

M I N U T E S
L E X I N G T O N C O U N T Y C O U N C I L
November 12, 2013

Lexington County Council held its meeting on Tuesday, November 12, 2013 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

Pastor Ralph Schneck of First Baptist Lexington gave the invocation. WWII veteran, Thomas Spears, led the Pledge of Allegiance.

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| 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; Chris Folsom, Deputy 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 on the following events he attended: Oct. 30 - 1st Lexington County Economic Summit and Lexington County Fire Service Awards Banquet. Also, Councilwoman Summers represented the Chairman at the National Community Development Meeting. Oct. 31 - Central SC Alliance Board; Nov. 1 - Ike McLeese funeral; Nov. 4 - Don't Dump on South Carolina News Conference at the State House by SCAC; the Columbia Urban League Dinner and Reception at the Governor's Mansion; Nov. 8 - Fire Service Graduation; Nov. 11 - Monthly Richland County Meeting; Nov. 12 - Lexington Chambers of Commerce Breakfast and met with engineering companies in the region regarding Lexington County Penny for Progress.

Employee Recognition - Joe Mergo, County Administrator - Mr. Mergo recognized Deborah Raulerson and Pat Corley with Lexington County Communications on receiving awards at the 2013 SC APCO/NENA Conference. Ms. Raulerson received the 2013 Shift Supervisor of the Year Award and Mr. Corley received the 2013 Palmetto Award.

Mr. Mergo recognized Jessica Dolinger, Austin Andrade, and Bryan Dillon with Public Safety/EMS. Chief Hood received a letter from James Jeffcoat, Outcomes Coordinator with Lexington Medical Center, thanking them for their hard work in reviving a cardiac patient by performing CPR. As the result of their dedication and hard work, the patient was discharged.

Employee of the Third Quarter - Mr. Mergo recognized the following nominees for the Employee of the Third Quarter: Ryan Moseley (not present), Sheriff's Department and Rollie Reynolds, Public Safety/Fire Service.

Mr. Mergo presented an Employee of the Quarter certificate and pen to Mr. Reynolds. Mr. Mosely will receive a pen.

Administrator's Report - Thanksgiving Holiday - Mr. Mergo reminded everyone the County offices will be closed on Thursday and Friday, November 28 and 29 for Thanksgiving. Also, Nov. 13 at 10:30 a.m. in Council Chambers the Lexington County Veterans' Office is hosting a ceremony honoring all Lexington County Korean War veterans. Ninety-three certificates signed by the Secretary of Defense will be presented.

Presentations - Presentation of Check from the Lexington County Fire Service Boot Drive to Muscular Dystrophy Association - Assistant Chief Eddie Turner proudly announced that Lexington County Fire Service held a three-day Boot Drive to benefit the Muscular Dystrophy Association and presented a check to them in the amount of \$33,593.96.

Central Midlands Council of Governments (CMCOG) Update - Ben Mauldin, Executive Director - Mr. Mauldin and Mr. Reginald Simmons, Deputy Director, provided a brief overview of what the Central Midlands Council of Government does and services they provide. Mr. Mauldin said the CMCOG is a regional planning organization which provides a forum in which local officials can work together to resolve regional issues that transcend the political boundaries of local governments. They work on many regional projects such as transportation planning, servicing the metropolitan planning organization, air quality planning, and 208 water quality planning which are all regional programs. The COGs were established in S. C. forty-six years ago (1967) by Gov. Robert McNair by Executive Order and the CMCOG was established in July 1969. There are ten COGs in S.C. The CMCOG is comprised of Lexington, Richland, Fairfield and Newberry counties as well as ten municipalities. Since the interception of COGs in the state, they have collected over \$1.5 billion in federal and local grant programs. Through their revolving loan fund programs, they have lent over 5523 business loans that equates to over \$83 million that helped or retained over 10,000 jobs. The Workforce Training Funds, administrated by the COGs, have been over \$150 million and has helped create over 28,000 jobs. He said for every dollar the members of government give the COG, the return on investment is \$340.

Mr. Simmons provided a brief overview of the following functions that CMCOG provide: Aging Services (Community Services and In-Home Services), Long-Term Care Ombudsman, Workforce Development, Community and Economic Development, Environmental Planning, GIS and Graphic Design, Research and Demographics, Transportation Planning, and Regional Planning.

