

M I N U T E S
LEXINGTON COUNTY COUNCIL
June 28, 2011

Lexington County Council held its regular scheduled meeting on Tuesday, June 28, 2011 in Council Chambers beginning at 4:30 p.m. Chairman Kinard presided.

Councilman Brad Matthews gave the invocation. Dean Crepes, a retired Naval Officer and Director of Lexington County Registration and Elections Commission led the Pledge of Allegiance.

Members attending: James E. Kinard, Jr. Frank J. Townsend, III
 George H. (Smokey) Davis Debra B. Summers
 Bobby C. Keisler Johnny W. Jeffcoat
 Kenneth Brad Matthews William B. Banning
 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.

Chairman's Report - Chairman Kinard reported he attended the following meetings/events. He and several staff members attended the Pre-Trial Intervention meeting, the CMRTA meeting, Retirement Drop-in for Dan McNeill, the Central Midlands Council of Governments meeting (CMCOG), the Lexington Town Municipal meeting, and the LEN meeting and reception for Judge Shockley who will be retiring at the end of the month.

Council Member's Comments - Ms. Summers reported she attended Palmetto Girls State and had the opportunity to serve on a question-type panel about county government.

Katherine Hubbard, County Administrator - July 4th - Ms. Hubbard announced the County Administration offices as well as the Lexington County Convenience Stations will be closed on Monday, July 4 in observance of Independence Day.

Amazon Celebration Event on June 14, 2011 - Mr. Banning thanked staff members, Mr. Chuck Whipple and Sarah Jayne, Council and everyone who were involved in making the event a success.

Presentation of Resolution to Wingate by Wyndham Columbia/Lexington by Councilman Johnny Jeffcoat - Mr. Jeffcoat presented a framed resolution to E.L. "Bert" Pooser, President & CEO of IMIC Hotels and staff of the Wingate by Wyndham Columbia/Lexington Hotel in recognition of their being named the Outstanding Property of the Year by the Wingate by Wyndham ®brand for 2010.

Employee Recognition - Katherine Hubbard, County Administrator - Ms. Hubbard recognized Ms. Ann Walker, custodian with Building Services who is responsible for taking care of the Irmo Library. Ms. Hubbard said Ms. Windham with the Irmo Library received a letter from Kelli and Doug McClure complimenting staff and the appearance and cleanliness of the library and wanted Ms. Walker to know

how much they appreciate the fabulous job she does in keeping the library looking clean and smelling fresh.

Ms. Hubbard recognized Terry Defee in the Register of Deeds Office. Ms. Debbie Gunter, Registrar, received a letter from Ms. Pam Brewer, an employee with a Columbia law firm, who said Terry went above and beyond to help her with a problem she was having when processing e-recording documents.

Appointments - Lexington County Health Services District Board - Joel A. Tyson - A motion was made by Mr. Keisler, seconded by Mr. Davis to appoint Mr. Joel Tyson. Mr. Tyson replaces Mr. James Irby Shealy.

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

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

Lexington County Health Services District Board - Carol R. Metts - A motion was made by Mr. Keisler, seconded by Mr. Jeffcoat to appoint Ms. Carol Metts. Ms. Metts replaces William E. Stillwell, Jr.

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

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

For the record, Mr. Kinard noted that Ms. Metts had resigned from the Museum Board prior to being appointed to the Lexington County Health Services District Board of Directors.

Midlands Authority for Conventions, Sports & Tourism - Tammy Shoffstall, MSM - Ms. Summers made a motion, seconded by Mr. Banning to appoint Ms. Tammy Shoffstall. Ms. Shoffstall fills the vacancy position to represent the Lodging Industry.

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

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

Central Midlands Council of Governments (COG) - Debra B. Summers - Citizen Appointee- A motion was made by Mr. Banning, seconded by Mr. Jeffcoat to appoint Ms. Debra Summers as a Citizen Appointee to the CMCOG. This is a new allocation of the CMCOG Board due to the Census population

increase for Lexington County. The County is now entitled to five citizen representative appointments and six elected official appointments.

Mr. Kinard opened the meeting for discussion; no discuss occurred.

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

Central Midlands Council of Governments (COG) - John W. Carrigg, Jr. - Citizen Appointee - Mr. Banning made a motion, seconded by Mr. Keisler to reappoint Mr. Carrigg as a Citizen Appointee.

