

M I N U T E S
LEXINGTON COUNTY COUNCIL
SEPTEMBER 25, 2007

Lexington County Council held its regular meeting on Tuesday, September 25, 2007 in Council Chambers, beginning at 4:30 p.m. Mr. Derrick presided. Mr. Davis gave the Invocation.

Mr. Daniel Lynch, senior and student body president at Irmo High School, led the Pledge of Allegiance.

Members attending:	William C. Billy Derrick	James E. Kinard, Jr.
	George H. Smokey Davis	Debra B. Summers
	Bobby C. Keisler	Johnny W. Jeffcoat
	John W. Carrigg, Jr.	William B. Banning, Sr.
	M. Todd Cullum	

Also attending: Katherine Hubbard, County Administrator; Larry Porth, Finance Director/Assistant County Administrator; John Fechtel, Director of Public Works/Assistant County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Lexington High School Government Class - Mr. Derrick recognized students from Lexington High School attending as part of their government class.

Presentation of Award - Mr. Jay Criscione, Executive Director, Lexington County Recreation & Aging Commission and Mr. Dan Wells, Executive Director, Irmo-Chapin Recreation Commission - Mr. Criscione and Mr. Wells presented Councilman Cullum with a plaque recognizing him as the Outstanding Local Government Official of the Year by the South Carolina Recreation and Parks Association.

Mr. Wells said this is the second time the award has been given in South Carolina and both times it has been awarded to a Lexington County Council member.

Mr. Cullum thanked Mr. Wells and Mr. Criscione for the award, but said he received it for the entire County of Lexington. Mr. Cullum also thanked Council for their support for both recreation commissions.

Waste Management Company - Jeff Chavis Foundation - Ms. Mindy Spires Miller, Public Sector Market Manager for Waste Management Company, presented a \$3,000 check to Mr. and Mrs. Chavis, in memory of their son, Jeff Chavis, a Lexington County Firefighter who lost his life in the line of duty, to pay for the golf fees at the Jeff Chavis Golf Tournament. The tournament will be held on October 11 at the Ponderosa Country Club in Batesburg/Leesville, SC. All proceeds will go to the Jeff Chavis House in Augusta.

Employee Recognition - Katherine Hubbard, County Administrator - Ms. Hubbard recognized Deputy Sam Owens for the vital role he plays in the effectiveness of the Drug Court Office. She said she

received a letter from the Coordinator with the 11th Circuit Solicitor's Drug Court commending Deputy Owens for his professionalism, willingness and dedication during Drug Court.

Ms. Hubbard recognized the following Fire Service and EMS employees for their assistance when a van transporting nine passengers veered off the road and went down an embankment. Public Safety/Fire Service - Tom Emasie, Captain; Blake Day and Mark Rucker, Apparatus Operators and Todd Sharpe, Firefighter. Public Safety/EMS – Brian Hood, Director; Stuart Platt, Captain; Scott Leagan and Bobby Wampler, Lieutenant; Mike Morales, Corporal; and Deborah Senecal and Justin Thasm, PFC.

Ms. Hubbard said Chief Hood received a nice e-mail from an individual who was very impressed with the speed, efficiency, and compassion they displayed at the scene.

Shining Stars - Ms. Hubbard recognized Johnnie Hafley, Library Services; Jason Boozer, Community Development; Barbara O'Connor, Veterans' Affairs; Kimberly Bell, Planning & GIS; and Tim Cox and Jessie Etheredge, Building Services as the winners of the fourth quarter for the Customer Service Shining Stars award. Each recipient received an engraved acrylic "Shining Star."

Appointments - Library Board - Mr. Ray Sharpe - A motion was made by Mr. Cullum, seconded by Mr. Kinard to reappoint Mr. Ray Sharpe to the Library Board.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Cullum
	Mr. Kinard	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Banning	

Planning Commission - Mr. William E. Unthank, Jr. - Mr. Banning made a motion, seconded by Mr. Jeffcoat to reappoint Mr. William E. Unthank, Jr. to the Planning Commission.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Banning
	Mr. Jeffcoat	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Carrigg
	Mr. Cullum	

Central Midlands Council of Governments - Mr. Earl McLeod - A motion was made by Mr. Davis, seconded by Mr. Jeffcoat to appoint Mr. Earl McLeod to the Central Midlands Council of Governments.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Davis
	Mr. Jeffcoat	Mr. Kinard
	Ms. Summers	Mr. Keisler
	Mr. Carrigg	Mr. Banning
	Mr. Cullum	

Bids/Purchases/RFPs - A motion was made by Mr. Jeffcoat, seconded by Mr. Keisler that the following

Bids/Purchases/RFPs (Tabs Q through Z) be approved.

