

MINUTES
LEXINGTON COUNTY COUNCIL
December 23, 2010

Lexington County Council held a Special Called Meeting to conduct a public hearing on Ordinance 10-09 – Suspending the Application of the Work Prohibitions Contained in Chapter 1 of Title 53 Pursuant to Section 53-1-160 of the Code of Laws of SC 1976, as Amended, Commonly Known as Blue Laws. The meeting was held in Council Chambers beginning at 5:30 p.m. with Chairman Kinard presiding.

Mr. Banning gave the invocation and Mr. Jeffcoat led the Pledge of Allegiance.

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

Also attending: Katherine Hubbard, County Administrator; Joe Mergo, III, Deputy County Administrator; Larry Porth, Finance Director/Assistant County Administrator; John Fachtel, 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.

Chairman’s Report - Chairman Kinard reported effective December 31, 2010, Mr. Billy Derrick will be coming off the Board of Directors for the South Carolina Association of Counties and commended him for a job well done and congratulated Mr. Banning on being elected to the Board.

Nursery Road Bridge Update (Goldstone Bridge) - Public Works - John Fachtel, Director - Ms. Hubbard asked that Council go into executive session to discuss some property negotiations and legal issues pertaining to the Nursery Road Bridge project.

Mr. Banning made a motion, seconded by Ms. Summers to go into Executive Session to discuss some legal issues pertaining to the Nursery Road Bridge project.

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

Not Present: Mr. Cullum*

*Mr. Cullum arrived after the vote was taken.

Matters Requiring a Vote as a Result of Executive Session - Mr. Kinard reported Council discussed the Nursery Bridge legal issues and noted there were no motions to be considered.

6:00 Public Hearing - Ordinance 10-09 - Ordinance Suspending the Application of the Work Prohibitions Contained in Chapter 1 of Title 53 Pursuant to Section 53-1-160 of the Code of Laws of SC 1976, as Amended, Commonly Known as Blue Laws - Prior to opening the public hearing, Mr. Kinard reviewed the guidelines for public hearings and asked Ms. Hubbard to give a brief overview of Ordinance 10-09.

Ms. Hubbard said the Blue Laws, what you are considering this evening, are a state created set of laws that prohibit some, but not all, retails sales and work on Sunday. Over the years, the General Assembly has made many exceptions to the original Blue Laws, which has tended to create some confusion as to what can be done on Sunday. There are several ways in which Blue Laws may be suspended. If a County ever has \$900,000 in accommodations tax in a fiscal year, the Blue Laws are automatically suspended, and that has happened in a number of counties in South Carolina. And, County Council can, by ordinance, suspend the Blue Laws. If the Blue Laws are suspended, this will have absolutely **no** effect on the sale of beer, wine, or liquor in Lexington County. The ABC Laws have exclusive control over the sale of these beverages. And, if the Blue Laws are suspended, as you have heard in recent discussions, employees will retain certain legal rights under the law in regard to working on Sunday.

For clarification, Mr. Kinard replied, it (Blue Laws) would not affect the sales of beer, wine, or alcohol.

Ms. Hubbard replied that the sales of beer, wine, or liquor are exclusively controlled by ABC Laws so your action this evening has absolutely no impact at all on whether beer, wine, or alcohol is served. It does not change anything today if you suspend the law. Anything that is allowed or not allowed today goes on just like that tomorrow. Has absolutely no impact on beer, alcohol, or wine sales in Lexington County.

Mr. Cullum asked Ms. Hubbard to expand on the employee aspect as the protections for the employees.

Ms. Hubbard said all of those protections are covered in the Blue Laws, themselves. And without going into legal detail, in essence, the employees retain rights that are outlined in the Blue Laws that have to do with what employers are required to provide for them should they want to worship on a Sunday.

Mr. Cullum replied, if someone consciously objects to working specific times it can't be held against them.

Ms. Hubbard said she did not want to offer a legal opinion on what an employee could or couldn't do.

