

**MINUTES**  
**Town of Lexington**  
**Executive Session and**  
**REGULAR COUNCIL MEETING**  
**February 1, 2021**

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*Due to the COVID-19 precautions, Town Council held a Zoom Virtual Meeting. Citizens were invited to view the meeting LIVE on the Town's YouTube Channel or on the Town's Spectrum Channel 1301. If citizens had any questions during the meeting regarding agenda items, they were directed to call 803/808-4219 or email [wcrosby@lexsc.com](mailto:wcrosby@lexsc.com).*

Town Council held a virtual Executive Session at 5:30 p.m. followed by a virtual Regular Council meeting at 6:30 p.m. on February 1, 2021. The meetings were attended by Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Councilmembers Kathy Maness, Todd Carnes, Ron Williams, Steve Baker and Todd Lyle.

Staff members present who attended in-person were: Town Administrator Britt Poole, Municipal Attorney Brad Cunningham, Digital Media Coordinator Darrell Pritchard and Municipal Clerk Becky Hildebrand.

Staff members present who attended virtually were: Assistant Town Administrator Stuart Ford, Transportation Director Randy Edwards, Police Chief Terrence Green, Planning, Building and Technology Director John Hanson, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Pharr, Parks and Sanitation Director Dan Walker, Assistant to the Town Administrator Wesley Crosby, Downtown Venue Promoter Walker Brewer, Communications Manager Laurin Barnes and Assistant Municipal Clerk Karen Hanner.

No citizens were present for the virtual Council meeting and no members of the news media were present.

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**OPENING STATEMENT**

Mayor MacDougall welcomed everyone to Town Council's virtual Council meeting. He encouraged citizens to view the virtual meeting on the Town's YouTube Channel or on the Town's Spectrum Channel 1301 and to call 803-808-4219 if they had any comments regarding agenda items.

*Mayor MacDougall addressed the rules of procedure for the virtual meeting as part of the Town's Emergency Ordinance adopted on January 5, 2021. He announced that future virtual meetings would be determined if it was in the public's best interest to extend any precautions due to COVID-19. The meeting would be replayed several times during the week on the Town's Spectrum Channel 1301 and would be available on the Town's YouTube page. He encouraged citizens to call in on the number provided if they had a question regarding an agenda item and Wesley Crosby would answer any citizen*

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*calls and relay them to Council. Laurin Barnes would answer any media calls during the meeting. Mayor MacDougall reminded Council that many Staff members were attending virtually on the Zoom meeting and could be called on if Council had any questions for them.*

**INVOCATION AND CALL TO ORDER:** Mayor MacDougall called on Mayor Pro-Tem Livingston to give the invocation. He called the meeting to order at 6:35 p.m.

**STATE OF THE TOWN ADDRESS**

Due to technical difficulty, Mayor MacDougall announced that the State of Town Address would be held at Council's March 1, 2021 meeting.

**EXECUTIVE SESSION REPORT**

Mayor MacDougall reported that the *Executive Session* was called to order at 5:32 p.m. after a motion was made by Councilmember Baker and seconded by Councilmember Williams to go into *Executive Session*. The motion was unanimously carried.

*Mayor MacDougall reminded Council that the information discussed during a virtual Executive Session was confidential and not to be shared outside the meeting. He asked each Councilmember to confirm that they were the only one in the room at their respective location and that no other person at their location was logged into the virtual meeting or in earshot of any communications to the best of their knowledge. Each Councilmember responded "yes" to confirm the above statement.*

Council adjourned from the *Executive Session* at 5:52 p.m. after a motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston. The motion was unanimously carried. Mayor MacDougall reported that pursuant to SC Code §30-4-70(a) (1) and (2), Council met in *Executive Session* to discuss: four legal items regarding pending litigation, advice regarding a Town Ordinance, advice regarding agenda items and a discussion regarding an investigative proceeding. Mayor MacDougall reported that no vote was taken. A motion was made by Councilmember Maness and seconded by Councilmember Baker to ratify the Mayor's report. The motion was unanimously carried.

**DELETIONS ON AGENDA:** None.

**APPROVAL OF MINUTES:** A motion was made by Councilmember Maness and seconded by Councilmember Lyle to approve the minutes from Council's Regular meeting held on January 4, 2021 and Council's Work Session held on January 19, 2021 as submitted. *Roll Call Vote Results: Mayor MacDougall, yes to the motion. Mayor Pro-Tem Livingston, yes to the motion; Councilmember Maness, yes to the motion. Councilmember Carnes, yes to the motion. Councilmember Williams, yes to the motion. Councilmember Baker, yes to the motion. Councilmember Lyle, yes to the motion.* The motion was unanimously carried.