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

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

Midlands Authority for Conventions, Sports & Tourism Facility Review Committee - Johnny W. Jeffcoat - Mr. Banning made a motion, seconded by Mr. Davis to appoint Mr. Jeffcoat. Mr. Jeffcoat replaces Mr. John W. Carrigg, Jr.

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

In Favor:	Mr. Kinard	Mr. Banning
	Mr. Davis	Mr. Townsend
	Ms. Summers	Mr. Keisler
	Mr. Matthews	Mr. Cullum

Abstained: Mr. Jeffcoat

Mr. Banning asked staff to forward letters to those eligible members inquiring whether or not they are willing and interested in serving another term.

Bids/Purchases/RFPs - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve the following three bids/purchases/RFPs (L, M, B, N, O, & P).

Print and Mail Services - Auditor, Treasurer, and Assessor Offices - A request for proposal (RFP) was issued to establish a contract with a firm to provide print and mail services for the Auditor, Treasurer, and Assessor’s offices. The term of the contract will be for a three (3) year period with the option to extend an additional three (3) years. Four (4) proposals were received. The estimated annual cost, including tax, will be \$113,114.52. Staff recommended the award of the contract to Black Rock Business Forms.

Multi-Patient T-Port Conversions Kit (Sole Source) - Public Safety/EMS - Staff recommended the

purchase of Multi-Patient T-Port Conversion Kits to the sole source provider, First Line Technology as they are the sole manufacturer of the product. Total cost, including tax, is \$35,994.80.

Request for Approval to Utilize the Request for Qualifications Process for the Acquisition of Electronic Recording Project - Register of Deeds - Staff requested the use of the Request for Qualifications (RFQ) process to seek qualifications from potential qualified bidders for an electronic recording project. Due to the scope of the project, it is not practical or advantageous to write a comprehensive set of specifications that may limit resources or restrict competition. In selecting a contractor other award criteria, in addition to cost, will be considered. A review panel will be responsible for reviewing and evaluating proposals based upon specific evaluation factors.

Fleet Vehicle Replacements and Additions - Sheriff's Department - Staff recommended the purchase of twenty-nine (29) fleet vehicle replacements and two (2) fleet vehicle additions for the Sheriff's Department. The vehicles will be purchased from Vic Bailey Ford through State Contract Number 4400002965. The required emergency equipment and accessories will be purchased from Dana Safety Supply, In. through State Contact Number 4400001051. Total cost, including tax, for the vehicles and accessories is \$823,884.78.

One (1) Storage Area Network - Sheriff's Department - Staff recommended the purchase of a storage area network for the Sheriff's Department from Dell through WSCA Contract Number WN27ACA. Total cost, including tax, is \$50,072.36.

Purchase of 27 Toughbook Laptops and Accessories - Sheriff's Department - Staff recommended the purchase of twenty-seven (27) Toughbook computers and accessories for the Sheriff's Department from Synnex Corporation through State Contract Number WSCA540001124. Total cost, including tax, is \$119,851.03.

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

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

Ordinances - Ordinance 11-10 - An Ordinance to Provide for Reappointment and Re-establishment of Nine Defined Single-Member Election Districts in the Election of Lexington County Council Members - 1st Reading - Mr. Banning made a motion, seconded by Mr. Cullum to approve first reading.

Mr. Kinard opened the meeting for discussion.

Mr. Davis noted that the redistricting maps are far from completion at this time as staff is still working to finalize.

Mr. Kinard called for further discussion; none occurred.

In Favor:	Mr. Kinard	Mr. Banning
	Mr. Cullum	Mr. Townsend
	Mr. Davis	Ms. Summers

Mr. Keisler Mr. Jeffcoat
Mr. Matthews

Ordinance 11-09 - An Ordinance Authorizing, Pursuant to Sections 4-1-170 and 4-1-175 of the S.C. Code of Laws, the Execution and Delivery of a Special Source Revenue Credit Agreement Between Lexington County, SC and Senn Brothers, Inc (S2p,LLC9); and Matters Relating Thereto - 1st Reading by Title - Mr. Davis made a motion, seconded by Mr. Cullum to approve first reading by title.

