

MINUTES
Town of Lexington
Executive Session and
Special Council Work Session

May 30, 2023

Town Council held an Executive Session at 5:30 p.m. followed by a Special Council Work Session on May 30, 2023 in the Conference Center located at 111 Maiden Lane, Lexington, South Carolina. The meeting was attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston and Councilmembers Kathy Maness, Todd Carnes, Ron Williams, Todd Lyle and Gavin Smith.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Assistant to the Town Administrator Wesley Crosby, Transportation Director Randy Edwards, Police Chief Terrence Green, Planning, Building and Technology Director John Hanson, Assistant Zoning Administrator Jessica Lybrand, Economic Developer Jack Stuart, Communications Manager Laurin Barnes, Digital Media Coordinator Michael Tolbert and Municipal Clerk Becky Hildebrand.

There were approximately sixty (60) citizens present and two (2) members from the news media.

OPENING STATEMENT

Mayor MacDougall welcomed everyone to the Special Council Work Session and introduced the Councilmembers. 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 comments 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 videotaped for use by the Municipal Clerk only and Minutes are taken and posted on the Town’s web page following approval of Council.”*

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER:

Councilmember Carnes gave the invocation. Mayor MacDougall led in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:22 p.m.

EXECUTIVE SESSION (Part 1) REPORT AND RATIFICATION: Mayor MacDougall reported the *Executive Session* was called to order at 5:30 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember

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Lyle to go into *Executive Session*. The motion was unanimously carried. Council adjourned from *Executive Session* at 6:10 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Carnes. 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: a routine personnel item and one legal item regarding advice on an agenda item. No vote was taken. A motion was made by Councilmember Lyle and seconded by Councilmember Maness to ratify the Mayor's report. The motion was unanimously carried.

Mayor MacDougall announced some ground rules for the meeting: There will be time if anyone wishes to speak at the end of the meeting. Those wishing to speak would be called on to come forward and would be given three (3) minutes to speak. He thanked the Planning Commissioners for being present tonight as this very important project is discussed. He added that this is part of the process and it is what Council goes through on almost every item that comes before them. Mayor MacDougall stated that this project is obviously a lot bigger than the Town has ever seen so it will take a bit more time. He added that Councilmember Carnes earlier had compared this to the 100-yard dash and we are at the five-yard line with a long way to go and a lot of things that they have to talk through and some things that Council is not comfortable with regarding the proposed PUD received by Council. He stated that there are a lot of questions and that is what this process is about. He added that Council wants to make sure that when they send the project to the Planning Commission, there is a clear picture and everyone is on the same page. Mayor MacDougall stated that the Planning Commission gets into the nitty gritty and follow the guidelines that Council has set in place. They have actually gotten the Town where it is today with all the projects that have come before them. He stated that they want to grow the Town respectively and responsively. Mayor MacDougall stated that the Councilmembers would have a chance to talk to the Town's Department Heads and ask some of the questions that they have received from the public.

BUSINESS ITEMS

1. **Discussion Regarding Smallwood Cove Proposed Project – Town Administrator Britt Poole:** Town Administrator Poole stated that it was requested for Council to have a discussion regarding the Smallwood Cove proposed project. The parcel is 93.53 acres off Highway 6. He added that this item was for discussion only and no action was requested. He stated that currently it has been deferred from the Planning Commission so the property owner can get input from Town Council and the Planning Commission in order to address Council's concerns followed by bringing the proposal back.

Councilmember Maness stated that Council has heard from a good many people and a lot of their concerns are about traffic. She requested an update on what the Town is looking at so far as traffic goes.

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Transportation Director Randy Edwards reported that the Town received a Traffic Study from the developer group which was done by a reputable engineering firm that is also used by the Town all the time. The Traffic Study showed mitigation at three different intersections. With additional discussions between him and SCDOT's Traffic Engineer, they would at least look at two other locations. Mr. Edwards stated that the Traffic Study was fairly thorough and it looked at items that the Town would normally look at for any other development so far as the extent of the Traffic Study and what was included. He added that the Traffic Study was already vetted and somewhat approved by the SCDOT.

Mayor Pro-Tem Livingston stated that it was also the consensus of Council to order an independent Traffic Study on a larger scope area. She added that Councilmember Lyle had been working on that for Council to be brought back to their meeting on June 12th to vote on.

Councilmember Lyle responded that he had reached out to one of his Engineering Professors at The Citadel and asked him to recommend a firm out of Charleston to do an independent study that is unbiased and not related to this project in any way.

Councilmember Smith asked when were the discussions held with SCDOT. Mr. Edwards responded that the discussions were just prior to the Planning Commission workshop.

(Mayor MacDougall requested a short recess to obtain a microphone following the audience complaints that they could not hear Council.)

Transportation Director Edwards continued and stated that he, the consultants and District Traffic Engineer Ms. Lori Campbell had a conference call to discuss the details and no one thought that the Traffic Study needed to be expanded other than to look at Andrew Corley Road at the intersection at Midway. He and the Traffic Engineer felt that mediation needed to happen at Bush River Road and Lake Murray Blvd. and the dual left needed to be put in place to reduce delays in the overall intersection because that intersection is the worst one in the study. Mayor Pro-Tem Livingston asked who would be responsible for all of those improvements. Mr. Edwards responded that the developer would be responsible.

Mayor Pro-Tem Livingston asked if there had been any environmental studies done on how this project would impact the lake from the fertilizer run off from development and trash. Town Administrator Poole responded that those studies have not been done, but they would be required for the Town's PUD and stormwater package that any development has to go through. He added that the property owner has

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indicated that they plan to go above the standard requirements and do other water quality issues, but that is normally done just before construction. Mayor Pro-Tem Livingston asked if Lexington County is responsible for the stormwater package and runoff. Mr. Poole responded that technically SC DHEC is in charge of that, but Lexington County has delegated review to SC DHEC, so plans would be submitted to Lexington County. Mayor Pro-Tem Livingston asked what would be done to protect the water, not just silt fencing, but it can still get through so it is still an issue. Mr. Poole responded that not just during construction but also after construction, you still have to deal with all the impervious surfaces which is anything that water cannot go through such as concrete or asphalt so you have to account for all that in your design to make sure you are not putting off more water faster than you were before. He added that Lexington County has very strict standards for that which were passed in 2007 and the Town adopted by reference.

Councilmember Maness stated that during the Planning Commission meeting the representatives kept talking about apartments. She asked if the Town had made it very clear that there would be no apartments. Mr. Poole responded that as Councilmember Maness just stated, it was said at the Planning Commission meeting so he would assume so. He added that they would have to bring the PUD plan back to the Planning Commission, but they were present at the meeting.

Councilmember Carnes asked when Kimberly Horne did the study on behalf of the developer and brought it to Council, there were a certain number of units there and he was sure they had some type of algorithm there based on price point as far as number of families and students that you can anticipate in a development of this size, but have they provided the number of students that something like this would generate and what is the Town's coordination like with Lexington School District One on that scenario. Town Administrator Poole responded that the Town had not been provided that information and he did not know if it existed. He added that the Town did coordinate with the school district when he had a meeting with the Superintendent and the Operations Director and they felt it would be overall good because they did not expect a large number of children to be in that type of development. Mr. Poole stated that the current Superintendent came from Charleston and was familiar with high value and he did not seem overly concerned and seemed very positive toward the project. He stated that the only study he received was regarding density.

