

**MINUTES**  
**LEXINGTON COUNTY COUNCIL**  
**JULY 27, 2004**

Lexington County Council held its regular meeting on Tuesday, July 27, 2004 in Council Chambers, beginning at 4:30 p.m. Chairman Davis presided; Mr. Wilkerson gave the invocation; Mr. Cullum led the Pledge of Allegiance.

Members attending:   George H. Smokey Davis       Bruce E. Rucker  
                          William C. Billy Derrick       Jacob R. Wilkerson  
                          Bobby C. Keisler               Johnny W. Jeffcoat  
                          John W. Carrigg, Jr.         Joseph W. Owens  
                          M. Todd Cullum

Also attending: Art Brooks, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; Katherine Doucett, Personnel Director/Deputy 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.

**Employee Recognition - Art Brooks, County Administrator** - Mr. Brooks recognized Valerie Gray, Mapping GIS/Tech 1 for her excellent customer service. Mr. Brooks stated he received an e-mail from a citizen commending Valerie for the courteous, prompt, thoughtful, and efficient way she answered her questions and solved her problems.

Also recognized were eleven (11) employees who graduated from the SC Midlands Emergency Medical Service Management Association and Piedmont Technical College. The graduates are: Cory Cotterman, Sonia Bodie, Barry Fifield, Ian Harmon, John Haus, James Jolley, Mandy Luckadoo, Harold Ocheltree, Lynn Roldan, Glenda Thames, and Megan Timmons. Mr. Brooks stated students completed approximately 1,000 hours of training in advanced cardiac life support, pharmacology, advance trauma care, and other aspects of emergency pre-hospital health care.

Chairman Davis recognized Senator Jake Knotts, Solicitor Donald Myers, and Council Member-Elect Debbie Summers who were in attendance.

**Presentation of Resolution - Kids Kamp Presented by Councilman Bobby Keisler** - Mr. Keisler presented a resolution to Gene Henderson, Director honoring him for his commitment and the Kids Kamp participating churches for their involvement in providing a free five-evening activities program for area children between the ages of four and sixteen years of age.

**Resolution - Palmetto Health Hospice** - Mr. Cullum made a motion, seconded by Mr. Derrick that the resolution be adopted.

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

In Favor:	Mr. Davis	Mr. Cullum
	Mr. Derrick	Mr. Rucker
	Mr. Wilkerson	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

**Appointments - Midlands Workforce Development Board - Mr. Martin (Dru) Beckham** - A motion was made by Mr. Cullum, seconded by Mr. Keisler to appoint Mr. Martin (Dru) Beckham to the Midlands Workforce Development Board.

Mr. Davis opened the meeting for discussion.

Mr. Jeffcoat asked why Council would be appointing someone outside of Lexington County. He stated he has a problem appointing individuals from another county to represent Lexington County on a Board or Commission.

Mr. Carrigg asked for further clarification.

Mr. Derrick made a motion, second by Mr. Wilkerson to table the motion.

Vote on Motion to Table:

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Wilkerson	Mr. Rucker
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

**Committee Reports - Planning & Administration, B. Rucker, Chairman - Ordinance 04-03 - Amending the Lexington County Landscape Ordinance - 2<sup>nd</sup> Reading - Planning & GIS** - Mr. Rucker stated the Planning and Administration Committee convened on Tuesday, June 15, 2004 to consider the proposed variations to Ordinance 04-03 - Amending the Lexington County Landscape Ordinance filed by Charles M. Compton.

A public hearing was held on May 11, 2004, there were no comments in favor or against the proposed amendment.

The Planning Commission met on May 20, 2004 and recommended approval.

The Planning and Administration Committee voted to recommend that Council proceed with the second reading of Ordinance 04-03.

A motion was made by Mr. Rucker, seconded by Mr. Jeffcoat that Ordinance 04-03 be given second reading.

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

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Jeffcoat	Mr. Derrick
	Mr. Wilkerson	Mr. Keisler
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

**Public Works, B. Derrick, Chairman - Equipment and Conveyor Tunnel - Beckman Road - Public Works** - Mr. Derrick reported that his committee met during the afternoon to discuss the equipment and conveyor tunnel for Beckman Road.

Mr. Derrick stated the Public Works Committee met on Tuesday, June 15, 2004 to consider additional information on the Beckman Road project. Mr. Derrick stated this project was initially approved by Council on January 8, 2002.

After discussion, the committee voted to recommend to Council that staff proceed with the bid process.

Mr. Derrick made a motion, seconded by Mr. Carrigg to approve the expenditure for the equipment and conveyor tunnel for Beckman Road.

Mr. Davis opened the meeting.

Mr. Owens asked why are we (County Council) spending \$139,000 to build a tunnel under Beckman Road and then spending an additional \$100,000 to pave it. He said he has been told it is because of a prior commitment. That's just not so, Mr. Chairman. Here are the minutes of the meeting held on January 08, 2002 and that recommendation was to do paving only. There is nothing there about building a tunnel. What happened out there is we paved either end of Beckman Road and we were held "hostage" for the middle of it. So apparently they said, if you will build us a \$140,000 tunnel we will then let you go back and spend another \$100,000 to pave it. So you are talking about 0.7 of a mile; we are spending approximately \$225,000 on that one piece of road. You can do a lot of paving for that and there is no prior commitment by this Council, unless there is some subsequent information I don't have. If you go back to January 8, and I have copies of this if you want it ..... the only thing approved was to pave the road. Nothing said about spending \$150,000 - \$140,000 for a tunnel.

Mr. Jeffcoat stated he did not have any recollection discussing or hearing anything about a tunnel and stated he has no problem whatsoever in living up to Council's commitment of paving Beckman Road but would have to know a lot more about the tunnel than he did now in order to support it.

