

MINUTES
Town of Lexington
Executive Session
COUNCIL WORK SESSION
September 19, 2011

Town Council held an Executive Session followed by a Council Work Session on September 19, 2011 in the Eli Mack Sr. Room. The meetings were attended by: Mayor Pro-Tem Hazel Livingston, Council Members Richard Thompson, Kathy Maness, Ted Stambolitis, Danny Frazier, and Todd Shevchik. Mayor Halfacre was absent due to a death in his family. Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Police Chief Terrence Green, Director of Planning, Building and Technology John Hanson, Community and Economic Catalyst Johnny Jeffcoat, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Director of Parks, Streets and Sanitation Dan Walker, Events and Media Coordinator Jennifer Dowden, and Municipal Clerk Becky Hildebrand.

There were approximately six (6) citizens present and no reporters from the news media.

EXECUTIVE SESSION REPORT

Mayor Pro-Tem Livingston reported that the *Executive Session* was called to order at 5:22 p.m. after a motion was made by Councilmember Shevchik and seconded by Councilmember Frazier to go into *Executive Session*. The motion was unanimously carried by all those present. Mayor Pro-Tem Livingston and Councilmember Maness were not present for the vote. Council adjourned from *Executive Session* at 5:50 p.m. after a motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Shevchik. The motion was unanimously carried by all those present. Councilmember Maness was not present for the vote. Mayor Pro-Tem Livingston reported that Council met in *Executive Session* to discuss two routine personnel matters; one pending legal matter; and one contractual issue related to economic development. No vote was taken. A motion was made by Councilmember Frazier and seconded by Councilmember Shevchik to ratify Mayor Pro-Tem Livingston's *Executive Session* report. The motion was unanimously carried by all those present (5).

INVOCATION, PLEDGE, AND CALL TO ORDER: Councilmember Thompson gave the invocation and Councilmember Frazier led in the Pledge of Allegiance. Mayor Pro-Tem Livingston called the Work Session to order at 6:03 p.m. and welcomed everyone to the meeting. She expressed her condolences to the Halfacre family in the loss of Angela Halfacre's father. She added that Councilmember Maness would be late for the meeting in that her mother was taken to the hospital this morning. Mayor Pro-Tem Livingston asked everyone to keep her brother in their prayers in that he was in critical care in the hospital in Georgia and she would be headed there immediately after the meeting.

MINUTES
COUNCIL WORK SESSION
September 19, 2011

APPROVAL OF MINUTES: A motion was made by Councilmember Shevchik and seconded by Councilmember Stambolitis to approve the minutes from the September 6, 2011 Regular Council meeting. The motion was unanimously carried by all those present (5).

PRESENTATIONS

- 1. Mr. John Fechtel, Lexington County Public Works Director – Proposed Improvements on Highway 378 @ I-20 and Corley Mill Road:** Mr. Fechtel gave a brief overview of the proposed plans to improve traffic flow at the intersection of Highway 378 and Corley Mill Road. He added that this was the information recently discussed in a meeting at Town Hall which included the County, Town, School District and proposed hotel. He stated that Lexington School District One was the primary funding source, committing \$2 million for the project in order to help traffic flow to and from the new schools in the area including the new high school on Corley Mill Road. He described a county service road that runs behind Taco Bell and the new McDonalds and stated that the proposed plan includes a roundabout, or traffic circle, to help keep traffic moving. Mr. Fechtel added that Highway 378 to the creek may be increased by one lane by removing the center median. Mr. Fechtel explained that the State can approve the project; and there are no SCDOT funds or Federal funds, the project could be started as soon as plans are drawn. He added that if there are no right-of-way issues, the project could be started within the year. He stated that they may have to add five feet and since the Town's setback is ten feet, the project should not affect businesses. Mr. Fechtel confirmed that the Town would be kept informed and it would be several months before plans are available.
- 2. Mr. Chuck Corley – Historic John C. Calhoun Silver Collection:** Mr. Corley and his wife Dawn (The Charleston Silver Lady) offered to display several pieces of John C. Calhoun's silver this year. He stated that the silver is very important to the State in that it is very rare to be held in private hands. He added that the Smithsonian had contacted them about also displaying the silver but he would like to see it displayed in Lexington first. Mr. Corley requested to partner with the Town's Historic Preservation Review Board and display the silver at Town Hall, if the Town would purchase the proper cabinet, provide security, and obtain the insurance. Mrs. Corley offered to conduct silver lectures, donating the proceeds to the Historic Preservation Review Board to offset the cost of the display. Mr. Corley stated that the silver would increase tourism in the Town and would bring much attention to the area. He stated that after the John C. Calhoun silver display was over, they could display other items in the cabinet for public viewing such as the Lawrence Corley Bible.