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

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

Ordinance 11-11 - An Ordinance Authorizing, Pursuant to Sections 4-1-170 and 4-1-175 of the S.C. Code of Laws, the Execution and Delivery of a Special Source Revenue Credit Agreement Between Lexington County, SC and V. B. Hook & Co., Inc. (Van Buren, Farms LLC); and Matters Relating Thereto - 1st Reading by Title - Mr. Cullum made a motion, seconded by Mr. Townsend to approve first reading by title.

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

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

Ordinance 11-12 - An Ordinance Authorizing, Pursuant to Sections 4-1-170 and 4-1-175 of the S.C. Code of Laws, the Execution and Delivery of a Special Source Revenue Credit Agreement Between Lexington County, SC and Severt (Severt & Sons Produce Columbia, Inc.); and Matters Relating Thereto - 1st Reading by Title - Mr. Banning made a motion, seconded by Mr. Cullum to approve first reading by title.

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

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

Ordinance 11-13 - An Ordinance Authorizing, Pursuant to Sections 4-1-170 and 4-1-175 of the S.C. Code of Laws, the Execution and Delivery of a Special Source Revenue Credit Agreement Between Lexington County, SC and Raybon (North Fork Properties, LLC); and Matters Relating Thereto - 1st Reading by Title - Mr. Cullum made a motion, seconded by Ms. Summers to approve first reading by title.

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

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

Ordinance 11-14 - An Ordinance to Approve the Conveyance of Property from the County of Lexington to Eau Claire Cooperative Health Centers - 1st Reading by Title - Mr. Cullum made a motion, seconded by Mr. Townsend to approve first reading by title.

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

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

Committee Reports - Planning & Administration, J. Jeffcoat, Chairman - 2012 Recommendations - Employee Life Insurance Benefits - Mr. Jeffcoat reported the Planning & Administration Committee reviewed a presentation from staff on the Employee Life Insurance Benefits. County employees would be offered additional life insurance at a lesser cost. The Committee voted in favor to recommend to full Council for approval.

Mr. Jeffcoat made a motion, seconded by Ms. Summers to approve the 2012 Employee Life Insurance Benefits.

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

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

Justice, S. Davis, Chairman - During the afternoon Justice Committee, the Committed reviewed the following grants awards and voted in favor to recommend to full Council to accept the award.

Mr. Davis made a motion, seconded by Mr. Cullum to approve the following three grant awards:

Forensic Death Investigator Grant Award - The award in the amount of \$64,118 requires a 10% match of \$7,124. The funds will be used to fund the Forensic Death Investigator's salary and a few operating costs.

Gang Task Force Grant Award - The award in the amount of \$132,251 requires a 10% match of \$16,883. This is the third and final year of funding which will be used fund two gang investigators and a few operating costs.

White Collar Crime Unit Grant Award - The award in the amount of \$67,403 requires a 10% match of \$9,442. The funds will be used to fund the White Collar Crime Investigator’s salary and a few operating costs.

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

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

Request for Additional Personnel - Watch Commander - Also, Mr. Davis reported the Committee reviewed the request from the Sheriff’s Department for a Watch Commander position. This will not require additional revenue and will paid for from existing revenue. The total cost for the position and necessary equipment is \$131,493.

Mr. Davis made a motion, seconded by Mr. Keisler to approve the one Watch Commander position.

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

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

Public Works - T. Cullum, Chairman - Sidewalk Request - Sunset Drive (South Congaree) Enhancement Grant Requests - Mr. Cullum reported the Public Works Committee met earlier during the afternoon to consider a request to construct a sidewalk from Congaree Elementary School to the library on Sunset Drive. Estimated cost for the sidewalk is \$25,000. Funds will come from “C” funds and Drainage Projects account.

Mr. Cullum made a motion, seconded by Mr. Matthews to approve the construction of the sidewalk from Congaree Elementary School to the library on Sunset Drive

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

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

Matters Requiring a Vote as a Result of Executive Session - Class A Towing Service - Mr. Cullum made a motion, seconded by Mr. Jeffcoat to approve the Class A towing service rotation for a period of two (2) years instead of one (1) year for approved vendors.

