, Washington, DC - Mr. Derrick opened the presentation by introducing the attorney for the Drafts family, Mr. Joseph McCullough.

Joe McCullough, Esq., 1330 Lady Street, Columbia, SC 29201 - I am here along with Kathy Schillaci, who practices in my office. We were asked by the SC State NAACP Legal Redress Committee to assist the Draft family in an effort to, I guess, intervene in a fashion.

We have only just begun our research of the legal issues and the history of this very interesting situation. It frankly, represents, I think, a collision of the growing pains of this community and the faith-based, heart-felt community desire about this issue, and I do have 600 petitions that I will pass up.

These petitions are signatures of members of your community, white and black, I think expressing their heartfelt concern about this issue and its effect on the Draft family, but also its potential as a precedent in this community. It is a difficult issue and we appreciate your patient attention to it.

I have to say that we are very pleased with the efforts of your sheriff and his department, your county employees who's been very helpful to the Draft family before our involvement and who since, Ms. Schillaci and I have become involved have been very forthcoming. I also want to thank the developer who has essentially paused in the efforts there to allow some determination to be made of the number of burial sites because that is a critical issue. The number of sites and their locations in this area that is, of course, scheduled for development but this obviously is a point of which, I think, efforts must be stopped and we appreciate the developer going to the expense because presently the developer is the one bearing the expense of the Chicora Foundation, a historical foundation that is finding or testing, using the latest state of the art technology to locate these burial sites. We are at a point not quite complete in that effort and that effort is critical to our understanding of what can be done in this situation. So, I want to assure Council that, on behalf of the Draft family, we intend to first understand the size of the problem because there is a great deal of misunderstanding, and we are dealing with historical information and once we know that, we fully intend to continue our efforts to talk with the developer to see if there is a way to resolve this without calling upon you to make a hard decision. We met yesterday for some three hours with the developer and his lawyer and so we appreciate all of those efforts.

I have the privilege of introducing a gentleman who is a son of this community, Reverend Carson Wise. He no longer lives in the community; he lives in Washington, D.C., but he is here and he lived on this track of land. He is part of our historical memory. I have nine copies of his prepared statements. He does intend, I think, to read this to you or speak to you about it and at the end of that, I think, he's certainly willing to answer questions. I would also note that Dr. Lonnie Randolph, the head of the South Carolina NAACP, is here, not to speak, but to answer any questions that you may have and of course, I'm available. But, the purpose of today really is to give you an update from our prospective of where we are

and it is a work in progress, a continuing effort, and we hope that before too long, we'll be in a better position to know how this will come out and what demands will be made of you. That is all I have to say. Reverend, if you will come up, I will hand these over.

Reverend Carson E. Wise, Sr. - I am Carson E. Wise, Sr., most call me doctor, I have an earned doctorate and a masters. I am a descendant of Martha Drafts who was a daughter of Dave Drafts who originally owned the property.

Good afternoon to all of you, honored members of this Lexington County Council. We first want to thank you for giving us this audience that has been sought for more than nearly 50 years. It has been a long journey to get the preservation of the remains of our family members. It is somewhat of a pleasure to have this opportunity today to address you on, and I must say, on this occasion. We, persons sitting behind me, the descendents and the relatives of the late Dave Drafts and Susie Drafts have come to this session of your meeting to make a special request of you to have the remains of our ancestors rest in peace in a cemetery site located southwest of the town of Lexington in the County of Lexington.

As the spokesperson for today, this has been a route that has taken us through a personal trauma in determining what the final fate of this cemetery would be. It was in the early 1950's when we were prohibited from tending to the graves on this site. This particular statement is not a hearsay, but an actual fact that I experienced as I stood by my mother and my cousins, Daught, Drilla and Belton Drafts, as they were being verbally ordered not to trespass on this property again.

Some few years back, Rev. Freda Bonner's mother and my mother sat with me and we discussed the position we were planning to take and they both died a short period later without us finishing this plan. Much of the information that I have came from those two individuals because they were born near or they lived on the property adjacent to the cemetery when they were little girls. Just to add a note, I was born on the property, Martha Draft's property, myself.

When I was informed by my sister of what was in progress, it was at that moment that I began to focus on a higher power. My prayer has been that the spirits of our ancestors would descend upon the property and trouble the individual that disturbed their resting place. My prayer is now that we would move beyond issues of whether there are black or white people buried and be favorable toward this family.

We are an understanding family and considerate of the fact that the developer may not have known enough about what he was getting himself into but that does not excuse the fact that this information concerning the cemetery has been well known for years throughout the community and by the previous owners. On several occasions, the late Clyde Hendrix, who was a relative of the seller, stated in my presence that he could not understand why the late Kenneth Hendrix acted the way he did concerning the cleaning of the cemetery. There are more than forty (40) adults that we can name, not to include the children that are buried in that cemetery.

You are the County Council for all the people of Lexington, I don't need to take time to remind you of that, but you know you now have this chance to make sure that these burial grounds are sacred and protected from violation. Certainly I want to thank you on behalf of my family for you granting us this opportunity. I have worked on this for many years, and I've gotten to this point, and I thank God for you. That would end my statement, if anybody has any questions you would like to ask me, I think, I am available for that.