Lexington County Department of Mental Health Update - Richard Acton, Executive Director - Mr. Acton provided a brief update of the programs they provide Lexington County residents and a handout of the programs with statistics. He said the Lexington County Community Mental Health Center is one of 17 county mental health centers across South Carolina and is the fifth largest. He said Lexington County and one other county are single health mental health counties and provided information that deal specifically with residents of Lexington County. The programs provided are: Adult Services; Residential/Rehabilitative Services; Child, Adolescent and Family Services; and Emergency/Crisis/Intake Services/After Hours. For fiscal year 2013, a total of 5,498 Lexington County residents were served. Of those, 3636 were adult residents and 1862 were children and teens. Mr. Acton said Lexington County is

one of only two counties that provide a millage to fund the mental health center.

Appointments - Boards and Commissions - None.

Bids/Purchases/RFPs - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve Tabs M, N, O, P, Q, R and S.

20kVA APC UPS Replacement/Upgrade – Building Services/Information Services - Bids were solicited for the installation of a new 20kVA APC UPS system for the 5th floor server room. Two (2) responsive bids were received. Staff recommended the award of the bid to Deer Pond LLC in the amount of \$36,630.

Blue Prince Planning and Zoning Module (Sole Source) - Community Development- Staff recommended to procure the Blue Prince Planning and Zoning Module with associated technical service fees from the sole source provider, Harris Computer Systems. This has been deemed a sole source as Harry Computer Systems is the current provider of the system that will integrate with our existing software programs for Community Development. Total cost, including tax, is \$25,460.18.

Engineering Design Services for Chapin Technology Park - Economic Development - Staff recommended engineering design services for the Chapin Technology Park from Alliance Consulting Engineers under Lexington County Contract Number PQ13001-08/01/12S. Total cost, including tax, is \$78,350.

Employee Holiday Gift Cards - Human Resources - Quotes were solicited from various vendors for Employee Holiday Gift Cards. Four (4) quotes and one (1) non-responsive quote were received. Staff recommended the award to Bi-Lo as the lowest responsible vendor. Total amount, including tax, is \$34,875.

Windy Wood Road Improvements - Public Works - Bids were solicited for improvements to Windy Wood Road. The project consists of providing all grading, paving, and installation of storm drainage system and all other work associated with the construction for approximately 13,420 LF of a Lexington County roadway. Two (2) bids and one (1) non-responsive bid were received. Staff recommended the award of the project to Eagle Construction Company, Inc. Total cost, including tax is \$1,175,497.52.

Decorative Painting and Vehicle Striping for Sheriff's Department Vehicles - Sheriff's Department - Bids were solicited for a term contract for decorative painting and vehicle striping for the Sheriff's Department vehicles. Two (2) bids were received. The term of the contract will be for the initial period of one (1) year with the option to extend the contract for four (4) additional one (1) year periods, if deemed to be in the best interest of the County. Staff recommended the award of the contract to Summit Collision Centers. The annual cost of the contract is estimated at \$33,303.60, including tax.

Thirty-five (35) Electronic Control Devices with Accessories (Sole Source) - Sheriff's Department - Staff recommended the purchase of 35 electronic control devices with accessories from the sole source provider, Taser International, for the Sheriff's Department. This has been deemed a sole source since Taser International is the manufacturer of the devices. Total cost, including tax, is \$56,058.65.

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

Chairman Banning called for the vote.

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

Ordinance - Ordinance 13-08 - Authorizing the Lexington County Recreation and Aging Commission on Behalf of the Lexington County Rural Recreation District to Issue General Obligation Bonds in the Principal Amount of Not Exceeding \$23,000,000; and Other Matters Relating Thereto - 3rd and Final Reading - Mr. Cullum made a motion, seconded by Mr. Townsend to approve third and final reading.

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

Chairman Banning called for the vote.

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

Committee Reports - Economic Development, J. Jeffcoat, Chairman - Resolution R13-7 - Request for Removal of Property Within Corporate Limits of the Town of Chapin - Mr. Jeffcoat reported during the afternoon Economic Development Committee meeting, the Committee met and voted to send to full Council for approval Resolution R13-7.

Mr. Jeffcoat made a motion, seconded by Ms. Summers to approve Resolution R13-7.

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

Chairman Banning called for the vote.

