MINUTES
LEXINGTON COUNTY COUNCIL
July 23, 2013

Lexington County Council held its regularly scheduled meeting on Tuesday, July 23, 2013 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

Mr. Mergo, County Administrator, gave the invocation. Army veteran, Gary Ash, led the Pledge of Allegiance.

Members attending:	William B. Banning, Sr.	James E. Kinard, Jr.
	Frank J. Townsend, III	M. Kent Collins
	Debra B. Summers	Bobby C. Keisler
	Johnny W. Jeffcoat	Kenneth Brad Matthews
	M. Todd Cullum	

Also attending: Joe Mergo, III, County Administrator; Randy Poston, Chief Financial Officer; 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.

Note: The following Council meeting proceedings can be viewed in its entirety on the Lexington County Video Portal at www.lex-co.sc.gov.

Chairman's Report - Chairman Banning reported he, Vice-Chairman Jeffcoat and Councilman Cullum serve on the Health & Wellness Committee and have spent several hours reviewing the material. In addition, he made a trip to Myrtle Beach to visit their on-site medical facility and he, Vice-Chairman Jeffcoat, Ryant Johnson, H.R. Risk Manager; and Morgan Armstrong, the County's Benefits Consultant; traveled to Greenville to visit Michelin's on-site medical facility. Also, attended Avtec's ribbon cutting and Lexington Medical Center's groundbreaking.

Council Members' Reports/Comments - Councilman Matthews reported he and Vice Chairman Jeffcoat attended the ribbon cutting for the new Senior Wellness Center at Seven Oaks Park.

Presentation - Green Business Member Recognition - Public Works - Synithia Williams, Environmental Coordinator and Amanda Edwards, Recycling Coordinator - Ms. Williams and Ms. Edwards recognized Collins & Burkett Law Firm, LLC and Amar Enterprises, LLC as the newest members to be inducted into the County's Green Business Certification Program. Collins & Burkett Law Firm, LLC received certification for their Waste Reduction and Recycling and Water Conservation program and Amar Enterprises received certification for their Waste Reduction and Recycling program.

Administrator's Report - Joe Mergo, County Administrator - Mr. Mergo proudly reported the County's Computer Assisted Mass Appraisal (CAMA) project that has been in the works for the past four and one-half years with Richland, Anderson, and Sumter Counties is now up and running. Staff will continue to run the old program as we work out any issues that we may find.

Employee Recognition - None.

Appointments - Prior to taking action on Boards and Commissions' appointments, Chairman Banning spoke about the new legislation that was passed that would allow Lexington County to put on the ballot a "penny sales tax" for roads, infrastructure improvements, etc. in Lexington County.

Lexington County Penny for Progress Commisson - Mike Crapps - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to appoint Mr. Crapps.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Building Codes Board of Appeals - Joel Carter - Ms. Summers made a motion, seconded by Mr. Jeffcoat to reappoint Mr. Carter. Mr. Carter represents the Architect sector.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Planning Commission - Michael N. Shealy - Mr. Townsend made a motion, seconded by Mr. Cullum to reappoint Mr. Shealy.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Mr. Keisler	Mr. Jeffcoat
Mr. Matthews	

Planning Commission - Keith Myhand - Ms. Summers made a motion, seconded by Mr. Cullum to reappoint Mr. Myhand.

Chairman Banning opened the meeting for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Building Codes Board of Appeals - Kenneth W. Timmerman - Ms. Summers made a motion, seconded by Mr. Cullum to reappoint Mr. Timmerman. Mr. Timmerman represents the Engineering Sector.

Chairman Banning called for the vote.

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

Building Codes Board of Appeals - Lawrence J. Markey - Ms. Summers made a motion, seconded by Mr. Townsend to reappoint Mr. Markey. Mr. Markey represents the Contractor sector.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Bids/Purchases/RFPs - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve Tabs K, L, M, N, O, P, & Q).

