

**MINUTES**  
*Town of Lexington*

**REGULAR COUNCIL MEETING**  
**May 3, 2010**

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Town Council met in a Regular Council Meeting on May 3, 2010 at 7:00 which was attended by Mayor Pro-Tem Hazel Tyndall, Council Members Richard Thompson, Kathy Maness, Danny Frazier and Todd Shevchik. Mayor Randy Halfacre arrived during presentations and Councilmember Ted Stambolitis was absent (excused). Council meeting was also attended Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Police Chief Terrence Green, Director of Utilities and Engineering Allen Lutz, Finance Director Kathy Roberts, Parks, Streets and Sanitation Director Dan Walker, Community and Economic Catalyst Johnny Jeffcoat and Municipal Clerk Becky Hildebrand.

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

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**INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER:** Mayor Pro-Tem Tyndall introduced the Council Members and welcomed everyone to the Council meeting. She later welcomed 18 members of Boy Scout Troop #518 from Red Bank United Methodist Church and students from Lexington High School. Councilmember Shevchik gave the invocation. Councilmember Frazier led in the Pledge of Allegiance. Mayor Pro-Tem Tyndall called the meeting to order at 7:06 p.m.

**ADDITIONS/DELETIONS**

Mayor Pro-Tem Tyndall requested that item #4 (Funding for Palmetto Girls State) and item #5 (Firestone Dealership Sewer Assistance) be removed from the agenda.

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

**APPROVAL OF MINUTES:** Councilmember Shevchik made a motion to approve the minutes from the Council Regular meeting on April 5, 2010. Councilmember Frazier seconded the motion which was unanimously carried. Councilmember Maness made a motion to approve the minutes from the Council Work Session on April 19, 2010. Councilmember Thompson seconded the motion which was unanimously carried.

**PRESENTATIONS**

1. **American Legion Auxiliary Poppy Program Proclamation – Councilmember Richard Thompson:** Councilmember Thompson read a proclamation recognizing the Poppy Program and thanking the ladies of the

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American Legion Unit 7 for their dedication to the program. (Copy attached.)  
Five members of the Ladies Auxiliary were present to accept the proclamation.

2. **Lexington Middle School Robotics Team Proclamation – Councilmember Todd Shevchik:** Councilmember Shevchik read a proclamation commending the Lexington Middle School Robotics Team for placing 2<sup>nd</sup> in the research division in the 2010 Lego League competition. (Copy attached.) Members of the team were present to accept the proclamation.
3. **Sponsorship of FastTrac Class – Mr. Tom Ledbetter, Executive Director, Enterprise Campus, Midlands Technical College:** Mr. Ledbetter asked for Council sponsorship on the FastTrac Growth Venture class. He stated that FastTrac is an entrepreneurship training program for new and existing business owners to attend a ten-module, 30 hour, educational course to help start and/or improve their business. Mr. Ledbetter added that this program has been in place for five years with 1,000 graduates, yet only 200 have been from the Lexington area. He would like to improve those numbers and help small business owners by recruiting 20 students from the Town of Lexington area and hold the program in Lexington. The total cost of the program per student is \$600 of which \$400 is offered as a scholarship through “FastTracSC” and the student pays \$200. He asked that, upon successful completion of the program, the Town refund \$200 of the program cost to the student, for a total of \$4,000 (20 x \$200). Mr. Ledbetter also asked Council’s consideration to waive the room rental fee in order to hold the class in Town Hall with a class starting in July, 2010.

Mayor Halfacre thanked Mr. Ledbetter and stated that by improving businesses, it improves the community.

**TRAFFIC UPDATE**

Mayor Pro-Tem Tyndall provided an update on the Town of Lexington’s continuing efforts to improve traffic. (1) SCDOT is currently performing warrant studies on the intersections in Phase 1. (2) SCDOT has delayed work on two sidewalks projects and will begin in June. (3) The Traffic Committee recommended that SCDOT study the intersections at Highway 378 at Golden Hills and Coventry Drive to add a left turn arrow. Any traffic problems can be reported by calling 359-1027. The next Traffic Committee meeting will be May 18, 2010 at 8:00 a.m. in the Eli Mack, Sr. Room.

**PUBLIC HEARINGS**

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

1. An Ordinance Annexing 407 Burton Road
2. An Ordinance Amending the Smoking Ban Ordinance.

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 Frazier to approve **Final Reading of an Ordinance Annexing 407 Burton Road**. 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 Smoking Ban Ordinance**. The motion was carried with a vote of four (4) in favor and two (2) opposed (Maness, Shevchik).