Mr. Owens stated he also has no problem with paving the road, but said we were held hostage out there since 1994 and now they have told us we will let you pave this road if you will build us a \$140,000 tunnel and that's all on private property and that 0.7 mile we are about to pave, not a soul lives in that area. I have driven it, I have clocked it; there is not a human, not one individual lives where we are going to build a road. I don't have any problem because people on either side could use the road if it is completed, but to build a tunnel, you are spending County money on private property and that shouldn't be done.

Mr. Jeffcoat asked if there was something about the tunnel he didn't know that he should know before a final vote.

Mr. Rucker asked that Mr. John Fechtel, Director of Public Works, to come forward to answer any questions.

Mr. Carrigg asked Mr. Derrick what was presented to his committee that led to the motion to approve the tunnel?

Mr. Derrick stated there is a memorandum dated February 5, 2001 in which paving was recommended and the agreements with Columbia Silica Sand were outlined (donation of land for right-of-way, engineering costs to relocate the road, and donation of sand clay for base). He said the decision was due to an agreement that was set forth in December 2001 that allowed an underground crossing as part of the project so they could continue to operate their sand mine without disrupting traffic.....

Mr. Carrigg stated....going across the road and stated it seemed that would be a benefit to the citizens.

Mr. Derrick replied, it seemed that it would be a safety issue if we allowed them to cross that road.

Mr. Cullum stated not only is it a safety issue but also a maintenance issue. Mr. Cullum stated there is a road very similar to this on Hwy. 302 with a tunnel in operation now that allows these companies to operate. He said this is not a road that is constructed on private property as the easements and rights-of-way have been given to the County and any resident who operates a motor vehicle has the use of that road. He further stated there is some commercial operation on both sides of the road and feels that it is a safety issue as well as a maintenance issue.

Mr. Derrick replied, it is a fixed-base operation where they process the sand but it is mined elsewhere. He said they have to have activities on both sides of the road.

Mr. Owens replied that he does not have a problem with that but asked why we should build it.

Mr. Wilkerson asked if Mr. Fechtel could address Council as he may be able to answer questions that are being asked.

Mr. Fechtel stated in his memo to Mr. Art Brooks dated December 5, 2001 he thought at that time that it was pretty clear and both ends of the road were paved which left 0.7 mile unpaved. He stated it is correct that the sand company did not want to give the County the right-of-way for that portion at that time. What they wanted to do was look at relocating the road but did not have the plans together at that point. In mid 2001, Columbia Silica Sand Company hired an engineering firm to formulate relocation plans. Mr. Fechtel stated his memo read, "Basically, Columbia Silica Sand wants the remainder (approximately 1.0 mile - relocated) paved within the next 1 ½ years based on a prior commitment (the prior commitment being that the entire road was up for paving in 1994 but was not completed). Also included in their request was a below grade crossing which requires a tunnel to allow heavy equipment to pass back and forth to their property without an on-grade crossing." In addition to that, a certain section was set up for the conveyor belt to shuttle material to their fixed-base operation. They have not started on this side of the road yet, but that is their intent. He stated their contributions to the project were the donation of land for right-of-way, engineering costs, and the donation of sand clay for base. However, at that time he did not specify costs but did recommend that the project be included in next year's budget (\$300,000 was budgeted and approved by Council) as a prior commitment with a new cost estimate developed based on Public Works performing the majority of the work.

Mr. Jeffcoat asked if there was ever any discussion about a tunnel with the Council.

Mr. Fechtel replied, yes sir. He stated this is the memo that was sent.

Mr. Jeffcoat replied, I know you sent a memo, but did you send it to me?

Mr. Fechtel replied, I'm sure everybody got it in their package.

Mr. Jeffcoat replied, I have no recollection of it, the tunnel.

Mr. Owens stated the only vote that was ever taken is right here (the minutes dated January 8, 2002) and I have checked everywhere I can and it said, "Mr. Derrick made the recommendation to move forward with the completion of the paving of the road" and that was seconded and voted in favor. There is nothing in there anywhere that says we should build a tunnel for people to carry on their business. Did we build the one on Hwy. 302, the County?

Mr. Fechtel replied, no sir, that was a State road.

Mr. Owens asked whether the State built it or if they built it.

Mr. Fechtel replied he felt the State built it.

Mr. Carrigg stated the minutes read "The committee voted to recommend that Council approve the completion of the Beckman Road project."

Mr. Owens interjected and said "to move forward with the paving."

Mr. Carrigg stated this is dated December 2001 and the vote was taken when?

Mr. Owens replied, taken January 2002, the next month.

Mr. Carrigg stated if this memo was in the packet it is likely that this was the project.

Mr. Cullum stated what the memo is addressing is paving of both ends.

Mr. Owens replied exactly; but it does not say anything about building a tunnel.

Mr. Owens stated he could not find any subsequent articles or minutes. He said they held us "hostage" ten years out there and I can see why.... if we wait long enough you guys can spend \$150,000 to build a tunnel.

Mr. Keisler asked if Council does not approve the tunnel will the road still get paved?

Mr. Fechtel stated that would be a legal question because the right-of-way was given with the understanding that the tunnel was going to be built.

Mr. Cullum asked Mr. Fechtel if there was not right-of-way tied to another road that this company owns property to that also addresses .....

Mr. Owens interjected and said it has nothing to do with the motion. Mr. Owens asked to defer the question to Mr. Anderson, County attorney to see if he reads this to confer anything about a tunnel because if there is anything on it, I don't see it. People here don't remember the tunnel that were on Council at the time so I submit to you that it wasn't voted on.

