

M I N U T E S
LEXINGTON COUNTY COUNCIL
AUGUST 28, 2007

Lexington County Council held its regular meeting on Tuesday, August 28, 2007 in Council Chambers, beginning at 4:30 p.m. Mr. Derrick presided.

Reverend Ralph Stilwell of Grace Lutheran Church gave the invocation.

Ms. Casey Attaway, senior class president of Gilbert High School, led the Pledge of Allegiance.

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

Not Present:	George H. Smokey Davis	William B. Banning, Sr.
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Messrs. Davis and Banning were out-of-town on personal business.

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 two students from Lexington High School attending as part of their government class.

Employee Recognition – Katherine Hubbard, County Administrator – Employee of the Quarter- Nominees for the Second Quarter – Kristen Busbee, Public Safety/Communications; Diane Hampton and Linda Mack, Register of Deeds Office; and Deputy Glenn Davis and Sgt. Lee Marshall, Sheriff's Department.

Ms. Hubbard presented a plaque to Deputy Glenn Davis as the Employee of the Second Quarter and Certificates of Excellence were presented to Ms. Busbee, Ms. Hampton, Ms. Mack, and Sgt. Marshall.

Sonoco Recycling - Schools Recognized for Recycling - Ms. Jane Hiller, Environmental Education Director for Sonoco Recycling said Lexington School District Two and Five have mandated recycling in their schools because they wanted to reduce waste and conserve natural resources and save money for education. Both districts have documented \$15,000 - \$20,000 a year savings on their garbage bill by recycling.

Ms. Hiller recognized and presented certificates to the following top schools in each category for their recycling: **Cardboard Recycling:** Elementary - Oak Pointe Elementary School; Middle School – Crossroads Middle School; and High School - Dutch Fork High School.

Roll Cart Recycling: Elementary - Claude A. Taylor Elementary School; Middle School - Irmo Middle School; and High School - Airport High School. In addition, these three schools were the overall winners

in the district.

Top Effort for Energy Reduction (Crushing Bottles and Cans): Elementary - H.E. Corley Elementary School and Middle School - Pine Ridge Middle School.

SC Recreation and Parks Association - M. Todd Cullum - Chairman Derrick reported Mr. Cullum will be leaving early during the meeting to attend the SC Recreation and Parks Association banquet as he is being recognized for his support of recreation activities throughout the state.

Marc H. Westbrook Judicial Center Personnel - Mr. John A. McAllister, Jr., Accredited Land Consultant and currently 2007 President of the Realtors Land Institute, had nothing but praise for the courthouse personnel. He said of the many courthouses he has visited, he was impressed with their quality of work, attention to detail, customer focus, and friendliness.

Appointments - Library Board - Ms. Mary Kerr - A motion was made by Ms. Summers, seconded by Mr. Cullum to reappoint Ms. Mary Kerr to the Library Board.

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

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

Building Code Board of Appeals - Mr. Ashton B. Shuler - Ms. Summers made a motion, seconded by Mr. Cullum to reappoint Mr. Ashton Shuler to the Building Code Board of Appeals. Mr. Shuler represents the Plumbing sector.

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

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

Building Code Board of Appeals - Mr. Richard C. Key - A motion was made by Ms. Summers, seconded by Mr. Jeffcoat to reappoint Mr. Richard Key as the at-large member for the Building Code Board of Appeals.

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

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

Planning Commission - Mr. Andrew D. "Andy" White - Mr. Cullum, on behalf of Mr. Davis, made a motion, seconded by Mr. Jeffcoat to appoint Mr. Andy White to the Planning Commission. Mr. White replaces Mr. Earl E. McLeod.

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

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

Library Board - Mr. David Fellows - Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to reappoint Mr. Fellows to the Library Board.

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

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

Building Code Board of Appeals - Mr. Ernie Magaro, Jr. - Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to reappoint Mr. Ernie Magaro, Jr. to the Building Codes Board of Appeals. Mr. Magaro represents the Building Industry sector.

