

Certification: Andrew Price, Jana Peake, Daniel Smith, Cameron McCurdy, and Craig Lindler.

Ms. Hubbard recognized Ms. Anna Lusk, Customer Service Clerk I in the Register of Deeds Office. Ms. Hubbard said Ms. Debbie Gunter, Registra, received a telephone call from a citizen informing her about the wonderful service he had received from Anna.

Shining Stars for 3rd Quarter 2008 - Ms. Hubbard recognized Mary Burnett, EMS Billing Clerk, Public Safety/EMS; Tonya Mealing, Assistant Deputy Delinquent Tax Collector, Treasurer’s Office; Jennifer Hendrix, Veterans’ Affairs Specialist, Veterans’ Affairs; Paul Dorroh, Engineering Associate I, Public Works; and Lewis Black and Jason Byars, Telecommunications Operators of Public Safety/ Communications as the winners of the third quarter for the Customer Service Shining Star award. Each recipient received an engraved acrylic “Shining Star.” Mr. Dorroh was not present.

Resolution - Town of Irmo - Mr. Jeffcoat made a motion, seconded by Mr. Carrigg to approve the resolution.

Mr. Carrigg amended the motion, seconded by Mr. Kinard to add language to the resolution recognizing the Arbor Day Committee.

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

Vote of Amendment:

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

Vote on Motion as Amended:

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

Presentation of Certificate - Toni Greer - Presented by Councilman Banning - Mr. Banning presented Ms. Greer with a framed certificate recognizing her for her eight years of volunteer service to the Lexington County Museum Commission Board.

Appointments - None.

Committee Reports - Planning & Administration, J. Jeffcoat, Chairman - Zoning Text Amendment T08-05 - A Zoning Text Amendment to Amend the Lexington County Zoning Ordinance for the Purpose of Establishing Specific Exemptions to Section 24.10 - Noise - 2nd Reading - Mr. Jeffcoat reported the Planning & Administration Committee met to discuss and consider 2nd reading of Zoning Text Amendment T08-05. The Committee voted unanimously to recommend to full Council to deny the request to amend the ordinance.

Mr. Jeffcoat made a motion, seconded by Mr. Keisler to deny second reading of Zoning Text Amendment T08-05.

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

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

Health & Human Services, J. Carrigg, Jr., - FY 08 Emergency Operations Center (EOC) Grant Program Application - Mr. Carrigg reported the Committee met to consider staff’s request to submit the FY2008 Emergency Operations Center (EOC) grant application in the amount of \$1,333,333. The grant requires a 25 percent County match or \$333,333. The grant will be used toward the construction of the new EOC facility. The Committee voted unanimously to recommend to full Council for approval.

Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to approve staff’s request to move forward with the submittal of the application.

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

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

2007 Citizens Corps Grant Award - Mr. Carrigg reported as an item of new business during the Committee meeting, the committee considered acceptance of the 2007 Citizen Corps grant award. The award is in the amount of \$5,036 and requires no County match. The Committee voted unanimously to recommend to full Council for approval.

Mr. Carrigg made a motion, seconded by Mr. Banning to approve the acceptance of the grant award.

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

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

Committee of the Whole, B. Derrick, Chairman - Sewer Line Extension Agreement - Mr. Derrick reported the Committee met to discuss and consider approving a Sewer Line Extension Agreement between the City of Cayce and the County of Lexington for the Saxe Gotha Industrial Park. The Committee voted unanimously to approve pending County attorney verification and approval.

Mr. Banning made a motion, second by Mr. Kinard to approve the Sewer Line Extension Agreement for the Saxe Gotha Industrial Park pending County attorney verification and approval.

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

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

Old Business - Ordinance 08-12 - An Ordinance to Amend Ordinance No. 95-12 as Amended by Subsequent Ordinances Relating to the Joint County Industrial Park of Lexington and Calhoun Counties so as to Enlarge the Park to Add Certain Property Owned or Leased by Project Stewart –

2nd Reading - Mr. Banning made a motion, seconded by Mr. Davis to approve second reading of Ordinance 08-12 to place certain property to be occupied by Project Stewart into the Joint County Industrial Park with Calhoun County.

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

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

Budget Amendment Resolution - The following BAR was distributed and signed:

09-021 - A supplemental appropriation increase in the amount \$5,036 to appropriate funds received from the 2007 Citizens Corp grant.

Executive Session/Legal Briefing - Mr. Derrick stated Council will need to enter into Executive Session to discuss six contractual matters.

