

**MINUTES  
LEXINGTON COUNTY COUNCIL  
OCTOBER 12, 2004**

Lexington County Council held its regular meeting on Tuesday, October 12, 2004 in Council Chambers, beginning at 4:30 p.m. Chairman Davis presided; Mr. Cullum gave the invocation; Mr. Carrigg led the Pledge of Allegiance.

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

Also attending: Art Brooks, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; Katherine Doucett, Personnel Director/Deputy County Administrator; John Fechtel, Director of Public Works/Deputy 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.

**Yard Machine - 3-in-1 Chipper/Shredder/Vacuum - Presented by Ms. Mary Pat Baldauf, Executive Director of Keep the Midlands Beautiful** - Ms. Baldauf indicated Keep the Midlands Beautiful is a non-profit organization dedicated to liter prevention, recycling, and beautification in Richland and Lexington counties.

Ms. Baldauf presented a 3-in-1 Chipper/Shredder/Vacuum to the County won by an employee of the Sheriff's Department while attending a Liter Index meeting. She said the Liter Index is a new program where their organization will send ten volunteer teams into school districts to rate the area from 1 to 4 based on the amount of liter in the area. Once the information is gathered, it will provide a baseline for Keep the Midlands Beautiful to determine where they need to spend their resources for liter control.

**Employee Recognition - Art Brooks, County Administrator** - Mr. Brooks recognized Mike Cummins, Homestead Supervisor, Auditor's Office for his continued assistance to citizens of Lexington County.

Christopher Stone, Engineering Associate II, Public Works was recognized for successfully passing the required comprehensive exam to become a Certified Floodplain Manager (CFM) by the National

Association of State Floodplain Managers, Inc.

**Appointments - Museum Commission - Mrs. Carol R. Metts** - A motion was made by Mr. Cullum, seconded by Mr. Jeffcoat to reappoint Mrs. Carol R. Metts to the Museum Commission.

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

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

**Bid/Purchases/RFPs** - A motion was made by Mr. Wilkerson, seconded by Mr. Keisler that the following bids be approved.

**Alarm System Monitoring and Maintenance - County Wide** - Bids were solicited and advertised for a term contract for County wide alarm system monitoring and maintenance. The cost for the service is based on actual equipment to be serviced for a period of one (1) year. The annual value of the contract is \$11,358.90. The term of the contract is for three (3) years making the initial value of the contract \$34,076.70. Four (4) bids were received. Staff recommended awarding the contract to Lowman Communications with the option of extending the contract for two (2) additional one (1) year periods if deemed to be in the best interest of the County.

**Eight (8) Workstations - Solicitor's Office** - Bids were solicited for the purchase and installation of eight (8) workstations for the Solicitor's office. These workstations are needed to accommodate the seven (7) paralegals that are being hired for the Solicitor's office. Three (3) bids were received. Staff recommended awarding the contract to Office Panel Systems. Total purchase including tax is \$6,919.50.

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

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

**Chairman's Report - Assistant Solicitor for Drug Court - The Honorable Donnie Myers, Solicitor, Eleventh Judicial Circuit** - Sometime ago this body had approved an Assistant Solicitor for Drug and Drug Courts. We thought at that time that it would be funded under a federal grant; they told us first it would be then later on they told us it would not be. That is the grant that is running the Drug program now. My request is that, and I thought this position was still open; I found

out it was not open that it had been closed out so my request is, that you reopen and authorize to hire an Assistant Solicitor for Drug Court. I was informed that I would be getting some drug money so that would be paid from State drug funds at no cost to the County. Originally, we had this at a higher grade. I want to drop it down a grade or two. I worked with Ms. Babbitt on an outline for it so it is basically to ask you to approve this position that was approved previously but had elapsed somehow. I don't know whether it was just because of funding or what and that it be funded not from County funds but from State funds. As with all these people, I tell them that when you are hired that you have a job as long as State funds are coming in. If State funds run out, then you don't have a job any longer.

Mr. Davis thanked Solicitor Myers for being present to explain and answer any questions that Council had regarding funding. He stated it will be State or drug money that will be used on a contingency basis.

Solicitor Myers replied, yes sir. Right.