Mr. Derrick replied, I submit to you that we did see this memorandum dated December 5, 2001 and it was .....

Mr. Owens interjected and said you made the motion and asked why it was not in the motion to do the tunnel.

Mr. Derrick replied, we were waiting a year and a half to do the tunnel; they were in no hurry for the tunnel at the time and they weren't doing that section of road paving at the time.

Mr. Owens stated the gist of this is that nobody here has a problem going out on private property and spending \$150,000 for a manufacturing company; is that the gist of it?

Mr. Davis stated he thought that to be an over exaggeration.

Mr. Owens replied, no it's not.

Mr. Rucker asked if it was correct that they are donating this property to the County for us to construct the tunnel and not private property.

Mr. Fechtel replied, they have already given us the right-of-way. The tunnel will be built in the right-of-way.

Mr. Rucker asked Mr. Fechtel what heavy equipment does to a paved road when traveling back and forth.

Mr. Fechtel stated for an on-grade crossing like this we can put in a section of reinforced concrete and that will eliminate the road from being torn up. The main emphasis on the tunnel, in addition to movement, was the use of the conveyor belt so when they mined on the other side the conveyor belt would go under the road and carry material to the fixed location where it was processed. If it was just the road crossing itself, yes, we could have done that with reinforced concrete.

Mr. Jeffcoat asked if Council voted to support the tunnel (January 8, 2002) why are we re-voting.

Mr. Carrigg replied, the cost changed.

Mr. Derrick asked Mr. Jeffcoat if he was referring to the original memorandum.

Mr. Jeffcoat replied the vote we took to pave this .....

Mr. Derrick stated we (Council) were voting at that time to spend money just to pave the road; they didn't want the tunnel or need the tunnel and were actually relocating the road at the location of the proposed tunnel at that time and asked, "am I correct in that?"

Mr. Fechtel replied the initial paving did not have a tunnel, but they asked for reconsideration. My memo of December 5, 2001 spelled out why they wanted the tunnel and what they were donating as far as engineering costs, sand clay, etc. and that was approved by County Council.

Mr. Derrick stated the motion Mr. Owens was referring to was the paving of the other part of the road.

Mr. Jeffcoat asked did we (Council) approve a tunnel and said if he supported this tunnel that he would not "back off" of it now, but if I didn't .....

Mr. Derrick stated if he was correct, Council never voted on the tunnel because that has never been before Council.

Mr. Carrigg stated the reason he brought up that question is because his memo (Mr. Fechtel) is dated December 5, 2001 and the vote was taken January 8, 2002 and the motion was to do the Beckman Road project and it was the committee recommendation back in January 2002, tunnel and all.

Mr. Owens asked permission to read the motion.

Mr. Derrick asked what is the date of those minutes.

Mr. Owens replied, January 8, 2002.

Mr. Owens read the following minutes: “Mr. Derrick made the recommendation to move forward with the completion of the paving of the small section of Beckman Road that had not been paved in 1994 and was seconded by Mr. Rucker.” There is nothing in there that mentions a tunnel, there is nothing in there about a tunnel, it does not exist in this copy of the minutes.

Mr. Carrigg stated he just wanted to know if the committee recommended the tunnel; I don’t care about that motion.

Mr. Owens replied, you don’t? You ought to, you voted on it.

Mr. Carrigg replied, I know. He stated the committee voted to recommend that Council approve the completion of the Beckman Road project and that is what he is wanting to know, what the committee recommended.

Mr. Owens asked Mr. Carrigg to show him where tunnel is anywhere in there.

Mr. Carrigg replied, tunnel is not in there.

Mr. Jeffcoat stated he was supporting the motion only because he had voted for it before.

Mr. Davis called for the vote.

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Carrigg	Mr. Rucker
	Mr. Wilkerson	Mr. Keisler
	Mr. Jeffcoat	Mr. Cullum

Opposed: Mr. Owens

Mr. Owens stated if these people are talking about spending County money for employees and then

want to concern themselves about private industry is amazing.

Mr. Keisler stated the only reason that he supported the tunnel was because he was supporting Council's decision in 2001 and 2002 since the money had been budgeted for this project and not because he was willing to do it.

**Legal Closing of Edgell Court, Partial Road Closing - Christie Street, and Partial Road Closing - Clover Road - Public Works** - Mr. Derrick reported his committee met during the afternoon to discuss the legal closing of Edgell Court, partial road closing of Christie Street and Clover Road.

Mr. Derrick made a motion, seconded by Mr. Rucker to approve staff's recommendation to pursue legal action in closing Edgell Court.

Mr. Davis opened the meeting for discussion.

Mr. Cullum asked if the motion could be amended to include Tab B and C. (Christie Street and Clover Road).

Mr. Derrick and Mr. Rucker agreed to amend the motion to include all three closings; Edgell Court, partial road closing of Christie Street (approximately 815 feet of a County-maintained dirt road) and Clover Road (approximately 2,480 feet adjacent to or going through County property, Batesburg/Leesville Lexington County Industrial Site).

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Rucker	Mr. Wilkerson
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

**SCDOT "C" Fund Requests - Public Works - "4<sup>th</sup> Infantry Division Interchange" - Interchange of US Hwy. 1 and I-26, "Myers Way" - Road Connecting Hwy. 1 to Hwy. 6, and "Senator F. Beasley Smith Interchange" - Interchange on I-20 at Exit 44** - Mr. Derrick stated that during the afternoon meeting the Committee met to discuss several SCDOT projects.

