

**MINUTES
LEXINGTON COUNTY COUNCIL
SEPTEMBER 27, 2005**

Lexington County Council held its regular meeting on Tuesday, September 27, 2005 in Council Chambers, beginning at 4:30 p.m. Chairman Cullum presided; Mr. Jeffcoat gave the invocation; Mr. Owens led the Pledge of Allegiance.

Members attending: M. Todd Cullum William C. Billy Derrick
 George H. Smokey Davis Bobby C. Keisler
 Johnny W. Jeffcoat John W. Carrigg, Jr.
 Joseph W. Owens

Member not present: Debra B. Summers *

* Ms. Summers was not present due a prior business engagement.

Also attending: Art Brooks, County Administrator; Larry Porth; Finance Director/Assistant County Administrator; Katherine Doucett, Personnel 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.

8-hour Ozone Early Action Compact (EAC) Recognition Award - Presented by Henry Phillips, SCDHEC - Bureau of Air Quality - Mr. Henry Phillips, Manager of Air Assessment & Planning, Bureau of Air Quality for South Carolina Department of Health and Environmental Control presented a plaque to Mr. John Fechtel, Director and Ms. Sherry Armstrong, Environmental Coordinator of Public Works in recognition of the County's participation in the 8-hour Ozone Early Action Compact (EAC) process. The County committed to be part of the EAC process in order to help the state obtain cleaner air sooner than federally mandated and avoid the federal prescriptive measures and continues to work implementing strategies to achieve emission reductions for the 8-hour Ozone process.

Employee of the Quarter - Art Brooks, County Administrator - Nominees for the Second Quarter - Rita Padgett, Part-time Library Assistant/Public Services, Lexington Library Circulation Department; Rose Kitchings, Systems Analyst, Information Services; Stuart Platt, Shift Supervisor, EMS; Jim Starling, Engineering Associate III, Public Works Department; and Amanda Redding, Deputy Clerk of Court, Clerk of Court. However, due to Ms. Redding's short tenure with the Clerk of Court's office, she did not meet the qualifications for a nominee but will be reconsidered by the Employee Committee in January 2006.

Mr. Brooks presented a plaque to Mr. Platt as the Employee of the Second Quarter and Certificates of Excellence were presented to Ms. Padgett, Ms. Kitchings, and Mr. Starling.

Shining Stars - Mr. Brooks recognized Margaret Spradley, Treasurer's Office; Charlene Howard, Register of Deeds Office; and Judy Busbee, Human Resources Department as the winners for the quarter for the Customer Service Shining Stars award. Ms. Spradley, Ms. Howard, and Ms. Busbee will each receive a prime parking space at the Administration Building donated by County Council.

Employee Recognition - Mr. Brooks recognized Charlie Compton, Director of Planning and GIS, for being elected President-Elect of the National Association of County Planners (NACP). In addition, Mr. Compton was appointed to the NACo Board by the Governing Board of NACP to be their representative as a voting member for the next two (2) years.

Major George Brothers and Col. Mel Seboe of the Special Operations Unit along with Matt Kester, Apparatus Operator/Fire Service; Wayne Freeman, Investigator; and Gregg Padgett, Sr. Paramedic with the JET Team were recognized for their assistance to the City of West Columbia Police Department with a case involving a missing 4 -year-old child who was later found safe and sound.

Paramedics Joey Thomas and Erick Snyder and first responders Nicholas Parker and Charles Miles from the Edmund Fire Station were recognized for the quick response and excellent care they rendered to a citizen who was experiencing chest pains. Because of their quick response and expertise, the citizen was able to have corrective surgery and is recuperating.

Donna Miller, Human Resources Manager, was recognized for the outstanding job she does in organizing the Employee Newsletter, "The County Scoop" which keeps County employees informed. Not only is it enjoyed by County employees, but also by Lexington County citizens.

Elected Officials - Chairman Cullum recognized the following elected officials in attendance: Senator Ronnie Cromer, The Honorable Beth Carrigg, Clerk of Court; The Honorable Bill Rowell, Treasurer; The Honorable Chris Harmon; Auditor; The Honorable James Metts, Sheriff; and The Honorable Debbie Gunter, Register of Deeds.

Presentation of Resolutions - Chief Michael F. Sonefeld Presented by Councilman Johnny Jeffcoat - Councilman Jeffcoat presented a framed resolution to Chief Mike Sonefeld recognizing him for his achievement in receiving the James B. Murphy South Carolina Firefighter of the Year Award at the 100th Anniversary of the South Carolina State Firemen's Association annual conference on July 16, 2005.

Frank R. Stover, Jr. Presented by Councilman Billy Derrick - Councilman Derrick presented a framed resolution to Mr. Frank R. Stover, Jr. recognizing him being named the Outstanding Agricultural Education Teacher in South Carolina for 2005 by the South Carolina Agricultural Educators Association on April 4, 2005.

Resolution - Gilbert Community Commending Veterans - A motion was made by Mr. Davis and seconded by Mr. Keisler that the resolution be adopted.

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

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Keisler	Mr. Derrick
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

Resolution - Guerry K. Taylor - Mr. Davis made a motion, seconded by Mr. Keisler to prepare a resolution honoring the late Mr. Guerry Taylor for his faithful service to the Lexington County Library Board.

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

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Keisler	Mr. Derrick
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

Appointments - Library Board - Ms. Donna J. Bower - Mr. Jeffcoat made a motion, seconded by Mr. Owens to reappoint Ms. Donna Bower to the Library Board.

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

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Owens	Mr. Derrick
	Mr. Davis	Mr. Keisler
	Mr. Carrigg	

Building Codes Board of Appeals - Mr. Joel Carter - A motion was made Mr. Davis, seconded by Mr. Owens to appoint Mr. Joel Carter to the Building Codes Board of Appeals.

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

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Owens	Mr. Derrick
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Building Codes Board of Appeals - Mr. Todd F. Swygert and Mr. Robert F. Murray - Mr. Derrick made a motion, seconded by Mr. Davis to reappoint Mr. Todd Swygert to represent the Engineering sector and Mr. Robert Murray to represent the Contractor sector on the Building Codes Board of Appeals.

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

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Davis	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

Delayed Items- Ordinance 05-02-B - An Ordinance Adopting a Supplemental Appropriation for Fiscal Year 2004-05 - 3rd and Final Reading and Proposed Building to House South Region - Public Safety/Law Enforcement - A motion was made by Mr. Jeffcoat, seconded by Mr. Carrigg to approve third and final reading of Ordinance 05-02-B and the proposed building to house South Region.

Mr. Cullum opened the meeting for discussion.

Mr. Davis asked as a point of order, if someone is not prepared to vote in favor of an item, will it kill that item or would the item continue to be delayed?

Mr. Jeff Anderson, County Attorney recommended separating the items for individual vote.

