

MINUTES
Town of Lexington
Swearing-In Ceremony and
REGULAR COUNCIL MEETING
December 1, 2008

Town Council met in a Regular Council Meeting on December 1, 2008 following the Swearing-In Ceremony for the Mayor and three Council Members. The meeting was attended by Mayor Randy Halfacre, Mayor Pro-Tem Hazel Tyndall, Council Members Richard Thompson, Kathy Maness, Ted Stambolitis, Danny Frazier and Todd Shevchik. Staff attending the meeting included: Town Administrator Jim Duckett, Assistant Town Administrator Britt Poole, Municipal Attorney Brad Cunningham, Police Chief Terrence Green, Director of Utilities and Engineering Allen Lutz, Finance Director Kathy Roberts, Director of Parks, Streets and Sanitation Dan Walker, Media and Events Coordinator Laura McMickens and Municipal Clerk Becky Hildebrand. .

Two members of the news media were present and approximately seventy-five (75) citizens and students.

INVOCATION AND PLEDGE: Mayor Halfacre called on Reverend Jim Glatz, Saxe Gotha Presbyterian Church, for the invocation. Councilmember Frazier led in the Pledge of Allegiance.

OATH OF OFFICE

Town Administrator Jim Duckett welcomed everyone to the Council Meeting and to the Swearing-In Ceremony for Randy Halfacre, Hazel Tyndall, Kathy Maness and Ted Stambolitis.

Mayor Randy Halfacre: Mayor Halfacre was joined by his wife. Reverend Jim Glatz read the Oath of Office which was repeated by Mayor Halfacre swearing him in as the Mayor of Lexington after being re-elected for a second four year term. (Copy of oath attached.)

Councilmember Hazel Leggett Tyndall: Councilmember Tyndall was joined by her daughter. Her husband, Chief Dennis Tyndall, read the Oath of Office which was repeated by Councilmember Tyndall swearing her in as a new Town of Lexington Councilmember after being re-elected, unopposed, for a four year term. (Copy of oath attached.)

Councilmember Kathy Maness: Councilmember Maness was joined by her husband and family. S.C. House Representative Ted Pitts read the Oath of Office which was repeated by Councilmember Maness swearing her in as a new Town of Lexington Councilmember after being re-elected, unopposed, for a four year term. (Copy of oath attached.)

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Councilmember Ted Stambolitis: Councilmember Stambolitis was joined by his family. His father, John Stambolitis, read the Oath of Office which was repeated by Councilmember Stambolitis swearing him in as a new Town of Lexington Councilmember after being re-elected, unopposed, for a four year term. (Copy of oath attached.)

Mayor Halfacre announced that there would be a reception immediately following the Regular Council meeting. The Mayor and Council Members introduced all their family members that were present and thanked them for their support and for attending the swearing-in ceremony.

CALL TO ORDER: Mayor Halfacre called the Regular Council meeting to order at 7:15 p.m.

SELECTION OF MAYOR-PRO TEM

Mayor Halfacre called for nominations for Town of Lexington's Mayor Pro-Tem. Councilmember Frazier made a motion to nominate the current Mayor Pro-Tem Hazel Tyndall to again serve as Mayor Pro-Tem. There being no additional nominations, Councilmember Maness seconded the motion which was unanimously carried.

ADDITIONS/DELETIONS:

Mayor Halfacre requested that New Business Item #9 (Additional New Year Holiday) be added to the agenda. Mayor Halfacre requested that since New Year's Day is on a Thursday, that Council approve Friday, January 2, 2009 as a holiday for Town staff. There being no objections from Council the item was added as requested.

APPROVAL OF MINUTES: Councilmember Maness made a motion to approve the minutes from the Council's Work Session on November, 2008 as presented. Mayor Pro-Tem Tyndall seconded the motion which was unanimously carried.