**NEW BUSINESS**

1. **First Reading of an Ordinance to Authorize the Issuance of General Obligation Bond Anticipation Notes:** Council authorized the issuance of General Obligation Bonds (G.O. Bonds) for the acquisition of property for surface parking for the Downtown area. The Town completed the property acquisitions authorized by Council at the end of 2009. To date the Town has expended approximately \$2.45 Million for the purchase of the property and related costs. The Town's intent is to reimburse the General Fund for any project cost incurred prior to the issuance of the G.O. Bonds with the proceeds from the Bonds. Given the uncertainty about the timing of the construction phase of the project, Town staff, in consultation with the Town's Financial Advisor and Bond Counsel, recommends issuance by negotiated sale of General Obligation Bond Anticipation Notes (BAN) as interim financing for the project. Action requested by Council: First Reading approval of an ordinance to authorize the issuance of General Obligation Bond Anticipation Notes not to exceed \$1.6 Million. BAN will be for a one-year term and interest will accrue and be rolled into a refund BAN or the permanent G.O. Bond issuance; therefore, the issuance of the BAN will not directly impact the 2011 Budget.

A motion was made by Councilmember Maness and seconded by Councilmember Frazier to approve First Reading of an ordinance to authorize the issuance of General Obligation Bond Anticipation Notes not to exceed \$1.6 Million. The motion was unanimously carried by all those present.

2. **Appointment to the Advisory Committee:** Mr. David Keller submitted a Talent Bank application to serve on the Advisory Committee. Mr. Keller works in the Town of Lexington but does not live in the Town limits. At the April meeting, Council had Final Reading of an ordinance amending the qualifications to serve on the Advisory Committee. The approval made Mr. Keller eligible to serve on the committee.

A motion was made by Mayor Pro-Tem Tyndall and seconded by Councilmember Thompson to approve the appointment of Mr. David Keller to the Advisory Committee. The motion was unanimously carried by all those present.

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3. **FastTrac Growth Venture Class:** Mr. Tom Ledbetter from Midlands Technical College asked Council to consider participating in the FastTrac Growth Venture Class. The class will start in July, 2010 and will have 20 students. The classes will be 3 hours each with 10 classes totaling 5 weeks; two classes per week. Total cost per student is \$600.00 (\$400 to be paid through FastTracSC and \$200 paid by the student). Mr. Ledbetter asked the Town to refund \$200 upon successful completion of the class for a total of \$4,000 (\$200 x 20 students). Participates would be business owners in the Town of Lexington. Municipal Attorney Brad Cunningham confirmed the legality of the refund if it is made directly to Midlands Tech and not directly to the student. Mr. Ledbetter also requested that the Town Council waive the room rental fees in order to hold the 10 classes in Town Hall. A schedule was not yet determined.

A motion was made by Councilmember Frazier and seconded by Mayor Pro-Tem Tyndall to approve both requests as stated. Mayor Pro-Tem Tyndall stated that she has already had two people contact her about the class. The motion was unanimously carried by all those present.

4. (Removed for further study.) **Funding for Palmetto Girls State:** West Columbia Councilmember Dale Harley contacted several Town Council members requesting assistance to send several girls from Lexington High School to Palmetto Girls State this summer. Councilmember Harley recently found that some of the schools needed additional funding to send students, along with the assistance of the Lexington American Legion Auxiliary Post 7. The American Legion Auxiliary organized and has administered the program since 1947. During the week of Palmetto Girls State they learn about government and produce a newspaper that informs citizens of happenings around the state including election results and important issues affecting towns in the state. Councilmember Harley requested funding from many of the municipalities in Lexington County. West Columbia, Cayce and Springdale have committed to help with funding for Legion Posts in their areas. Town Council was asked to fund \$2,000 to help send additional girls from the Lexington area to Palmetto Girls State. Funding would go directly to the Lexington American Legion Auxiliary Post 7.
5. (Removed for further study.) **Firestone Dealership Sewer Assistance:** The recently opened Firestone Dealership on Columbia Avenue has experienced sewer back-up problems for some time and has asked the Town's assistance to pay for a pump to eliminate the problem or to meet them half way in the form of a credit to their sewer bill. Cost is estimated at \$1,500 to \$2,000.
6. (Added) **Temporary Capital Contribution Fee Policy Extension:** Council approved a Temporary Capital Contribution Fee Policy Amendment on February 2, 2009 to encourage development during the current recession. The policy deferred the required 50% prepayment of Capital contribution Fees required upon execution of a Sanitary Sewer Agreement and waived the requirement that purchases of

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certificates after the initial prepayment be in minimum increments of 10 certificates. The temporary policy expired on February 1, 2010. Given the continued sluggish housing construction and sales markets, the Town of Lexington wished to extend the temporary measure through July 1, 2010. (Amendment attached.)

A motion was made by Councilmember Frazier and seconded by Councilmember Shevchik to approve the reinstatement and extension of the Temporary Capital Contribution Fee Policy Amendment through July 1, 2010. The motion was unanimously carried by all those present.