**Worthless Check Unit** - I want to thank all of you again for allowing us (the Solicitor's Office) to start this fraudulent check program. I cannot tell you the success we've had. We held a press conference a couple of weeks ago, and I sent you some information on that, the amount of money that has been collected. Within five minutes of holding that press conference, Channel 19 was kind enough to put us on live feed for 12 o'clock news. We got twenty-two calls within about 30 minutes; a lot of them from other counties but a lot of them also from Lexington County. It doesn't cost the merchants or the victims anything, no taxpayer dollars are used; it is self-sustaining. It has been one of the best programs that we have ever done, and I want thank you for allowing us to do it and participating with us. Thank you.

Mr. Jeffcoat asked Solicitor Myers if the Worthless Check Unit has been successful in collecting return checks for the Treasurer's office, which is a very important operation in the County.

Solicitor Myers replied, a guy in my office, some four or five of us, solicitors around the state started off this pilot program and a guy in my office developed the computer program, software or whatever you call it, to run these things. Since that time, two other counties, more than that, four or five counties, have asked us to help them establish a fraudulent check unit and this guy has gone around telling them how to put this into place. Two or three of these counties we helped start a unit, have done the work for all county agencies, including the Treasurer's office and I talked with a lady in the Treasurer's office about two weeks ago; she told me that whatever they were using at that time had gotten confusing and wasn't working and they wanted me to come on board. I told them, we said we would be on board from day one so I'm waiting to hear back from them, but we are more than happy to do the work for the Treasurer's office and all other County agencies.

Mr. Jeffcoat asked Solicitor Myers if he has talked with the Treasurer, Mr. Rowell.

Solicitor Myers replied, I have not talked with the Treasurer; I talked with a lady in his office who

has been in charge of it and I will be following back up with the Treasurer on that. It doesn't make any sense for them really not to use us. It is more money into the County fund and we can do as good a job as anybody else for them and we are pursuing that and I appreciate it.

Mr. Davis thanked Solicitor Myers and his staff on behalf of County Council for the job they are doing with the Worthless Check Unit and the funds his office is generating for the general fund for the taxpayers of Lexington County.

Mr. Rucker stated Council has tried helping the Solicitor's office by approving a millage increase for FY 2004/05 and asked Solicitor Myers for a status update of backlog cases currently in his office.

Solicitor Myers replied, we are working with Horry County and Richland County, York County, and I'm starting to communicate with Spartanburg because they are in the middle. We are talking with people who run those programs and the judges. They tell us don't even think about starting until you get your computer stuff in place. I got the guy in my office who does computer work. He is talking with Jim Schafer; they have lined up to get Mr. Schafer, somebody from my office, Judge Westbrook's law clerk, and Brian Jeffcoat from the Magistrates to go over to Richland County to see how they are doing so we can implement that. We've got to be hooked in to all the Bonding Courts, which right now it could be as much as 15 or 16 different Bonding Courts going on around Lexington County, because we are trying to cut down the time limit. On the case managers, we've already hired, two have accepted the case manager positions. We have offered jobs to three more people and we got two more to fill. We expect to do all that within the next two weeks.

**Mr. Steve Camp, President & CEO - Midlands Authority for Conventions, Sports, and Tourism** - Mr. Camp thanked Council for their support and help in opening of the Columbia Metropolitan Convention Center. He stated the Columbia Metropolitan Convention Center is open and the only problem they are experiencing right now is parking, which is a good thing because it means a lot of people are using the facility.

Mr. Camp presented Council a framed limited edition print that signified the grand opening in September 2004.

**Mr. Terry Tanner - Environmental Protection Agency (EPA)** - Mr. Davis introduced Mr. Terry Tanner with the EPA.

Mr. Tanner: Good afternoon. My name is Terry Tanner. I am an On-Scene Coordinator for the Environmental Protection Agency. About two weeks ago, I mobilized a crew to come down here to start a cleanup on some contaminated pipes associated with the old Tin Products plant. These were some pipes that were left over from the removal action itself. There are, there are a series of pipes actually associated with the sewer system. This is where the release actually occurred and what had happened was, of course, shortly after the release, the plant was shutdown. The pipes were sealed off and had been in place for some time now. I am coming down here to do the, what we hope to be the last of the clean up there, and flush out these pipes.

What we are doing to give you a quick overview is, we are actually excavating down to the pipe itself or if there is a manhole, we use a manhole. We put a vacuum line down into the pipe and then we introduce a high pressure wash hose that actually goes in and scours out the pipe. And as the pipe is scoured with the wash water, we collect it in this back truck and are putting it in a tank for eventual disposal once we complete the operations. That is kind of it in a nutshell. You folks have any questions for me? I just wanted to give you a heads up that we were down here.

Mr. Davis: Does DHEC have any involvement in this at all, our State agency?