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

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

CMRTA - Ms. Summers made a motion, seconded by Mr. Davis to authorize Katherine Hubbard, County Administrator to approve a two month, July and August, payment of \$8,400 to the CMRTA until the Intergovernmental Agreement can be finalized.

Mr. Kinard opened the meeting for discussion.

Ms. Hubbard asked for clarification that the motion is to extend our existing Intergovernmental Agreement and existing terms for monthly payments for two additional months, July and August.

Mr. Kinard replied that was correct.

Mr. Kinard called for further discussion; none occurred.

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

Opposed:	Mr. Keisler	Mr. Matthews
----------	-------------	--------------

Old/New Business - None.

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

11-104 - A supplemental appropriation increase of \$7,875 to cover the cost for an outside contractor to made the needed repairs at the Children’s Shelter due to a water valve burst.

12-021 - An appropriation transfer of \$33,377 and a supplemental appropriation decrease of \$333,777 in the Sheriff’s Department’s budget. The application for the Interstate Criminal Enforcement Unit application was not approved.

12-023 - A supplemental appropriation increase of \$1,041. The original check received from SCE&G in Support Funds was for \$18,541.08 and this is an overage from the \$17,500 that Emergency Preparedness budgeted. The overage will go towards their Motor Pool account.

12-024 - A supplemental appropriation decrease of \$17,578 for the Sheriff’s Department. The Sheriff’s Department was awarded the White Collar Crime Unit grant, but the award was less than the amount applied for.

12-025 - A supplemental appropriation decrease of \$19,697 for the Sheriff’s Department. The Sheriff’s Department was awarded the Gang Task Force grant, but the award was less than the amount applied for.

12-026 - An appropriation transfer of \$2,624 and a supplemental appropriation decrease of \$26,237 for

the Coroner’s Office. The Coroner’s Office was awarded the Forensic Death Investigator Force grant, but the award was less than the amount applied for.

12-022 - An appropriation transfer of \$28,817 and a supplemental appropriation decrease of \$288,171 for the Sheriff’s Department. The application for the Drug Parcel Interdiction Unit was not approved.

Executive Session/Legal Briefing - Mr. Kinard reported Council entered into Executive Session during the afternoon Committee of the Whole meeting to discuss four contractual and four legal matters; however, did not complete discussion. Mr. Kinard said Council needed to go back into Executive Session to complete one legal matter.

Ms. Summers made a motion, seconded by Mr. Townsend to go into Executive Session.

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

6:00 P.M. Public Hearings - Council members present: Kinard, Townsend, Davis, Summers, Keisler, Jeffcoat, Matthews, Banning, and Cullum.

Prior to opening the public hearings, Mr. Kinard reviewed the guidelines for public hearings. Mr. Kinard asked that 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 was acceptable to indicate concurrence

FY11 Justice Assistance Grant (JAG) Program Application - Mr. Kinard opened the public hearing.

Mr. Kinard said no one signed up in favor or in opposition to the JAG grant application; therefore, closed the public hearing.

Zoning Map Amendment M11-02 - Crockett Road - Mr. Kinard opened the public hearing.

Mr. Walt McPherson, Zoning Administrator with Community Development, presented the information for Zoning Map Amendment M11-02. The applicant is Rusty Shealy and the property owner is Jo-Ann B. Wilhelm and Nancy R. Fitzgerald (now Shealy). The applicant has requested a change in zoning classification from Development (D) to Recreation/Agricultural (RA). Mr. McPherson reviewed the maps and area by using a Power Point presentation as well as the type of allowable activities in a Development (D) and Recreation/Agricultural (RA). Mr. McPherson also showed the site plan that Mr. Shealy submitted for his building that is approximately 60 feet wide, 150 in length and 26 feet tall to accommodate a pole vaulting training activity. Mr. McPherson said if the map amendment were to be approved, Mr. Shealy would need to obtain a consent form/variance from a couple of property owners and meet certain buffering requirements before a zoning permit would be issued.

Mr. Cullum asked the reason why the applicant would have to obtain consent from the adjoin property.

Mr. McPherson said according to the Zoning Ordinance, Mr. Shealy would have to meet the following three requirements: (1) Buffer, (2) Setback, and (3) Screening. The buffer would be for the driveway and the setback would be for the principal activity – the structure itself. The buffer distance coming off would

be 30 feet, so he would have to make sure that his driveway would be a minimum of 30 feet from the property line. Then you have screening. However, the property owner could sign a consent form to waive those requirements.