Mr. Banning made a motion, seconded by Mr. Davis to enter into Executive Session.

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

Mr. Davis left immediately following the vote.

Matters Requiring a Vote as a Result of Executive Session - Mr. Derrick reconvened the meeting in open session and reported one motion was to be considered but Council will need to re-enter Executive Session following the public hearings to continue discussions of contractual matters.

6:00 P.M. - Public Hearings - FY08 Justice Assistance Grant (JAG) Program Application - Mr. Derrick opened the public hearing.

Mr. Derrick noted that no one had signed up to speak in favor or in opposition of the Justice Assistance Grant (JAG) Program.

Mr. Derrick closed the public hearing.

Ordinance 08-11 - An Ordinance Approving the Sale of 24.90 Acres from the County of Lexington to US Food Services, Inc. - Mr. Derrick opened the public hearing.

Mr. Derrick noted that no one had signed up to speak in favor or in opposition of Ordinance 08-11.

Mr. Derrick closed the public hearing.

Zoning Map Amendment M08-04 - East Side of Garden Valley Lane and South of the CSX Railroad - Mr. Derrick opened the public hearing and recognized Mr. Bruce Hiller, Development Administrator, Community Development.

Mr. Hiller stated that the applicant is the Pennington Law Firm, who is representing South Carolina

Electric & Gas Company. The request is to change the zoning on a portion of a piece of property from Low Density Residential (R-1) to Restrictive Development (RD) for a cell tower. Mr. Hiller said the site plan, as submitted by the applicant, shows the ingress to the site. Both the ingress and egress is included in the map amendment request as it also would have to be approved.

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

Mr. Carrigg asked where the floodplain line is.

Mr. Hiller replied that he did not believe that the site is in the floodplain area itself.

Mr. Banning asked who the adjacent property owners are.

Mr. Hiller replied, South Carolina Electric & Gas.

Mr. Carrigg said Council is most interested in the floodway rather than the floodplain.

Mr. Hiller replied that the floodplain could be an issue because you would have to elevate above the floodplain area. However, the floodway would be a different concern as nothing could be built in the floodway.

Mr. Carrigg asked whether WVOC had proper zoning for their towers.

Mr. Hiller replied he thought those towers were in place prior to zoning in that area so they became legal non-conformities.

Mr. Hiller reviewed the process for any zoning map amendment, which requires three readings and a public hearing. However, Mr. Hiller said if an amendment is to be denied, it can be denied at second reading, but if it is to be approved, it must go for third and final reading.

Mr. Derrick opened the meeting for comments from those in favor to Zoning Map Amendment M08-04.

In Favor:

Cody Smith, Pennington Law Firm, 1501 Main Street, Suite 600, Columbia, SC 29201 - I am the attorney representing SCANA and SCE&G, and I will address a couple of points that were raised earlier. We are, in fact, in the floodplain, but we are going to design the equipment and the tower so it can be accommodating to the floodplain status. As far as the location of the tower at this particular part of the parcel, it's really one of those unique things that happens with site acquisition of these towers is that we really try to key in on one design so it is appropriate for our needs. Here it's obviously capacity need in this area. The primary reason for this tower is because of the service along Bush River Road. In this area there is a big gap so we are trying to meet that need and provide the adequate coverage there. So that is part of the reason we are going here. If you go much further toward the dam, which is where the lack of coverage is, you will get more into residential properties and it would be harder to get the tower built there, we think. So, that is the primary reason we are going on this particular parcel. In terms of locating it where we are on this parcel, some of the questions brought up about the radio transmission tower down the road, those are designed so the entire tower is basically antenna and those things emit RF signals from the base of the tower to the very top. And putting a tower, even where we are putting it, is running a risk of interference with those. So we are going to have to fine tune this tower and antennas associated with it so we won't interfere with the radio signals coming from those towers. We are already coming up against the buffer there and if we go much closer to those, we will have more concern with that. So that's part of the reason we are going there as well.