Mr. Tanner: Only through notice. When EPA does a removal, the first thing that we do is contact DHEC. A little bit different from other parts of the superfund process, but yes. In fact, my contact's name is Scott Wilson. I have been working with him, and we did get a visit from Gerald Shealy. Gerald, I believe, is with the District EQC office and he stopped by; gave him a quick overview of the operations.

Mr. Davis: Should we be concerned about any exposed water that might come out while you are cleaning out these pipes?

Mr. Tanner: No, we are collecting all the water and it literally goes from the cut that we made in the pipe itself into our vacuum truck lines. And, of course, we monitor the air while we are doing that. But, no, there should be no exposure from that at all.

Mr. Davis: And when it is put into one of the tankers, it has no way to be released from the tanker, does it?

Mr. Tanner: No, not until we stop the pump and reverse the process to actually force the water out and at that point we are injecting it into a larger holding tank.

Mr. Davis: And you wouldn't allow it to come out onto a roadway or anything in the County?

Mr. Tanner: No, that would be counterproductive to what we are doing.

Mr. Wilkerson: If we have any further questions, would Gerald, and I know him, would he be the one that we would need to talk to probably or would we need to get in contact with your agency if we had any further questions on this?

Mr. Tanner: Well, even better, just contact me directly. I will give you my number.

Mr. Wilkerson: The other thing, the pipes and what they are made out of and the contamination and all, there is no danger in those pipes being to where they have corroded enough - they're not where they would need to be replaced or anything rather than just flushed out and cleaned out, I guess, would be my main question or worry that the pipes are not being replaced and they are just flushed out rather than being completely replaced because of all the damage that has occurred over time, I

guess.

Mr. Tanner: What we are actually doing, we hope, is a pre-empty vac to go in and get that contamination now before those pipes are breached by excavation or somebody developing property something like that.

Mr. Wilkerson: Why has it taken, this happened what two and a half, three years ago? I guess over that amount of time, why has it taken, I guess, so long to get them cleaned rather than it being done at an earlier date.

Mr. Tanner: Well, it was a matter of priorities balanced with potential threat. We knew that the pipes were sealed and that there was no way short of actually somebody going into a manhole or digging up a pipe where they would actually come into contact with itself. And for that reason, we focused our resources on the plant side itself where there was a more immediate threat and I guess, of course, it was always the possibility that the County would clean those pipes as well.

Mr. Owens: You are talking about old sewer pipes that transmission lines before they got to the, what was known as the, sewer plant on Two Notch Road, is that we are talking about?

Mr. Tanner: Part of the pipes, yes. But actually, both. There is a section of pipe that leads from the Tin Products plant itself that carried the waste to the wastewater treatment plant. We are cleaning that section and in addition to that section, we are also cleaning the section of pipe where the water left the wastewater treatment plant and ran to Red Bank Creek, I guess.

Mr. Owens: We stored most of that water onsite, because I was a member of the Commission then, and it wound up some place in Louisiana. They treated it for about 10 percent of what EPA had said that we needed to get it treated for, but these lines are never going to be used again. That is the premise, right?

Mr. Tanner: I can't answer for the County, but I have heard that.

Mr. Owens: That's the premise because the plant that they ran to is no longer in service.

Mr. Tanner: Yes. What we are seeing when we go into the pipes now is small pools of water and some limited amounts of sludge, sediments, sand, stuff like that. What we want to do is get that out of there in the event that if those pipes ever are breached or if there is a rupture or some type of disruption to those pipes, then there won't be any risk of any residual contamination in that pipe spilling out into the environment.

Mr. Davis: I suppose it would be alright for Council members to come and observe the process.

Mr. Tanner: You sure could. One thing I would like to do though, is when we are actually operating the vacuum truck and the spray truck there tends to be the potential for a lot of vapor to move

around, and we are monitoring it, and the people that we have actually working in the area are specially trained and licensed to do that. We probably would have to shutdown at least the pressure washer, and just for simple safety reasons itself, but you are certainly more than welcome to come out and look at the operations.

Mr. Davis: Thank you for being with us; we appreciate your attendance and we will keep in touch.

Mr. Tanner: Sure thing.

**Comments from Chairman Davis** - Chairman Davis thanked Councilman Jeffcoat on behalf of County Council for the due diligence and leadership he provided during the negotiations with Pirelli Communications Cables & Systems USA, LLC and Pella Corporation.