Mr. Derrick opened the floor for questions.

Mr. Davis asked, do you have a list of the forty names of the individual adults?

Dr. Wise responded, I do have a list that I probably could forward to you.

Mr. Davis asked, do you have any children's names?

Dr. Wise replied, I don't really have any children's names. There is a member of the family who possibly has children, she is here today, and she has a brother and a sister who were buried there in the early forties. She probably has their names. I do not have them on the list. I would be glad to share with you.

Mr. McCullough replied, we do have a list of names from when we met earlier today. This list needed some updating so I would be happy to provide to your office.

Mr. McCullough asked that he be allowed to ask all the descendants of the Draft family who are here today to raise their hands or stand. (Descendants stood.) There are many of them and these are just the ones who could be here today. We appreciate your time.

Mr. Derrick thanked everyone for coming and showing their interest and said that Council was approached last time and that there may be a forthcoming request of some kind. However, as of today, we (Council) have not received any requests. He said Council has been involved in finding out and observing what is going on. Mr. Derrick said as elected officials everybody is available and urged them to call if Council can help in any way.

Executive Session/Legal Briefing - Mr. Derrick stated Executive Session will consist of one (1) personnel matter, four (4) property contractual matters, one (1) service contract matter and three (3) legal matters.

Mr. Davis made a motion, seconded by Mr. Summers to enter into Executive Session to discuss contractual and legal matters.

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

Abstaining: Mr. Banning

Mr. Derrick reconvened the meeting in open session and reported Council will have to re-enter Executive Session following the public hearings.

6:00 P.M. - Public Hearings - Ordinance 07-07 - An Ordinance Authorizing the Execution and Delivery of a Fee in Lieu of Tax and Incentive Agreement Between Lexington County and Otis Spunkmeyer, Inc. - Prior to opening the public hearing, Mr. Derrick stated the purpose of the hearing is to receive comments from proponents and opponents regarding Ordinance 07-07. He asked that each speaker provide their 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. Derrick also asked that there be no disruptions including cheering, clapping, etc.

Mr. Derrick opened the meeting for comments from those in favor of Ordinance 07-07.

In Favor:

April Lucas, Esq., 911 Laurens Street, Columbia, SC 29201 - I'm the attorney for Otis Spunkmeyer. I

just wanted to say thank you on behalf of the company for the warm business climate in Lexington County and the assistance that you have shown to Otis Spunkmeyer.

Mr. Derrick thanked Otis Spunkmeyer for being a good corporate neighbor and for expanding in Lexington County.

Mr. Derrick noted no one else had signed up to speak in favor of Ordinance 07-07 and closed that portion of the public hearing.

Mr. Derrick opened the meeting for comments from those in opposition of Ordinance 07-07.

Mr. Derrick noted that no one had signed up to speak in opposition of the ordinance and closed that portion of the public hearing.

Mr. Derrick closed the public hearing.

Zoning Map Amendment M07-06 - 1629 Lake Murray Blvd., Columbia - Mr. Derrick opened the public hearing and recognized Mr. Bruce Hiller, Development Administrator for Lexington County Community Development.

Mr. Hiller stated that the applicant, Mr. Barry Johns, has requested a change in zoning classification for TMS# 001998-02-045 from the existing C1 (Neighborhood Commercial) to a proposed ID (Intensive Development). Mr. Hiller stated that Mr. Johns indicated on the application that the reason for the request is: I am wishing to relocate my sign company to this location and am also considering some speculative development in conjunction with my business.

Mr. Hiller reviewed the maps and area by using a Power Point presentation as well as the type of allowable activities in a C1 (Neighborhood Commercial) area. However, when it is opened up to an ID (Intensive Development) classification, it opens it up to a multitude of different types of allowable classifications. Mr. Hiller noted that the immediate area along the stretch of Lake Murray Boulevard is mainly commercial use with some residential use south of the parcel with frontage along Nursery Road.

Mr. Davis asked, what is the zoning requirement for a sign business?

Mr. Walt McPherson, Zoning Administrator, replied it would probably fall under manufacturing and/or transport and warehousing.

Mr. Hiller replied, if you look at transport and warehousing, you have limited and extensive. Limited is under 5,000 square feet and extensive is 5,000 or greater. So C2 would cover the limited but it would not cover the extensive, which would be 5,000 square feet or greater. When you look at manufacturing, manufacturing has different categories. Light assembly would be allowed in a C2, but once you get above light assembly into limited, or intermediate, or even extensive then they would not be allowed for anything other than an ID classification.

Mr. Davis asked, how long has this location been burned out?

Mr. Hiller replied, I don't know.

Mr. Jeffcoat replied, years.

Mr. Derrick opened the meeting for comments from those in favor to Zoning Map Amendment M07-06.