PRESENTATIONS

1. **Grant for the 2009 Bass Federation Southern Division Championship – Senator Jake Knotts:** Senator Knotts presented a \$10,000 check to the Town of Lexington that would be used by the Lexington Chamber to promote and host the 2009 Bass Federation Southern Division in June, 2009. Funds were from the State's Fish and Game Fund based on the number of boats registered in the state. Senator Knotts described a previous tournament that was hosted by Capital City Lake Murray Country which brought \$2.5 million to the area. Mayor Halfacre thanked Senator Knotts and stated that the actual check was already in the bank. He added that it was somewhat premature to announce the tournament, but funds needed to be handled prior to any budget cuts. Mayor Halfacre had not had a chance to address the

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Council regarding the tournament, but they would discuss it at the January Work Session.

Councilmember Frazier commented that the Town recognized Senator Knotts at the recent Building Partnerships Oyster Roast acknowledging the funds that the Senator had brought to the Town in the past two to three years. Councilmember Frazier estimated that Senator Knotts had been instrumental in obtaining \$800,000 in grants for various project in the Town.

2. **American Institute of Architects 2008 Merit Award – Mr. Michael Kohn and Mr. Larry Wilund (partners of Calloway, Johnson, Moore and West):** Mr. Kohn presented the Town with the American Institute of Architects Merit Award – Columbia Division for the renovation of the Palmetto Collegiate Institute (f/k/a The Roof House). Mr. Kohn gave a brief background of the events leading to the Town Council’s decision to restore the old school property. He thanked Mayor Pro-Tem Tyndall and the original committee for their time and dedication to the project. Mr. Kohn presented a power-point presentation with before and after pictures of the Palmetto Collegiate Institute. The property will be used for meetings, receptions and serve as a heritage resource. Mr. Wilund read the award and presented it to Mayor Halfacre and Mayor Pro-Tem Tyndall. Mayor Halfacre thanked Mr. Kohn and Mr. Wilund for submitting the Palmetto Collegiate Institute as an entry for the merit award and for all their efforts with the project from the start to the finish.
3. (postponed) **Lexington High School Girls Golf Team.**
4. **Friends of Lexington Main Library – Father/Daughter Dance – Ms. Rosemary Wilson:** Ms. Wilson announced that the Father and Daughter Dance is the signature fund raising event for the Friends of Lexington Main Library. The dance will be \$25.00 per couple and be held on February 14, 2009 at Lexington High School. She explained how the use of the library has grown and how funding is obtained. The Friends of Lexington Main Library help with several projects including youth services. Ms. Wilson encouraged everyone to participate and she asked for Council’s continued support.
5. (postponed) **Lexington County Census -2010.**

PUBLIC HEARINGS

Mayor Halfacre called Public Hearings to order and requested that those wishing to speak limit their comments to three minutes.

1. An Ordinance Amending the budget for Water Tank Maintenance.
2. An Ordinance Annexing 1091 Three Chop Run.
3. An Ordinance Annexing 414 Old Cherokee Road.

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

OLD BUSINESS

1. A motion was made by Mayor Pro-Tem Tyndall and seconded by Councilmember Shevchik to **approve Final Reading of an Ordinance Amending the Budget for Water Tank Maintenance**. The motion was unanimously carried. (Copy of Ordinance attached.)
2. A motion was made by Councilmember Thompson and seconded by Councilmember Stambolitis to **approve an Ordinance Annexing 1091 Three Chop Run**. The motion was unanimously carried. (Copy of Ordinance attached.)
3. A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Tyndall to **approve an Ordinance annexing 414 Old Cherokee Road**. The motion was unanimously carried. (Copy of Ordinance attached.)

NEW BUSINESS

1. **First Reading of an Ordinance Adjusting Town Parking Fines:** The Police Department requested that Town Council look at the fine for parking violations under the Town Code of Ordinances. The current penalty provision for parking violations in Town (§75.12) has not been updated for some time and allows only a fine of \$10.00. After hearing the results from a survey of other area municipalities at the November Work Session, it was recommended that the fine for parking in a handicapped space be set at \$150; the fine for parking in a fire lane be set at \$50; and the fine for all other parking violations be set at \$25. (Copy of Ordinance attached.)

A motion was made by Councilmember Stambolitis and seconded by Councilmember Frazier to approve First Reading. The motion was unanimously carried.