Mr. Jeffcoat withdrew his motion; Mr. Carrigg withdrew his second.

Ordinance 05-02-B - An Ordinance Adopting a Supplemental Appropriation for Fiscal Year 2004-05 - 3rd and Final Reading - Mr. Jeffcoat made a motion, seconded by Mr. Carrigg that Ordinance 05-02-B be given third and final reading.

Mr. Cullum stated if Ordinance 05-02-B should be voted down for third reading that the process would have to start over.

Mr. Jeffcoat asked, "Is there something we need to discuss? There could be a discussion."

Mr. Cullum replied, "As it is written, I don't think that the membership may be prepared to vote, I don't want to speak for anyone, but I personally am not prepared to vote as the supplemental appropriation is written."

Mr. Jeffcoat withdrew his motion; Mr. Carrigg withdrew his second.

Mr. Jeffcoat replied, "I am getting a little bit of information here; I would like to have some of this information before I show up, I really would. I'm getting a little bit tired of this. I'm not getting a little bit tired; I'm real tired of it, okay? If you guys have something that we need to wait on then I don't mind waiting but I would like to know about it before I make a motion to approve something that is on the agenda."

Mr. Cullum replied, "You have the option to that Mr. Jeffcoat, again, if your motion is withdrawn and there are no other motions on the delayed items, we will move forward."

Mr. Derrick made a motion to approve Ordinance 05-02-B excluding Swansea and Gaston and

adding South Congaree.

Mr. Jeffcoat asked if Ordinance 05-02-B can be amended on third reading.

Mr. Carrigg replied, you can't amend on third reading. As a point of order, Mr. Carrigg asked for clarification from Mr. Anderson, County Attorney.

Mr. Carrigg asked as a point of order, can Ordinance 05-02-B be amended on third reading?

Mr. Anderson replied, no, not the day of.

Mr. Carrigg replied, right according to our rules that were put in a long time ago.

Mr. Cullum suggested that Ordinance 05-02-B remain in delayed status and get a consensus of Council's desire and at which time it could either be voted up or down. If Council votes it down, the process would start over and funding could be redistributed or vote for it as it is stated.

Mr. Carrigg asked Mr. Larry Porth, Finance Director, "all this is, is a supplemental appropriation, right?"

Mr. Porth replied, correct.

Mr. Carrigg stated as far as how the money is spent and what buildings are built where, that could still be approved later, could it not? Once the money is appropriated.

Mr. Porth replied, generally you appropriate for specific line items.

Mr. Carrigg replied, question answered.

Mr. Cullum reiterated that Ordinance 05-02-B could remain in delayed status or put it on the table for vote.

Mr. Jeffcoat stated if we can't adjust it then South Congaree can't be built under this ordinance and suggested to move forward with voting Ordinance 05-02-B down and start over.

Mr. Carrigg replied, we can vote to amend it and asked what the Parliamentary Rules call for if we vote to amend it?

Mr. Anderson replied, you just can't vote on it tonight. You can change it; amend it and have a committee meeting to amend it and vote for third reading.

Mr. Jeffcoat replied, that's good.

Mr. Carrigg made a motion to move it back to committee.

Mr. Derrick stated there is a motion on the table. Mr. Derrick withdrew his motion.

Mr. Derrick made a motion, seconded by Mr. Carrigg to delete the wording “of the Swansea Library and additions to the Gaston, Gilbert, and Chapin Libraries” and insert “and additions to the libraries.” The new language will read: NOW, THEREFORE, be it enacted by the County Council of Lexington County as follows: County Council hereby makes a supplemental appropriation in the sum of \$2,000,000.00 (Two Million and No/100 Dollars) from the County General Fund balance to specific accounts for certain building and space needs for the relocation **and additions to the libraries.**

Mr. Cullum stated if Council votes to amend Ordinance 05-02-B tonight then it will be placed back in the Planning and Administration Committee on the October 11th agenda for discussion at which time a list could be attached to identify the appropriation and then be reported out for vote during the 4:30 session.

Mr. Anderson replied, at some point Council has to decide where the funds are to be appropriated. He said after discussion with Mr. Porth, if Council is appropriating funds just for the libraries, then Council can decide where the funds will be distributed at a later time.

Mr. Owens asked Mr. Derrick to restate the motion.

Mr. Derrick restated the motion beginning with \$2,000,000.00 (Two Million and No/100 Dollars) from the County General Fund balance to specific accounts for certain building and space needs for the relocation **and additions to the libraries.**

Mr. Cullum asked Mr. Derrick if he could delete the word “relocation” and put “ for construction of.”

Mr. Derrick stated he was attempting to make the motion general enough to move forward for approval.

Mr. Cullum asked if there was further discussion; none occurred.

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Carrigg	Mr. Davis
	Mr. Keisler	Mr. Jeffcoat
	Mr. Owens	

Mr. Cullum asked if there were additional motions under Delayed Items.

Mr. Jeffcoat asked about Item T (Proposed Building to House Region).

Proposed Building to House South Region - Mr. Owens stated a situation has developed and has spoken briefly to both Sheriff Metts and Chief Rucker. He said since this is a contractual matter, he

would like the opportunity to address the matter during executive session prior to taking action on the proposed building.

Mr. Jeffcoat responded it would be no problem but wanted to make sure that both Sheriff Metts and Chief Rucker were aware of the situation.

Mr. Owens replied, yes, sir; but indicated they did not know the entire story.

Bids/Purchases/RFPs - Mr. Owens made a motion, seconded by Mr. Keisler that the following bids/purchases/RFPs (U, V, W, X, Y, Z, 1, 2, 3, 4) be approved.

Motorola 800 MHZ Radio and Accessories - Animal Services - Staff recommended the purchase of one (1) Motorola 800 MHZ radio and accessories for Animal Services from Motorola through State Contract Number OIR2002.07. The radio will replace the LTS 2000 for the Animal Services Coordinator who is Class I Law Enforcement Certified and give him the ability to operate on the channels currently utilized by the Sheriff's Department which will provide safety to officers in the field when emergency backup is necessary. Total cost including tax is \$5,326.93.

Solid Waste Collection (Green Box Service) - Term Contract - Countywide - The current contract was awarded to Columbia Container Corporation (CCC) in October of 2001 for a period of one (1) year with an option to extend for four (4) additional one (1) year periods if deemed in the best interest of the County. On the final contract extension notice to CCC, the company requested to extend the contract at cost increases that ranged from 50 to 80 percent depending on the location. This would have been an increase from \$19,454 to \$34,579.92 annually. Therefore, the decision was made to re-bid the contract.

