

**MINUTES**  
*Town of Lexington*  
**Executive Session and**  
**REGULAR COUNCIL MEETING**  
**October 3, 2011**

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Town Council held Executive Session at 5:30 p.m. on October 3, 2011 prior to the Regular Council Meeting. The meetings were attended by Mayor Randy Halfacre, Mayor Pro-Tem Hazel Livingston, Council Members Kathy Maness, Ted Stambolitis, Danny Frazier, and Todd Shevchik. Councilmember Richard Thompson was absent due to illness.

The Executive Session was also attended by Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, and Municipal Clerk Becky Hildebrand. Also attending the Regular Council meeting was: Police Chief Terrence Green, Community and Economic Catalyst Johnny Jeffcoat, Director of Utilities and Engineering Allen Lutz, Finance Director Kathy Roberts, Director of Parks, Streets and Sanitation Dan Walker, Events and Media Coordinator Jennifer Dowden, and I.T. Manager Josh Emory.

Approximately sixty (60) citizens and students were present. One member of the news media was present.

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**EXECUTIVE SESSION REPORT**

Mayor Halfacre reported that the *Executive Session* was called to order at 5:33 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to go into *Executive Session*. The motion was unanimously carried by all those present. Council adjourned from *Executive Session* at 6:25 p.m. after a motion was made by Councilmember Shevchik and seconded by Councilmember Stambolitis. The motion was unanimously carried by all those present. Mayor Halfacre reported that Council met in *Executive Session* to discuss: one personnel matter, six contractual issues including the sewer contract and economic developments; and three updates on pending legal issues. No vote was taken. A motion was made by Councilmember Stambolitis and seconded by Mayor Pro-Tem Livingston to ratify Mayor Halfacre'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. He announced that Councilmember Thompson had rarely missed any Council meetings, but he had been in the hospital for several days and was just released yesterday. He wished Councilmember Thompson a speedy recovery. Councilmember Maness gave the invocation. Councilmember Stambolitis led in the Pledge of Allegiance. Mayor Halfacre called the meeting to order at 6:36 p.m. He later welcomed Scott Adams, Johnny Jeffcoat, and Sam and Gina McCuen to the meeting along with two candidates for Town Council, Constance Flemming and Steve MacDougall. He also

MINUTES  
REGULAR COUNCIL MEETING  
October 3, 2011

welcomed the ladies from the Lions Club and Chuck and Dawn Corley. Later he also welcomed the Mayor of Chapin, Stan Shealy.

**ADDITIONS/DELETIONS**

1. Add two proclamations: Lake Murray Lions Club Proclamation and Newspaper Week Proclamation.
2. Delete New Business #4 (First Reading of an Ordinance Rezoning 800 Hendrix Street). Mayor Halfacre stated that the requesting citizens asked that the item be deferred to Council's October Work Session.

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

**APPROVAL OF MINUTES:** A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to approve the minutes from the Council Work Session held on September 19, 2011. The motion was unanimously carried by all those present.

**PRESENTATIONS**

1. **Proclamation for Regina Willoughby – Mayor Randy Halfacre:** Ms. Willoughby was commended for her lifetime dedication to dancing, being a Ballerina for Columbia City Ballet; participating in the 50<sup>th</sup> Anniversary celebration of Columbia City Ballet; and, as a dance educator through her Lexington studio, The Academy Center for Dance Education. Mayor Halfacre and Council declared Regina Willoughby Lexington's Ballerina. Columbia City Ballet Executive and Artistic Director William Starrett was present and stated that he discovered Regina and she is an honored Principal Dancer and Ballerina with the company. He added that Regina has two children; her husband is currently deployed with the Armed Forces; and, she balances many things in her life, yet is committed to dance and doing what she loves. Ms. Willoughby thanked the Mayor and Council and stated that she is very proud to call Lexington her home and it is a wonderful place to raise her children. (Copy attached.)
2. **Lake Murray Lions Club Proclamation – Mayor Randy Halfacre:** Mayor Halfacre read a proclamation honoring the community work of the Lake Murray Lions Club and proclaimed October 22, 2011 through October 29, 2011 as Lake Murray Lions Sight and Hearing Conservation Week. Several members of the Lake Murray Lions Club were present to accept the proclamation. They also thanked several businesses for donating proceeds to the Lake Murray Lions Club, including Councilmember Stambolitis who is a Lions Club member.
3. **Newspaper Week Proclamation – Mayor Randy Halfacre:** Mayor Halfacre read a proclamation commending local newspapers for their commitment to the community and proclaimed October 2, 2011 through October 8, 2011 as National