With this particular tower you will notice on this property, we have already seen the surrounding properties, but we think it is probably the highest and best use of this property. And one of the things that was omitted earlier (pointing to a poster of the property) is further down the property adjacent to the property is the sewer treatment plant. This property is in the Lake Murray project so we can't really develop this property either. (Note: Mr. Smith was referring to areas on a poster when doing his presentation and it was difficult to determine the area he was referring to. Mr. Smith said the site is about 180 feet away from the railroad right-of-way and then there is another 100 feet right-of-way to the residential property lines; 280 feet away from the nearest residential property line which exceeds the requirements for a RD district for a tower of this type). Again, on the property is also a substation and we think it is a good use of this property to make it into a dual use property. By putting it where we are putting it, the rest of the property could possibly be developed in the future. A lot of thought went into putting it there. Another thing that is worthy to point out is that from the road along Garden Valley Lane there are tall trees and there are no plans to develop it. I believe as we said, it's in a possible wetlands area and floodplains so development is unlikely to happen. This will limit the visual impact from neighboring properties. I think you are all aware of the benefits that cell towers give us. Some highlights: 100,000 9-1-1 calls a day made on wireless phones and emergency response units and police use wireless service as well to radio back to the hospitals and their police stations. So it does provide a big service to our community and they are necessary for our 21st Century way of life.

Opposed:

Eddie Baine, 3008 Pine Shadow Trail, Columbia, SC 29210 - I live in the third house from the end, right behind the proposed area. Yes, it is in a floodplain; ten feet of my back yard is floodplain. I would like to ask the gentleman when this photo was taken. Do they know? (Mr. Hiller replied, 2007). Have they been out lately because a lot of that land has been cleared and a lot of these (trees) are no longer there? My concern is some of these trees. I'm not quite sure how far down that is, is whether those trees are going to buffer us from the site of this. I don't want a 195 foot tower to be looking at out my back door. I already have to look at a railroad track, which is there. I'm concerned about the radiation it's going to create. No one can really tell me the findings that they have found in the past of long-term problems that people have had; there are problems.

Secondly, the property values. I'm concerned if I'm going to sell my house and someone looks out there and says what's that big thing out there? I'm not really excited about that.

Mr. Carrigg asked Mr. Baine if he had a problem with the current substation that is already there.

Mr. Baine responded, the substation has been there. Other than every now and then explosions going off but there is nothing we can do about the substation being here. It was there when I bought my house. So, I couldn't oppose that.

Mr. Carrigg asked if the trees in the presentation are in his backyard.

That's why I asked when this was done (the pictures). SCE&G had Davey Tree Service come in and clean along the power lines, which the power lines are on the other side of the railroad tracks along those trees. So the tops of those trees have been cleared. This picture really indicates a heavier tree line than what's actually there. The trees with the full leaves on them right now, I can still see through that and see all that area back there now. I also have concern about the radiation that it's going to emit. We already have the radio station that is no longer operating. So, we have had to deal with all that. There again, he did make a comment about their transmission, some interference, and they were going to see what they could do about that. Well, what's the guarantee that it is not going to interfere with my telephone, my cable, or my satellite system? There are no guarantees for that. They can't give us that. He said they would see what they could do about fixing that. I am concerned about that. What kind of interference? He also made a comment about the lack of cell phone towers in that area. Ms. Watson has more of the

figures on that as to how many cell phone towers are in that area now. He said problems with getting cell phone calls. There's no problem getting cell phones calls out from where we are in that area. I've never had a dropped call from my house with a cell phone. Those are some points he brought up that I thought I would counter on. Thank you for your time.