Mr. Cullum replied, but there are federal law protections in place that prevent

Mr. Carrigg replied, no. He said he was not making a legal comment on it, but the way it is set out from his reading of the law, if you object to working on Sunday period, an employer is not allowed to demote or terminate you.

Mr. Cullum asked, but there are some protections in place currently, correct?

Mr. Carrigg replied, yes, and those stay in place.

Mr. Cullum replied, then that has no single bearing on what we are doing here this evening.

Ms. Hubbard replied, that is correct. All of the protections are outlined in the State Statute and Federal Guidelines and any actions that you take don't change that whatsoever.

Mr. Derrick asked the amount of accommodations tax the County had collected before the economy "tanked" a couple of years ago.

Ms. Hubbard replied she did not have the exact figure, but it was over \$800,000 and approaching \$900,000. However, with the economy changing that has since gone in the other direction.

Mr. Kinard opened the public hearing of Ordinance 10-09 for those in opposition.

Opposed:

Rev. J. Ben Sloan, 104 Kerry Gibbons Dr., Chapin, SC 29036 - "I am a minister at Lake Murray Presbyterian Church. I had a church member about three or four years ago when Christmas Eve fell on a Sunday who worked for Sportsman's Warehouse, and he was threatened to be fired if he refused to work on Christmas Eve to be with his family and worship. He refused to work, and he was fired. While there are laws in place, it is hard for somebody making minimum wage to stand up against their employer, their boss. I want to say it is a noble thing to want to bring new jobs to our county. But, I am reminded when my wife goes Christmas shopping and says there is a real deal out there. I want to ask how much does it cost. First, I think we can have Amazon.com here legally and still keep our Sunday laws without hurting their operation because there is a Wal-Mart Distribution Center in Laurens under the Blue Laws and does not intimidate their operations at all; I checked with them. And, how much does it cost our county to eliminate these laws? This vote against Sunday laws cost our character, our belief, and our values. Some of the things that make Lexington County different from Richland County from Charleston County are keeping of our values. A study was done this year by two universities that was published in the New York Times in September about areas that eliminated Sabbath Laws and found that three things happened. One, church attendance went down, which you would expect. Second, alcohol and drug abuse increased. And third and surprisingly, unhappiness among women increased an average of 17 percent. I don't think we want that because if "momma ain't happy, ain't nobody happy." The laws regarding Sunday have been around since October 15, 1692, but they go back even further to when Christianity was legalized in 321 A.D. , goes back even further to 1400 B.C. When people talk about legislating morality, the law is about Sabbath and rest are the essence of legislation. They have been around since the beginning of legislation. A vote against the Sabbath is like a vote against the Ten Commandments. A vote against prayer in schools is a vote for secularization. Some say so many break this law that we should abolish it, but I will bet that a lot of people break the speed limit but they don't want to abolish speed limits either. The law has merit in itself in that it causes us to stop, to take a collective breath, to restrain ourselves so that we are not slaves to work or things or to death. The overturning of this law really effects most of the teens that work for minimum wage at the mall who will be forced to leave their pews to go and sit behind the cash register or the poor people who make minimum wage working at retail in the mall, or the small business owner in Chapin or Batesburg/Leesville, or Swansea who are forced to open on Sunday because their competitors are open on Sunday. People say we really don't keep the Sabbath anymore because it is so watered down. In a couple of days we will have a Sabbath, it is called Christmas. It is like the old Sabbath used to be. There is no noise, there is no traffic, people are home with their families; it is a great day. And, when you look at Christmas and listen to Christmas you think, boy, wouldn't it be great to keep Christmas all year round and you can do that if you keep the Sabbath once a week. I was talking with a friend of mine about this and he said, well we are going to be turning Bedford Falls into Pottersville, and I think we will if we abolish the Blue Laws. Thank you for your time and allowing us to

speak.”