Councilmember Lyle asked Town Administrator Poole when he had the meeting with the school district and who attended it. Mr. Poole responded that he did not remember exactly, but it may have been the week before the First Reading. He added that the District Superintendent and the operation's person, Matt Warren. Councilmember Lyle wished to confirm

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that they said it was a good project and if there had been any discussion to add schools. Mr. Poole responded yes, that was the impression that he got and they seemed to like it. He added that there was some discussion about the issues that they have had with elementary schools in the Corley Mill area, but that was an ancillary conversation about purchasing land and he did not know if it was directly related to this project.

Councilmember Smith asked Mr. Poole, for the benefit of everyone present and their many questions, what is the Town's basic responsibility as it relates to this project. Town Administrator Poole clarified that Councilmember Smith meant what the Town is doing not what the process would be. He stated that there were essentially three: (1) If the project moves forward, the Town would agree to build the conference center; (2) the Town would build the single road into it next to the Dominion park; and (3) the Town would extend the water and sewer service to the site. with the owner/developers doing all the work on the site. Mr. Poole stated that was the sum total of the Town's obligations from a monetary standpoint. He expected the cost of the conference center to be between \$20 and \$30 Million which includes the road and the extension of the water and sewer would be approximately \$2 Million. Councilmember Smith stated that those estimates would be on the high side and he asked where would the Town get the funds. Mr. Poole responded that the water and sewer cost would come from the Town's Enterprise Fund as a standard practice and so far the Town has raised \$6 Million from the state for the conference center with \$10 Million more in the current budget that is in conference right now and those numbers could change. He added that the Town has also had additional conversations about more state money for the conference facility. Councilmember Smith stated that he had received many questions about the total project investment being anywhere from \$550 Million to \$750 Million but he wanted to set the record straight that the Town's investment would be around \$32 Million. Mr. Poole agreed that was correct except the Town's investment is probably going to be \$2 Million with the rest coming from state funds.

Mayor Pro-Tem Livingston stated that preserving green space is very important to her and she read that out of the 93-acre project only 15% was designated as green space and part of that was under water. She read from the proposal which stated "a portion of the lake and lake edge below the 360 line may also be counted toward the green space and retention pond". Mayor Pro-Tem Livingston stated that she could not live with that. Town Administrator Poole stated that it was his understanding with the engineers at the Planning Commission meeting that it was really 17 ½% green space and they were not counting anything below the 360 line. He added that the engineer stated that there was a spot to that effect in the PUD, but he would fix that because he did not agree either.

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Councilmember Lyle wished to clarify that there is a property owner that wants Council to vote on criteria and not necessarily site plan. Town Administrator Poole responded yes and that the owner does plan to bring back a site plan back as we have seen with other PUDs in the past, but the original was more about design guidelines under which they would be expected to operate is what they were asking for. Councilmember Lyle asked if the had ever approved a PUD without a site plan. Mr. Poole responded that as far as he knows, the Town has not, even though it has happened in other places, but he did not think the Town had approved a PUD without a site plan in the past 20 years. He added that the Town has approved site plans as part of a PUD with the expectation that the site plan would be different such as the Corley Mill plan, which can be approved that way if they do not go over the density requirements. He added if someone did want to increase density, then it has to go all the way back through the process. Councilmember Lyle asked if owner had been asked to do this project like all the other projects have been done where they put forth a site plan. Mr. Poole responded that it was his understanding that they heard that request at the Planning Commission meeting and they do plan to bring one. Councilmember Lyle asked if the intent of their site plan was to be able to move things around and alter it. Mr. Poole responded, that is how the PUD works, but some limits could be placed on it. Councilmember Lyle asked if the owner would entertain hiring a developer and bringing us a site plan that has those restrictions. Mr. Poole responded that the owner is currently searching for a developer through a private RFP process which went out more than a month ago but he did not have any further information about it. Councilmember Lyle confirmed that the RFP went out before the Planning Commission meeting. He asked why didn't they wait for the developer so a site plan could be submitted. Mr. Poole responded that the desire was to go ahead and secure the development right so they would have a more marketable site, which he added was only his opinion. Councilmember Lyle asked if they have said they wouldn't develop it if the Town made that a requirement. Mr. Poole responded that question has not been asked or answered.

Mayor Pro-Tem Livingston stated that with all that being said, some of their concerns are setbacks, height, density, etc. She asked Planning, Building and Technology Director Hanson if he could tell Council what the Town is giving away if they accept the PUD from what is normally done. Mr. Hanson asked if that could be narrowed down a bit. Mayor Pro-Tem Livingston asked how many homes are allowed under PR1 and PR2. Mr. Hanson stated that density is based on zoning classification. He added that in this case there is not an underlying zoning classification so it would be dictated by whatever the language is in the PUD. Mr. Hanson stated that the Planning Commission had one meeting and did not get through a lot of the documents in order to address a lot of Council's concerns as brought to his attention by Council. He thought they should sit down with the Planning Commission and go through each one of these

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items, for example, parking was one of the issues. The PUD indicates 1.75 spaces per unit. Mayor Pro-Tem Livingston stated that the 1.75 spaces were also to be shared by some of the retail stores and restaurants. Mr. Hanson stated that it was his understanding that some of the retail parking and conference center parking could be shared by the residents if it was within 600 feet of the residence. He would like to sit down with the Planning Commission and go through it to get their recommendations and give that back to the developer in more detail. Mr. Hanson stated that their engineer reached out to him after the last meeting and asked for his comments. Mr. Hanson told him that he wanted to wait until after this meeting and after he could meet with the Planning Commission in order to discuss some of the items that he had marked on the proposal and some issues that Council brought to his attention. Mayor Pro-Tem Livingston stated that they just worked for six months on townhomes to them where Council was happy with what they were doing. She asked how were the townhomes in this PUD different than the townhomes they approved recently. Mr. Hanson stated that the proposed setbacks are less, parking per unit is less, it does not address off street parking in the residential area, and setbacks can vary in a townhome subdivision based on if it is alley loaded or front loaded. He added that the Town ordinance requires not more than four (4) units under one (1) roof and requires 14 feet between buildings and includes a lot more details on those types of developments. Mr. Hanson stated that the green space requirement is 25%.

Councilmember Smith asked if it would be possible for Staff to go through the proposed project and put together a document to show all the variance differences indicating the difference and our standards. Mr. Hanson responded yes, he could do that. Town Administrator Poole wished to point out that we know whatever they bring back will not match this document so it may not be of great value. Councilmember Lyle stated that it would at least give Council a baseline to start. Mr. Poole responded Staff would be glad to do it, but he wanted to point out that there would be some changes. Councilmember Smith additionally requested a comparison all the way down with standard vs PUD.

Mayor Pro-Tem Livingston asked if Council would be obligated if they approved a PUD without a site plan. Mr. Poole responded yes, the PUD is the rules under which the development can happen and as long as they follow those rules they can make some modifications to the site plan. He gave the example if a geotech study came back they may need to move the building by some degree, but you cannot add more homes, more units or square footage or less parking because you have to follow what the PUD allows.

