

**PUBLIC WORKS COMMITTEE  
MINUTES  
AUGUST 28, 2007**

The Public Works Committee met on Tuesday, August 28, 2007 in the Committee Room, located on the second floor of the Administration Building beginning at 1:35 p.m. Ms. Summers, Committee Chairman presided.

Members Attending:

Debra B. Summers, Chairman  
Bobby C. Keisler  
William C. Billy Derrick

M. Todd Cullum, V Chairman  
John W. Carrigg, Jr.

Also attending: Katherine Hubbard, County Administrator; Larry Porth, Finance Director/Assistant County Administrator; 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.

**Skipping of the Pavement of Roads - The Honorable Jake Knotts** – Mr. John Fechtel, Director of Public Works explained the policy on the paving of County roads. He said Lexington County considers roads to be paved by petition only. After the petition is received, the road is ranked by a point system based on maintenance costs, traffic counts, number of houses on the road, extra credit for school bus routes, and one point per year for the length of time the petition was submitted. The list of roads to be paved is compiled by rank based on the point system and is approved by County Council. During the budget process, based on the money allocated for road paving and the cost to pave each road, staff will recommend the roads from the list to be paved, i.e., 1-5 or 1-15, etc. Letters are sent to the property owners requesting right-of-ways and drainage easements to pave the road. Council is then notified of any issues prohibiting the paving of any roads from the recommended list and what efforts were made to resolve the right-of-way and then will require action by County with recommendation to the Transportation Committee whether to pave that portion of road or not.

Senator Knotts did acknowledge that the procedure the County has in place appears to be a fair procedure but addressed his concerns involving dirt roads not being paved all the way where petitions have been made by the neighborhood and one property owner is not willing to give the right-of-way. He said the neighborhood should be made aware of the situation and that it is not the County or the State but a neighbor on that road that prohibits it from being paved. He would like to see a policy where if a petition is submitted and procedures are set forth and followed that the whole road will be paved or it will not be paved. Also, if it comes to condemning the property, then consider having the other property owners on that road split the costs to pay the fair market value in order to get the entire road paved. Senator Knotts said he would like the Transportation Committee to address the skip paving of roads.

Staff was asked to consider Senator Knotts recommendation that if everybody does not sign for the road to be paved, then the whole road would be abandoned and they would be put on a five-year

moratorium and to redefine the process of identifying right-of-ways prior to spending funds for engineering costs. Staff will bring back recommendations for Committee consideration. For information only. No action taken.

**EPA Resolution - Ozone Standards Comments - Myra Reece, Bureau Chief of Air Quality for DHEC** – Prior to introducing Ms. Myra Reece, Bureau Chief of Air Quality, with the Department of Health and Environmental Control (SCDHEC), Mr. Fechtel said the County received public notice from the U.S. Protection Agency (EPA) about them considering lowering the ozone standards in the midlands and that a resolution to EPA has been prepared for Committee's consideration.

Ms. Reece said every five years EPA looks at the standards and makes a decision whether they are stringent enough to protect public health and if they are not, they will go forward with proposing those standards and that is what has happened with the ozone standards. Right now we are in compliance with the current ozone standard, which is a great accomplishment for the state, but EPA is proposing to lower the standards significantly and depending on where the standard falls out, it could impact a lot of counties, including Richland and Lexington. She said by adopting the resolution, it is another opportunity for the County to get involved and provide comments to EPA.

Ms. Reece did say that EPA will be coming in next year to look and see what all we have done as far as particulate matter and believes they will be quite impressed with what Lexington County is doing.

A motion was made by Mr. Derrick, seconded by Mr. Cullum to recommend to full Council to approve adoption of the EPA Resolution and, if adopted, that a copy be sent to Lexington County's Congressional Delegation.

The vote in favor was unanimous.

**Bennington Court Extension Update - Public Works, John Fechtel, Director** – Mr. Fechtel gave an update on the Bennington Court Extension. Council approved the Bennington Court Extension on May 22, 2007 but it was contingent upon all property owners signing all required right-of-way documents donating the right-of-way at no cost to the County. At this time, there are at least two or more property owners who will not sign the required documents for the right-of-way acquisition of their property without compensation. The Town of Chapin may either pay for the right-of-way or use their power of eminent domain to secure the right-of-way. The County will proceed after the Town of Chapin secures the right-of-way. For information only. No action taken.

**Land Development Guidelines Update - Public Works - Sheri Armstrong, Stormwater Manager** – Prior to reviewing the updates to the Land Development Guideline, Ms. Armstrong advised there have been some concerns about an item in Chapter 4 – Road Design – Section 4.12 Traffic Impact Studies and asked to defer approving Chapter 4 at this time as it is specifically a Lexington County design requirement and is not related to the permitting process. However, Chapters 1, 2, 3 and 5 of the Land Manual need to be approved by September 1, 2007 since they are directly related to the permitting process. Ms. Armstrong reviewed in depth changes and additions to Chapters 1, 2, 3 and 5.