**200 Years - 200 Trees** - Ms. Coghill, Director of Community and Economic Development, stated that Chairman Davis asked her, Rhett Bickley, Landscape Administrator, and others to look into the possibility of planting 200 trees in the County, preferably at County facilities, to climax the celebration of the 200<sup>th</sup> year of the County.

Ms. Coghill said she assembled a team to include Charlie Compton, Rhett Bickley, Bruce Hiller, and Susan Neil to consider and evaluate different possible sites. Ms. Coghill said the team suggested planting trees in conjunction with Arbor Day at the County's front-line service facilities; fire stations, Fire Service Training Center, and Public Works satellite centers. This would be approximately thirty-two sites.

Mr. Jeffcoat asked, what type of trees are being considered?

Ms. Coghill replied, a mixture of trees. Mostly live oaks, willow oaks, elms, crepe myrtles, etc. She said the team recommended trees that measure 1.5 caliber or the 15 gallon drum tree.

Mr. Wilkerson said this is a great idea and thanked Chairman Davis for bringing this project forward as well as Ms. Coghill for her hard work in assembling a team to make this a reality.

Mr. Davis asked Ms. Coghill to move forward with the project and to work on a budget proposal for Council.

**EMS Dedication - November 4, 2004 - 4:00 - 5:30 p.m.** - Mr. Davis announced the County is tentatively making plans for the dedication of the new EMS facility on Ball Park Road on Thursday, November 4 from 4:00 - 5:30 p.m.

**Administrator's Report** - No report.

**Budget Amendment Resolutions** - Prior to distributing the BARs to be signed the following motion was made.

**Drug Court - Assistant Solicitor** - Mr. Jeffcoat made a motion, seconded by Mr. Carrigg to approve the hiring of an Assistant Solicitor for Drug Court.

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

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

A supplemental appropriation increase of \$52,290 to appropriate funds for the hiring of an Assistant Solicitor to handle drug cases. The funding will be provided by an allocation to the 11<sup>th</sup> Circuit Solicitor by the Prosecution Commission from revenue derived from motion fees.

A supplemental appropriation increase of \$500,000 to appropriate funds received from Pirelli Cables & Systems for an unscheduled payment on the CAE loan for 62.10 acres near the Columbia Metropolitan Airport.

An appropriation transfer of \$3,160 and a supplemental appropriation increase of \$1,010. The annual funding from the V.C. Summer Nuclear station was \$1,010 more than anticipated and we have a contingency fund in the amount of \$7,947. We are appropriating \$2,170 additional to conference and meeting expense to provide training for the WEB-EOC computer program and \$2,000 to provide wireless use of computers within the EOC.

**Additional Comments from Chairman Davis** - Chairman Davis welcomed back Ms. Katherine Doucett, Personnel Director, after a brief illness.

**Approval of Minutes - Meeting of September 20, 2004** - A motion was made by Mr. Wilkerson, seconded by Mr. Derrick that the minutes be approved as submitted.

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

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

**Ordinance - Ordinance 04-02 - Conveyance of Approximately 40 Acres of Real Estate From the County of Lexington to the Lexington County Recreation and Aging Commission (Red Bank) - 3<sup>rd</sup> and Final Reading** - Mr. Cullum made a motion, seconded by Mr. Keisler that Ordinance 04-02 be given third and final reading.



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

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

**Economic Development Project - Pella Corporation - Resolution Authorizing an Inducement and Millage Rate Agreement Between Pella Corporation and Lexington County** - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve the adoption of the Resolution Authorizing an Inducement and Millage Rate Agreement Between Pella Corporation and Lexington County.

Mr. Davis opened the meeting for discussion.

Mr. Owens commended Mr. Jeffcoat for the tremendous amount of time he spent negotiating with Pirelli Communications Cables & Systems USA, LLC and Pella Corporation.

Mr. Jeffcoat thanked Ms. Coghill for her help and said she is the “motor that drives the force” and noted that Ms. Coghill is a great asset to the County.

Mr. Davis announced for clarification that the Resolution Authorizing an Inducement and Millage Rate Agreement Between Pella Corporation and Lexington County before them is different from what is in the agenda packet.

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

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

**Ordinance 04-08 - Authorizing the Execution and Delivery of a Fee Agreement by and Between Lexington County, South Carolina, and Pella Corporation Providing for Payment of a Fee in Lieu of Taxes - 1<sup>st</sup> Reading** - Mr. Jeffcoat made a motion, seconded by Mr. Cullum that Ordinance 04-08 receive first reading.