Fleet Vehicle Replacement - Fleet Services - Staff recommended the purchase of one (1) new 2008 Ford F-350 1-Ton 2-WD cab and chassis service truck for Fleet Services from Benson Ford Mercury through State Contract Number 07-S7329-A12763. The requested truck replaces a 2000 Ford F-350. Total cost including tax is \$28,640.

Fleet Vehicle Additions - Sheriff's Department - Staff recommended the purchase of two (2) new 2008 Ford Crown Victoria marked patrol sedans for the Sheriff's Department for the two new School Resource Officers for Lexington School District 5. The vehicles will be purchased from Vic Bailey Ford through State Contract Number 07-S7319-A12726. The vehicles will require the purchase and installation of emergency equipment. The emergency equipment will be purchased from Palmetto Distributors through State Contract Number 05-S6656-A1104 and Light-N-Up will provide the installation through County Contract Number C05011-02/09/05B. Total cost including tax for the vehicles, emergency equipment and installation is \$47,967.56.

Fleet Vehicle Additions - Sheriff's Department - Staff recommended the purchase of two (2) new 2008 Ford F-250 8,600 GVWR cab and chassis for the Sheriff's Department from Burns Automotive through State Contract Number 07-S7329-A12798. The vehicles will require the purchase and installation of emergency equipment. The emergency equipment will be purchased from Palmetto Distributors through State Contract Number 05-S6656-A1104 and Light-N-Up will provide the installation through County Contract Number C05011-02/09/05B. Total cost including tax for the vehicles, emergency equipment and installation is \$52,371.70.

Fleet Vehicle Replacement - Sheriff's Department - Staff recommended the purchase of one (1) new 2008 Ford F-150 ½-Ton 2-WD pickup truck for the Sheriff's Department from Vic Bailey Ford through State Contract Number 07-S7328-A12755. The vehicle will require the purchase and installation of emergency equipment. The emergency equipment will be purchased from Palmetto Distributors through State Contract Number 05-S6656-A1104 and Light-N-Up will provide the installation through County Contract Number C05011-02/09/05B. Total cost including tax for the vehicles, emergency equipment and installation is \$22,454.76.

Fleet Vehicle Additions/Replacement - Solicitor's Office - Staff recommended the purchase one (1) 2008 Chevrolet Impala Sedan and one (1) 2008 Chevrolet Trailblazer 2-WD utility vehicle for the Solicitor's Office through the appropriate State Contract. The Chevrolet Impala will be purchased from Capital Chevrolet and the Chevrolet Trailblazer will be purchased from Love Chevrolet. Total cost including tax is \$34,513.

(1) WebTRAX Software - Community Department - Staff recommended the purchase of one (1) WebTRAX software for Community Development from US Computing Incorporated through State Contract Number 99-S1548-A9179 for Phase IV. Phase I of the WebTRAX development tracking software was created in 2004 to provide developers and design engineers with a means of tracking their projects through the various phases of the County's development review process. In 2005 and 2006 Phases II and III were completed. Phase IV incorporates a code enforcement and complaint module into the WebTRAX system and will improve the electronic communication between Community Development and the Code Enforcement office.

Hot/Cold Vacuum Press Replacement - Planning & GIS - Bids were solicited for one (1) hot/cold vacuum press for Planning & GIS to replace a 28-year-old press that is beyond repair. The press will be used to mount presentations, create displays and glue up zoning amendment and variance signs. Three (3) bids were received. Staff recommended the award of the bid to Palmetto Framing Supplies as being the

lowest responsible bidder. Total cost including tax is \$5,865.74.

High Density Polyethylene (HDPE) Smooth Type S Pipe - Public Works - Bids were solicited and advertised for a term contract for HDPE Smooth Type S Pipe for Public Works. The cost of the material is based on estimated quantities projected for use by the Public Works Department for a period of one (1) year. Five (5) bids were received. Staff recommended awarding the bid to Ferguson Waterworks as the lowest bidder meeting specifications with an estimated annual value of the contract being \$85,885.90 including tax. The term of the contract is for the initial period of one (1) year with the option to extend the contract for four (4) additional one-year periods, if deemed to be in the best interest of the County.

