

**MINUTES**  
*Town of Lexington*  
**Executive Session and**  
**REGULAR COUNCIL MEETING**  
**February 6, 2012**

---

---

Town Council held an Executive Session on February 6, 2012 at 5:30 p.m. prior to the Regular Council Meeting held at 6:30 p.m. The Executive Session was attended by Mayor Randy Halfacre, Mayor Pro-Tem Hazel Livingston, Council Members, Ted Stambolitis, Danny Frazier, Todd Shevchik and Steve MacDougall. Councilmember Kathy Maness was delayed (7:00 p.m.) due to the illness of her mother.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Town 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 forty (40) citizens and students present and no reporters from the news media.

---

---

**WELCOME AND INTRODUCTIONS**

Mayor Halfacre welcomed everyone to the meeting. He announced that the meeting would air live on Channel 2; stream live on the Town's web page; and, local radio station 107.9 would also carry the meeting live tonight to include the State of the Town Address.

Mayor Halfacre introduced Town Council members and welcomed County Council members Bill Banning and Johnny Jeffcoat. He stated that Councilmember Maness may be arriving later because her mother was very ill in Lancaster. He also welcomed Cynthia Frazier, Scott Adams, Tom Ledbetter, Lee Pitcovich, and Victoria Stambolitis. He later welcomed the students from Lexington High School's Government class.

**STATE OF THE TOWN ADDRESS**

Mayor Halfacre delivered the State of the Town Address which covered accomplishments of 2011 and issues to focus on in 2012. He stated that the past seven years had been very humbling and truly an honor to serve the citizens as the Mayor of Lexington. He thanked the Council Members for their dedication, along with their families, who support the Council and also make sacrifices in order to allow them to fulfill their elected duties.

MINUTES  
REGULAR COUNCIL MEETING  
February 6, 2012

Accomplishments of 2011: (1) The Police Department received a \$500,000 grant from the Department of Public Safety which will add two additional officers, equipment and vehicles. He thanked the Police Department officers for being out on the roads every day and putting themselves in harm's way to protect the citizens of the Town. (2) The Town experienced an increase in new businesses. A new Business License Inspector's position was added. (3) The Joint Wastewater Treatment Facility is a joint partnership with the City of Cayce and the Lexington Joint Water and Sewer Commission which serves 11,000 customers. It was also recently featured at the National League of Cities annual conference. (4) The Finance Department received the 13<sup>th</sup> consecutive Governmental Finance Officers Association Comprehensive Annual Finance Report Award. (5) Additional sidewalks were added with the help of SCDOT grants. (5) The inaugural Town's Farmers Market kicked off in May and ran every other Saturday through October in an effort to showcase our community and bring business to Main Street.

Focus for 2012: (1) Top priority – to ensure the safety of the motoring public and to continue economic viability by reigning in the traffic congestion. The Town's Unified Traffic Improvement Plan is in Phase I. The project has experienced several delays due to SCDOT's schedule changes. (2) The Town's Vision Plan has been in the creation phase for approximately 18 months and Council hopes to bring this to the citizens early in 2012. It consists of short and long range plans and will serve as a guide of what the Town can become in 20 to 30 years. (3) The Town received a \$620,000 beautification grant from SCDOT to improve the interchange at I-20 and Highway 378/Sunset Blvd. (4) The Town will continue to host such events as the Lexington Wine Walk and Oktoberfest. (5) The Town partnered with the County of Lexington to develop the Courthouse Square which will include a Law Enforcement Memorial. (6) The Town is looking at proposals for a Dog Park. (7) The Town continues to enhance visibility through all social media including "Monday with the Mayor" on WLXM Radio 107.9. (8) The Town will continue to look for ways to reduce energy resources. (Full copy of State of the Town attached.)

(Mayor Halfacre took a five minute recess to answer questions for the media.)