Buddy Witherspoon, 250 Lancer Dr., Columbia, SC 29212 -“Thank you for allowing the constituents of Lexington County to express their concerns concerning the Blue Laws. I am not sure how this was arranged. It just happened that it is two days before Christmas. I’m not sure who the Grinch is here. I guess it is me because I stand in favor of the Blue Laws and limited Sunday spending and working. Lexington County is one of the last, if not the last, conservative bastion in South Carolina as well as the Southeastern United States. I hear a lot of the buzz word these days concerning global. I wonder what happened to local. That’s where it all started and that’s what made this county, this state, and this nation great - the moms and the pops and the small businesses, not the big moguls that have come in and demanded that we allow certain things to happen. Haven’t we allowed them enough tax incentives and other things and land deals to come in here that they can be valuable to the community and to the people? I’m not so sure that the jobs that they offer are that much even over a three-year period. Lexington County has been blessed with high employment, the lowest employment. The latest figure is 8 percent in South Carolina so we are the lowest in South Carolina and above median wage, average wage income. That is pretty good for South Carolina. That’s not bad for Lexington County. I know that you didn’t want to be here tonight. I heard the councilmen mention earlier about the accommodations tax, but we’ve got to do this anyhow, because we have to have a public hearing on it. I guess if we had, had the accommodations tax reach the level that was put out there, we wouldn’t have to do this tonight, but we do have to. I am glad we do so that you can hear from us. Some say that money is not everything in this matter. I say to you that money is everything and that’s what drives the engine in this issue. My parents taught me many years ago that if you don’t stand for something, especially what’s right, you surely will fall for anything. I would remind you if you peruse and go and look at the website of this mogul you would see everything that is on there that they proffer doesn’t come up roses. In fact, there are some things, should we say want to go along with sexual exploitation, pornography and, yes, pedophilia. You may of heard about the guy in Colorado, Grieves by Name, who had been put on the website and they were the premiere of the book, Pedophile Guide, How to Molest a Child. Anybody heard about that? It’s been all over the news lately. And, of course, a warrant has been put out for him in Florida by the sheriff there, and, of course, I assume he has been incarcerated, and we will see how that works across state lines. I would like to lastly share with you something that one our great presidents shared with us not too many years ago before he passed on and it went like this: We are blessed with a freedom and abundance denied to so many, let our lights continue to shine to remind us that these blessings bring with them a solid obligation, an obligation to the God who guides us, an obligation to the heritage of liberty and dignity handed down to us by our forefathers and our founding fathers, and an obligation to the future generation. That’s our children, our grandchildren, and our great-grandchildren and the children of the world whose future will be shaped by the way we live our lives today. Can we honestly say that the future is going to be better for our kids? We are the voice standing here today for those kids in that future generation. What will they say one day when they look back and say, what could our parents our grandparents been thinking when they allowed these kind of things to continue to happen; not only our county, but our state. You know I think Lexington County has a bright future. I think we have come a long way, and I think we will continue to go along way, but it is up to us as whether we are willing to stand - for the basic principles that made this county, this state, and this nation great. Are we men enough and women enough to stand up for what’s right for the future generation? Again, it may not affect me so much or you, but it certainly will affect them. I thank you for your time and from my family to yours, we wish you a blessed Christmas. Thank you very much.”

Ronnie C. Wood, 1206 Morningshore Dr., Lexington, SC 29072 - “County Council, citizens of the community, I hate to be here in the Christmas season reference this issue here. My question – why the