Competitive bids were solicited and advertised for a term contract for Solid Waste Collection facilities located throughout the County. The cost of the service is based on a period of one (1) year and is estimated at an annual value of \$42,912.00 including tax. Two (2) bids and one (1) no bid were received. Staff recommended that the award be made to Allied Waste Services of Columbia as the lowest bidder meeting specifications. The term of the contract shall be for a 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. Due to the cost increase being more than double the current contract, staff negotiated with Allied Waste Services for a reduced annual cost of \$35,563.00. This will result in a countywide shortfall of \$11,889.90 that will require the affected departments to make transfers to cover the increase.

Construction of a Fuel Farm, Access Road and Apron Expansion at the Lexington County Airport at Pelion - Bids with revised specifications were advertised and solicited for the construction of a Fuel Farm at the Lexington County Airport at Pelion. The access road, apron expansion, and all site work will be provided by the Lexington County Public Works Department. In an effort to preserve the intent of the original bid, competition was obtained only from the contractors that attended the original mandatory pre-bid. The revised solicitation requested prices for a 10,000 gallon underground fuel tank, all electrical work associated with installation, monitoring

system, and card reader system. The County will provide excavation and setting of the new tank. An option was requested to provide cost for an additional 5,000 gallon underground fuel tank to house diesel fuel. Bids were received from two (2) contractors.

Staff recommended that the award of the fuel tank and electrical services in the amount of \$95,727.00 be made to Southern Pump and Tank Company as being the lowest responsive bidder. The cost of the site work to be provided by the Public Works Department is \$112,014.00. Construction administration, inspection, and quality control testing will be provided by Wilbur Smith Associates for a cost "not to exceed" \$41,259.00. Total cost of the project is \$249,000.00. This project is part of the County's five (5) year Capital Improvement Plan (CIP) for the airport and has been approved by the Federal Aviation Administration (FAA) for funding assistance. FAA funds are available for the fuel farm, access road, and apron expansion for nine-five percent (95%) of the project cost.

The cost for the optional 5,000 gallon diesel tank is \$16,750.00, but this option was not approved by the FAA for funding assistance.

Wireless RoamAbout Equipment and Software - Public Safety/Emergency Medical Services -

Staff recommended the purchase of equipment, software, and installation of a RoamAbout R2 Wireless System for Public Safety/Emergency Medical Services. The new system will provide improved response time and patient care. Data Network Solutions will provide the equipment and installation through State Contract Number 04-S6261-A10265 at a cost of \$7,656.00. Software House International will provide the software through State Contract Number 01-S4072-A7243 at a cost of \$4,298.46. Total cost including sales tax is \$11,954.46.

Fleet Vehicle Replacements - Public Safety/Fire Service - Staff recommended the purchase of two (2) New 2006 Ford 15,000 LB cab and chassis trucks equipped with rescue equipment and emergency lighting for Public Safety/Fire Service through various suppliers. These vehicles are used for transporting specialized equipment and personnel to emergency scenes. The two (2) 2006 Ford 15,000 LB cab and chassis trucks will be purchased from Burns Automotive through State Contract Number 05-S6667-A11151 at a cost of \$93,234.78.

Quotations for the rescue equipment and emergency lighting to be installed were obtained. Staff recommended the following low bidders: Slagle's Fire Equipment - \$496.08; Hansens Gold Leaf - \$1,075.00; West Chatham Warning Devices - \$8,735.67; and Motorola, Inc. - \$3,271.16. Cost of rescue equipment and emergency lighting is \$13,577.91. Total cost including tax is \$106,812.69.

Installation of Generator at South Congaree Fire Station - Public Safety/Fire Service -

Competitive bids were solicited for the installation of a generator at the South Congaree Fire Station to replace an existing generator that was installed in 1978 and is no longer cost effective to maintain. Two (2) bids were received. Staff recommended that the award be made to DNB Electric Inc. as the low bidder meeting specifications. Total cost including tax is \$16,300.00.

Motorola VHF Portable Radios and Accessories and Motorola Minitor IV Pagers and

Accessories - Public Safety/Fire Service - Requisitions for the purchase of thirteen (13) Motorola VHF portable radios and accessories and sixty-five (65) Motorola Minitor IV pagers and accessories were submitted by Public Safety/Fire Service. The equipment will be purchased directly from the manufacturer (Motorola) through State Contract Number OIR2002.07.

With the increased volume of emergency calls and the continued need for effective fire ground communications, Fire Service uses the available VHF frequencies. This will provide for ten (10) VHF radios which are compatible with existing batteries, chargers and other accessories and for the replacement of three (3) radios that have been damaged or destroyed during use. These radios will be replacement only and will result in no additional service charges for 800 MHZ service. Total cost including tax is \$18,343.52.

The pagers are utilized to alert personnel of an emergency call. Each volunteer (approximately 400) is issued a pager. Many of the existing units are approaching 20 years old and are in need of replacing. Additional pagers are required in order to meet an increase in personnel as well as replace pagers that are lost, stolen, damaged, or no longer serviceable. Total cost including tax is \$30,737.51.

Total cost for the radios and pagers including tax is \$49,081.03.

Thermal Imaging Cameras - Public Safety/State Homeland Security - Bids were advertised and solicited for the purchase of Thermal Imaging Cameras for Public Safety/State Homeland Security. The equipment will be used by fire service and law enforcement responders in Lexington County and municipalities to assist them in the performance of their duties during periods of limited visibility. The cameras will allow responders to see through smoke, fog and during night operations. Four (4) bids and four (4) no bids were received. Staff recommended that the award be made to Wally's Fire and Safety Equipment, Incorporated as being the lowest responsive bidder. Total cost including tax is \$70,214.40. Funding is provided through the State Homeland Security Grant program and requires no matching funds from the County.

Replace Vinyl Siding/Fascia Board on Roof Eaves at Annex - Sheriff's Department/Building Services - Competitive bids were solicited for the replacement of vinyl siding/fascia board on the eaves of the roof at the Jail Annex. Due to the replacement of the roof on the annex, it is imperative to replace the vinyl and fascia board on the eaves. The increase of the jail population in the jail annex has created a larger volume of laundry to be washed and dried and meal preparations. The high usage of equipment necessary to perform these tasks has created excessive moisture and humidity causing a more rapid deterioration/damage of the existing vinyl and fascia board in several areas. Three (3) bids were received. Staff recommended that the award be made to Mid-America Contracting as the low bidder meeting specifications. The total cost to replace the vinyl is \$39,892.00 including tax. The bid price for fascia board is \$3.95 per square foot which cannot be determined until existing vinyl is removed. Total appropriated for the project is \$200,000.00.