MINUTES  
REGULAR COUNCIL MEETING  
October 3, 2011

Newspaper Week. He presented a proclamation to Ms. Vickie Shealy from the Lexington County Chronicle and also thanked Jerry and McLeod Bellune.

**TRAFFIC UPDATE**

Mayor Pro-Tem Livingston provided an update on the Town of Lexington's continuing efforts to improve traffic. (1) The Lexington Veterans Parade is scheduled for Sunday November 6, 2011 and Main Street and U.S. Highway 1 will be closed from Hagood Street to S. Lake Drive and Highway 6 to Fort Street where the parade will disband at the Lexington County Administration Building parking lot. The closing will last from 2:30 p.m. to 4:00 p.m. (2) The Traffic Committee asked SCDOT to modify the eastern most island at the Target Shopping Center to allow for handicapped access of the sidewalk system. (3) Citizens were reminded that Monday, October 31<sup>st</sup> is Halloween and to please be careful and watch out for the children as they go door to door. Mayor Pro-Tem Livingston asked if anyone has any traffic issues to please contact 359-1027. The next Traffic Committee meeting will be held on October 18, 2011 at 8:00 a.m. in the Council Chambers (change in location) in Town Hall.

**PUBLIC HEARINGS:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS**

**1. First Reading of an Ordinance Amending the Garbage Collection Ordinance:**

The current garbage ordinance may not adequately protect a business from situations where a customer or unknown person dumps unauthorized garbage into either the dumpster of the business, or trash receptacles on the business premises. Council was asked to amend the attached portion of the Health and Sanitation Ordinance to prevent the "dumping" of private household garbage in an unauthorized manner on a business premise. (Copy attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to approve First Reading to amend the Garbage Collection Ordinance. Mayor Pro-Tem Livingston confirmed that the penalty would be considered a misdemeanor and could carry a fine of \$500.00, plus court costs, for the total not to exceed \$1,000.00. The motion was unanimously carried by all those present.

- 2. First Reading of an Ordinance to Acquire Property from Joint Water and Sewer Commission:** The Utilities Department will require the purchase of property at the corner of Highway 378 and Beechwoods Drive, Tax Map #004117-01-001 to construct a new wastewater pump station. The property belongs to the Joint Municipal Water and Sewer Commission. In order for the Town to purchase this property from the Commission, it must be done by ordinance.

MINUTES  
REGULAR COUNCIL MEETING  
October 3, 2011

A motion was made by Councilmember Frazier and seconded by Mayor Pro-Tem Livingston to approve First Reading of an ordinance to acquire property from the Joint Municipal Water and Sewer Commission as stated. Municipal Attorney Cunningham advised that even though Mayor Halfacre serves on the Commission's Board he was not obligated to recuse himself from the vote. Councilmember Stambolitis confirmed that the cost would be approximately \$30,000 or what the Commission has invested in the 1.1 acre property. Mayor Halfacre deferred a student's question to the end of the meeting. The motion was unanimously carried by all those present.

- 3. First Reading of an Ordinance Annexing 216 Pilgrim Point Drive:** Charles and Kathleen Herald own approximately .19 acres of property at 216 Pilgrim Point Drive (TMS #3420-01-063) and are petitioning for annexation of the property. The property is residential as are the surrounding properties. Properties in the Town limits located in this area are Protected Residential (PR) and Pilgrim Point Drive is classified as a Residential Local Six (RL6) road. During the September Planning Commission meeting, the Commission recommended the same zoning for this property.

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve First Reading of an ordinance to annex 216 Pilgrim Point Drive as stated. The motion was unanimously carried by all those present.