Town Administrator Poole confirmed that staff had done some research on the request and the cabinet was estimated to cost \$650, plus installation, and the

MINUTES
COUNCIL WORK SESSION
September 19, 2011

insurance would cost \$3,500 per year and could be prorated if the silver display was only up for three months.

Mayor Pro-Tem Livingston liked the idea of the silver display as well as other historical displays in the common area of Town Hall. She added that she would like to have the silver display up by December in conjunction with the end of the Town's 150th anniversary.

A motion was made by Councilmember Frazier and seconded by Councilmember Shevchik to place the item on Council's October 3, 2011 agenda for consideration. The motion was unanimously carried by all those present (5).

BUSINESS ITEMS: (For Discussion and Recommendation for Council Meeting on October 3, 2011.)

1. **Garbage Collection Ordinance – Municipal Attorney Brad Cunningham:** 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 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 Councilmember Stambolitis and seconded by Councilmember Shevchik to place the recommended amendment on Council's October 3, 2011 agenda for first reading. Municipal Attorney Cunningham confirmed that the request was the result of a ticket that was written to a person for dumping three to four bags of personal trash at a local car wash and the Judge did not think the ordinance covered the situation. Mayor Pro-Tem Livingston requested that the new information be placed on the Town's web page and Channel 2 after it is approved. The motion was unanimously carried by all those present (6).

2. **Acquisition of Property from Joint Water and Sewer Commission – Director of Utilities, Engineering and Planning Allen Lutz:** 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. Details of the purchase agreement would be available before Final Reading.

A motion was made by Councilmember Stambolitis and seconded by Councilmember Frazier to place the request on Council's October 3, 2011 agenda for consideration. Mayor Pro-Tem Livingston confirmed that the estimated price of the property was \$31,900, plus the cost of the pump

MINUTES
COUNCIL WORK SESSION
September 19, 2011

station. Director Lutz stated that the pump station was needed for the current operation, not just growth in that a booster pump is now being used. Town Administrator Poole confirmed that the line was part of the original plan which was engineered unusual. The motion was unanimously carried by all those present (6).

3. **Vulnerability Assessment Needs – Director of Utilities, Engineering and Planning Allen Lutz:** 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. The first phase of the assessment has been completed and the need for alternate power supplies, bypass pumping, and software have been identified. The needs have been arranged in three phases, with one portion needed this year, and the remainder done over the next two years.

The Utilities Department established the immediate need for the placement of three permanent generators, one bypass pump, and a SCADA system software upgrade. The generators will be placed at three of the Town's most critical sites where power outages could occur and cause overflows due to the volume of wastewater received at these stations. The bypass pump would give us the ability to either be used during a power outage or in the event that a lightning storm would damage either the controls or pumps. The SCADA software needs to be upgraded due to the cutbacks in towers causing poor coverage with the current paging system. The estimated cost of these items is \$145,685.00 and would come from this year's CIP. (Cost estimate attached.)