Councilmember Carnes wished to say something for the benefit of all the community members who were present. He stated as a point of clarification so everyone understands, they are Council here and four

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members of the Planning Commission were there and government is complex and he wanted the citizens to understand an overview of the process. He summarized by stating that there was a First Reading of the proposal from the owner and it is a pristine piece of property and it is going to be developed at some point. The proposed plan was read in as First Reading approval which put it into process. The proposal was then sent to the Planning Commission, a volunteer group who receive no pay, who have a work session and a public meeting each month. Councilmember Carnes added that this is once in 100-year type of deal where you have 100 acres on the lake with a marina permit, which to his understanding, from Dominion, it does exist. The Planning Commission at that point worked through the proposal to determine the best result for everyone in the community. He added that they are a few weeks in to a multi-month process and the Planning Commission will wrestle with this along with the developer, engineers and the studies until the Planning Commission gets to a point where they would like to make an official recommendation on all of the areas to Council. He stated at that point Council is obligated to have a public meeting on the record where anyone is welcome to come and speak. Following that meeting Council can take a final vote and that is the finish line. He appreciated everyone for being present and being a part of the process.

Councilmember Williams clarified that they could shrink the PUD but could not increase it. He asked if they could delete the marina without coming back to Council. Mr. Poole responded yes, they can do less just speaking about the PUD, but the Development Agreement is a different document which outlines the Town's responsibility and the owner's responsibility such as them donating five (5) acres to the Town to build the conference center. He added that the marina is considered required and at this point they could not get rid of the marina because it would be a violation of the Development Agreement. Councilmember Williams asked what could they specifically delete. Mr. Poole responded that they could add more parking than required, they could put less units, they could build one hotel instead of two, they could have less square footage for retail or anything that makes the project less. Councilmember Williams asked for an example of where stormwater qualifies as open space. Mr. Hanson responded, no he could not because we typically do not allow it.

Mayor MacDougall stated that there is concern about fire, EMS, police, DNR on the lake as well as Lexington County Sheriff and Richland County Sheriff. He asked Mr. Poole to discuss some of the conversations that have been had and are to be had with those entities. Mr. Poole stated that there has not been any conversations around lake patrol and when we have a firmer grasp of the project he would be glad to do that. He added that Town Staff did have conversations with Lexington County Fire and they are in the process of getting approvals for a new fire station near the project on South Lake Drive. Mr. Poole stated that as far as police

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presence, this is proposed to be a 15 year build out so if and when additional officers are needed then there is time to plan for that as part of the process because that is not a facilities issue, that's a manpower issue. He was not aware of any conversations that had been held with EMS. Police Chief Green stated that the answer is always that they need more officers. He added that would be their North Region and this month they had 189 calls and 211 in April. Chief Green stated that they do not know how many people are going to live in that area, but with four shifts you would add an officer to each shift and more as it increases which would be eight, plus adding an investigator if there were 1,100 homes, plus people at the hotel and people at the conference center so, yes they would need more people otherwise it would put a burden on the police department.

Mayor Pro-Tem Livingston stated that she spoke with several County Council members today and they would love to sit down and have a workshop with this Council to help plan for this project and how it will affect the Fire Department, Police Department and roads.

Councilmember Smith asked when the Town does a convention center where does the estimate come from and does it include inflation. Town Administrator Poole responded that it comes from a square foot cost from standard construction numbers with a certain percentage added to obtain quality of construction as well as the cost of roads which are fairly expensive. He added that inflation would depend on how soon it is constructed. Councilmember Smith stated that he had talked with some officials in Columbia who already have a convention center and they stated that they have never made a dollar on it but the point of the convention center is to bring people in. He asked if maintenance had been included for the planned convention center and would Town staff the center. Mr. Poole stated that since things had come more together around the project in the last few years of discussion, the concept, as included in the Development Agreement, allows for the Town to lease the facility to the main hotel company who would operate it and the Town would have an agreement with them for maintenance. Mr. Poole stated that it was never in the plan for the Town to operate the facility. He added that the lease agreement could include dollars or an offset with use of hotel rooms when needed. Councilmember Smith asked for clarification of the process of how the project would be built and if it would be in phases. Mr. Poole responded that there is not a solid answer yet, but the original study showed that a 25,000 square foot convention center would make a big impact, but a 50,000 square foot would be the sweet spot. He added that the concept had always been that depending on the funds received from the State, if the Town needed to start with a 25,000 square foot facility with a 25,000 square foot expansion pad for later, but if all the funds were obtained upfront, then the entire 50,000 square foot could be built. Councilmember Smith stated that the plan calls for 940 multifamily townhomes, 160 single family homes, 290 hotel rooms, 50,000 square foot

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convention center and 40,000 square foot retail with only 10,000 square foot restaurant space. He added that he had tried to open a similar size restaurant but did not, but 10,000 square feet is not a lot of room for a restaurant which concerned him for such a large development. He asked if more restaurant space could be required. Mr. Poole stated that it was a valid point and a reasonable discussion to have with the applicant.

Mayor Pro-Tem Livingston referred to Exhibit C, page 2 regarding green space and open space and asked if the Dominion Park was included as part of the green space. Mr. Poole responded, no it is not and that the red property line is the end of Smallwood Cover property. Mayor Pro-Tem Livingston stated that they appear to have a lot of the green space near or under water. Mr. Poole stated that they do plan a walking trail that will tie into the park but they are not counting it. Mayor Pro-Tem Livingston asked if this area is listed for multifamily use on the Town's Comprehensive Plan. Mr. Poole responded that he did not know. She asked if the Comprehensive Plan does not allow multi-units here, have we gone away from that and why are we considering it. Mr. Poole responded that this plan is envisioned in the Comprehensive Plan and the Vision Plan and the particulars of the location were not revealed, but the project was considered.

Councilmember Smith asked constituents two weeks ago to send him their questions about the project. One question he received was asking if the Lake Murray Overlay District was considered in this plan and can the Town look at as a reference to help protect the land. Mr. Poole responded that the Lake Murray Overlay District is only districted in Lexington County so there is a firm separation between the two and the County rules would not apply within the Town. Councilmember Smith added that Town Council could look at it with the County Council to figure out the differences.

Councilmember Smith wished to return to the traffic issue since it is the number one concern of the citizens in the community. He asked the Town's Transportation Director to detail the traffic study that was done for this project. He also questioned why the North Lake and Corley Mill Road intersections were left out of the study. Transportation Director Edwards stated that the traffic study is similar to any other residential development and is based on his opinion and experience and SCDOT's experience. He stated that the current traffic study showed the site having two access points, one being at Corley Mill Road and one at Beekeeper Road, which was the only signalized intersection because of the number of trips. He added that the study also included, at the southern direction, Andrew Corley Road and Pilgrim Church Road and stopped there because the level of service did not change. Mr. Edwards stated that on the study, letters A through F for a.m. and p.m. at peak times with or without the development. Mr. Edwards explained that in the northern direction they

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went across the dam and looked at the impact on the other side and there was a change there which made it feasible for a dual left. He stated that it can create a ripple effect but it is very small. He added that in a traffic study you try to mitigate around the actual point where the impact is made and also taking into consideration that people will change their traffic patterns for various reasons. Mr. Edwards stated that in relation to traffic, 1,000 peak hour trips is not a lot of traffic. He added for clarity that the traffic study was done last October during a normal time when school was in session, contrary to many of the reports, and they were done on Tuesdays, Wednesdays and Thursdays because you do not do them on weekends. Mr. Edwards stated that you do not build traffic plans for the worst possible scenarios and as a country we do not have the funding for it. He added that the road across the dam, with 28,000 cars a day, is nowhere near maximum capacity, whereas Corley Mill Road at Highway 378 with 48,000 cars a day far exceeds maximum capacity and has reached the point of saturation.

