

M I N U T E S
LEXINGTON COUNTY COUNCIL
MAY 08, 2007

Lexington County Council held its regular meeting on Tuesday, May 08, 2007 in Council Chambers, beginning at 4:30 p.m. Mr. Derrick presided.

Reverend Justin Smith, Associate Chaplain at Lexington Medical Center gave the Invocation.

Ms. Hannah Matthews, a freshman at Brookland-Cayce High School, led the Pledge of Allegiance. Ms. Matthews is a member of the JROTC and the Drill Team.

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

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

Employee of the Quarter - Katherine Hubbard, County Administrator - Employee of the 1st Quarter - David Dannels was the recipient of the Employee of the 1st Quarter.

Employee Recognition - Katherine Hubbard, County Administrator - Ms. Hubbard recognized Ms. Laura Grimes-Gould, Crime Scene Investigator in the Sheriff's Department, for receiving her Bachelor of Science degree in Criminal Justice, Cum Laude, from Kaplan University.

Ms. Hubbard said Sheriff Metts received a letter from a citizen commending Deputy Troy Livingston and James Hill, a former Animal Control Officer, for their assistance regarding a dog who had attacked her parent's family pet. The citizen said they were helpful, professional, and courteous.

Kimberly Bell, Mapping GIS/Technician in Planning & GIS, was recognized for her exemplary customer service.

Ms. Hubbard said she received a call from Mr. Brent Johnson, with B106.7 praising Mr. Bill Rowell, Treasurer; Brad Mathis, Deputy Treasurer; Darlene Peters, Senior Cashier; Chris Harmon, Auditor; Mike Cummins, Deputy Auditor; and Derrial Gardner, PBX Operator/Receptionist; Human Resources, for the fast service he received when he visited the County to pay his car taxes on the last day of the month. Mr. Johnson said he was impressed with the extra staff on hand to assist the public and noted that the total transaction took 8 minutes.

Ms. Hubbard recognized the following Paramedic Graduates in attendance that just completed 1,140 hours of training: Greg Lewis, Bryan Hartney, Tamitha Ciungu, Frank Monaco, and Mark Goude-lock. Those graduates not present were: Gini Youmans, Natalie Rowell, Hunter Eisele, Kim Hendrix, and Leah Beasley.

Paramedic Competition Team - Chief Brian Hood, EMS Coordinator, presented a trophy to Lt. James Seagroves and Major Patty Labbe (not present) for finishing first place in the South Carolina Regional Paramedics Competition and placing second in the State Competition.

Presentation of Resolutions - Emergency Medical Services Week Presented by Chairman Derrick - Chairman Derrick presented a frame resolution to Chief Brian Hood, EMS Coordinator, and members of Emergency Medical Services proclaiming the week of May 20-26, 2007 as Emergency Medical Services Week in Lexington County.

James Perry Kimball Presented by Councilman Davis - Councilman Davis presented a framed resolution to Mr. Perry Kimball for his 19 years of service on the Lexington County Building Code of Appeals.

Resolutions - Kids Kamp and National Public Works Week - Mr. Keisler made a motion, seconded by Mr. Jeffcoat to approve the resolutions.

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

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

Appointments - Health Services District - Ms. Jan Burt - Mr. Cullum made a motion, seconded by Mr. Jeffcoat to appoint Ms. Jan Burt to the Health Services District Board of Directors. Ms. Burt replaces Ms. Elizabeth Foster.

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

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

Mr. Keisler Mr. Carrigg
Mr. Banning

Nancy K. Perry Children's Shelter - Mr. E. Garrett "Garry" Huddle - Mr. Carrigg made a motion, seconded by Mr. Banning to appoint Mr. Garry Huddle to the Nancy K. Perry Children's Shelter Board of Directors.

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

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

Lexington High School Economic and Government Classes - Mr. Derrick recognized students from Lexington High School who was in attendance as part of their Economic and Government class.

Bids/Purchases/RFPs - A motion was made by Mr. Keisler, seconded by Mr. Cullum that the Accurate Compactor/Sole Source Procurement - Solid Waste Management be approved.

Accurate Compactor/Sole Source Procurement - Solid Waste Management - Staff recommended the purchase of one (1) Accurate compactor for Solid Waste Management to the sole source provider, Amick Equipment Company, as they are the only authorized dealer for South Carolina. The compactor will be installed at Central Stores.

The cost of the compactor is \$31,603.40 including shipping, installation, sales tax, and one-year manufacturer's warranty. Public Works Department will provide the site preparation and concrete slab. There is an estimated need of 15 C.U. yards of concrete and 43 pieces of #5 rebar. The cost of the concrete is \$1,494.60 and the cost of the rebar is \$454.89 including tax. The estimated cost for labor to be provided by the Public Works Department is \$1,447.11. Total cost for the project is \$35,000.

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

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

Chairman's Report - Mr. Derrick reported that he and Vice-Chairman Summers attended the Lexington Technology Center FAA Award Banquet and attended the Lexington County Soil and Water Conservation District Awards Banquet on May 1.

On May 6, Mr. Derrick and Mr. Al Burns, Director of Economic Development, attended the People to People, Student Ambassador's Program for 5th and 6th graders who will be visiting Alaska for a two week tour this summer.

Mr. Davis reported he attended the Health Services District meeting on April 26 and reported they are doing well financially.

Mr. Cullum reported he participated in the UPS Tug-a-Plane with members of Lexington County on Saturday, May 5 where they finished 9th out of 16 teams with a tug time of 12.78 seconds.

Summer Meeting Schedule - Mr. Jeffcoat made a motion, seconded by Mr. Keisler that Council meet on the 4th Tuesday of July, August, and September (July 24, August 28, and September 25, 2007).

Mr. Derrick opened the meeting for discussion.

Ms. Summers asked if the agenda in September appears to be increasingly large that Council consider have a called meeting.

Mr. Derrick said he will keep in touch with the County Administrator and if the agenda appears to be stacking up, he will call a meeting. Otherwise, we will only meet once in September.