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

In Favor:	Mr. Davis	Mr. Jeffcoat
	Mr. Cullum	Mr. Rucker
	Mr. Derrick	Mr. Wilkerson

Mr. Keisler  
Mr. Owens

Mr. Carrigg

**Ordinance 04-09 - An Ordinance to Amend an Agreement Relating to the Joint County Industrial and Business Park of Lexington and Calhoun Counties - 1<sup>st</sup> Reading** - A motion was made by Mr. Jeffcoat, seconded by Mr. Wilkerson that Ordinance 04-09 receive first reading.

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

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

**Planning & Administration, B. Rucker, Chairman - Zoning Map Amendment M04-03 - 234 St. Andrews Road, Columbia, SC 29210 - 2<sup>nd</sup> Reading** - Mr. Rucker stated the Planning and Administration Committee convened on Tuesday, September 28, 2004 to discuss Zoning Map Amendment M04-03. The applicant, Jack Parker, requested that 234 St. Andrews Road, Columbia, SC be reclassified from Low Density Residential (R1) to Neighborhood Commercial (C1) in order to improve marketability.

A public hearing was held on August 24, 2004, at which time a number of residents and property owners expressed their opposition to the request.

The Planning Commission considered the application on September 16, 2004 and recommended that it be denied.

It is the recommendation of the Planning and Administration Committee that based on all the information submitted that Zoning Map Amendment M04-03 be denied.

A motion was made by Mr. Rucker, seconded by Mr. Carrigg that Zoning Map Amendment M04-03 be denied.

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

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

Abstaining: Mr. Owens\*

\* Mr. Owens abstained as the applicant, Mr. Jack Parker, is a friend and a contributor.

**Public Works, B. Derrick, Chairman - “C” Fund Economic Development Request - Public Works** - Mr. Derrick reported the Public Works Committee met on Tuesday, September 28, 2004 to consider a recommendation from the Public Works Department to pave Harvey Berry Road.

Mr. John Fechtel, Director of Public Works, stated Mr. Wayne P. Rawl, President of Walter P. Rawl & Sons, Inc. had requested that Harvey Berry Road be paved which will provide a more direct access to Rawl’s distribution center. This will eliminate the truck traffic presently going through downtown Pelion. The road is 5,795 feet in length.

Mr. Fechtel recommended to the committee that Public Works be allowed to undertake the project. Funding will be allocated from the Economic Development “C” Fund. The project would include approximately \$8,500 in sand-clay, \$56,000 in asphalt, and \$28,500 in power pole (19) relocation for a total of \$93,000.

The Public Works Committee voted to recommend that Council approve staff’s recommendation and that Public Works be allowed to proceed with the project with funding allocated from the Economic Development portion of “C” funds.

Mr. Derrick made a motion, seconded by Mr. Rucker to approve the paving of Harvey Berry Road with funding allocated from the Economic Development “C” Fund and that Public Works be allowed to undertake the project.

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

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

**Presentation - Mr. Clabie Edmond, 333 Brodie Road, Batesburg/Leesville, SC 29070 - Disposal of Residential and Commercial Waste** - Council, I appreciate this opportunity to address you and I don’t want to trouble your patience. I want to raise a concern about a policy of how the convenience waste stations are administered.

The present policy, the way it is used, is based on who you are instead of what you are trying to dispose of. And at best, that policy is difficult to administer and at worse, it’s unfair. Just to share with you of my personal situation that I had with it. The way the policy works now is that if I take some waste from my home, drop it off at the station, no problem. But, I have one piece of rental property that is about 300 yards from the convenience station on South Lee Street. If I stop there and pick it up and try to drop it off, they tell me I got to drive 19 miles to dispose of it; same type of

waste but just depends on who you are. My request here today is just for Council to review the policy because as it states now it appears to be unfair. I don't believe, and this is my personal observation, that by changing the policy that it is based on what you are trying to drop, it would not add any more cost to the system and it would serve the community and it would put in place a policy that can be administered because the way the policy is now, the employees that are there find it difficult to administer the present policy because they've got to try to figure out who you are when you come in to dispose of waste when you are trying to get rid of the same waste and it helps keeps the County clean because it gives us a place to dispose of the garbage in a convenient way. That is my request, that you review the policy the way it is administered now.

Mr. Davis asked Mr. Edmond to clarify what he means when he said "who you are" is he referring to a citizen of which County?

Mr. Edmond replied, No. I'm talking if I say it's from my home or if I say it is from the rental property, same type of waste, it depends on who you are.