In Favor:

Mr. Barry Johns, 204 Brinton Court, Lexington, SC 29072 and Mr. Carl Manheim, 112 Hampton Park, Irmo, S.C. 29063 - We just closed on the property about two weeks ago, so the junk is not ours. The previous owner has about 20 more days to have that removed, that was part of the agreement; everything that was not tied down. Our plans are to demolish the old building. The plan is to build a new structure depending on what happens tonight, would depend a lot on how large that structure would be obviously. My plan, I have a sign business presently in the middle of Irmo that is next to the Chamber of Commerce, if you are familiar with where that is, and I'm land locked and can't move and can't grow. So I have been looking for awhile. It's a tight spot, you can't park and can't get in and out, so I've got a lot of barriers to overcome. Right now I would classify us as a light manufacturer. We do very little assembly; we do mostly printing, vehicle graphics, a lot of cut vinyl type signs, small signage and some large signage. The plan would be to do more of that. That is one of the reasons that we would like to get the intensive development. And then the other part, we would probably use half of the space and then we would like to lease the other half of the space to proposed tenants.

Mr. Derrick noted no one else had signed up to speak in favor to Zoning Map Amendment M07-06 and closed that portion of the hearing.

Mr. Derrick opened the meeting for comments from those in opposition of Zoning Map Amendment M07-06.

Mr. Derrick noted that no one had signed up to speak in opposition and closed that portion of the hearing.

Mr. Derrick closed the public hearing.

Mr. Jeffcoat stated that he knows both of the gentlemen very well and whatever they do is going to be first class and not really concerned about what might go there. He said whatever goes there will be many times better than what is there now. They would not own property that would look like that.

Zoning Map Amendment M07-07 - Both Sides of Rhett Road, Columbia - Mr. Derrick opened the public hearing and recognized Mr. Bruce Hiller, Development Administrator, Lexington County Community Development.

Mr. Hiller stated that the applicant, Mr. Eric Dressler of the property owner Taylor, Dressler & Koeing, LLC, has requested a change in zoning classification of TMS# 002899-01-018 from the existing R1 (Low Density Residential) to a proposed ID (Intensive Development). Mr. Hiller stated that Mr. Dressler indicated on the application that the reason for the request is: Zoning amendment request to improve the 4.15 acres to office/flex space use.

Mr. Hiller reviewed the maps and area by using a Power Point presentation as well as the type of allowable activities in a R1 to a proposed ID. The R1 is a very restrictive zoning classification which only allows single family residents and churches, etc. whereas the ID classification would open it up to considerable other activities allowed. There are a few commercial uses along Jamil Road, however, most of the other surrounding area is residential and vacant land. Rhett Road is classified as a Local road.

Mr. Derrick opened the meeting for comments from those in favor to Zoning Map Amendment M07-07.

In Favor:

Mr. John Powell, LTC Associates, 912 Lady Street, Columbia, SC 29201; home address is 1731 Graham Drive, Columbia, SC 29206 - I am here representing Wes Taylor and Eric Dressler for this

property, and I understand that it will somewhat be contested property. As was brought up, the property currently sits between two houses and actually if we flip back through the slides you will see that one of those houses was actually on the ID property that we would like to change this lot to, the other lot obviously a R1. If you drive down that street, as I did today, you would see middle to lower income residences. I have some pictures here and unfortunately I don't have slides of a burned out house just down the street, shopping carts in one street or in front of one house, a tub in front of another, and we recognize the difficulty of this neighborhood. I think our intent is not to denigrate the neighborhood whatsoever. The purposed ID use as you can see in this presentation that was brought up before would be to build several buildings, I think, 6,500 square feet apiece. They would be office/flex space used primarily for small businesses such as an electrical subcontractor, as one tenant possibly included. And one thing that we would like to do is create buffers. One of the things that you might have seen from earlier photographs is that there is currently a ditch, a waterway that is 50 feet wide, there is an easement for that, there is another 50 foot easement for a culvert, almost in parallel to that, so there is 100 feet of the back of this property as well as the gas lines, 100 feet behind this property that is unusable to us. So that would be converted into a buffer for the Whitehall buffer, Whitehall property line. Rhett Road as you mentioned is a dirt road. It does not have the easy access and, unfortunately because of the neighborhood, the best use of this property would really be to translate it into something else that could be better used from a tax based stand point and as office space. You could see before all the adjacent property towards I-26 is all ID, this would not be something drastically different, and in fact, hope it would be something of a better use. But I understand my time is up, and I would welcome your input.

Mr. Eric Dressler, 116 Rivera Drive, West Columbia 29169 - What I was saying was that the home that we are talking about, they actually own that house. They own this whole parcel along with the (referring to the aerial map) (cannot hear as Mr. Dressler stepped away from microphone)

Mr. Carrigg asked, why don't they put the warehouses there?

Mr. Dressler replied, they just don't want to disturb the house, it's a...

Mr. Carrigg replied, it's a nice residential place.

Mr. Dressler replied, I mean, eventually would like to, probably should have added it to this particular meeting but didn't really plan on disturbing that.

Mr. Carrigg replied, I just don't understand how you are going to have office space on a 25 foot dirt road.

Mr. Dressler asked, do we never see that road ever to be improved in Lexington County? There is a school bus...

Mr. Carrigg replied, the former Mr. Rhett did not want it improved. I've talked to him on a number of occasions; his family, most of them, live on that dirt road.

Mr. Dressler replied, I'm just here to improve the area. Perhaps the best use would be what is in the area there now, modular type homes.