Shingle Replacement - Sheriff's Annex - Sheriff's Department/Building Services - Bids were advertised and solicited from qualified contractors for shingle replacement for the Jail Annex at the

Sheriff's Department. The project will consist of removal and replacement of shingles, as well as any wood surfaces which may have become damaged. Two (2) bids were received. Staff recommended awarding the contract to Aqua Seal Manufacturing and Roofing, Incorporated as the lowest responsive bidder. The total amount for the shingle replacement is \$88,673.00 including tax. The bid price for deck replacement is \$4.00 per square foot and the total cost cannot be determined until the existing shingles are removed. The appropriated budget for this project is \$200,000.00

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

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Keisler	Mr. Derrick
	Mr. Davis	Mr. Jeffcoat
	Mr. Carrigg	

Chairman's Report - No report.

Mr. Cullum expressed his appreciation to Ms. Katherine Doucett, Director of Human Resources, for everything she had done to assist the Airport Committee in getting the fuel farm bid ready. He said the bid had to be reconstructed and she worked diligently with Wilbur Smith Associates to get the job done and within budget.

November and December 2005 Schedule - Mr. Jeffcoat made a motion, seconded by Mr. Davis to cancel the November 22 and December 27 Council meetings and continue with the regular scheduled meetings of November 8 and December 13, 2005 and if a special meeting is required in between, the Chairman will call it.

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

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Davis	Mr. Derrick
	Mr. Keisler	Mr. Carrigg
	Mr. Owens	

Administrator's Report - Mr. Brooks asked Mr. Chris Harmon, Auditor, to update Council on the upcoming issuance of tax bills and changes to the tax bills.

Mr. Harmon stated two additional lines have been added to the tax bills; sales tax credit and a percent of total bill. A sales tax credit and the percent of total bill will appear as a new line item under School and a percent of total bill will also appear as a new line item under County and Agency. This will enable taxpayers to see where the percentages of their tax dollars are going.

Mr. Derrick asked, if an individual has homestead exemption and their house is worth less than \$50,000 does that individual get the sales tax credit or the homestead exemption?

Mr. Jeff Palen, Deputy Auditor, replied the homestead exemption would take effect first followed by the sales tax credit.

Mr. Davis asked for the timeframe of mailing tax bills this year and the setting of millages.

Mr. Harmon said plans now are to have them mailed out the second week of October.

Mileage Reimbursement Rate - Mr. Brooks informed Council that the federal mileage reimbursement rate has been increased from \$.405 to \$.485 cents.

Committee Reports - Health & Human Services, J. Carrigg, Jr., Chairman - Fire Prevention and Safety Grant - Public Safety/Fire Service - Mr. Carrigg stated his committee met during the afternoon to consider a grant application for Public Safety/Fire Service. The grant in the amount of \$70,000 is from the Department of Homeland Security to purchase a fire prevention and severe weather training trailer and education materials. The cost of the trailer is \$60,000 and the cost of education materials is \$10,000. Lexington County Fire Service will partner with Irmo Fire District, Batesburg-Leesville, Cayce, West Columbia, and the Airport Fire Departments to develop a countywide fire prevention program. There are no matching funds required and no personnel will be funded by this grant.

Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to approve staff's request to move forward with the grant application.

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

In Favor:	Mr. Cullum	Mr. Carrigg
	Mr. Jeffcoat	Mr. Derrick
	Mr. Davis	Mr. Keisler
	Mr. Owens	

Position Changes/Reclassification - Public Safety/Fire Service - Mr. Carrigg reported there was no committee recommendation, therefore no action was taken.

Public Works, B. Derrick, Chairman - "C" Fund Special Projects Request - Public Works - Mr. Derrick stated the Public Works Committee met during the afternoon to discuss a drainage problem on Emory Lane near Kenna Drive where stormwater has been backing up onto several properties as well as going over the road. He said staff has been working with SCDOT to resolve the problem and said SCDOT has agreed to reimburse the County for the material costs within the right-of-way if the County installed the pipe. Projected cost of the project is \$52,175.20 after SCDOT reimbursement of \$12,162.40. An additional contingency of \$1,824.80 is requested for a total request of \$54,000.00. This will be funded through "C" funds.

Mr. Derrick made a motion, seconded by Mr. Owens to approve staff's recommendations.

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

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Owens	Mr. Davis
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Economic Development, J. Jeffcoat, Chairman - South Carolina Electric and Gas (SCE&G) - Adoption of the Resolution Authorizing an Agreement to Amend the Fee Agreement Between Lexington County and SCE&G - Mr. Jeffcoat reported that his committee met during the afternoon to discuss the adoption of the resolution authorizing an agreement to amend the fee agreement between Lexington County and South Carolina Electric and Gas (SCE&G).

Mr. Jeffcoat made a motion, seconded by Mr. Keisler to approve the adoption of the resolution.

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

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Keisler	Mr. Derrick
	Mr. Davis	Mr. Carrigg
	Mr. Owens	

Ordinance 05-10 - Authorizing the Execution and Delivery of a First Amendment to the Fee Agreement Between Lexington County and SCE&G - 1st Reading - Mr. Jeffcoat made a motion, seconded by Mr. Keisler that Ordinance 05-10 be given first reading.

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

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Keisler	Mr. Derrick
	Mr. Davis	Mr. Carrigg
	Mr. Owens	

Ordinance 05-11 - Amend the Multi-County Industrial Park with Calhoun County to add Property - Mr. Jeffcoat made a motion, seconded by Mr. Keisler to amend the multi-county industrial park with Calhoun County to include all that certain piece, parcel or tract of land bearing Lexington County Tax Map Numbers 05799-01-021, 05800-02-002, and 00579-01-023 and that Ordinance 05-11 be given first reading.

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

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Keisler	Mr. Derrick
	Mr. Davis	Mr. Carrigg

Mr. Owens

Honeywell Nylon LLC - Ordinance 05-11 - Approving the Amendment to, and Assignment of Certain Interests of Honeywell Nylon LLC in, the FILOT Lease Agreement, Inducement Agreement and Millage Rate Agreement, and Memorandum of Lease Agreement - 1st Reading - Mr. Jeffcoat reported the Economic Development Committee met during the afternoon to discuss Ordinance 05-11 approving the Amendment to the FILOT Lease Agreement, Inducement Agreement and Millage Rate Agreement, and the Memorandum of Lease Agreement for Honeywell Nylon LLC.

Mr. Jeffcoat made a motion, seconded by Mr. Davis that Ordinance 05-11 be given first reading.

*** A correction was made at the end of the meeting that the ordinance for Honeywell Nylon LLC should read Ordinance 05-12.**

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

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Davis	Mr. Derrick
	Mr. Keisler	Mr. Carrigg
	Mr. Owens	

Committee of the Whole, T. Cullum, Chairman - Establish Fee Pursuant to Section 54-81 of Ordinance 05-05 Accepting or Disapproving Applications for Recycling/Processing Centers, Mining Operations and Land Clearing Debris Landfills and Landfill Location Review Application and Southeastern Associates - LCD Landfill - Notification of Public Hearing - Community Development - Mr. Cullum reported the Committee of the Whole met to discuss establishing a fee schedule on applications submitted for recycling/processing centers, mining operations and land clearing debris landfills; landfill location review application and Southeastern Associates - LCD landfill and the notification of public hearing.