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

Santee Cooper Rural Economic Development Grant Award - In addition, Mr. Jeffcoat reported the Committee discussed and voted to recommend to full Council to accept the grant award. The award in the amount of \$10,000 requires no County match. Funds will be used to purchase furniture and equipment for the Economic Development office.

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

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

Chairman Banning called for the vote.

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

Ordinance 13-09 - Ordinance Authorizing the Execution and Delivery of an Amendment to Fee-in-Lieu of Ad Valorem Taxes Agreement by and Between RNDC South Carolina, LLC, RNDC South Carolina Re Holdings, LLC and Lexington County, South Carolina Whereby the County Will Covenant to Accept Certain Fees in Lieu of Ad Valorem Taxes With Respect to Certain Property and Make Available to RNDC South Carolina, LLC and RNDC South Carolina Re Holdings LLC Other Economic Benefits and Incentives and Such Property Will be Added to the Joint Park With Calhoun County - 2nd Reading - Also, Mr. Jeffcoat reported the Committee discussed Ordinance 13-09. The Committee voted unanimously to recommend to full Council 13-09 as amended.

Mr. Kinard made a motion, seconded by Mr. Jeffcoat to approve second reading of Ordinance 13-09, as amended, with the revised investment amount.

Chairman Banning opened the floor for discussion.

Mr. Cullum asked for the revised investment amount.

Mr. Matthews replied, from \$17 million to \$14,500 million.

Chairman Banning called for further discussion; none occurred.

Chairman Banning called for the vote.

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

Justice, J. Kinard, Jr., Chairman - Donation of Vehicle - Mr. Kinard reported the Committee met during the afternoon to consider the acceptance of a donated 1972 Ford Galaxy 500 from the Sheriff's Foundation to be used by the department in static displays and parades.

Mr. Kinard made a motion, seconded by Mr. Jeffcoat to approve the donation of the vehicle.

Chairman Banning opened the floor for discussion.

Mr. Jeffcoat said the vehicle and the funds to restore it were being donated.

Chairman Banning called for further discussion; none occurred.

Chairman Banning called for the vote.

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

Health & Human Services, B. Matthews, Chairman - Local Emergency Management Performance Grant (LEMPS) - Supplemental Application - Mr. Matthews reported during the afternoon Health & Human Services Committee, the Committee discussed staff's request to apply for a supplemental LEMPS grant in the amount of \$11,000. The grant requires a 50% in-kind match which will come from staff's salary. If awarded, the funds will be used to purchase a Bi-Directional Amplifier Antenna System. The Committee voted unanimously to recommend to full Council for approval.

Mr. Matthews made motion, seconded by Mr. Townsend to approve staff's request to submit the supplemental application.

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

Chairman Banning called for the vote.

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

Airport, F. Townsend, III, Chairman - South Carolina Aeronautics Commission (SCAC) Grant Agreement - On behalf of Chairman Townsend, Committee Vice-Chairman Kinard reported during the afternoon Committee meeting, the Committee met to consider the SC Aeronautics Commission Grant award in the amount of \$37,230. The funds, from the SC Aeronautics Commission will be used as part of the State's match portion to update the Airport Layout Plan (ALP) and T-hanger taxilane and fence project. The Committee voted unanimously to recommend to full Council for approval.

Mr. Kinard made a motion, seconded by Ms. Summers to approve the grant agreement to accept the award of \$37,230. Total cost of the project is \$1,002,182. The FAA will provide \$453,184; the County will contribute \$511,768; and the State's portion is the \$37,230 which they awarded to Lexington County.

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

Chairman Banning called for the vote.

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

Mr. Cullum

Budget Amendment Resolutions - The following BARs were signed:

14-070 - A supplemental appropriation increase of \$10,000. Economic Development received a grant from Santee Cooper under the Rural Economic Development Grant to pay for costs related to equipping the Economic Development office. This transaction establishes a budget for the grant.

14-076 - A supplemental appropriation increase of \$1,200. The Lexington County Sheriff Department Foundation donated a 1972 Ford Galaxie 500 to the Sheriff's Department to use for static displays and parades. This transaction is to pick up the donation as a fixed asset.

14-075 - A supplemental appropriation increase of \$6,973 from the sale of used cell phones.

14-072 - Appropriation transfers of \$1,404 and \$1,974 and a supplemental appropriation increase of \$1,566. This is to budget for the costs related to the dedication plaque for the Sheriff's Training Facility.