2. **First Reading of an Ordinance Rezoning 115 Fox Street:** Joe and Frances Ann Boles, who own 115 Fox Street, requested to rezone it from Limited Commercial (LC) to Protected Residential (PR). A residence currently sits on the property, and the owners have no intention of using this property for commercial purposes in the future. They would like for the zoning of their property to reflect the use of the property as residential. The Planning Commission recommended approval of the rezoning from Limited Commercial to Protected Residential. An ordinance will be prepared for Final Reading.

A motion was made by Councilmember Frazier and seconded by Mayor Pro-Tem Tyndall to approve First Reading. The motion was unanimously carried.

3. **First Reading of an Ordinance Rezoning 103 and 105 George Street:** Ralph and Gardenia Sligh, who own 103 and 105 George Street, requested a rezoning of their properties from Protected Residential (PR) to Limited Commercial (LC) in order to use them commercially. The Planning Commission recommended approval of the

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rezoning from Protected Residential to Limited Commercial. An ordinance will be prepared for Final Reading.

A motion was made by Councilmember Shevchik and seconded by Councilmember Thompson to approve First Reading. The motion was unanimously carried.

4. **First Reading of an Ordinance Adjusting the Fiscal 2009 Budget:** Mr. Jim Duckett has served the Town of Lexington well for eight years. In preparation of his departure eighteen months from now, a succession plan has been developed. To begin implementation of the plan a budget adjustment is needed to move \$50,000 from debt service to Administration Salaries.

A motion was made by Mayor Pro-Tem Tyndall and seconded by Councilmember Maness to approve First Reading. The motion was unanimously carried.

5. **Rental Fee for Tent at Palmetto collegiate Institute:** The Town purchased a tent to be used for events at the Palmetto Collegiate Institute. Many groups who have toured the building and grounds have expressed that they would rent the facility if it could accommodate more guests. The tent will allow the property to accommodate larger events as the interior of the building is small and will only accommodate approximately 75 to 100 people for a reception. The rental tent is 20' by 60' with clear window sides. The proposed setup/usage fee for the tent is a flat rate of \$150. The fee will be charged in addition to the current deposit and rental fees for the building and grounds. The tent will only be available to those groups renting the Palmetto Collegiate Institute.

A motion was made by Councilmember Thompson and seconded by Councilmember Frazier to approve the rental fee for the tent at the Palmetto collegiate Institute. The motion was unanimously carried.

6. **Appointments to the Advisory Committee:** Mr. Don Horton submitted a Talent Bank application to serve on the Advisory Committee. There were two vacancies on the committee.

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve the appointment of Mr. Horton to the Advisory Committee. Mr. Horton was present and Councilmember Maness thanked him for attending the last Advisory Committee meeting and for serving on the committee. The motion was unanimously carried.

7. **Highway 301/I-26 Sewer Tie In:** The sewer line at 302 and I-26 that the Town of Lexington sewer ties into had to have major repairs due to hydrogen sulfide deterioration. The Town Administrator and the Director of Utilities and Engineering met with the City of Cayce staff about the problem and offered to pay 50% of the

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emergency repair cost of \$486,770.00 which is \$243,385.00. The City of Cayce Council agreed to these terms.

A motion was made by Councilmember Stambolitis and seconded by Councilmember Shevchik to approve payment as stated in the amount of \$243,385.00. Councilmember Stambolitis confirmed that the Town had the money available. The motion was unanimously carried.

8. **2009 Celebration of Excellence in Education Banquet Sponsorship:** Council received a request to sponsor the 2009 Celebration of Excellence in Education Banquet on February 24, 2009 as a Platinum sponsor for \$1,000.00. Funding is available from the current Council's Contributions Budget. (Copy of letter attached.)

A motion was made by Councilmember Frazier and seconded by Councilmember Maness to approve the request in the amount of \$1,000.00. The motion was unanimously carried.

9. **Holiday on January 2, 2009:** Mayor Halfacre requested that Council approve granting an additional holiday. He requested that the day after New Year's Day (Friday January 2, 2009) be granted as a holiday for staff to enjoy.