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

Administrator's Report - MY 911 Program - Ms. Hubbard reported the total number of participants through the end of April is 1,273. She said Chief Bruce Rucker and Nikki Rodgers, Communications Coordinator, will be meeting with the Lexington County Medical Hospital managers to continue deploying the MY 911 program out to the Urgent Care Centers as well as physician offices.

Public Works Backhoe Rodeo - Ms. Hubbard announced the Public Works Backhoe Rodeo will be on Wednesday, May 16 at Public Works. Lunch will be served at 12:00 p.m. followed by the rodeo at 1:00 p.m.

Outdoor Burning Ordinance - Ms. Hubbard reported through April 30th, the County had 111 visits for outdoor burning. Of those, 78 were unauthorized burns; 26 approved burns, and 7 citations were issued.

Sharpes Hill Fire Station - Ms. Hubbard reported the Sharpes Hill Fire Station has received its ISO rating of 7, which applies to all properties within a 5-mile radius of the Sharpes Hill Fire Station.

Accommodations Tax- For a point of reference, Ms. Hubbard said the Accommodation Tax submittals begin on page 323 of the FY 2007-08 Non-General Fund requested budget.

New Programs - May 22 - Ms. Hubbard gave a brief update of the requested new programs. She said there were a total of \$17 million of new programs that were requested in the FY 2007-08 General Fund. Of that, an estimated \$4.2 has been removed and \$1.1 million have been approved, leaving approximately \$11.6 million to be discussed. Of the \$11.6 million items to be considered, the Sheriff's Department comprised of \$4.6 million. The Sheriff requested \$945,000 worth of new programs that were tentatively approved and Fire Service has \$680,000 worth of new programs that will come from Fire Service millage. If Fire Service new programs are approved next Tuesday (May 15) that will be \$6.3 million worth of new programs. This does not include the FY2007-08 Non-General Fund.

Approval of Minutes - Meeting of April 10, 2007 - A motion was made by Mr. Cullum, seconded by Mr. Kinard to approve the minutes of April 10, 2007 as submitted.

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

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

Zoning Amendments - Zoning Map Amendment M07-02 - 5429 Bush River Rd., Columbia - 3rd and Final Reading - Mr. Carrigg made a motion, seconded by Mr. Jeffcoat that Zoning Map Amendment M07-02 receive third and final reading.

Mr. Derrick opened the meeting for discussion.

Mr. Carrigg thanked Mr. George Steiner, the applicant for cooperating with the President of the Homeowners' Association and adjoining property owners.

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

Zoning Map Amendment M07-05 - 5609 Wescott Road, Columbia - Announcement of 1st Reading - Mr. Derrick announced first reading of Zoning Map Amendment M07-05.

Ordinances - Ordinance 07-04 - An Ordinance Amending the Outdoor Burning Ordinance - 3rd and Final Reading - Mr. Banning made a motion, seconded by Mr. Cullum that Ordinance 07-04 receive third and final reading.

Mr. Derrick opened the meeting for discussion.

Mr. Keisler asked, when does Ordinance 07-04 go into effect?

Mr. Derrick replied, tomorrow.

Mr. Keisler said he felt the County needed to give the public prior notice.

Mr. Cullum suggested that Ordinance 07-04 go into effect at the start of the new budget, July 1.

Mr. Cullum made an amendment to the motion, seconded by Mr. Keisler that the effective date of Ordinance 07-04 be July 1, 2007.

Vote on Amendment

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

Vote on Motion as Amended:

Mr. Banning withdrew his motion; Mr. Cullum withdrew his second.

Ms. Summers asked how the public will be notified of the effective date.

Ms. Hubbard replied that a press release could be issued tomorrow (Wednesday, May 9) announcing that Council is considering third and final reading of Ordinance 07-04 on May 22 with an effective date of July 1, 2007.

Mr. Derrick asked that the public also be made aware that no land clearing debris burns are allowed until October.

Ordinance 07-05 - FY2007-2008 General and Non-General Fund Budgets - 2nd Reading - A motion was made by Mr. Davis and seconded by Mr. Kinard that Ordinance 07-05 be given second reading.

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

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

Ordinance 07-06 - An Ordinance Authorizing the Irmo-Chapin Recreation Commission of

the Irmo-Chapin Recreation District to Issue General Obligation Bonds in the Principal Amount of Not Exceeding \$3,300,000 - 2nd Reading - A motion was made by Mr. Jeffcoat, seconded by Mr. Carrigg that Ordinance 07-06 be given second reading.

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

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

Committee Reports - Economic Development, S. Davis, Chairman - Saxe Gotha Industrial Park Restrictive Covenants (Goal 2) - Mr. Davis reported during Executive Session, the restrictive covenants for the Saxe Gotha Industrial Park were discussed and are still being reviewed.

Planning & Administration, J. Jeffcoat, Chairman - Zoning Map Amendment M07-01 - West Side of Charter Oak Road, Lexington, SC - 2nd Reading - Mr. Jeffcoat reported the Committee continued discussions of Zoning Map Amendment M07-01 and recommended that Council approve second reading.

Mr. Jeffcoat made a motion, seconded by Mr. Davis that Zoning Map Amendment M07-01 receive second reading.

Mr. Derrick opened the meeting for discussion; no discussion.

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

Continuing Education Grant for SC Public Library Staff/Trustees Application - Mr. Jeffcoat reported the Planning & Administration Committee met on Tuesday, April 24, 2007 to review the application for the Continuing Education Grant for SC Public Library Staff/Trustees from Library Services.

Mr. Dan MacNeill, Director of Library Services, presented the grant application for the Continuing Education Grant for SC Public Library Staff/Trustees in the amount of \$980 with a 58/42% match. The County's match totals \$717, \$120 cash match and \$597 in-kind match for personnel cost.

The grant will be used to pay the majority of expenses for a Cayce-West Columbia Branch staff member, to attend the American Library Association annual conference on June 22-27, 2007 in Washington, D.C.

The Planning and Administration Committee voted to recommend that Council approve staff's request to move forward with the Continuing Education Grant for SC Public Library Staff/Trustees grant application.