A motion was made by Mr. Derrick, seconded by Mr. Keisler that Council approve "C" funds, up to \$400.00 each, for the fabrication and installation of dedication signs for the "4<sup>th</sup> Infantry Division Interchange" - Interchange of US Hwy. 1 and I-26 and "Senator F. Beasley Smith Interchange" - Interchange on I-20 at Exit 44 and that the County fabricate and install a dedication sign for "Myers Way" - Hwy. 1 to Hwy. 6 (driveway between Hwy. 1 at the Judicial Center by the Administration Building to Hwy. 6) to be posted on either end.

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

In Favor:      Mr. Davis                      Mr. Derrick  
                    Mr. Keisler                      Mr. Rucker  
                    Mr. Wilkerson                  Mr. Jeffcoat  
                    Mr. Carrigg                      Mr. Owens  
                    Mr. Cullum

**Health & Human Services, J. Wilkerson, Chairman - Update of Personnel Reorganization - Public Safety/Communications** - Mr. Wilkerson stated his committee met during the afternoon and discussed staff's request for approval to reorganize the Consolidated Communications Center to include converting four (4) telecommunicator positions to Assistant Shift Supervisors to Grade 9 and that the shift schedule be changed to allow day and night shifts.

A motion was made by Mr. Wilkerson, seconded by Mr. Cullum to approve staff's request to reorganize the Consolidated Communications Center.

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

In Favor:      Mr. Davis                      Mr. Wilkerson  
                    Mr. Cullum                      Mr. Rucker  
                    Mr. Derrick                      Mr. Keisler  
                    Mr. Jeffcoat                      Mr. Carrigg  
                    Mr. Owens

**Space Utilization Committee, J. Jeffcoat, Chairman - Renovations - Administration** - Mr. Jeffcoat stated his committee met on Friday, July 16, 2004 to review and discuss plans for renovating the Auxiliary Building, Old Courthouse, and the Administration Building.

Mr. Jeffcoat asked Mr. Porth, Finance Director to give Council an overview of the recommended recommendations.

Mr. Porth stated the Space Utilization Committee met several times to discuss several different ongoing projects. Mr. Porth said (1) staff was instructed to move forward in obtaining bids on the renovations to the Auxiliary Building. He said the architect's preliminary estimate (has not been bid out) of probable cost is \$638,806 plus \$47,910 for architectural fees, (2) to accept the bids received on the renovations to the Administration Building (not including alternate bid) at a bid cost of \$408,000. Mr. Porth stated the alternate bid was extending the footprint of the first floor where the Treasurer is located out flush with the curtain wall at a cost of \$143,000 plus there was an additional cost of approximately \$75,000 of related HVAC, therefore the Space Utilization Committee did not recommend the alternate bid, and (3) said it has been determined that the basement of that facility, while not appropriate for the housing of humans because of the conditions, that it would be ideal with some renovations for the housing of records. Therefore, the records storage facility would be moved from the Auxiliary Building for an estimated cost of \$68,000 that

will be performed by Building Services. Of the \$68,000, \$29,000 is for the cost of shelving to be used to house records.

He stated these plans have been discussed as part of the ongoing building campus plan for a number of years.

Mr. Jeffcoat made a motion, seconded by Mr. Wilkerson to allow staff to move forward with the recommended renovations for the Auxiliary Building, Old Courthouse, and the Administration Building.

Mr. Davis opened the meeting for discussion.

Mr. Derrick asked if Council was voting on each of the renovation projects separately or as a whole?

Mr. Jeffcoat replied the vote would include all recommendations made by the committee.

Mr. Derrick stated the question was asked in order to know what could be discussed.

Mr. Derrick asked if the County Attorney has had an opportunity to review the FJ Clark contract. He asked whether the County is getting less services for more money. He stated this contract is eight (8) percent where the original contract was for seven (7) percent. Was it not?

Mr. Porth replied, I don't know.

Mr. Porth stated the County's practice is to use the State sliding scale for larger projects. He said originally the architect gave us a cost for the addition of the Administration Building together with the renovations and said if that had happened, it may all have been done by one contractor but we decided to delay that.

Mr. Derrick questioned item eight(8) that read "the project will be administered through the bidding phase with assistance during the construction stage" and asked if that is less services than we received before.

Mr. Porth replied, I don't know.

Mr. Derrick stated he understood he was the administrator before.

Mr. Porth replied that might just be semantics. He said in reference to the "assistance through the construction stage" is that he would expect the same level of service.

Mr. Derrick asked if that is what he is saying (FJ Clark) and questioned why it was included in the addendum to his original contract.

Mr. Porth replied that he could not answer that other than to say he is just trying to remunerate again the items in the contract. Mr. Porth offered to get clarification for Council.

Mr. Derrick stated he was questioning why eight (8) was added if it was just an addendum.

Mr. Porth replied just to confirm that he is doing that on that project.

Mr. Davis stated we can ask if it is anticipated for less service and we should.

Mr. Derrick stated it seemed to him Council was voting on an unknown as to the renovations to the Old Courthouse because there is reference to State Archives, the Fire Marshall, etc.

Mr. Porth stated Mr. Schafer, Director of Information Services, has had some discussions with State Archives who have looked at the basement and have made some suggestions and, from what we can tell from them, that it would make an acceptable site for record storage. He said the State Archives big concern was .....

Mr. Derrick stated there was discussion whether records could be placed in certain areas because of the overhead plumbing.

Mr. Porth stated State Archives did a cursory review the day the Space Utilization Committee met and strongly recommended replacement of carpet with tile floor covering in case of a water leak. He said State Archives' concern is that if the County was building a new building, the County would not want to put overhead plumbing or HVAC in a records storage facility but if trying to retrofit an older building you may have to do whatever you can.

Mr. Derrick asked if this meets the rest of the State Archives criteria for record keeping.