timing? Why the urgency? Why couldn't we have put this off? Should you have considered a referendum for the citizens to get the input? You may have heard from a few people, but did you hear from a majority? Did you listen to the? Have you polled the churches? Have you polled the working-class people? Have you polled the businesses? Or were you concerned about the Walton's or the guy that owns the Wal-mart? Have they contacted County Council wanting you to remove the Blue Laws so they can make some more money? Or the guy that owns Amazon.com, are we concerned about him? Are we concerned about the local business people? You are proposing to give these folks 90 acres of free land. I asked one of the councilmen the other day, are they going to pay sales tax? Do all of you know the answer to that? If you don't, you should vote no tonight. You are putting a penalty on all the other businesses in Lexington County. I run a business in Richland County; I already know that. But, our sales will be 7 percent higher than theirs, if they are given free, no sales tax. That is a disadvantage. When was the last time you gave a break to Ben Satcher Ford? Hardware House? Depot Building Supply? BB&T Bank? Why this organization? Why do they get the big break? How much are they paying? What will be the net effect? If you are not sure on these answers, I encourage you to vote no. Especially, the issue that Buddy brought up about the type of merchandise these folks are selling. Go on the internet and see. Any sex related magazine, book you want to buy; right there. You are accommodating them. Right down here in Dixiana so they can pack them up on a Saturday night. People can stay out of church and ship them out UPS in our airport out here; they need the business. Do we need this type of business? Do we need to solicit pedophilia? How to molest a child book? That is embarrassing. Did you know that? If you knew that, I can't imagine how you could vote to have that company to come in here. So, if you say, they are not selling it now, they did to start with. A national women's organization is the one that took them to task and eventually got the CEO to take it off their list, but they did. They started it to start with. What kind of penalties, this lady mentioned over here, that's going to be put on the people that work on Sunday that are required to work. Who's going to monitor that? What's the fine? Who's going to monitor it? Who is going to hold the court on it? What is the cost going to be involved in that? These are just issues that have really come to my mind, and I only had about a week or a half to even consider this, and I certainly wouldn't have enough information. I've asked questions from some of the council members and I asked one council member – do they pay sales tax? He couldn't answer me. I also asked one of the council members was there a portion of the sales tax rebated back to the County to reduce these property taxes on properties in Lexington County; he couldn't answer that question. A lot of unanswered questions. I ask you to reconsider it. I ask you to vote no. Reconsider this thing. Poll the people. See what the people want. Thank you very much.”

Julie McCrae, 1424 S. Woodstream Rd., Columbia, SC 29212 - “It is my understanding that there are two issues regarding the repeal of the Blue Laws - the separation of church and state and legislation of morality. With regards to separation of church and state, the first amendment states there will be no law prohibiting the free exercise of religion. As for legislating morality, Christians need to have the freedom to be at church on Sunday mornings and not have to be on the job. It is in the constitution that the President has ten days to sign a bill with Sundays excepted. The observance of Sunday is one of the uses of common law recognized by the United States and state governments. Christianity is part of the common law. In *City Council of Charleston vs. Benjamin* in 1846, the court said, “The Lord's day, the day of the resurrection, is to us who are called Christians, the day of rest after finishing a new creation.” On that day we rest and to us it's the Sabbath of the Lord. It is decent observance and Christian community as that which ought to be expected. The founding fathers intended for the republican form of government to be for religious and moral people. David Ramsey, revolutionary war surgeon and a member of the Continental Congress, says, “remember there can be no political happiness without liberty; there can be no liberty without morality; there can be no morality without religion.” I recently read all of Laura Ingalls Wilder's books about pioneer life. Her family members were moral and hardworking and

self-reliant. On Sundays they went together as a family to church and rested the rest of the day. Fast forward to the 1950s and 1960s when I grew up in Clinton, South Carolina. Downtown was closed on Sundays except one of the pharmacies, there were several pharmacies, would stay open. Almost all the people I knew went to church with their families on Sundays. In the future, do you want your children and your grandchildren to be with their families at church on Sundays or on the job? In Laura Ingalls Wilder's book, *Little Town on the Prairie*, she wrote, "then pa began to sing. All at once everyone was singing: My country, 'tis of thee, sweet land of liberty, of thee I sing. Long may our land be bright with freedom's holy light; protect us by Thy might, Great God, our King! The crowd was scattering away then, but Laura stood stock still. Suddenly she had a completely new thought. The Declaration and the song came together in her mind, and she thought: God is America's king." And, so I ask you – who is Lexington County's king? God or money?"