2013 Full Depth Reclamation Program - Public Works - Bids were solicited for a full depth reclamation program for Hope Springs Subdivision Phase I and II and Wood Moor Subdivision. The project consists of pulverizing existing pavement materials in place, adding portland cement to the road base, and applying hot mix asphalt to the newly prepared road base. Other additional items of work will

include variable milling and curb and gutter replacement. Each road surface will require appropriate tie-in to the existing drainage features and adjacent County maintained roadways. Four (4) responsive bids were received. Staff recommended the award of the bid to C.R. Jackson, Inc for Tasks 1 and 2. Task 3 was not awarded. Total cost, including tax, is $334,916.55.

Auto Body Repairs for County Vehicles and County Emergency Vehicles (Term Contract) - Fleet Services - Bids were solicited for a term contract for auto body repairs for County vehicles and County emergency vehicles for Fleet Services. One (1) responsive bid was received. The term of the contract shall be for the initial period of one (1) year with the option to extend the contract for two (2) additional one (1) year periods, if deemed to be in the best interest of the County. Staff recommended the award of the contract to the sole responsive bidder, Summit Collision Centers. The annual cost of the contract is estimated at $83,000 including tax.

Caron Traction and Contour Pin-On Caps (Sole Source) - Solid Waste Management - Staff recommended the purchase of Caron Traction and Contour Pin-on Caps for Solid Waste Management to the sole source provider, Caron Compactor Company. This has been deemed a sole source as they are the only vendor capable of providing the items. Total cost, including tax, is $54,000.76.

Fleet Vehicle Replacement and Accessories - Sheriff's Department - Fleet Services - Staff recommended the purchase of seven (7) fleet vehicles including any emergency equipment/installation and accessories for the Sheriff' Department. The vehicles will be purchased from Love Chevrolet through the appropriate South Carolina State contract. The emergency equipment/ installation and accessories will be purchased from various vendors through the South Carolina State contract and the Lexington County procurement process. Total cost, including tax, is $194,359.55.

Fleet Vehicle Replacements - Countywide - Fleet Services - Staff recommended the purchase of eleven (11) vehicles for Animal Services, Central Stores, Coroner's Office, Fleet Motor Pool, Public Safety/ Administration, Public Safety/Fire Service, and Public Works. The vehicles will be purchase from Love Chevrolet through South Carolina State Contract Number 4400004340. The Public Safety/ Administration vehicle will require the purchase and installation of emergency equipment and accessories. The accessories will be purchased from West Chatham Warning Devices. Total cost, including tax, is $306,599.59.

One (1) Water Truck Replacement - Solid Waste Management - Fleet Services - Solid Waste Management requested permission to have funding, not to exceed $214,000, readily available to purchase a used water truck for the landfill as long as the vehicle meets the County's minimum requirements and passes the inspection criteria. Once the unit has been purchased, Solid Waste Management will provide a follow up report.

S-48 (Columbia Avenue) Engineering Services for Corridor Improvements - Public Works - A Request for Proposal (RFP) was issued to establish a contract with a firm to provide quality comprehensive engineering services for the S-48 (Columbia Avenue) corridor improvements for Public Works. Six (6) proposals were received. The committee recommended contracting with Mead and Hunt, which will be reimbursed through federal funding.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Approval of Minutes - Meeting of June 11, 2013 - Mr. Jeffcoat made a motion, seconded by Ms. Summers to approve the minutes.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Ordinance - Ordinance 13-06 - Ordinance Authorizing the Execution and Delivery of a First Amendment to Fee In Lieu of Tax and Incentive Agreement Between Lexington County, South Carolina and Owen Electric Steel Company of South Carolina D/B/A CMC Steel South Carolina (Formerly D/B/A SMI Steel South Carolina) and its Affiliates and Project Sponsors to Provide for an Additional Investment in Lexington County by Owen Steel Company of South Carolina D/B/A CMC Steel South Carolina and Affiliates and Project Sponsors; and Matters Related Thereto - 2nd Reading - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve second reading.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Abstained: Mr. Townsend*

*Mr. Townsend abstained as his company does business with CMC Steel South Carolina.

Committee Reports - Economic Development, J. Jeffcoat, Chairman - Chapin Business and Technology Park (CBTP) - Phase 2 Engineering - Mr. Jeffcoat reported during the earlier Committee meeting, the Committee met and voted to send to full Council for approval the Phase 2 engineering for the Chapin Business and Technology Park.

