

**MINUTES**  
*Town of Lexington*  
**Executive Session and**  
**REGULAR COUNCIL MEETING**  
**December 6, 2010**

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Town Council held an Executive Session followed by a Regular Council Meeting on December 6, 2010 at 6:30 which was attended by Mayor Randy Halfacre, Council Members Richard Thompson, Kathy Maness, Ted Stambolitis, Danny Frazier and Todd Shevchik. Mayor Pro-Tem Hazel Tyndall attended the Executive Session.

The Executive Session was also attended by Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Director of Utilities and Engineering Allen Lutz, and Municipal Clerk Becky Hildebrand. Also attending the Regular Council meeting was: Police Chief Terrence Green, Community and Economic Catalyst Johnny Jeffcoat, Finance Director Kathy Roberts, Parks, Streets and Sanitation Director Dan Walker, and Director of Planning, Building and Technology Leah Youngblood.

One member of the news media was present and approximately one hundred twenty (120) citizens and students were present.

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**EXECUTIVE SESSION REPORT**

Mayor Halfacre reported that the *Executive Session* was called to order at 5:32 p.m. after a motion was made by Mayor Pro-Tem Tyndall and seconded by Councilmember Frazier to go into *Executive Session* to discuss: one routine personnel matter; one contractual update regarding water and sewer; and, one legal update regarding Golden Hills. The motion was unanimously carried. A motion was made by Councilmember Maness and seconded by Councilmember Thompson to adjourn the *Executive Session* at 6:05 p.m. The motion was unanimously carried. Mayor Halfacre reported at the Regular Council meeting that Council had met in *Executive Session* to discuss one litigation update, one routine personnel matter and one contractual matter regarding water and sewer. No vote was taken. A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to ratify the Mayor's *Executive Session* report. The motion was unanimously carried by all those present.

**INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER:** Mayor Halfacre introduced the Council Members and welcomed everyone to the Council meeting including Keith Frost, Glen Martin and Scott Adams. He announced that Mayor Pro-Tem Tyndall was present for the Executive Session but needed to leave due to illness. Councilmember Thompson gave the invocation. Councilmember Frazier led in the Pledge of Allegiance. Mayor Halfacre called the meeting to order at 6:36 p.m.

**ADDITIONS/DELETIONS**

Mayor Halfacre requested that the following changes be made to the agenda:

- (Delete) Item #6 – (Old Business – Final Reading of an Ordinance Rezoning 12 Mile Ridge Subdivision – withdrawn by applicant.)
- (Add) Item #7 – (New Business - Martin Luther King Celebration Sponsorship.)

There being no objections, the items were added as requested.

**APPROVAL OF MINUTES:** A motion was made by Councilmember Maness and seconded by Councilmember Frazier to approve the minutes from the November 1, 2010 Regular Council Meeting; the Special Meeting from November 15, 2010; and, the November 15, 2010 Council Work Session. The motion was unanimously carried by all those present.

**PRESENTATIONS**

1. **Miriam Ford Proclamation – Mayor Randy Halfacre:** Mayor Halfacre presented a proclamation to Miriam Ford who has been in business in Lexington for 21 years and has served her community in many capacities as a volunteer on many committees. He commended Ms. Ford as being one of the first female entrepreneurs in Lexington at Miriam’s Boutique and Fashions. She was also the first recipient of the Small Business Person of the Year in 2001 at the Lexington Chamber. Mayor Halfacre stated that of all the proclamations he has presented, he did not know anyone more deserving than Miriam Ford. He added that she is a great lady and also makes a great Bloody Mary.
2. **Lexington Dixie Youth Baseball – James Thompson:** Two representatives from the Lexington Dixie Youth Baseball thanked the Mayor and Council for their support during the Dixie Youth World Series held in Lexington in July 2010. The stated that the games brought in 16 teams from the Southeast, plus an additional 3,000 visitors to the area. Mr. Thompson presented a framed photograph of the World Series which was taken during the games. He added that all the visitors left with the “wow factor”. He added that 950 kids play ball in Lexington County and he thanked everyone who supports their teams.
3. **Donation to the Dickerson Center for Children – Police Chief Terrence Green:** Chief Green stated that each year the Lexington Police Department puts on a Fall Festival and the funds help the Lexington Adopt-A-Cop and other police programs. This year they wished to help the Dickerson Center for Children and presented a check in the amount of \$500.00. Chief Green stated that the Dickerson Center assists the Police Department during the year at no cost to the Town when they are needed. The Dickerson Center assists when children have experienced a trauma and help gather evidence, provide evaluations, and therapy.