Mr. Wilkerson asked Mr. Edmond whether or not the convenience station attendant would not let him dispose of trash from the rental property, correct? But they let you dispose of the trash from your home.

Mr. Edmond replied, from my home. That's correct.

Mr. Jeffcoat replied, because it is considered as a business.

Mr. Derrick asked, as Chairman of the Public Works Committee, that his committee be allowed to review the policy since this will incorporate information that Chief James and Joe Mergo, Director of Solid Waste Management, are working on in obtaining the number of out-of-county residents who are using the facilities. Mr. Derrick stated Mr. Edmond is exactly right as it is a matter of who lives in the house. He said if the resident of his rental property had taken the garbage then it would have been no problem. But he, as a landlord, when he was asked by the facility operator where the garbage came from and when Mr. Edmond replied "my rental property" he was not able to dispose of it there. If he had said "my house" it would not have been a problem.

Mr. Wilkerson replied, it is his house.

Mr. Derrick said it is a revenue generator and that is what distinguishes the difference.

Mr. Edmond said he understood the intent because a few weeks prior to that he was doing some construction work and he hired someone to dispose of it. But, he is talking about residential waste, it should be what I'm trying to dispose of.

Mr. Wilkerson said he was glad that Mr. Edmond had brought this presentation forward to Council because the intent of the wording of the County ordinance is meant to take care of people that are

not paying taxes on property, etc. and agreed that the “wording” in the ordinance may need to be revisited and changes made.

Mr. Jeffcoat stated at one time he owned six apartments together and had to get a dumpster because it was considered a business and accepted that and suggested to Mr. Derrick during the Committee’s discussion to maybe look at what point you would want to cut it off. Is it just for a house, three houses, etc.

**Executive Session/Legal Briefing** - A motion was made by Mr. Derrick, seconded by Mr. Wilkerson to go into Executive Session to receive the legal briefing and to discuss a personnel matter.

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

Mr. Davis reconvened the meeting in open session.

**Matters Requiring a Vote as a Result of Executive Session** - Chairman Davis reported Council received the legal briefing and discussed a personnel matter during the Executive Session and indicated no motions were to be considered.

**6:00 P.M. - Public Hearing - Zoning Map Amendment M04-05 - 1675 Lake Murray Blvd., Columbia, SC 29210** - Mr. Bruce Hiller, Development Administrator, Community and Economic Development presented the information on M04-05. Mr. Hiller stated that the applicant, Mr. Willie H. Weed, Jr. has requested that a portion of the parcel at 1675 Lake Murray Boulevard be changed from Low-Density Residential (R1) to Neighborhood Commercial (C1). He stated that Mr. Weed indicated on the application that the reason was for future sales that it would be better for the entire parcel to be zoned the same rather than have part of the parcel commercial and part of the parcel residential. Mr. Hiller reviewed the maps and area by using a Power Point presentation.

Mr. Hiller stated the property is approximately three (3) acres and the area of proposed change is approximately 0.38 acres. The current classification for the majority of the parcel is C1 with the portion in question being R1. The application request is to change the entire parcel to a R1 zoning classification.

Mr. Davis opened the public hearing.

**Brenda Ferri, 511 Shadowbrook Drive, Columbia, SC 29210** - I am here because our attorney advised us to try to get this done so that is why my brother, Willie, petitioned for it and applied for it and we are just trying to do what our attorney advises us to do.

**Phyllis Bray, 482 Catawba Trail, Lexington, SC 29072** - The property that is in question is my parents' property. They have deceased and we were advised by the attorney to see if we couldn't get it all zoned commercial.

**Willie H. Weed, Jr., 1473 Fork Avenue, Irmo, SC 29063** - They did a great job on saying what we had to do. But I want to thank Bruce for his beautiful presentation; I think he did an excellent job. I hope you understand what we are trying to do and if any other questions, we would be glad to try and answer them for you.

**Don Meetze, 204 Jim Kleckley Road, Lexington, SC 29072** - We own the adjoining property facing it from Lake Murray Boulevard. Our property is to the right. I am representing the family and we are in favor of it.

Mr. Davis closed the public hearing.

Mr. Jeffcoat said this is the first time that he knows of that Council has had a zoning request in District 6, which includes all of Chapin and a portion of Irmo, where there was no opposition.

**Old Business/New Business** - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Dorothy K. Black  
Clerk

George H. Smokey Davis  
Chairman

Diana W. Burnett  
Assistant Clerk to Council