Mr. Porth replied, yes sir.

Mr. Davis asked if there was further discussion. No discussion occurred.

In Favor:	Mr. Davis	Mr. Jeffcoat
	Mr. Wilkerson	Mr. Rucker
	Mr. Derrick	Mr. Keisler
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

**Bids/Purchases/RFPs** - A motion was made by Mr. Carrigg, seconded by Mr. Owens that the following bids, purchases, RFPs be approved.

**Administration Building Renovations - Administration** - Competitive bids were solicited and advertised for the renovation of the existing Administration Building. The base bid consisted of

renovating all six (6) floors of the existing building with an alternate for the expansion of the Treasurer's office on the first floor. The Space Study evaluation committee recommended awarding the base bid only.

Five bids were received. Bids were evaluated by Ron Van Bergen, F. J. Clark, Inc. and Sheila Fulmer, Procurement Manager who recommended that the base bid be awarded to the low bidder, Summerfield Associates for a total cost of \$408,000.00.

**Request for Approval to Utilize Request for Proposals Process for Professional Services - Community & Economic Development** - Staff requested approval to use the Request for Proposals process to select the services of a qualified consultant to provide the County with a five (5) year consolidated plan for the Department of Community and Economic Development. The Department of Housing and Urban Development (HUD) requires the preparation of the plan every five (5) years in order for the County to receive Community Development Block Grant funds. The consultant will be responsible for all aspects of the plan.

**Computer Servers - Information Services** - Jim Schafer, Director of Information Services, requested the purchase of two (2) computer servers directly from the manufacturer (Dell) through South Carolina State Contract #03-S5869-A9659. Replacement of the servers will improve system performance due to higher demand generated by online payments and public inquiries in the Treasurer and Auditor's offices and the Department of Planning and GIS. Total cost \$11,197.96 including applicable sales tax.

**Function Two Computer Hardware, Monitors, Laptops and Printer Purchase - Information Services** - Information Services Director Jim Schafer requested the purchase of forty (40) Dell computers, forty (40) Dell monitors, two (2) Dell laptops, one (1) Dell port replicator, seventeen (17) Gateway computers, eleven (11) monitors (for Gateway computers) and eight (8) Hewlett Packard printers.

The Dell computers, monitors, laptops and replicator will be purchased directly from the manufacturer (Dell Computer) through South Carolina State Contract #03-S5869-A9659. The Gateway computers will be purchased directly from the manufacturer (Gateway Business) through South Carolina State Contract #03-S5869-A9661. The monitors for the Gateway computers will be purchased from Florida Micro, LLC as the low bidder. The Hewlett Packard printers will be purchased through South Carolina State Contracted Vendor CompuWorld through South Carolina State Contract #03-S58869-A9662.

The equipment will provide newer technology and improve productivity in the Department of Information Services, Solicitor's Office and the Sheriff's Department.

The cost of the Dell computers is \$25,821.40, Dell monitors \$5,006.40, Dell port replicator \$132.26, Dell laptops \$4,607.02, Gateway computers \$13,342.35, monitors for the Gateway computers \$1,211.36, Hewlett Packard printers \$9,937.20. Total cost is \$60,057.99 including applicable sales

tax.

**Network Router/Port Upgrades - Library/Information Services** - Eight (8) Cisco modular routers and eight (8) CSU/DSU WIC ports were requested for Library Services by Dan MacNeill, Director. The modular routers and ports are part of a continuing replacement program as approved by the State Legislature through the Education Lottery Spending Budget. Lottery funds can be used only for technology.

The modular routers and ports will be purchased from Systems and Services through South Carolina State Contract #04-S6261-A10281. Total cost is \$26,619.60 including applicable sales tax.

**Voice Mail System for Cayce-West Columbia Branch Library - Sole Source Procurement - Library** - The purchase of a Voice Mail System for the Cayce-West Columbia Branch Library was submitted to Procurement by Dan MacNeill, Director, Library Services. The voice mail system will have four (4) voice mail ports with 130 hours of voice storage and up to 20 mailboxes. The voice mail system is part of a continuing replacement program approved by the State Legislature through the Education Lottery Spending Budget.

The purchase has been deemed a sole source through Telcom, Incorporated as a proprietary vendor. When the Cayce-West Columbia Branch Library was renovated in 1993, Telcom, Incorporated was the vendor who supplied and installed the Onyx telephone system in the building. Telcom, Incorporated has had a maintenance contract for the system since that time. The proposed voice mail system is a module for this specific telephone system and is deemed proprietary.

Cost of the system including applicable sales tax is \$6,297.90.

**Motorola Upgrade of Radio Equipment - Public Safety/Communications** - A requisition to purchase radio equipment upgrades for the Cayce Public Safety Department for Public Safety/Communications was submitted to Procurement. The equipment is to be purchased directly from the manufacturer (Motorola) through South Carolina State Contract #OIR2002.07.

All console and radio equipment will be replaced. The current equipment was installed in 1984 and is no longer supported by any repair facility. Total cost of the equipment including applicable tax is \$142,524.95. This price includes two (2) new workstations to replace the console furniture and new computerized radio equipment.

**Wireless Phase II Equipment - Public Safety/Communications** - Neil Ellis, Emergency Management Coordinator, submitted a purchase request for the installation of wireless phase II equipment for the Computer Aided Dispatch (CAD) 9-1-1 system. This equipment is required in order for the system to receive and understand extended Automatic Location Indicator (ALI) and allow all Public Safety Answering Points (Lexington County, West Columbia, Cayce and Batesburg) to receive a location of wireless callers.