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Mayor Halfacre presented the check to several Board Members from the Dickerson Center.

4. **SC Municipal Insurance Trust Fund – Jeff Thompson, MASC:** Mr. Thompson stated that the Town is a founding member of the South Carolina Municipal Insurance Trust Fund since 1994. He added that the SCMITF was founded to insure cost effective insurance for the long term for cities and towns in South Carolina. He stated that member service is the core of their existence. Mr. Thompson presented a certificate on behalf of MASC, for the Town of Lexington to receive \$38,372 as a dividend of their participation which is an offset to regular premiums. This year they will distribute approximately \$3M because over 100 cities and towns have worked hard to keep cost and workers compensation claims low and under control.
5. **Lexington County Soccer Club United 98G White U13 Soccer Team – Mayor Randy Halfacre:** Mayor Halfacre read a proclamation for the United 98G White U13 Soccer Club for winning the LCSC U13 League Championship and for finishing the season 7-0. He congratulated the coaches and each team member for their success and dedication. Mayor Halfacre presented the proclamation to the team and coaches and thanked them and their parents for representing Lexington so well. (Copy attached.)

**TRAFFIC UPDATE**

**Town Administrator Poole** provided an update on the Town of Lexington's continuing efforts to improve traffic. (1) Old Cherokee Road widening is complete and the lanes are now open. Additional road markings will continue when the weather warms up. (2) The Gibson Road sidewalk project has begun and is complete up to the Sherriff's office. The project should be completed to Highway 6 by late January. (3) The Park Road sidewalk project should go out for bid in August. (4) The George Street sidewalk project is expected to be in construction in the next few months. (5) The Town continues to work with SCDOT regarding traffic at the Lexington Middle School during pick-up and drop-off times. There will be no Traffic Committee Meeting in December, and will meet January 18, 2011 at 8:00 a.m. in the Eli Mack, Sr. Room in Town Hall.

**Mayor Halfacre** stated that it was wonderful to drive on Old Cherokee Road behind Wal-Mart without worrying about accidents. He added that Council could not take credit for it since it was in the works many years ago thanks to Johnny Jeffcoat and Butch Spires.

**PUBLIC HEARINGS**

Mayor Halfacre called the Public Hearing to order and requested that those wishing to speak limit their comments to five minutes.

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1. An Ordinance to Issue Water and Sewer Refunding Bonds.
2. An Ordinance Amending the Peddlers and Solicitors Ordinance.
3. An Ordinance Amending the Land Development Regulations.
4. An Ordinance Annexing a Future Taco Bell.
5. An Ordinance Annexing 5364 Sunset Boulevard.
6. An Ordinance Annexing 723 South Lake Drive.
7. An Ordinance Rezoning 12 Mile Ridge Subdivision.
8. An Ordinance Amending the Lexington County Recreation Commission Lease.
9. An Ordinance Accepting a Property Donation in Caroline Springs Subdivision.

There being no comments, Mayor Halfacre declared the Public Hearings closed.

**OLD BUSINESS**

1. A motion was made by Councilmember Shevchik and seconded by Councilmember Stambolitis to approve **Final Reading of an Ordinance Amending the Peddlers and Solicitors Ordinance.** The motion was unanimously carried by all those present.
2. A motion was made by Councilmember Thompson and seconded by Councilmember Frazier to approve **Final Reading of an Ordinance Amending the Land Development Regulations.** The motion was unanimously carried by all those present.
3. A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to approve **Final Reading of an Ordinance Annexing a Future Taco Bell.** The motion was unanimously carried by all those present.
4. A motion was made by Councilmember Stambolitis and seconded by Councilmember Thompson to approve **Final Reading of an Ordinance Annexing a Mellow Mushroom at 5364 Sunset Boulevard.** The motion was unanimously carried by all those present.
5. A motion was made by Councilmember Frazier and seconded by Councilmember Stambolitis to approve **Final Reading of an Ordinance Annexing a Medical Office at 723 South Lake Drive.** The motion was unanimously carried by all those present.
6. (Deleted.) **Final Reading of an Ordinance Rezoning 12 Mile Ridge Subdivision.**
7. A motion was made by Councilmember Shevchik and seconded by Councilmember Stambolitis to approve **Final Reading of an Ordinance Amending the Lexington County Recreation Commission Lease.** The motion was unanimously carried by all those present.
8. A motion was made by Councilmember Thompson and seconded by Councilmember Frazier to approve **Final Reading of an Ordinance Accepting a Property Donation in Caroline Springs Subdivision.** The motion was unanimously carried by all those present.