14-073 - An appropriation transfer of \$532,844 for the Windy Wood road paving project. After bids were received, additional funds were needed to cover the costs association with the paving project.

14-074 - Appropriation transfers of \$20,820 and \$165,180. Additional funds are needed to cover the engineering costs to design the 12th Street Extension Phases II & III to four lanes instead of two lanes in the Saxe Gotha Industrial Park.

Old/New Business – As an item of new business, Ms. Summers made a motion, seconded by Mr. Cullum to approve resolutions for the following outgoing mayors: Pat Smith, Mayor of Springdale; Stan Shealy, Mayor of Chapin; Randy Halfacre, Mayor of Lexington; Charles Haggard, Mayor of Pelion; and James Wizowaty, Mayor of Batesburg/Leesville.

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

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

Matters Requiring a Vote as a Result of Executive Session - New Business - Sheriff's Department Lease Agreement with Town of Chapin - Mr. Kinard made a motion, seconded by Mr. Jeffcoat to approve the lease with the Town of Chapin for a Sheriff's Department substation contingent on the approval of the lease by our County attorney and County administrator.

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

Chairman Banning called for the vote.

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| In Favor: | Mr. Banning | Mr. Kinard |
| | Mr. Jeffcoat | Mr. Townsend |

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| Mr. Collins | Ms. Summers |
| Mr. Keisler | Mr. Matthews |
| Mr. Cullum | |

Memo of Understanding with Richland County - Mr. Kinard made a motion, seconded by Mr. Jeffcoat to approve the Memorandum of Understanding for GIS information for all service with the County of Richland, contingent upon the approval of the Memorandum of Understanding by our County attorney and County administrator.

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

Chairman Banning called for the vote.

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

Recess - Chairman Banning called for a 15 minute until the 6:00 p.m. public hearing.

Chairman Banning called the meeting back to order and reconvened the Council meeting in open session.

6:00 P.M. – Public Hearing - Members Present: Banning, Jeffcoat, Kinard, Townsend, Collins, Keisler, Matthews, and Cullum. Ms Summers was not present.

Zoning Map Amendment M13-03 - Chairman Banning opened the public hearing.

Ms. Synithia Williams, Development Administrator, provided a PowerPoint presentation and background information on Zoning Map Amendment M13-03. The applicant, Brant Taylor, is requesting a zoning district classification change from R1 (Low Density Residential), R3 (High Density Residential), and D (Development) to C2 (General Commercial) for proposed apartments. The project is proposing 264 units with amenities on approximately 20 acres with frontage along a golf course. Ms. Williams said one of the parcels they are proposing for rezoning is currently owned by SCE&G and will be carving out a portion of that parcel.

Mr. Jeffcoat asked how many feet border the golf course.

Ms. Williams replied that she did not know.

Mr. Jeffcoat asked how much buffer will be between Brittany II and the project.

Ms. Williams replied, currently they are meeting all the required buffers and setbacks, if they obtain the C2.

Mr. Jeffcoat asked how much is that?

Ms. Williams replied that she did not know, but would get that information.

Chairman Banning said Council needed to know what the required setbacks are and asked staff to provide the information.

Mr. Matthews asked how many acres total are they looking to have rezoned?

Ms. Williams replied, 20 acres.

Mr. Collins asked what kind of line of site is between the proposed project and Brittany II.

Mr. Cullum asked for the location of the actual creek and if the creek that feeds into the ponds at Brittany II is the same watershed.

Ms. Williams replied, yes, the same watershed.

Mr. Cullum asked the direction the creek flows. Does it flow toward the lake (Hwy. 60) or Brittany II?

Ms. Williams replied, yes, toward the lake. (However, a member of the audience interjected to say it is moving the other direction.)

Mr. Cullum replied, so the water is coming from Hwy. 60 going back toward the Brittany II pond. Is that your flow? To that, the response from the audience was yes.

Mr. Cullum said the reason he speaks to this is because of all the problems we had before with the pond from a development that was on the upper side coming in from a different direction. Mr. Cullum said the concern he currently has is the creek flow going back toward the neighborhood (Brittany II).

Chairman Banning asked if staff had gotten the information regarding the setbacks.

Ms. Williams replied, yes. It is a 100 ft. setback from the property line.

