

M I N U T E S  
LEXINGTON COUNTY COUNCIL  
MAY 12, 2009

Lexington County Council held its regular meeting on Tuesday, May 12, 2009 in Council Chambers, beginning at 4:30 p.m. Chairman Summers, presided.

Prior to the invocation, Mr. Davis took a few minutes to remember Mr. William “Bill” Rowell, former County Treasurer, who passed away on May 6, 2009.

Reverend John Wesley Culp, Chaplain at Lexington Medical Center, gave the invocation. Mr. Kinard led the Pledge of Allegiance.

Members attending:	Debra B. Summers	James E. Kinard, Jr.
	William C. Derrick	George H. Davis
	Bobby C. Keisler	Johnny W. Jeffcoat
	John W. Carrigg, Jr.	William B. Banning, Sr.
	M. Todd Cullum	

Also attending: Katherine Hubbard, County Administrator; Joe Mergo, III, Deputy County Administrator; Larry Porth, Finance 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.

**Chairman’s Report** - Ms. Summers reported she participated in the Transit Summit Planning Committee meeting on May 1 and attended the Jail Overcrowding Committee meeting on May 8. Ms. Summers noted that the next Jail Overcrowding Committee meeting is scheduled for July 10. In addition, Ms. Summers thanked Mr. Keisler for hosting the 5<sup>th</sup> Annual Public Safety BBQ given by Caughman-Harman Funeral Home on May 6.

**Council Members’ Activity** - Mr. Banning reported he, several members of Council, and the County attorney represented the County at the Lexington County Law Enforcement Officers’ Association Annual Golf Tournament and Fund Raiser.

Mr. Kinard reported he and his daughter represented the County at Saluda Shoals’ Recycle Regatta on May 2. In addition, he participated in Midlands Tech graduation ceremonies on May 7.

**Lexington High School Economic Class** - Ms. Summers recognized students from Lexington High School attending as part of their economic class assignment.

**Administrator’s Report** - Ms. Hubbard announced that the Administrative offices will be closed on Monday, May 25 for Memorial Day.

**Employee Recognition - Katherine Hubbard, County Administrator** - Ms. Hubbard recognized Debra McDaniels, Record’s Manager in the Solicitor’s Office, as the 2008 Employee of the Year.

Ms. Hubbard reported Mr. Dan MacNeill, Director of Library Services, received a letter commending Lolly Petroff, Librarian IV, for her assistance in coordinating the Vita volunteers who were working at the

library doing tax preparation for low income and elderly taxpayers.

Mr. Rick Dolan, Assessor, received an e-mail from a citizen praising Dawn Risinger, Appraisal Clerk, for helping her with an address issue she was having with her mortgage company. She said it is very refreshing to find the level of customer service she received from Dawn.

Ms. Debbie Gunter, Registrar, received an e-mail from a citizen praising Ms. Sherry Stone, Customer Service Clerk II, when she helped to locate and obtain copies of plats he was seeking. He said he appreciated her kind assistance and friendliness.

Mr. Chris Harmon, Auditor, received a letter from a citizen praising the service he received from Ms. Kashunda Perry, Tax Clerk, regarding a tax bill. He related that, even though it was near closing time, Kashunda was extremely helpful and did not seem to be rushed to get off work.

Chairman Summers received an e-mail from the Governor's office thanking Ms. Diana Burnett, Clerk of Council, for her assistance in resolving a tax bill issue.

**Resolutions - South Congaree Community Kids Kamp, 11<sup>th</sup> Judicial Circuit Law Enforcement Network, and Pelion Police Department** - A motion was made by Mr. Keisler, seconded by Mr. Kinard to approve.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Keisler
	Mr. Kinard	Mr. Derrick
	Mr. Davis	Mr. Jeffcoat
	Mr. Carrigg	Mr. Banning
	Mr. Cullum	

**Appointments - Health Services District - Ernest Rene' Derrick , Jr.-** A motion was made by Mr. Davis, seconded by Mr. Banning to appoint Mr. Rene' Derrick. Mr. Derrick replaces Mr. Wade Keisler.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Davis
	Mr. Banning	Mr. Kinard
	Mr. Derrick	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Cullum	

**Library Board - Sara M. Caldwell** - A motion was made by Mr. Jeffcoat, seconded by Mr. Banning to appoint Ms. Sara Caldwell. Ms. Caldwell replaces Ms. Donna Bower.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Jeffcoat
	Mr. Banning	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Mr. Keisler	Mr. Carrigg
	Mr. Cullum	

**Central Midlands Council of Governments - Earl E. McLeod, Jr. -** Mr. Banning made a motion, second by Mr. Cullum to reappoint Mr. McLeod.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Banning
	Mr. Cullum	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

**Midlands Workforce Development Board - John Allen, A. Eugene Roundtree, Richelynn Douglass, Kama Staton, Doug Bolin, and Chevis F. Ballentine, Jr.** - Mr. Banning made a motion, seconded by Mr. Jeffcoat to reappoint Messrs. Allen, Roundtree, Staton, Bolin, and Ballentine and Ms. Douglas.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Banning
	Mr. Jeffcoat	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Mr. Keisler	Mr. Carrigg
	Mr. Cullum	

**Riverbanks Zoo and Botanical Gardens - Mary Howard** - Mr. Jeffcoat made a motion, seconded by Mr. Davis to reappoint Ms. Mary Howard.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Jeffcoat
	Mr. Davis	Mr. Kinard
	Mr. Derrick	Mr. Keisler
	Mr. Carrigg	Mr. Banning
	Mr. Cullum	

**Bids/Purchases/RFPs** - A motion was made by Mr. Carrigg, seconded by Mr. Keisler to approve the following Bids/Purchases/RFPs (Numbers 1,3,5 & 6 (Tabs P, R, T & U) and delay Number 2 (Tab Q). At the request of staff, item number 4 (Tab S) was delayed for further information.

Mr. Carrigg indicated that he felt the bid quotes were high and wanted the opportunity to further review before taking action.

**Replacement Switches - Information Services** - Staff recommended the purchase of replacement switches for Information Services from Data Network Solutions through State Contract Number 06-S6983-A11898. Total cost, including tax, is \$61,497.32.

**VMWare Server, Software, and Kit - Information Services** - Staff recommended the purchase of a VMWare Server, software, and kit for information Services from Dell through State Contract Number NASPOWSCA A63307. Total cost, including tax, is \$36,309.83.

**Edmund Collection Site - Asphalt Prices - Public Works** - Staff requested approval to allow Public Works a 20 percent variance when purchasing asphalt for the Edmund Collection Site expansion from CR Jackson or Sloan (lowest cost at the time) without having to come back to Council for approval due to the rapid fluctuation in cost of asphalt. The lowest price quoted for April 2009 was \$58 per ton from CR Jackson. Public Works will be paving the project in two phases and has estimated that it will take 640 tons of 1 ½" Type 1 Binder and 854 tons of 2" Type 1 Surface. The original estimated projected cost was

\$125,496 at \$84.00 per ton in August 2008.

**Outdoor Freezer/Cooler Combination Replacement - Sheriff's Department-** Bids were solicited for an outdoor freezer/cooler combination replacement for the Detention Center at the Sheriff's Department. Two (2) bids were received. Staff recommended the award of the bid to Gaston Refrigeration, as the lowest responsible bidder, in the amount of \$50,613.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Carrigg
	Mr. Keisler	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Mr. Jeffcoat	Mr. Banning
	Mr. Cullum	

**Approval of Minutes - Meeting of April 14, 2009** - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve the April 14, 2009 minutes as submitted.

