

MINUTES
LEXINGTON COUNTY COUNCIL
SEPTEMBER 13, 2004

Lexington County Council held a special meeting on Monday September 13, 2004 in Council Chambers, beginning at 6:00 p.m. Chairman Davis presided; Mr. Rucker gave the invocation; Mr. Jeffcoat led the Pledge of Allegiance.

The purpose of the meeting was to approve documents in order for Pirelli Communications Cables and Systems USA, LLC, to close on the sale of a building to a potential buyer on September 29, 2004.

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

*Messrs Carrigg and Owens were absent due to prior commitments.

Also attending: Art Brooks, County Administrator; Larry Porth, Finance Director/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.

Grants - Non-Matching Grant Application to the Junior League of Columbia - Kathryn Barton, Director, Juvenile Arbitration - Ms. Barton stated that the grant would allow the cooperative effort between School District Three, Midlands TEC and Social Work Solutions in offering different services for the juveniles. She indicated that no matching funds would be needed; the amount of the grant would be \$8,550.

A motion was made by Mr. Wilkerson and seconded by Mr. Jeffcoat that authorization be granted to apply for the grant.

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

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| In Favor: | Mr. Davis | Mr. Wilkerson |
| | Mr. Jeffcoat | Mr. Rucker |

Mr. Derrick Mr. Keisler
Mr. Cullum

Executive Session/Legal Briefing - Mr. Davis stated that Council needed to go into executive session to receive a legal briefing on Ordinance 04-07 and to discuss a personnel issue .

A motion was made by Mr. Rucker and seconded by Mr. Derrick that Council go into executive session to receive a legal briefing on Ordinance 04-07 and to discuss a personnel issue.

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

Mr. Davis reconvened Council in open session and reported that a legal briefing was received, a personnel issue was discussed and a motion was in order regarding Ordinance 04-07.

A motion was made by Mr. Jeffcoat and seconded by Mr. Wilkerson that Ordinance 04-07 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. Cullum

Economic Development Project - Project Troy - Memorandum of Understanding - Mr. Davis stated that action on this project would not occur at this time.

Old Business/New Business - Deputy Auditor Position - Mr. Davis asked for a motion to reinstate the funding for the Deputy Auditor position.

A motion was made by Mr. Rucker and seconded by Mr. Jeffcoat that the funding for the position of Deputy Auditor be reinstated.

Mr. Davis opened the meeting for discussion.

Mr. Davis stated that he asked for the motion because it has been suggested that the staffing of the office was needed since tax notices will soon be sent out and this is a very critical time for the office. He added that administration would review the applicant's credentials.

In Favor: Mr. Davis Mr. Rucker

Mr. Jeffcoat Mr. Derrick
Mr. Wilkerson
Opposed: Mr. Keisler Mr. Cullum

Pelion Airport Update - Mr. Rucker asked that Ms. Coghill be allowed to give Council an update on the Pelion Airport leases.

Mr. Davis recognized Ms. Coghill.

Ms. Coghill stated that direction was given to staff that all leases were to be cleared up rather than assuming any leases at the Pelion Airport. She stated that one lessee has sublet his hangar through December 2004. The original temporary lease sent to the lessee by the County would only have allowed 90 days (the County could bail out or the lessee could bail out with 30 days notice); the lessee has indicated that he is willing to sign a temporary lease but has asked that the terms be extended through December in order for the subtenant to occupy the hangar under the terms of the lease with the Town of Pelion. Ms. Coghill stated that initially all tenants were asked to forgo the Pelion lease and enter into a temporary 90 day arrangement with the County. The lessee has already received payment for the hangar through December 2004; the lessee is agreeable to moving forward with the County in whatever scenario but has requested that his subtenant be allowed to stay through December. Ms. Coghill stated that this particular lessee is one of two which has a lease through 2008 and has indicated that he is willing to hold firm on terms of the Town of Pelion lease if the County can not accommodate the subtenant through December. She added that the direction staff has been given is don't close with assuming any of the Town of Pelion leases.

Mr. Davis asked if there was any liability within that time period that would affect any other leases.

Mr. Rucker stated that the question should be addressed to the County Attorney.

Mr. Anderson responded that the decision was Council's; it was whatever they wanted to do.

Mr. Jeffcoat stated that he thought Council had agreed that "we would read off the same page" all the leases would be alike to move forward. If there is one holding up the process, then it would be held up.

Mr. Rucker asked if the lessee was willing to come aboard as of January 1, 2004 if the subtenant was allowed to remain through December.

Ms. Coghill responded, that's correct; go ahead and sign the lease now but leaving the subtenant in place through December. If the County does not satisfy that, the lessee has a lease with the Town of Pelion through 2008.

Mr. Cullum stated that the way he saw it, the town could buy the lessee out or the lessee could come in line with the County's lease so that all leases would be the same or if the sub-lessee wanted to stay

until January and the lease is signed as the others the closing could take place January 2, 2005.

No further discussion occurred. Mr. Davis expressed appreciation to Ms. Coghill for the update.

Budget Amendment Resolutions - The following BAR was distributed and signed:

Transfer of \$107,726.00 to cover the cost of moving the current 9-1-1 center to the new 9-1-1 center located in the new West Columbia Town Hall and to erect a tower to support the radio antennas used in dispatch of the West Columbia Police Department.

Pelion Airport - Mr. Derrick stated that he had a question. Where is Council on the matter? Is Council going to stick with the original proposal in which all leases will be settled before closing?

Mr. Davis stated that he believed that was the last thing Council agreed on.

Mr. Derrick commented, since Council has not changed that, that's still where we are.

Mr. Davis stated, yes, sir, that's the way I understand it and asked if that was correct with everyone else?

Mr. Cullum stated that was his feeling; as he said, the Town could either buy the lessee out or wait until the time is up.

Mr. Davis stated that he agreed with Mr. Cullum to be consistent with every one.

Mr. Derrick stated that he agreed; he wanted to make sure there was no misunderstanding.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Dorothy K. Black
Clerk

George H. Smokey Davis
Chairman