Mr. Cullum said that would be from the stream, too. You would have 100 ft. off the stream and then another buffer between the stream and the actual property line.

Mr. Brant Taylor, applicant, replied that it is going to be 200 ft. from the closet house in Brittany II to our closet building.

Mr. Cullum replied, then it would be 200 ft. from the property line from a property owner in Brittany II to your building, which 100 ft of it is the buffer between the stream and the building.

Mr. Matthews asked if the proposed 264 units are similar to the Haven.

Mr. Taylor replied, yes; it would be 24 to 28 units in a building, 3 / 4 split.

Mr. Matthews asked if any of it is low-income housing. (Could not hear the reply.)

Mr. Collins asked what the buffer looks like in between – is it highly wooded?

Mr. Taylor replied, wooded; very wooded. And we don't have any intention of clearing that piece either, obviously can't clear parts of it because it's in the creek bed. But, we don't have any intention of clearing anything behind that building all the way up to Brittany II; it will remain as is.

In Favor:

Brant Taylor, 112 Moontide Ct., Lexington, SC 29072 - We are local developers; we are in town. We are partnering with Estates Inc., who is a local management company. They manage a lot of properties like this, high-end condominiums and apartment projects. What we are trying to do is a high-end mostly one-bedroom project, because we have done market studies and so forth that show that's the need in the area. What we will have is a nicely built outside similar to what is in the Haven as mentioned earlier; hardiplank, stone and brick, lots of amenities because that is what the market is basically asking for at this point. So you have to go where the market goes. I did want to, if possible, to turn over for a minute for Bob Mundy to speak on behalf of Estates Inc. and he can talk a little bit more about the details from that standpoint.

Bob Mundy, 1401 Main St., Suite 650, Columbia, SC 29201 - I am president of Estates, Inc. We just celebrated our 25th year in the Columbia area. We do multi-family. We do it all over the southeast; Georgia, North Carolina, South Carolina, and Northern Florida. We just finished the first certified green community at the Silver Level. We think this is a great property to continue our quest in building green certified communities. You conserve the water; we work with the land, parking, and also the other elements that make it a green community, local products. We have built or developed 5,000 units all over from condominiums for sale that go up to about, that have sold in excess of \$2 million dollars. They typical rent will be \$1,000 or more. Brant did say that we built – the market does show it is mostly one-bedrooms. We anticipate 60% will be one-bedrooms and 40% would be other. It would be about 5 - 8% that would be three-bedrooms. It has been some questions on school-aged children. We don't get very many school-aged children in our communities. We are probably a local community with over 200 units in it. I think we have less than ten school-aged children. So it is not a great impact on your schools. It is a great tax product to bring to your community. I think our products, don't want to insult anybody in the Haven, but it will look much better.

Mr. Matthews asked if there are any effects on the stream with runoff that we have seen with the flow.

Mr. Mundy replied, obviously the Clean Water Act is predicated that you've got stringent requirements that you have to deal with. We work closely with engineers and the County to make sure that we do follow the Clean Water Act. We keep a third party on who inspects the site during construction weekly.

Mr. Matthews replied, but no additional runoffs that cause any flooding issues that can be foreseen?

Mr. Mundy replied, we can't allow anymore runoff than is presently.

Chairman Banning asked if they had attempted to buy any of the property ("white square" that is referenced on the presentation) that you are not buying that you are surrounding.

Mr. Taylor replied, still attempting.

Mr. Collins asked if you do buy that property ("white square" referenced on the presentation) what are you going to do with it? Are you going to change the configuration of your apartment buildings, build more, or what?

Mr. Taylor replied, it would appear at this point that we won't be able to buy it in time to change the configuration of this. So anything we do with that will be a separate entity.

Mr. Collins asked how big is the parcel (referring to the "white square").

Mr. Taylor replied, I think each one of those is a little over an acre, so it is probably four acres in there.

Mr. Collins asked how many apartments you would put on that.

Mr. Taylor replied, with the accompanying parking that would be required, probably, maybe 40. Our current density the way we've got it set up now is about 13 per acre. So maximum we would do is about 42.

With no one else to speak in favor, that portion of the public hearing was closed.

In Opposition

For the record – Nine citizens signed up in opposition; however, only five elected to speak.