- 4. (Deferred to October Work Session at request of applicant.) First Reading of an Ordinance Rezoning 800 Hendrix Street:** Mr. Sherrill Harris (S&S Assistance Housing, LLC) requested to rezone 800 Hendrix Street from Protected Residential Two (PR2) to Limited Commercial (LC). He would like to use the parcel for a boarding house, which would fall under the Zoning Ordinance's category of *Group Housing, non-temporary (limited)*. That category of use is allowed only in General Commercial and Limited Commercial zoning districts. The Planning Commission recommended against rezoning the parcel to Limited Commercial (LC).

- 5. Vulnerability Assessment Needs:** The Utilities Department has been working on a vulnerability assessment for the Town's collection and distribution systems following the power outage at the wastewater treatment plant in April, 2011. Due to problems experienced with the current paging system caused by the paging company's reduction of towers, the Town needs to change the SCADA operating software to VT SCADA. This software will allow all the alarms and after hour calls to be sent as text and emails to all the appropriate staff allowing quicker response. Collins Control Services, which currently handles all of the Town's SCADA work, quoted a price of \$30,000.00 to purchase the software, install, and program all of the Town's sites. Funding would come from 2011 CIP.

A motion was made by Councilmember Frazier and seconded by Councilmember Shevchik to approve the purchase of software, including

MINUTES  
REGULAR COUNCIL MEETING  
October 3, 2011

installation and programming, from Collins Control Services as stated. The motion was unanimously carried by all those present.

6. **Curbside Recycle Bins:** Sonoco requested changes for items collected in curbside recycle bins to include newspapers, magazines (which are less than one (1) inch thick), aluminum and any metal cans and lids, any cardboard or boxes (not waxed or plastic coated), plastic bottles and jugs with slender necks or screw on tops, office paper and junk mail. Sonoco encouraged residents to recycle glass separately at the Lexington County Convenience Stations for the safety of their sorters. If glass is crushed it can contaminate the load which would require the entire load to be sent to the landfill. (Copy of regulations attached.)

A motion was made by Councilmember Shevchik and seconded by Councilmember Frazier to approve the revised trash regulations as stated. Mayor Halfacre confirmed that citizens would be made aware of the revised trash regulation through notices in the water bill, Channel 2, Facebook, Twitter, and the Town's web page. Town Administrator Poole stated that citizens would be educated through every possible method. The motion was unanimously carried by all those present.

7. **Historic Silver Collection:** During the September Work Session Council heard a presentation from Mr. Chuck Corley, Chairman of the Historic Preservation Review Board, requesting to partner with the Town to display John C. Calhoun's silver. Mr. Corley and his wife, Dawn (The Charleston Silver Lady), offered to display several pieces of John C. Calhoun's silver if the Town would purchase the display cabinet, provide security, and obtain insurance. The Corley's would like to display the silver this year in conjunction with the Town's 150<sup>th</sup> anniversary celebration. Mrs. Corley offered to conduct silver lectures, donating the proceeds to the Historic Preservation Review Board to offset the cost of the display. The cabinet could be used later for other historic displays. The estimated cost of the cabinet was \$650, plus installation and the insurance would cost \$3,500 per year.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to approve the partnership and cost as stated to display the John C. Calhoun silver in Town Hall for a period of time. Town Administrator Poole stated that the second floor atrium may be a good place to place the display cabinet. Councilmember Maness recommended the first floor. Councilmember Stambolitis recommended the hall between the first floor atrium and the Council Chambers. Mayor Halfacre requested that Mrs. Corley give the Town staff some guidance as to the placement of the display. The motion was unanimously carried by all those present.

**COMMENTS**

**Mayor Randy Halfacre** wished a Happy Birthday to all Town employees celebrating birthdays in October including Councilmember Thompson on the 18th. He wished a