Mr. Derrick noted no one else had signed up to speak in favor to Zoning Map Amendment M07-07 and closed that portion of the hearing.

Prior to opening the meeting for comments from those in opposition to Zoning Map Amendment M07-07, he said if there was anyone present who had signed up to speak but chose not to speak, but wanted to concur with what has been said, it is acceptable to indicate concurrence.

In Opposition:

Mr. Chester Sansbury, 418 Harrow Drive, Columbia, SC 29210 - I am president of the Whitehall Home Owners Association. I appreciate the opportunity to be able to come out here on this proposed amendment to the zoning classification right adjacent to our neighborhood. The residential quality of life in the Whitehall subdivision is already threatened by an increase in commercial development close to our homes. Trees have been removed between our homes and I-26 and this has resulted in a higher noise level. Some nearby residents on Brookshire Drive and Kettering Drive also feel that the stormwater runoff has increased in the area because of the lack of retention ponds to retain water from the current development. There is also extensive undeveloped land on Jamil Road bordering our neighborhood which is already zoned for intensive development use; therefore, we feel that we do not need any more land zoned as ID. Our residents expect that existing restrictive zoning classes would not be relaxed and they should be able to rely on the restrictions to protect their home investments. The application states the reason for the request is to approve the acreage for office/flex space use. The intent is unclear and zoning class ID is not needed for office use. Class ID at this site would not protect our communities' property. For your information, the area known as Seven Oaks, that you may have read about in *The State* paper recently, if you read *The State* paper, with Whitehall being the primary residential area recently named by *Money Magazine* as one of the top 100 places in the nation to live. This was based on a survey of their readership and the specific boundary was St. Andrews Road, Piney Grove Road and I-26, which specifically covers Whitehall. Whitehall Homeowners Association board of directors strongly opposes this request for rezoning. We must be diligent to keep it a desirable place to live and protect the value of our neighborhood. I also have some petitions I'll turn in here, nearly 100 signatures; you may receive some more petitions tonight. Thank you for the opportunity to speak.

Ms. Madeline Fogg, 602 Shadow Brook Drive, Columbia, SC 29210 - One of the things that I wanted to bring to Council's attention was back in 1990, Clay Hooker had asked for change in zoning from Piney Grove Road back and it was zoned C1 but the covenants on it were basically R1. The Council at that point decided they wanted that property to stay for single family houses and turned down that zoning request. The road that Mr. Carrigg talked about is a very narrow dirt road. One of the problems in 1990 was a lot of the housing developments that were going to go in there would have accessed onto Shadow Brook and they stopped that. If you change this, everything will probably go out on Shadow Brook. Anyone who wants to avoid the lights at either end of Jamil Road is going to come out on Shadow Brook. The road is very narrow. You have two cars going down there normally already, someone has to stop and let the other car pass. You put warehouses in there that are going to have trucks; it's going to make the rutting worse, you're going to have more dirt and everything come out on Shadow Brook Drive. That's all that I wanted to bring to your attention that in 1990 they decided it would stay for residential and that's the way we would like to keep it.

Mr. William Swygert, 601 Shadow Brook Drive, Columbia, SC 29210 - I would like to thank you for the opportunity to speak in opposing this zoning amendment. I would like to add to what Ms. Fogg has just said in respect that if that piece of property is zoned for intensive development, office building/flex whatever it is that is going on there. Even if, Rhett Road were to be able to support that kind of traffic, which it would not, it opens up Shadow Brook Drive, as she mentioned, to all of the ingress and egress from that property probably, considerable amount. Shadow Brook Drive was not built to handle that kind of traffic. In fact, it's probably about 30 years old now and deteriorating at some point. We had to band heavy truck traffic to stop the trucks that were coming in and out from that timber development that they took off of that property last year in order to keep from tearing the road to pieces. So my comment is, is that we oppose that because of the traffic congestion that would be happening on Shadow Brook Drive and the adjoining, not only to mention that Rhett Road itself could not stand it, and I thank you very

much.

Ms. Anita Murphy, 507 Shadow Brook Drive, Columbia, SC 29210 - I concur.

Mr. Curtis Murphy, 507 Shadow Brook Drive, Columbia, SC 29210 - I support the prior comments made about Shadow Brook Drive.

Mr. Lewis Milligan, 522 Shadow Brook Drive, Columbia, SC 29210 - I support their comments too.

Ms. Cassandra F. Pickett, 211 Rhett Road, Columbia, SC 29210 - I agree with them.