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

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

Cultural Council of Richland and Lexington Counties - Ms. Debbie Summers - Mr. Kinard made a motion, seconded by Mr. Cullum to appoint Ms. Debbie Summers to the Cultural Council of Richland and Lexington Counties. Ms. Summers replaces Mr. John Carrigg, Jr.

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

In Favor:	Mr. Derrick	Mr. Kinard
	Mr. Cullum	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg

Abstaining: Ms. Summers

Resolution - EPA Resolution - Ozone Standards - A motion was made by Mr. Cullum, seconded by Ms. Summers to approve the adoption of the resolution.

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

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

Employee Recognition - Ms. Katherine Hubbard, County Administrator - Ms. Hubbard recognized Mr. Charles Hutchinson, Co-op Programmer/Analyst in Information Services and Mr. Bob Lewis, Engineering Associate I with Public Works/Stormwater Management.

Ms. Hubbard said she received a nice letter from the Honorable Debbie Gunter, Registrar for Lexington County, commending Mr. Hutchinson for his work on designing a software program that would integrate with the current ROD system to convert scanned images to microfilm.

Mr. Lewis was recognized for his prompt service to a citizen. A citizen wrote saying how much he appreciated Mr. Lewis' quick response to a concern he had with stormwater runoff affecting his property by a developer. He said because of Mr. Lewis' promptness and thoroughness the problem was resolved.

Bids/Purchases/RFPs - A motion was made by Mr. Jeffcoat, seconded by Mr. Keisler that the following Bids/Purchases/RFPs (Tabs U through 11) be approved.

Fleet Vehicle Replacement/Addition - Fleet Services - Requisitions were submitted for the purchase of two (2) 2008 Ford F-250 ¾ ton 2-WD service trucks with body for Fleet Services. Staff recommended the purchase of both vehicles from Vic Bailey Ford through State Contract Number 07-S7328-A12800. Total cost include tax is \$48,922.

Fleet Vehicle Replacement - Public Safety/EMS - Staff recommended the purchase of one (1) new 2008 Ford F-250 ¾ ton 4-WD extended cab pickup for Public Safety/EMS from Dick Smith Ford through State Contract Number 07-S7328-A12758. The vehicle will require the installation of emergency equipment which will be purchased from West Chatham Warning Devices (\$1,245.48) through County Contract Number C05011-02/09/05B. The camper top and bed liner will be purchased from Hudson Brothers (\$1,137.91). Total cost including accessories and tax is \$24,894.39.

Fleet Vehicle Additions/Replacements - Sheriff's Department - Staff recommended the purchase of twenty-four (24) fleet vehicles additions/replacements for the Sheriff's Department through the appropriate State contract. The vehicles will require emergency equipment and installation. The emergency equipment will be purchased from Palmetto Distributors through State Contract Number 05-S6656-A1104 and the installation will be provided by Light-N-Up through County Contract Number C05011-02/09/05B. Total cost including emergency equipment, installation, and tax is \$547,717.67.

Fuelmaster Site Upgrades, Nozzle Chips & Vehicle Modules - Fleet Services & Motor Pool - A requisition was submitted for the purchase of fuelmaster site upgrades, nozzle chips, and vehicle modules for Fleet Services and Motor Pool. The project will consist of upgrading eight (8) of the eleven (11) original fuelmaster sites located around the County and installing twenty-six (26) vehicle modules on County motor pool vehicles. The vehicle modules will eliminate the need for manual data entry when refueling and provide accurate data that will be transferred into the County's fuelmaster system. Total cost including tax for the upgrades and vehicle modules is \$27,555.97.

Tractor with Slope Mower - Public Works - Public Works submitted a requisition for one (1) tractor with slope mower to replace a 1987 Ferguson tractor. Staff recommended the purchase from Blanchard Machinery through State Contract Number 05-S6476-A10098. Cost including tax is \$81,855.

Two (2) New Dump Trucks and Two (2) New Pickup Trucks - Fleet Vehicle Replacements - Public Works - Competitive bids were solicited and advertised for two (2) new dump trucks and two (2) new pickup trucks for Public Works. Eight (8) bids and one (1) no bid were received. Staff recommended to make multiple awards to the following low bidders: Columbia Freightliner - \$88,035; Burns Automotive - \$56,445; and Keeter Motor - \$64,204. Total cost including tax is \$208,684.