MINUTES  
REGULAR COUNCIL MEETING  
October 3, 2011

speedy recovery to Councilmember Thompson; to Mayor Pro-Tem Livingston's brother, Jackie, who was in critical care at a hospital in Atlanta; to Councilmember Maness' mother; and, to Clerk of Court Tina Trippe's son who was in the hospital last week. Mayor Halfacre expressed his sympathy to the family of Maureen Maccaulay. He added that Mrs. Maccaulay was the first woman elected to the Town Council in 1974 and she also served as the Town Clerk from 1975 to 1985. He expressed condolences to the family of Mr. Jack Harmon who passed away last week. Mr. Harmon was the Mayor Pro-Tem for the City of West Columbia. He expressed his sympathy to Connie Peagler (Police Department) in the recent loss of her brother, Jack Welch. Mayor Halfacre thanked everyone for the calls, cards and prayers during the recent death of his wife's father, Bob Simkins. He added that his father-in-law was a big Gamecock fan and a long time Master's Golf patron and he would be greatly missed. Mayor Halfacre congratulated Mike (Police Department) and Kerri Lawler on the birth of their baby girl, Madison Elaine Lawler, born on September 19th. He also congratulated Ebony (Police Department) and Jamie Bowers on the birth of their baby girl, Shayla Elizabeth Bowers, born on September 20<sup>th</sup>. Mayor Halfacre congratulated Patrol Lieutenant Chad Snelgrove on graduating from the internationally known 10-week FBI National Academy in Quantico, Virginia. He added that Chad has been with the Lexington Police Department since 1994. He added that the Town is lucky to have three graduates from the FBI Academy. Mayor Halfacre thanked Events and Media Coordinator Dowden for a great job and extra duty on the Town's Farmers Markets. He hoped to look at doing the Farmers Market again next year. He added that there will be a Farmers Market this Saturday the 8<sup>th</sup> and the market would wrap up on October 22<sup>nd</sup> which would be in conjunction with the DooDah Parade on Main Street at 11:00 a.m., followed by the Oktoberfest behind the Old Court House from 12:00 to 5:00, followed by Rocktoberfest behind Main Street Café from 5:00 to 10:00 pm. He thanked Lexington's Young Professionals for adopting the festival this year and for all their hard work. Mayor Halfacre was looking forward to the 3<sup>rd</sup> Annual Sertoma Big Thursday to be held at Town Hall on October 20<sup>th</sup> at 6:00 p.m. He added that all the proceeds (\$18,000 to date) go to park improvements, specifically the overlook and bridge improvements at Gibson Pond Park. Mayor Halfacre thanked Town Prosecutor, Cliff Koon, for his many years of participating in the program, "The Man Called Jesus" at Lake Murray Baptist Church. He congratulated the program on receiving the American Bus Association's Top 10 Events in North America award. He added that it is a very meaningful performance and this year the event runs from November 20<sup>th</sup> through December 18th. Mayor Halfacre announced that the Stone Theater Group would be building a multi-plex movie theater on the East end of Highway 378. He added that the screens would be 3 stories tall and 60 feet wide with 14 theaters which would seat 2,800 people. He thanked Lexington County Councilmember Jeffcoat and Town Councilmember Frazier for helping to bring the new complex to the Town. He stated that economic development does not just happen; it takes infrastructure including wastewater. Mayor Halfacre stated that the Town would have a Municipal election on November 8<sup>th</sup> and the Town has three seats open. He asked citizens to look at the current Councilmembers and research their accomplishments. He also asked that they look at the non-incumbents that were also running for Town Council and make an educated vote. He stated that the election also includes a referendum for Sunday beer

MINUTES  
REGULAR COUNCIL MEETING  
October 3, 2011

and wine sales. A “yes” vote on the referendum would allow grocery stores and other retail outlets in the Town to sell beer and wine on Sunday, but it could not be consumed on the premises. A “no” vote would leave things as they are now which allows the sale of alcoholic beverages in bars and restaurants on Sundays.

**Mayor Pro-Tem Hazel Livingston** reminded Town citizens that they have until Friday at 5:00 p.m., October 7<sup>th</sup> to register to vote in the Town’s election. She announced the Police Department’s Fall Festival to be held on October 27<sup>th</sup> from 6:00 to 9:00 p.m. here at Town Hall. She added that tickets are \$15.00 for the entire family or \$5.00 per person. The proceeds go to the Adopt-A-Cop program and Mayor Pro-Tem Livingston encouraged everyone to come out and enjoy all the fun and hot dogs. She thanked Councilmember Frazier and Municipal Attorney Cunningham for helping with the wonderful hot dogs. She added that citizens could also bring donations of canned food and/or blankets to the Fall Festival. Mayor Pro-Tem Livingston wished Councilmember Thompson a speedy recovery and she did not remember him missing a meeting. She congratulated the Lexington Chamber on their ground breaking reception last Tuesday. She added that it would be great to have the Chamber office on Main Street and to continue to build partnerships. Mayor Halfacre thanked the Town for the proclamation to the Lexington Chamber honoring the ground breaking event. Mayor Pro-Tem Livingston expressed her sympathy to Angela Halfacre in the recent loss of her father.