Ms. Summers opened the meeting for discussion; no discuss occurred.

In Favor:	Ms. Summers	Mr. Jeffcoat
	Mr. Kinard	Mr. Derrick
	Mr. Davis	Mr. Keisler
	Mr. Carrigg	Mr. Banning
	Mr. Cullum	

**Summer Meeting Schedule** - Mr. Jeffcoat made a motion, seconded by Mr. Davis that Council meet on the 4<sup>th</sup> Tuesday of July, August, and September (July 28, August 25, and September 22, 2009) and cancel the 2<sup>nd</sup> Tuesday meetings (July 14, August 11, and September 08, 2009) with the understanding the chairman can call a special meeting, if need be.

Ms. Summers opened the meeting for discussion.

Mr. Banning expressed his desire to continue with the twice monthly meetings. He said it is a burden on staff and everyone else to meet only once a month.

Mr. Jeffcoat said he would like to continue the one meeting a month and, if the need arises, the chairman can call a special meeting. He said during these three months, a lot of activities take place as well as scheduled vacations.

Mr. Cullum concurred with Mr. Jeffcoat to meet once a month and allow the chairman to call a special meeting, if the need arises.

Ms. Summers asked staff to advise her if she needs to call a special meeting.

Ms. Summers called for further discussion on the motion; none occurred.

In Favor:	Ms. Summers	Mr. Jeffcoat
	Mr. Davis	Mr. Kinard
	Mr. Derrick	Mr. Keisler
	Mr. Carrigg	Mr. Cullum

Opposed: Mr. Banning

**Ordinance - Ordinance 09-06 - An Ordinance to Amend the Lexington County Code of Ordinances, Chapter 14, Building and Building Regulations; by Adding a New Article Therein for the Purpose of Establishing Regulations and Requirements Related to Smoking in the Unincorporated Area of Lexington County - 1<sup>st</sup> Reading-** A motion was made by Mr. Jeffcoat, seconded by Mr. Banning to approve first reading.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Jeffcoat
	Mr. Banning	Mr. Davis
	Mr. Carrigg	

Opposed:	Mr. Kinard	Mr. Derrick
	Mr. Keisler	Mr. Cullum

Motion passes.

Ms. Hubbard noted prior to second reading, there will be a small administrative change to **Sections D and E** clarifying that the ordinance pertains to the unincorporated areas of Lexington County.

**Committee Reports - Planning & Administration, S. Davis, Chairman - FY2009-10 HUD Annual Action Plan-** Mr. Davis reported the Committee reviewed the revised FY2009-10 HUD Annual Action plan for the Community Development Block Grant and HOME Investment Partnerships programs. Originally on March 24, 2009 in the Planning & Administration Committee, the committee approved the projects that staff recommended for funding. However, HUD did not release the actual allocation amount until May 1, 2009. The actual amount allocated was \$1,500,267 rather than the proposed \$1,418,127. Of this amount, \$1,164,457 was project costs, not including contingency and program administration.

The revised projects are as follow: City of Cayce - \$266,774 - State Street Streetscaping Phase IV; Town of Batesburg/Leesville - \$165,640 - Oak Street Sidewalk; Babcock Center, Inc. - \$15,433 - Activity Center Improvements; Town of Lexington - \$126,500 - George Street Sidewalk; Harvest Hope Food Bank - \$51,765 - Lexington County Emergency Food Pantry; Town of Lexington - \$98,305 - Keeping Every Youth Safe Program; Lexington Family YMCA - \$27,390 - Summer Day Camp Scholarships; Sistercare, Inc. - \$35,650 - Sistercare Facility Improvements; Lexington Interfaith Community Services - \$27,000 - Cargo Truck Purchase; County of Lexington - \$200,000 - Minor Home Repair Program; and the County of Lexington - \$200,000 - Demolition and Clearance Program for a total project cost of \$1,214,457

The FY2009-10 recommended revised projects for the HOME Investment Partnership Program are: Community Housing Development Organizations (CHDO) - \$250,000; Homeownership Assistance Program - \$155,000; and the Housing Rehabilitation Program - \$170,033. The actual amount allocated was \$638,925 rather than the proposed \$546,588. Of this amount, \$575,033 was project costs, not including program administration.

Mr. Davis made a motion, seconded by Mr. Jeffcoat to approve the FY2009-2010 HUD Annual Action Plan.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Davis
	Mr. Jeffcoat	Mr. Kinard
	Mr. Derrick	Mr. Keisler
	Mr. Carrigg	Mr. Banning
	Mr. Cullum	

**Homelessness Prevention and Rapid Re-Housing Program (HPRP) Substantial Amendment** - Mr. Davis reported the committee met to review the amendment to the 2008 Action Plan to HUD for the Homelessness Prevention and Rapid Re-Housing Program. As a result of the American Recovery and Reinvestment Act of 2009, the County will receive \$588,970. The funds will be used to provide homelessness prevention assistance to households who would otherwise become homeless and to provide assistance to re-house persons who are homeless.

Mr. Davis made a motion, seconded by Mr. Jeffcoat to approve the substantial amendment to the Consolidated 2008 Action Plan.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Davis
	Mr. Jeffcoat	Mr. Kinard
	Mr. Derrick	Mr. Keisler
	Mr. Carrigg	Mr. Banning
	Mr. Cullum	

**Justice, J. Kinard, Chairman - Recovery Act Justice Assistance Grant Application (JAG)** - Mr. Kinard reported the Justice Committee met on Tuesday, April 28, 2009, to review the request from the Sheriff's department for the Recovery Act Justice Assistance Grant (JAG) Program application. The following is the Committee Report

Colonel Allen Paavel presented a request to apply for the Recovery Act Justice Assistance Grant (JAG) Program through the Edward Bryne Memorial Competitive Grant Program. Col. Paavel said the County was eligible for \$260,971, a larger amount as a result of the Stimulus Funding available. There is no County match required. The funds will be used to purchase five vehicles and other necessary equipment for five the Resident Deputies requested through the Community Oriented Policing Services (COPS) Residential Deputies Community Program Grant. The Sheriff's department plans to use the five additional deputies to target areas in the following communities: Red Bank, Dixiana, Irmo, East Lexington/Three-Fountains, and Gaston. (After the end of the grant, the Sheriff's Department will pick up the Resident Deputies' operating cost through taxes and revenue that is collected through the year.)

The Justice Committee voted unanimously to recommend that full Council approve staff's request to apply for the grant.

Mr. Kinard made a motion, seconded by Mr. Derrick to approve staff's request to apply for the grant.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	Mr. Banning
	Mr. Cullum	

**Health & Human Services, J. Jeffcoat, Chairman - 2009 Local Emergency Management**

**Performance Grant Award** - Mr. Jeffcoat reported the Health and Human Services Committee met to consider the acceptance of the 2009 Local Emergency Management Performance Grant award in the amount of \$69,275, which required a County in-kind match of 82,236. The award represents \$37,067 for personnel, \$17,273 for special project, \$900 for hurricane/EM workshop, \$4,819 for the WebEOC, and \$9,216 for the emergency communications network (ECN).