(Mayor MacDougall called the meeting back to order and explained to the audience if they were going to have outburst, they would be asked to leave the meeting because Mr. Edwards is explaining something that they all needed to hear and it is difficult to take notes for the meeting with everyone talking. He reminded the audience to keep their comments to themselves until they were allowed to speak at the end of the meeting.)

Transportation Director Edwards continued and explained that there are 18,000 cars a day on North Lake and adding 1,000 cars distributed evenly each day is not excessive. He further explained that whether you believe the numbers or not, they use the International Traffic Engineer's Bible of data which is how they can mitigate a Chick-fil-A, a McDonald's, a car wash or a 100-unit residential subdivision, which produces 8.7 trips per day because that's what the data shows. It also shows that apartments produce less trips per day. He stated that a 10,000 square foot restaurant has different data based on is it high turnover, is it sit down or is it white table cloth. Mr. Edwards stated that none of the engineers involved with the traffic study for this project were surprised by the data points.

Councilmember Smith commented that he did not think those numbers were right. He asked Mr. Hanson what was a rough number of cars for a 50,000 square foot building. Mr. Hanson agreed it could be approximately 1,000 depending on how the code is applied. Councilmember Smith stated that if you had a 10,000 square foot restaurant and everyone has to break for lunch, they will have to go towards Irmo or Lexington and as soon as they reach Highway 378 there will be a bottle neck because the system is already strained. He asked Councilmember Lyle to include where these people will end up in the new study to be ordered.

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Transportation Director Edwards wished to clarify that trips are defined two different ways. There is a generation trip where you have decided to go to McDonald's from your couch as opposed to you drove past McDonald's. He compared this to a destination lobster restaurant on the lake which would not take you downtown Lexington and you may have gone there by boat or golf cart which does not equal a trip. He stated this is why trips are reduced by 20% resulting in 1,000 peak hour trips.

Mayor Pro-Tem Livingston stated that based on what Mr. Edwards explained, this traffic study is not accurate because we don't even know yet what is going to be there and we should have waited on the traffic study until we knew more details. She saw many businesses represented in the audience and she felt strongly about the importance of cars coming by their businesses, but if we are not concerned about Corley Mill and Highway 378 getting to I-20, then we are going to choke them out and we will die as a community. She stated that it makes it even more important to do an independent traffic study. Mayor Pro-Tem Livingston stated that she was not discounting Mr. Edwards and she has great respect for him as a traffic engineer, but you were given the project as is to do and no one really knows what is going there yet. She added that they just said there are not enough restaurants there so the people will leave and go somewhere.

Councilmember Smith asked if traffic that comes from the lake had been considered because he has tried recently to go to Liberty on the Lake and it is always busy. He was concerned if you have 200 boats coming in from the lake to go to the restaurant it will push vehicle traffic out on the road. He stated that he is not a traffic engineer, but ultimately that would cause another trip to go out one of two directions which would be Corley Mill Road or Highway 378. Councilmember Smith added that we want cars going to businesses but we do not want them stopping traffic in the road.

Councilmember Carnes asked for clarification that he heard there were 48,000 cars at the intersection of Corley Mill Road and Highway 378, so how many trips or additional vehicles, in addition to the 48,000 that are already there, are divided between the three major intersections. He understood Mr. Edwards to say that the study shows 1,000 more trips divided between the intersections making the total at Corley Mill Road 48,333. He was primarily concerned about the Corley Mill Road intersection. Councilmember Carnes advised the citizens that the Town has been working on a project for about six years for Corley Mill Road estimated to invest \$15 to \$20 million in that intersection to improve the traffic flow. He stated that the Town is probably close to obtaining SCDOT approval on that project so he was curious as to what percentage of impact does this development have on that particular intersection. Mr. Edwards responded that according to his rough calculations it will have an

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8% impact. Councilmember Carnes asked when that figure is plugged into the new traffic study what is the impact. Mr. Edwards stated at Corley Mill Road and Highway 6, because you have to go through there first, the data equals 80 additional cars which is based on 8% with the current traffic numbers.

Councilmember Lyle stated that is using a lot of assumptions because the vast number of people in that neighborhood going downtown Columbia will take Corley Mill Road. Mr. Edwards disagreed that some people headed to Columbia would take different routes, such as those parents dropping kids off at Midway would continue out Hope Ferry Road. He added that he cannot dictate that everyone would go down a certain road but he was providing the information as shown by the data on the distribution of traffic even if it were 200 trips at Corley Mill Road and Highway 378. He added that the Town has spent upwards of \$250,000 to study traffic at that location over the past 10 years. He stated that the first traffic study was in 2015 which studied from Leaphart Road to Northside and studied the entire corridor to try and understand. They went all the way back through Mill Stream to understand the trips and the dynamics in order to come up with an actual solution for 50 years out instead of a band aid fix. Mr. Edwards stated part of that was Phase I spending \$2 million to build the Ginny Lane project, which is not yet perfect, but it fits with the ultimate solution. The whole plan was to do a long-term plan that would all fit together. He added that Councilmember Carnes is right in that the Town is very close to finally getting SCDOT to see the benefit of the change that is coming once the funds are available to make those changes. Mr. Edwards stated that they are talking about going from a level of service F minus, minus today, going to a level of service C+ or B- as shown from the traffic study if we make this type of change. He added that at the end of the day, this development at that location, has little to no impact because it has already been incorporated into that development for future growth.

Mayor MacDougall thanked Mr. Edwards and stated that we may be getting ahead of ourselves with that traffic study because the project is going to get trimmed down substantially. He added that they discussed an additional study and to start over with a different company and go back to square one, but we need to wait until we get the new site plan from the engineer and then we can compare it to the traffic study that Mr. Edwards discussed. He stated at that time they could probably answer more questions because of it. Mayor MacDougall stated that the Corley Mill Road project is upward of \$21 million now which also had a traffic study. He asked if it ended up coming out to North Lake. Mr. Edwards responded no. Mayor MacDougall agreed that no one is satisfied because it does not make sense to them like it does Mr. Edwards because he understands how the studies are done. He stated that it makes sense when they know how many people will be on that property and where they will

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go to just be patient and wait for the site plan. Mayor MacDougall stated that it might say the same thing but he predicted that they would want a second traffic study.

Mayor Pro-Tem Livingston responded that she would consider that but this is a 15-year build and they must take into consideration what else will develop in that area which is the very reason our traffic is behind now because we did not do that before. Her responsibility as a Councilmember is to have a vision to look forward. Mayor Pro-Tem Livingston stated that the Columbia Convention Center is underutilized so why do we need this because the original plan was for it to be a performing arts center but it has changed since then.