Dell Laptops Replacements/Addition - Various Departments - Information Services - Staff

recommended the purchase of five (5) Dell laptops for various departments from the manufacturer, Dell, through State Contract Number 05-S6656-A11104. Two of the five laptops include docking stations. Total cost including tax is \$7,722.58.

Secure Socket Layer Virtual Private Network Appliance - Information Services - Staff recommended the purchase of one (1) secure socket layer (SSL) virtual private network (VPN) appliance for Information Services from the manufacturer (Dell) through State Contract Number 05-S6656-A11104.

The appliance will provide an additional 50 concurrent connections for additional secure remote access to County network resources, support a variety of e-business operations for County departments, and secure connections by Information Services' employees and third-party contractors for maintenance from remote locations. Total cost including tax is \$14,356.17.

Computer Reservation System, Licenses, Installation, and Training - Sole Source - Library Services

- Staff recommended the purchase of a computer reservation system including licenses, installation, and training for Library Services through the sole source provider, Interface Electronics, as it must integrate into the existing Print Management System. The system will enable the public to reserve public computers at the largest branches and coordinate time management for each usage, which is currently done manually. Total cost including tax is \$12,050.70.

Microsoft Volume Licenses - Library Services - Staff recommended the purchase of fifty-five (55) Microsoft Office Professional Volume licenses for Library Services from Software House International through State Contract Number 01-S4072-A7243. This purchase will allow uniform software throughout the library system. Total cost including tax is \$18,076.07.

Personal Computers and Monitors - Library Services - Staff recommended the purchase of forty-four (44) personal computers and monitors for Library Services directly from the manufacturer (Dell) through State Contract Number 05-S6656-A11104. The computers and monitors will be used in two new facilities being constructed this fiscal year, as well as replacing a number of older machines throughout the library system. Total cost including tax is \$34,639.11.

Panasonic Laptops and Accessories - Sheriff's Department - Staff recommended the purchase of three (3) Panasonic laptops and accessories for the Sheriff's Department from Howard Computers through State Contract Number 05-S6656-A11320. The laptops will be used to capture incident data for the field reporting system and to retrieve data pertinent to the incident at hand. Total cost including tax is \$10,092.24.

Dell Image Data Storage Server - Solicitor's Office - Staff recommended the purchase of one (1) Dell image data storage server for the Solicitor's Office from the manufacturer (Dell) through State Contract Number 05-S6656-A11104. The server is necessary to handle the increased power needed to meet the imaging requirements within the new case management software system. Total cost including tax is \$5,661.16.

Medical Supplies - Term Contract - Public Safety/EMS - Competitive bids were solicited and advertised for a term contract for medical supplies for Public Safety/EMS.

Ten (10) bids and two (2) no bids were received. Staff recommended multiple awards to the following

lowest bidders meeting specifications, except where noted and explained in an evaluation report prepared by Eric Kehl, EMS Logistics Manager: Jefferson Medical - \$1,128.85; PMI Supply - \$1,155.28; Tri-Anim Health Services - \$17,481.92; Henry Schein - \$46,068.51; Kentron Health Care - \$2,656.38; Moore Medical - \$20,762.69; and Southeastern Emergency Medical - \$33,787.95. The estimated annual value including tax is \$123,041.58. The term of the contract shall be for a period of one (1) year with the option to extend the contracts for four (4) additional one year periods, if deemed to be in the best interest of the County.

Motorola Portable VHF Monitor/Receivers - Public Safety/Fire Service - Staff recommended the purchase of twenty-two (22) Motorola portable VHF monitor/receivers for Public Safety/Fire Service from the manufacturer (Motorola) through State Contract Number OIR2002.07. The monitors are utilized to alert personnel of an emergency call. Many of the existing units are approaching 20 years old and are in need of being replaced. Additional monitors are required in order to meet an increase in personnel, as well as replace monitors that are lost, stolen, damaged, or no longer serviceable. Total cost for the monitor/receivers including tax is \$11,496.94.