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

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Jeffcoat
	Mr. Banning	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Mr. Keisler	Mr. Carrigg
	Mr. Cullum	

**Conservation Assessment Program Grant Award** - The committee also discussed the acceptance of the Conservation Assessment Program grant award in the amount of \$7,190, which required a \$670 match. The match will be funded by the Friends of the Museum.

Mr. Jeffcoat made a motion, seconded by Mr. Kinard to accept the grant award.

Ms. Summers opened the meeting for discussion; no discussion occurred.

In Favor:	Ms. Summers	Mr. Jeffcoat
	Mr. Kinard	Mr. Derrick
	Mr. Davis	Mr. Keisler
	Mr. Carrigg	Mr. Banning
	Mr. Cullum	

**FEMA Assistance to Firefighters Grant Application** - The Health and Human Services Committee met on Tuesday, April 28, 2009, to review Fire Service's request for the FEMA Assistance to Firefighters Grant application. Following is the Committee report.

Chief Russell Rawl presented a request to apply for the FEMA Assistance to Firefighters Grant in the amount of \$273,000. The grant requires a twenty percent County match of \$54,600. The funds would be used for a new automated Firefighter Accountability System that would replace the existing system. Chief Rawl reported that Fire Service is required to track personnel on emergency scenes to be able to account for them at any time. Firefighter accountability is a requirement of the National Fire Protection Association and South Carolina OSHA. The current manual system has been in use since the late 1980s and does not allow for updates. The new automated system would be compatible with the system used by the South Carolina State Fire Mobilization Plan including over thirty-five fire departments in the state. Staff has included the match in next year's budget.

The Health and Human Services Committee voted unanimously to recommend that full Council approve staff's request to apply for the grant.

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

Ms. Summers opened the meeting for discussion; no discussions occurred.

In Favor:	Ms. Summers	Mr. Jeffcoat
	Mr. Banning	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Mr. Keisler	Mr. Carrigg
	Mr. Cullum	

**Budget Amendment Resolutions** - The following BAR's were distributed and signed:

09-075 - An appropriation transfer of (\$67,820) from "C" Fund projects to contingency. In January 2009, SCDOT showed that the County had an uncommitted balance and this transaction reverts the fund balance back to the County.

09-078 - A supplemental appropriation increase in the amount of \$237,123 for funds received for the paving and construction of Taylor Road.

09-079 - A supplemental appropriation increase in the amount of \$2,474.91 as the result of a vendor having to forfeiture their bid bond. The vendor, who had been awarded the contract, later said they could not perform the work for their bid amount.

**Executive Session/Legal Briefing** - A motion was made by Mr. Kinard and seconded by Mr. Derrick to go into Executive Session to discuss one remaining contractual matter. During the earlier Committee of the Whole, Council discussed one personnel matter and two contractual matters with no motions to be considered.

In Favor:	Ms. Summers	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	Mr. Banning
	Mr. Cullum	

**6:00 P.M. - Public Hearings** - Prior to opening the public hearings, Ms. Summers reviewed the guidelines for public hearings. She stated that the purpose of the hearing is to obtain comments from proponents and opponents regarding specific subject matter. She asked that each speaker provide their name and mailing address and that comments be limited to three (3) minutes. Ms. Summers asked that if there was anyone present who had signed up to speak but chose not to speak, but wanted to concur with what has been said, it was acceptable to indicate concurrence. Also, Ms. Summers said there will be no disruptions including cheering, clapping, head counts, etc.

**Lexington High School Government Class** - Ms. Summers welcomed students from Lexington High School's government class who were in attendance to observe how Council conducts public hearings.

**Solid Waste/Processing Facility Application SW09-01 - EarthCare Recycling, LLC** -

Ms. Summers opened the public hearing for comments from those in opposition to Solid Waste/Processing Facility Application SW09-01.

Mr. Dave Eger, Director of Solid Waste Management, presented information on SW09-01. He stated that the applicant, Jason Wilkie, requested an approval to construct and operate a recycling processing facility for concrete, asphalt and brick at 349 Buck Corley Court in Lexington. According to procedures, the application was advertised, adjacent property owners were notified by mail, and the property was posted. A site plan was submitted and approved by the County's zoning department. Currently, the firm operates a mine for sand and sand clay and reprocesses concrete, asphalt and brick from materials generated primarily from their own operations. The expanded operation will be placed in the southwestern corner



of the property in the lowest area of the existing sand/clay mine and, to meet zoning requirements, will need to be bermed to control the noise. Mr. Eger reviewed the maps and area by using a Power Point presentation.

**In Opposition:**

**Jeff Barton, 1610 South Lake Dr., Lexington, SC 29073** - In addition, I will be speaking for Lillian and Willard Arrants who live at 1600 South Lake Drive and Jon Shadlow of 1604 South Lake Drive. We are opposed to the plant basically for the noise and air hazards, the environmental dust or pollutants it might cause. It is right above that pristine pond off Hwy. 6. We are worried about the runoff from the property, as well as the dust and noise contamination. It is quite a large area; it is five acres. It covers most of that hilltop. It is east of the new ball field and sports complex that Lexington County just put in, and I would imagine with crushing concrete and asphalt that they are already doing, it gets pretty dusty. We are worried about the dust that will come off of the additional acreage that they are putting in and crushing and any runoff that might be caused by the facility itself. We are concerned if they are going to have a holding pond and where the drainage will go when it does go. Thank you very much.

**Elizabeth Folin, 1520 Knotta Haven Trail, Lexington, SC 29073** - I concur.

**Todd Schofield, 1146 Nazareth Rd., Lexington, SC 29073** - Didn't know it was concrete only, but I want to make sure of that because two years ago, Mr. Keisler and Mr. Knotts were there, we had petitions signed to make sure there was not a recycling center put on that property and it was proposed to be right there against Buck Corley and Nazareth Road so nobody would see it. I kept trying to tell them that my house was right across the street. Second thing is the dust that Mr. Barton talked about. How about the vibration? What kind of equipment is being used? Because if you have enough, you can rattle somebody's foundation. So we need to be concerned about that, too. I am opposed to it because it looks like, possibly in the future, they are going to try to put a recycling center there, too. That is just not right because discussion came last time is that we have one on Ball Park Road and we have one over there by John Deere. And I said, yes, the one over by John Deere was on Cromer Road to begin with but it was moved down on Corley Mill Road and people down on Corley Mill Road didn't want it right beside the landfill it was on, so they moved it over by John Deere by the highway. The one on Ball Park Road has been there since the early 1970s and all the subdivisions built around it. That's my concerns about it. Thank you.

**Gene B. Chestnut, 195 Buck Corley Rd., Lexington, SC 29073** - The question I have and my concerns are, the hours of operation and the incoming and egress of the trucks. Last month they were coming in and going out at 4:30 in the morning and coming back in after 11:00 at night. You've got school children who live there, and I live right there on the corner. When they stop there with their airbrakes, you will know it. It is a lot better since they paved the road; Mr. Wilkie paved the road. But, my concerns are, and I would like to have some stipulation placed on the times they can run these trucks because I know it will be an increase of trucks. Other than that, we were a quiet neighborhood in a subdivision. In the future, I would hope that County Council would consider before they allow something like this going into a quiet neighborhood the egress for our protection, as well as in the future. Thank you.

Mr. Derrick asked Mr. Eger if there are any stipulations regarding the hours of operation.