Ms. Armstrong said a meeting has been scheduled for August 29 at the Lexington County Fire Training Center with the design communities, stakeholders, engineers, etc. to review what is new and what will go into effect on September 1, 2007. Ms. Armstrong did say that if a developer changed the current land use and submitted plans to be permitted, then the new requirements would go into effect.

A motion was made by Mr. Carrigg, seconded by Mr. Cullum to recommend to full Council to approve Chapters 1, 2, 3 and 5 of the Lexington County Land Development Manual.

The vote in favor was unanimous.

**SCDOT SMP '08 Bid - Public Works - John Fechtel, Director** – Mr. Fechtel presented a letter from the South Carolina Department of Transportation (SCDOT) for the SMP (State Match Program) 2008 Project which was approved by Council on March 27, 2007. The total cost of the project with a 5% contingency is \$749,915.52 or \$98,084.48 below their original estimate of \$848,000. The County's 50% share is \$374,957.76 or \$49,042.24 below the original commitment of \$424,000. The contract will cover roads listed as 21 through 39 for resurfacing from the official list as approved. Staff recommends concurring with SCDOT's bid and to pay SCDOT three (3) payments of \$124,985.92 to be remitted on the dates indicated.

A motion was made by Mr. Cullum, seconded by Mr. Derrick to recommend to full Council to approve the South Carolina Department of Transportation (SCDOT) SMP (State Match Program) 2008 Project total cost of \$749,915.52 with the County's share of \$374,957.76 payable in three payments of \$124,985.92 to SCDOT.

The vote was in favor. Mr. Carrigg was not present at the time the vote was taken.

**Stormwater Fees - Motorsport Complex - Public Works - John Fechtel, Director** – Mr. Fechtel presented a request from Mr. Lonnie Keisler asking that the Committee consider a reduction in the approximately \$20,000 in stormwater fees to \$10,000 for a proposed Motorsport Complex project. He said Mr. Keisler has 200 acres of which 86 acres will be disturbed and the remaining will be left natural, which he plans to construct a driving course for go-karts, ATV's (all-terrain vehicles) and Motocross using various techniques including Low Impact Development. A comparison was done based on if the property were sub-divided with four-residential lots per disturbed acres (total of 344 lots on 86 acres) and the stormwater fee would have been approximately \$10,000.

A motion was made by Mr. Cullum, seconded by Mr. Keisler to recommend to full Council to accept staff's recommendation on the fee structure, but not less than \$10,000.

The vote was in favor. Mr. Carrigg abstained as he was not present during discussions.

**Turning Lanes - Sandhills Collection Station - Public Works - John Fechtel, Director** – Mr. Fechtel presented an issue concerning a safety hazard involving turning lanes at the Sandhills collection station which was relocated to the 321 Landfill several years ago. The County has been contacted by the South Carolina Department of Transportation (SCDOT) District 1 Maintenance Engineer with concerns about the high incident of accidents involving citizens turning into the

station from both directions. The initial review of the encroachment permit for this site did not include adding turn lanes to this facility. SCDOT has asked that the County construct turn lanes at this site and have provided project plans. SCDOT will assist with the necessary traffic control devices and reimburse the County the estimated \$15,000 for materials (asphalt and concrete pipe).

A motion was made by Mr. Keisler, seconded by Mr. Cullum to recommend to Council to approve Public Works constructing turning lanes for the Sandhills Collection Station with SCDOT reimbursing the County the estimated \$15,000 for materials.

The vote in favor was unanimous.

**New Business – Lexington County Comments to Public Notice: Lexington County COC # SCR036304 - Public Works - John Fechtel, Director** – As an item of new business, Mr. Fechtel advised the Committee that the County’s NPDES General Permit, stormwater permit, is under public comment period. He said staff has reviewed the DHEC language and has prepared response comments to be forwarded to DHEC. In addition, he said DHEC advised that the County needs to have a separate intergovernmental agreement with the municipalities involved by the September 1, 2007 deadline. Due to the short notice, Mr. Fechtel feels that the County will be unable to meet the deadline. A draft agreement has been prepared that will be presented to the Committee for a recommendation to Council. Mr. Fechtel asked the Committee to accept staff’s recommended comments to Lexington County COC #SCR036304.

A motion was made by Mr. Cullum, seconded by Mr. Derrick to recommend to full Council to approve staff recommendations to Lexington County Comments to Public Notice: Lexington County COC # SCR036304.

The vote in favor was unanimous.

**Approval of Minutes - Meeting of July 24, 2007** – A motion was made by Mr. Cullum, seconded by Mr. Derrick to approve the July 24, 2007 minutes as submitted.

The vote was in favor. Mr. Keisler was not present at the time the vote was taken.

**Old Business/New Business - Private Roads, Road Maintenance Fee Ordinance, Alternate Funding Sources** – None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee  
Assistant to the Clerk

Debra B. Summers  
Chairman

Diana W. Burnett  
Clerk