**NEW BUSINESS**

1. **First Reading of an Ordinance Amending the Fiscal 2011 Budget Adjustment for the Lexington County Law Enforcement Memorial:** At the November Work Session Police Chief Matt Johnson of Springdale announced plans for the Lexington County Law Enforcement Memorial. The memorial will be placed at the Westbrook Judicial Center on East Main Street to honor fallen police officers. The memorial, with an expected completion date of May 2011, will cost approximately \$64,000. Chief Johnson requested Town participation in the project through financial support. Council voted to place the request on the December 6, 2011 agenda to approve a donation of \$5,000. (Copy of brochure ordinance attached.) An ordinance will be prepared for Final Reading.

A budget adjustment is necessary for the current year to allow for the donation of \$5,000 to the Lexington Law Enforcement Memorial. No net increase in appropriations occurs as a result of this change:

- (1) Increase in the Council Department's Operating Budget (Contribution Account) in the amount of \$1,000.
- (2) Decrease in the Police Department's Operating Budget (Contribution Account) in the amount of \$1,000.

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve First Reading. The motion was unanimously carried by all those present.

2. **A Resolution in Support of Annexing a Town of Lexington Water Tower:** The Town of Lexington owns property off Hendrix Street at TMS #004300-08-022. A municipal water tower is located on the property. State law provides for the annexation of municipal-owned property after Town Council passes a resolution in support of annexing the property and enacts an ordinance annexing the property. (A copy of the resolution is attached.)

A motion was made by Councilmember Stambolitis and seconded by Councilmember Shevchik to approve a resolution in support of annexing a Town of Lexington water tower. The motion was unanimously carried by all those present.

3. **First Reading of an Ordinance Annexing a Town of Lexington Water Tower:** The Town of Lexington owns property off Hendrix Street at TMS #004300-08-022. A municipal water tower is located on the property. State law provides for the annexation of a municipal-owned property after Town Council passes a resolution in support of annexing the property and enacts an ordinance annexing the property. The Planning Commission recommended a zoning district of General Commercial.

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The parcel has no road frontage to classify. An ordinance will be prepared for Final Reading.

A motion was made by Councilmember Frazier and seconded by Councilmember Shevchik to approve First Reading. The motion was unanimously carried by all those present.

4. **Park Road Sidewalks:** The Town has been involved in applying for a grant to construct sidewalks for Park Road since 2005 through a South Carolina Department of Transportation (DOT) Enhancement Grant. The total project is \$579,111.50. The maximum that DOT will pay is \$284,040 which is 49% of the cost. The Town will be responsible for the other 51% or \$295,072.50.

It is now time to complete the contract. The Town must pay half of our portion before DOT will begin work. DOT agreed that the Town can pay the second half in FY 2012. In FY 2009 the Town set aside \$300,000 for this match, but because DOT postponed the project these funds lapsed. Council's approval was requested to use \$100,000 from Streets and Infrastructure designated funds plus \$47,536.25 from Road Improvement designated funds for the grant match.

A motion was made by Councilmember Shevchik and seconded by Councilmember Frazier to approve the use of the designated funds as stated. Mayor Halfacre confirmed with this approval, most of Lexington's major roads will have sidewalks. The motion was unanimously carried by all those present.

5. **Pilgrim Point Subdivision Street Lights:** In October 2009 the Town agreed to pay a portion of the street light bill for Pilgrim Point residents. In accordance with the Town's Residential Street Light Ordinance, the Pilgrim Point Homeowner's Association requested that the Town again pay a pro rata share of their street light bill. There are 48 lots in Pilgrim Point and the Town Ordinance states that the Town would be responsible for one (1) street light per six (6) lots, which equals eight (8) lights. The average cost of a residential light is \$18.60 per month. The total requested amount is \$1,785.60 ( $\$18.60 \times 8 \times 12$ ). Funds would come from Parks, Streets and Sanitation budget, account #100-60-5520.

A motion was made by Councilmember Shevchik and seconded by Councilmember Maness to approve partial payment of street lights in Pilgrim Point Subdivision as stated. The motion was unanimously carried by all those present.

6. **Appointment to the Accommodations Tax Advisory Committee:** At the request of Grants Administrator Wesley Crosby, John Bailey submitted a Talent Bank application to be appointed to the Accommodations Tax Advisory Committee. (Copy attached.) Mr. Bailey is the owner of Schlotzsky's Deli in Lexington and

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would be replacing a former Board Member who was a restaurateur. It is required by law that at least one member be in the restaurant business.