Mr. Eger replied according to the zoning requirements, it is 7:00 a.m. to 7:00 p.m.; Monday through Saturday.

Mr. Derrick asked who enforces those hours.

Mr. Eger replied, the Zoning Department.

Mr. Banning asked staff to investigate the issue that Mr. Chestnut addressed regarding the hours of operation, as well as any additional complaints.

**Theodore Watkins, 307 Buck Corley Court, Lexington, SC 29073** - I concur.

**Richard Tedder, 131 Buck Corley Rd., Lexington, SC 29073** - Thank you for letting me be part of this tonight. I own property on Vernon Drive, which is adjacent to Buck Corley Road. I have heard the noises behind my property. I have four and one-half acres on Buck Corley Road. I was raised in Olympia around the rock quarry, and I know what the dust will do for you. I know what the noise will do because I have been listening to it all my life. I have been in Lexington County for 25 years. Regarding the runoff from this property, I spoke with one of the gentlemen earlier today trying to find out exactly where the site was going to be and at the present time, it does not affect me. But, all the water that comes off that hill where this establishment is located comes through my property. We have drains down in front of my property to take care of it, not one drain, but two drains. I put up a 48" fence. The water has filled it in so much that I put a paved driveway in until it is half way up that fence. That tells you how much water comes down that hill and how much of a washout we have right in that area. Now they just paved the road in that area and I showed them where the drain used to be, it was covered up with dirt, hoping they would run the drain to the corner of the property rather than coming in the front because I had a beautiful piece of property there at one time but the road came in and destroyed that. I am strictly against this establishment of having a permit to do this type of work up there. I feel like with their revenues they can find somewhere farther out in the country to take care of this type of process. I heard noises back there, but I didn't know what was going on because I am not the type of person to go out and investigate. Mr. Willard Arrants owns the pond right behind me. (Using the map, Mr. Tedder pointed out his property). If you went and looked at the layout of the property, you can see that the road goes uphill and then downhill and all the water from that facility will be coming down and going to Mr. Willard Arrants' pond and across my area. I am strictly opposed to it. I am opposed to the noise, and I am opposed to the dust. I don't have anything against the company. The guys that I talked to, they were very nice, but I put my thoughts together and I said, we don't need that in our neighborhood. We already have three dumps out there. One on the corner of Nazareth Church and Hwy. 6 and we've had a dump at the corner of Buck Corley Road and Nazareth, which is an open dump years ago, and we have a dump on Hwy. 6 where you used to go in and throw your garbage out and they would take a backhoe and pick it up and put it on a truck and haul it off. Now we have a nice facility there. We don't need another dumping site in the area of Buck Corley Road, Buck Corley Court or any area around Nazareth Church at the end of Nazareth Church Road. I am strictly opposed to it. I wanted to come tonight because I feel like I owe this, not only to myself, but to my neighbors in this audience that they need to know what is going on. Thank you.

**Susan Allen, 202 Buck Corley Rd., Lexington, SC 29073** - Thank you for allowing me the opportunity to speak. My concerns are the same - the noise, vibrations, and time of operations. He is talking about 7 a.m. to 7 p.m. the time it is zoned for operation. Is that for the operation of the equipment or for the trucks coming in and out?

Ms. Summers replied both.

I believe as my neighbor had mentioned before, the vibrations of the trucks right now are way earlier in the morning; I believe he said 4:30 a.m. I'm not sure that I knew it was at 4:30 or that I actually heard them at 4:30, but I know it has been before 7:00. I have actually heard them at 11:00-11:30 p.m., not real often at that time, but at least after 8:00/9:00 p.m. Also, I hear the ding, ding, ding, which I'm not as close as some of the houses, but I hear the ding, ding, ding of the equipment backing up and going forward and all that after those hours. The vibration is a big concern to me because we are on sand and I know when the roads were being paved and operating equipment, my house shook. I know Mr. Chestnut told me that when they were testing the equipment, supposedly that was because they were running on a generator, but I'm not sure that wouldn't happen with the three-phase power that they just pulled in. That is one of the concerns. One other thing that concerns me is if it goes forward and does get approved, what

if we have problems afterwards with air pollution, runoff, or after hour operations. Therefore, I am concerned about it and would like to know more about it. Right now I am opposed to it just because I need to have answers. Thank you.

**Laurel Howell, 174 Buck Corley Rd., Lexington, SC 29073** - I am speaking on behalf of my husband, Gerald, and our children. Some of the people have already addressed some of the concerns of traffic. There is a lot of traffic on Buck Corley Road. There are a lot of small kids that live on our road. Who is going to monitor these trucks? People fly up and down our road. I have grandchildren that play in our front yard and we watch them. I want to know that my grandchildren are going to be safe. Thank you.

**David Whetsell, 165 Cannon Trail, Lexington, SC 29073** - We also own property on Vernon Drive. It is a little narrow lot butting right up to the County property, and we are considering developing it. But, would you want to put your house or mobile home there, especially with a thrashing plant around. It is right by a park; children play there. You have big trucks running. What is going to prevent children from running over on Buck Corley Court or even on Buck Corley Drive when the trucks are going in and out? These things can't stop on a dime. Like the one gentleman asked, have you ever been around a quarry? You are going to know of the vibrations, the noise, the dust, and the pollution of the runoff. This is now not an industrial site; this is a residential area. It would make more sense to put this plant at the landfill. You have many acres there and no one lives around it because I go by there all the time. I just don't think that this is a very good place to put a crushing plant. Who is going to fund this, the County? It's free?

Ms. Summer replied, it's a private business.

Who is going to control the private company? The voters can control you, but who can control the private company. So if they go in there, they are going to pretty well do as you please, and they are going to have millions of dollars to fight people in court. I strongly oppose putting this crushing facility here. It should be put someplace like the landfill out in the county where not many people live because it's going to continue developing in this area. You can look up there and see large tracts of land. Do you think developers are going to put it up beside something that makes all that noise, the vibration and pollution? That is why we oppose, and I'm sure most of the people who live in the area oppose it also.

**Jon Shadlow, 1604 S. Lake Dr., Lexington, SC 29073** - Some of the questions came up that I was interested in, when I thought about it, was a noise ordinance. Is there going to be any lapse in the ordinance as far as if there are any \_\_\_\_\_ that aren't covered? Is that going to be enforced? One of the things brought up was the amount of vibration. I think one of the things that didn't come up because it's not a typical quarry type atmosphere is, are there going to be chemicals that are used and what kind of chemicals would there be? What kind of effect would it have on the environment and wildlife, because I live in between Ms. Lillian Arrants and Jeff Barton, and the pond is beautiful? I don't know if you have ever been down there. It is full of fish, ducks, and other wildlife and the area around there is just beautiful. I would hate to see that in any way destroyed. Has there been any other areas that have been looked at that would be more appropriate, more an industrial area? Also, the taxes. I assume that the wear and tear on the roads is not going to the private company. It is going to come out of the taxpayers' dollars. Again, back to an industrial area versus regular residential areas, which it primarily is. Thank you.

**Raymond Moore, 248 Crown Point, Lexington, SC 29073** - Has an environmental impact study been done on this, and we haven't received anything like that. Notifications that there has been a study done. Has there? Do you know?

Ms. Summers replied, no sir.

So, we don't even know what the impact on the environment is going to be before we propose to do this,

is that correct?