Alice Markowitz, 225 Langsdale Rd., Columbia, SC - I live on the property which is adjacent to the **proposed** development. And actually my house is right here (pointing to the map). He says that it is 200 ft. from the development. But, actually there is a steep incline from the development to my house, which would, I think, would make it less than 100 ft., visually. Anyway, as you know, a home is a major investment for someone. I purchased my house in August 2012, and the most attractive feature was the wooded backyard. Beautiful hardwoods and the land was owned by SCE&G and few of the areas were zoned low residential. I didn't really expect that to change very quickly, but I realize that nothing is permanent. I would not be opposed to low residential; however, I feel that having a 265 unit, 4-story apartment complex being located next to my property will have a very detrimental effect in my property value. Also, with the steepness of the incline and the creek being right there, I think the runoff will be affected on the pond as well since it feeds that way. That should be something I should lead into. Anyway, Mr. O'Neill from the Brittany II development, he is going to speak further on our concerns. But, those are my concerns, is my property value. Thank you.

James Nantz, 331 Sharebrook Ln., Columbia, SC - My purpose again basically is to go along with Alice with what she said about property values. We fought several years ago, Councilman Jeffcoat will remember, the property on the other side of our development and we finally had to sort of capitulate a little bit and it is commercial over there too. Our concern is the fact that we are going to wind up being an island, being surrounded by this commercial property, and I just have a problem with that. Like Alice, I brought a piece of property 22 years ago that was beautiful, had a lot of trees, and more and more of that is being encroached upon. I don't think ten residential or ten commercial buildings, high-rise buildings, would add to the enhancement of our property. Again, there are other pieces of property somewhere that this could go on which will be less impact around our homeowners. Again, it is almost like we are becoming an island in the middle there and that particular slide doesn't do due justice. But with the slide you had on just before, you can see we are basically surrounded. Now there are still some residential lots available over there and certainly we would like to see those developed. But, to put this particular piece of property, I think, would basically kill off any further development in that particular area. Thank you.

Frank O'Neill, 204 Langsdale Rd. (Brittany II), Columbia, SC - I currently serve as the president of the board for the Brittany II Homeowner's Association. I have a letter that I would like to read and leave

with you. But, before I do that, I've learned some things tonight which are quite illuminating. And the first having to do with illumination is the fact that, I am going to estimate now because this is the very first time I have seen where the apartments will be located, but I would estimate that we are talking about a differential of about 100 ft. and if you've got lighting at a 100 ft. elevation over your neighborhood, that is going to be at the very least a distraction and obviously not a very positive one. So the lighting is one thing. The second thing is - here we have, now that we know where the apartments are located, we have a zoning change which basically jumps the creek, which in and of itself makes virtually no sense since there is no interest by the developer to build on the other side, if you will, on the south side of the creek. So, if any thought about going forward would occur, it would strike me that it would have to be, reasonable thing to do, would be to stop it at the north side of the creek because you can't build in a floodplain anyway and there is no plan here to build on the other side. Third thing - this is a new proposal. This is the first time I have seen or any of us have seen where these apartments were going to be built. It was like - surprise. We see this development as not well laid out so that we would have an understanding before coming here tonight. And maybe you had some prior alert to this, but we didn't. So this was new information for us and as such, a little bit hard to swallow. And I think it is important for you to understand the kind of support that we have in the neighborhood so I would ask before I read the letter, I would ask that those who are members of the Brittany II neighborhood stand up since we are, basically, all in support of this position. Thank you very much.