Mr. Jeffcoat made a motion, seconded by Mr. Keisler to establish a fee of \$150.00 per ten acres or portion thereof and to allow staff to revise the application as necessary and approve Southeastern Associates application request for a four (4) acre land clearing debris landfill at the existing Lexington County Mine No. 1 site, located off of Golden Jubilee Road. The scheduled date set for the public hearing is October 25, 2005 at 6:00 p.m. in Council Chambers.

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

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Keisler	Mr. Derrick
	Mr. Davis	Mr. Carrigg
	Mr. Owens	

New Stormwater Fees and Expenditures - Public Works - Mr. Cullum reported the Committee of the Whole discussed a new stormwater fee schedule for Public Works that is needed to support

the additional hiring of an Engineering Associate I and II, Inspector and Plan Reviewer; and upgrading the part-time clerical position to full-time. The fee schedule is as follows: Subdivision Review - \$500.00 plus \$10.00 per lot; Construction Inspection - \$1,000.00 plus \$10.00 per lot; Commercial Review \$500.00 plus \$100 per acre; Construction Inspection - \$1,000.00 plus \$100.00 per acre; Sediment and Erosion Permit - \$500.00; Land Disturbance Permit Level II - \$250.00; Additional Plan Revisions (Subdivision) - \$500.00; All re-inspections \$200.00; and Additional Plan Revisions (Commercial) \$250.00.

Mr. Owens made a motion, seconded by Mr. Davis to approve staff recommendations.

Mr. Cullum opened the meeting for discussion.

Mr. Jeffcoat asked if this proposed new stormwater fee schedule is in reference to a letter Council received from the Home Builders' Association.

Mr. John Fechtel, Director of Public Works, replied, yes, sir. Mr. Fechtel stated the Home Builders' Association and several developers support the idea of increasing fees to cover the cost of the three (3) new employees and the upgrade of the part-time clerical to full-time but not the cost of the existing six (6) employees who are currently conducting the reviews and inspections.

Mr. Jeffcoat stated so we are picking up the other six (6) with this?

Mr. Fechtel, replied, that's correct.

Mr. Cullum stated he understood from the Home Builders' Association that they did not want the new stormwater fee schedule be a revenue generator but they understood the need to expedite the review process would include additional costs.

Mr. Jeffcoat stated the developers, as of October 1, will be funding the present six (6) employees plus the additional three (3) new employees and the clerical upgrade from part-time to full-time and asked what have the developers been paying prior to the new proposed fee schedule.

Mr. Fechtel replied, basically the County has been charging the developers on a per acre for both residential and commercial and those revenues last year generated approximately \$25,000. Currently, the cost of the six (6) employees and operating expenditures is \$351,000.

Mr. Davis stated from what he understood, the developers will pay for the services they are going to receive and this is the least expensive way.

Mr. Fechtel, replied, that's correct.

Mr. Cullum asked for further discussion; none occurred.

In Favor: Mr. Cullum Mr. Owens

Mr. Davis	Mr. Derrick
Mr. Keisler	Mr. Jeffcoat
Mr. Carrigg	

A BAR was distributed in the amount of \$407,704.00 to adjust revenues for three quarters of the year on the new proposed Public Works Stormwater fees and to appropriate funds for two new positions under stormwater management and one reclassification position under Public Works/Administration.

Relocation of Grave Site - James O. Spence, Attorney - 218 E. Main Street, Lexington, SC 29072 - Mr. Davis reported the Committee of the Whole discussed a request from Mr. James Spence, attorney representing Allen E. Shealy and Patricia Ann Dominick, who is asking permission to relocate an abandoned grave site located on their property to St. Peters Lutheran Church. The abandoned grave site is located at the intersection of Spence Shores Court and Wise Ferry Road as shown on TMS # 003300-05-02.

Mr. Davis made a motion, seconded by Mr. Owens to approve the relocation of the abandoned grave site.

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

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Owens	Mr. Derrick
	Mr. Jeffcoat	Mr. Carrigg

Abstaining: Mr. Keisler *

* Mr. Keisler abstained due to a possible conflict of interest as he is owner of K&K Gravedigging.

Justice Committee, S. Davis, Chairman - False Alarm Ordinance - Sheriff's Department - Mr. Davis reported that the Justice Committee met during the afternoon to discuss a False Alarm Ordinance and requested staff to continue the approval process and development of an ordinance that will be coming to Council in the near future.

Executive Session/Legal Briefing - A motion was made by Mr. Owens and seconded by Mr. Davis that Council go into executive session to discuss contractual and personnel matters and receive the legal briefing.

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Davis	Mr. Derrick
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Mr. Cullum reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Chairman Cullum reported Council received the legal briefing and discussed personnel and contractual matters and reported no motions were to be considered.

Prior to proceeding with the public hearings, Chairman Cullum stated that Zoning Map Amendment M05-10 - 2121 Lake Murray Boulevard, known as the Coldstream Golf Court property would be handled first since a member of Council has a prior commitment.

6:00 P.M. - Public Hearings - Zoning Map Amendment M05-10 - 2121 Lake Murray Blvd., Coldstream Golf Course Property - Mr. Cullum recognized Mr. Hiller. Bruce Hiller, Development Administrator, Community Development, stated that Zoning Map Amendment M05-10, located at 2121 Lake Murray Boulevard, the Coldstream Golf Course property, requests that the existing R3 (High Density Residential) be rezoned to R1 (Low Density Residential). He added that the amendment was filed by him at the request of Council and as voted upon at the last Council meeting.

Mr. Hiller reviewed the request by using a power point presentation. He noted that a notice was mailed to adjoining property owners and the property was posted in three separate locations. He noted that the amendment only involved the R3 property.

Mr. Cullum opened the meeting for questions from Council members. No questions were posed.

Mr. Cullum recognized Mr. Jeffcoat.

Mr. Jeffcoat thanked everyone for being present. Mr. Carrigg and I, a couple of weeks ago, decided that we needed to take some action and take it now so without having all of you present we decided we would go ahead and have the first reading on this rezoning issue. It's a real serious situation when you have a golf course and people have spent lots of money to live on a golf course and all of a sudden one day it looks like you may have apartments or who knows what in your back yard. No mistake, if you own property in the county, you always have a right to give your views and this Council is always open-minded. In a situation like this from the very first time I heard about it I'm not open-minded, we are and I'm working real hard with the Council and so far everything looks pretty good to me, hopefully it will continue to be that way, but from the very first day I am totally against any development going on that golf course. I just checked with the Chairman to see if anybody was opposed to what we are doing here tonight and we don't have anybody that's signed up and if I were them, if I were here, I wouldn't sign up either. Again, I appreciate your being here. It's a matter of taking care of the formality and abiding by the law in getting this change made, but I work with some very good people here on this Council and they have always been very supportive of anything in our district and fortunately I have pretty much always had the support of Mr. Carrigg and I think he would like to say a couple of words now. Thank you very much.