Mr. Dru Kennedy, 501 Brookshire, Columbia, SC 29210 - I appreciate you sitting here and one day I plan on sitting there myself. One of the things that has not been touched on at all, I moved into the Whitehall area in 1989, purchased a home and unfortunately, I was not quite clear to the flooding. I live on Brookshire and Kettering which means I get flooded on two sides with K1 creek, which is not shown by that blue line which floods every house down Brookshire Drive (referring to the aerial map). I have worked your own zoning and planning departments since then to try to get it done, we were told that that land would never be available to put in a retention pond, never because it was tied up in estate by Lexington County. That's all it would take to fix our flooding. That's just one thing. So the flooding and drainage runoff is an issue and they did clear it. They were within their right, but they did not put up a silt fence and were supposed to do that, too. In the middle of my creek it is two and three inches deeper in silt because of it, still to this day, along with everybody else. Rhett Road is used on a daily basis and you hear about the school buses. You know Whitehall, I imagine Mr. Mungo at one point would have loved to develop that and the rest of Whitehall but could not get it because it was probably tied up and numerous heirs on the property. It needs to be residential development like what it is to keep our neighborhood what it is. We are a great place to live, and we live there. I did not like being classified as a low class to middle class, class is what you make of it, not what you call somebody. But our neighborhood works very well to stay where it is and I would love to see you keep it where it is and help us develop it into a further extension of Whitehall and make it a better place to live. We've got enough business development on the other side of the road. That property is also where the drainage starts, is in Richland, Lexington and I-26. That flood started whenever that interstate was widened. I was going to college then. They did nothing because there were no laws to prevent the runoff from the highway. The highway department brushes their hands of it. Richland County brushes their hands of it. The only reason they got the office development to put up retention ponds is because many of us called the card on it. Lexington County and your staff have done everything they can to try to help within the means there and it is much appreciated. But please keep it like it is. It does not need to have this development. Thank you.

Mr. Sam John Edwards, Jr., 548 Brookshire Drive, Columbia, SC 29210 - First I would like to thank you for having this hearing. I have been a residence there since 1989. I love the neighborhood since moving from Charlotte. It's a wonderful place to live, raise a family, and enjoy a great quality of life. I live at the end of Brookshire Drive in direct view of this piece of property. Since the bike shop came in, on Jamil Road, the sound volume has gone up tremendously. My front yard, to have a conversation with the neighbor, you have to be within feet not across the street because you can't hear them. This I believe will deteriorate the quality of living even worse. Also, we do have the drainage problems Mr. Kennedy was speaking of, and I believe this will have an adverse effect on that and on our property value. And as was stated earlier about the Whitehall area and Seven Oaks being named the 98th best living place in

America, if we do this, it will directly impact our quality of life. Thank you.

Mr. Robert H. Rosebrook, 504 Shadow Brook Drive, Columbia, SC 29210 - I agree with what has been said earlier about opposition to it.

Mr. Andrew Richardson, 464 Jamil Road, Columbia, SC 29210 - I think we should leave it like it is.

Ms. Pauline Richardson, 464 Jamil Road, Columbia, SC 29210 - I agree with what has been said.

Mr. Russell Faust, 450 Rhett Road, Columbia, SC 29210 - I agree with what has been said.

Ms. Donna K. Little, 515 Shadow Brook Drive, Columbia, SC 29210 - I am opposed, and I agree with the rest of them.

Mr. Thomas E. Little, 515 Shadow Brook Drive, Columbia, SC 29210 - I agree with the rest of them.

Ms. Sandra J. Calori, 529 Shadow Brook Drive, Columbia, SC 29210 - I am opposed to it and I also agree with the rest.

Ms. Patricia Swygert, 601 Shadow Brook Drive, Columbia, SC 29210 - I agree with everything that has been said.

Mr. Gary W. Raymond, 535 Shadow Brook Drive, Columbia, SC 29210 - I agree also with what they have said.

Mr. Lloyd E. Pitts, 567 Brookshire Drive, Columbia, SC 29210 - The essence is, I agree with what they have said, we don't need to change it, it does not need to be intensive development.

Ms. Monetta Pitts, 567 Brookshire Drive, Columbia, SC 29210 - No, I also oppose and agree with what has been said.

Ms. Lorie McGraw, 500 Shadow Brook Drive, Columbia, SC 29210 - I and my husband Jerry Hilbish and I live down in the cul-de-sac. I frequently travel Rhett Road, and I take really great exception to somebody who refers to my neighbors as folks of limited means and that they have trash in their yards and things like that. I drive down that road nearly every day, it is an unimproved, very dusty, very rutted road that is at times is extremely very slippery. The folks that are along there always greet me with a smile. I smile and wave at them. They are my neighbors, and I appreciate and cherish them. The folks that live along there also deserve to be able to have a quiet neighborhood as mine is. Right now the traffic that is on there is very slow because it has to be because of the condition of the road, it is very narrow. If you go down that road you have to time it so that you don't go down it when the school bus is coming because you can't have the school bus and another car on the road at the same time. Folks are also using it, the new little place that has all of the motorcycles and such, they take people down that road on four-wheelers at certain times and they are probably not supposed to, but they do. And kids play on that road and ride bicycles on that road. That road needs to remain as residential. There is not anyway, if you are to look at the intersection of Rhett and Jamil, it backs up right next to the freeway. There is no place for that road to be widened at all and so if anything, I don't know how a bus school can even fit out of that road. I don't know that they turn into it. I know that they go out of it. It is simply no place for increased

traffic. I agree with everything that has been said. It distresses me that my husband is not able to be here but he is up at the Boy Scout Camp today and he said to speak for him as well. Thank you.