Mr. Jeffcoat asked if there were any parking requirements.

Mr. McPherson replied, yes. For a group assembly it is one per four participants. If he is planning to have 40 students or participants at one time, then he would be required have a minimum of 10 spaces.

In Opposition:

Carroll Barker, 206 West Passage, Columbia, SC 29212 - I am here mainly to represent a property that I have ownership in on 314 Crockett Road, an acre on the lake. I want to preface my quick presentation on, I am in favor of the facility, but not at this location. It just so happens I was a pole vaulter at Irmo and held the school record, so it is coincidental that I am here saying that. I understand the need for training of this endeavor. It is really a great sport. My first point is there is no existing commercial use on Crockett Road. It is a dead-end road. I don't think the road is suitable for commercial use at all. I know there will be students and athletes going to and from, and I am concerned with that. The road is narrow and I don't think it meets the criteria and standard for Lexington County as a commercial excess road. Also, I think there are other sites along Hwy. 6 that would be more suitable. It seems like we are doing a skip over zoning that does not have direct access to Hwy. 6. So, I think that is a problem. I have noticed there have been many vehicles parked in that area already, 15 to 20 cars at a time, and, I understand that is part of the use, but I am concerned about the number of vehicles. It is located on a curve, a few hundred feet from the intersection of Crockett Road and Hwy. 6. As you approach Hwy. 6 from Crockett Road at the stop sign, the site distance to limit is poor. There is a hill to the left, so I am concerned about that. There have been a few accidents lately at that location so that really needs to be looked at. I am in favor of a residential development there; I think that is the appropriate use in this location. Finally, one of the problems I see is the mixed used. It is going to be used for a residence and they will have this commercial use. I am surprised that is happening. I don't think that is allowed for mixed use in that situation. Again, I am all for the facility but not at this location. There are many other locations along Hwy. 6. Thank you.

Stephen H. Davis, 150 Clearview Dr., Columbia, SC 29212 - Pointing to the aerial map, Mr. Davis said his property was at the top along the buffer in Clearwater. Larry Johnson has the property directly to the left as you go up to the point and come back across. There is a small section in the corner in the right that borders the property that the Zondlewski's own and those are the three property owners that are primarily affected. My only concern, and I have already talked to Rusty about this, is when we cut and get rid of all the trees it will change the canopy back there. I want to make completely sure that my home, Larry's and those three properties don't see that building. Period. Number one - for resale value. At some point in time, I am going to sell my home and go somewhere else. So, I want to protect those property values back there. Larry just put a pool in and we can actually stand from Rusty's pit and look straight through and see his home, the upper level. So if you are upstairs you can probably see it. I am not opposed necessarily, but I am on the opposed list. I'm not necessarily opposed to what he is doing per se, but I do see some of the issues that Carroll brought up as well. However, I want to be completely sure and the two people around me want to be completely sure that we don't see that facility. Because if you are looking at a two-story home, 25 foot tall 60x190 that is a pretty long run in a two-story home. If it is completely screened and I can get upstairs in my home and I don't see anything, then when I go to sell my home those people won't see anything. He is very quiet back there; we didn't even know that he was back there. He is training people already. Like I said, I want to be completely sure and the neighbors around me that that, that is screened out. If that is a condition to go forward, then I think that should be a condition to go

forward. It has to be screened out back there for me. There is a 75 foot buffer and an old creek bed back there. It may be fine that he goes in and does it, but if it gets to the point where he goes in and does it and now I have a building back there, then we have to address that. I think it needs to be addressed before we ever come out. If it needs to be conditions placed on it, then it's going to be voted on. A lot of people have concerns about the traffic down there. They have property to protect. I understand the next door neighbor does not have an issue with it other than giving up some rights on the property line. But, we want to make sure that we are directly in back of that building. I am going to stare in the back of it and if it is not screened out properly and I go to sell my home, I am not going to sell my house. My daughter is having the same issue in Atlanta now, and she can't get rid of her place.

Mr. Kinard stated no one else signed up in opposition and closed that portion of the hearing.

Mr. Kinard opened those in favor.