Dell Laptops Replacements - Various Departments - Staff recommended the purchase of fifteen (15) Dell OptiPlex 320 desktop computers for various departments directly from the manufacturer (Dell) through State Contract Number 05-S6656-A11104. Total cost including tax is \$11,164.05.

Fujitsu Lifebook T4220 Tablet Personal Computers - Various Departments - Information Services - Staff recommended the purchase of six (6) Fujitsu Lifebook T4220 tablet computers for various departments from Howard Computers through State Contract Number 05-S6656-A11320. Total cost including tax is \$14,115.44.

Mr. Derrick opened the meeting for discussion.

Ms. Hubbard said on Tab U - Fleet Vehicle Additions/Replacement for the Solicitors Office, that it is her understanding that the Violent Crimes Task Force vehicle is for an investigator and not for an attorney, but had not had an opportunity to verify with the appropriate person. She said once she has confirmed that the vehicle is for an investigator, the vehicle will be ordered. However, if the vehicle is for an attorney, the request will be brought back for Council's reconsideration.

Mr. Cullum asked if the Fujitsu Lifebook T4220 Personal Computers under Tab Z were replacements for desktop units or in addition to desktop units.

Mr. Jim Schafer, Information Technology Manager, replied that he was not sure about the units for the Sheriff's Department but the rest of them are replacements with the exception of Information Services. He said because Council uses the Fujitsu Lifebook computers, Information Services needed to have one in order to test and be able to answer questions that Council may have.

In Favor:	Mr. Derrick	Mr. Jeffcoat
	Mr. Keisler	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Carrigg	Mr. Banning
	Mr. Cullum	

Chairman's Report - Chairman Derrick reported he attended two ribbon cutting ceremonies; Swansea Library and South Congaree/Pine Ridge Library. In addition, he and Council attended the 9-1-1 Flag presentation on September 11.

Climate Protection Action Conference (CPAC) – "Green is Good" - Ms. Summers reported she and Council members Jeffcoat and Banning attended the first CPAC on September 24. The theme was "Green is Good."

Boards and Commissions Recognition Dinner - Ms. Summers reported that she and staff had its first meeting to begin planning for the Boards and Commissions Recognition Dinner for 2008.

AARP Meeting - Mr. Cullum reported he and Ms. Hubbard spoke at the AARP meeting held at Tri-City Leisure Center on September 19.

Administrator's Report - Ms. Hubbard shared with Council the new 9-1-1 sign for the Information Booth. In addition, she said brochures provided by LMC will also be available for the public.

Human Resource Recruiter - Ms. Hubbard introduced Michael Robbins, Human Resource Recruiter. She said Mr. Robbins is the former director of admissions for Newberry College, where they had the record enrollment growth of the largest freshman class in 25 years.

Deputy County Administrator - Ms. Hubbard formally announced that Joe Mergo, Director of Solid Waste Management and Animal Services, will be the new Deputy County Administrator.

Approval of Minutes - Meetings of July 24 and August 28, 2007 - A motion was made by Mr. Cullum, seconded by Mr. Jeffcoat to approve the July 24 and August 28, 2007 minutes as submitted.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Cullum
	Mr. Jeffcoat	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Carrigg
	Mr. Banning	

Zoning Amendment - Zoning Map Amendment M07-06 - 1629 Lake Murray Blvd., Columbia - 3rd and Final Reading - Mr. Jeffcoat made a motion, seconded by Mr. Cullum that Zoning Map Amendment M07-06 receive third and final reading.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Jeffcoat
	Mr. Cullum	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Carrigg
	Mr. Banning	

Ordinances - Ordinance 07-10 - An Ordinance to Determine the Number of Pets Located in Lexington - 2nd Reading - A motion was made by Mr. Davis, seconded by Mr. Cullum to deny second reading of Ordinance 07-10.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Davis
	Mr. Cullum	Mr. Kinard
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Banning	

Ordinance 07-14 - An Ordinance to Amend Article III, Division 2, Section 34-92 (Powers, Duties, and Authority of the Lexington County Health District) of the Lexington County Code -1st Reading

by Title - A motion was made by Mr. Cullum, seconded by Mr. Kinard that Ordinance 07-14 receive first reading.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Cullum
	Mr. Kinard	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Banning	

Committee Reports - Economic Development, S. Davis, Chairman - Saxe Gotha Industrial Park Restrictive Covenants (Goals 1,2,3) - Mr. Davis reported during the afternoon Economic and Development committee meeting, the Committee reviewed the proposed restrictive covenants for the Saxe Gotha Industrial Park. The Committee recommended to full Council for approval.

