



COUNCIL WORK SESSION
Conference Center
111 Maiden Lane, Lexington, SC
February 21, 2023

AGENDA

5:30 PM **EXECUTIVE SESSION**

Legal: Issues Regarding Pending Litigation,
 Advice Regarding Agenda Items §30-4-70(a) (2)
Contractual: Downtown Development Issue §30-4-70(a) (2)

Upon returning to open session, Council may take action on matters discussed in Executive Session.

6:00 PM **WORK SESSION OPENING STATEMENT**

INVOCATION

PLEDGE OF ALLEGIANCE

CALL TO ORDER

EXECUTIVE REPORT AND RATIFICATION

DELETIONS ON AGENDA

APPROVAL OF MINUTES

1. Regular Council Meeting, February 6, 2023

PRESENTATIONS

1. Randy M. Cooper, CPA, CFE, The Brittingham Group, LLC, 2022 Audit

RULES OF PROCEDURE
LEXINGTON TOWN COUNCIL

1. When a holiday observed by the Town falls on a regularly scheduled Town Council Meeting or Work Session, such meeting shall be held the following workday, unless another day is so designated by action of Town Council.
2. The **AGENDA** shall contain the items to be considered by the Council. The deadline for placing items on the Agenda shall be noon on Wednesday prior to the regular Council Meetings or Council Work Sessions. Matters not on the Agenda may be considered on the request of a Councilmember unless two members object.
3. Unless a **READING OF THE MINUTES OF A COUNCIL MEETING** is requested by a Councilmember, such minutes may be approved without a reading if the Municipal Clerk has previously furnished each member with a copy.
4. Each Councilmember **ADDRESSING THE COUNCIL** shall speak with permission of the Chair and shall address the Chair, and no member shall interrupt anyone who is speaking, except to call him/her to order or for an explanation.
5. **ANY PERSON WHO IS NOT A MEMBER OF THE COUNCIL MAY SPEAK** to the Council with permission of the Chair and shall address the Chair; each person, after stating his/her name and address, may make comments which are relevant to the subject matter at hand and which are limited to three (3) minutes, unless additional time is granted in advance by the Chair.
6. All votes of the Council shall be conducted publicly and by a show of hands, and shall be recorded in the minutes. For a Motion to pass, it must receive a majority of the votes *actually cast*. Discussion of items may be conducted in Executive Session in conformance with Freedom of Information Act, but no vote or Council action may be taken.
7. Telephone votes by Council are not authorized unless the matter is deemed an emergency, which will be determined by the Town Administrator and the Municipal Clerk. A Town Council Member may connect remotely via telephone, skype or computer to a Town Council Work Session or other informal Council Meeting for the purpose of listening, but may not participate in the discussion or voting (if any) during the meeting. A member connected remotely shall not be counted as present for purposes of establishing a quorum. Remote connection shall not be authorized at any public meeting other than as described above, and shall not be authorized for Town of Lexington Boards and Commissions Meetings

For the purpose of this rule of procedure, an emergency item shall be defined as an item which requires immediate legislative action because it significantly bears on the ability of the Town government to deliver services; because it threatens the safety, livelihood or general well-being of the people of the Town; because delaying action might result in the loss of public funds; or because failure to act might result in litigation or exacerbation of pending litigation.

8. The Council may, by majority vote, meet in **EXECUTIVE SESSION** at any time, but only in compliance with South Carolina law. Attendance at such sessions shall be limited only to Council members, the Town Administrator, Town Attorney and the Municipal Clerk, plus such invitees as may meet the unanimous approval of the Council. If an Executive Session is conducted, the Chair shall announce the specific purpose(s) for the session and upon return from Executive Session shall report publicly the topics discussed. Remote connection to an Executive Session shall not be authorized.
9. It is a general rule that no member can vote on a question in which (s)he has a direct personal or pecuniary interest. If a conflict of interest exists on any issue, the member must: declare, in writing, the conflict of interest; present it to the Municipal Clerk; and, then physically remove him(her)self from all discussion of the matter as well as from the voting process. Such recusal from discussion shall include subsequent meetings and formal discussions where the matter may be addressed.
10. While it is the duty of every member who has an opinion on the question to express it by his/her vote, the member can not be compelled to do so. (S)he may abstain from voting, even though the member knows the effect is the same as if (s)he voted on the prevailing side. It shall be required, however, that an explanation be given to the other members and public as to why the member abstained.
11. No motion shall be entertained nor voted upon regarding any matter which appears on the meeting agenda for discussion only, unless the agenda is properly amended pursuant to the Town Code of Ordinances.
12. All matters listed within a Consent Agenda have been distributed to members of Council and are considered routine. Consent Agenda items will be approved by one motion of the Council with no separate discussion. If separate discussion is desired on any item, that item may be removed from the Consent Agenda at the request of a Councilmember for action later in the agenda.

AGENDA
COUNCIL WORK SESSION
February 21, 2023

BUSINESS ITEMS (Discussion and Recommendation for the March 6, 2023 Council Meeting)

1. Boards and Commissions Appointment (Municipal Clerk Becky Hildebrand)
2. Amendment to Sign Ordinance (Municipal Attorney Brad Cunningham)
3. Request for Fiber Optic Broadband Franchise Agreement (Municipal Attorney Brad Cunningham)

COMMENTS

Council/Staff
Comments from Public
Comments from News Media