In Favor:

Thelma Miller, 131 Crockett Rd., Columbia, SC 29212 - Our property joins Rusty's and Rusty and Nancy Shealy are some of the best neighbors you could ask for. Nobody could ask for a better neighbor. Matter-of-fact, Crockett Road community is a very wonderful community. The people down on the lake, the people in Wexford, and the people over in Clearwater are all nice and friendly. It is a rather pleasant atmosphere and I fully approve of what this rezoning commission has been asked to do. Because I feel like with Rusty building this building, he is offering an opportunity to these young athletes that they will not get offered anywhere else in the County, probably anywhere else that I know of locally does any of the recreation department's offer this type and quality of training, and mentoring that Rusty will give these kids. They are wonderful kids. I have seen and talked to them. They are very respectful of Mr. Shealy's property and my property. There is no problem whatsoever there. As far as traffic conditions, it is a lot worse with all those boats and big trucks pulling them up and down Crockett Road than what those cars are that have been parked in his front yard. There has never been a car parked on Crockett Road; not on the road. They are on Rusty's private property. Don't misunderstand that. So, I totally disagree with anyone that feels like this should not happen. It is wrong to deny this opportunity to these kids, because with the proper guidance that they will get from Rusty and the mentoring, they will make great citizens. Thank you.

Carlos Miller, 131 Crockett Rd., Columbia, SC 29212 - I concur with what my wife said.

Nancy Shealy, 121 Crockett Rd., Columbia, SC 29212 - This is about my property that we are talking about and my husband, who is this mentor. I live there, and I have had these kids in my yard, and I barely know they are there. Apparently, no one else has known they were there either. They are amazing, amazing kids. Rusty could do no damage but only good with this building. It is essentially a barn and if we had built a barn, there would be no question, but because it is a barn for training. These kids have nowhere to go. Two years ago, I can't tell you how many times he had to cancel because there was no place for these children to go in the wintertime. It was either too cold or it was raining and going into the season, these kids had no way to train; nowhere in the state to train. Last year we had snow and he had a burn barrel but there is just so much you can do. They just need an opportunity to be able to train just like any other athlete. These children are awesome kids. They have an opportunity to go to college where they might not in any other way because there is money, and people don't even realize there is scholarship money for these kids. They are awesome, awesome citizens and I am very proud of everyone one of them that I have come in contact with. I am not opposed in any way.

Gibbes McDowell, 127 N. Hermitage Rd., Beaufort, SC 29902 - I, too, like some of these folks was a high school athlete. I pole vaulted at Beaufort High and held the state championship record for a good

many years then went to the University of South Carolina on a vault scholarship. I jumped there for about ten years ahead of Rusty. Rusty was very instrumental in getting me back into the sport as a coach at Beaufort High. Our kids down there did not have any coaching or real access to anybody that had any experience so Rusty, not only got me back into coaching but into Master's competition myself, which helped me to train these kids. While I can identify kids that have a lot of potential, I have limited experience in coaching. But, Rusty is the perfect find for these kids who have the talent and skills to take this sport to the next step. And because of their access to his resources, I have had one young man to get a full scholarship to college. He was not only the first kid in his family to get out of high school, much less go to college. Because of Rusty helping me, and me being able to help him, he got a full ride to college. I have another young lady in the room that transitioned from gymnastics to vaulting as a 14-year-old and placed in the state championship as a 14-year-old vaulter in high school competition. Now as a freshman, she is ranked number two in the whole United States and it is due to Rusty Shealy. I can guarantee you that she is on the watch list for a lot of college coaches. It is those kinds of resources he brings to bear for these kids. Vaulting is a technical sport. It is challenging; it is critical thinking and it requires determination, a hard work ethic, teamwork, self-reliance, and self-dependence; all those building blocks of good citizenship that our high school sports are all about. And Rusty is the pinnacle of that mission to help these kids take their natural talents and develop them to their maximum and go to school and college and come out and be great citizens. Like Nancy said, I am one of dozens of little town half wanna be coaches who used to do a little bit back in the day who are doing the best we can to help our kids locally. But, Rusty is one of these few rare talents and resources that we have where we can send kids who really have the talent to do the job to make best of the skills that God gave them and become good citizens for all the things I just described. So for all those reasons, I think you need to approve his request.