Mr. Carrigg thanked everyone for being here. I think this is the largest crowd we've had in these

chambers since we moved in here. I believe it's the largest crowd. I, too, am solidly against any development of that golf course property. All of you bought houses that were on a golf course, it's not like you bought houses that backed up to woods or backed up to something you didn't know what was going to go there, you bought a house on a golf course, it was sold as a house on a golf course and you deserve to live in a house on a golf course. I want to tell you how I feel. As you know, Mr. Jeffcoat and I, as soon as we heard about this thing, moved forward immediately with a rezoning and that has gotten us to here. We're about to have the public hearing and I know a lot of you are going to speak, I do want to apologize to you in advance. I have a meeting tonight at 7:00 p.m. which I couldn't move which was kind of poor planning on my part when I realized that the public hearing was on the agenda tonight, but it was too late by the time I got this to move it; so I'm going to have to leave here probably about 20 or quarter til seven, but please don't take that in any way as disinterest on my part in this situation because I have been actively involved in it, trying to help Johnny with what he needs to get done on it and will stay involved in it and I just want to thank you for being here and again apologize for having to leave a little bit early, but, again, please accept my apology that was not good planning on my part.

Mr. Cullum stated the purpose of the public hearing is to obtain comments from those that are opposed and from those who are proponents. He stated that he had a list of those who had signed to speak as a proponent and no one had signed to speak in opposition. Mr. Cullum opened the meeting for anyone to sign up in opposition to the zoning amendment. No one signed.

Mr. Cullum stated that 39 people had signed on the front of the three sheets to speak in favor and he suspected there were 39 who had signed on the back of the sheets; possibly 78 people to speak.

Mr. Jeffcoat indicated that some of those who signed up do not necessarily wish to speak.

Mr. Cullum stated that if someone signed to speak he/she did not necessarily have to come to the podium to provide name, address, and comments. He stated that if a name was called and he/she wanted to concur all he/she had to do was to say I concur. Mr. Cullum stated that he believed Council understood the opinion of those present and comments would have to be limited to three minutes, that no applause or comments be made during the hearing, Council was to receive the information, but not in a dialogue form.

Mr. Cullum opened the meeting for comments from those in favor of the amendment.

Buddy Witherspoon, 250 Lancer Drive, Columbia, SC 29212-1216 - I want to thank you and congratulate you for the job that you did at the August Council meeting to dispose of the two parcels off of Coldstream Drive, they were already asked to be rezoned to R3, thank you for that and also for bringing up the first hearing that the hearing might be heard tonight, or the first reading that the hearing may be heard tonight concerning the Coldstream Golf course. I reside at 250 Lancer Drive in Coldstream, been there about 35 years and my property does back up to the golf course and it's been great for our community through the years, it's home to the Irmo High School golf team, the Dutch Fork High School also, the Irmo Okra Strut and a lot of other corporate and community functions which Coldstream has served through the years. Also, I had the reception for my

daughter's wedding which I appreciate that also. For the course to be R3 at this time, we understand that, but our concern for the future is number one, we'd like to see the golf course remain a golf course if at all possible and we'd like for the consideration to be that the county could consider taking it over, there are other counties in South Carolina who have a golf course and we'd like to see that stay a golf course if at all possible. If that's the case, it would have to stay R3, otherwise it has to be changed for development or anything else, we'd rather see it naturally changed and we're in favor of having it become R1. We appreciate the opportunity to come tonight to say this and we would like for your continued support, I know that we have two who have spoken their peace and I think most of you are supportive of this at this time and I know there will be two more readings, but we'd like to know that we have your support and the other concern we have is again, I think the councilman alluded to this earlier, there are the R3 properties that adjoin this golf course if it were to remain R3 and to be sold at the auction block as such then those properties could be bought by those individuals or what have you and then that could become a congruent set of properties that could be developed for a little bit of anything and we certainly don't want that to change. We understand those R3 properties will stay the same, but we're concerned tonight about the Coldstream Country Club and we definitely want to see it changed to R1 if it can not stay a golf course. Thank you very much

Sam Painter, 36 Stone Market Road, Columbia, SC 29212 - My wife Brenda and I own a lot and home on the fifteenth green at the Coldstream Golf Course. We bought the lot in 1981 from the original developer of Coldstream and we've lived there ever since we constructed our home in 1983. I bought the lot after having seen it while playing golf. I bought the lot because it was on a golf course. I wanted to live on a golf course. I want to continue to live on a golf course. I want my children to have the opportunity to live on that golf course. My house and the 16 houses on our street are all single-family residential dwellings. Across the fairway from me is the Brittany Subdivision. A subdivision of beautiful single-family R1 houses. Across the fairway behind me is Brittany II and Brittany Place, subdivisions are beautiful R1 family houses. I'm a member of the Steering Committee of the Coldstream Community Association. We are quite frankly opposed to any use of these fairways for any other purpose than that for which they were originally intended and that is fairways or a golf course. We're working and we will continue to work on a daily basis with community leaders and interested parties to find a solution that will include preservation of Coldstream's golf and tennis facilities for ourselves, for our families and for future generations. It's a matter of public record in this courthouse that the prior owner, the present owner of this property and the prior owner of this property have each signed deeds of conservation easements in which they guaranteed to preserve these fairways for use as a golf course forever. They did this, quite frankly, to get a good tax deduction. And now two years later they're here before you or they're not here before you, as the case may be, begging to undo their own deed. Frankly, gentlemen, this is ironic, this is inconsistent and indeed this is disingenuous to their intent to claim a big tax deduction from our federal government. To protect our property values and to help ensure that both the population density and the beauty of our neighborhoods will not be forever changed we urge you to vote in favor of changing the existing zoning on these fairways from R3 to R1. Thank you.

Will Arthur, 124 Laurel Branch Way, Columbia, SC 29212 - My wife and I, it was about three years ago that we flew out to Columbia, we're from the west coast, and we flew out here to, for me

to interview for a job with Intel and my wife was fairly reluctant about moving here having grown up in California all her life and just not wanting to be that far away from her family. What sold us on moving here honestly was the house we bought. That's what sold my wife at least on moving here and I was quite surprised to find out that all this was going on. I didn't even know about this until I got an e-mail at work one day. So, immediately, I was very concerned about it because obviously, I didn't mention, but we live right on the golf course, we have a beautiful view out through out living room, it's very gorgeous and so one of the first things I did was I contacted a realtor and actually the realtor who sold us our home and I asked her to run some numbers about comparison of prices between houses that are on the golf course and houses that are not on the golf course and she did that for the three neighboring areas, came up with a price differential square footage and came up with a number that indicated that regardless whether its R1 or R3 if anything is built on a golf course, our property value will go down between \$20,000 and \$50,000. Obviously we're very concerned and I know Mr. Jeffcoat you mentioned that concern and I appreciate that. But even more than that, it's just that we like the area, this is where we want to live, we moved because we love the area and we'd like to see it stay the same way. Thank you.