Vivian Watson, 3012 Pine Shadow Trail, Columbia, SC 29210 - Thank you for giving us the opportunity to speak. Sorry the whole neighborhood isn't here. I have lived in the area for 37 years and the SCE&G station was not there when I moved in. We have a lot of concerns really. One of the things is our property values. We have seen a decrease through the years mainly because when we moved in the railroad was there, but we had about four trains a day and that was it. Kind of a bad situation that we were very much aware when we bought our home, but we decided it was better than barking dogs in the backyard. The railroad came in after a short time and dug ditches right behind our house, which we have dealt with through the years. It is a mosquito infested area; we've never been able to get any satisfaction from that and that has created a problem for us. The trees that you see, it's like what you said. It is an overhead view and these are pine trees. And you know very well that the tops of the pine trees look nice and full but in between the tops of those trees and the land it's open space. So we have a very open view of that area behind us. That area behind us is very special to us. It is a haven for wildlife. It goes all the way down to the river. We have a couple of resident raccoons who wander through the yard on a regular basis and they eat the cat food at Eddie's house and visit in our homes in the garages if they are left open. We are concerned about the effect on that. I did a little bit of research, and I say very honestly, a very little bit and some of the concerns that were expressed through other individuals who have done some major studies just talking on cell phones and then carrying with that the importance of not being under a cell phone tower and the dangers of that with increases in leukemia, which I hadn't realized that it would create that type of problem; brain tumors, increases in estrogen levels and reduces sperm counts, which are in that process. I think at this point across the world and some of these coming out of Europe being argued back and forth whether or not they would be difficult and that's devastating as things seem to appear as we get more and more cell phones. I did find a site that registered within an area of Pine Shadow Trail and Bush River Road, one block just off Bush River Road. There are 45 towers within four miles within this area. I went through the list of the towers that are listed and from what I can determine there are at least ten of those towers, which are cell phone towers. They belong to Alltel, Cingular, Bell Atlantic Mobile, Nextel Mobile, and Nextel Communications and these are all within a four mile radius of the location that this tower is planned for. I think we are highly saturated at this point. It's been pointed out as they have said, we are in the floodplain; it comes up to our backyard. We are dealing with the railroad. From what we understand, one section of the railroad that went around the dam on the other side, it carried a major part of the traffic from the railroad, was eliminated some years ago, which has routed all the train traffic right behind us and now we have the substation for the power company and now to bring in a cell tower is going to further degrade the property values of our homes; we know that. But, I'm mainly concerned about the health and welfare of our community. We have a lot of elderly citizens, and I'm getting there very fast. Our neighborhood is made up also of a lot of new couples that live there and they have small children, and we don't want anything that's going to be within 200-300 feet of our houses and, this road where it cuts up to come out to the cell tower, is directly behind our house. So the cell tower itself will be located directly behind my house and my next door neighbor's who is a 78 neighbor. She said I'm not able to be there but tell them please that I'm opposed to this. We really feel like there are other locations within a fairly small range that are less congested as far as residential housing, even to move it back more toward the river more, away from it, back from the area where the old radio towers are or something like that. And we really believe that there can be some other locations that would be more satisfactory and create fewer problems for the community and the residents of that area. I appreciate your time and hope that we can have an opportunity to really consider some other locations for this before it is signed off for the welfare of the whole community.

Mr. Derrick noted that no one else had signed up to speak in favor or opposition of Zoning Map Amendment M08-04.

Mr. Derrick closed the public hearing.

Zoning Text Amendment T08-06 - To Amend the Lexington County Zoning Ordinance for the Purpose of Defining the Qualifications for Those Who May Request Map or Text Amendments - Mr. Derrick opened the public hearing.

Mr. Derrick noted that no one had signed up to speak in favor or in opposition of Zoning Text Amendment T08-06.

Mr. Derrick closed the public hearing.

Result of the Boot Drive for the Jeffrey V. Chavis House- Ms. Hubbard announced that \$40,443.61 was collected this past weekend (Friday, June 20 and Saturday, June 21) for a seven year total of \$348,943.61.

Justice, B. Banning, Sr., Chairman - FY08 Justice Assistance Grant (JAG) Program Application- Mr. Banning made a motion, seconded by Mr. Keisler to approve staff's request to move forward with the submittal of the FY2008 JAG application.

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

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

Not Present: Mr. Davis

Ordinance 08-11 - An Ordinance Approving the Sale of 24.90 Acres from the County of Lexington to US Food Services, Inc. – 3rd and Final Reading - Mr. Banning made a motion, seconded by Mr. Kinard to approve third and final reading of Ordinance 08-11.

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

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

Not Present: Mr. Davis

Matters Requiring a Vote as a Result of Executive Session - Amended and Restated Agreement for Transportation and Disposal of Subtitle "D" Municipal Solid Waste - Mr. Kinard a made a motion, seconded by Mr. Jeffcoat to approve the contract extension for Solid Waste Transportation and Disposal with Waste Management.

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

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

Mr. Banning

Not Present: Mr. Davis

Executive Session/Legal Briefing - Mr. Derrick stated Council will need to re-enter Executive Session to continue discussions of one contractual matter.

Mr. Banning made a motion, seconded by Mr. Kinard to enter into Executive Session.

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

Not Present: Mr. Davis

Mr. Carrigg left immediately following the vote to go into Executive Session.

Matters Requiring a Vote as a Result of Executive Session - Mr. Derrick reconvened the meeting in open session and reported Council discussed the contractual matter during Executive Session and indicated there were no motions to be considered as a result.

Motion to adjourn - Mr. Banning made a motion, seconded Mr. Jeffcoat to adjourn.

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

Not Present: Mr. Davis Mr. Carrigg

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William C. Derrick
Chairman