The letter, which I wrote to Mr. McPherson because he was identified as the chairman of the Zoning Board. This is as follows: Dear Mr. McPherson, The residents of Brittany II residential neighborhood have reviewed the proposal set forward by your letter of November 1, 2013. The Board of Directors of the HOA (Homeowners' Association) appreciates the need for growth and development of various areas of the County of Lexington. However, we strenuously object to the plan to commercially develop the property as defined in Zoning Map Amendment #M13-03. The reasons are as follows: We feel that the plan is ill-conceived with regard to rainwater runoff as the property planned for re-zoning is strongly sloped and that erosion will likely become a problem. Further, there will be a reduction of property values of those Brittany II homes located adjacent to the new development resulting from congested sight lines from the formerly wooded areas to be destroyed. Specifically, there, if you can imagine, the amount of paved area that will be collecting and distributing rainwater into a stream which is really not equipped to handle huge increases in volume. In addition, there is an increased risk that ingress from the new additional nearby roads will increase security concerns since outsiders will find easy access to the perimeter properties of Brittany II homes which are mostly inaccessible through densely wooded areas. Finally, we are very concerned that future development could expand the existing road structure to extend Langsdale Road that current dead-ends to make a connection with Lake Murray Blvd., which fundamentally would be from the end of the apartments to that corner we see of Langsdales where in fact it dead ends. The Lexington County police have said in our Neighborhood Watch meetings that security is enhanced in the Brittany II neighborhood because there is only one entrance and exit. In fact, our county representative had tried to buy a house in our neighborhood because of the advantage of having a single entrance. So, we are hopeful that they will not be some other effort to increase ingress. This reduces the ingress of those who would be likely to pass through our neighborhood. In addition, drivers in the neighborhood are from the neighborhood and are, therefore, more likely to exercise caution and to drive at a safe speed. Thank you for your understanding and consideration. I would be happy to answer any questions you may have. Thank you.

Ron Wilson, 225 Langsdale Rd., Columbia, SC - There are a couple of things that I would like to point out. First of all in your presentation, you have photos all from Lake Murray Blvd., none from Brittany II, the closest property to the proposed development. Additionally, the photos show trailers in that "white

square” (referring to the presentation) that looks like home plate that they are trying to buy, if they haven’t purchased, which they may use in the future if they do. Those are trailers; we are talking about properties adjacent at \$329,000. Additionally, the photos show wooded areas. If you had seen the same photos a month ago, they would have been a lot more wooded. They have been out there clearing with bulldozers for the last month. The main concerns that I have are several. First of all, there is a steep grade of about 30 to 35%. The water runoff from that and into the creek, which we have already had problems with sewer already, you can check on the County records where they have come out numerous times and yearly come out and do work. And the fact that, that runoff (1) would increase parking spaces and automobiles and oil and everything else into the creek, going into our pond. Going through a 55-acre wildlife conservatory, the environmental issues is a main concern. Additionally, this (pointing to the presentation) of property they propose not to build on, which they may in the future, if you approve this, will allow them possibility to come from Brittany II up to Lake Murray Blvd. if this area is where the creek is, not here where the property line proposed by you for SCE&G. From our property it is approximately sight level, maybe 200 ft. Since they cleared out the trees the past month, we recognize there has been an increased amount of noise from Lake Murray Blvd. I can’t imagine once we put 265 more units the amount of noise we are going to have in our neighborhood. Everybody else has spoken to a lot of other issues, I won’t repeat those, but I will say that I agree with them emphatically. I appreciate your time and attention. I think this plan was not thought out, that if I had a piece of property and I just put some places on there without further thought, I would have done his presentation.

Jack Oliver, 236 Dalton Way, Brittany II - Earlier when you called me down, I was not asking a question. I was trying to point out, if they had a better map, when you want to locate the Brittany II Subdivision on your map. I apologize for that; just trying to be helpful.

I have seen nothing about the infrastructure of this project. Where is all the parking? How are they going to access? Where is the traffic going off, in and out of this project, and where? I guess it is going to be Lake Murry Blvd. From the projects you have already approved and developed in our area, we can hardly get out of our development now, out of Brittany II onto Bush River Rd. I was on the road earlier this week trying to get, the traffic was backed up. Actually, I was trying to get home from I-26 by St. Andrews Rd. and Bush River Rd. Traffic was backed up from St. Andrews Rd. all the way to Lake Murry Blvd. That was afternoon traffic. I was in the traffic from 5:20 until 5:35 when I was able to turn into Brittany II coming from St. Andrews Rd. toward the lake. And I am told, fortunately, I don’t have to be out there every day, I am a retired “ole gizzard”, but these people out in the mornings and afternoons say it’s like that mostly every day. Why are we going to add some more traffic in the area, obviously they are going to use that route as part of their traveling. It is a short way to get to Harbison shopping mall through there. So we are going to add on. What we would like to have is some traffic lights, some more lanes on our road, or whatever to get some relief right now. The other thing that Mr. Cullum was asking about - the creek. The water off of this project, if water coming off those buildings and asphalt, concrete or whatever they are going to have going into the creek, I don’t know. We didn’t see anything in the drawings or any proposal about what they are going to do with the water runoff. Rawls Creek will not handle that water. And if you go down a little further where Coldstream Rd. takes off from in front of the garbage transfer station, off of Bush River Rd., goes down the hill where the creek crests. We have had rains where the water comes up sometimes and has crossed that road. That is not uncommon. You add the additional water, and they haven’t addressed that issue at all in this proposal. Shame on the County people who is doing the planning for not addressing that and having that up here in the proposal. So what are they going to do with the water? Also, the infrastructure. How much money is the County going to have to spend to accommodate these people in getting that traffic in and out accessing Lake Murry Blvd? And, will we have additional stop lights to impede our traffic flow now with all these additional cars in

there. Thank you so much for your time.