**Councilmember Kathy Maness** was glad to see so many students at the meeting and she reminded them if they were 18 years old, they should register by Friday, October 7<sup>th</sup>. She also reminded everyone that absentee voting is now open and citizens could apply to absentee vote at the Lexington County Registration office and cast their votes for three of six citizens running for Town Council members. Councilmember Maness thanked Dawn Corley, The Charleston Silver Lady, for offering to display the John C. Calhoun silver at Town Hall and it would be very exciting for the Town. She expressed her thoughts and prayers to Angela Halfacre in the recent loss of her father. She wished a Happy 20<sup>th</sup> Birthday to her son and a Happy Birthday on the 18<sup>th</sup> to Councilmember Thompson. She wished Councilmember Thompson to get well soon. Later she inquired if the Town would be filming candidates to air on Channel 2 again this election. Town Administrator Poole stated that the Town would be working on that filming schedule soon and it would probably air at least a few weeks prior to the election.

**Councilmember Ted Stambolitis** stated that he missed Councilmember Thompson being beside him at the meeting tonight and he wished him a very speedy recovery. He expressed his condolences to Angela Halfacre in the recent loss of her father. He hoped that Mayor Pro-Tem Livingston’s brother would have peace from God and he would continue to pray for her family. Councilmember Stambolitis wished his daughter a Happy 17<sup>th</sup> Birthday and he was happy that she has not knocked down any more mail boxes since she got her driver’s license.

MINUTES  
REGULAR COUNCIL MEETING  
October 3, 2011

**Councilmember Danny Frazier** expressed his condolences to Angela Halfacre and her family during the recent loss of her father. He told Mayor Pro-Tem Livingston that he would continue to think about her family and her brother. He told Councilmember Maness that they were in similar shape in helping their mothers and he hoped her mother got well soon. He wished Councilmember Thompson a speedy recovery. He added that Councilmember Thompson is a good man who works hard for everyone in Lexington and he is honest and he respects him very much. Councilmember Frazier stated that he is running for re-election and he would appreciate the citizens' votes on November 8<sup>th</sup>. He stated that we have a great community, great quality of life, great schools and great people and he would like to continue serving on the Town Council. He stated that he led the charge to raise \$100,000 to put cameras in the schools for kids for safety; he enjoys working with the people; and, growing the community by bringing in additional revenue because it takes money to pay for things and Lexington needs to continue to be pro-business. He has enjoyed serving with everyone on the Council and he would appreciate everyone's vote on November 8<sup>th</sup>.

**Councilmember Todd Shevchik** announced that Art in the Garden is Friday at Wingard's Garden and all the proceeds go to LICS to help serve the community. He added that it is a great event and he encouraged everyone to come out. Councilmember Shevchik stated that the Vision Plan Steering Committee would meet on October 12<sup>th</sup> at 8:00 a.m. at Town Hall. He added that the group has worked on the Vision Plan project for almost a year and they have been looking at ways to improve Lexington over the next 30 to 40 years. They are down to the final stages and it would be a good reason to come by Town Hall. He wished his daughter a Happy Double-Digit (10<sup>th</sup>) Birthday. He commended the cast of Alice in Wonderland recently held at the Village Theater. He added that the Village Theater is a great resource in Lexington and he hoped everyone would attend the next production. Councilmember Shevchik congratulated Chief Green on having three FBI graduates. He added that it was just in time for them to guard Mr. Calhoun's silver! He encouraged everyone to come out to the Police Department's Fall Festival on October 27<sup>th</sup> because it is always a great event. He announced that he was wearing an orange shirt, not by choice, but he got in trouble when he discussed the football games this past weekend. Councilmember Shevchik stated that Events and Media Coordinator Dowden came up with the Town slogan, "*If you smell it, tell it*" regarding sewer fumes, but he had cogitated a slogan for the new trash regulations he recommended, "*Don't be an ass, no glass!*" He added that a little donkey in the slogan may be included. Councilmember Shevchik announced that he was running for re-election for Town Council and he asked for everyone's vote. He stated that citizens would soon see his signs sprouting up, with a Lexington motif of blue and yellow, but there were recycled signs from five years ago and he appreciated his kids helping to wipe them off. He added that he would appreciate everyone's vote, but whether you vote for him or someone else, please get out and vote. Mayor Halfacre thanked Councilmember Shevchik for bringing up the Vision Plan and thanked everyone who serves on that committee. He also wished Councilmember Shevchik's daughter a Happy Birthday and added that she provides a great service to the community through her jewelry sales.