Richard S. Walters, 148 Amberly Court, Columbia, SC 29212 - I concur with the previous speakers.

Clyde W. Strain, 160 Amberly Court, Columbia SC 29212 - Concur.

Emily Shuman, 131 Dinton Road, Columbia, SC 29212 - I've lived there for 26 years and in the Coldstream area for 28 years. Tonight I come to you as a citizen, a taxpayer and president of the Coldstream Homeowners Association. Coldstream is a beautiful subdivision comprised of approximately a thousand homes, single-family homes. I'm also a member of the Steering Committee for the Coldstream Communities Association which represents over fourteen hundred homes in the Coldstream Drive area and I won't go on with my whole speech, but I do want to tell you the concerns and they are if this property is allowed to be high density we would be concerned about the increased traffic to our already congested roads and intersections. It would further crowd our already at-capacity or overcrowded school system, create an increased burden on our police and fire services and increased taxes to address the needs for the infrastructure, schools, police and protection, roads and fire protection, so I appreciate the opportunity to come to you tonight and let you know about our neighborhood and how we feel and we certainly hope that you will rezone this property from R3 to R1. Thank you.

Rufus Anglin, 159 Lincoln Inn Road, Columbia, SC 29212 - Concur.

Carol Blake, 350 Heatherstone, Columbia, SC 29212 - Concur.

Linda Doar, 354 Heatherstone Road, Columbia, SC 29212 - Concur.

Darlene Simpsin, 112 Tee Court, Columbia, SC 29212 - Concur.

Florence Cook, 112 Tee Court, Columbia, SC 29212 - I concur.

Sharon Seago, 135 Ripley Station, Columbia, SC 29212 - Concur.

Susan Rolfe, 106 White Falls Drive, Columbia, SC 29212 - I concur.

J. P. Wright, 306 Sterling Bridge, Columbia, SC 29212 - I concur.

Barbara Bauknight, 117 Hillshire Court, Columbia, SC 29212 - I concur.

Jean Young, 108 Hillshire Court, Columbia, SC 29212 - I concur.

Richard Woodward, 49 Lyme Bay, Columbia, SC 29212 - I concur.

Don Morton, 1519 Willow Creek Lane, Columbia, SC 29212 - I concur.

David Schmidt, 115 Bowland Court, Columbia, SC 29212 - I concur.

David Graves, 105 Old Arms Court, Columbia, SC 29212 - I concur.

Richard Berry, 1 Stone Market Court, Columbia, SC 29212 - I concur.

Martha Rooney, 120 Ripley Station Road, Columbia, SC 29212 - I concur.

Martin Rooney, 120 Ripley Station Road, Columbia, SC 29212 - I concur.

Betsy Dyches, 125 Ripley Station Road, Columbia, SC 29212 - Concur.

Danny Dyches, 123 Ripley Station Road, Columbia, SC 29212 - I concur.

Betty Berical, 119 Hillshire Court, Columbia, SC 29212 - I concur.

Emerson J. Berical, 119 Hillshire Court, Columbia, SC 29212 - I concur.

Donald Conrad, 107 Hillshire Court, Columbia, SC 29212 - I concur.

Andrew Dobrowolski, 58 Lyme Bay, Columbia, SC 29212 - I concur.

Chris and Julie Laughter, 62 Lyme Bay, Columbia, SC 29212 - We concur.

Karen Erikson, 548 Coldstream Drive, Columbia, SC 29212 - I concur.

Julia Higgins, 206 White Falls Drive, Columbia, SC 29212 - I concur.

Marla Schoolmeester, 118 White Falls Drive, Columbia, SC 29212 - I concur.

Shirley Martin, 133 Meridian Court, Columbia, SC 29212 - I concur.

Vivian Rikard, 180 Fango Road, Columbia, SC 29212 - I concur.

Gertrude Eichelberger, 2257 Lake Murray Boulevard, Columbia, SC 29212 - Concur.

Pat Dube, 170 Cannon Dale Road, Columbia, SC 29212 - I concur.

Mr. Cullum stated that he had gone through the first 39 on the in favor list and asked if there is anyone who signed on the back of the sheets who wishes to speak.

Stanley S. Sessler, II, 144 Amberly Court, Columbia, SC 29212 - I concur naturally with what they said because I support their beliefs, but it also appears that the members of the Council are sympathetic with their views. And since the meeting was held by the committee for the Coldstream Country Club, individuals have contacted and I personally contacted members of the Irmo Chapin Recreation Commission and we spoke with them about taking over the golf course because they, in the past, have expressed interest in having a golf course, having tennis courts, having swimming pools, and here it is all laid out for them. I think the committee has spoken with them and my son has spoken with them, he's a CPA, and I guess at this point in time they're in the position where they're evaluating the financial statements of the Coldstream Country Club. They have to do this inasmuch as this bankruptcy involves two golf courses and it may be that Coldstream is financially stable enough to where they could, the Commission could take it over, it could be self-supporting and pay off a bond issue if necessary. What I'd like the members of the Council to do is lend their support and possibly contact the Commission in favor of them buying off the golf course. So I would appreciate that and that would be a good solution for everyone I think. Thank you very much.

Mr. Cullum opened the meeting for anyone else who signed up on the back of the sheets to speak. No one came forward. Mr. Cullum closed the public hearing for comments from those in favor of the zoning amendment.

Mr. Cullum stated that as indicated earlier no one had signed to speak in opposition to the amendment and closed the public hearing.

A gentleman asked a question about the procedure after the hearing, when it would be before Council for further consideration.

Mr. Cullum stated that the amendment would be considered by the Planning Commission on the third Thursday of October.

Mr. Jeffcoat stated that the residents did not have to attend the Planning Commission meeting, they would vote on the amendment, but their vote is a recommendation to County Council.

Mr. Cullum stated that the earliest the matter would be back before Council would be the last meeting in October and it may not be until the first meeting in November. Mr. Cullum stated that

the Planning Commission would consider the amendment on October 20, staff will have it ready for the committee on October 25.

Mr. Jeffcoat asked if the amendment would also be placed on the Agenda for Council consideration.

Mr. Carrigg commented right. That would be second reading and the third reading would be the first meeting in November.

Mr. Jeffcoat stated that third and final reading would be November 8.

Mr. Cullum recognized Dr. Witherspoon.