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

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

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

Justice, B. Banning, Chairman - Violence Against Women Act (VAWA) Application - Mr. Banning reported the Justice Committee met on Tuesday, April 24, 2007, to review the request from the Sheriff's department for the Violence Against Women Act (VAWA) Application.

On behalf of Sheriff James Metts, Colonel Allen Paavel presented the grant application for Violence Against Women Act (VAWA) totaling \$369,059 with a 25% in-kind match of \$92,265. This match will come from a percentage of personnel cost that is in the Sheriff's 2007-08 budget.

The VAWA Victim Grant will provide the prosecutor with two investigators who will serve all victims with subpoenas for trials, monitor defendants who are subject to "no contact" orders, Order of Protection and restraining orders, and collect information on the victim and defendant to determine if the defendant's conduct is the reason the victim fails to appear in court. The investigators will be responsible for determining if defendants are interfering with victims and the administration of justice. Intensive enforcement will hold offenders accountable and enhance victim safety.

The Justice Committee voted to recommend that Council approve staff's request to move forward with the Violence Against Women Act (VAWA) grant application.

Mr. Banning made a motion, seconded by Mr. Keisler to approve staff's request to move forward with the Violence Against Women Act (VAWA) grant application.

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

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

Palmetto Pride Enforcement Grant Award - Mr. Banning reported during the Justice Committee meeting, the Committee considered the acceptance of the Palmetto Pride Enforcement Grant Award. The grant award is in the amount of \$3,000 to purchase digital camcorders with accessories to assist Litter Control and Code Enforcement Officers to enforce County codes and ordinances. The grant requires no County match.

Mr. Banning made a motion, seconded by Mr. Keisler to approve the grant award.

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

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

Public Works, D. Summers, Chairman - Carolina Clear Program - Clemson University - Ms. Summers reported the Public Works Committee met on Tuesday, April 24, 2007, to review the Carolina Clear Program submitted by the Public Works Department.

John Fechtel, Public Works Director, presented a Memorandum of Understanding and Contract Agreement between Clemson University and the County for the Carolina Clear Program. Ms. Synthia Williams, Public Works Environmental Coordinator, worked with Clemson University, the County Attorney, and Sheila Fulmer, Procurement Manager to develop this information. The annual contract with Clemson University will be \$50,000. Lexington County cost will be \$28,000 and the following seven municipalities will split \$22,000 based on a per capita basis. The seven municipalities are: Irmo, Lexington, West Columbia, Cayce, Pine Ridge, South Congaree, and Springdale. The Public Works Environmental Coordinator will be responsible for monitoring the program to ensure that all aspects of the program are implemented. The program will begin on July 1, 2007. The funds have been requested for in the 2007/08 budget under Professional Services in the Stormwater Management Division.

The Public Works Committee voted to recommend that Council approve the contract agreement.

Ms. Summers made a motion, seconded by Mr. Cullum to approve both the Memorandum of Understanding and the Contract Agreement.

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

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

Executive Session/Legal Briefing - Mr. Derrick stated Executive Session will consist of one

Solid Waste contractual matter, one engineering contractual matter, a legal briefing on an Economic Development contractual matter, a legal matter in regard to various pending legal matters, and one personnel matter.

Ms. Summers made a motion, seconded by Mr. Davis to enter into Executive Session to discuss contractual and legal matters.

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

Mr. Derrick reconvened the meeting in open session.

6:00 P.M. - Public Hearings - Zoning Map Amendment M07-03 - 1605 Bush River Road and Adjoining Parcel, Columbia - Prior to opening the public hearing, Mr. Derrick stated the purpose of the hearing is to receive comments from proponents and opponents regarding the application of zoning change. He asked that each speaker provide their name and mailing address and that comments be limited to three (3) minutes. He asked that if there was anyone present who had signed up to speak but chose not to speak, but wanted to concur with what had been said, it was acceptable to indicate concurrence. Mr. Derrick also asked that there be no disruptions including cheering, clapping, etc.

Mr. Derrick opened the public hearing and recognized Mr. Bruce Hiller, Development Administrator, Community Development.

Mr. Hiller stated that the applicant, Mr. Larry Cooke has requested a change in zoning classification for TMS#'s 03617-04-011 and 012 from the existing R1 (Low Density Residential) to C2 (General Commercial). The property is in the Seven Oaks/Dutch Fork planning area which was zoned in 1971 and 1974. Mr. Hiller stated that Mr. Cooke indicated on the application that the reason for the request is: I am requesting the change in zoning to allow for an office use on the property.

Mr. Hiller reviewed the maps and area by using a Power Point presentation as well as the type of allowable activities in R1 and C2 and noted that a lot of activities are not allowed in a R1 as it is mainly reserved for residential type activity. However, when it is opened up to a C2 classification, it opens it up to a multitude of different types of allowable classifications.

Mr. Carrigg asked Mr. Hiller to research the zoning (R1) where the SLED building is currently housed on the adjoining property (TMS# 003697-05-018).

Mr. Derrick opened the meeting for comments from those in favor to Zoning Map Amendment M07-03.

In Favor:

Mr. Larry Cooke - 23 Huntwick Ct., Columbia, SC 29206 - I am representing Mr. Hatchell who owns this property. He couldn't be here tonight because he had to meet a client from out-of-town. I would like to point out one other thing, too, while you are checking that property. I believe that other yellow portion on this side (referring to the aerial photography) might be commercial property also. So, basically, the whole subdivision is surrounded by commercial property.

Mr. Hatchell does not really intend to change the house; he wants to use it for an office. If you notice, his parking lot in front of this house, the whole property, faces Bush River Road. When he bought it 17 years ago, it was a house. But, now there's no yard. It's really not a good residence. He is a custom builder; he lives and has an office about half way to Camden and he would like to have an office on this side. He does nice homes and would like to change the house as far as upgrading the house, but not change the character of the house or the neighborhood, and does not intend to park equipment or anything like that. It's just going to be an office. I have talked with about eight members from the neighborhood that I have sent letters to, and they were in favor of it. The neighborhood is starting to get rental homes in it. There are about fifteen rental homes; 21 percent of the neighborhood is rental homes. Thank you.