Thermal Imaging Cameras - Sole Source - Public Safety/Fire Service - Staff recommended the purchase of two (2) Thermal imaging cameras for Public Safety/Fire Service through the sole source provider, Wally's Fire and Safety, who is the authorized distributor for Bullard Imaging Cameras. The County has standardized with Bullard Imaging Cameras for compatibility with existing units for servicing, parts, and training. Total cost including tax is \$19,260.

Request for Approval to Utilize Competitive Sealed Proposal Process for Jail Health Care Contract - Sheriff's Department - Staff requested authorization to use the Request for Proposals (RFP) process in order to seek competitive proposals from potential qualified bidders to provide health care services for the Lexington County Detention Center. The current contract for health care service provided by Prison Health Services, Inc. expires September 30, 2007. Due to the scope of the project, it is not practical or advantageous to write a comprehensive set of specifications that may limit resources or restrict competition. In selecting a contractor other criteria in addition to cost will be considered. A review panel will be responsible for reviewing and evaluating proposals based upon specific evaluation factors.

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

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

Chairman's Report - No report.

Administrator's Report - United Way Campaign - Ms. Hubbard reported the United Way campaign begins Wednesday, August 29.

Labor Day - Ms. Hubbard reported the County offices will be closed Monday, September 3 in observance of Labor Day.

Approval of Minutes - Meeting of June 26, 2007 - A motion was made by Mr. Cullum, seconded by Mr. Kinard to approve the June 26, 2007 minutes as submitted.

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

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

Zoning Amendment - Zoning Map Amendment M07-08 - 1731 Bush River Rd., Columbia - Announcement of 1st Reading - Mr. Derrick announced first reading of Zoning Map Amendment M07-08.

Committee Reports - Planning & Administration, J. Jeffcoat, Chairman - Zoning Map Amendment M07-06 - 1629 Lake Murray Blvd., Columbia - 2nd Reading - Mr. Jeffcoat reported his Committee met during the afternoon to discuss and consider second reading of Zoning Map Amendment M07-06 and recommended that Council approve second reading.

Mr. Jeffcoat made a motion, seconded by Mr. Cullum that Zoning Map Amendment M07-06 receive second reading.

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

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

Zoning Map Amendment M07-07 - Both Sides of Rhett Road, Columbia - 2nd Reading - Mr. Jeffcoat reported that Zoning Map Amendment M07-07 was withdrawn; therefore, no action was needed.

Justice, B. Banning, Chairman - School Resource Officers (Tentative) - Vice-Chairman Kinard reported the Justice Committee met during the afternoon to consider a request from Dr. Lee Bollman, Chief Instruction Services Officer for Lexington/Richland School District 5, for two additional resources officers; one for the Chapin Alternative Academy and one for Irmo High School. This is funded by a 50/50 percent partnership between School District 5 and the Sheriff's Department.

Mr. Kinard made a motion, seconded by Mr. Jeffcoat to approve, pending verification of funding, two additional school resource officers for Lexington/Richland School District 5.

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

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

Health & Human Services, J. Carrigg, Jr. Chairman - Ordinance 07-10 - An Ordinance to Determine the Number of Pets Located in Lexington County and Supplemental Appropriation for Project Pet - Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to table Ordinance 07-10 - An Ordinance to Determine the Number of Pets Located in Lexington County and the Supplemental Appropriation for Project Pet in order for Council to find out from Richland County where they stood on this issue as it was a collaborated effort.

In Favor: Mr. Carrigg Mr. Jeffcoat
 Ms. Summers

Opposed: Mr. Derrick Mr. Keisler
 Mr. Cullum

Abstained: Mr. Kinard *

Motion Fails.

Mr. Kinard abstained as Project Pet has a business relationship with his bank branch.

Ordinance 07-10 - An Ordinance to Determine the Number of Pets Located in Lexington County - Mr. Carrigg reported that the Health & Human Services Committee met on Tuesday, July 24, 2007, to discuss proposed Ordinance 07-10 - An Ordinance to Determine the Number of Pets Located in Lexington County.