**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 Stambolitis and seconded by Councilmember MacDougall to go into *Executive Session*. The motion was unanimously carried by all those present. (Councilmembers Frazier and Shevchik were absent for the vote.) Council adjourned from *Executive Session* at 6:12 p.m. after a motion was made by Councilmember Stambolitis and seconded by Councilmember Shevchik. The motion was unanimously carried by all those present. Mayor Halfacre reported that Council met in *Executive Session* to discuss: one personnel issue, three contractual issues and an update on two pending legal matters. No vote was taken. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Stambolitis to ratify the

MINUTES  
REGULAR COUNCIL MEETING  
February 6, 2012

Mayor's *Executive Session* report. The motion was unanimously carried by all those present.

**INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER:** Mayor Halfacre welcomed everyone to the Council meeting. Councilmember Shevchik gave the invocation. Councilmember MacDougall led in the Pledge of Allegiance. Mayor Halfacre called the meeting to order at 7:10 p.m.

**ADDITIONS/DELETIONS**

Mayor Halfacre requested to add one item: Appointments to the Accommodations Tax Advisory Committee.

There being no objections from Council, the item was added.

**APPROVAL OF MINUTES:** A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Frazier to approve the minutes from the Council Work Session held on January 17, 2012. The motion was unanimously carried.

**PRESENTATIONS**

1. **Municipal Attorney Brad Cunningham Proclamation for being named Pro Bono Lawyer of the Year by the South Carolina Bar Association – Mayor Randy Halfacre:** Mayor Halfacre welcomed Mr. Cunningham's wife and daughter to the meeting. He read the proclamation for Municipal Attorney Cunningham. (Copy attached.) He commended Brad for serving the community in many aspects and the Town was very proud to have him as the Municipal Attorney.
2. **Presentation of a Check to Adopt-A-Cop Program – Municipal Attorney Brad Cunningham:** Municipal Attorney Cunningham thanked the audience for the applause, but he stated that the Pro Bono Award came unexpectedly because he just did the work because it was the right thing to do. He added that he did not expect any proclamations or awards. He stated that the second part of the award was not to bring attention to himself; but to recognize another group that truly deserves recognition as public servants. He wished to address Council as a citizen and thank the Police Department for putting themselves on the line every day. He agreed with the Mayor's earlier comments about the contributions made by every town's Police Department, because he was certain they did not do it for the money. Mr. Cunningham stated much of his pro bono work was for the Police Department Officers and he felt it only right that any reward he received as a result of that work should go to the Police Department. Mr. Cunningham stated he received a check for \$500.00 from the South Carolina Bar to donate to a charity of his choice. He added that this was the second donation he had made during his tenure with the Town because he believes in the Police Department. Mr. Cunningham presented a \$500.00 check to Police Chief Green and Officer

MINUTES  
REGULAR COUNCIL MEETING  
February 6, 2012

Hassler for the Adopt-A-Cop program to purchase a bullet proof vest. Mr. Cunningham hoped it did not have to save a life one day, but it is nice to know that it will be there. He added that the applause should go to the Police Department in appreciation for what they do every day.

Mayor Halfacre stated that was a very heartwarming gesture for our Police Department and he knew it came from the heart.

3. **Fiscal Year 2011 Comprehensive Annual Financial Report – Mr. Ken Prince, CPA, Brittingham, Brown, Prince and Hancock, LLC:**

Mr. Prince thanked the Council for allowing him and his company the opportunity to conduct the annual audit. He also thanked Finance Director Roberts and the Finance Department staff for all their hard work and dedication in preparing the 2011 CAFR. He stated their opinion of the Town's financial statements is based on their audit. Their findings concluded that there were no material weaknesses. In summary: Town's assets were \$92.8M (an increase of \$5M) and exceeded its liabilities at year end June 30, 2011. Governmental activities contributed \$1.67M and business-type activities contributed \$3.37M. Of the total assets, \$19.5M was unrestricted and available to meet the ongoing obligations and operations of the Town. Government Funds were \$4.3M, an increase of \$437,644 compared to the prior year. Approximately \$2.7 (or 64%) of the ending fund balance, is available for spending at the government's discretion. The General Fund unassigned fund balance was \$4.3 (54%) of total fund expenditures, an increase of \$418,000 over last year. The Town had \$63.6M in bonds, notes, contracts and capital leases, a decrease of \$512,842 from the prior year. Mr. Prince stated that the Town is financially responsible and budget conscious.