Mr. Will Langston – Not Present.

Mr. Derrick stated Mr. Cooke was the only speaker present who had signed up in favor and closed that portion of the public hearing.

Mr. Derrick opened the meeting for comments from those in opposition to Zoning Map Amendment M07-03.

In Opposition:

Mr. Jerry Brown - 1808 Nottingwood Dr., Columbia, SC 29210 - I live in the subdivision that surrounds the area that the gentleman wants to rezone. The house the gentleman owns, he currently rents out to about six or seven different people. He has been renting that house out for quite some time. The house directly next to it has been rental property for quite some time and is owned by another gentleman. The other gentleman who owns that piece of property next to him has on several occasions attempted to, I think, on two prior occasions, rezone that corner property and he wanted to make it into an office. He has an insurance company, and he wanted to make it into an insurance office. We are opposed because those two homes are the only two homes actually in the whole subdivision that faces Bush River Road. However, their backyards are directly facing our homes, the homes of the persons directly next door. The person on the other side who was here tonight and then myself across the street.

When I moved here, I moved here 27 years ago. I have raised four children in this house. I have been a long-time resident of this neighborhood. I think 27 years of living in this neighborhood, memories of this neighborhood, and moving there for the distinct reason of because it was a residential neighborhood. That's what the original designers of that subdivision meant for that subdivision to be. There are approximately 80 homes in that subdivision. I have seen most of the children in that neighborhood become adults before they ever moved away. There are covenants, and if the County, I know the County can't enforce covenants, but if anybody here

has covenants in their own neighborhood and they moved in there knowing that those covenants were there, they respect those covenants. And the covenants meant that this was supposed to stay as subdivision homes. A place to raise your family and to enjoy a residential atmosphere. These gentlemen are wanting to rezone it to commercial and their argument is because there are commercial properties, or zoned commercial at either end of the subdivision. But in most subdivisions, you are going to have commercial property at either end of a subdivision somewhere along the line whether there are 100 homes in between or there are 10 homes in between. There is going to be commercial property. When I moved there, there was commercial property across on the other side of Bush River Road. (Referring to the aerial photography) - that parking lot to the left of that was there. To the right of that parking lot and directly next to the property is a creek. This is in the 100 year floodplain. The creek goes all the way through the subdivision and goes back up to the left where you can't see it where he is wanting to make commercial property and would probably impact, if he has a lot more traffic going in there. The water in that area that goes through that creek, I don't know what kind of stench it would have then, we have a problem now because what's across the road and behind a business we have a processing pool over there. And that's kind of strong in the summer time.

The only argument I can say, and again, is that I have lived in this neighborhood for 27 years. I raised my four children there. I moved there because it was residential, and I want it to stay residential. I could have sold my property a long time ago to a developer, if that is what I wanted to do. The problem that I have with this gentleman wanting to rezone, he says he just wants to use it for an office, yet he is trying to get it rezoned and according to this, this even says you can even build an airport there. And I know they are not going to build one, but I'm just saying how little the restrictions are. What I think he is hoping we'll do is that the Council will turn around and say to him, well we won't let you rezone it for just anything, but we will let you rezone it for an office because it is less restrictive. My problem is when he decides to sell that property, he sells it as commercial property and that is what my thinking is that once it becomes commercial, it is just a matter of time before I have a gas station or anything else in that vicinity of my home. And I don't think anybody here bought their property wanting a filling station or anything else next their home. And that's all I have to say. Thank you.

Mr. H. Oliver Hauptfear - 1809 Nottingwood Dr., Columbia, SC 29210 - I have been a resident at 1809 Nottingwood Drive since I transferred to Columbia. I raised a son there and watched the development sort of change complexions, but it is what I call my home. It has been my family's home and it's what I would like to see. My only concern, I have no objection to an office, I will be honest about that. I have no objection to Mr. Hatchell opening up a residential office, but it is just like Mr. Brown said, once you open up the floodgates, the restrictions that we have they can practically put anything they want to when Mr. Hatchell decides to sell. So that development once it comes into this area, this one little particular area, what is it going to affect? It's like I said, my property, my home backs up to the property itself. We can sit and look at their back door. What we see now is not pleasant, but at least it's a home. And that's what I feel like that I want to see. I thank you for your consideration. I will repeat again, I have no objection to his office, my objection is to what is going to happen and what the plans are once the thing is open. Because I promise you, once we have the opportunity to get one individual in as a residential thing, and this residential area comes in as a commercial property I know of three right now that's ready to go. All of them are facing Bush River Road. So, once we get this

going, it's going to take the whole little neighborhood. That's all I have at this time and I appreciate any consideration you give us. Thank you very much.

Mr. Roger Beaver - 1819 Nottingwood Dr., Columbia, SC 29210 - Good evening members of Council. I will be very brief. One of the concerns that I have that has not been expressed much is what is going to happen with the increased flow of traffic now that you have Wal-Mart on the other end of Bush River Road. And I am concerned about the traffic that will increase in our neighborhood as a matter of him building that office there. We've only got one new traffic light on Bush River Road, and I don't believe we will ever be able to come out now once Wal-Mart opens and make a left turn there and now we are going to maybe put in a residential office. I am concerned about that and again, the future use of that property once it is sold again.

Mr. Carrigg asked Mr. Hiller if a LC or C1 zone would allow an office.

Mr. Hiller replied, administrative offices are allowed in FD, LC, C1, C2, ID, and LR.

Mr. Carrigg asked if it was rezoned to C1 or LC, would it allow something like a service station or an auto parts store, etc.?

Mr. Hiller replied, C1 would allow that activity (vehicle serving limited) but LC would not. C1 would allow general retail limited, LC would not.

Mr. Carrigg replied that LC would keep it away from being more of a traffic oriented commercial activity and said if it was rezoned as LC then it would accommodate this office request and asked what, if any, screening is required.

