

hosting the Haunted History Halloween Program at the museum on Thursday and Friday, October 23 & 24. The programs will be at 7:00, 7:30, 8:00, and 8:30 p.m.

Employee Recognition - Katherine Hubbard, County Administrator - Ms. Hubbard recognized Ms. Linda Mack, Deputy Registrar in the Register of Deeds office, for her superb customer service skills. Ms. Debbie Gunter, Registrar, received a letter from an individual out-of-state praising Linda for her courteous and thoughtful manner and efficiency.

Presentation of Certificate - Mr. Robbie Stabler Presented by Councilman Kinard - Councilman Kinard presented a framed certificate to Mr. Stabler recognizing him for his service on the Lexington County Assessment Appeals Board. Mr. Stabler served from May 23, 2006 – September 21, 2008.

Appointments - Planning Commission - Mr. Pat Dunbar - A motion was made by Mr. Jeffcoat, seconded by Mr. Carrigg to appoint Mr. Pat Dunbar to the Planning Commission. Mr. Dunbar replaces Mr. Eddie Wilder.

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

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

Lexington/Richland Alcohol & Drug Abuse Council - Ms. Lynn Dooley - A motion was made by Mr. Jeffcoat, seconded by Mr. Carrigg to reappoint Ms. Lynn Dooley.

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

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

Museum Commission - Ms. Jean Lucas - Mr. Kinard made a motion, seconded by Mr. Davis to reappoint Ms. Jean Lucas to the Museum Commission.

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

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

Mr. Carrigg
Mr. Cullum

Mr. Banning

Bids/Purchases/RFPs - A motion was made by Mr. Cullum, seconded by Mr. Keisler to approve the following Bids/Purchases/RFPs (Tabs N,O,and P):

Fuel Systems Renovations for (3) Three County Locations - Fleet Services - Competitive bids were solicited for fuel system renovations to three of the County's fuel system locations for Fleet Services. Two (2) bids were received. Staff recommended award of the bid to the lowest bidder, Southern Pump and Tank Company. The total cost, including tax, is \$55,613.

One (1) Smooth Drum Vibratory Roller - Public Works - Competitive bids were solicited for a smooth drum vibratory roller for Public Works. Six (6) bids and one (1) no bid were received. However, two of the bids were not considered because they did not meet specifications. Staff recommended award of the bid to the lowest bidder, Flint Equipment Company. Total cost, including tax, is \$82,365.87.

Two (2) Motorgraders - Public Works - Competitive bids were solicited for two (2) motorgraders for Public Works. Three (3) bids and two (2) no bids were received. However, one of bids was not considered because it did not meet specifications. Staff recommended the award of the bid to the lowest bidder, Flint Equipment Company. Total cost, including tax, is \$389,726.10.

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

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

Approval of Minutes - Meeting of September 23, 2008 - A motion was made by Mr. Jeffcoat, seconded by Mr. Kinard to approve the September 23, 2008 minutes as submitted.

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

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

Ordinances - Ordinance 08-13 - An Ordinance Authorizing (1) the Execution and Delivery of a Special Source Credit Agreement by and Among Lexington County, South Carolina

(The “County”), Industrial Developments International, Inc., Acting for Itself or an Affiliate (the “Company”), and Home Depot U.S.A., Inc. (a Company Previously Known to County Officials as “Project Stewart”), as the Proposed Tenant (the “Tenant”); and (2) Other Matters Related Thereto - 3rd and Final Reading - Mr. Cullum made a motion, seconded by Mr. Kinard to approve third and final reading of Ordinance 08-13.

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

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

Ordinance 08-15 - 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 Include Property in the Saxe Gotha Industrial Park and Property Which Encompasses the Farmers Market - 1st Reading - Mr. Cullum made a motion, seconded by Mr. Banning to approve first reading of Ordinance 08-15.

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

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

Committee Reports - Justice, B. Banning, Sr., Chairman - 2008 State Criminal Alien Assistance Program (SCAAP) Grant Award - Mr. Banning reported the committee met to consider acceptance of the 2008 State Criminal Alien Assistance Program grant award in the amount of \$34,312. He reported 22 percent or \$7,548.64 of the award will go to Justice Benefits Inc. who provided the information from inmate statistics to determine the County’s eligibility for funds. The Committee recommended that full Council approve the acceptance of the award.

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

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

Violence Against Women Act (VAWA) Grant Award - Mr. Banning reported the Committee met to consider acceptance of the Violence Against Women Act grant award. The award in the amount of \$203,217 requires a 25 percent in-kind match of \$67,739, which will come from a salary in the Sheriff's Department General Fund FY08-09 budget. The committee voted in favor to recommend to full Council for approval.

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

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

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

Public Works, D. Summers, Chairman - Skip Paving and Right of Way Issues - Ms. Summers reported that the Public Works Committee met on Tuesday, September 23, 2008, to hear an update from staff on "skip" paving and right-of-way issues.

Mr. John Fechtel, Public Works Director, defined "skip" paving as not paving the entire length of a road. Staff submitted a "Dirt Road Paving Policy" that addressed both skip paving and right-of-way issues.

Mr. Fechtel said they had received several requests to extend or complete the paving on roads that have already been paved to a certain point. He recommended that these requests be ranked in the same manner that the County uses to evaluate roads for paving, i.e., traffic counts, road maintenance costs, etc. then compare the rankings to the current list and, based on available funding, be considered by County Council.

