

MINUTES
Town of Lexington
Executive Session and
COUNCIL WORK SESSION
February 18, 2014

Town Council held a Council Work Session preceded by an Executive Session on February 3, 2014 at 6:00 p.m. in the Eli Mack Sr. room. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Council Members Kathy Maness, Ted Stambolitis, and Todd Shevchik.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Lieutenant-OPS Chad Snelgrove, Community and Economic Catalyst Johnny Jeffcoat, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Director of Parks, Streets and Sanitation Dan Walker, Planning, Building and Technology Director John Hanson, Events and Media Coordinator Jennifer Dowden, Assistant Municipal Clerk Karen Hanner, and Municipal Clerk Becky Hildebrand.

There were four (4) citizens present and no members from the news media.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor MacDougall introduced the Council Members and welcomed everyone to the Council Work Session. He read an opening statement to explain the procedures of a Council Work Session which stated: *“Work Sessions are less formal business meetings that enable Council to obtain and discuss information regarding Town issues from Staff members and/or consultants. Like Regular Council Meetings, citizens are encouraged to attend and observe Work Sessions; however, they do not include Public Hearings, but do allow for public comment at the end of the Work Session unless otherwise called on by Council. Council does not take an action vote on items during a Work Session other than to vote to place an item on Council’s next Regular Council Meeting agenda for consideration and an official vote. Council Work Sessions are not tape recorded, but Minutes are taken and posted on the Town’s web page following approval of Council”.*

Councilmember Stambolitis gave the invocation and Councilmember Shevchik led in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:10 p.m.

EXECUTIVE SESSION REPORT

Mayor MacDougall reported that the *Executive Session* was called to order at 5:35 p.m. after a motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Stambolitis to go into *Executive Session* to discuss: one personnel matter related to Boards and Commissions; two contractual issues related to the Ice House Project and a proposed rental agreement; and, a legal update on the Golden Hills condemnation. The motion was unanimously carried by all those present (3). (Councilmembers Maness and Shevchik were absent for the vote). Council adjourned

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from *Executive Session* at 6:04 p.m. after a motion was made by Councilmember Stambolitis and seconded by Mayor Pro-Tem Livingston to adjourn the Executive Session. The motion was unanimously carried by all those present (4). (Councilmember Maness was absent for the vote.) No vote was taken during the Executive Session. A motion was made by Councilmember Shevchik and seconded by Mayor Pro-Tem Livingston to ratify the Mayor's *Executive Session* report. The motion was unanimously carried by all those present (4). (Councilmember Stambolitis was excused for the remainder of the meeting. Councilmember Maness arrived at 6:19 p.m.)

DELETIONS TO AGENDA: None.

APPROVAL OF MINUTES: A motion was made by Councilmember Shevchik and seconded by Mayor Pro-Tem Livingston to approve the minutes as submitted for the February 3, 2014 Regular Council meeting. The motion was unanimously carried by all those present (3).

PRESENTATIONS

1. **Mr. Ken Prince, CPA, Brittingham Group, LLP – Comprehensive Annual Financial Report for FY 2013:** Mr. Prince stated that the company name is now Brittingham, Brown, Prince and Hancock, LLC. He added that he had retired as of December, 2013, but would still be working as needed for the firm. He introduced Ms. Jessica Laney, CPA, who has been the Lead Auditor for the Town of Lexington's audits for several years.

Mr. Prince thanked the Finance Staff for preparing the financial statements. He reported that their audit found no modifications and no material weaknesses. He directed Council to page 10 of the CAFR for a financial overview. The Town of Lexington's assets exceeded its liabilities at year end June 2013 by \$101.1M. Net assets of \$15.8M were unrestricted. Total net position increased by \$4.2M. General Funds reported a combined ending balance of \$6.6M, an increase of \$2.6M. The Town had \$73.1M in bonds, notes, contacts and capital leases payable at year end, an increase of \$12.4M. Capital and intangible assets totaled \$143.8M, an increase of \$6.0M. Mr. Prince asked if there were any questions from Council.

Mayor MacDougall stated that based on the audit, the Town made a good decision last year to take water tap fees back to the original policy. He thanked Mr. Prince for all he has done for the Town.

Assistant Town Administrator Ford thanked Mr. Prince for 10 to 11 years of service to the Town and he applauded him for the way he practiced public accounting.

BUSINESS ITEMS: (For Discussion and Recommendation for Council's March 3, 2014 Regular Council Meeting.)

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1. **SC Adoption Coalition for Education and Support – Rental Fee Waiver – Events and Media Coordinator Jennifer Dowden:** The SC Adoption Coalition for Education and Support (ACES) and the SC Bar Young Lawyers Division annually host the Families Forever Fair and are looking to bring the event back to Lexington 2014. The free event focuses on adoption consultations, awareness, and foster care. The organization asked for a fee waiver for the Town’s Conference Center and Eli Mack, Sr. Room for Saturday, March 8, 2014. The event was also held at the Town’s location in 2013. The following is the value for the SC Adoption Coalition for Education and Support (ACES) event:

Conference Room: \$600 (in town) or \$1,000 (out of town)

Eli Mack, Sr. Room: \$150 (in town) or \$200 (out of town)

Deposits for the venues would still be required and have already been paid by the SC Bar Association.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to place the item on Council’s March 3, 2014 agenda for approval. Mayor Pro-Tem Livingston stated that her family has been affected by adoptions and she feels strongly about this organization and especially for those families that cannot afford to pay. The motion was unanimously carried by all those present.