Mr. Davis made a motion, seconded by Mr. Banning to approve the Saxe Gotha Industrial Park Restrictive Covenants.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Davis
	Mr. Banning	Mr. Kinard
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Cullum	

Justice, B. Banning, Chairman - FY07 Justice Assistance Grant (JAG) Program Award (Goal 3) - and Violence Against Women (VAWA) Grant Award (Goal 3) - Mr. Banning reported the Justice Committee met during the afternoon to consider the acceptance of the FY07 Assistance Grant Program award and the Violence Against Women (VAWA) grant award. The committee recommended to full Council for approval.

FY07 Justice Assistance Grant (JAG) Program Award is in the amount of \$64,127 that will be used by the Sheriff's Department to install a radio repeater and replace several laptops, replacement of printers and sound system for Magistrate Court Services, and reimbursement for counseling services provided by Sistercare. There is no local match.

Violence Against Women (VAWA) Grant Award is in the amount of \$152,202 that will be used by the Sheriff's Department to fund one investigator and one coordinator to help fight domestic violence. The grant requires a 25 percent in-kind match by the County. The in-kind match will come from a percentage of personnel cost that is in the Sheriff's budget for FY 07-08.

Mr. Banning made a motion, seconded by Mr. Keisler to approve acceptance of both awards.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Banning
	Mr. Keisler	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Jeffcoat	Mr. Carrigg

Mr. Cullum

Health & Human Services, J. Carrigg, Jr. Chairman - 2006 State Homeland Security Grant (COBRA) Application (Goal 3), DHEC EMS Grant-in-Aid Grant Application (Goal 3), and the Volunteer Fire Assistance Grant Application (Goal 3) - Mr. Carrigg reported his Committee met to review the requests from Emergency Management, EMS, and Fire Service to apply for the following grants. The Committee recommended that full Council allow staff to move forward with the grant applications.

2006 State Homeland Security Grant (COBRA) Application (Goal 3) - The grant in the amount of \$25,915 requires no County match. The grant will be used to replace required equipment for the COBRA Team that has been used or is no longer serviceable.

DHEC EMS Grant-in-Aid Grant Application (Goal 3) - The grant in the amount of \$47,300 requires a County match of 5.5 percent or \$2,602. The funds will be used to provide tuition costs to send eight EMTs to paramedic school, purchase communication radios, various equipment used for training and Advanced Life Support equipment.

Volunteer Fire Assistance Grant Application (SAFER) - The grant in the amount of \$10,000 requires a County match of 50 percent or \$5,000. The grant will be used to purchase equipment and supplies used for wildland fire fighting.

Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to approve staff's request to move forward with the submittal of the grant applications.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Carrigg
	Mr. Jeffcoat	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Banning
	Mr. Cullum	

Memorandum of Understanding Between the County of Lexington, SC and Lexington Medical Center (Goal 1) - Mr. Carrigg reported his Committee reviewed the Memorandum of Understanding between Lexington County and Lexington Medical Center regarding the implementation of a program that would allow Lexington Medical Center the ability to download the ambulance's run reports of patients being transported to their facility. The Committee voted to recommend to full Council for approval.

Mr. Carrigg made a motion, seconded by Mr. Kinard to approve the Memorandum of Understanding Between the County of Lexington, SC and Lexington Medical Center.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Carrigg
	Mr. Kinard	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Cullum

Not Present: Mr. Banning *

*Mr. Banning was not present when the vote was taken.

Public Works, D. Summers, Chairman - Intergovernmental Agreement/NPDES Phase II (Goal 2) -

Ms. Summers reported the Public Works Committee met to review the Intergovernmental Agreement between the County and the seven municipalities (City of West Columbia, City of Cayce, Town of Irmo, Town of Lexington, Town of South Congaree, Town of Pine Ridge and the Town of Springdale) involved with the NPDES Phase II. The Committee recommended to full Council for approval.

Ms. Summers made a motion, seconded by Mr. Cullum to approve the Intergovernmental Agreement.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Ms. Summers
	Mr. Cullum	Mr. Kinard
	Mr. Davis	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg

Not Present: Mr. Banning*

*Mr. Banning was not present when the vote was taken.