The proposed ordinance would require that all pet veterinarians who have a place of business within the County to provide the Lexington County Animal Services Department within 30 days of the effective date of the ordinance with the following information: A) name, sex, breed, age, weight, color, and whether the pet has been spayed or neutered and whether the pet has had a rabies shot; and B) name, address and telephone number of owner. In addition, the veterinarians will be required to submit the above information of additional pets treated on a monthly basis. The proposed ordinance will affect the unincorporated areas of the county and any incorporated area that is under the jurisdiction of the Lexington County Animal Control Ordinance.

The Committee voted unanimously to recommend that full Council proceed with first reading of Ordinance 07-10 - An Ordinance to Determine the Number of Pets Located in Lexington County at the August 28 Council meeting.

Appointment of Animal Control Officer - Mr. Carrigg reported during the afternoon meeting, the committee met to consider a request from Mr. Joe Mergo, Director of Animal Services, to appoint Mr. Brad Rogers as a Lexington County Code Enforcement Officer.

Mr. Carrigg made a motion, seconded by Mr. Keisler to appoint Mr. Brad Rogers as a Lexington County Code Enforcement Officer.

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

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

Supplemental Appropriation for Project Pet - Mr. Carrigg reported that the Health & Human Services Committee met on Tuesday, July 24, 2007, to discuss animal identification procedures and during discussions, the Committee discussed a \$1.5 million supplemental appropriation for Project Pet.

Project Pet is a private, non-profit organization dedicated to end killing of adoptable animals in local shelters and has indicated they would be able to take the County's animal shelter's cats and dog and save the County money. They have requested a proposed private/public partnership between Project Pet, Richland County and Lexington County for a 25,400 square foot regional Adoption and

Outreach/Spay/Neuter Center. Project Pet has previously secured seven acres of land from Lexington County on Bower Parkway to construct this regional facility.

The Committee directed staff to secure documentation to contract this plan with Project Pet and obtain funding sources.

The Committee voted to recommend that full Council move forward with a \$1.5 million supplemental appropriation to enter into a private/public partnership with Richland County, Lexington County and Project Pet.

FEMA/Assistance to Firefighters SAFER Grant Application - Mr. Carrigg reported during the afternoon meeting, his Committee met to consider a FEMA/Assistance to Firefighters SAFER (Staffing for Adequate Fire and Emergency Response) grant application. The grant in the amount of \$300,000 is to assist fire departments in increasing their staff and deployment capabilities in an effort to more adequately respond to emergencies. The grant is 100 percent federally funded.

Mr. Carrigg made a motion, seconded by Mr. Keisler to approve staff's request to move forward with the grant application.

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

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

Public Works, D. Summers, Chairman - Land Development Guidelines Update - Ms. Summers reported that the Committee met during the afternoon to discuss and review changes of the proposed Land Development Guidelines following the July 24 meeting. She said the guidelines are needed to be in place by September 1, 2007.

Ms. Summers made a motion, seconded by Mr. Cullum to approve only Chapters 1,2,3 and 5 of the Land Development Guidelines.

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

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

SCDOT SMP '08 Bid - Ms. Summers reported the Public Works Committee met during the afternoon to consider the SCDOT SMP (State Match Program) for 2007-2008. This is for roads 21 through 39 that were approved on March 27, 2007 for resurfacing. Total cost for the project is \$749,915.52, including a 5 percent contingency. The County's portion of 50 percent is \$374,957.76 payable in three installments of \$124,985.92.

Ms. Summers made a motion, seconded by Mr. Cullum to accept the SCDOT SMP '08 bid (C.R. Jackson, Inc.) and authorized the payment in three installments of \$124,985.92.

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

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

Stormwater Fees - Motorsport Complex - Ms. Summers reported her Committee met to discuss assessed stormwater fees for a proposed motorsport complex that the developer feels is too high. The developer plans to construct a driving course for go-carts, ATV's and motocross using various techniques including Low Impact Development on approximately 200 acres, which about 85 acres will be disturbed and the remaining will be left natural.

Ms. Summers made a motion, seconded by Mr. Cullum to accept staff's recommendation on the negotiated fee structure with a minimum of not less than \$10,000.

Mr. Derrick opened the meeting for discussion.