Rev. Jim Glatz, 116 Payne Lane, Lexington, SC 29072 - "Thank you for the opportunity to speak to the proposal to repeal Lexington County's Blue Laws. I serve as senior pastor of Saxe Gotha Presbyterian Church. I moved here about three years ago, so I am a transplant. By the way, the Steelers are playing tonight at 8:30. When I was a boy in Pittsburgh, I kind of grew up the way a lot of you all grew up where everything was closed. Very few things were open on Sundays. It was really a day of worship. It was a day of rest, and it was a day for the community to come together in that sort of way. As I got older, I think convenience stores kind of got it started, but there was a constant creep where we lost that Sabbath. We lost that day of rest up in Pennsylvania. The fact is that the secularization of the culture got kind of interesting. We couldn't say Merry Christmas. We got into Happy Holiday, but holiday was too close to Holy Day and so they came up with Sparkle Season. And Sparkle Season existed all through the 90s up into 2002. But, it was obvious that our culture had shifted. A radical departure from the way we understood life had taken place. So, when I came to South Carolina, when I encountered the Blue Laws, I thought these people really get it. These folks understand the importance of God; they understand the importance of family. Even though the current Blue Laws don't provide for a complete day of rest, they certainly provide for a partial day of rest. Three of the major religions of the world, Judaism, Islam, and Christianity see the need for a day of rest. Not simply for the individual, but for society as a whole. There is an understanding that working around the clock is not conducive to our general health and well being. Individually and corporately we need a break. We need a time of rest. The Blue Laws ensure that break. They said to business and commerce, enough. We need a break. We need a day of rest. In fact, in reality, the Blue Laws were the first labor laws that really controlled the hours employers could ask of their employees, giving a balance to life and work. An interesting case concerning the Blue Laws occurred earlier this year in Bergen County, New Jersey. And Bergen County is the most populous county in New Jersey and, like ours; it is the only one in New Jersey that holds to the Blue Laws. The governor of the state wanted Bergen County to repeal the Blue Laws that would require nearly every business to close on Sunday. They wanted all that repealed, but the people of Bergen County said no, we are not doing that. The local paper interviewed a small business man saying that by the time you add utilities and labor, most businesses would lose money by staying open a seventh day. And others agreed. Opening Sunday would cost money not make money. With two exceptions, 11 retailers interviewed also said, money aside, they really needed a day off. They work six days a week, they need a day of rest. You see, these merchants wisely understand. They understand the tyranny of unbridled commerce. When commerce is allowed to do whatever it wants, society suffers. Consequently, we have zoning laws. We have child-labor laws. We have laws to protect the environment and laws to protect consumers from deceitful practices. None of us would want to go up to a gas station and pump gas and not get our full gallon. We have laws to protect us from such things, and we have laws to promote the well being of society. The Blue Laws serve us well in this regard by giving humanity what it needs – a day of rest. Now people have said in connection with the Blue Laws, well, you know, you can't legislate morality.

Well, in reality we do, and we should legislate morality. We have laws that stem from moral principles. In fact, I can't think of a law that doesn't stem from some sort of moral principle. We have laws that say you can't take life, you can't steal, and you can't lie under oath, and so on. And heaven help us, if we stop legislating morality. Lexington has enjoyed laws to help people, at least, get a half day of rest based on the moral principle that rest is good for society. And I find it a shame that the Blue Laws have gotten so convoluted and so watered down over the years. Our community needs a full day of rest. We seem to be all too willing to give up the protection of the current Blue Laws afford because of a retailing giant who wants to come and set up shop. If we are going to compromise on morality now, then what else in terms of our understanding of what is right and good are we willing to sacrifice the next time a giant comes to our door? Friends, Lexington is a great place to live. It is a great place to live. Please know that we at Saxe Gotha will be praying for you as you struggle with this issue and may you find a way to uphold the Blue Laws to preserve a time of worship and rest and at the same time promote healthy economic development in our wonderful community. Thank you for your time."