Mayor Halfacre commented that he meets many Mayors and Councilmembers from all over the State and other parts of the country, and many are not in as good financial shape as the Town of Lexington. He thanked Assistant Town Administrator Ford for getting the ball rolling for the many years of continued financial responsibility for the Town. He thanked Finance Director Roberts for her dedication and leadership in the Finance Department.

4. **Presentation of John C. Calhoun Silver for Display – Mr. Chuck Corley and Mrs. Dawn Corley:** Mr. Corley thanked the Council and introduced his sister and nephews. He stated that they recently had the opportunity to acquire only two known pieces of John C. Calhoun silver. The Historic Preservation Review Board recommended that the silver be placed on display at Town Hall for several months so citizens would have the opportunity to see the silver.

Mrs. Corley (a/k/a The Charleston Silver Lady) described the silver and stated that the silver it was very special to her because there are only the two known pieces; one piece was made in Columbia; one piece was made in Charleston; and

MINUTES  
REGULAR COUNCIL MEETING  
February 6, 2012

they were made from melted money. She added that during the time period you had to be wealthy enough to have your coins melted into silver utensils. Mrs. Corley announced that after several months of the silver being loaned to the Town, they will go to the Smithsonian for display. She thanked the Mayor, Council and Staff for being so forward thinking and for all their help to bring the silver display to Lexington. Mrs. Corley would like to bring other items of interest to the Town to help citizens see the many important and valuable things the community has to offer.

**TRAFFIC UPDATE**

Mayor Pro-Tem Livingston provided an update on the Town of Lexington's continuing efforts to improve traffic. (1) SCDOT notified the Town that their start date for the Phase I traffic plan has been moved to November 2012. (2) The Traffic Committee is investigating traffic on Columbia Avenue which is blocking the entrance to Caughman Street. They are also looking into timing of the light on Old Cherokee Road. 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 February 21, 2012 at 8:00 a.m. in the Eli Mack, Sr. Room at Town Hall.

**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 to purchase .25 acres of property for a Force Main Interconnection.
2. An Ordinance Annexing TMS #4496-02-036 off of Highway #378 owned by Karson Corley.

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

**OLD BUSINESS**

1. A motion was made by Mayor Pro-Tem Livingston to approve **Final Reading of an Ordinance to purchase .25 acres of property for a Force Main Interconnection.** The motion was unanimously carried.
2. A motion was made by Councilmember Maness and seconded by Councilmember MacDougall to approve **Final Reading of an Ordinance Annexing TMS #4496-02-036 off of Highway #378 owned by Karson Corley.**

Municipal Attorney Cunningham stated that Attorney Ms. Hartley was present, representing Karson Corley, if Council had any questions. Councilmember Stambolitis asked Ms. Hartley to explain the purpose of the property. Ms. Hartley

MINUTES  
REGULAR COUNCIL MEETING  
February 6, 2012

responded that it is currently used as a detention basin and it adjoins commercial property on Sunset Blvd. She added it was an oversight that it was not annexed when the other property was annexed. Ms. Hartley confirmed that otherwise it is just a wooded undeveloped property. She stated the purpose is for it to be used as a detention pond and that has not changed. Councilmember Maness confirmed that no one knew the reason why it was not annexed from the beginning. Mayor Pro-Tem Livingston confirmed with Mr. Poole that a commercial detention pond is not maintained by the Town. Mayor Halfacre stated that the Town did not have any liability. The motion was unanimously carried.