Town Administrator Poole responded that there is a big demand for more and larger meeting spaces in Lexington. He added that with the density study they looked at hotel use as well as events that happen on the lake, which is also where the square footage came from. He agreed that you do not build convention centers to make money, they are built to provide services and to bring people in to eat in restaurants. Mr. Poole stated that this is similar, but there is an existing demand. Town Hall facilities are now booked up years in advance and are much smaller. The Chamber has also indicated as a big need for them because if they have big meetings, they have to leave the county for a bigger facility. Mr. Poole stated that with convention centers and conference centers there will be conferences held, but there would also be tournaments and other events that are happening now but they do not have anywhere to go. He added that Capital City Lake Murray used the Town Hall parking lot for a bass boat show because they had nowhere else to hold it. Also, since we are centrally located it has allowed for many training opportunities to come here such as teacher conferences and state agencies. Mr. Poole stated that Lexington District One doesn't have a space large enough to hold a meeting with all the teachers. He explained that is how the performing arts center developed into a conference center.

Councilmember Smith had two additional questions regarding the development. One, will the homes have gated access and two, will the marina be public. Mr. Poole responded that he was not sure about the gated access, but the roads will be private and the marina will be private. Councilmember Smith asked if the marina is going to be private, will there be spaces for boats to come in to go to the restaurants. Mr. Poole responded that there would be space for boats to come in but he did not know if it would actually be at the marina or at another dock.

Councilmember Lyle stated that before they go to public comments, he wanted to audience to know that there are obviously a lot of concerns on the Council side also. He added that Council appreciated all the emails and telephone calls about the project and everyone was encouraged to

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make public comments, however out of efficiency he wanted them to know that their comments had been heard.

Mayor Pro-Tem Livingston asked if the roads in the development would be private. Mr. Poole responded that the single-family residential area would be private roads. He added that the other roads are more complicated in that they will be Town roads and maintained by the County. He stated that any road that is built, whether public or private, must be built to the County standards. Mayor Pro-Tem Livingston asked about the acreage where the single-family homes would be built. Mr. Poole responded that it is approximately 30 acres with 160 homes. Councilmember Lyle estimated that five homes could be built per one acre. Assistant Zoning Administrator Lybrand stated that with PR2 it could be 8 per acre. Mayor Pro-Tem Livingston advised the citizens that Council had heard their concerns and Council would continue to meet and do what they have to do to protect the Town.

Councilmember Smith stated that another concern he has heard is that there is no parking garage and one is not required. He stated that we already have that issue in Town and he did not want to create that issue at this project so he would like to insist that a parking garage be required. He added that as he sees the plans now, they will already have a parking problem. Mayor MacDougall stated that he agreed that there needs to be a lot of parking there, but could they wait until they see the site plan and see if that has been resolved because he thought the owner understood this issue at their last meeting.

Mayor Pro-Tem Livingston stated that she has a lot of faith in the Town's Planning Commission and they take their positions very seriously and study everything they are given. She stated that since 2013 they have reviewed four PUD's and two apartments with senior living and denied five. She believes in the Planning Commission and they have also expressed their concerns.

Councilmember Maness stated that she hoped some of their questions had been answered tonight and they will continue to get more answers. She added that this is not a regular scheduled Council meeting and they held this meeting because this is a big project that has to be looked at and slowed down to get all the questions answered. She thanked everyone for attending.

Councilmember Smith thanked everyone from the public for attending tonight's meeting because they are part of the process. He thanked them for emailing, texting and calling him because their questions helped him get answers. He encouraged them to continue to contact him or the other Council members. He added that as was previously mentioned, we are on the five-yard line and we have to go to the 100-yard line. He also has a lot

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of faith in the Planning Commission and he appreciated them attending and being part of the process.

STAFF COMMENTS: None.

PUBLIC COMMENTS

Mr. John Allen, 105 Turnberry Lane, Lexington, (in town) stated that the biggest problem with this development is the lack of transparency. He added that at one of the earlier meetings, Mayor MacDougall said it was a gentleman's agreement made with the man who owns the property and that he intentionally was not going to talk about it because he promised the owner that he would keep it a secret. Mr. Allen stated that is detrimental to the trust trying to be built with the community when it has been planned for 12 years and the citizens are just now hearing about it. He added that Mayor MacDougal further stated that we are already moving forward with it so it is just a formality that we have the ability to talk about it, which makes it sound like citizens do not have a voice. Mr. Allen stated that another comment that was made by Mayor MacDougall was that there is not a traffic problem in Lexington when we all agree there is a traffic problem in Lexington. He added that as a citizen, the lack of transparency is dismal when you spend upwards of \$3 million to upgrade Town cameras of which he never heard anything about it. Mr. Allen stated that we are working on vanity projects when we need to focus on the projects in Town that need to happen first. He added that we all want growth, but growth has to come when you take care of the first problems and the maintenance, then we can look at how we can grow. He did not feel like that had been done and that this was intentionally kept a secret which is the first thing that needs to be addressed because our representatives should be completely transparent, open and honest when anything is coming through especially with taxpayers' dollars. Mr. Allen stated that another comment that was made, that was offensive to him as a restaurant owner, when someone mentioned the hospitality tax, Mayor MacDougall told them that tax was by choice and you didn't have to eat in Lexington, you could go outside Lexington or not eat out at all.

Mayor MacDougall interrupted and asked Mr. Allen to keep his comments to the topic as listed on the agenda. Mr. Allen responded that it does relate to the project as it directly affects citizens in the Town. He asked if other Council members agreed that if you don't want to pay that tax, don't eat out. He added that it would affect the restaurants to be in this development who should be concerned about it.

Mayor MacDougall thanked Mr. Allen for his comments and added that he had taken everything he said out of context. He added that if you don't think we have a traffic problem, come to one of the Council meetings because we talk about traffic all the time and it is our number one priority. Mayor MacDougall asked Mr. Allen to not interrupt him again because he was polite enough to give him the opportunity to speak and say everything he wanted and now it is his opportunity to speak. Mayor MacDougall stated that he told the citizens in the previous

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meeting that in their conversations with the owner of the property that his one request was not to talk about anything from their conversation outside until it was official and until they had an agreement. He added that anytime you start talking about land projects there are a lot of people that get involved with calling him and asking him questions about his property and he did not want to deal with that. Mayor MacDougall stated, yes, it was a gentleman's agreement that they had that they would not discuss the project until we had an agreement in place and we just got the agreement in place and now making it public and going through the process. He added that he did not know how more transparent you could be than to do this. Mayor MacDougall stated, secondly, the hospitality tax is the most fair tax you can have which is a voluntary tax and we all know it. He added that you cannot go anywhere in any of our sister cities and not pay the tax. He stated that his comment was that you don't have to pay it if you don't want to because you don't have to eat out is the only thing he said. He clarified that it is on prepared food only.

Mr. Allen asked to respond and stated that Mayor MacDougall stated that a property owner was coming to the Town, but when you were speaking you said that you were trying to convince him to build this project because it would be a legacy for the Town, a legacy for the owner and generating a wealth for the owner and he was totally looking out for the owner. Mr. Allen asked all the Council members if any of them were personally profiting from the project. Mayor MacDougall responded that was a ridiculous question and they would not answer it.

Mayor Pro-Tem Livingston wished to respond to the question and stated absolutely not and in fact her husband's company will not bid on anything having to do with this project, therefore she will not profit from the project. She added that she has not met a McMeekin. Mr. Allen commented that it is not a ridiculous question when they are asking for transparency when everything the representatives do in their jobs, they do it representing the citizens and he felt we had lost sight of that.