A motion was made by Councilmember Thompson and seconded by Councilmember Shevchik to approve appointment of John Bailey to the Accommodations Tax Advisory Committee. The motion was unanimously carried by all those present.

7. **Martin Luther King Fellowship Banquet Sponsorship:** The Lexington County Ministerial Alliance and MLK Celebration committee requested a Town sponsorship of the annual Martin Luther King Fellowship Banquet in celebration of the Martin Luther King holiday. (Copy of letter attached.) Last year the Town purchased a table at the banquet. A \$250 sponsorship would reserve a table for eight (8) at the banquet. Funds would come from Council's Contribution Budget.

A motion was made by Councilmember Maness and seconded by Councilmember Thompson to approve a MLK Banquet Sponsorship in the amount of \$250.00. The motion was unanimously carried by all those present.

**COMMENTS**

**Mayor Randy Halfacre** welcomed students from the Lexington High School's Economics Class. He wished a Happy Birthday to all Town employees celebrating birthdays in December. Mayor Halfacre wished Fred Sons a speedy recovery. He expressed condolences to the family of Rose Hill who passed away in November. She was a teacher for the Town's KEYS after school program. He also expressed his sympathy to Eddie Enfinger, South Congaree Councilmember, who lost his wife last week. He congratulated Brent Carter (Police Department) and his wife, Anna, on the birth of their baby girl on November 4<sup>th</sup>. Her name is Sophia Irena-Mae Carter. Mayor Halfacre encouraged everyone to attend the Lexington Vision Plan meetings to be held December 7<sup>th</sup> in the Eli Mack, Sr. Room at 7:30 a.m., 11:00 a.m. and 6:00 p.m. He added that the Lexington Vision Plan will be an opportunity to give ideas on where to take the Lexington community in the short term and in the future. Mayor Halfacre congratulated Judy Flack on her retirement from the Lexington Police Department where she was the Victim's Advocate for 10 years. He added that she did a fabulous job and he hopes she enjoys her retirement. Mayor Halfacre announced that Friday was Arbor Day in the Town of Lexington and a tree was planted in Gibson Pond Park. He wished everyone a Merry Christmas and a happy, healthy, safe and prosperous new year and God be with you. He later congratulated Councilmember Maness on her new position in the National League of Cities as First Vice President for Women in Municipal Government.

**Councilmember Richard Thompson** wished everyone a safe holiday and to not forget that the reason for the season is that Christ was born.

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**Councilmember Kathy Maness** welcomed all the students to the Council meeting. She congratulated the girl's soccer team and their coaches. Councilmember Maness stated that she had recently returned from the National League of Cities Conference in Denver, Colorado. She added that every time she attends a conference, she is reminded of how glad she is to live in Lexington. So many small towns across the country have so many problems. She stated that she will give a NLC report in January and the President of NLC, Mr. James Mitchell, will also be present. Councilmember Maness wished everyone a Merry Christmas and a reminder of the reason for the season.

**Councilmember Ted Stambolitis** wished everyone a Merry Christmas, a Happy New Year and God bless.

**Councilmember Danny Frazier** expressed his condolences to Eddie Enfinger in the loss of his wife, Lucy, who was a fine lady. He wished a speedy recovery to Fred Sons. He wished everyone a Merry Christmas and a Happy New Year. Later he recognized students, Katie Anderson and Rachel McKinney.

**Councilmember Todd Shevchik** congratulated Miriam Ford on her proclamation. He added that Miriam is truly a special lady and does a lot for the community and if you had an event you would want Miriam on your committee. He wished his son a Happy 11<sup>th</sup> Birthday. Councilmember Shevchik wished everyone a Merry Christmas, Happy Holidays, Happy Hanukah, and a Happy New Year.

**Town Administrator Britt Poole** wished everyone a Merry Christmas.

**QUESTIONS FROM THE MEDIA:** None.

**PUBLIC COMMENTS:** None.

**ADJOURNMENT:** Mayor Halfacre thanked the Council members, citizens, and students for attending the meeting tonight and for those at home for viewing the Council meeting on Channel 2.

A motion was made by Councilmember Maness and seconded by Councilmember Frazier to adjourn the Council Meeting. The motion was unanimously carried.

The Regular Council meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC  
Municipal Clerk

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APPROVED:

T. Randall Halfacre  
Mayor