A motion was made by Mayor Halfacre and seconded by Councilmember Maness to grant the holiday on January 2, 2009. The motion was unanimously carried.

COMMENTS

Mayor Randy Halfacre wished a Happy Birthday to all Town employees celebrating birthdays in December. He expressed his sympathy to the family of Chief Terrence Green in the recent loss of his uncle in Georgetown. Mayor Halfacre thanked the Lexington Medical Center for recently sponsoring the Town's Building Partnership Oyster Roast. He added that the hospital was recently named the 8th most popular hospital in the Midlands and the State Chamber named them one of the best places to work in the state of South Carolina. Mayor Halfacre reminded everyone about: (1) the Town's Carollighting on December 4th at 6:30 in the Virginia Hylton Park. (2) South Carolina Arbor Day December 5th at 2:00 at East Main and South Lake Drive which will be a joint venture with the Town of Lexington and the County of Lexington. A tree will be planted in honor of American troops. (3) the Lexington Christmas parade on December 7th at 3:30 which will be on Main Street this year thanks to the Lexington Jaycees. Mayor Halfacre wished to state in closing that he appreciated all his supporters during the recent election and voting for him as their Mayor for a second term. He stated that the election was a humbling experience and he believed it was time for a change and a new direction in addressing traffic, utility rates, constituent services and shareholder partnerships. He thanked several Council Members for coming together as a new Council and commended them for their accomplishments. Mayor Halfacre stated

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that the citizens had overwhelmingly reelected him and it spoke volumes for the leadership that he has strived to provide to the Town. He was curious what issue someone would run against him since no one stepped up to oppose three Council Members seeking reelection. He was confident that he had listened to the citizens and he stated he was right in that there were no legitimate issues. However, his opponent in the election attempted to create a perceived issue regarding a conflict of interest by printing "Conflict Free" on her campaign material. Mayor Halfacre stated that the message was confusing and outright deceit and a campaign tactic. He added that only recently had he discovered who was really behind the postcard which was mailed to approximately 4,000 citizens on the eve of the election. He named Councilmember Shevchik as the person who developed and mailed the postcard and it was sickening that it brought his wife's creditability into question. He stated that his wife has the highest ethical standards of anyone he knows and she is beyond reproach. Mayor Halfacre stated that Councilmember Shevchik first denied the allegation and later admitted to sending the postcard to which he stated "he did not know why unless it was jealousy". Mayor Halfacre stated that at the November Work Session he did appreciate Councilmember Shevchik's acknowledgement and it was a beginning but not the end. Unlike what one Councilmember said at that meeting that "we should put this issue behind us", Mayor Halfacre responded that words were not enough since Councilmember Shevchik's words have proven to be untrustworthy and he should be held accountable for his underhanded actions. Mayor Halfacre stated that actions speak louder than words and trust is not easily repaired. He hopes that as we move into the New Year that Councilmember Shevchik will find humility that will allow him to publicly apologize to all those he has hurt. He further hopes that Councilmember Shevchik will become a positive, supportive member of the Council and he is confident that his future actions will be in the best interest of the citizens and business community. Mayor Halfacre added that he looked forward to working with all the Council Members as they strive to continue to improve the quality of life and economic prosperity of all the Town and community stakeholders. He wished everyone a Merry Christmas and prosperous New Year.

Mayor Pro-Tem Hazel Tyndall stated that she was very excited about the award for the Palmetto Collegiate Institute. She thanked all the original committee members, including Ms. Freda Bonner who passed away this year. She also thanked the new grounds committee and all their hard work. She thanked Mr. Leonard Price for his generous donation which allowed the project to move forward. Mayor Pro-Tem Tyndall thanked Senator Knotts for all his support regarding traffic issues. She congratulated Councilmember Maness on her recent election as the Communications Officer at the National League of Cities Women in Municipal Government. She wished her future son-in-law a Happy Birthday. Mayor Pro-Tem Tyndall thanked her family for being at the meeting tonight and for their support during the election. She also thanked Fred Sons and the Town's Election Commission and all the citizens that supported her. She congratulated the Mayor Halfacre and Councilmembers Maness and Stambolitis on their re-elections. Mayor Pro-Tem Tyndall congratulated Becky Hildebrand for winning the Taste of Lake Murray poster contest with Capital City Lake Murray Country.