Councilmember Smith thanked Mr. Allen for his comments and wish to state for the record since it had not been mentioned on Facebook or other social media, no, he is not profiting from this and no he is not opening the beer garden. He added that he is in this to serve the people, just like all the other Council members. Councilmember Smith stated that he and the others are here to serve Mr. Allen and the other citizens and they have heard their concerns. He added that he has heard everything he is saying and he appreciates it and takes it to heart. He repeated that he is not profiting from this project and he has never met anyone with the McMeekin family. Councilmember Smith stated that he did not even know about the project until he was elected in May.

Mr. Allen wished to state his closing comment that moving forward, we as a town, must insist on transparency in everything that this Council does because it

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is their right to know what is going on with our taxpayer dollars being spent on so many projects that they are not informed about.

Mr. Anthony Bertone, 104 Duvall Court, Lexington, (out of town) stated that he was at the same meeting that Mr. Allen referenced and he was not sure if the person who owns the land was interested in developing it. He asked Mayor MacDougall if the owner was interested in developing it before Mayor MacDougall approached him.

Mayor MacDougall responded that the Town has been in conversations with the owner for 12 years. Town Administrator Poole stated that Lexington County even talked to him about it first.

Mr. Bertone stated that Mayor MacDougall mentioned at the earlier meeting that the owner is a man of wealth and his children seem to be doing very well after which he discussed a legacy. Mr. Bertone thought a good legacy for this gentleman would be to give it to the Town for recreational uses for the entire community. That would be a real legacy to him to have a park and a marina available to all and he could even put his name on it. Mr. Bertone thought this would be a better use of the property than what is proposed because, if he is listening to the people, they are not in favor of this project because they see their community changing in a way that they do not like. Mr. Bertone stated that he has nothing against the convention center and it would be beneficial to the community, but if the convention center is going to be built and turned over to a hotel, he hoped their leasing agreement will look toward taking care of the needs of the community before it takes care of the needs of the hotel and benefit their restaurants.

Mayor MacDougall thanked Mr. Bertone and called on the next member of the audience.

Mr. Greg Brewer, 349 S. Church Street, Lexington, (in town) stated that he had circulated a list of five primary questions and he wished to confirm that it was entered into the record. (Letter from citizens dated May 30, 2023 attached.) He added that there has been a sequence of meetings with residents about this very significant undertaking. Mr. Brewer stated that one of the drivers seems to be the convention center and after a marketing study about the need for such a business, much as anyone would do whether it's a beer garden or anything else, you might want to look at some other practices of convention centers that are in close proximity to airports. He added that we have a significant development opportunity that might be of interest to the City of West Columbia too and the Town of Lexington to look at this synergistically between access from the airport to the bottleneck roads here. Mr. Brewer stated that he has been going to church in Gilbert since he was in the fourth grade and this town has changed dramatically. He returned three years ago from Napa, California where he watched the town go through a lot of strife and debate with the development around Lake Berryessa. Mr. Brewer added that Berryessa is not a big town, it is a

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farm town that just happens to farm grapes. He stated that after 10 years of living there, whether you are on the liberal to most conservative side of the spectrum it was bought because all the subsequent areas had corner stone developments which naturally lent itself to clustering of other businesses which is a significant challenge which you cannot guess the traffic patterns by looking at a crystal ball. Mr. Brewer stated, yes, to do the traffic study with a company at objective arm's length and really look at it. He stated that with Council's involvement and the National League of Cities, he was sure there were all kinds of best practices of what other cities are doing. Mr. Brewer stated that Napa probably had a population of 70,000, but Lake Berryessa reminded him of Lake Murray and what has been going on there is pretty amazing and they probably have a lot of lessons to be learned. He stated convention center and site study for where that might be best placed, no traffic on Lexington's most dense area like down the road on 378. He added that area needs some development because it is pretty sad and short of embarrassing and reminded him of the American Canyon just south of Napa and how little development is going on there. Mr. Brewer stated that when you think about what needs to be done here, he bought his house two blocks from Town Hall because he does not ever have to get on 378.

Mayor MacDougall thanked Mr. Brewer and called on the next member of the audience.

Ms. Laura Touchberry, 211 Barbor Vista Circle, Lexington, (out of town) stated she is not in town but has a strong interest about what happens in town. Her dad lived in town and was on Council and on the Planning Commission. She added that this is not planning, it is throwing something together and it has not been studied. Ms. Touchberry stated that she had read the Town's Vision Plan and Comprehensive Plan as recommended and this project was mentioned, but not to the current scale. She recently visited Mount Pleasant's Capital One Stadium which is a similar development, but she did not know exactly how it compared, but it is a tourist destination and her hometown of Lexington is not. She used to live in Myrtle Beach and now she does not even recognize it. She does not want to move from here and she does not want her town, whether you pay taxes here or not, to look like Myrtle Beach. She does not want the lake that she loves to be shut down because of water quality because of street runoff. Ms. Touchberry stated that this has to be planned out and she suggested and requested some type of planning committee just for this project and go to the other places to see what they look like and see if that is really what you want to be known for and if you can be proud of it. She added that we don't have Eric Church or Kenny Chesney and they aren't coming here for a convention center. She asked Council to please take their time and study this project. She added that it looks great to be given five acres, but how are we going to use those five acres so we can all be proud of where we live. Ms. Touchberry stated that she is a teacher in this district and we cannot absorb that many students because they are already being put in closets and portables to teach because the schools are full. The portables, with rotten wood on them, are being placed on the once beautiful school grounds. Is that where you want your kids? Is that where you want your teachers to be? Ms.

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Touchberry stated that we have to do better and we owe it to our children to do better.

Mayor MacDougall thanked Ms. Touchberry and called on the next member of the audience.

Ms. Theresa Ellisor, 38 Hillrock Road, Lexington, (out of town) stated she lives out of town but did live in town for 10 years and considers it her home. She added that she was a 1989 graduate of Lexington High School and she agreed with Ms. Touchberry about conditions in our schools which happened because of irresponsibility on the county and town's part. She stated that we are at a breaking point on our infrastructure. Ms. Ellisor stated that if you have ever had a loved one with a heart emergency like her mother did a year ago, they were in Gilbert and it took the ambulance 50 minutes to get to her and they came from Irmo even though there was a fire department down the street. Ms. Ellisor stated that they could build something down the street but we have too many people and cannot provide assistance when it is needed. She added that the EMTs were perfect when they got there, but the minutes were precious. She thanked the Council and the Planning Commission and she came the other day and shared a petition which citizens completed and as of today there were 970 signatures. She hoped they were true to their word to hear what the citizens requested. She added that Mayor MacDougall was not present the other day when the petition was read so she wished to read part of it and quoted: *"Petition to request that the Lexington Town Planning Commission provide ample time to investigate the impacts of the proposed 93 acre Lake Murray development on the county and town infrastructure and Lake Murray. Impacts will be felt by our county public safety services, roads, public schools, public utilities, as well as Lake Murray water quality, boater safety, recreation and the health of the Saluda River/Lake Murray watershed. As the citizens of Lexington County and the Town of Lexington, it is our hope that conversations can be had between the two governing bodies and time given to allow data to be collected, citizen input to be gathered and impact studies to be conducted and carefully reviewed. It is our hope as citizens that our voices would be heard and that this process be transparent. When considering adding such a unique development to the town, proper comprehensive planning is imperative for responsible development for our county, town, communities, families and the future."* Ms. Ellisor wished to add that she wondered why the Town would ask the state for funding and not ask for money for infrastructure. She stated that we are in a terrible situation with our roads yet we have been asking for the past three years for money for a convention center for which we do not have the infrastructure to support. She suggested that infrastructure be made the priority. She also suggested that they take a close look at the County's Lake Murray 2021 Overlay District. She had mentioned this to several Council members and they needed to look at a way to protect Lake Murray like the county did. She added that they did a lot of work on it so why not just adopt it as she thought it would be the smart thing to do and an efficient use of time. Ms. Ellisor stated that by the property owner wanting to annex, this is just a way for him to get around the ordinances that are already in place in order