Mr. Jeffcoat made a motion, seconded by Mr. Townsend to approve the Phase 2 engineering for the Chapin Business and Technology Park.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Justice, J. Kinard, Jr., Chairman - Additional (5) School Resource Officers (Goal 1) - Mr. Kinard reported during the afternoon Committee meeting, Col. Paavel presented a request from Lexington-Richland School District Five requesting five (5) additional School Resource Officers (SRO) for the elementary schools in the Lexington County portion of the district. The five SRO's will be paid 100% (salary, equipment, and operating costs) by the school district. The Committee voted in favor to recommend to full Council for approval.

Mr. Kinard made a motion, seconded by Mr. Keisler to approve additional five (5) School Resource Officers that will be paid 100% by the school district.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Public Works & Solid Waste Management, T. Cullum, Chairman - Kinley Creek Watershed Flood Mitigation - Mr. Cullum reported during the earlier Public Works & Solid Waste Management committee, the committee met to discuss a grant request from staff to study the Kinley Creek Watershed in the St. Andrews area where there has been extensive flooding for a number of years. In 2012, staff identified a $150,000 planning grant, which required a 25% match ($37,500) through DNR, but due to federal budget cuts, it never materialized. Now staff has identified an alternate grant, Planning Assistance to the States (PAS) that is available through the US Army Corps of Engineering (USACE). The grant has a maximum of $500,000 and requires a 50/50 sponsor match. Staff worked with the Army Corps to develop a draft scope of work and the projected cost is $332,000. County's match will be $166,000 and staff has identified funding - $112,500 (1000-121400-520300), previous $37,000 approved in 2012 (2700-121300-539900) and $16,000 for in-kind services. The Committee voted to recommend to full Council to approve $166,000 of which $16,000 will be in-kind with difference from Stormwater and previous amount approved in 2012.

Mr. Cullum made a motion, seconded by Mr. Matthews to approve and give staff the ability to make application for the grant with funding in place.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Green is Good for Business Conference Sponsorship - Also, Mr. Cullum reported staff requested the expenditure of $1,500 to help sponsor the 2013 CPAC Green is Good for Business Conference that will be held at the Columbia Metropolitan Convention Center. The Committee voted unanimously to send to full Council for approval.

Mr. Cullum make a motion, seconded by Mr. Matthews to approve.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Limestone Road Engineering - Mr. Cullum reported the Committee received a presentation from staff of a maintenance/safety issue with Limestone Road. Staff has obtained a quote of $51,325.12 for the design of seven crossings that need immediate improvement. However, staff, being proactive in reducing cost, requested a quote for the total engineering design of the entire road, including the seven crossings to be in place for when the road is ready for paving. The quote received is $89,355.54. Once the engineering has been completed, the corrective repairs will be made to the seven drainage/creek crossings using those plans to improve the safety of the roadway. The anticipated paving schedule of Limestone Road is FY2017-2018. The Committee voted unanimously to recommend to the County Transportation Committee for approval.

Chairman Banning convened the County Transportation Committee.

County Transportation Committee (CTC), B. Banning, Sr., Chairman - Limestone Road Engineering - Mr. Cullum made a motion, seconded by Mr. Townsend to accept staff's recommendation and the Public Works Committee recommendation that we fund the engineering of Limestone Road in the amount of $89,355.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Chairman Banning adjourned the CTC and reconvened the County Council meeting.

Budget Amendment Resolutions - The following BARs were signed:

13-143 - A supplemental appropriation increase of $372,356. This is a reimbursement check for capital expenditures related to the 911 & CAD systems for the new ECC/EOC Building.

13-144 - A supplemental appropriation increase of $22,444. This is the County booking Fire Service 1% funds that were used to purchase five (5) picnic shelters and one (1) storage building for Fire Stations 5, 11, 12, 13, 23, and 24.

14-024 - An appropriation transfer of $73,260 and a supplemental appropriation increase of $12,207. The additional funding is need to replace two (2) existing HVAC units on the newly Sheriff's Training facility.