A motion was made by Councilmember Shevchik and seconded by Councilmember Frazier to place the request on Council's October 3, 2011 agenda for consideration to purchase and install three generators, one bypass pump, new software, and programming for the SCADA system. Councilmember Stambolitis confirmed that the pager system is obsolete therefore the company is cutting back on towers. Mayor Pro-Tem Livingston wanted to make sure that the Town received the call before other agencies received them. Councilmember Frazier recommended that another company prepare a cost estimate in order to obtain the correct size generator. He was concerned that if the estimates were obtained in a rush that inadequate equipment and voltage would be the result. He added that bid requirements should be very specific and Council should attend a class to learn how it works and what is needed. Councilmember Shevchik recommended that the item be placed on the agenda and the detailed information be obtained prior to the meeting. Mr. Lutz stated that the SCADA system is more important at this time. Councilmember Stambolitis requested to amend the motion to include only the SCADA system at this time for an estimated cost of \$30,000 and bring the other requests back to Council's October Work Session with a presentation for Council. Councilmember Shevchik agreed to amend his motion as requested by

MINUTES
COUNCIL WORK SESSION
September 19, 2011

Councilmember Stambolitis and Councilmember Frazier seconded the amended motion. The amended motion was unanimously carried by all those present (6).

4. **Curbside Recycle Bins – Director of Parks, Streets and Sanitation Dan Walker:** 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 Thompson to place the request on Council's October 3, 2011 agenda for consideration to revise the trash regulations for the Town and to notify citizens of approved changes through the Town's web page and Channel 2. The motion was unanimously carried by all those present (6).

5. **Golden Hills Special Purpose Tax District – Director of Parks, Streets and Sanitations Dan Walker:** Former Town Administrator Jim Duckett's departure created a vacancy on the Board for the Golden Hills Special Purpose Tax District. Mr. Duckett served on the Board as one of the three members representing the Town of Lexington. (1998 Referendum attached.) Council was requested to consider recommending to Lexington County Council a new appointment to the Board of Golden Hills Special Purpose Tax District.

It was the consensus of Council to bring the request back to Council's October Work Session. Council requested that Mr. Walker obtain more specific information about the role of the Board and their by-laws and bring that back to the October Work Session for further discussion. Mayor Pro-Tem Livingston stated that Town Administrator Poole should fill the vacancy. She added that someone needed to attend that would maintain the Town's best interest. Councilmember Stambolitis requested more information in that he did not realize there was such a Board. He confirmed that there was not a deadline for County Council's vote. Mr. Walker stated that the Board also includes the President of the Homeowners Association, Diane Berry representing Golden Hills, Inc., and three citizens. Assistant Town Administrator Ford stated that he would check on dual office holding and if a Councilmember could be appointed. Town Administrator Poole added that the Board had not met in ten years and they hold funds until needed. He added that Town Council would not need an ordinance, only a recommendation to Lexington County Council.

MINUTES
COUNCIL WORK SESSION
September 19, 2011

PUBLIC COMMENTS

Ms. Karen Moody Nummy, President, Power Systems, Inc., stated that her company has been in business for 37 years and they make generators. She offered to come back to the October Work Session and make a presentation. She added that the Town of Lexington is a customer and she would like to help determine the proper size generators as previously discussed. Mayor Pro-Tem Livingston requested that she contact the Town Administrator. Councilmember Frazier stated the Town also needs to get generators that you could obtain parts for because he had discussed the current types of generators with Grae Holston, Wastewater Maintenance Supervisor, who advised him that he has trouble getting parts when the digital panels go out. Ms. Nummy offered to help find the parts for the Town.

COUNCIL COMMENTS:

Mayor Pro-Tem Livingston introduced Constance Caractor Flemming and Steve MacDougall who were present and also running for Town Council in November.

STAFF COMMENTS: None.

QUESTIONS FROM THE NEWS MEDIA: None.

ADJOURNMENT: There being no further comments or questions, a motion was made by Councilmember Stambolitis and seconded by Councilmember Shevchik to adjourn the Council's Work Session at 6:47 p.m. The motion was unanimously carried by all those present.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

T. Randall Halfacre
Mayor

MINUTES
COUNCIL WORK SESSION
September 19, 2011

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.