Mr. Hiller replied with the required buffers and setbacks and screening for administrative offices, if it was to receive the full R numbers then you have setbacks from adjoining property of 30 feet and 30 feet from the road right-of-way. You have a buffer of 20 feet and you have screening requirements of 30 feet and 50 feet. However, with buffering restrictions, an applicant can always either meet those buffering restrictions or they have the option to apply before the Board of Zoning Appeals and ask for a variance. Of course, that is up to the Board as to whether any variances are granted or not.

Mr. Carrigg asked, what kind of screening would be required?

Mr. Hiller replied, it depends on the distance from the other adjoining houses. More than likely it would probably be required to have total screening around it, which means 100 percent opaque; normally a six to eight foot privacy type fence.

Mr. Derrick stated no one else had signed up to speak in opposition to Zoning Map Amendment M07-03 and closed that portion of the hearing.

Mr. Derrick closed the public hearing.

Zoning Map Amendment M07-04 - 1000 feet of North Woodside Parkway, West Columbia

- Mr. Derrick opened the public hearing and recognized Mr. Bruce Hiller, Development Administrator, Community Development.

Mr. Hiller stated that the applicant, Mr. Joe Smith, has requested a change in zoning classification on approximately 1000 feet of North Woodside Parkway from RL4 (Residential Local Four) to RL6 (Residential Local Six). Mr. Hiller stated that Mr. Smith indicated on the application that the reason for the request is: Applicant is requesting a change in the road classification to increase the allowed number of lots for a proposed residential development.

Mr. Hiller noted that the area is in the Eastern planning area, which full zoning went into effect in 1980. Mr. Hiller reviewed the maps and area by using a Power Point presentation as well as the type of allowable activities and made reference to Belmont Park, which is a new subdivision. He said Belmont Park is accessed off Orchard Drive which is a frontage road that comes out between the U-Haul and US 1 and circles or goes out Leaphart Road. He said the reason he was mentioning this is that his office has received a bonded plat review, a bonding of Belmont Park Phase III. On the plat there is a 50 foot easement proposed right-of-way at the end of this street (pointing to the map) that ties into this large parcel. Mr. Hiller stated the difference between a RL4 and a RL6 street classification is that it equates to allow density of housing units that can be placed or accessed on property from that street classification. RL4 is the maximum of four dwelling units per gross acre and RL6 is the maximum of six dwelling units per gross acre.

Mr. Derrick opened the public hearing for comments from those in favor of Zoning Map Amendment M07-04.

In Favor:

Mr. Joe A. Smith - 1836 Augusta Hwy., West Columbia, SC 29169 - I need to clarify with Mr. Hiller that I am not trying to represent and complete 28.7 acres. The property has actually been split in half. The developer that built Belmont Park has bought the back half and has closed on that already and he is planning on building townhouses, and I don't know what he has done with you about zoning and so forth. That's his deal. He is going to access through Belmont Park. That has nothing with what I am going or trying to do.

What I want to do is take the southern half of the parcel and build strictly residential $\frac{1}{2}$ acre $\frac{3}{4}$ lots. That's all I'm going to do. As far as construction, I'm going to try and buy another piece of parcel right behind the Pineview Ball Park so I can access Youth Drive for commercial.

These are two separate entities. He expressed the complete parcel that I have no part of. That is a more intense development they are planning on doing on the back.

Mr. Banning asked, what part of this property are you purchasing?

Mr. Smith replied, the southern half against Woodside Park.

Mr. Banning asked Mr. Smith to point out the property on the aerial photography.

Mr. Jeffcoat replied, you are going to have 14 acres and not 28.

Mr. Smith replied, 12.9 acres; but, I am trying to buy another 2 ½ acres behind the ball park that has access to Youth Drive that comes along the ball park around the back that I want to tie in with that so I can have construction equipment come through the back side. It is nothing but a gravel driveway beyond the ball park so it would be ideal for construction traffic.

Mr. Carrigg replied, it is currently zoned RL4, which is four units per acre, and asked why he is seeking RL6.

Mr. Smith replied, six units per acre just for the flexibility because with that acreage (12.9 acres) with the additional 2 ½ acres that I plan to buy for the access, that would allow me to go up to six units per acre, flexibility to go in the mid \$60's as far as units per acre total.

Mr. Carrigg replied that Mr. Smith had mentioned earlier that he was building ½ to ¾ lots.

Mr. Smith replied, well four units an acre. That's what it comes to. Six units an acre, I can go to 5,000 Robbie Derrick, Zoning Assistant, expressed that you go by total acreage, so if I get the other 2 ½ that would put me up to 15 ½ acres and four per acre would get me up to 62 units and 6 would get me up to 72+. Not a big difference. In fact, I don't even like the way it laid out at the number of units. I just like the flexibility because eventually I would like to come on around Pineview Ball Park and do something and utilize that ball park area as a central piece of attraction. Because that whole area for some reason has just been stagnant for years. And you had the number one ball club and, even the sign says '76-'80 World Champions, it is a dilapidated ball park now. It looks pathetic and it needs upgrading and the only way to stimulate it is start getting some growth around it. So we are just trying to get the wheels in motion and get the County and everybody involved to better this area. I personally grew up in the area and used to ride the school bus right through Woodside Drive. I think it is a prime piece of real estate that has been left alone on an island back there and nobody has done anything with it because

Mr. Carrigg asked, how many home sites do you plan to put on the 12-14 acres?

Mr. Smith replied, I've got a plan for 62 or 72.

Mr. Banning asked staff if the application is for the 28 acres or the 14 acres.

Mr. Hiller stated that the application is not for any part of the parcel. We aren't changing the zoning classification of the land itself, Mr. Smith is asking for a street classification of the road from a RL4 to a RL6. Which affects the density because if someone develops the property here (pointing to the aerial photography) then it would be accessed off North Woodside Parkway.

Mr. Banning asked, how is that property currently zoned?

Mr. Hiller replied, it is zoned RD.

Mr. Banning asked, what can you do with the current zoning per acre at RD?

Mr. Hiller replied, density is still controlled by the road classification. For example, density allowed off an arterial road such as Augusta Road is unlimited. As many as you can get.

Mr. Banning replied that the application is simply to rezone the road.