2. **Herb Festival Sponsor Request – Municipal Clerk Becky Hildebrand:** The “Herb Bunch”, a nonprofit club affiliated with the Clemson Extension Service, is organizing its third annual “It’s All About Herbs Festival”. The festival will be held Saturday, April 5, 2014 on the grounds of the Lexington County Museum. Contributions will provide funds, not only for the festival organization itself, but also for a scholarship to a Lexington County student for study in the agricultural or horticultural field. The levels of contributions and advertisements for the Town are as follows: Friend: \$30.00 or more; Silver Level: \$150.00; Gold Level: \$250.00; Platinum Level: \$350.00 or more. In 2013 Council contributed \$150.00 to the “It’s All About Herbs”. (Copy of request letter attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Shevchik place the request on Council’s March 3, 2014 agenda for consideration. Mayor Pro-Tem Livingston stated that the Herb Bunch also planned to place herbs at Lexington Square with markers for educational purposes. The motion was unanimously carried by all those present.

3. **Update of Town of Lexington’s Letterhead – Municipal Clerk Becky Hildebrand:** At the January 21, 2014 Work Session, Council asked the Municipal Clerk to submit alternate samples of a proposed new letterhead for comparison. Attached are samples that were provided to Council of the current letterhead and a draft of the proposed new letterhead. (Copies attached.)

A motion was made Mayor Pro-Tem Livingston and seconded by Councilmember Maness to place the item on Council’s March 3, 2014

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agenda for approval. Mayor MacDougall stated that he liked the new letterhead. Town Administrator Poole stated that Town form letters would use the new version without the names printed in order to save cost of printing, but the new letterhead with Council's names would be used for all other correspondence, unless there was a need for the official letterhead with the Town seal which is currently used. The motion was unanimously carried by all those present.

4. **Appointments to Boards and Commissions – Municipal Clerk Becky Hildebrand:** Boards and Commissions appointments were deferred at the December 2013 and January 2014 meetings. The following citizens submitted Talent Bank applications: (Copies attached.) Council also received a list of current Board and Commission members along with their term expiration dates. (Copy attached.)

Gayle Tallon Brazell, Advisory Committee or Planning Commission
Gregory L. Force, Vision Plan Action Committee
Cindy MacLean, Historic Preservation Review Board
David McGehee, Planning Commission
Donna M. Miranda, did not list a Board or Commission preference
Joseph Wharton, Planning Commission
Charles Barber, Planning Commission

Current Vacancies Include:

- Advisory Committee – 1 opening
- Board of Appearance – 1 opening
- Board of Zoning Appeals – 1 opening
- Building Codes Board of Appeals – 1 opening
- Historic Preservation Review Board – 1 opening
- Planning Commission – 1 openings
- Traffic Committee – 2 resident openings
- Vision Plan Action Committee – 13 openings

A motion was made by Councilmember Shevchik and seconded by Mayor Pro-Tem Livingston instructing the Municipal Clerk to contact the citizens affected and to place the item on Council's March 3, 2014 agenda for consideration. The motion was unanimously carried by all those present.

5. **Dog Park Regulations – Director of Parks, Streets and Sanitation Dan Walker:** Council was advised that several issues have risen since opening the Town's dog park. (1) Aggressive dog behavior and (2) Lost pass keys. Council's consideration was requested on having a written policy for the following operating procedures:

Aggressive dog behavior would come under the Three Strike Rule.
Lost Keys would cost \$5.00 to replace.

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Mr. Walker stated that there had been a situation where a small dog was taken into the large dog section of the park and was subsequently attacked. He added that this situation had prompted him to temporarily use the Three Strike Rule for aggressive dogs. He had furthered started a "Bad Dog" list in order to track the Three Strike Rule. He requested that he be allowed to make the Three Strike Rule a written operating policy.

Mayor MacDougall stated that the Town needed to be careful in case an aggressive dog was on the list one time and attacked another dog or a person, the Town may be held liable. Councilmember Shevchik agreed and added that the owner should also have some liability.

A motion was made by Councilmember Maness and seconded by Councilmember Shevchik place the item on Council's March 3, 2014 agenda for consideration. Mayor Pro-Tem Livingston requested that Mr. Walker complete his research and have a proposed policy ready for Council to vote on at the March meeting. The motion was unanimously carried by all those present.

COUNCIL/STAFF COMMENTS

Mayor MacDougall recognized Lexington County Council Chairman, Johnny Jeffcoat and the Town's Planning Chairman Keith Frost.

QUESTIONS FROM THE NEWS MEDIA: None.

PUBLIC COMMENTS: None.

ADJOURNMENT: There being no further comments or questions, a motion was made by Councilmember Maness and seconded by Councilmember Shevchik to adjourn the Council's Work Session at 6:32 p.m. The motion was unanimously carried by all those present.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

Steve MacDougall
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.