Bell South will provide the installation of four (4) Public Safety Answering Points (PSAP's) as a proprietary provider at a cost of \$9,240.00. ESI will provide the installation of the Computer Aided Dispatch (CAD) interface equipment under County contract number P99010-06/09/99H at a cost of \$6,247.50. Total cost of the project including applicable sales tax is \$15,487.50.

**Motorola Minitor IV Pagers and Accessories - Public Safety/Fire Service** - The purchase of 60 Motorola Minitor IV Pagers and Accessories for Public Safety/Fire Service was submitted to Procurement by Russell Rawl, Fire Service Coordinator. The pagers and accessories will be purchased directly from the manufacturer (Motorola) through South Carolina State Contract #OIR2002.07.

The pagers are utilized to alert personnel of an emergency call. Each volunteer (approximately 400) is issued a pager. Many of the existing units are approaching 20 years old and are in need of replacing. Additional pagers are required in order to meet an increase in personnel as well as replace pagers that are lost, stolen, damaged, or no longer serviceable. Total cost including tax is \$31,088.98.

**Beckman Road Tunnel - "C" Funds - Public Works** - Invitations for bids were advertised and solicited from qualified contractors for the Beckman Road Tunnel. The project includes the design of the footings and the culvert, fabrication of a culvert, and the delivery of the fabricated components of the culvert to the project site. The original bid called for a tunnel interior dimension of 18" high by 24' wide by 125' long. One bid and one no bid was received.

The total bid amount exceeded the projected budget. The County negotiated costs and structural length with Bridge Technologies, LLC in an attempt to bring the bid within budget. After negotiations, Bridge Technologies, LLC agreed to revise the interior dimensions to 18' high by 24' wide by 42' long for \$136,011.00. This is a cost savings of \$106,833.63.

Bids were evaluated by John Fachtel, Director of Public Works; Jim Starling, Engineering Associate III, Public Works; and Donna J. Harris, Procurement Officer. Staff recommended the bid be awarded to Bridge Technologies, LLC as the lowest responsive bidder. Total bid for the project based on estimated quantities is \$136,011.00.

**Motorola Replacement Batteries - Sheriff's Department** - The Sheriff's Department submitted a requisition to establish a blanket purchase order for the purchase of Motorola Replacement Batteries. Replacement batteries are needed each year. Each officer uses a minimum of two (2) batteries annually. These batteries are required for the operation of the 800 MHZ radios used by officers for communication and safety. The use of these radios increase efficiency in the performance of daily tasks, optimize communication with state and local law enforcement, and provide a tool to improve officer safety. The purchase of the batteries will be directly from the manufacturer (Motorola) through South Carolina State Contract #OIR2002.07. The requested purchase order in the amount of \$28,035.00 will be used for a period of one (1) year.

Mr. Davis opened the meeting for discussion.

Mr. Rucker asked Chief James to answer questions he had regarding the Motorola Upgrade of Radio Equipment, Wireless Phase II Equipment, and Motorola Minitor IV Pagers and Accessories.

Mr. Rucker asked Chief James to explain the purchase of the Motorola upgrade of radio equipment at the Cayce Public Safety Department for Public Safety/Communications.

Chief James stated the Motorola upgrade of radio equipment is being funded through the 9-1-1 tariff fund that is attached to all land line telephones. He stated as he understood the 9-1-1 tariff funds come into one account in the County. However, the funds for municipalities who have their own communications division pull from that fund when they have radio needs and this is one of the radio needs that Cayce needs at this point. He said the console in use now was purchased in 1984. He also advised Council that West Columbia is building a new complex and has requested funding for another radio which will be forthcoming.

Mr. Rucker asked how many municipalities are under this system.

Chief James replied Batesburg/Leesville and Cayce; West Columbia does their own dispatching.

Mr. Rucker stated for clarification that the County dispatches Batesburg/Leesville fire service but they dispatch their own law enforcement.

Mr. Rucker asked Chief James to explain the wireless phase II equipment purchase for Public Safety/Communications.

Chief James stated it is not a tower but a system within itself for the computer aided dispatch and the enhanced 9-1-1 system. He said currently on the enhanced 9-1-1 system if an individual would call 9-1-1 from a land line it would show their location since they are at a fixed location. Once the system is in place calls from cell phones will bounce off towers to allow us to know the location of the 9-1-1 caller.

Mr. Rucker asked Chief James if the purchase of Motorola Minitor IV pagers and accessories would be better than what is currently being used.

Chief James stated it is not the minitors that are bad right now, it is the towers. He said Council previously had approved approximately \$30,000 to enhance the current system and it was his understanding that the systems are getting better. He said he traveled to Batesburg/Leesville yesterday and the volume is low but the tones are going off. He said they are experiencing problems at Pine Grove as well and have since called Motorola who is working on the system. He said the minitors should be just as good, if not better, because they are a brand new phase but they are the same type of minitor. He said it has not been the minitors that have been the problem but the system and towers.

Mr. Rucker asked when the system is going to get better. He said he is receiving complaints about beepers not going off for fire service, etc.

Chief James stated Council is alluding to the \$32,000 requested to upgrade the towers. He said the upgrade was completed last Thursday but the tuning was not to the level it was supposed to be because we had some problems in the midlands of the County as well as Batesburg/Leesville. He said they are still telling us that this is suppose to work. The beauty of this entire thing is State Homeland Security money is suppose to simulcast the entire Motorola radio frequencies and make it all better but that is much further in the future.

Mr. Rucker said the reason for the questioning is because Fire Service and EMS worst nightmares are on the interstate and asked Chief James if it is up and running and it is supposed to be better.