7. (Added) **Request for Deadlined Vehicles:** South Congaree Police Department requested two (2) unmarked, deadlined, Lexington Police Department fleet vehicles that are to be sent to the South Carolina State Surplus sale. (Letter attached.) The vehicles are as follows:

2000 Crown Vic	VIN #2FAFP71W9YX193950	Mileage 95121
2000 Crown Vic	VIN #2FAFP71W2YX115526	Mileage 122808

A motion was made by Councilmember Thompson and seconded by Councilmember Frazier to approve the donation of the two vehicles as described to South Congaree Police Department. The motion was unanimously carried by all those present.

**COMMENTS**

**Mayor Randy Halfacre** expressed condolences to the family of Nelson Abney (Utilities Department) in the recent loss of his mother. Mayor Halfacre recognized Tony Harsey (Planning, Building and Technology) who recently had a bridge on Highway 302 renamed "Harsey Bridge" after his grandfather who defended the bridge during the Civil War. He wished a Happy Birthday to all Town employees celebrating birthdays in May including Mayor Pro-Tem Tyndall and Councilmember Frazier. Mayor Halfacre thanked the Advisory Committee and all the volunteers who helped with the Great Lexington Clean Up last month. He stated that the Town has been receiving great reports about the number of Census forms being turned in by citizens in Lexington County and thanked everyone for their cooperation. He hoped to see everyone this Saturday at the 1<sup>st</sup> Annual Wine Walk sponsored by the Lexington Beautification Foundation. He commended Jewitte Dooley and her committee on doing a great job planning the event. He wished a Happy Mother's Day to his wife and daughter and all the moms in Lexington. He wished Councilmember Stambolitis a speedy recovery from his back injury. Mayor Halfacre encouraged everyone to honor all fallen soldiers this Memorial Day. He wished Councilmember Frazier luck on his upcoming campaign for SC House Representative District 69. He stated that he has known Danny for five years. He added that Danny has some good men competing with him, but Danny is the best man for the job. He later welcomed Britt Poole as the new Town Administrator who was surrounded by his staff members. He welcomed Director of Planning, Building and

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technology back and hoped her baby boy was doing great. He also welcomed Laura Cunningham to the meeting. Mayor Halfacre asked for a moment of silence for those that were killed this past weekend in two separate boating accidents.

**Mayor Pro-Tem Hazel Tyndall** congratulated Britt Poole on his first meeting as Town Administrator. She wished a Happy Birthday and good luck to Councilmember Frazier and she has faith in him. Mayor Pro-Tem Tyndall announced that you could still get tickets to the Wine Walk and everyone was excited about the great response so far. She commended her daughter and son-in-law on all the work they have done to make the Wine Walk a success. She wished everyone a Happy Mother's Day.

**Councilmember Richard Thompson** congratulated Britt Poole as the new "head man" and he knew he would do a good job. He wished Councilmember Frazier a Happy Birthday. Councilmember Thompson thanked God almighty for the rain. He stated that the farmers appreciate the rain and people can find him in his garden on Hendrix Street.

**Councilmember Kathy Maness** thanked the Advisory Committee, the volunteers and the Lexington High School students who helped with the Great Lexington Clean Up. She added that they collected over ½ ton of litter. Councilmember Maness thanked the students for attending, especially the seniors who would graduate soon. She stated that if they were not registered to vote, they could register before May 8<sup>th</sup>, if they would be 18 before the General Election on November 2, 2010. She announced that the Midway Elementary School Improvement Council would host a Candidate Forum Tuesday night at 6:00 and House District 69 Candidates would be at the forum. She wished Happy Birthday to Mayor Pro-Tem Tyndall and Councilmember Frazier. Councilmember Maness hoped that Jim Duckett was enjoying his retirement and congratulated new Town Administrator Poole on his first day. She welcomed Janet Frazier to the meeting, a good friend who introduced her to her husband.

**Councilmember Danny Frazier** wished his wife a Happy Birthday this week. He encouraged everyone to come out to the First Annual Wine Walk on Saturday night for what is expected to be a great event with a great local band, "Going Commando". Councilmember Frazier asked for the support of citizens in District 69 as he seeks the office of SC House Representative in the Republican Primary on June 8<sup>th</sup>. He stated that it is "the people's seat" and he would like to represent them at the State House. He hoped everyone would come out and vote for him.

**Councilmember Todd Shevchik** expressed his condolences to the families who lost a loved one in the recent boating accidents. He stated that if the victims of the recent apartment fire needed anything, to please contact him.

**Town Administrator Britt Poole** stated that in keeping with the former Administrator's style, he would keep it short. He thanked the Mayor and Council for the trust they had placed in him and he looked forward to continuing to work with them and the Town for many years.

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**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 Mayor Pro-Tem Tyndall to adjourn the Council Meeting. The motion was unanimously carried.

The Regular Council meeting was adjourned at 7:42 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC  
Municipal Clerk

APPROVED:

T. Randall Halfacre  
Mayor