Ms. Summers replied, I'm sure that they would have to pass certain regulations themselves. They are regulated as a industry.

No, ma'am. You folks are protecting us; you work for us. And what I would like to know is that before someone comes over here and devalues my home, have they done an environmental impact study? What is the impact going to be on the community as far as people's pets that are outside sometimes? You have a park next door where kids are going to be playing; you have the traffic going back and forth over there. The woman mentioned about the vibrations at her home. That is a serious concern. That is a very serious concern. We all built on sand over here. We cannot have this woman's home being destroyed by something like this and that's why I'm curious to who approved going forward with this? If the community doesn't say no, who is the one that is going to tell us what the impact on our community environment is going to be?

Council responded, DHEC.

DHEC. Would they have not done a study yet?

Mr. Cullum replied, it may not be required.

Ms. Summers said Council was not here to answer questions. We appreciate your concerns and are here to listen to your concerns, not answer questions.

How am I going to give an informed decision on whether I am in favor or whether I am opposed without an environmental impact study? Did they do a study?

Ms. Summers suggested that Mr. Moore contact DHEC.

We built a beautiful park over there that we paid for as a community. They have all kind of events there, equestrian events. People spend a lot of money to go there. They have the motor cross and the ball field. Can you imagine the smell, the terrible odor, not to mention the rats that are going to be crossing through that park probably on their way to the lake to get water or whatever. I am absolutely opposed to this, even without the environmental impact study. I purchased my home with the intention of it being valued. This is, to me, in the wrong spot for something like that to be. Somebody mentioned an industrial area. There are plenty of industrial areas. Who are the private people that are paying for this? We don't know that either. Is it Wal-Mart? Is it Lowe's? Who is paying for the park?

Ms. Summers stated that the application had the applicant's name on it.

The land is owned by us, is that correct?

Ms. Summers replied, no, sir.

This land is owned by whoever is proposing the site?

Ms. Summers replied, yes, sir.

Mr. Mergo interjected to say in the past DHEC (Department of Health & Environmental Control) was the only agency that would govern what went on in our County and our County Council took a proactive approach to amend the County's Solid Waste Plan to put in parameters that allowed citizens to come and voice their opinions locally without relying on DHEC to do just what they wanted to do without the County having a say so. And, this process was put in place by you, the Council members, so that the

citizens could actually come and voice their opinion here. While DHEC still has to provide the permit for this facility, this County can control, now based on the decisions that this body took, whether those things can go on or not and have a say so, where before we didn't until this body took the action to allow our citizens to be able to share that voice.

Mr. Derrick said there were concerns of rats and other varmints and reiterated that this was a recycling facility for crushed concrete, asphalt, and brick. Any emissions that would come from this site would be under the purview of DHEC. Even though there wasn't an application made to DHEC, because it is not required, any emissions would fall under their jurisdiction because we are a non-attainment county. We have to make sure that we don't have dust and particles going into the air to mess up our environment. We would never dare let anything be built in Lexington County that would cause us to be further into non-attainment, as we already have enough problems with air quality.

Mr. Jeffcoat stated when you have any questions or concerns as were posed earlier, you deserve an answer and Council will help you obtain those answers, even though it may not be the answer you want. He asked that Mr. Moore, and anyone else who had questions or concerns, to contact Mr. Eger and he will make sure you receive an answer(s) to your question(s). Mr. Jeffcoat said the public hearing is not a question/answer session but is designed for Council to hear from the public of any concerns they may have in order for Council to make an intelligent decision.

Ms. Summers stated no one else had signed up in opposition and closed that portion of the hearing.

Ms. Summers opened the hearing for those in favor.

**Walter Haversat, 339 Buck Corley Court, Lexington, SC 29073** - Mr. Haversat left prior to speaking.

**Rodger Keels, 331 Buck Corley Court, Lexington, SC 29073** - I am for and I also work for J.C. Wilkie Construction. I live three doors down. The vibration is not, I have never felt any vibrations. The roller packing the road before we had it paved was more vibration. There are also planning to put it in a 50 ft. hole, maybe deeper. So if you are talking about runoff, there is nowhere for it to run. I am one of the truck drivers who drive up and down the road, and I have heard people complaining about the drivers going in and out, but what you don't understand is, there are two different separate issues. The construction side of the company goes in and out. But, as far as the stuff (brick, rock, etc) coming in for the recycling, it is limited. Yes, we do go out early in the morning to do construction jobs away from the company, and we do come back late at night.

**Mike Greer, 301 Buck Corley Court, Lexington, SC 29073** - I know a lot of people have asked questions, and I don't have any strong opposition. When the road was being paved, the machine that did vibrate the road caused more racket than the crusher. Matter of fact, the crusher was running today, and I heard it and it was not really causing any vibration or anything. I spoke with J.C. Wilkie with my concerns. One of the things that I was looking at was the cost of recycling asphalt and concrete and what it would save the county as far as roads and such. I was also told about the processing of asphalt and how you can eliminate a lot of oil used by recycling older asphalt and J.C. Wilkie assured me that the machine was going to be put underground, 20 feet under, so any vibration or noise would be blocked. I trust him. I have had issues at one time with a vehicle that was going too fast and I called him, and he took care of it. He also called me to make sure that I was happy and satisfied. I have also noticed, in the defense of his drivers, I have never seen them barreling down the road, and I believe they have only one entrance they can come in, it runs along the side of the ball park. I would say I have heard a lot more noise, good noise, from the ball park and such that would probably concern some people more than what this would. I want to thank you for the ball park; it is a wonderful thing. Thank you.

**Jason Wilkie, 349 Buck Corley Court, Lexington, SC 29073** - I am with Earthcare Recycling and J.C. Wilkie Construction. We are currently operating a recycling facility where we recycle only our concrete,

asphalt, and brick. We feel that the site has a major benefit to the environment; it reduces new quarry sites and it reduces new landfills. Just from the standpoint of this material, it would be headed directly into a landfill if we did not recycle it. In the recycling of it, it is reused in roadways and the like and it takes away from the new quarry use also. It does benefit the economy from the standpoint that it gives competition to the quarries. Right now the quarries have really gone to raising prices. This gives the County, contractors, and everybody an option and gives the quarries some competition. It may be small, but it is a benefit. The noise - we are very concerned about the noise. We want to do things to help with the noise. Our idea, as well as the Zoning Department and Mr. Eger, was that the crushing plant would move from the current location, which is on top of the hill, to a pit which is 20 feet deep. It is a mine approved by DHEC that is 20 feet deep and has a 6 foot berm around the sides of it. There would be no runoff from that just because of it being in a hole. We all know about the sand land around here. The hole does not hold any water, it takes it and goes on. We have also had SCE&G run 3-phase power. One of the crushers is 3-phase electric so it will reduce one of the engines that has currently been running and cut our engine usage down to one instead of two. A hundred percent of what comes into our site will leave the site in some recycle form. There will be nothing buried, nothing left on site. It all comes in and goes out. It will not be anything left there. Currently, Lexington County has a contract with us to provide crushed concrete in the form of crush and run for \$7.50 a ton. As I understand it, Lexington County has to pay \$9.50 at the quarry in Cayce. We feel it is a cost savings to the County and to the taxpayers. We are more centrally located in the County, being in Red Bank, so it also saves on the County's freight to pick up these materials. All-in-all, I believe it is a tax savings and a benefit to the overall Lexington economy to have this. I would also like to address some of the questions that were asked.