**PUBLIC HEARING(S)**

Mayor MacDougall called the Public Hearing to order and requested that those wishing to speak call 803/808-4219 and limit their comments to five minutes.

1. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #5423-01-005 located at 207 Swartz Road.
2. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #5496-01-123 located behind 138 Zenker Road.
3. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #3400-02-015 located at 127 Sixteen Mile Court.

Mr. Crosby reported in that he had not received any telephone calls from citizens.

There being no public comments or questions from Council, Mayor MacDougall declared the Public Hearings closed.

**OLD BUSINESS**

1. Mayor MacDougall read the item and called for a motion if there were no questions or comments. A motion was made by Councilmember Baker and seconded by Councilmember Maness to **approve Final Reading of an Ordinance Annexing Lexington County Tax Map #5423-01-005 located at 207 Swartz Road.**

Mayor MacDougall called for a Roll Call vote. *Roll Call Vote Results: Mayor MacDougall, yes to the motion. Mayor Pro-Tem Livingston, yes to the motion; Councilmember Maness, yes to the motion. Councilmember Carnes, yes to the motion. Councilmember Williams, yes to the motion. Councilmember Baker, yes to the motion. Councilmember Lyle, yes to the motion.* The motion was unanimously carried. (Copies attached.)

2. Mayor MacDougall read the item and called for a motion if there were no questions or comments. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to **approve Final Reading of an Ordinance Annexing Lexington County Tax Map #5496-01-123 located behind 138 Zenker Road.**

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Mayor MacDougall called for a Roll Call vote. *Roll Call Vote Results: Mayor MacDougall, yes to the motion. Mayor Pro-Tem Livingston, yes to the motion; Councilmember Maness, yes to the motion. Councilmember Carnes, yes to the motion. Councilmember Williams, yes to the motion. Councilmember Baker, yes to the motion. Councilmember Lyle, yes to the motion.* The motion was unanimously carried. (Copies attached.)

3. Mayor MacDougall read the item and called for a motion if there were no questions or comments. A motion was made by Councilmember Lyle and seconded by Councilmember Baker to **approve Final Reading of an Ordinance Annexing Lexington County Tax Map #3400-02-015 located at 127 Sixteen Mile Court.**

Mayor MacDougall called for a Roll Call vote. *Roll Call Vote Results: Mayor MacDougall, yes to the motion. Mayor Pro-Tem Livingston, yes to the motion; Councilmember Maness, yes to the motion. Councilmember Carnes, yes to the motion. Councilmember Williams, yes to the motion. Councilmember Baker, yes to the motion. Councilmember Lyle, yes to the motion.* The motion was unanimously carried. (Copies attached.)

**NEW BUSINESS**

1. **Ratification of Emergency Ordinance #9:** On January 5, 2021 an emailed poll of Council elicited a majority vote in favor of approving an Emergency Ordinance temporarily suspending rules for Town Council meetings to allow for remote attendance and participation in public meetings and to allow for enactment of a continuity in operations plan. (Copy of approved ordinance attached.)

Mayor MacDougall read the item and called for a motion if there were no questions or comments. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to ratify Council's majority email poll vote as stated. Mayor MacDougall called for a Roll Call vote. *Roll Call Vote Results: Mayor MacDougall, yes. Mayor Pro-Tem Livingston, yes. Councilmember Maness, yes. Councilmember Carnes, yes. Councilmember Williams, yes. Councilmember Baker, yes. Councilmember Lyle, yes.* The ratification vote was unanimous.

2. **First Reading of an Ordinance Annexing Lexington County Tax Map #3500-03-025 located at 4878 Sunset Boulevard:** Rudolph Ritchie owns 4.1 acres located at 4878 Sunset Boulevard and has petitioned to annex the property. A veterinary clinic and kennel is planned on the site. Properties in Town near this one are zoned General Commercial and Sunset Boulevard is already classified as an Arterial Road. The Planning Commission reviewed this annexation during their January meeting and recommended the same zoning and road classification for this parcel.

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Mayor MacDougall read the item and called for a motion if there were no questions or comments. A motion was made by Councilmember Maness and seconded by Councilmember Williams to approve First Reading of an Ordinance Annexing Lexington County Tax Map #3500-03-025 located at 4878 Sunset Boulevard as stated. Mayor MacDougall called for a Roll Call vote. *Roll Call Vote Results: Mayor MacDougall, yes. Mayor Pro-Tem Livingston, yes. Councilmember Maness, yes. Councilmember Carnes, yes. Councilmember Williams, yes. Councilmember Baker, yes. Councilmember Lyle, yes.* The motion was unanimously carried.