Land Development Guidelines (Goal 2) - Chapter 4 - Ms. Summers reported that the Committee met during the afternoon to discuss and review changes to Chapter 4 of the Land Development Guidelines. Ms. Summers reported staff will continue to re-evaluate the Water Quality Buffers required in Chapter 3 with a recommendation at a later date.

Ms. Summers made a motion, seconded by Mr. Kinard to approve Chapter 4 of the Land Development Guidelines.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Ms. Summers
	Mr. Kinard	Mr. Davis
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	Mr. Cullum

Not Present: Mr. Banning*

*Mr. Banning was not present when the vote was taken.

Executive Session/Legal Briefing - Mr. Derrick stated Executive Session will consist of one (1) personnel matters, two (2) legal matters; and five (5) contractual matters.

Mr. Cullum made a motion, seconded by Mr. Kinard to enter into Executive Session to discuss personnel, contractual and legal matters.

In Favor:	Mr. Derrick	Mr. Cullum
	Mr. Kinard	Mr. Davis
	Ms. Summers	Mr. Keisler

Mr. Jeffcoat
Mr. Banning

Mr. Carrigg

Mr. Derrick reconvened the meeting in open session and reported Council will have to re-enter Executive Session following the public hearing.

6:00 P.M. - Public Hearing - Ordinance 07-03 - An Ordinance Amending the Animal Control

Ordinance - Mr. Derrick opened the Public Hearing and stated no one had signed up to speak in favor or in opposition of Ordinance 07-03.

Mr. Derrick closed the public hearing.

Ordinance 07-09 - An Ordinance Amending Ordinance No. 05-15 (Ordinance Governing False Fire Alarms) - Mr. Derrick opened the Public Hearing and stated no one had signed up to speak in favor or in opposition to Ordinance 07-09.

Mr. Derrick closed the public hearing.

Ordinance 07-12 - An Ordinance Approving the Conveyance of Real Estate from the County of Lexington to Peggy Williamson - Mr. Derrick opened the Public Hearing and stated no one had signed up to speak in favor or in opposition to Ordinance 07-12.

Mr. Derrick closed the public hearing.

Executive Session/Legal Briefing - A motion was made by Mr. Jeffcoat, seconded by Ms. Summers to move back into Executive Session to continue discussing contractual and legal matters.

In Favor:	Mr. Derrick	Mr. Jeffcoat
	Ms. Summers	Mr. Kinard
	Mr. Davis	Mr. Keisler
	Mr. Carrigg	Mr. Banning
	Mr. Cullum	

Matters Requiring a Vote as a Result of Executive Session - Mr. Derrick reported Council discussed the contractual and legal matters during the Executive Session and indicated there were two motions to be considered.

911 Public Safety/Communications Building - Mr. Davis made a motion, seconded by Mr. Jeffcoat to ask staff to move forward with the County Communications Building.

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Davis
	Mr. Jeffcoat	Mr. Kinard
	Ms. Summers	Mr. Keisler
	Mr. Banning	Mr. Cullum

Not Present: Mr. Carrigg *

*Mr. Carrigg was not present when the vote was taken.

PBT (Pond Branch Telephone) Easement - Mr. Banning made a motion, seconded by Mr. Kinard to approve first reading by title on the sale of a 50' x 50' easement at the Corley Mill Station located on River Chase Way to PBT (Pond Branch Telephone).

Mr. Derrick opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Banning
	Mr. Kinard	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Cullum

Not Present: Mr. Carrigg *

*Mr. Carrigg was not present when the vote was taken.

Budget Amendment Resolutions - The following BAR's were distributed and signed:

08-001A - A supplemental appropriation increase in the amount of \$75,525 to carryover federal grant funds that are reimbursable.

08-003 - A supplemental appropriation increase in the amount of \$6,423 to carryover funds for the Gang Prevention Grant that was not spent in FY07-08.

08-040 - An appropriation transfer of \$10,000 from the Site Improvement Program to the relocation of the Ellet Brothers Road.

08-041 - An appropriation transfer in the amount of \$77,718 and a supplemental appropriation decrease in the amount of (\$310,872). The County applied for the FEMA Firefighter Assistance Grant but was not awarded any funds. The funds were previously budgeted and this is to reverse the funds.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William C. Derrick
Chairman