Rev. Pat Griffin , 264 Mariner's Cir., Columbia, SC 29212 - "I appreciate the privilege of being here. Personally, I like to say separation of church and state issue has existed since our constitution. The Blue Laws really don't affect it one way or the other, except when we get rid of them. But, it does infringe on the freedom of religion that people should have to exercise what others show us they have about worship. For instance, regardless what may be on paper, if we don't have any Blue Laws, the employees are not really free to choose between going to work or worshipping the church, the temple of his choice. He's not really free, especially if he knows that the employer looks unfavorable upon that. If he will be penalized because of that, he or she is really not free to make that choice. He will have to go to work; otherwise, the employer will be greatly displeased. And likewise, the same is true with coaches, especially soccer coaches where you have soccer games on Sunday morning or practice on Sunday morning. The child, boy or girl, is not simply allowed to choose between soccer because the soccer coach says if you're not here, you're not on the team. So the child, a young person, really does not have a choice about that at all - the choice between worship and playing a sport. What I think is the driving force behind this, of course, is money. And, I think the driving force too is -look at Richland County. In order to compete with Richland County we've got to do this thing. I ask you ladies and gentlemen, do we really want to be like Richland County? Is that a goal to aspire to? Do we want to be like Richland County? I doubt very seriously that the elimination of Blue Laws have had a very great positive moral impact upon Richland County. I don't think it has. I truly don't think it has. I don't have any statistics in front of me, but I don't think it has as far as quality of life is concerned. I don't think it has worked. We live in a time where we say whatever is preferential is okay. Well, is preferential morally right? That's a bi-word these days. To be politically correct, whatever a person prefers is simply okay. I ask you, is it worth it? Maybe it might get more money, true. But, is it worth sacrificing the quality of life that goes with the Blue Laws. The Blue Laws allow for a certain kind of quality of life in terms of morality, in terms of integrity, and so forth. I don't think we want to sacrifice that quality of life. I certainly don't. I know our young people. I know everyone of you sitting here you wear a shirt and tie or dress to church. These days' young people they don't dress up to go to church. They are as sloppy as they can possibly be sometimes when they go to church. It is downright embarrassing. And what that simply reveals is a lack of respect for where they are. It simply reveals a lack of respect for where they are. That is true just about any church I have seen over the last ten years. The kind of retort by the parent about that is -I am just so glad they are going. I am afraid if I say anything to them about their clothes, they simply won't go. I ask you - what kind of message will it communicate to our young people to do away with Blue Laws? It is simply saying that going to church is really not important not all. I don't think we want that ladies and gentlemen. I don't think we want to sacrifice the quality of life for the sake of money. I don't know how you are elected whether it is by district, or zone, or whether it is just a vote by a certain number of people in the County

but, I'm not really sure about that. But, I would like to say, I think it would certainly be wise to check with your constituents here about this. I, for one, truly believe that this County, if they were given the chance to vote, would vote to keep the Blue Laws in. I doubt very seriously if they want them repealed. So I encourage you to pay attention to your constituents. Thank you very much."

Rev. Frank Townsend, 6915 Fairview Rd., Batesburg, SC 29006 - "What I really wanted to say tonight or really do is to give an opinion. My opinion is based on scripture, I believe. I am an independent Baptist preacher – King James Bible believer. I don't worship on the Sabbath. I worship on the Lord's Day, which is the first day of the week, which happens to be Sunday. Under the Old Testament, the Sabbath was a sign for Israel and the covenant that God made with Israel and it was punishable by death if they failed to keep it. In the New Testament, New Covenant, the Lord rose on the first day of the week and we set aside the first day of the week to worship as Christians. I got a verse I would like to read in Psalms Chapter 14 verse 2 –The Lord looked down from heaven upon the children of men, to see if there were any that did understand, and seek God. The Bible says in a couple of other places, Isaiah and Matthew that he said, these people draw nigh to with their lips, but their heart is far from it. They honor me with their mouths, but they don't do the things that he says. As a Christian again, about two years ago when our present president took office, I called up to Washington to a friend of mine and I said, what is Joe doing? What is Jim doing? What is going on up there? They are letting all these things go through. And, I said what is going on in the White House? The Lord pricked my heart and I said never mind, it isn't the White House, it's the church house. And, I said we have a verse in 2 Chronicles Chapter 7 verse 14 – If my people, he didn't say the lost, the heathens, or the world, he said if my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land. Now, I don't need legislation for me to worship the Lord. I have men that work at Savannah River site in my church and they refuse to work Sunday, and they refuse to miss services on Wednesday. They come in and the Lord has blessed them. I've looked around. I looked at Chick-fil-A. I have never seen their parking lot empty, and they are closed on Sunday. I looked at Shealy's BBQ, and they close on Sunday and Wednesday and they prosper greatly. I believe our problem is in the church house. If we would get right in the church house, we would turn out some Christians that would be in office that would seek the will of the Lord and the people and we would set aside a day to honor God. And, if we honored God, he would honor us. I believe that if any nation, county, city, or individual does set aside to honor the Lord, the Lord would honor us and prosper us. On the other hand, I see the other side. It would be awful hard to turn down 1249 jobs in an economy that has collapsed as it has, but I believe a lot of that is our judgment because of the way America has turned. We allow sodomy to march freely down the streets of Columbia in their parades. We have about 615 so called Christians denominations in the city area of Columbia, and we go out to protest these parades and all, and we couldn't seem to find any Christians out there that were worried about sodomites marching down our streets. And as you know, they can't reproduce; they have to recruit. I think that is a more important issue. But, I still believe that if we got back right with God in our own churches and our own personal relationships that God could turn this thing around. I figured if we honor him, then he would honor us. Thank you for your time."