Mr. William R. Sandberg, 542 Brookshire Drive, Columbia, SC 29210 - Thank you very much for the opportunity to express ourselves at this hearing. My wife and I live in the fifth house down across the street side of Brookshire. We are already affected, not as badly as some as our neighbors, but worse than others by the runoff. Like Mr. Sansbury and other speakers, I think this can only worsen the runoff situation because that's uphill and upstream from where we are and the water comes through our yards when there is heavy storms. I would like to highlight the idea that we relied on this R1 zoning in our case in 1986 when we bought our house. At the time we also looked at a house on Wood Gate, which is the street that intersects Brookshire (pointing to the map) at that little circle at a right angle, and one reason we chose our location, five houses down Brookshire, rather than on Wood Gate was that we wanted to be distanced a bit further from the ID zone. This proposal makes me feel as though the ID zone is following me. It's encroaching on what we bought in reliance on the zoning. I understand the zoning can be changed, but I think there ought to be a darned good reason for that change and you need to take cognizance of how much disruption you might be causing in the lives of other people. My wife and I are empty nesters now, and we are at the point where we've got a choice to make about staying where we are in a house we like in a neighborhood we love, in which case we will invest heavily in upgrades for the house and plan on spending the rest of our lives there or at least as long as we are able to live independently. The alternative is to move out of Whitehall because we are empty nesters now and that removes a lot of constraints on where we would live. I think there must be other people in Whitehall who are in the same boat, so to speak, and we sort of put on hold the idea of making the substantial investments in both our home and the property until we know what is going to happen about 250 feet away from us. So I hope that you will give attention not only to the present conditions but to how your decision will affect future behavior by people who live there now and by people who would consider moving into Whitehall in the future. I hope that you will help maintain Whitehall's excellent standard. Thank you.

Mr. Mac Mitchell, 571 Brookshire Drive, Columbia, SC 29210 - I agree what he just said. I am basically the property owner across the gas line easement, and I am highly opposed to the changes to the zoning status.

Mr. Bryan and Vickie Jordon, 554 Brookshire Drive, Columbia, SC 29210 - I oppose.

Mr. Derrick stated that concludes the list of those in opposition to Zoning Map Amendment M07-07 and closed the public hearing.

Mr. Davis asked Mr. Hiller to explain to those in attendance the process that we follow for all Zoning Map Amendments.

Mr. Hiller replied, the chain of events that happen with any map amendment request is that Council has first reading, announcement by title only, which has already taken place. The next step is the opportunity for public comment, which is the public hearing that we are at tonight. Following that, the same presentation that is given tonight is made to the Planning Commission and we will take a summary of tonight's comments, both in favor and in opposition, and relay that information to the Planning Commission. After that the Planning Commission will take a vote to make a recommendation to County Council, which is the one with the authority to approve or disapprove the request. At that time, it will be placed in the Planning and Administration Committee of Council for second reading. If Council chooses to disapprove any request, they may do so at second reading, but in order to approve a request, it will

require a third and final reading. Mr. Hiller wanted everyone to know that they are welcome to attend the Planning Commission meeting, as it is open to the public, but it is not for public comment.

Mr. Derrick added that if anything of relevance comes up later you may send that information to the County Council office and it will be forwarded to all members of County Council and the Planning Commission.

Proposed Land Development Guidelines - Mr. Derrick opened the Public Hearing for the Proposed Land Development Guidelines.

Mr. John Fechtel, Director of Public Works, presented a brief overview of the proposed Land Development Guidelines. He said that it was an accumulation of many months of work by staff members and the Stakeholders Group. You did pass the Stormwater Ordinance tonight. The land development guidelines are basically the methods by which we use to look at the different stormwater issues and design criteria that go into the subdivisions. Mr. Fechtel publicly thanked the Stakeholders Group for their time and efforts in making this a possibility. The following members were: Developers - Bill Dickson from the Mungo Company, Jeff Phillips of Jewell Builders of Lexington Inc. and Robbie Wilkins of RPW Development; Home Builders Association - Earl McLeod; Engineering Community - Tom Britt and Mike Ray of HB Engineering; Carlos Cometto from V&K Designs; Bill Brown and Harry Walsh from Civil Engineering; County Council - Chairman Derrick and Councilman Summers; Lake Murray Watch - Steve Bell; SCE&G/SCANA, Beth Trump; Land and Conservation Planning Site and Landscape Design: - Sue Green, Planner, Landscape Architect; Contractors - Sean Walker with CR Jackson; Surveyors - Al Whitworth of Whitworth and Associates, Inc; Soil and Water Conservation - Bill Melven, Dwight Davis and Doug Dederick; Lexington County Consultant - Hal Clarkson and Don Alexander from Woolpert Consultants; and Lexington County stormwater staff. All the engineers and members of the Stakeholders Group were notified at least twice by email of this public hearing. In addition, this is considered a working document. This public hearing was not a requirement by any policy but was held at the request of some of the Stakeholders so that they would have the opportunity, if they disagreed with staff or some of the recommendations, that they could come before Council and express their concerns.

Mr. Derrick opened the meeting for comments from those in favor to the proposed land development guidelines.

