

**MINUTES**  
***Town of Lexington***  
***Executive Session and***  
**Special Council Meeting**  
July 30, 2013

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Town Council held an Executive Session on July 30, 2013 at 9:30 a.m. in the Eli Mack, Sr. room followed by a Special Called Council Meeting at 10:00 a.m. in the Council Chambers located at 111 Maiden Lane, Lexington, South Carolina. The meetings were attended by: Mayor Randy Halfacre, Mayor Pro-Tem Hazel Livingston, Council Members Kathy Maness, Todd Shevchik, Danny Frazier, and Steve MacDougall. Councilmember Ted Stambolitis was absent. County Councilmembers Bill Banning and Johnny Jeffcoat attended the Executive Session.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Police Chief Terrence Green, Community and Economic Catalyst Johnny Jeffcoat, Utilities and Engineering Director Allen Lutz, Director of Parks, Streets and Sanitation Dan Walker, Planning, Building and Technology Director John Hanson, Events and Media Coordinator Jennifer Dowden, Grants Administrator Wesley Crosby, I.T. Manager Josh Emory, Assistant Municipal Clerk Karen Hanner and Municipal Clerk Becky Hildebrand.

There were approximately two (2) citizens present and one member from the news media.

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**EXECUTIVE SESSION REPORT**

Mayor Halfacre reported that the *Executive Session* was called to order at 9:30 a.m. after a motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to go into *Executive Session*. The motion was unanimously carried by all those present. (Councilmembers Frazier and Shevchik were not present for the vote.) Council adjourned from *Executive Session* at 10:25 a.m. after a motion was made by Councilmember Maness 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 legal matter related to the State Law for Capital Projects Commission; two contractual items related to the sale and purchase of Town property; and, one personnel matter related to the appointment of Capital Projects Commissioner. No vote was taken. A motion was made by Councilmember Maness and seconded by Councilmember MacDougall to ratify Mayor Halfacre's *Executive Session* report. The motion was unanimously carried by all those present.

**INVOCATION, PLEDGE AND CALL TO ORDER:** Mayor Halfacre welcomed everyone to the Special Called meeting and apologized for the late start of the meeting. He introduced the Councilmembers and gave the invocation.

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Councilmember Maness led in the Pledge of Allegiance. Mayor Halfacre called the Special Council meeting to order at 10:33 p.m.

**OLD BUSINESS:** None.

**NEW BUSINESS ITEM**

1. **Lexington County Capital Projects Commission Municipal Appointment:** The County is creating a Capital Projects Sales Tax Commission and is advising the Town of Lexington that it may appoint one member to the Commission. According to State Law, the Commission must be composed of six members. Three of those members are selected by the County and three by the municipalities. Those selected by the municipalities must be residents of an incorporated municipality in Lexington County.

The Commission will be charged with compiling a project proposal for a countywide referendum on the tax. The proposal must be for specifically identified projects intended to be funded by a potential one cent Capital Projects Sales Tax. The proposal must also identify an ending date for the collection of the tax, which can be collected no longer than eight years pursuant to State Law. All potential projects must be identified in the proposal before it can go to a referendum. The text of the Capital Projects Sales Tax statute is attached.

The nominees for the Town presented by Councilmembers were as follows (in alphabetical order):

Scott Adams	Kim Groh
Susan Amick	Sammy Hendrix
John Bozard	Leslie Hope
Mike Crapps	Nick Leventis
Gary Deese	Brent Rewis
Harry Deith	Jonathan Stambolitis

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember MacDougall to appoint Sammy Hendrix to the Capital Projects Sales Tax Commission as the Town of Lexington's representative. The motion carried with a vote of five (5) in favor and one (1) opposed (Frazier).

2. **First Reading of a Sale of Town Property – 101 East Main Street:** The Town received an offer to purchase the Shirey's building, and permission was sought to enter into a due diligence period of thirty days during which time the Town would continue to accept bids on the property. The sale would be with a guarantee of a limited amount of parking. Other contingencies include the passage of an ordinance and some use restrictions for the owner or any occupants. A final sales contract will be available for Second Reading.