We want to be good neighbors. We contributed equipment for usage for the BMX track. As I understand it, it was a group effort and we donated equipment for the construction of that. We also worked with the County and contributed on the paving of the road. We felt like that was a major benefit to the neighborhood because, as I understood it, we were so far down the list that it was going to be 75-100 years before the road would ever be paved based on the current schedule and we didn't ask for anything from the neighbors. We were asked if we wanted to and we chose to handle the paving of the road. So, I do feel like we want to work with the neighbors and help the neighbors. I care very much about the Arrant's pond; I love it. I ride by it often, and I don't want to see anything happen to it. Again, the fact that we are down in a hole, I believe, will prohibit anything from impairing that pond. It wouldn't be any runoff or any problems like that. We do currently have a SC DHEC air permit for both of our crushers, completely approved by DHEC. We are not emitting anything that would be any hazard or harm or anything like that. Vibrations - the crushers have been on site running for over a year. I have not had any complaints from vibration as of yet and again, it has been sitting on top of the ground. When it goes down in that 20 foot hole, I think it will even be less concerns of any vibration. Someone mentioned a dumpsite, this is not a dumpsite. This is an orderly fashion. We stockpile the concrete in one area, the brick in one area, and the asphalt in one area. When we build up the proper amount to run the crusher, we then run it. It does not run every day. It may run a week every two months, something like that. It does not run every day, and it will not run every day. We couldn't get in that kind of material. There are no chemicals. We are strictly bringing these three products in and recycling them and sending them back out.

Mr. Banning asked if he has had any complaints about runoff and dust since he has been in operation.

Mr. Wilkie replied, no, sir.

Mr. Banning asked if he has had complaints about any air problems.

Mr. Wilkie replied, no sir.

Mr. Banning asked if it is absolutely no way that there could be runoff currently or in the future from the facility.

Mr. Wilkie replied, not from the recycling operation. We are on a hill. Our office sits at the top of the hill. There would be more likelihood of runoff from our gravel parking lot then from the recycling center.

Mr. Banning asked if he had invited the neighbors to visit his facility to see the operation.

Mr. Wilkie replied, several of them, I have. The one fellow, I saw him, but he had to leave. I have spoken to him recently and he was in favor. He has and two of the other neighbors have. I have not invited them all, and I would welcome anyone on Council and any of the neighbors. We are not trying to hide anything, which is absolutely a fact. We would welcome that.

Mr. Cullum asked how long he had owned the site.

Mr. Wilkie replied, four to five years.

Mr. Cullum asked if it has always been used for some type of construction.

Mr. Wilkie replied, I think it is zoned construction services, something of that nature. We have used it as a location for our trucks. We do currently have a DHEC mining permit and we mine sand, sand/clay, and topsoil out of the site and it has been used for that from the onset.

Mr. Cullum asked, what is the general truck traffic?

Mr. Wilkie replied, we have four trucks.

Mr. Cullum asked if his four trucks are the only trucks that come in and out of that facility.

Mr. Wilkie replied, not entirely. Being that we have a mining permit, every now and again, someone does come in. There are days that the truck traffic is heavy; there are a lot of days the truck traffic is light.

Mr. Cullum asked if it could be 100 trips a week, 20 a day.

Mr. Wilkie replied, if we are hauling out of there, probably so. But, again, most of our jobs might be hauled out of there for a day or two and then we may go a week and not haul anything.

Mr. Cullum asked if there is any type of dust suppression. Do you use any sort of wet down, etc?

Mr. Wilkie replied, we do. When there is any dust, to speak of, we have a water truck and in a lot of cases, we do run our well for the purposes of dust suppression on the crusher itself. If we have dust leaving the conveyors, we wet it down and keep it under control.

Mr. Banning asked the current hours of operation.

Mr. Wilkie replied, the neighbors are absolutely correct. There are times where we have a company that needs material and needs us to start hauling for them at 4:00-5:00 in the morning, but that's not the norm. But, our truck drivers will come in for that.

Mr. Banning asked Mr. Eger if that is in violation of the County's ordinance.

Mr. Eger responded, there are really two operations there. He has his current trucks and maintenance shop there. From that standpoint, there aren't any requirements.

Mr. Banning reiterated in the construction business there is no limit on the hours of operations.

Mr. Eger replied, correct. But, as far as the request before you, that would require 7:00 a.m. to 7:00 p.m.

Mr. Banning responded, the crushing facility itself. What hours is the crusher operating?

Mr. Wilkie replied, it operates typically starting at 7:00 – 7:30 a.m. and normally quits between 5:00 - 5:30 p.m.

Mr. Banning asked if he was aware that the County's ordinance is from 7:00 a.m - 7:00 p.m.

Mr. Wilkie replied, absolutely.

**Amy Hanks, 335 Buck Corley Court, Lexington, SC 29073** - I am in favor.

Ms. Summers stated no one else had signed up in favor and closed the public hearing.

**Solid Waste/Processing Facility Application SW09-02 - Refresh Services, Inc.** - Mr. Dave Eger, Director of Solid Waste Management, presented information on SW09-02. He stated that the applicant, Tony Atkins, requested an approval to construct and operate an in-vessel food residual compost facility at 2293 Two Notch Road. According to procedures, the application was advertised, adjacent property owners were notified by mail, and the property was posted. A site plan was submitted and approved by the County's zoning department.

Mr. Eger said the company plans to construct an in-vessel composting facility for food residue collected from local markets, restaurants, etc. and will process up to 4 tons of food waste material per day. The process does not require any storage of incoming food since all the material is loaded directly into the processing drum. The facility does include room for storage and the sale of the processed compost. Mr. Eger reviewed the maps and area by using a Power Point presentation.

Mr. Derrick said in your previous presentation to Council, you stated this would be a completely contained operation with no smell, emission, or residue left on site and the only thing we are going to have after the process is good compost material.

Mr. Eger replied, that's correct. He said the applicant spoke with Synithia Williams, County's Environmental Coordinator, to discuss the air issue and about the only thing you will have emitted is some CO<sub>2</sub>. Mr. Eger said he is familiar with this type of operation. He said when he was in the District of Columbia area there was a huge plant there that actually ran solid waste material, which is everything that comes in. However, this facility is just going to be food waste collected from local establishments.

Mr. Banning asked if the property site is currently zoned for this type of operation and, therefore, does not require any zoning changes.

Mr. Eger replied, that's correct.

Mr. Cullum asked for clarification if the material is also going to be retailed on site.

Mr. Eger replied, that's correct.

Mr. Cullum asked how the compost will be distributed. Will it be packaged?

Mr. Edger replied that the applicant would need to answer that question. However, he explained that the material will be coming off at the end of the drum and piled up and then it would be sold, probably in truck loads.



Mr. Cullum replied, so the material will be outside the container.

Mr. Eger replied, that's correct; since it is composted.

Mr. Cullum said he understood it was self-contained.

Mr. Eger replied, it is self-contained as far as the food waste going in and running through it. As he understands the process, the drum turns very slowly, the waste is in the drum, and after it goes through the composting process (72 hours to 3-4 days) it then will come out the other end fully composted. The temperature reaches 135 -150 degrees fahrenheit in the drum.

Mr. Cullum asked, all food products?

Mr. Eger replied, that's correct?