14-025 - An appropriation transfer of $275,400. This is a revision to the FY2014 Sheriff's Budget. The Sheriff's Department postponed the purchase of the core router and switches to help balance their budget. However, due to the new training facility coming on-line, the implementation of the new detention camera system and maintain the current networks bandwidth to the County Administration Building, it was determined that the replacement was critical.

14-026 - A supplemental appropriation increase of $7,500. Economic Development received a grant from Central SC Alliance to help with the cost of advertisement and photography in the Columbia Metropolitan Airport.

14-027 - A supplemental appropriation increase of $483. All fire stations have closed their fundraising/general fund accounts and donated those funds to the Fire Service General Fund. The funds will be used to purchase fire prevention supplies.

14-028 - A supplemental appropriation increase of $630,000. The is the cost for the five (5) additional School Resource Officers for the elementary schools that are in Lexington –Richland School District 5. Lexington-Richland School District 5 will fund these positions 100% for the first year.

14-029 - An appropriation transfer of $25,000 to reinstate appropriation from the Accommodations Tax to the Columbia Metropolitan Convention Center/Visitors Bureau.

Old Business/New Business - Corley Mill Road - Prior to making the motion, Mr. Jeffcoat said the proposed motion is one that this body does not make very often. Matter-of-fact, since being on council, one was requested and one where Council had to obtain some property in order to build the County Administration Building.

For the benefit of the audience, Mr. Jeffcoat provided background on the reason for the proposed motion.

On Corley Mill Road there is a new high school (River Bluff High School). However, when Council received notice that the high school was going to be built there, he is sure there was not much planning for road improvements for that area. Considering that it could be up to 2,000^{+} high school students, coupled with most wanting to drive, along with staff, buses, etc. going in and out of the high school there will be a lot of congestion. A lot of the citizens who live in the area are very concerned and quite honestly, this Council is upset about it. We don't feel like it is our responsibility, since Corley Mill Road is a state road and Hwy. 378 is a federal highway maintained by the state. And over a period of one to two years, Council has been involved trying to work with a number of people trying to figure out something that would help the traffic move. If you are familiar with the intersection at Corley Mill Road and Hwy. 378, you know it is a nightmare. And with the additional traffic (from the new high school), it will even be worse than that. We have worked with SCDOT and there is a family who owns the right-of-way. Chairman Banning and I have met with them, and I have worked with their attorney and have spent hours with them. We have tried everything we know to try to be patient and work out some agreement so we can obtain the right-of-way to widen the roads and do some other improvements to no avail. We are no closer today than the first day we started, except we do have some appraisals on the right-of-way property and we do have some plans for some improvements to those roads. And there is not a single person (Council) up here that would take anybody's property. This property, about 15 years ago, was like farm land. There was nothing there but trees and, maybe, pastures. The Town of Lexington put in water and sewer up there at the intersection. This body has worked very hard to attract economic development opportunities. At one time the property was occupied by Carolina First Bank, but now it is occupied by TD Bank. They have a large operation there. The County built a road in front of the operation center to go out to 378 Hwy. to help alleviate some of the traffic. Everything was good with the folks that owned the property; no problems as long as we built the operation center and they are able to get thousands of dollars every month and every year for the operation center. They still own the property and lease the property, which is good. We have no problem with that and are glad they are able to do that. By building the road, we also opened up some opportunity across the street from TD Bank operation center. Now you have a TD Bank on the corner, you have a McDonalds, you have a Taco Bell, and you have other property that is vacant along the 378 Hwy., which all belong to this family. We feel like we have been very generous to those folks; we feel like we have been very patient. Sometimes you just have to say, well, you know we have tried everything we can try, and know we have to do what we have to do. The point being is the property that is needed, is a sidewalk behind McDonalds, and this widening will not even take the sidewalk. So it is not a lot of property we are talking about but it is needed to make these improvements so we can move the traffic. Even today we could use those improvements without a school being open. But, we have come to the end of the line as far as negotiations. So this is what I would like to do, Mr. Chairman.