Ms. Lois Goforth - 1370 Wildwood Circle, Leesville, SC 29070 - I am a broker with McGee Real Estate, and I am the person that sold Joe the property and it is 12.83 acres, and I am for it. It will upgrade the whole community and it's already being developed in that area anyway.

Mr. Derrick stated no one else had signed up to speak in favor to Zoning Map Amendment M07-04 and closed that portion of the hearing.

Mr. Derrick opened the meeting for comments from those in opposition to Zoning Map Amendment M07-04.

In Opposition:

Ms. Katherine Lu - 115 Woodside Parkway, West Columbia, SC 29170 - I have resided there for 15 years. I have a letter signed from a whole bunch of residents on our street expressing our opposition to any change in the classification of our street. We visited this whole issue ten years ago already when Mr. McGee's reality company tried to get a change to collector and at that point, Mr. McGee's reason for development was to place apartment buildings back there and I'm not sure how many he was going to put, but probably quite a few. And you can see according to the narrowness of that little road, it's got a 30 foot right-of-way and also way down near the end where it dumps out onto US 1, the right-of-way is 25 feet wide. It is just unreal. The traffic now with Belmont Estates is already horrible at that intersection. Sometimes at rush hour it is backed up six or eight cars deep. Especially is someone is trying to turn left and they are taking their life in their hands by trying to turn left onto US 1. A lady from our street came here to get the records of the old meeting, which I gave you all a copy of, and she said I can't remember the date, but I can remember two things about it. She said the first was that it was a very hot evening, it was very sweltering in the County Chambers and the second thing was the issue we discussed right before that was the Pelion Nudist Colony and immediately the records were there. Everybody remembered that.

Now we are revisiting this and I do not quite understand why. Because the only particular reason, if I think like the opposition, the only particular reason I would want to change in the classification of our street is so you can still put apartment buildings back there and if you have 12 acres you could put six or eight big apartment buildings back there with various apartments in them and add all that traffic to the street. And I can't believe but that's part of the reasoning behind wanting the resident Local 6 classification. I do not think it is necessary if he is really going to put great big beautiful homes back there. He already has the right-of-way to do that. He has his 30 feet at the end. It could have been done ten years ago, but nobody has moved to do that. So to me there is a hidden agenda here that's not being addressed. I would say that we need to take the sheet that was handed out to us by Ms. Goforth and look at these beautiful homes and say I'm not sure that's the reason they are asking for RL6.

Mr. Wayne Eargle - 209 Hobby Street, West Columbia, SC 29170 - I concur with Ms. Lu.

Mr. James Cassetty - 122 Woodside Parkway, West Columbia, SC 29170 - I pretty much concur with everything that Ms. Lu said. I had concerns about his intentions to our road; our road is very narrow and his ability to get utilities back in there. We are all on wells and septic tanks on that road. We do not have city water or sewer running down our road. So for him to get those utilities back there would require him to do a lot of construction to our road. Also, any kind of added homes that he puts back there I think you would be forced to change our road just for the ability for emergency services. So, I agree with Kathy that I think there is more going on here. We have a quite road, a small road. I have two small children. I have a child that's two and a child that's five. So if they add traffic down my road is a concern to me and him wanting to widen our road. I'm not opposed to someone building back there, I would be naïve to think that someone is never going to build back there, but I think he's not showing us really what he is attempting to do back there. So I would have to at this point say I'm opposed to anything that he is offering until we truly see what he's trying to do.

Mr. Jason B. Magee - 117 Woodside Parkway, West Columbia, SC 29170 - I have lived there for approximately ten years. I agree with everyone, especially James what he just said. James has some background. He works for a company that does a lot of construction work so he knows what he is talking about when he says bringing in big equipment.

There were several things that this gentleman left out, I think. He was talking about trying to buy some land behind the ball park for access to develop this area. There is a large area back there with a pond that is also a swamp that is a federally protected water of wetland that he's not bringing up to you. The biggest concern I have is our road. Two people cannot possibly, we all now know, people who live on Woodside Parkway, there is no way, we all have to stop for two people or two vehicles to go down that road. In fact, when one person parks on the road, a fire truck or any type of emergency vehicle could not get down that road. Everybody on our street knows that. I'm sure I wouldn't have a problem getting everyone to sign that. It is a major problem. It is a major problem with the roots over the years that had damaged and destroyed the underlayment. The roads have been inundated with cars over the years. It has destroyed the underlayment to think that Woodside Parkway could be used as a main thoroughfare for this, is just absolutely asinine in my opinion. To take land from people, I've pulled some tapes, when I've asked permission from people; you are going to be in some people's bedrooms guys. It's really tight.

Mr. Banning, you are our representative and we have seen you at church and I ask you to take a few minutes, 30 minutes and ride down our road and look and see if I am exaggerating. Again, I have lived there a little over ten years; I enjoy it. I know most 98 percent of the people. I like 98 percent of the people. But, there are some things being left out of here and there is an underlying motive here that we are not finding out about and my question is this – If you can't buy the land, which I think he's already gotten something bought and paid for and there's a deal under the table about this land, if you can't get the land behind the ball park, where is he going to get access?

Mr. Keith F. Crout - 221 Roof Street, West Columbia, SC 29170 - I agree with what James

has said.