**NEW BUSINESS**

1. **Rental Fee Waiver Request for the Dickerson Center for Children:** Ms. Mollie Taylor with the Dickerson Center for Children requested a rental fee waiver for the Conference Center on February 18, 2012 for their third annual gala and auction. The center is located in West Columbia; therefore the out-of-town rate would apply. The total fee waiver would be \$1,000.00 and a \$250.00 refundable deposit would still be required. The request from Ms. Taylor stated: *“We are requesting as we did last year that you give consideration to waiving the rental fee for our Annual Mardi Gras Gala benefitting the Dickerson Center for Children to be held on February 18, 2012. 100% of all profits from this event go directly to the Center. The Center assists children and their families where abuse, both physical and sexual, has occurred by providing assessments, forensic interviews, forensic examination and therapy. We thank you in advance for this consideration.”*

A motion was made by Councilmember Stambolitis and seconded by Councilmember Maness to approve the rental fee waiver as stated. The motion was unanimously carried.

2. **National League of Cities Service Line Warranty Program:** The National League of Cities (NLC) teamed with Utility Service Partners, Inc. (USP) to offer member cities a Service Line Warranty Program. If the Town elects to participate, USP would have the opportunity to market the Warranty Program to our customers. For a monthly fee ranging from \$4 - \$6, the Warranty would cover repairs and replacement of service lines which are not the Town’s responsibility. USP would pay for the repairs, utilize local contractors, make repairs to code, and have customer service available 24/7. USP would also agree to pay the Town 10% of revenues generated by the program. The Town contacted two comparable cities in North Carolina that started the program in 2011. Each gave the program high marks and recommended participation. The Town would assist USP marketing and give approval to the marketing materials that would be associated with the Town. (Copy of letter attached.)

MINUTES  
REGULAR COUNCIL MEETING  
February 6, 2012

A motion was made by Councilmember Frazier and seconded by Councilmember Maness to approve the Town's participation in the NLC Service Line Warranty Program as stated.

Councilmember Maness stated that during NLC's Annual Conference in Phoenix, she and several others from the Town, had an opportunity to talk to the Utility Service Partners and she thought it would be a great opportunity for the citizens of Lexington. She added that if you have ever had a line break on your side of the property, it can be very expensive to fix, but if you are a part of this program you simply contact USP and they contact the company to repair the line at no cost to the citizen. Councilmember Maness stated that the Town also participates in the Prescription Drug Card with NLC and have saved citizens approximately \$20,000. The motion was unanimously carried.

3. **Appointments of Council Liaisons to Town Boards and Commissions:** Following Town Council elections, Council reviews Council Liaison/Board member appointments for a two year term. Following are the current Liaison/Board appointments:

Accommodations Tax Committee:	Councilmember Steve MacDougall
Advisory Committee:	Councilmember Steve MacDougall
Board of Zoning Appeals:	Councilmember Todd Shevchik
Planning Commission:	Councilmember Kathy Maness
	Alternate: Councilmember MacDougall
Traffic Committee:	Mayor Pro-Tem Hazel Livingston
Lexington Chamber Board:	Mayor Pro-Tem Hazel Livingston (Ex-officio)
Central Midlands Council of Govt.	Mayor Randy Halfacre
Lexington Joint Water & Sewer Comm.	Mayor Randy Halfacre
	Alternate: Councilmember Danny Frazier

A motion was made by Councilmember Shevchik and seconded by Mayor Pro-Tem Livingston to approve reappointments as listed for a two year term. The motion was unanimously carried.

4. **Dixie Youth Championship Signs:** Mr. Gene Fry, Coach of the Lexington Dixie Youth 2010 World Series Champions, requested that the Town place signs commemorating the championship on Town Limit signs on US Highway #1, Highway #378, and Highway #6. The cost of the signs would be approximately \$100.00 per sign. (Copy of proposed sign attached.)

A motion was made by Councilmember MacDougall and seconded by Councilmember Frazier to approve the signs as requested. The motion was unanimously carried.