Ms. Summers opened the public hearing for comments from those in opposition to Solid Waste/Processing Facility Application SW09-02.

**In Opposition:**

**Jeff Barton, 1610 South Lake Dr., Lexington, SC 29073** - I will give my time to someone else.

**Jon Shadlow, 1604 South Lake Drive, Lexington, SC 29073** - My understanding is that you said there were some CO<sub>2</sub> emissions. One of the things that would be a concern again is, isn't CO<sub>2</sub> one of the things that is deteriorating our ozone? How much CO<sub>2</sub> is it when you say some? The other thing is, doesn't it also create methane gas?

Mr. Eger replied, no.

So, actually we are cutting down on some of the methane by doing it. Again, I am really into the wildlife preservation side of it. Does it have any effect on our wildlife? Has anything been studied as far as that goes? Thank you.

**Sara Wilson, 2120 Two Notch Rd., Lexington, SC 29072** - I don't have anything to say.

**Elton Wilson, 2120 Two Notch Rd., Lexington, SC 29072** - I'm sure all your fellows and ladies had a good Mother's Day dinner. Did you smell anything when you went into their kitchen? These people tell him that no scent comes from all these cooked foods. A friend of mine told me he was close to one of these plants and said it had a stink all the time. You remember a plant over there that was shut down when it killed all the fish between here and the rivers – all that stuff was suppose to have been great. In fact, some people tried to get me to say no, we don't need that man over yonder. Look what they have been doing in Columbia, but yet they came in and did whatever they wanted to do and they didn't train their employees. They just did it the way they wanted to and look what happened. But anyway, it is hard for me to believe that this in-vessel composting process does not require any storage for incoming food materials and does not produce odors or attract insects or rodents. Please investigate these people. Go to their plant and prove that they don't stink. I don't want to smell it because the wind blows from where they are going to build this thing from the west right over my house. Please go to these plants and see what they do. They will tell you anything to get the plant. I am for you getting jobs; we need jobs here in Lexington County. I am for it 100 percent, but I don't want some jobs. I am glad that Shredders are going back down the road. I understand the tire people are going to buy that property. That's a pretty rackety place up there. But, it doesn't bother us because we are down on the other end of our property. But, please investigate these things. It might save your job. We depend on you doing it.

**Atul Gawai, 2271 Two Notch Road, Lexington, SC 29072**- I speak on behalf of my wife, Rita Gawai also my uncle who is right next to me. I reside at 2271 Two Notch Road. My uncle is right next to me, Satish Rabordaie who lives at 2275 Two Notch Road. Also, on the list you have Alan Soniker. He just left and lives at 2233 Two Notch Road, which is in front of my house. I am a legal immigrant from India who made a home here in Lexington County, now a citizen of the United States of America. When I came to Lexington, it was the most beautiful place I could find to live. My biggest concern over there is the in-vessel composting process. After that, they are going to sell it, the products over there. Naturally, there is going to be smell. I don't know how much they will sell. Any time you do any kind of composting of the food material, even if they say the raw material will not be stored on the premises, but I hope every time they bring it in they are going to process it. But, it is going to be sold over there. So, one of the biggest concern whenever there is the raw material they are bringing in over there on the facility and though it is not going to be stored, there are going to be problems with rodents and the odor. The odor is the biggest concern we have as a resident and on that premises that we are living and my place is right adjacent (pointing to the map)... that big lot that you see over there, that is me which is on that side over there right next to... on the left is my uncle, on the front is my other uncle. We all live as a family over there on that property. So, those are our biggest concern about the smell. We have children that are playing over there. Also, the material is going to be sold over there. So, as said earlier, whatever this is, I don't buy it that it is not going to be an odor or there is not going to be any kind of insects. It is going to be over there and that is one of the reasons on behalf of all these families, I stand to oppose it.

**Sushil Londhe, 2267 Two Notch Rd., Lexington, SC 29072** - I stay on the property where they are going to have this facility, just right next to my back yard and front yard. I am going to be immediately affected by this facility. My daughter is expecting a baby and all this things will be a cost to our health, to our environment, and to our day-to-day living. Our privacy will be gone. We have been living for 12 years out there and it will be nice to live there, it was no problem. And next, to it is a concrete plant, next to it will be this plant, so I will be jammed packed between both these plants, and I am going to get affected directly. My life is going to be a disaster and it will be a real mess in my life. The second thing, they say this is a compost facility. Now they are going to bring some cockroaches maybe the snakes and all that kind of stuff come with that. You're aware of that, you know that. So I don't have to say much. All I want to say is that I don't have to oppose it, I'm saying is that I am going to be affected by this facility directly to my health, to my environment, to my daughter's baby, my wife's health, and my health and my neighbor's health is going to be affected, and, therefore, I request the Council and the members of the Council and the chairman to please consider this request and give us favor. That's all I ask. Thank you very much.

**Sundina Londhe, 2267 Two Notch Rd., Lexington, SC 29072** - I concur.

**Satish Raiborde, 2275 Two Notch Rd., Lexington, SC 29072**- I concur.

**Allen Sonekar, 2233 Two Notch Rd., Lexington, SC 29072** - Mr. Sonekar left without speaking.

**Jeff Barton, 1610 South Lake Dr., Lexington, SC 29073** - I was a diesel mechanic, and I worked on diesel trucks and the diesel trucks I worked on were garbage trucks. They picked up all kinds of solid waste, and I can guarantee you that when a truck comes in full of waste, either food products or whatever, it comes in with all kinds of stuff on it. And, I don't want to mention what comes on it, you know when it comes in. But, you can't stop what comes in on a solid waste truck in waste management. It is going to come in that way and whatever is on it, is going to come off of it until it goes out and it is still going to be dripping when it gets out. I am all in favor of recycling. I love recycling, and I think it is beneficial to the County. I just wanted you to think about the trucks coming in and going out with the solid waste on them.

Ms. Summers stated no one else had signed up in opposition and closed that portion of the hearing.

Ms. Summers opened the hearing for those in favor.

**In Favor:**

**Tony Atkins, 106 Waxhaws Trace, Chapin, SC 29063** - Our business currently operates off Swartz Road right here in town. I work with Refresh Services. I want to talk to you a little bit about the in-vessel system just to make sure that we clear up any kind of questions that you might have. It is an in-vessel system and it is enclosed. The food is mixed with a carbon material that is fed into a vessel. There are no openings, as all the doors are closed. It rotates at a slow speed, the materials breakdown, it generates heat, it's insulated so it doesn't change temperature as the temperature changes outside. The heat buildup makes the microbial activity increase and, therefore, it breaks the food down at a much more rapid rate. So, instead of standard composting that might take six months to break food down in a wind row type application, it takes around four to five days. The real advantage to this is that we can take solid waste or food waste that was going to go to the landfill, which normally as we are transferring out Lexington County, we have to pay for that. Once it gets to the landfill, they cover it up and compact it. When they compact it, what happens is anaerobic breakdown. So, the anaerobic breakdown is what causes methane. What causes those gases that are really harmful to the environment. CO<sub>2</sub> was mentioned. There is some CO<sub>2</sub> that comes off of this process, but it is referred to as non-anthropogenic so if you took this food and through it out in your yard, as it broke down, it is going to produce CO<sub>2</sub>. So being non-anthropogenic, it is not man-caused, so that food, the process because it is aerobic, it's going to breakdown just like it would if it was left out in the yard somewhere and it's going to produce that same amount of CO<sub>2</sub>. So, it is just accelerating the process. Instead of that CO<sub>2</sub> being produced over weeks, months, it's a couple of days. We really want to help divert food from the landfill. This is a RD&D permit from DHEC so we want to prove this technology so that we can do more for the County. This site is really just designed to prove the technology. Once we expand the operation, obviously, we are probably going to have to find another facility, and Mr. Eger and I have already talked about that. But, it is just RD&D. So, it is really just to prove the technology. I know the area was zoned industrial and there was some question about selling the compost. Compost basically is dirt. So, we are taking the carbon and mixing it with the food, we are basically creating compost like you would buy from the store. We are not talking about cow manure. We're not talking about anything like that. It is just strictly compost. So, it is basically topsoil. All the food is processed every day. We go through great care to make sure we only collect enough food to go into the vessel so there is none left over. That was part of the DHEC permit, to make sure that we did not have any food that was stored on site. There is CMC across the road, which is recycling. The concrete plant next door is pretty loud, a lot of dust. This runs off of 110 volt electricity. It does not use diesel, doesn't use any gasoline, it's not a loud process, and it's extremely slow turning. It will be secured and locked so we won't have any unauthorized access. It is elevated; it is off the ground so there is nothing sitting. The equipment is not sitting on the ground so we don't have to worry about varmints or any kind of varmint of that nature.