3. **First Reading of an Ordinance Entering into a Mutual Aid Agreement with the City of Myrtle Beach Police Department:** The Lexington Police Department is entering into a Mutual Aid Agreement with the city of Myrtle Beach Police Department. The agreement is for 2021 Memorial Weekend/Atlantic Beach Bike Fest Event. (Copy of proposed agreement attached.)

Mayor MacDougall read the item and called for a motion if there were no questions or comments. A motion was made by Councilmember Lyle and seconded by Councilmember Williams to approve First Reading of an Ordinance Entering into a Mutual Aid Agreement with the City of Myrtle Beach Police Department as stated. Mayor MacDougall called for a Roll Call vote. *Roll Call Vote Results: Mayor MacDougall, yes. Mayor Pro-Tem Livingston, yes. Councilmember Maness, yes. Councilmember Carnes, yes. Councilmember Williams, yes. Councilmember Baker, yes. Councilmember Lyle, yes.* The motion was unanimously carried.

4. **First Reading of an Ordinance for a Budget Adjustment, Police:** The Police Department needs to replace a vehicle and purchase additional laptops. Further, a new SRO was requested and the Town would need to fund 25% of the new employee startup costs. Additionally, PB&T needs to purchase a new air conditioning unit for Palmetto Collegiate. Funds are available in the PB&T Repairs account but would need to be moved to Capital. The Town has received reimbursements for COVID leave, therefore, some funds are available in the Police Wages and Benefits accounts with the remainder available from funds left over from the chiller purchase in PB&T. The following 2021 budget adjustment was requested:

|          |                           |                    |
|----------|---------------------------|--------------------|
| Reduce:  | Police Wages and Benefits | \$ (57,000)        |
|          | PB&T Operating            | ( 6,000)           |
|          | PB&T Capital              | <u>\$ (33,000)</u> |
|          | Total                     | \$ (96,600)        |
| <br>Add: | Police Capital – vehicle  | <br>\$ 55,000      |

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|                                |              |           |
|--------------------------------|--------------|-----------|
| Police Capital – laptops       | 16,000       |           |
| Police Capital for SRO (25%)   |              | 18,000    |
| Police Operating for SRO (25%) | 1,000        |           |
| PB&T Capital – air unit        | <u>6,600</u> |           |
| Total                          |              | \$ 96,600 |

Net Change to appropriations \$ -0-

Mayor MacDougall read the item and called for a motion if there were no questions or comments. A motion was made by Councilmember Williams and seconded by Councilmember Maness to approve First Reading of an Ordinance for a 2021 Budget Adjustment, Police as stated. Mayor MacDougall called for a Roll Call vote. *Roll Call Vote Results: Mayor MacDougall, yes. Mayor Pro-Tem Livingston, yes. Councilmember Maness, yes. Councilmember Carnes, yes. Councilmember Williams, yes. Councilmember Baker, yes. Councilmember Lyle, yes.* The motion was unanimously carried.

5. **Public Sewer Service, Pine Point Drive in Murray Park Estates:** At the October 19, 2020 Council Work Session, Mr. Justin Brown made a presentation requesting the Town extend sewer service down Pine Point Drive in Murray Park Estates off Highway 378 West. Mr. Brown presented a petition with 50 signatures from residents who have interest and are requesting sewer be installed in their neighborhood. Out of the 50 signatures it appeared that the petition represented only 39 properties. The Utilities Department was directed to obtain an estimate for the cost to extend sewer lines to add service to this neighborhood. The estimated cost is \$187,500.00. To cover the construction cost of the proposed project, owners of 51 parcels would be required to prepay CCF fees and handle this as a neighborhood cost participation. The Town has done similar sewer extension projects like this in the past such as Hallmark Shores and Driftwood Point which enough participants prepaid Capital Contributions to cover the estimated construction cost. Council’s approval was requested to start identifying residents willing to prepay as a cost participation project. If approved, cost would be covered by the prepaid CCF fees. (Copies attached.)

Mayor MacDougall read the item and called for a motion if there were no questions or comments. A motion was made by Councilmember Baker and seconded by Councilmember Maness to approve the start of the Murray Park Estates project to identify residents willing to prepay as stated. Mayor MacDougall called for a Roll Call vote. *Roll Call Vote Results: Mayor MacDougall, yes. Mayor Pro-Tem Livingston, yes. Councilmember Maness, yes. Councilmember Carnes, yes. Councilmember Williams, yes. Councilmember Baker, yes. Councilmember Lyle, yes.* The motion was unanimously carried.