Ms. Hubbard noted that staff will bring back to Council the formula of how the negotiated fee was set.

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

Turning Lanes - Sandhills Collection Station - Ms. Summers reported during the afternoon, the Committee met to consider a request from SCDOT to the Public Works Department asking for their assistance in constructing turn lanes at the Sandhills collection station. SCDOT has agreed to reimburse the County the estimated \$15,000 for materials for the project and will assist with the necessary traffic control devices.

Ms. Summers made a motion, seconded by Mr. Kinard to allow the Public Works Department to construct the turn lanes with reimbursement of approximately \$15,000 for the materials from SCDOT.

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

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

DHEC - Lexington County Comments to Public Notice #SCR036304 - Ms. Summers reported as an item of new business, the Committee was asked by staff to review and take action on the Lexington County Comments to Public Notice #SCR036304 to be submitted DHEC for the County's Stormwater permit that goes into affect September 1.

Ms. Summers made a motion, seconded by Mr. Jeffcoat to approve staff's recommended Lexington County Comments to Public Notice #SCR036304.

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

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

Mr. Cullum

Ordinances - Ordinance 07-03 - An Ordinance Amending the Animal Control Ordinance - 2nd

Reading - Mr. Kinard made a motion, seconded by Ms. Summers that Ordinance 07-03 be given second reading.

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

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

Ordinance 07-07 - An Ordinance Authorizing the Execution and Delivery of a Fee in Lieu of Tax and Incentive Agreement Between Lexington County and Otis Spunkmeyer, Inc - 3rd and Final

Reading - Mr. Jeffcoat made a motion, seconded by Mr. Cullum that Ordinance 07-07 receive third and final reading.

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

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

Abstained: Mr. Derrick *

*Mr. Derrick abstained as his company, Derrick Plumbing, Inc., is a subcontractor on the plant addition.

Ordinance 07-09 - An Ordinance Amending Ordinance No. 05-15 (Ordinance Governing False Fire Alarms) - 2nd Reading - Mr. Cullum made a motion, seconded by Mr. Keisler that Ordinance 07-09 be given second reading.

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

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

Ordinance 07-10 - An Ordinance to Determine the Number of Pets Located in Lexington County - 1st Reading - Ms. Summers made a motion, seconded by Mr. Carrigg that Ordinance 07-10 receive first reading.

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

In Favor:	Ms. Summers	Mr. Carrigg
	Mr. Kinard	Mr. Keisler
	Mr. Jeffcoat	

Opposed:	Mr. Derrick	Mr. Cullum
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Ordinance 07-11 - An Ordinance Adopting a Supplemental Appropriation for Fiscal Year 2007-2008 - 1st Reading - No motion was made. First reading dies from lack of support.

Ordinance 07-12 - An Ordinance Approving the Conveyance of Real Estate from the County of Lexington to Peggy Williamson - 2nd Reading - Mr. Kinard made a motion, seconded by Mr. Keisler that Ordinance 07-12 be given second reading.

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

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

Ordinance 07-11 - An Ordinance Adopting a Supplemental Appropriation for Fiscal Year 2007-2008 - 1st Reading - Mr. Jeffcoat asked for an explanation of the supplemental appropriation.

Ms. Hubbard replied she understood Council was looking for a supplemental appropriation of \$1.5 million to help control the pet population.

Mr. Cullum replied, this is a supplemental appropriation for Project Pet. Is that right?

Ms. Hubbard replied, this would be an appropriation for controlling the pet population. The details of how that program will be implemented would then be a later discussion. It is simply an appropriation of the funds in order to control the pet population; be specifically for that purpose.

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

08-001 - A supplemental appropriation increase in the amount of \$1,144,023 to appropriate carryover funds for federal grants.

- 2400 Urban Entitlement Comm Development
- 2414 Bulletproof Vest Program
- 2416 11th Circuit LE Network
- 2472 Landscape & Scenic Beautification
- 2477 Supplemental Homeland Security Grt
- 2479 SCDOT Rise Program
- 2492 Justice Assistance Grant
- 2493 FY06 Justice Assistance Grant

08-002 - A supplemental appropriation increase in the amount of \$4,948,347 to appropriate carryover funds for special revenue funds for County Council.