Mr. Kinard said there was no one else signed up in opposition and closed that portion of the public hearing.

Mr. Kinard opened the public hearing for those in favor of Ordinance 10-09.

In Favor:

Rev. Timothea Sharpe, 2347 Summerland Hwy., Leesville, SC 29070 - "I pastor Mt. Hebron Lutheran

Church at 2347 Summerland Hwy., Leesville. I have a strange situation so I have to ask special permission. I live in Newberry County, 1135 Seagull Lane, 29127. I pastor a church that is on the highway that divides Saluda and Lexington County and the church is on the Saluda side. Ninety-nine percent of my members are on the Lexington side and I would like to ask your permission for just three minutes. These folks have been incredibly eloquent, and I really appreciated it. Because as I thought through this issue, I've missed some of these points that they brought up, and I appreciate what they have said. But, my position is very, very simple. I have hungry people in my congregation and community. I have people without jobs in my congregation and community. I have a woman who spent a full day calling trying to find a dentist who would accept Medicaid because her husband had sheared off a tooth into his gum. She got an appointment for two weeks off. This couple has been looking for work for two years. They are not lazy. They get a job. They get laid off. They go on unemployment. They go to the welfare house. They go and get food stamps. They go and get a bag of food from one of the local pantries. They get a job. They stop all of those services, and they get laid off and again it goes around. We have people all around us who need jobs. We also have people all around us who are on swing shifts. They have all kinds of work weeks and endings of their work weeks. God worked a week and rested. At the end of God's work week, God rested. We have a diverse society with many different work weeks that end in different times. I want the church to be in front of this move to change these Blue Laws and to be in front of it by offering worshiping services at the end of people's work weeks. We are not going to change the situation of those swing shift workers. But, we can offer them something other than 11 o'clock Sunday morning or in addition to 11 o'clock Sunday morning, something in addition to Sunday and Wednesday nights. We could hang a sign out front that says you are welcome here, our doors are open, come and worship."

Rev. Al Potter, 2347 Summerland Hwy., Leesville, SC 29070 - "I am a retired pastor. Timothea and I are husband and wife. We both serve Mr. Hebron Lutheran Congregation. I want to say that a lot of the issues that surround the Blue Laws, I think, do have a lot to do with work rather than with Sunday morning worship. Most missionaries over the years will say that it is very difficult for one to share the gospel, the good news, without having fed someone first. And in order to be fed, our people need to be working and this opportunity to work is outstanding and wonderful and will make a difference to this county and might make a difference to the individual people in our congregation who seek work. We have the situation with many who leave our area looking for jobs because there are not jobs available right around where they grew up. This will give them an opportunity to stay in the community to be an asset to the community, not only in the area of jobs and supporting the government, but also in the church and the community. I think ultimately that's what this is all about. And we really need to support our people. Get them jobs. Get them working and include them in what we know as the life that we all can contribute in a special way. Thank you for the opportunity to share with you."