Mr. John Toney - 111 Woodside Parkway, West Columbia, SC 29170 - Good evening Mr. Chairman and Council members of Lexington County. Once ten years ago, I stood before you when this same situation came up and I reiterated about the safety of people trying to get off Woodside Parkway onto Highway 1. If he wants to develop that land back there, add 62 homes, average another two vehicles per household, you are talking about 100 more vehicles trying to access Highway 1. Try coming off Woodside Parkway with people coming off I-26 going onto Highway 1 because it's just right on the acceleration ramp where we turn in. How many lives is it going to take for somebody to wake up and say, whoa, let's put a stop to it or redirect something? And like you said at the entrance way to it, it is very narrow. You've got telephone poles here and you have a building here and ditches. There is nowhere for anybody to move out of the way and like we said, that is a very narrow road. We are all on wells and septic tanks. When I bought that property that I own, and I've been living there since '91, I loved it because it was a nice, quiet, wooded area. Three months after I bought it there comes Lowes and Bruno's behind me. They went down below my property level. They crushed my well, I had to redrill. I got no help from this county. I got no help from Bruno's and I got no help from Lowes at the time. And now, the other night, this young lady up here representing the developer came to my house and says, well the building is going to happen whether you like it or not and, I flat told her I don't care what you do with that property, but find another way for people to get in and out. When this property was originally bought, all that housing area, Belmont Estates, was not there. That land was supposedly given to a church to develop. Well, that never happened. Low and behold that property set there for years and then here comes this housing development. Pets or Us built a brand new, spanking new building. You've got Columbia Supply Company built in there within the last year and half and you have a big Rheem air-conditioning service there. So why couldn't they have built an access road in from there before they sold all that property off for commercial instead of trying to come down Woodside Parkway which is very narrow and it is going to get somebody killed. Plain and simple. The question is – when?

Ms. Karen Campbell - 393 Spruce Glen Road, Lexington, SC 29072 - Thank you for allowing us to speak tonight. I live actually in Lexington and my grandparents live on 119 Woodside Parkway which is where I grew up and my children go and stay with my grandparents on the couple of days that I work. We just enjoy a great way of life being able to play out and ride our bikes and enjoy that low traffic area. So, I have a great concern about the increased traffic flow and, as other people have expressed, just the dangerous nature of that intersection and the increase level of traffic. Given, if they increase the density level here, the next step is to want to widen the road and encroached on the property that is there and the road is just so narrow at this point that it really can't support that level of development at this point. So I just wanted to go on the record saying I was opposed.

Mr. Stephen Bienkoski - 109 Woodside Parkway, West Columbia, SC 29170 - I have been a resident there for 12 years and our kids took their training wheels off on that street. Many of the residents there have pets; never have had a pet killed in the highway there since, even anybody talking about it, before we moved there. That street was put in there approximately 1956 and some of the residents that are just leaving now built the houses they are living in. That's been a blessing to have our own little community right there. We have our own street. Every once in a

while somebody might go up and down it that doesn't live there but for the most part, you know we have a community watch program there and everybody knows everyone there. Our own little spot where we know what's going on and it's this close to the city. It is a little place that is special. And to give somebody access to our street and put the traffic on it when they have another venue, which is going to cost them money, forbid they have to spend any money to pay another access to their development they want to do. He talks about having a development that will have $\frac{1}{2}$ to $\frac{3}{4}$ of an acre and then in the next breath he wants a R6 that's going to permit 74 or 72 houses on that same piece of property. So there weren't three or four sentences in between saying I want to put houses at $\frac{1}{2}$ or $\frac{3}{4}$ of an acre, when he is saying, well I really like to have the approval for six units per acre. Again, addressing the street and its narrowness. Some of the houses are within 20 feet of the existing street right now. Mature plantings and trees and everything that are right at the proximity of the street would all pretty much go away if any alterations are done, and I don't believe our way of life that we have enjoyed, and some people's since the 50's, should be taken away for a piece of property that touches our street with 30 feet and because of that, he is trying to change the life and the way we have in that community with that 30 feet that he owns. And I wish you really consider having him go elsewhere with his access and egress. I appreciate your time. Thank you.

Ms. Pamela Bienkoski - 109 Woodside Parkway, West Columbia, SC 29170 - I agree.

Ms. Betty Smith - 119 Woodside Parkway, West Columbia, SC 29170 - We agree wholeheartedly what has been said.

Ms. Janice Beatty - 121 Woodside Parkway, West Columbia, SC 29170 - My husband and I agree what has been said.

Mr. David Beatty - 121 Woodside Parkway, West Columbia, SC 29170 - Been there 37 years. I have measured the street and its 18 feet from gutter to gutter, 23 out to out on paving. A couple of weeks ago when a crew came out, he showed me a plat and it said 68 lots and the only entrance was Woodside. I just think that's too much traffic for our little street.

Mr. Talmadge Smith - 119 Woodside Parkway, West Columbia, SC 29170 - I agree.

Mr. Leroy Jones - 110 Woodside Parkway, West Columbia, SC 29170 - Good evening Mr. Chairman and members of the Council. I come before you to express some of my concerns also as my fellow neighbors have already expressed. I just want you to know that I'm in complete agreement with what they have said. I like to also add the fact that I have been living there 18 years and it is nice and quiet and very peaceful as some of the neighbors have already said. But one of the things I hope that we all consider the fact that the traffic right now is atrocious. And I think if anyone of you who is in favor of this development should take the opportunity to come out and try to make a left turn onto US 1, Augusta Road, at 6 o'clock in the morning. I think you will be very, very disappointed that it will take you several minutes if not maybe ten minutes or more to get out some mornings. Not every morning is like that because I know because I leave around 5:30 so I can beat that traffic. But, when I am running a little late, I do have to deal with it. I just can't imagine adding any more cars and homes in that area. Homes, well, I'm not opposed to the homes so much but with homes come people and traffic. And given the fact that

the street has been well documented with its narrowness and the access is already very restricted in terms of the rush hours and even sometimes on the weekends it's really restrictive. I think we should give strong consideration to the fact that we have a situation that can only get worse if we don't prevent that from happening now. I'm here to see the peace and quiet and the tranquility that we presently have be eroded because someone wants to add more units and crowd the street out that is already overcrowded.

Ms. Barbara Gantt - 116 Woodside Parkway, West Columbia, SC 29170 - I agree with all that has been said. I have been living there for 14 years.

Mr. Herman Booth - 113 Woodside Parkway, West Columbia, SC 29170 - I agree with what's already been said. I've been there 49 years and I would like to keep it like it is.

Ms. Dot Cathey - 114 Woodside Parkway, West Columbia, SC 29170 - I agree with what has been said.

Ms. Amy Magee - 117 Woodside Parkway, West Columbia, SC 29170 - I agree with what everyone has said. I oppose.