In Favor:

Ms. Rebecca Connelly, 1677 Amicks Ferry Road, Chapin, SC 29036 - This is actually my parents address as I actually spend more time there than my address, which is 3145 Makeway Drive, Columbia, SC. I did not really want to say that I am opposed or against this. I am actually a little late on getting the information; I see this is the end of the game. I just received the information on the manual the other day, I have tried glancing through it. I have spoken to many people in the neighborhood who did not know anything about it so I told them I would come up here and put in a few comments. I think mainly a lot of my stuff is questions, and I am not sure if this is the right place or not. I read over the wetlands and they are protected, which is great. I would like to maybe see and understand if we can discuss wetland buffers. With my experience in development they like to go right up to the wetlands so a buffer protects that and the erosion control probably will protect that so that's great. I am glad to see the guidelines that we have put in to that, that is some good work that you have done. I don't know and I would like to understand better, a lot of stuff refers to best management practice, and that kind of leaves a lot of stuff vague that is proved by either a meeting or something. I did not see guidelines for that; I am concerned with the, what

I have been seeing in Lexington County which is strip grading and clear cutting and houses going in. I would like to know if this plan meets that. It says it wants to eliminate some of that, no clear cutting; keeping vegetations there, and trying to keep to the existing grade, but I didn't see any guidelines. It just said it would be left to the discretion that this is what we will try to follow in the best management practice.

Traffic studies, I have dealt a lot and I have actually done several of these. One area of concern always been it says surrounding areas and they will go one intersection of an intersection, these things cost a lot of money. So they don't go two or three intersections down where the real traffic problem is at. So that was defined in the impact area to make this address looking outside of the area. Existing dirt roads, said in there that the developer wanted to improve that dirt road, your guidelines, they are great guidelines, they can be expensive and they can be hard if someone does not give you right-of-way and it says they have to obtain right-of-way. I did not see who was obtaining and what guidelines they were following on that. It's a great manual. I hope to see improvements in Lexington County, hope to see this clear cutting going away and this clear grading going away and these strip subdivisions having some control on them. I am glad to see this manual coming out, and I would like to read it more, it's quite a document. I appreciate your taking the time in putting effort into doing this.

Ms. Sue Green, 1093 Corley Mill Road, Lexington, SC 29072 - I had the pleasure of serving on the Stakeholders Committee which assisted the consultants in drafting this document that we have that is about an inch and a half thick. I wanted to stand up here and say that I very much support these development guidelines, and I feel like the adoption of these guidelines is a very progressive step for Lexington County. I am very much supportive of low impact development and trying to work with the natural features of land, capitalize on those natural features and not totally demolish them and take away the trees, massacring and so forth. There is one section in particular in the document that still needs some working and as John Fechtel said this is a working document and there are still a lot of details that need to be worked through. But the one that really concerns me the most is Section 3.1.10 as it is currently written, it allows clear cutting of an entire site less than 10 acres. I understand and I am not opposed to clear cutting 10 acres when we are looking at a 200 acre development, of course we have to clear cut for roads and utilities and so forth, that just makes sense. What I am opposed to is when we have an eight acre or a 10 acre site and the property owner can come in and totally take down every tree and do mass grading of that site. This can lead to severe problems, not only with sediment, erosion but aesthetics and neighbors and so forth. I have a long list of the benefits of trees in urban forests, and I am not going to bore you with that long list because it is real easy to find all great information out on the web, the benefits of trees. But I do want to read a couple of them to you. Trees provide protection from downward fall of rain, sleet and hail as well as reduce stormwater runoff and possibility of flooding. Tree roots stabilize the soil and prevent erosion and sediment in streams, ponds and lakes. Trees improve water quality by slowing and filtering rainwater as well as protecting aquifers and water sheds. That is one big caveat of this whole development guideline is water quality; trees help with water quality. The death of a 70-year old tree would return over three tons of carbon to an atmosphere. We do have a good landscape ordinance, however, we can right now take down large old growth trees that take in a lot of carbon to replace them with little three inch caliper trees. They do not do the same. It takes them 50 years to replace a tree that has been taken down. These are just some of the benefits of having trees. Of course, trees entice people to come live and shop and spend time in a location. They increase property values. They do so much for our community and I would just really stress the importance of not allowing clear cutting in Lexington County any longer. Thank you.

Mr. Davis asked if she though the Stakeholders would accept putting a restriction of a certain percentage of new developments that had to be in the low impact design.

Ms. Green answered, yes, I believe so. With the low impact development concepts principles that you try and mimic the natural hydrology of a site with development, so therefore in doing that at the very beginning of the process of planning the site you are looking at the hydrology of that site and how that water is running off of that site and through that site. So, you incorporate those concepts into your development plan and, therefore, you are retaining the native vegetation that is there, you are lessening the grading that is occurring, you are lessening the need for detention ponds, which are very expensive and slightly, liability issues and really just don't work well. I would certainly support and I feel that a lot of the Stakeholders, I could not speak for everyone of them, but I feel that the majority of them, once they understood the concepts of low impact development would support it.

Mr. Keisler replied, I think that was one of the best comments I have heard in a long time, referring to saving trees.

Mr. Derrick stated no one else had signed up to speak in favor and closed that portion of the hearing.

Mr. Derrick stated no one had signed up in opposition and closed the public hearing.

Executive Session/Legal Briefing - Mr. Derrick stated Council needed to go back into Executive Session to continue discussing contractual matters and receiving the legal briefing.