Kim Lawson, 324 Emerald Oaks Way, Irmo, SC 29063 - I concur with everything that they have said so far. My daughter, Paige, is a rising junior this year and she started pole vaulting her freshman year so she has gone through two years. We do not have a pole vault coach at Dutch Fork, but we have coaches for track and everything else, but pole vaulting just does not seem very important sometimes. It took a lot to get equipment this past year for them to vault. They needed equipment; it was so old. If it were not for Rusty and what he does for Paige and the other vaulters that are here, and they are so many who are not here, I don't know what they would do. This indoor facility that he is trying to build on his property would help them so much. When it is nice outside, it is okay; it is perfect. But, whenever it is freezing or raining, you have people who drive two to two and half hours and the weather may be nice there when they leave, but it could turn into something totally different by the time they get to Columbia and they have just spend two to two and half hours in a car and have to turn around and go back home. Things like that have happened and if we have this building, this would not happen. We are very blessed to have Rusty and hope that you will approve this building.

Paige Lawson, 324 Emerald Oaks Way, Irmo, SC 29063 - I concur.

John Van Deman, 209 Christian St., Cheraw, SC 29520 - I have known Rusty for 20 plus years. I am a track and cross-country coach and former school administrator. I have worked with Rusty in pole vaulting and have brought numerous athletes to him. I have had 13 state championships that my kids have won through his efforts. We work together; but without Rusty, we could not have done it. I have known numerous athletes who Rusty has worked with that have gone onto college with scholarships. We even have one he worked with who is a professional vaulter in Europe at this time. Pole vaulting is very a challenging sport and you need good competent coaches and good facilities, which this will provide. We try to practice in Cheraw when we can but when weather gets bad you can't do anything. He travels all over the state trying to help young people, and I have known him to go places and get rained or snowed

out. But, having a facility where people can come and be assured they can get their coaching would be a great benefit to young people. I am not from around here, but I am looking at it from the standpoint what it could do for the young people of South Carolina. I would like to ask that you consider favorably his request. Thank you.

William Cheung, 411 Old Saybrook Dr., Columbia, SC 29210 - I am a vaulter from Irmo High School. I recently graduated this year, and I am going to Winthrop University. I have been vaulting with Rusty since my freshman year and Rusty has really helped me out through these years because if I weren't vaulting, I would probably be running around Irmo with guys doing crazy stuff. But, he has kept me out of a lot of trouble because I just go and vault. He has really just helped me out all these years. I don't have poles at Irmo, and I don't even own a pole. The poles I have are broken ones that I have either broken at meets or practice. This building will help so many people. It will help all the vaulters and the potential vaulters in South Carolina. He even helped me get a scholarship to Winthrop indirectly just by coaching me. It is not much; it is just \$1,000 to help me pay for books and supplies. That is all I really need. Rusty is just a great guy. He really needs this facility to help all the other vaulters. Going back to what Nancy said about how we had a weather problem, snow days. It was me and Hannah and it was terrible vaulting in the snow. But, it was also really fun at the same time because we were at Rusty's facility. It would have been a lot better if we were indoors in a better environment where we didn't have to worry about getting cramps or slipping because snow got on our poles. The facility he wants will make everything a lot safer and provide a better environment for us to learn and go on with our next stage of our lives after high school. It will help us get scholarships or go to college.

Maddie Aune, 30 Purrysburg, Dr., Beaufort, SC 29907- I am here to support Coach Rusty in rezoning his property to have this building. Coach Rusty has done so much for us, all of those athletes, and we just can't thank him enough. Having this building would help so much. I drive two and one-half hours just to come and practice, and I try to get there once a week. And to get a call to say it's raining and it might not be raining in a little bit then having to turn around and it's not a good feeling because that is another day of training that I have lost and can't get back. All of us athletes have so much potential and with this building, we could train all year long and really get the best that we really are. I am really asking to get this building because it would really help everybody a lot. Thank you.

Chad Aune, 30 Purrysburg Dr., Beaufort, SC 29907- I just want to talk about what a great coach we have here. This isn't a high school coach; this is an Olympic caliber coach. He's got 60 plus S. C. state and national champions. These kids are going onto college, getting scholarships and making something of their lives. We shouldn't bottle up greatness; we should share it. And Coach Rusty is sharing greatness. I am asking for the City of Columbia, Irmo, Lexington and for the state because it benefits so many kids. So I am asking for approval.