Ms. Sharon Giles - 118 Woodside Parkway, West Columbia, SC 29170 - I also agree with what has been said.

Mr. Derrick stated that concludes the list of those in opposition to Zoning Map Amendment M07-04.

Mr. Derrick closed the public hearing.

Ordinance 07-06- An Ordinance Authorizing the Irmo-Chapin Recreation Commission of the Irmo-Chapin Recreation District to Issue General Obligation Bonds in the Principal Amount of Not Exceeding \$3,300,000 - Mr. Derrick opened the public hearing.

Michael Kozlarek, Attorney - I am the bond counsel for the Irmo-Chapin Recreation Commission. Very briefly before the council for the public hearing this evening and what was done at second reading earlier is a very straightforward matter. It's an ordinance that would authorize the Recreation Commission to issue not exceeding \$3,300,000 in general obligation bonds. The purpose of the bonds would be essentially three fold. They would be refunding a \$2.4 million revenue bond that was issued in 2004 and is essentially we all know that the reason for that is because the interest rates are still very good and the Recreation Commission would like to save money by switching debt. The second reason is also to refund a capital lease for similar reasons and also because of some recent changes by the state legislature that creates some restrictions with respect to operating millage rather than debt service millage. It's much easier from a financing standpoint to use debt service millage rather than operational millage. And finally, there would be some capital improvements with respect to the purchase of some equipment and also with respect to the demolishing of a building at the BC Component's site. They would be removing a building there and begin some of the grading process in anticipation of putting, I believe, a facility on that site as well. This would be tax neutral. There would be no

impact whatsoever. That is the intent with respect to the millage rate that the taxpayers in that district are currently paying and the reason for that, of course, is because we are refunding some debt that currently has millage and in addition as that debt is retired this debt would take its place so the intent is for this to be tax neutral with respect to the citizens in that district.

Mr. Jeffcoat replied, which in fact it's really not neutral, they could actually borrow more money, right, \$3.5 +.

Mr. Kozlerek replied, that's correct. There is the potential under the millage scheme for more debt to be issued but this should suffice to cover the amount to refund those bonds, to refund the capital lease and still leave the ability to do some capital improvements that I mentioned. This is obviously a part of an ongoing process to make additional capital improvements throughout the course of time, but this would just be a first step in that process.

Mr. Derrick opened the meeting for those in favor of Ordinance 07-06.

In Favor:

Mr. Joe A. - Not present.

Mr. Derrick stated no one else had signed up to speak in favor of Ordinance 07-06 and closed that portion of the hearing.

Mr. Derrick opened the meeting for those in opposition to Ordinance 07-06.

In Opposition:

Mr. George Duke - 637 Webster Point, Columbia, SC 29036 - As Council remembers there have been two referendums to try to spend more money in Recreation Commission, both were overwhelmingly defeated. I talked to the people that come to me and call me are very concerned about yet another bond slipping through the system. As I understand the \$2.4 million debt that we have right now was to buy the B.C. Component property. That was for the water park. The water park no longer exists and I understand some of that property is very nice and we should keep it. But, as I understand it, County Council was told that they were not going to incur any costs that the money was going to be paid back by selling the land and it was going to be a wash. It was not going to cost anybody anything. It is already sold; \$600,000 worth of land and we still have \$2.4 million debt. I don't know what their scheme is. I don't understand it but that's down to \$1.8 million. It seems to be that the taxpayers are given no consideration whatsoever. If I wasn't a compulsive newspaper reader, I wouldn't even had known that this was going on. There was one article in the *State* paper about this and that's how I found out about this. No publicity and there was a little thing in the paper today about this hearing.

The other thing that bothers me is if you give them the \$2.4 million dollars and they sell the property, let's say for \$2.4 million, what happens to that money? Does that just go into the coffers and become money that they can spend without any consent from anyone? To me that's just found money as far as they are concerned. And that looks like a windfall. The way I look at it is no matter what the scheme is it still looks like a tax increase for Lexington County District 5, and I'm against it. Thank you very much Council.

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

Mr. Bob Jones - 127 Brunsdowne, Columbia, SC 29210 - Thank you Mr. Chairman and Council members. I think this is a back door approach. I was here before you the last two occasions. We keep getting a bunch of runaround and am I to assume that the additional \$900,000 is going to be to tear this building down and when we get the building torn, how much money they are going to want to build another building on that same property. I don't understand where the Commission is coming from. I am sick and tired of B.C. properties. They need to sell their land and get rid of it. Somehow or other they found some type of authority to buy it; I don't know where they got it from. But we are sitting here with a sheriff who is making \$15 - \$20,000 less than the sheriff in Richland County, we don't have enough cops on the road, we don't have enough EMS, School District 5 is fixing to build three more schools and we want \$3.3 million to tear up a building. I don't understand it; I'm totally lost. Either I'm stupid or something is wrong. I thank you.

Mr. Derrick stated no one else has signed up to speak in opposition and closed that portion of the public hearing.

Mr. Derrick closed the public hearing.

Old Business/New Business - Corley Mill Fire Station Easement - A motion was made by Mr. Davis, seconded by Mr. Cullum that the County approve the Amendment to the Declaration of Easements (stormwater) for the Corley Mill Fire Station property.

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

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

Not Present: Mr. Carrigg *

*Mr. Carrigg was not present at the time the vote was taken.

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

07-082 - A supplemental appropriation increase in the amount of \$89,624 for additional revenues due to the increase in transport mileage fee, ambulance collections, set-off debt and to decrease no transport fees. The total ambulance fee revenue will increase by \$494,737.

Executive Session/Legal Briefing - Mr. Derrick stated Council needed to go back into Executive Session to continue discussing contractual matters and receiving the legal briefing.

Mr. Jeffcoat made a motion, seconded by Ms. Summers to enter into Executive Session to

discuss contractual and legal matters.

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

Abstaining: Mr. Cullum

Not Present: Mr. Carrigg *

*Mr. Carrigg was not present at the time the vote was taken.

Mr. Derrick reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Mr. Derrick stated Council received the contractual and legal matters and reported no motions were to be considered.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William C. Derrick
Chairman