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A motion was made by Councilmember Maness and seconded by Councilmember Frazier to approve First Reading of an ordinance to sell the Shirey's building and authority to enter into the due diligence period and negotiate a sales contract based upon available bids. Mayor Halfacre confirmed that this is for the Shirey building and not just the footprint. The motion was unanimously carried by all those present.

**COUNCIL COMMENTS**

**Mayor Halfacre** stated that he would read August birthdays at Council's next meeting but he did want to recognize two birthdays that would take place before then: Britt Poole on August 12<sup>th</sup> and Councilmember MacDougall on August 13<sup>th</sup>. He expressed sympathy to Detective Chris Ellisor in the recent loss of his grandmother, JoAnna Royal from Springdale. Mayor Halfacre congratulated Officer Melissa Silcox and her husband, Jon, on the birth of their baby girl, born on July 20<sup>th</sup> and named Felicia Isabella Silcox. He also congratulated Officer Silcox on being named the Officer of the Quarter. He announced that Movie in the Park was rescheduled to September. Mayor Halfacre stated that Lexington Dixie Youth, 13 year old group, lost to Hilton Head in the Championship game, but the Town is very proud of them and Lexington looks forward to hosting the Dixie Youth World Series next year. He stated that all trash would now be picked up on Tuesday. He announced that the Council had budgeted \$50,000 this year for the Façade Grant program and applications are due August 16<sup>th</sup>.

**Mayor Pro-Tem Livingston:** None.

**Councilmember Maness** encouraged everyone to attend the Farmers Market on Saturday and see all the new vendors. She wished Councilmember MacDougall and Britt Poole a Happy Birthday. She stated that the Town made a great decision in appointing Sammy Hendrix to the Capital Projects Commission and she looked forward to working with him and Lexington County Council and seeing the tax passed.

**Councilmember Frazier** stated that it is a great move to sell the Shirey Building and he hopes it goes forward with the group that is interested in it. He stated that Sammy Hendrix has done a lot for the Town, but he would have rather appointed Nick Leventis to the Capital Projects Commission. He was concerned that legal counsel had stated that it may be a conflict of interest since Mr. Hendrix serves on the Town's Planning Commission.

**Councilmember Shevchik:** None.

**Councilmember MacDougall:** None.

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**QUESTIONS FROM THE NEWS MEDIA**

**Mr. Terry Ward**, Lexington County Chronicle, asked if the Shirey building included the footprint. Mayor Halfacre stated that there is an issue with parking and the Town Administrator has been given the authority to negotiate the transaction and report back to Council before it is finalized. Mr. Ward confirmed that it was a contract to purchase the property and to allow only certain type businesses. Mayor Halfacre stated that others could submit bids. Town Administrator Poole confirmed that once the initial contract is negotiated, a 30-day due diligence period will begin and other offers could be reviewed during that time. He confirmed that Second Reading would be during Council's September Council meeting. Mr. Ward asked about Mr. Hendrix's qualifications for the Commission appointment. Mayor Halfacre stated that Mr. Hendrix has served on the Town's Planning Commission for over 15 years and is retired from South Carolina General Contractors with a vast knowledge of roads and issues that impact economic development.

**PUBLIC COMMENTS**

**Ms. Constance Flemming** stated she was glad to be here.

**CLOSING AND ADJOURNMENT:** Mayor Halfacre thanked the Council Members and citizens for attending the Special Council meeting. He thanked those at home for viewing the Council meeting on Channel 2. He reminded everyone that the next Council Work Session and Council Meeting would be held on August 19, 2013 at 6:00 p.m. and 6:30 p.m.

There being no further comments or questions, a motion was made by Councilmember Maness and seconded by Councilmember Shevchik to adjourn Council's Special meeting.

The Special Council Meeting was adjourned at 10:48 a.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.*