**QUESTIONS FROM THE MEDIA:** None.

**PUBLIC COMMENTS**

**Student Kenton Olives** asked (1) what the property would be used for that was annexed at 216 Pilgrim Point Drive; and (2) who needed the new SCADA software that was to be purchased. Town Administrator Poole responded (1) the property was zoned residential; and (2) the SCADA software was needed by the Utilities Department. He explained by asking for a show of hands from the students of those who had beepers. No one raised their hand. Town Administrator Poole stated that was exactly why the new software was needed so staff would be notified by cell phone since beepers had gone out of style. He added that since the Town has 60 pump stations and three water towers, it is important to be notified of problems as soon as possible.

**Student Sterling Davis** asked if they could hear the motions and the votes again once they got home. Mayor Halfacre explained that a tape of the Council meeting airs again during the week at 9:00 a.m., 3:00 p.m. and 9:00 p.m. on Time Warner Channel 2, or if the students had additional questions, they could also call Town Hall. Town Administrator Poole added that they could also watch a streaming video on the Town's web page (lexsc.com) if they did not have cable.

**Ms. Gigi Towers** asked if traffic flow was considered when they approved the new movie complex on Sunset Blvd. Mayor Halfacre stated that traffic is always a consideration in the Town of Lexington, but they cannot tell a landowner to not develop their property. He added that it puts Council in a reactionary mode when someone has a plan to develop, either residential or commercial. He stated that the Town does put in infrastructure to generate development. Mayor Halfacre added that Highway 378/Sunset Blvd. is a State road, and even though the Town works closely with SCDOT and Lexington County, the Town does not have control over Highway 378. Ms. Towers stated that she was thrilled to have businesses come to Lexington and asked if citizens could see the traffic mapping since she was concerned with that area of Highway 378. Town Administrator Poole encouraged her to come to a Planning Commission meeting once plans are submitted to the Town for approval, which would include a traffic study. Mayor Halfacre confirmed that all the government entities have struggled with the traffic issues because we live in one of the fastest growing municipalities in the state. He meets a lot of other Mayors who wish they had our growth problems.

**Student Trevor Brown** asked (1) if \$3,500 was necessary for insurance coverage on the silver that was to be displayed in Town Hall; and (2) was there an issue date for students to receive their iPads. Mayor Halfacre stated that an insurance company quotes that rate to the Town in order to insure the silver. He added that the Calhoun silver is very rare. Councilmember Maness stated that John C. Calhoun was a very important person in the State of South Carolina, if they remembered their State history. She added that there are only a few pieces of his silver in existence and the Town is

MINUTES  
REGULAR COUNCIL MEETING  
October 3, 2011

very fortunate to have it here. To the second question, Mayor Halfacre responded that the student would have to ask the School Board that question.

**ADJOURNMENT**

Mayor Halfacre thanked the Council Members and citizens for attending the meeting tonight and for those at home for viewing the Council meeting on Channel 2 and it will be replayed several times during the week.

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 7:47 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC  
Municipal Clerk

APPROVED:

T. Randall Halfacre  
Mayor

*FOIA COMPLIANCE – Public notification of this meeting was published, posted and mailed in compliance with the Freedom of Information Act and the Town of Lexington requirements.*