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Councilmember Richard Thompson congratulated Mayor Halfacre, Mayor Pro-Tem Tyndall and Councilmembers Maness and Stambolitis on their re-elections and he looks forward to working with them for another four years. He also thanked the staff for always doing a great job. He wished all the Town citizens a Merry Christmas and a prosperous New Year.

Councilmember Kathy Maness introduced her young helper, Jonathan. She thanked her family, friends and citizens for all their support during the election. She stated that she was following in her Daddy's footsteps since he was on Council for the City of Lancaster. She added that he was a true public servant and she learned from the best. Her mother could not be present, but she wanted to say hello as she knew she would be watching Channel 2. Councilmember Maness wished everyone a very Merry Christmas and she hoped everyone would remember the true reason for the season.

Councilmember Ted Stambolitis thanked the citizens of Lexington for bestowing confidence in him again during the recent election. He stated that he was thankful for the privilege. He added that this Council had done a lot of work in four years and they have more to do. He thanked the staff who always makes them look good. He added that the staff is very professional and represent the Town well. He thanked his Mom and Dad and family for being at the meeting. He commented that his Dad worked hard in the restaurant business and always provided for them and his Mom taught them how to live and to be honorable. He thanked his wife and children who have always been understanding and a big support for him. Councilmember Stambolitis thanked Senator Knotts and told him that he never gets enough credit for all Senator Knotts does for Lexington and he sees him as a mentor. He thanked God and thanked Jesus who are true inspirations in his life. He added that the Town is blessed by Jesus and we live in a safe and Christian community.

Councilmember Danny Frazier congratulated Mayor Halfacre on his reelection and the three Council Members for being reappointed. He added that the Mayor has done a great job and he looks forward to working with them in the future and leading Lexington in the right direction. He wished everyone a safe and Merry Christmas.

Councilmember Todd Shevchik addressed the Mayor, the Mayor's wife and family and stated that he apologized to them for putting them through purgatory and he appreciated their grace and forgiveness. He added that it was the wrong thing to do and he was sorry. He hopes that they can get together and move forward with what is best for the Town. Councilmember Shevchik wished his son a Happy 9th Birthday. He also wished Jesus a Happy Birthday on the 25th and wished everyone a Happy Holiday. He congratulated the Mayor and Council Members on their election victories.

Mayor Halfacre responded to Councilmember Shevchik and quoted Rev. Billy Graham as saying that "you have to go through purgatory to build character". He understood that Councilmember Shevchik had gone through a hard time, but he truly believed that he can be a tremendous contributor to this Council.

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STAFF COMMENTS: Town Administrator Duckett thanked Council for the First Reading of the budget amendment. On behalf of the staff, he thanked them for the additional holiday on January 2, 2009.

QUESTIONS FROM THE MEDIA

Mr. Tim Flach, The State newspaper, confirmed that the budget adjustment regarding the Town Administrator's succession plan named Britt Poole as the next Town Administrator and the name of the new Assistant Town Administrator had not yet been released. Town Administrator Duckett added that the name would be released by Council's second reading.

Mr. Jerry Bellune, Lexington County Chronicle, jokingly confirmed that the budget adjustment was not a golden parachute for Mr. Duckett. He asked about the fishing tournament and the \$10,000 grant from Senator Knotts. Mayor Halfacre responded that eight to twelve teams will be fishing in Lake Murray, staying in local hotels with their families, and eating in local restaurants. He added that the announcement was premature based on the State's budget and he planned to fully share the details with Council in January.

PUBLIC COMMENTS: None.

ADJOURNMENT: Mayor Halfacre thanked the citizens for watching the Council meeting on Channel 2 and asked everyone present to join them in the swearing-in reception. There being no other business, a motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Tyndall to adjourn the Council Meeting. The motion was unanimously carried.

The Regular Council meeting was adjourned at 8:16 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

T. Randall Halfacre
Mayor