Chairman Banning announced that concludes those in opposition.

Mr. Jeffcoat asked to speak as he represents the area. First of all, Brant came by with the builder, Mr. Drake, two or three weeks ago and showed me the plans that you see here tonight and wanted to know what I thought. I told them I thought it was a nice project and wanted to be sure they understood before we got started that if the neighbors, the folks that lived in the bordering neighborhoods came out in a big way, that I would be on their side. So whatever your project is, it's fine, and I think it is a nice project. But sometimes you can have a nice project but it doesn't belong in that certain spot. I received a lot of e-mails from you, a lot of e-mails from Coldstream, and I go back to what Councilman Cullum had mentioned earlier - many of you know how much time I spent out there about that pond and trying to get it cleared up. And to this day, I know it was clear enough last time I saw it, I hope it is clear. (Mr. Jack Oliver interjected to say the pond still has mud in the bottom of the pond). We tried everything we knew to do, and I just can't imagine what is going to happen if this runoff goes to that pond. Jack, I want to make something clear to you, you said shame on the County for not having the drawings up here. Well, the County didn't do this. We are just showing you what we have seen. And it won't be left up to the County to do a lot of what you are talking about. We will draw some things out for them to go by and they have to go by those rules and regulations. But, at this point you don't get into details with stormwater until it is approved. If it approved, then that is when that will start. The noise, I have heard that a good bit about the noise increase. I think, if I can talk to my council here for a second, I would like to tell you, we have spent time on zoning in this County and this property is currently zoned, and if you want to build houses on it you can go over there and build houses and start tomorrow, probably. But, to have a 260+ apartments towering over these nice neighborhoods, I am not going to support that. And Brant, I need to tell you that; I can't do it. I have had too many unhappy people and I am here, this is not a political speech, because you folks do what you want to do when you re-elect, but I am here to support you. You put me in office, and I am supposed to be your voice, and I am your voice. And, I would recommend that you, Brant, go back and see what you can do with the property, which it is zoned right now. I don't know if you can put apartments, don't think you can; I know you can't like what we see here. But, I think it is probably going to be more single family, if you do anything. I know it is expensive property. You told me that today when I called you. I think we need to honor the people that come in and build a home and make that life investment. Most people, that's what they put most of their money into, is their home. We are in a great area because there was planning. There was planning many years ago. And it is okay to change zoning, when it is appropriate. But, I am not convinced that this is appropriate at all based on the feedback I am getting from the people who live in that area. I appreciate your (Council) support, and we won't vote here today. This is just an information gathering session for the Council. We will talk about it and brainstorm over it and hopefully we will come to the right decision. I am telling you right now what my decision is and I want you to know that Brant. I have worked with Brant before and he is a good people. There is nothing wrong with those folks at all. They are outstanding citizens. It does not mean they are mean people or bad people just because they are trying to build a project. That is the business they are in. They are quality folks. I know that to be a fact based on the reputation that Bucky Drake has. I have known Bucky Drake for years and he would be one of the builders, or lead builder. Just a flawless reputation; good folks. But, in this case, I think we are in the wrong spot. Thank you for coming; we appreciate your feedback tonight. The only way we know how you feel is to do what you are doing tonight to let us know, and we appreciate that.

Mr. Jeffcoat said this is the only public hearing, but if you would like for Council to know what you feel or your views, you have until Friday, close of business, to submit to the Clerk to Council and it will be

included in the records. Also, you can contact the Clerk to Council at 785-8103 to obtain the e-mails of all of council members so you can let them know how you feel.

Chairman Banning closed the public hearing.

There being no further business, Chairman Banning adjourned the meeting.

Respectfully submitted,

Diana W. Burnett
Clerk

William B. Banning, Sr.
Chairman