Dr Witherspoon - if this goes through the Council and the property, Coldstream Country Club is amended to R1, once it clears the bankruptcy court, should it be sold to entities as a golf course would it then go back through again to be reamended to R3?

Mr. Carrigg replied, no.

Mr. Cullum stated, I would think not.

Mr. Cullum recognized Mr. Hiller.

Mr. Hiller stated that he heard Dr. Witherspoon make the comment earlier and stated that the course itself, not the Country Club buildings, we classify as natural reserves, that's where it falls in the Zoning Ordinance which are allowed in R1, so there was no need for it to go back to R3. But, one of the reasons we aren't really looking at amending the commercial part on Lake Murray Boulevard is because of the club house. If that was rezoned R1, if anybody took it over and wanted to expand that activity, then a map amendment would have to be requested. He stated the motion was made that only the R3 sections would be changed to R1.

Mr. Cullum stated so there is no confusion, the Planning Commission will hear the request on October 20, their recommendation will be sent to Council; Council meets on October 25 and the amendment will be discussed in committee prior to the 4:30 p.m. session and then to full Council at the 4:30 meeting. That will be the second reading and the earliest third reading could occur would be the following meeting on November 8.

Zoning Map Amendment M05-08 - Ginny Lane - Mr. Cullum recognized Mr. Hiller.

Bruce Hiller, Development Coordinator, Community Development, stated that M05-08 involved approximately 2,300 linear feet of Ginny Lane beginning at the intersection of Sunset Boulevard. He stated the applicant, Ben Kelly, representing Northside Real Estate Holdings, LLC, has requested that the current street classification from L (Local) be changed to C (Collector). Mr. Hiller reviewed the request by using a power point presentation. He stated that the main reason for the reclassification request is a density issue for the apartment complex. As a Local only eight dwelling

units per gross acre would be allowed; Collector would allow 12 dwelling units per gross acre.

Mr. Cullum opened the meeting for comments from those in opposition to the request. Mr. Cullum indicated that no one had signed to speak. He asked if there was anyone who wished to sign to speak. No one came forward.

Mr. Cullum opened the meeting for comments from those in favor of the request. He stated that two individuals had signed to speak.

Kathleen Kelecyc, 226 Muirfield Drive, Columbia, SC 29212 - Ms. Kelecyc was not present.

Ben Kelly, 1492 Fulmer Road, Blythewood, SC 29016 - I am one of the owners of Saluda Point Development and I appreciate the opportunity to come before this body and answer any questions that this group or anybody in the audience would have concerning this map amendment change.

Mr. Davis asked Mr. Kelly if he had investigated the cost of fire insurance with the current fire protection presently available as opposed to a fire station closer to the apartments.

Mr. Kelly responded that they were working on that.

Mr. Davis asked Mr. Kelly if he saw a large variance would he perhaps want to share in an expansion of the fire service.

Mr. Kelly replied that he would like to discuss that at a later date.

Mr. Owens commented that he visited the area and thought Mr. Kelly was doing a good job. He said he liked the way it was going to look when finished as he had seen the plans and wished him well.

Mr. Cullum closed the public hearing.

Zoning Text Amendment T05-09 - Article 2, Application of Regulations, Chapter 5, Signs - Mr. Cullum recognized Mr. Hiller.

Bruce Hiller, Development Coordinator, Community Development, stated that this involved a text amendment and would answer any questions Council may have.

Mr. Cullum noted that no one had signed to speak in favor or in opposition to the text amendment. The public hearing was closed.

Ordinance 05-07 - Amend the Agreement for Development of Joint County Industrial Park Between Lexington County and Calhoun County - The Electric Controller and Manufacturing Company, LLC - Mr. Cullum opened the public hearing and noted that no one signed to speak in favor or in opposition to Ordinance 05-07. He asked if anyone was present who wished to speak;

no response. The hearing was closed.

Ordinance 05-08 - Authorizing an Amendment to a Lease Agreement Between Lexington County and Michelin North America, Inc. with Regard to the Investment to be Made by the Company in Connection with the Fee in Lieu of Tax Payments and Infrastructure Tax Credits - Mr. Cullum opened the public hearing and stated that no one signed to speak in favor or in opposition to Ordinance 05-08. He asked if there was anyone present who wished to speak; no response. The public hearing was closed.

Michelin North America, Inc. - Ordinance 05-08 - Authorizing an Amendment to a Lease Agreement Between Lexington County and Michelin North America, Inc. with Regard to the Investment to be Made by the Company in Connection with the Fee in Lieu of Tax Payments and Infrastructure Tax Credits - 3rd and Final Reading - A motion was made by Mr. Jeffcoat and seconded by Mr. Derrick that Ordinance 05-08 receive third and final reading.

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

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Derrick	Mr. Davis
	Mr. Keisler	Mr. Owens

Not Present: Mr. Carrigg*

*Mr. Carrigg left the meeting earlier because of a previous commitment.

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

Appropriation transfer of \$102,053.00 and a supplemental appropriation of \$30,000.00 (federal grant income) to transfer funds into the SCDOT Rise Program for improvements in and around the Pine Ridge School area. Total of \$132,053.00.

Appropriation transfer of \$424,000.00 to transfer funds in order to set up an account for the 2006 State Match program as approved by Council.

Appropriation transfer of \$200,000.00 to transfer funds to set up an account for the SC 6/60 South Carolina Transportation Infrastructure Bank project as approved by Council.

Appropriation transfer of \$9,515.00 to move additional funding out of the contingency account for the difference of a part-time position to a full time position. Effective date October 3, 2005.

Supplemental appropriation in the amount of \$3,800.00 to appropriate an additional award by DHEC for the Used Oil Grant to purchase a forklift drum attachment replacement.

Executive Session/Legal Briefing - A motion was made by Mr. Owens and seconded by Mr. Davis

that Council resume Executive Session to continue discussing contractual and personnel matters and receiving the legal briefing.

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Davis	Mr. Derrick
	Mr. Keisler	Mr. Jeffcoat

Not Present: Mr. Carrigg

Mr. Cullum reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Chairman Cullum reported Council continued receiving the legal briefing and discussing personnel and contractual matters and reported no motions were to be considered.

Correction - Honeywell Nylon LLC - Mr. Cullum stated that the Ordinance should read 05-12, not 05-11.

Old Business/New Business - Subdivision/Development Regulations - A motion was made by Mr. Davis and seconded by Mr. Derrick that staff be given a 60-day limit for the review, development, and update of the County's subdivision/development regulations and policies.

Mr. Cullum opened the meeting for discussion.

Mr. Owens asked if 60 days was enough time.

Mr. Fechtel responded that he thought they could make that deadline.

Mr. Cullum commented staff is to report back at the December meeting.

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Derrick	Mr. Keisler
	Mr. Jeffcoat	Mr. Owens

Not Present: Mr. Carrigg

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

M. Todd Cullum
Chairman