Brad Arnold, 200 Sunningdale Dr., Lexington, SC 29072 - "I put a different slant on this for you from my experience in the most recent year and a half. I spent time working for the Department of Commerce, the US Census Bureau. I was in charge of recruiting, and I was also a field operations supervisor. And I had as many as 1250 people working doing the census data collection in six counties, including Lexington. I was put in a position where I found out what the unemployment factor is first hand when you are interviewing hundreds of people daily and the feedback that came to my twice daily meetings about the unemployment issue. It is very, very large within our county. We made special effort to recruit people for that effort from the churches of our community, and there are a lot of unemployed people within our good churches, mine included. We were able to give them temporary employment but it really emphasized, and I wished there were some way I could, in fact, communicate to you folks, how many people there are that do not want to be on welfare. We are developing a callous opinion that a lot of

people that are on welfare want to stay there forever. And, I think there are a few that fall into that bucket. But, there are a lot of people that have a very respectful background and family that want to be employed and this is a wonderful opportunity. Twelve hundred and fifty jobs are great. But, it is more than that. It's the temporary jobs that go with it seasonally and it is a trickle down ripple effect that tags along with this. We all know that we were really lucky to get the UPS center to move in. And, I think it is underutilized. And something like this opportunity with Amazon.com partners with that will make that UPS center and its jobs more secure in our community. And, it is my belief that we should ask you as citizens to repeal the Blue Laws and to allow this operation to develop and be based here. It's different than most jobs. This organization deals on a 7-day a week 24-hour basis. They are electronic. They do international sales; most of it is on weekends, that kind of thing. They need to serve that market. If we do what one recommended and that is to wait or defer it to a later time, those jobs are going to move on. You cannot afford to let those jobs move on. You must stand up in the batter's box and be counted, and I hope that each of you will vote for those jobs to be brought into our community along with the trickle down jobs that go with it. Thank you very much."

Mr. Kinard said no one else had signed up in favor and closed the public hearing.

Executive Session - Mr. Kinard said Council needed to go into Executive Session to receive a legal briefing on the labor aspects of the law and asked for a motion.

Ms. Noelle Phillips, Reporter with the State Media Company (The State Paper), interjected to ask why Council needed to go into a closed session to discuss the labor aspects.

Mr. Kinard responded because it is a legal matter.

Ms. Phillips said, but personnel issues are not necessarily a general policy for an entire group of people, so I would object to you closing to

Mr. Jeffcoat made a motion, seconded by Mr. Derrick to go into Executive Session to receive a legal briefing.

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

Ordinance 10-09 - Ordinance Suspending the Application of the Work Prohibitions Contained in Chapter 1 of Title 53 Pursuant to Section 53-1-160 of the Code of Laws of SC 1976, as Amended, Commonly Known as Blue Laws - 3rd and Final Reading - Mr. Derrick made a motion, seconded by Ms. Summer to approve 3rd and Final Reading.

Mr. Kinard opened the meeting for discussion.

Prior to taking on action on Ordinance 10-09, Mr. Banning read the following passage from Galatians, Chapter 5 verse 4: Christ is become of no effect unto you, whosoever of you are justified by the law; ye are fallen from grace. He said we are under grace; we are not under the law. The Blue Laws really serve no purpose today, religiously or otherwise. I look at Chick-fil-A and Hobby Lobby and Zesto is my area

and they are closed every Sunday. Nobody makes them close. They close and I admire them for doing that. I choose to be in church on Sunday morning, that's where I am at, but I don't tell other people what they got to do or where they are going to go. Many more businesses did not need government to tell them to close until 1:30 p.m., those three I just mentioned close all day. My position is county council, state legislature, and the U.S. government needs to stay out of our lives and we need just do what is right, which includes love your neighbor and letting them see Christ in us and his love in our lives.

Mr. Kinard called for further discussion; none occurred.

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

Old/New Business - None.

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

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

There being no further business, the meeting was adjourned.

Respectfully submitted,
Diana W. Burnett
Clerk

James E. Kinard, Jr.
Chairman