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to have lower density around Lake Murray and at the watershed. Ms. Ellisor stated that impact studies need to be done. She was concerned about how it is being annexed because she has researched and line-of-sight is something that we have never done, but it is jumping the water which opens a whole door to another development and another one and soon we would not have the lake we enjoy. She added that this needs to be taken into consideration and determine if line of sight is even legal. She also questioned if the line-of-sight qualification was for one mile, or two miles and if there are no parameters, what stops you from jumping to Chapin. Ms. Ellisor stated that citizens are concerned about all these things and that is why they come to a group like hers, Help Grow Lexington County Responsibly, to get answers. She closed with God provided this place that we all love, Lexington, and we call home. She added that in the prayer tonight it was mentioned to be good stewards of the land and the community we all love. As citizens, she stated that they humbly ask, that our town and community be developed responsibly with this development and future developments.

Mayor MacDougall thanked Ms. Ellisor and called on the next member of the audience.

Ms. Sarah Grace Allen, 105 Turnberry Lane, Lexington, (in town) stated that in the vein of transparency, she had a few questions that solid answers had not yet been provided. She stated that Councilmember Carnes had mentioned that this property owner came to the Town about this development and he was going to develop it anyway and the Town is just working through the process, etc., whereas at the initial meeting at Mt. Horeb the Mayor described a whole story about how he reached out to the property owner as part of the Town's Vision Plan. She was curious if other Council members were aware of this project and the secret gentleman's agreement between the Mayor and the property owner. Ms. Allen stated that as of right now, she didn't know if we the people are playing to the tune of this property owner or playing to the tune of the Town Council vanity.

Mayor Pro-Tem Livingston stated that she would respond for herself, not for everyone else. She stated that she knew the project was being worked on as it was worked on when Randy Halfacre was Mayor, but to the extent of what was brought forward this time, she did not know. Mayor Pro-Tem Livingston stated that she was originally told that it was one hotel with some mixed use and retail and a performing arts center or convention center. She absolutely was not aware of the density currently presented. She asked, is it unusual for economic development to be brought forward when everything is done, no. And it is not unusual for Council to try and vet it or turn it down. She added that she absolutely has not met Mr. McMeekins and had not sat in on any meetings with him.

Ms. Allen asked if Mayor Pro-Tem Livingston was aware of the gentleman's agreement or was the Mayor making gentleman's agreements outside of town. Mayor Pro-Tem Livingston responded that she had not heard of a gentleman's

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agreement. She knew that Mayor MacDougall and Town Administrator Poole had met with the owner some but she had never met with him and to the best of her knowledge the other Councilmembers had not met with the owner either but they would need to speak for themselves.

Councilmember Carnes stated that back to the issue of the process, lots of things are talked about with individual members of Council and staff, but generally Council does not get involved in anything until it is officially proposed. He added that he was not familiar with the agreement thing, but the appropriate word is proposal because there is no agreement. Councilmember Carnes stated that the proposal was potentially brought to them because the Mayor had conversations with individuals and they agreed to bring a proposal. He added that an agreement implies that things have been agreed to and already done. Ms. Allen stated that she was only using the Mayor's term. Councilmember Carnes responded that he was not correcting her but the agreement term had been thrown around and he wanted to correct the terminology. He added that at this point they have a proposal before them and the written 14-page proposal was given to the Planning Commission and others. Councilmember Carnes verified that Council received the document, which was prepared by Kimley-Horn Engineering, four days before it was introduced to the public. He added that he has a background in engineering and when Council received the proposal, they all began reading it and asking questions. He wanted everyone to be clear that they are talking about a proposal.

Councilmember Smith stated that he heard Ms. Allen's questions and he did not know about the project until after he was elected even though he had heard rumblings about it. He added that they did come to the meeting tonight to address everyone's concerns and he hopes they see that there are also concerns at the Council table. He called this Special Meeting as one of his first actions on Council because as soon as he saw the proposal, he had concerns. Councilmember Smith stated that no one on Council is calling this a done deal or an approved deal and citizens and Ms. Allen are all part of the process and he appreciated them sharing their concerns about the project. He added that everyone would say that nothing about this project is perfect but as part of the process they hope to get it perfect if it were to be approved.

Councilmember Carnes stated that he did not know the owner of the property and never met him. He did conservatively estimate that the conversations that have happened with the Town and the County go back 15 to 20 years discussing a piece of land that has one of few marina permits that will ever be issued on Lake Murray. He added that some conversations never get formalized or publicly debated until it gets put on paper and officially given to Council from the Planning Commission, which is where Council is today.

Ms. Allen asked Councilmember Carnes if this was a project that was sought by the Town or the owner. She added that since he was not at the earlier meeting, she restated that Mayor said at the meeting that he was taking this gentleman out to breakfast and trying to get him to agree to this because this project was part of

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the Mayor's Vision Plan for his legacy as Mayor. Mayor MacDougall responded that he did not say that. Ms. Allen continued by saying that the Mayor had said that when he finally came to a gentleman's agreement he had to keep it a secret from the people of Lexington. She added that is where she is confused and does the property owner want to develop this or does Mayor MacDougall want to develop it.

Mayor Pro-Tem Livingston stated that she could not speak for the Mayor, but as Councilmember Carnes just said, this is a proposal, not an agreement, because Council has too many questions for it to be an agreement.

Ms. Allen stated that the Mayor said he could not talk about it until he had agreed to annex the five acres that the Town owns, so clearly it is confusing.

Mayor MacDougall stated that he did not know how to clearly restate it to Ms. Allen again. He added that he and Town Administrator Poole were in discussions with the property owner.

Ms. Allen stated that was all she wanted to know.

Mayor MacDougall asked if anyone else had a question or comment about Smallwood Cove.

Mr. Richard Allen, 105 Turnberry Lane, Lexington, (in town) wished to confirm if any Councilmembers were getting any financial gain from this project. Mayor MacDougall responded, not a single dime and he was willing to sign anything to that effect because he guaranteed he was not receiving a single penny from this project.

Ms. Rebecca Martin, 193 Royal Oaks Lane, Lexington, (out of town) which she explained was right in the middle of the 48,000 cars that were discussed so for her it is all about the traffic. She added that regarding Councilmember Lyle and the independent study, there are some things that are very important to her. She did not agree with the peak studies and why do them in October instead of the summer when kids are out of school. Ms. Martin asked if the new study could include more than just a Wednesday or Thursday night. She would also like to know what time of day the previous studies were done because that is very important. She added that she has to go out the intersection every morning right where Riverchase is located, so when she says she feels it, she feels it because every single night and every single morning they are getting all the traffic off of I-20, all the traffic coming across the dam and she didn't know why they got rid of the yield sign. Ms. Martin stated that it is really important to her for the Town to look at the traffic and that the new study includes weekends, mornings and evenings. She thought it was insane that only 80 cars would be added because of this project and Council was about to turn this place into a dirty Myrtle.