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6. **Icehouse Pavilion Policy:** Council was provided with a copy of the proposed rental policy for the new Icehouse Pavilion. Council's approval was requested by Staff. (Copy attached.)

Mayor MacDougall read the item and called for a motion if there were no questions or comments. A motion was made by Councilmember Maness and seconded by Councilmember Carnes to approve the new Icehouse Pavilion Rental Policy as submitted. Mayor MacDougall called for a Roll Call vote. *Roll Call Vote Results: Mayor MacDougall, yes. Mayor Pro-Tem Livingston, yes. Councilmember Maness, yes. Councilmember Carnes, yes. Councilmember Williams, yes. Councilmember Baker, yes. Councilmember Lyle, yes.* The motion was unanimously carried.

7. **Pilgrim Point Streetlights:** Historically the Town has paid a portion of the streetlight bill for Pilgrim Point residents. In accordance with the Town's Residential Streetlight Ordinance, the Pilgrim Point Homeowner's Association has requested that the Town again pay a pro rata share of their streetlight bill. A copy of their request letter was provided to Council. (Copy attached.) There are 48 lots in Pilgrim Point and the Town Ordinance states that the Town would be responsible for one (1) street light per six (6) lots, which equals eight (8) lights. The total requested is \$2,146.56 (22.36 x 8 x 12). Funds would come from the Transportation budget, account #100-5-665-520.

Mayor MacDougall read the item and called for a motion if there were no questions or comments. A motion was made by Councilmember Williams and seconded by Councilmember Carnes to approve payment of the pro rata share of streetlights for Pilgrim Point as stated. Mayor MacDougall called for a Roll Call vote. *Roll Call Vote Results: Mayor MacDougall, yes. Mayor Pro-Tem Livingston, yes. Councilmember Maness, yes. Councilmember Carnes, yes. Councilmember Williams, yes. Councilmember Baker, yes. Councilmember Lyle, yes.* The motion was unanimously carried.

**ANNOUNCEMENTS:** Councilmember Carnes made the following announcements: (1) Town Hall will be closed on Monday, February 15, 2021 in observance of President's Day. (2) Council will meet again on Tuesday, February 16, 2021 at 6:00 p.m. for Council's Work Session. (3) The Planning Commission will meet on February 17, 2021 at 8:00 a.m. in the Council Chambers. (4) This is the first event held at the Icehouse Pavilion! So get ready for the Annual Lexington Chili Cook-Off and Music Fest on Sunday, February 21st from 12:00 to 5:00. The Chili Cook-Off is sponsored by the Town of Lexington, the Lexington County Blowfish and the Old Mill Brew Pub. Tickets are \$10.00 for adults and kids 12 and under are \$5.00. Tickets can be purchased on-line at [www.icehouseamphitheater.com](http://www.icehouseamphitheater.com). If you have a Team Entry – please email [john@oldmillbrewpub.com](mailto:john@oldmillbrewpub.com). Councilmember Carnes stated that he has attended this event the last few years and it is a great event so he hoped to see everyone there. He

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added that chili is one of his favorites. Councilmember Carnes stated that on behalf of the Mayor and his fellow Councilmembers, they would like to thank everyone for watching your Council in action tonight all though it be virtually.

**NEWS MEDIA QUESTIONS:** Mayor MacDougall called on Ms. Barnes who was available to answer calls from the media. Ms. Barnes reported that she had not received any questions from the news media.

**PUBLIC COMMENTS:** Mayor MacDougall called on Mr. Crosby who was available to answer calls from the public. Mr. Crosby reported that he had not received any questions from the public.

**COUNCIL/STAFF COMMENTS**

Mayor MacDougall stated that he was very disappointed that he could not deliver the State of the Town address tonight, but it may be even better in March when everyone was there in person.

**CLOSING STATEMENT and ADJOURNMENT**

Mayor MacDougall thanked the Council members and citizens for attending the Council meeting. He thanked those at home for viewing the Council meeting on cable channel 1301 which will also be replayed several times during the week and a video will be available on the Town's website at [www.lexsc.com](http://www.lexsc.com).

Mayor MacDougall stated that without objection from Council, he declared the Council meeting adjourned. The Regular Council meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC  
Municipal Clerk

APPROVED:

Steve MacDougall  
Mayor

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*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.*