Chief James said he is saying we could spend \$40 million and solve the problem. I am telling you this has been a problem prior to my coming on board with the County and I would love to fix it, but I'm also telling you that I am working as hard as I can to be able to rectify it. I don't know what else I can do, I really do not. I did ask for that \$32,000 just a couple of months ago. Thursday is when they were supposed to put the check mark beside it saying it would be better. We called them back on Monday and we told them it wasn't working right and we wanted it right. The minitors are supposed to be a better minitor but the only thing that is going to solve it is the 800 MHZ system and we can't put everybody on it right now; it would not be cost feasible for us to do such a thing.

Mr. Davis called for further discussion on the motion; none occurred.

In Favor:	Mr. Davis	Mr. Carrigg
	Mr Owens	Mr. Rucker
	Mr. Derrick	Mr. Wilkerson
	Mr. Keisler	Mr. Jeffcoat
	Mr. Cullum	

**Chairman's Report** - Mr. Davis announced the following events: Association of Counties meeting August 3 - 8, County Transportation Committee (CTC) workshop August 13 at 10:00 a.m. in the Frank McGuire Room at the Colonial Center, Tentative Oak Grove Magistrate's Office dedication August 29, and Hospital Board meeting October 1 - 3.

**Administrator's Report** - No report.

**Budget Amendment Resolutions** - The following BARs were distributed and signed:

A supplemental appropriation increase of \$2,294,539 to appropriate carryover funds for capital items for the campus plan construction and a supplemental appropriation increase of \$112,220 for interest earned on the carryover funds.

An appropriation transfer of \$408,000 from the bond proceeds contingency account for the renovations to all six (6) floors of the Administration Building. This does not include the alternate bid for the expansion of the Treasurer's office.

An appropriation transfer of \$68,059 from the bond proceeds contingency account for the renovations in the old courthouse basement for a records storage facility.

An appropriation transfer of \$1,766 to purchase a computer and monitor for the presentation system in the grand courtroom of the Judicial Center from donated funds from the Lexington County Bar Association and a supplemental appropriation increase of \$80 for interest earned on the donated funds.

An appropriation transfer of \$0.00 to appropriate funds to reorganize the Consolidated Communications Center by converting four telecommunicator positions to assistant shift supervisors (grade 9).

A supplemental appropriation increase of \$2,772 to appropriate the DHEC grant-in-aid award of \$376.04 for public education supplies and an additional \$2,243 received from the annual grant-in-aid award which was higher than was budgeted. The matching County funds of \$153 (5.5%) is being appropriated from fund balance.

A supplemental appropriation increase of \$710 for interest earned on federal funds that is considered program income and must be spent on grant eligible expenses. The grant terminates on August 19, 2004.

A supplemental appropriation of \$33,750 to appropriate the fees deposited by the Solicitor in the worthless check fund.

**Approval of Minutes - Meetings of June 15, June 21 (6:00 p.m. and 7:30 p.m.), and June 29, 2004 (6:00 p.m. and 6:15 p.m.)** - A motion was made by Mr. Jeffcoat, seconded by Mr. Rucker that the June 15, June 21, (6:00 p.m. and 7:30 p.m.), and June 29, 2004 (6:00 p.m. and 6:15 p.m.) minutes be approved as submitted.

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

In Favor:	Mr. Davis	Mr. Jeffcoat
	Mr. Rucker	Mr. Derrick
	Mr. Wilkerson	Mr. Keisler
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

**Approval of FY 2004-05 Budget Worksession Minutes - Meeting of June 14, 2004** - A motion was made by Mr. Rucker, seconded by Mr. Wilkerson that the FY 2004-05 budget worksession

minutes be approved as submitted.

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

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Wilkerson	Mr. Derrick
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

**Zoning Amendments - Zoning Map Amendment M04-03 - 234 St. Andrews Road - Announcement of 1<sup>st</sup> Reading** - Mr. Davis announced first reading of Zoning Map Amendment M04-03.

Mr. Carrigg brought it to Council’s attention that Zoning Map Amendment M04-03 is a rezoning of a house on St. Andrews Road that would be in direct contradiction of the covenants. He stated the covenant clearly states that it has to be a single-family dwelling and Zoning Map Amendment M04-03 is a request to rezone the property for commercial use.

**Ordinances - Isle of Pines Special Tax District - Eric Shytle and Margaret Pope, Attorneys - Haynsworth Sinkler Boyd, P.A. - (a) Ordinance 04-06 - An Ordinance to Establish and Create a Special Tax District Within Lexington County, South Carolina, to be Known as “Isle of Pines Special Tax District” - Not to Exceed \$400,000 - Eric Shytle and Margaret Pope, Attorneys - Haynsworth Sinkler Boyd, P.A. - 2<sup>nd</sup> Reading** - Mr. Jeffcoat made a motion, seconded by Mr. Cullum that Ordinance 04-02 be given second reading.

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

In Favor:	Mr. Davis	Mr. Jeffcoat
	Mr. Cullum	Mr. Rucker
	Mr. Derrick	Mr. Wilkerson
	Mr. Keisler	Mr. Carrigg
	Mr. Owens	

**(b) Adoption of Resolution Authorizing an Intergovernmental Service Agreement With the Town of Chapin to Operate the Isle of Pines Water and Sewer Systems** - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve the adoption of the resolution authorizing an intergovernmental service agreement with the Town of Chapin to operate the Isle of Pines water and sewer systems with recommended changes by the County attorney.

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

In Favor:	Mr. Davis	Mr. Jeffcoat
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Mr. Cullum	Mr. Rucker
Mr. Derrick	Mr. Wilkerson
Mr. Keisler	Mr. Carrigg
Mr. Owens	

**Executive Session/Legal Briefing** - A motion was made by Mr. Jeffcoat, seconded by Mr. Derrick to go into Executive Session to receive the legal briefing and to discuss contractual matters.