Mr. Jeffcoat made a motion, seconded by Ms. Summers that we condemn all property needed for right-of-way and road improvements along 378, Corley Mill, and other roads that may be needed. The right-of-way needed for those roads - it is the road in front of the operations' center - is a County Road, Hwy. 378 and it is Corley Mill Road (Dedrick Dr.), contingent on the school board paying all costs to condemn the right-of-way for other properties that is needed and that cost is to include the legal costs and all land costs associated with condemning the property.

Take it a little further before the vote. This body has approved a payment of $900,000 towards those improvements, even though it is not our responsibility since these are state and federal highways.

Chairman Banning opened the floor for discussion.

Chairman Banning said that he, Johnny, and Todd have spent countless hours in the last two years through Public Works, SCDOT, and our staff has worked tirelessly trying to resolve this issue. And I truly think this is a life and death matter. It is my council district and as chairman I don't normally make motions, so I didn't make this one, but it is my council district and I will be the first to say that there are thousands of families involved there. That whole area is exploding with growth. There are new subdivisions going in every day. People are moving in everyday. In four weeks when that school opens, I am convinced it is going to be a devastating situation. I know the Town of Lexington has agreed to put police out there to direct traffic, but that is not going to be a long-term solution. We have got to get this road improvement done and I don't know how my fellow council members will vote; I know how I will vote. I don't like taking anybody's property for anything but this is a unique public good and it is definitely a traffic safety issue that I just feel very strongly about. We've got to do this, and we got to move on with this project. I am just sad that we didn't do it a year ago so that we would have it finished by time school opens in four weeks. But, I for one know how I will vote.

Ms. Summers said it was a very difficult discussion. It is not something that Lexington County does. But, we have to think about the better for the whole community. It has to be about the safety of so many people. If you are familiar with the area, we are not taking someone's residence. We are not taking some family home place that has been sitting there and can't let go of the sentimental value of it or anything. It is not that at all. It is all commercial property back in there. And all those who have commercial property there in the long run will probably benefit from it and from the traffic and everything. We didn't condemn the property to allow a business to come in and operate. It is not about that at all. It is truly about the people and that is why we are here. I have said it time and time again - we are not elected by the people to make easy decisions. Anyone can make the easy decisions. It's the tough decisions that take true leadership and this is one of those tough decisions that I personally feel we have to do for the people of Lexington County.

For the record, Mr. Townsend said even though he understands the need and seriousness of the matter, I did talk to School Board District I and asked them if they would put a resolution up stating they would support publically the condemnation. And, they said they wouldn't do that even though they would support it. And so, even though I know we need it, my conscience won't let me vote for it.

Mr. Kinard said this is probably one of the more agonizing decisions I have had to make since I have been on council. I normally vote on the very conservative side and y'all know that. But, sometimes the public good over rules that; I think this is one of those situations.

Prior to calling for the vote, Chairman Banning asked staff to provide a map of the property in question. He went on to say that the County has had commercial appraisals done and they (property owners) have seen that the County is willing to pay them a reasonable price that this land is worth.

Mr. Cullum said Council has not taken this lightly. This idea of condemnation has been going on back-and-forth among some of us that have been involved in this project for the last ninety days or so. Appraisals have been done and completed; however, as Mr. Jeffcoat had been speaking of earlier about the improvements that have been made in and around those tracts of land and, by less, all government improvements afford these property owners the ability to have the further use of the property, which is normal progress. However, if this project does take place, again, I think, you will look at that map, there will be another corner lot created in this project where there is not one now. So, there is a further increase in value again for these property owners if this project takes place. With that being said, I am going to support this motion only, and only if, the school pays the full cost of this condemnation process. And if

they don't, I think that matter should come back before this body again to let the public know that we are serious about this. I think the school is serious about it, and I can't speak where the state is. I can't see taking taxpayers' money and paying for more improvements for another property owner that has already received all these improvements now. That is going to be a decision for the school to make. I think the public should understand it clearly that this is a full reimbursement project if this condemnation process even gets off the ground to take place.