The Public Works Committee voted unanimously to recommend that full Council accept staff's recommendation for the proposed Dirt Road Paving Policy.

Ms. Summers made a motion, seconded by Mr. Cullum to accept staff's recommended Dirt Road Paving Policy.

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

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

Mr. Davis Mr. Keisler
Mr. Jeffcoat Mr. Carrigg
Mr. Banning

Portion of Tree Street - Legal Closure - Ms. Summers reported the Public Works Committee met this afternoon to review an action filed by South Capital Group, Inc. for the legal closure of a portion of Tree Street. The portion in question is from the dirt section of Taylor Road, approximately 305' north through their property of which they own both sides of the 305' section. The Committee voted to recommend to full Council to approve the legal closure and that all legal fees to be paid by the property owner.

Ms. Summers made a motion, seconded by Mr. Cullum to approve the legal closure of a portion of Tree Street and all legal fees to be paid by the property owner.

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

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

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

09-037 - A supplemental appropriation decrease of \$80,800 as a result of a reduction in "C" funds from SCDOT for FY2008-2009.

09-038 - A supplemental appropriation increase of \$34,312 for the 2008 State Criminal Alien Assistance Program grant award received from the Department of Justice/Bureau of Justice Assistance.

09-039 - A supplemental appropriation increase in the amount of \$203,217 for the Violence Against Women Act (VAWA) grant award received from the Department of Public Safety.

09-036 - An appropriation transfer of \$21,640 to purchase a new vehicle for the Director of Public Safety.

Old Business/New Business - Ordinance 08-16 - Proposed Smoking Ban - Mr. Carrigg reported during the afternoon Health & Human Services Committee, the Committee discussed a potential smoking ban and an amendment was made to Ordinance 08-16 by the committee. A paragraph will be inserted indicating that a workspace or workplace would be defined as a licensed food service establishment and would only apply to licensed food service establishments

(establishments that receive a license rating from DHEC for food service).

Mr. Carrigg made a motion, seconded by Mr. Banning to approve first reading by title to Ordinance 08-16 as amended.

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

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

Opposed: Mr. Derrick Mr. Kinard
 Mr. Keisler Mr. Cullum

Motion passes.

Ordinance 08-14 - Stormwater Ordinance - Creation of a Stormwater Appeals Procedure -

Ms. Summers reported following a legal briefing in the afternoon Public Works Committee, the committee voted to amend Stormwater Ordinance 06-10 to reflect the change in wording from “the Planning Commission” to an “Advisory Board.”

Ms. Summers made a motion, seconded by Mr. Kinard to approve first reading by title of Ordinance 08-14 which establishes a new appeals procedure for the Stormwater Ordinance.

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

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

Executive Session/Legal Briefing - Mr. Derrick stated Executive Session will consist of three personnel matters, 3 legal matters, and six contractual matters.

Mr. Jeffcoat made a motion, seconded by Ms. Summers to enter into Executive Session.

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

Matters Requiring a Vote as a Result of Executive Session - Mr. Derrick reconvened the meeting in open session and reported no motions were to be considered at this time as Council would need to go back into Executive Session following the public hearing.

Public Hearing - Zoning Map Amendment M08-10 - Parcels Between Lin creek Drive and Lake Murray Blvd. - Prior to opening the public hearing, Mr. Derrick reviewed the guidelines for the public hearing. He stated the purpose of the hearing is to receive comments from proponents and opponents regarding Zoning Map Amendment M08-10. 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 public hearing.

Mr. McPherson, Zoning Administrator in Community Development, presented the information for Zoning Map Amendment M08-10. He stated that the applicant, Brant Taylor, authorized agent, has requested a change in zoning classification of TMS# 002697-03-024 from D (Development) and C2 (General Commercial), TMS# 002697-03-061 from D (Development), TMS# 002697-03-062 from R1 (Low Density Residential), TMS# 002697-03-063 from C2 (General Commercial) to ID (Intensive Development). The reason for the request as presented by the applicant is to develop an office complex.

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

Mr. Derrick stated no one had signed up in opposition but had one signed up in favor.

Mr. Derrick opened the public hearing for those in favor of Zoning Map Amendment M08-10.

Favor:

Brant Taylor - 117 Moontide Court, Lexington, SC 29072 - Mr. Taylor did not wish to speak.

Mr. Derrick stated that Mr. Taylor was the only person to sign up in favor of Zoning Map M08-10 and closed that portion of the hearing.

Mr. Derrick closed the public hearing.

Executive Session/Legal Briefing - Mr. Derrick stated Council will need to re-enter Executive Session to continue discussing the legal matters.

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

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

Mr. Carrigg
Mr. Cullum

Mr. Banning

Matters Requiring a Vote as a Result of Executive Session - Mr. Derrick reconvened the meeting in open session and reported there was one motion to be considered.

Amendment to Voluntary Cleanup Contract 07-5739-NRP Agreement - Mr. Kinard made a motion, seconded by Ms. Summers to approve the agreement with DHEC as to liability protection as to the two acres adjacent to the Red Bank Shopping Center.

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

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

Not Present: Mr. Keisler * Mr. Jeffcoat *
 Mr. Banning * Mr. Cullum *

*Messrs. Keisler, Jeffcoat, Banning, and Cullum were not present when the vote was taken.

Motion to Adjourn - Mr. Kinard made a motion, seconded by Ms. Summers to adjourn.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William C. Derrick
Chairman