MINUTES  
REGULAR COUNCIL MEETING  
February 6, 2012

5. **First Reading of an Ordinance Annexing Three Properties at 5019 and 5035 Augusta Road:** RE-Stations, Inc. owns three lots, comprising .93, .83, and 1.58 acres, respectively, located at 5019 and 5035 Augusta Road. The company petitioned for annexation of all three parcels. The parcels are located near the Intersection of US Highway #1 and Interstate I-20, and bear TMS #005596-01-040, #005596-01-019 and #005596-01-001. The Planning Commission will make a recommendation on zoning and road classification at their February 22, 2012 meeting.

A motion was made by Councilmember Frazier and seconded by Councilmember Stambolitis to approve first reading of an ordinance to annex three properties at 5019 and 5035 Augusta Road as stated. Councilmember Frazier stated that the property is owned by Bob Brandi and the annexation will help bring in business license fees and tax revenue. Mayor Halfacre confirmed that this is the older Exxon and Texaco on Highway #1 before you cross over I-20. Councilmember Frazier added that he had also talked to Mr. Joe Blanchard about annexing some additional property in that area. The motion was unanimously carried.

6. (Added.) **Appointments to the Accommodations Tax Advisory Committee:** Marvin E. Robinson, Jr., Commercial Lender with BB&T, submitted a Talent Bank application to replace Accommodations Tax Advisory Committee Chairman Don Layden, who is retiring from BB&T. Jeanette Lowicz, General Manager of Wingate by Wyndham, submitted a Talent Bank application to serve on the Accommodations Tax Advisory Committee. Both applicants qualify to serve on the board. If the appointments are approved, there will be one vacancy on the board. (Copies of Talent Bank applications attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember MacDougall to approve the appointments of Marvin E. Robinson, Jr. and Jeanette Lowicz to the Accommodations Tax Advisory Board. The motion was unanimously carried.

**COMMENTS**

**Mayor Randy Halfacre** wished Councilmember Stambolitis a Happy 50<sup>th</sup> Birthday. He also wished a Happy Birthday to all Town Staff celebrating birthdays in February. Mayor Halfacre wished his wife a Happy 43<sup>rd</sup> Anniversary tomorrow. He added that he had a full day, but she is very understanding and he greatly appreciates it. He wished former Councilmember Constance Flemming a Happy 60<sup>th</sup> Birthday on January 31<sup>st</sup> and congratulations on her retirement after 34 years of teaching. Mayor Halfacre expressed his sympathy to Dan Walker (Parks Department) in the recent loss of his niece; to Brent Carter (Police Department) in the recent loss of his dad; and to Art Rish (Police Department) in the recent loss of his step-dad. Mayor Halfacre wished Mayor Pro-Tem Livingston's daughter well in the upcoming birth of her baby. He also extended well

MINUTES  
REGULAR COUNCIL MEETING  
February 6, 2012

wishes to Councilmember Frazier's brother and his mother and to Councilmember Maness's mother.

**Mayor Pro-Tem Hazel Livingston** was excited about the upcoming birth of her sixth grandchild next Thursday. She wished her grandson a Happy 5<sup>th</sup> Birthday on the 23<sup>rd</sup>. Mayor Pro-Tem Livingston thanked everyone who had called her and said prayers for her and her family during the recent loss of her brother. She added that it has been a rough year so far, but she was very thankful for the Council and Staff for being so supportive. She asked that everyone support the other two Councilmembers who have family members that are sick and to keep them in your prayers. Mayor Pro-Tem Livingston stated that it can be difficult to run your regular life, be on Council, and have a family member sick. Mayor Pro-Tem Livingston announced that the 3<sup>rd</sup> Annual Wine Walk has set a date for May 12, 2012. She stated that it is a big event and she is very proud of her daughter and son-in-law for their success with the event. She added that since they are new parents, Ms. Dowden will be taking over part of the Wine Walk and she appreciated her stepping in to help. Mayor Pro-Tem Livingston stated that sponsors are needed for the event as well as volunteers and to please contact Ms. Dowden at Town Hall.