Mr. Davis asked, how many trucks daily?

Mr. Atkins replied, because it is RD&D, we are only producing a maximum of about 4,000 pounds a day of food waste. It's a pickup truck. It would have a dump body on it; it would come in and out twice a day. So it would go out, go to grocery stores and pick up vegetables that were not going to be sold any more, go to a restaurant and take table scraps or take food preparation waste out, take it there, put it in the mixer, put it in the vessel.

Mr. Davis asked if there is a plant in operation that Council could visit.

Mr. Atkins replied, there are plants all over the country. Fortunately, in our part of the country, we'd be the first. Nobody in South Carolina is doing it, and nobody in the Southeast is doing it, but it's big in other parts of the country and it's really big because it just diverts so much waste that landfill space is at a premium.

Mr. Davis asked for a list and location of plants currently in operation.  
Mr. Atkins replied, I'll be glad to.

Mr. Banning asked if he could provide Council with any video tapes of a plant in operation as well as references and individuals living next to a plant for Council to speak with.

Mr. Atkins replied, sure. I want everybody to understand that we're not looking for a place that we can turn into a trash heap. We're interested in trying to get the technology going so that the state of South Carolina, Lexington County, where we can improve our environment for all of our residents. That's really our goal.

Mr. Cullum asked once it completes its cycle, what form is it going to be stored?

Mr. Atkins replied, it's basically a pile of dirt.

Mr. Cullum said as he understands, it is almost odorless.

Mr. Atkins replied, there's no odor to the process. It's all contained inside the vessel. Once it comes out, it is completely processed, so there's a homogenization that takes place.

Mr. Cullum replied he understood that, but said you can walk by a pile of masonry sand and smell nothing and you can walk by a pile of topsoil and smell some of the peat in the topsoil and feels this is a concern as he has been hearing the word odorless and asked how accurate that is.

Mr. Atkins replied, it's going to smell like dirt. It's not going to smell like waste, it is not going to smell like food.

Mr. Cullum asked, what is the specific market for the product since you will not be stockpiling it.

Mr. Atkins replied, commercial landscaping and soil erosion control. There are contractors and landscaping people who are hauling compost out of Georgetown County because they can't get enough of it.

Mr. Cullum asked how big the machinery is.

Mr. Atkins replied, it is all mounted on one trailer, approximately 30 feet. It is a rotating drum, 24 feet long, six feet diameter, stainless steel on the inside and aluminum on the outside, and has a mixer. You mix it, it feeds right into it, you close the door, and it starts to turn.

Mr. Cullum asked if he intends to compete with animal waste. And if so, eventually it would be bagged.

Mr. Atkins replied, it could be. It is also used for erosion control.

Mr. Banning asked, what is the motivation of the people who will be providing the product?

Mr. Atkins replied, most restaurants will put it in their dumpsters. When you go to a restaurant and you walk by the dumpster and it is 110 degrees outside, you might not have an appetite or might not eat as much, or you may not go in. So they want to empty that every day. They have to pay for that to be picked up and hauled to the landfill.

Mr. Banning replied, but you are going to pay a guy in a truck to go pick it up.

Mr. Atkins replied, those people will then pay us to haul off the food, because the food is why they have

to dump their dumpster every day. They don't have a lot of other waste and the other waste they have doesn't really smell bad. It is cardboard, paper napkins, etc. and they don't have a really bad smell. They would pay to do that and instead of dumping it every day, they dump it once a week.

Mr. Cullum asked if you would have a bin something similar to a grease bin.

Mr. Atkins replied, right. They will have a container. They will fill it up and we will come by each day to pick it up and dump in the truck.

Mr. Davis asked since it is ID, what will be the buffering requirements, is it 10 feet? Is it the plan to leave the adjacent land border.

Mr. Atkins replied, yes. We will leave the trees up between from where the residents are and the zoning requirements are 100 feet from the property line. But, DHEC's requirements are 200 feet from residences so that's why we are pulling it down that far. Also, it gives a good buffer for everybody and we are trying to be good neighbors, too. We have access in there now, so zoning requires us to buffer one of the lots and we will keep as many trees as we can. (Mr. Atkins pointed to the concrete plant on the map and said this is side is where the storage would be.)

Mr. Derrick asked how the product helps with soil erosion.

Mr. Atkins replied, erosion control right now is done with fabric, silk fence. What silk fence does is it stops the water and it allows the particles, holds it long enough, for the particles to fall out and then, of course, the water just keeps right on going. What the compost does, it absorbs it and anything that doesn't fall out of the water goes through it, like oil from a parking lot, from a road way, as it is floating on the water, if it goes through, it just keeps right on going. What compost does, the organics will latch onto that and they will actually hold that oil in it. The highway department has done several projects with this and DHEC is really pushing to use compost for erosion control, just because of that.

Mr. Derrick responded that dirt washes away, which is erosion, and asked how this compost is different.

Mr. Atkins replied, silt. There are varying degrees of that. Silt is what they are concerned with and the silt will be trapped. Any sort of residue will be trapped in there because of the organic nature of compost. Mr. Atkins said he would provide additional information regarding the use of compost for erosion control to Council.

**Matt Breeden, 105 Oliver St., West Columbia, SC 29169** - I don't have much to add to what Tony said; I think he covered most of it. I am a small business owner, and I have done some work for him. I do web design, etc. and he has really been beneficial to us as far as helping us to sustain our business in rough economic times and he wants to do the same thing for Lexington County. He is going to be a great neighbor. He is someone who really cares about this community and he wants to do good for everybody here. I think he covered all the technical aspects of it.

Ms. Summers stated no one else had signed up in favor and closed the public hearing.

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

**Motion to Adjourn** - Mr. Banning made a motion, seconded by Mr. Davis to adjourn.

In Favor:	Ms. Summers	Mr. Banning
	Mr. Davis	Mr. Kinard
	Mr. Derrick	Mr. Keisler
	Mr. Cullum	

Not Present: Mr. Jeffcoat

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

Debra B. Summers  
Chairman