Rusty Shealy, 121 Crockett Rd., Columbia, SC 29212 - I have been very fortunate with athletes and finding what I was meant to do; I couldn't ask for better. What we are asking to do – we are not wanting to change the look and feel of the neighborhood. I just want a barn. I don't care if the zoning goes up, down, backwards, sideways, etc. I don't care. We just need a place where we can keep the weather off us. Last year and the year before were especially brutal as far as the winter. The three months leading up to the competition starting in high school we only had a hand full of practices from the beginning of December to the end of February. We have been really fortunate to get the kids to the level that we have been able to get them to and help them do well on the state and national level and get them college money. But, we lost a lot of training time. What level can we take them to; how much more college money can we get them if we don't have to cancel. I am with them 100 percent on the screening. We've got thick woods. In the summertime it's not a problem. We see a little hint of their house. But, in the

wintertime when the leaves come down and that's an issue, and I told him the other day, I don't mind putting up Leland Cypress. If that is what we need to do to protect the neighbors, we want to be good neighbors. Thelma and C.R. next to us, if anybody is affected the most, it would be them right next to us and I told them the same thing. They said everything is fine, but if they want more screening, I will give them screening. It is about the kids; it is not about me. We want to do everything we can for them. I appreciate you letting us come here today and have a chance to speak. Whether the people are for or against it, I respect them for having come out and the neighbors and the association coming out and talking to us ahead of time and letting me show them the property and what we are doing. I have a lot of respect for those people. Whether it's for or against it, they took the initiative to make an educated decision. I can definitely appreciate that. The cars – I don't know if we have ever had 20 cars at the house. We might have had 15 if people were for one or two hour sessions and others were leaving and coming in so it might have been a couple of minutes there. If Nancy and I have our kids at the house, we have seven kids between us, and with our two cars, that is nine there. What we are talking about with the building, the parking will be down by the building away from the road so nobody is going to see it. It is in the woods. The topo of the land drops down. It drops down from where the front of the building is. I put a piece of tape on a tree that I shot a laser level from my garage floor and it drops 10 feet from where the front of the building would be. So even if it is 25-26 feet tall, it is only going to be about 15 feet higher than the bottom floor of my garage. And if we need to put additional screening in front of it so nobody can see anything from the road, like I said it is in the back of the woods, we are okay. We will be happy to do that. We appreciate your consideration and giving us a chance to speak today. Thank you.

Mr. Jeffcoat said as the representative for the area, he wanted to share with Mr. Shealy what he has been hearing. Mr. Jeffcoat said one issue is parking on the road. He said he does not know whether this request will pass or not, but would be very conscious of that to be sure they don't park on the road.

Ms. Nancy Shealy said the only time anyone parked on the road is when people from the other neighborhood came over to see their property.

Mr. Jeffcoat said he did go out and visit the area and did not see any other commercial activity on the road. But, the big concern he is hearing from everybody is the screening. Nobody likes the fact they can look out and see a huge building. So, he would suggest if you can see it from any angle to put Leland Cypress or anything you can to camouflage it from the neighbors. Mr. Jeffcoat thanked everyone for coming and speaking and said the feedback Council receives is very beneficial to them to try and make intelligent decisions.

Mr. Matthews asked Mr. Shealy how many students he trains on a daily basis.

Mr. Shealy replied, anywhere from one to eight to ten. It may go over that, but when it does it would not be much. It's generally been in the four to eight range.

Mr. Matthews asked if this is an actual business where he charges to coach.

Mr. Shealy replied, yes. He said his poles are very expensive and estimates he has spent about \$80,000 in poles.

Mr. Matthews asked if the building will be used for anything other than pole vaulting.

Mr. Shealy replied, just pole vaulting.

Mr. Kinard called for further questions; none occurred.

Committee Report - Justice, S. Davis, Chairman - FY11 Justice Assistance Grant (JAG) Program Application - Mr. Davis reported no one appeared during the public hearing in favor or in opposition. Mr. Davis made a motion, seconded by Mr. Banning to grant staff's request to move forward with the grant application.

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

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

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

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

James E. Kinard, Jr.
Chairman