**Councilmember Kathy Maness** apologized for being late to the meeting but she was in Lancaster with her mother. She added that she has never missed a Council meeting on the first Monday of the month and it was important to her mother for her to get to the meeting. She congratulated Municipal Attorney Cunningham on his award. She thanked Mr. Cunningham for being so helpful when her father died unexpectedly and he has also helped her with legal issues dealing with her mother's health over the years. She added that the award was very well deserved and she also enjoys hearing him on the radio. Councilmember Maness also thanked Mr. Cunningham for his donation to the Lexington Police Department. She congratulated Finance Director Roberts for the CAFR report and the Town should have hired her in the first place. Councilmember Maness thanked The Charleston Silver Lady for loaning the John C. Calhoun silver to the Town for a public display. She encouraged all the students to "Google" John C. Calhoun to see how important he was to the history of South Carolina. She wished a Happy Birthday to Councilmember Stambolitis. She extended her prayers to Councilmember Frazier's brother and she knows he is strong and he will get better soon.

**Councilmember Ted Stambolitis** extended his prayers and concerns for Councilmember Frazier's brother and Councilmember Maness' mother. He welcomed his daughter to the Council meeting along with her friends and other students. Councilmember Stambolitis congratulated Municipal Attorney Cunningham for receiving the Pro Bono Attorney of the Year award. He added that it is a wonderful service when people do not have the money to pay for an attorney. He thanked him for the donation to the Adopt-A-Cop program to purchase a vest.

**Councilmember Danny Frazier** thanked everyone for all their thoughts and prayers for his brother. He wished a speedy recovery for Councilmember Maness' mother.

MINUTES  
REGULAR COUNCIL MEETING  
February 6, 2012

**Councilmember Todd Shevchik** wished everyone, including his wife and daughter, a Happy Valentine's Day. He added that it is also a good day to remember those that have passed. He reminded all the dads about the Father/Daughter Dance this Saturday with proceeds going to the Friends of the Library. He stated that he read a proclamation from the Town to Constance Flemming at her recent retirement and birthday party. He added that he learned a lot of interesting things about Constance at the party including that she used to be a physical education teacher. Councilmember Shevchik invited everyone to attend the production of *The King and I* at the Village Square Theater starting February 17, 2012. He stated that he attended Remembering of the Old Mill recently which was a great fundraiser for the Lexington Museum. Councilmember Shevchik congratulated Municipal Attorney Cunningham on being named the 2012 Pro Bono Attorney of the Year. He added that it is a great service and "if it's free, it's for me".

**Councilmember Steve MacDougall** announced that Town Hall is a drop-off point for the Cinderella Project. Citizens were asked to drop off gently used formal dresses, shoes and handbags to help the SC Bar Young Lawyers Division with this very worthwhile project. He announced that a candlelight vigil would be held on February 9<sup>th</sup> at 7:00 p.m. in Virginia Hylton Park to honor the memory of those in Lexington District One who lost their lives due to drunk drivers. Councilmember MacDougall announced that a breast cancer screening would be held at Willie B. Carator Park on March 23<sup>rd</sup>. The screening is for the uninsured and underinsured and will be held by the Lexington Medical Center through a grant from the Susan Komen Foundation. Citizens may contact Constance Flemming for additional questions.

**Town Administrator Britt Poole** wished Councilmember Maness's mother the best and he wished a quick recovery for Councilmember Frazier's brother. He thanked Municipal Attorney Cunningham for the donation to the Police Department which was above and beyond. He stated that he and Assistant Administrator Ford had attended a number (over 60) of audit presentations and they had never seen one followed by a standing ovation. He commended Finance Director Roberts on doing a good job.

**PUBLIC COMMENTS:** None.

**ADJOURNMENT**

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

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

The Regular Council meeting was adjourned at 8:05 p.m.

MINUTES  
REGULAR COUNCIL MEETING  
February 6, 2012

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.*