In Favor:	Mr. Davis	Mr. Jeffcoat
	Mr. Derrick	Mr. Rucker
	Mr. Wilkerson	Mr. Keisler
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

Mr. Davis reconvened the meeting in open session.

**6:00 P.M. - Public Hearings - Ordinance 04-02 - An Ordinance Approving the Conveyance of Real Estate From the County of Lexington to the Lexington County Recreation and Aging Commission** - This is an ordinance to convey forty and thirty-hundredths (40.30) acres more or less located on Buck Corley Road and Nazareth Road to the Lexington County Recreation and Aging Commission.

Mr. Davis opened the public hearing.

No comments, in favor or against, were received.

Mr. Davis closed the public hearing.

**Ordinance 04-06 - An Ordinance to Establish and Create a Special Tax District Within Lexington County, South Carolina, to be Known as "Isle of Pines Special Tax District" - Not to Exceed \$400,000** - This is an ordinance to create the "Isle of Pines Special Tax District" and authorizes the imposition of a special tax within the district.

Mr. Davis opened the public hearing.

No comments, in favor or against, were received.

Mr. Davis closed the public hearing.

**Old Business/New Business - Conditional Land Disturbance Permits - Public Works** - Mr. Derrick stated his committee met during the afternoon and discussed a proposed conditional permit to be used for new residential subdivisions. He stated the conditional permit would allow developers to start work on infrastructure after a professional engineer has submitted plans that meet County

standards but have not been fully reviewed by staff with the full understanding of the developer that any infrastructure that was installed incorrectly would have to be corrected at the owner/engineer cost.

Mr. Derrick made a motion, seconded by Mr. Jeffcoat to approve the conditional land disturbance permit.

Mr. Davis opened the meeting for discussion.

Mr. Jeffcoat stated he received a letter from one of the largest developers and read the following: "Anything I can do to help just let me know. All three engineers, registered with degrees that I am using applaud the concept of their signing off on projects plus being responsible."

Mr. Jeffcoat stated these people are made aware if they get down to the last inspection and it is not right it will be torn out at somebody's expense other than the County's.

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Jeffcoat	Mr. Rucker
	Mr. Wilkerson	Mr. Keisler
	Mr. Carrigg	Mr. Owens
	Mr Cullum	

**Pelion Corporate Airport - Funds - Terminal Repairs** - Mr. Rucker asked Ms. Coghill if funds for the terminal repairs for the Pelion Corporate Airport needed to be active and ready once the County obtains ownership.

Ms. Coghill stated she understood Finance is preparing a budget amendment for Council's approval at the August 24 meeting. She said if approval could be made then repairs could begin since the terminal repairs would be done internally with payment postponed at such time the budget amendment has been approved but would defer to Mr. Porth, Finance Director. She said we could take possession in the next couple of weeks and the repairs need to be done shortly thereafter but would not see it impeding the process.

Mr. Rucker asked Mr. Porth if the budget amendment would be presented at the August 24 meeting.

Mr. Porth indicated it would be.

**Deputy Auditor - Auditor's Office** - Mr. Rucker made a motion, seconded by Mr. Cullum to freeze funding for the vacant Deputy Auditor position.

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

In Favor:	Mr. Davis	Mr. Rucker
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Mr. Cullum	Mr. Derrick
Mr. Wilkerson	Mr. Keisler
Mr. Jeffcoat	Mr. Carrigg
Mr. Owens	

**Legislative Delegation** - Mr. Carrigg made a motion, seconded by Mr. Keisler to approve a budget transfer of \$3,000 from the Economic Development Unclassified account to the Legislative Delegation to be used at their discretion.

Mr. Davis opened the meeting for discussion.

Mr. Derrick asked how the \$3,000 would be used for economic development.

Mr. Carrigg stated the motion is for the funds to be used at their discretion.

Mr. Rucker stated he understood this request came from the Chairman of the Legislative Delegation and asked if this was correct.

Mr. Carrigg replied, it is my understanding.

In Favor:	Mr. Carrigg	Mr. Keisler
	Mr. Rucker	Mr. Jeffcoat
	Mr. Owens	Mr. Cullum

Opposed:	Mr. Davis	Mr. Derrick
	Mr. Wilkerson	

**Flooding - Lisa Lynch** - Mr. Jeffcoat recognized Ms. Lisa Lynch (who has had serious flooding in and through her house) who brought pictures depicting the latest storm and asked Ms. Lynch to leave the pictures for Council's review. Mr. Jeffcoat thanked Ms. Lynch for her patience and said hopefully the County will have a solution real soon.

**Executive Session/Legal Briefing** - A motion was made by Mr. Owens, seconded by Mr. Carrigg to go into Executive Session to receive the legal briefing and to discuss contractual matters.

Mr. Carrigg left early due to a prior commitment.

Mr. Davis reconvened the meeting in open session.

**Matters Requiring a Vote as a Result of Executive Session** - Chairman Davis reported Council discussed a legal issue during the Executive Session and indicated one motion was to be considered.

**Solid Waste Management - C&D Landfills**- A motion was made by Mr. Derrick, seconded by Mr.

Rucker to amend the Solid Waste Management Plan to preclude any replacement of C&D landfills in the County.

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

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Rucker	Mr. Wilkerson
	Mr. Keisler	Mr. Jeffcoat
	Mr. Owens	Mr. Cullum

There being no further business, the meeting was adjourned.

Respectfully submitted,

Dorothy K. Black  
Clerk

George H. Smokey Davis  
Chairman

Diana W. Burnett  
Assistant Clerk to Council