Mr. Davis made a motion, seconded by Mr. Kinard to enter into Executive Session to continue discussion of contractual and legal matters.

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

Not Present: Mr. Carrigg *

*Mr. Carrigg was not present when the vote was taken.

Mr. Derrick reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Mr. Derrick reported there were several motions were to be considered.

Sell of the Old Swansea Library - Mr. Kinard made a motion, seconded by Mr. Jeffcoat to give first reading to approve the contract of sale of the old Swansea library location, as is, to highest sealed bidder, Ms. Peggy Williamson, in the amount of \$36,100.

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

Not Present: Mr. Davis * Mr. Cullum *

*Messrs. Davis and Cullum were not present when the vote was taken.

Ordinance to Amend the Procurement Ordinance - Mr. Carrigg made a motion, seconded by Mr. Keisler, to give first reading by title to an ordinance to amend our procurement ordinance and other ordinances that involve County services, including wrecker rotation and other services to comply with certain County ordinances.

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

Not Present:	Mr. Davis *	Mr. Cullum *
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*Messrs. Davis and Cullum were not present when the vote was taken.

S&T Appeal - Mr. Carrigg made a motion, seconded by Mr. Kinard to move forward with the appeal on the S & T Landfill.

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

Opposed:	Mr. Keisler
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Not Present:	Mr. Cullum*
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*Mr. Cullum was not present at the time the vote was taken.

OLD BUSINESS/NEW BUSINESS - Green is Good for Business Conference - Ms. Summers received a request from Ann Sinclair, Columbia City Council, who serves on the Climate Protection Action Committee. She said Lexington County is represented on the committee by Synithia Williams, Environmental Coordinator with Public Works. The Climate Protection Action Committee is asking Lexington County to be a corporate sponsor of their first business conference, Green is Good. By being a sponsor, it would give Lexington County advertisement on the Seapak website and to exhibit at the conference free of charge. In addition, the people who staff the County booth at this conference and County council members would be able to attend at no charge. They are asking for a sponsorship of \$2,500 and the Public Works department has allocated about \$7,500 this year in their budget for environmental education.

Mr. Jeffcoat made a motion, seconded by Mr. Carrigg to approve contingent upon the approval of the County attorney.

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

Not Present:	Mr. Davis*	Mr. Cullum*
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Messrs. Davis and Cullum were not present at the time the vote was taken.

Budget Amendment Resolutions - The following BARs were distributed and signed:

08-021 - A supplemental appropriation increase in the amount of \$22,920. During the budget process, the County's portion of the Carolina Clear Program was put in the budget, but the municipality's portion did not get budgeted. This BAR is to add their portion to the budget.

08-022 - A supplemental appropriation decrease in the amount of \$52,873. During the budget process, the Drug Court budgeted a portion of their revenue that would be from Drug Court income which came from participants. Since the time of the budget process, instead of receiving Drug Court income, the participants will be paying their treatment cost. Due to this, the contingency will be decreased to cover the income that Drug Court thought they would be receiving.

08-023 - A supplemental appropriation decrease in the amount of \$1,798. The grant award received from DHEC for the DHEC Used Oil Grant was less than the amount applied for. This BAR is to adjust the budget to match the grant award.

08-024 - A supplemental appropriation decrease in the amount of \$37,400. The grant award received from DHEC for the DHEC Management Grant was less than the amount applied for. This BAR is to adjust the budget to match the grant award.

08-025 - A supplemental appropriation increase in the amount of \$54,004. The State aid that the County receives from the Library State Fund was increased from \$2 to \$2.25 per capita. Due to this increase, the library received \$54,003.50 more in State aid this year than last year.

08-026 - A supplemental appropriation increase in the amount of \$21,740. The State budget set aside Library Lottery funds for public libraries to be used toward educational technology. Our allocated portion of these lottery funds is \$21,739.13.

08-027 - A supplemental appropriation decrease in the amount of \$331,244. The grant award for school resource officers was less than the amount budgeted in the budget process. The application was in the amount of \$662,637 and the amount of the award was \$331,393.

08-028 - A supplemental appropriation decrease in the amount of \$17,343. The grant award for the Multi-Crime Scene Investigation Unit was less than the amount budgeted in the budget process. The application was in the amount of \$395,583 and the amount of the award was \$378,240.

08-029 - A supplemental appropriation increase in the amount of \$84,585 to appropriate the budget and revenue that will be associated in running the "Alive at 25" grant program.

08-030 - A supplemental appropriation decrease in the amount of \$2,000. The grant award received from Palmetto Pride was less than the amount budgeted for during the budget process. The application was in the amount of \$5,000 and the amount of the award was \$3,000.

08-031 - An appropriation transfer in the amount of \$86,085 to cover the cost of a part-time CIO to assist the Information Department with implementing new technology as the County continues to grow.

08-032 - A supplemental appropriation decrease in the amount of \$63,497. The grant award for the Violent Crime Task Force was less than the amount budgeted in the budget process. Out of some items that were cut off the award, Solicitor Myers wants to keep those items in the budget and will use his state funds to cover these additional costs.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William C. Derrick
Chairman