Mr. Matthews said it comes down to one thing. When we took our oath and when we got elected to uphold the United States Constitution there is a little amendment in there – the fifth one, and it is exactly these situations in which government is there to condemn property. While it is extremely rare, but this is the epitome of why the Fifth Amendment is there and that is the reason I will be supporting it.

Chairman Banning made reference to the map of the property (blue) where the County needs to do the expansion. He noted that the larger blue corner on the end is Corley Mill Road and that is where the roundabout would go, the green portion is what we would close from the current Corley Mill Road and that property is then available to go back to the property owners, etc. The red section is actually County property which is the current road that we would close which is next door to the Taco Bell and dead ends into the TD Bank facility. We would close that road and the large other blue section on the left would be the new road that would eliminate those two roads coming together – Ginny Lane and Corley Mill Road. That is what is really going to relieve the traffic. Not to mention we four-lane Corley Mill all the way back to the new strip shopping center. If you go the other way, down River Chase, we have a large fire facility that also houses an EMS ambulance. And when that traffic is bad those people are stuck just like everybody else. If we don't have a way to get the fire trucks and ambulances out of there, everybody has a problem. So this is a huge issue and I am just hopeful that this will move the project forward.

Chairman wanted to point out that the motion was subject to the school's agreement to paying for the right-of-way. I can't speak for them, but I can tell you with the conversations that I've had, every time we discussed it, they have said they are willing to pay for the right-of-way. So, I think this will solve our problem assuming the school steps up and does what they said they would do.

Mr. Collins said he believed it was for the right-of-way as well as all legal costs that arose out of the condemnation.

Chairman Banning confirmed.

Mr. Mergo said the blue area that the County needs is 1.091 acres. The red and green combined that would be closed is 1.060 acres, so it is almost equal.

Chairman Banning said our proposal was to give that back to the landowners. They own all the adjoining land. We have done appraisals and the appraisals show we will owe them some money and we agreed to pay that.

Chairman Banning called for the vote.

In Favor:	Mr. Banning	Mr. Jeffcoat
	Ms. Summers	Mr. Kinard
	Mr. Collins	Mr. Matthews
	Mr. Cullum	

Opposed: Mr. Townsend Mr. Keisler

Recess Council Meeting - Chairman Banning recessed the Council meeting until the 6:00 p.m. public hearing.

Reconvene the Council Meeting - Chairman Banning reconvened the County Council meeting.

6:00 P.M. - Public Hearing - Ordinance 13-06 - Ordinance Authorizing the Execution and Delivery of a First Amendment to Fee In Lieu of Tax and Incentive Agreement Between Lexington County, South Carolina and Owen Electric Steel Company of South Carolina D/B/A CMC Steel South Carolina (Formerly D/B/A SMI Steel South Carolina) and its Affiliates and Project Sponsors to Provide for an Additional Investment in Lexington County by Owen Steel Company of South Carolina D/B/A CMC Steel South Carolina and Affiliates and Project Sponsors; and Matters Related Thereto - Members present: Banning, Jeffcoat, Kinard, Townsend, Collins, Summers, Keisler, Matthews, and Cullum

Chairman Banning opened the public hearing. Chairman Banning announced no one signed up in favor or in opposition. Therefore, Chairman Banning closed the public hearing.

Executive Session - During the Committee of the Whole, Council discussed seven (7) contractual and two (2) personnel matters.

Matters Requiring a Vote as a Result of Executive Session - Curb Cut Easement Request - Pawmetto Lifeline - Mr. Matthews made a motion, seconded by Mr. Jeffcoat to approve the curb cut easement at the Pawmetto Lifeline facility subject to the final wording of the agreement as approved by our County Administrator and County Attorney.

Chairman Banning called for the vote.

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

Absent: Mr. Townsend

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William B. Banning, Sr.
Chairman

ABSTENTION FROM VOTING AND DELIBERATING

I am hereby asking the Chairman to excuse me from voting and deliberating on the matter of Ordinance B-06 because of a potential conflict of interest because of the following:

CMC Steel South Carolina is one of my customers.

I am furnishing this statement to the Chairman and I request that this statement be printed in the Minutes of this meeting.

Dr. Frank J. Lammerdt

Date: July 23, 2013

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