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Mr. Jimmy Smith, 152 Midway Road, Lexington, (out of town) a lifetime resident of Lexington County along with his ancestors, stated that his hope for the Midway Road is the traffic because we do not have the infrastructure to support it. He added that it took him and Chris Wooten complaining many times to SCDOT that Corley Mill Road was crumbling. He added that his kids go to River Bluff High School and he worried all the time about one of them running off the road from hitting one of the many pot holes. Mr. Smith stated that thanks to Chris Wooten he was at least able to get the road patched and that's not good enough because it is a race track. He had also called Jay Koon and his buddy with the SC Highway Patrol to come out and watch. He added that everyone now cuts through Midway as a short cut to Hope Ferry to 378. He stated that Midway Elementary school is packed so they have to have another school. Mr. Smith stated that traffic backs up everyday from Midway to Andrew Corley Road. He added that it is so bad that people actually come down the wrong side of the road on Midway doing 35 mph towards the school and one day someone is going to get killed especially near the hill at the blind spot. Mr. Smith stated that safety is his main concern because he had a good friend who lost his leg 40 years ago on Corley Mill Road and that was before too much traffic. He asked Council to look at infrastructure as a safety concern and to protect our kids at the schools.

Ms. Donna Gehling, 122 Stoneybrook Lane, Lexington, (in town) stated that she was surprised by all that was not in the plan to have gone to the First Reading without having a lot of it ready. She added that they have been here since 1986, military brat, and considers this her home. She has seen such massive growth in the past 15 years. She stated that we don't need a traffic study because she and everyone present tonight live it. She cannot get out of her drive at times plus there is so much traffic on Roberts Street with people throwing trash out all the time. She even thanked some of the Town workers recently for picking the trash up, but it is sad we have people that do not care about these communities yet we want to grow it some more. She asked if with the traffic study, are they taking into account the new school on South Lake will also put more traffic on the road. Ms. Gehling stated that there was a moratorium with 7,500 homes during Covid, plus all the neighborhoods built just outside of town will need more schools. She added that the traffic study will have to be much broader if you want the citizens to believe in it. She stated that if 1,100 homes are built, with two cars each, at the new project that would put 2,200 cars on the road plus another 2,500 from the hotel, not to mention cars from the conference center. Ms. Gehling stated that with the amount of traffic that we have, there are a lot more accidents around here. She added that not only will taxes go up but insurance rates will also go up because they look at all that and in an economy that is not the greatest. She stated that the camera system was mentioned which was supposed to move us on through but we are bumper to bumper. She asked, speaking of transparency, why was the blue tooth capability on the cameras never addressed with the community because everything can be used for good and bad. She added that there are a lot of problems that can happen with cyberattacks, who gets the information, plus the LED lights changed in town also have monitors on them. Her final question was how much does all of this have to do with the National League of Cities and our

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massive growth. She added that she knew Councilmember Maness has been with the National League of Cities since she has been in office and how much does that have to do with it. Councilmember Maness responded that it has nothing to do with this project. Ms. Gehling responded, but NLC is for this type of stuff when the citizens have had this flopped down on them so fast that they have to question things. She added that in reality people are just trying to live their life, they work hard, most families have two people working, kids going to school and trying to survive so we can't always be looking on the web site to see what is happening. Ms. Gehling stated that Mayor MacDougall sends messages out on water bills, but she did not see anything in the prior two months before this came up about anything happening on a big project. She understood that a lot of people did not read those newsletters, but if Council could get it out in the paper the next morning, on all the news channels and people will listen. She wished to address the animals on this property because she had not yet heard it mentioned. Ms. Gehling stated that they ride around Lexington all the time and they are now seeing three to four dead animals on the roads every day. She is concerned about what will happen to the animals on this property and where are they going to go. She asked if anyone had given any thought to that because this is home to those animals. She asked if there was a study for that when they clear cut the property. She clarified that she was previously talking about the LED street lights downtown with tracking. Councilmember Lyle stated that he was not familiar with that and would have to read up on it. Ms. Gehling stated that she had a flip phone but she would get some information to Council in a couple days.

Mayor MacDougall stated that out of respect for everyone's time tonight, he would take one more person.

Ms. Annette Cunniffe, 580 Rose Sharon Drive, Lexington, (out of town) asked the Council members if they had been down Beekeeper Court to see how beautiful it is. Councilmember Williams responded, yes, he had. Ms. Cunniffe stated that the first time she drove down Beekeeper Court she couldn't believe how beautiful it is and how nice it would be to keep it in its original state because you don't see that Lexington anymore. She added that there are two renters on that street who are crushed to have to move. Ms. Cunniffe stated that she knew the entire 93 acres was going to be completely leveled and everything will be ripped out. She did not see where there was going to be green space or anything like that. She added that even when a development is put in, you remove all the native species and that does not benefit the wildlife whatsoever. Ms. Cunniffe stated that on November 8, 2022 she had a homework assignment to meet with a political official and she chose Mayor MacDougall who met with her in his office on that date. She stated that he actually told her about this development which was to be about 20 acres and it was only supposed to have a hotel, a marina, a restaurant and a convention center and that was it. He also told her that he wanted to leave this as his legacy and he wanted to stay in office for two more years to see this development begin. Ms. Cunniffe stated that Mayor MacDougall also told her that he spent many of his Saturdays talking to the owner, taking him out to breakfast to try and convince him to sell this property. She added that there

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was definitely no transparency going on with this project and she would honestly like to see this property remain the way it is. She recommended to anyone who has not driven down Beekeeper Court to go and see how beautiful it is. She asked Council to please leave something of this town and county for the children. She asked with all the new development going on, had that been taken into consideration for the traffic study. She added that they all find it disgusting and she would be happy if there was no more development in Lexington because we have too much traffic now.

NEWS MEDIA COMMENTS: None.

ADJOURNMENT: Mayor MacDougall thanked everyone for attending the meeting tonight. He stated that concluded their business for tonight and called for a motion to go back into Executive Session. A motion was made Councilmember Lyle and seconded by Councilmember Carnes to return to Executive Session. The motion was unanimously carried. The Special Council Work Session adjourned at 8:55 p.m.

EXECUTIVE SESSION (Part 2) AND RATIFICATION

Mayor MacDougall reported the *Executive Session* Part 2 was called to order at 8:57 p.m. after a motion was made by Councilmember Lyle and seconded by Councilmember Carnes to go into *Executive Session*. The motion was unanimously carried. Council adjourned from *Executive Session* at 9:46 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Williams. 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 continue discussion regarding one legal item regarding advice on an agenda item. No vote was taken. A motion was made by Councilmember Williams and seconded by Mayor Pro-Tem Livingston to ratify the Mayor's report. The motion was unanimously carried.

Respectfully submitted by:

APPROVED BY:

Becky P. Hildebrand, CMC
Municipal Clerk

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.