- 2000 Economic Development
- 2001 Rural Development Act
- 2140 Temp Alcohol Beverage License Fee

08-004 - A supplemental appropriation increase in the amount of \$4,186,940 to appropriate carryover funds for special revenue funds.

- 2411 Le/Title IV-D Process Server
- 2605 Emergency Telephone System E-911
- 2606 PS/SCE&G Support Fund
- 2613 Solicitors Worthless Check Unit
- 2632 LE/Inmate Services

2633 LE/School District #1
2634 LE/School District #2
2950 Treasurer/Delinquent Tax Collections
2990 Finance/Grants Administration
2999 Pass-Thru-Grants

08-005 - A supplemental appropriation increase in the amount of \$7,703,742 to appropriate carryover funds of capital and operating items. County Ordinary - \$4,355,503; Fire Service - \$2,871,564; and Law Enforcement - \$476,675.

08-008 - A supplemental appropriation increase in the amount of \$587,708 to carryover funds for Library Services.

08-009 - A supplemental appropriation increase in the amount of \$5,211,653 to carryover funds for capital items in Schedule "C" Funds.

08-011 - A supplemental appropriation increase in the amount of \$737,319 to carryover funds for capital items for Solid Waste Management.

08-015 - A supplemental appropriation increase in the amount of \$49,870 to appropriate carryover funds for capital items and a supplemental appropriation increase in the amount of \$26,010 to appropriate interest earned on EMS HealthCare Delivery Systems.

08-016 - A supplemental appropriation increase in the amount of \$135,839 to appropriate carryover funds for capital items and a supplemental appropriation increase in the amount of \$8,320 to appropriate interest earned for the CAMA & ROD Systems Development.

08-017 - A supplemental appropriation increase in the amount of \$1,550 to carryover funds for capital items and a supplemental appropriation increase in the amount of \$63 to appropriate interest earned for the Lexington Bar Association.

08-018 - A supplemental appropriation increase in the amount of \$1,804,977 to appropriate carryover funds for capital items for the Lexington County Airport at Pelion.

08-019 - A supplemental appropriation increase in the amount of \$6,858,196 to appropriate carryover funds for capital items and a supplemental appropriation increase in the amount of \$359,688 to appropriate interest earned on the DSS & Fire Service station construction fund.

08-020 - A supplemental appropriation increase in the amount of \$4,972,414 to appropriate carryover funds for capital items for the Saxe Gotha Industrial Park.

08-033 - A supplemental appropriation increase in the amount of \$2,500 to appropriate the grant funds received from State Farm toward the County's Fire Prevention program.

08-034 - A supplemental appropriation transfer in the amount of \$4,022,000 to appropriate money to purchase the old Winn-Dixie on Hwy. 6 for a DSS/Health Department building.

08-035 - A supplemental appropriation increase in the amount of \$200,000 from SCANA Corporation to be used for eligible public infrastructure for the County owned Saxe Gotha Industrial Park.

08-036 - A supplemental appropriation increase in the amount of \$33,615 to appropriate the FY06 State Criminal Alien Assistance program award.

08-037 - A supplemental transfer in the amount of \$100,000 out of Library Services contingency into its library materials account (Fund 2300).

08-038 - A supplemental appropriation increase in the amount of \$1,021,000 for Jail Operations. The US Marshal Service has updated the County's contract for housing federal prisoners. The contract increases per diem charges from \$35.76 to \$55 and increased officer hour pay from \$19.85 to \$21.

Executive Session/Legal Briefing - Mr. Derrick stated Executive Session will consist of one (2) personnel matters, one (1) contractual matter, five (5) property contractual matters, and one (1) legal briefing on pending legal matters.

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

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

Not Present: Mr. Cullum *

*Mr. Cullum left early to attend a special recognition function out-of-town.

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 - Impact Fees - Corley Mill Fire Station - Mr. Derrick opened the public hearing and recognized Mr. Charlie Compton, Director of Planning & GIS.

Mr. Compton said Council had asked that staff review impact fees for the new Corley Mill Fire Station and presented a Power Point of the material that was included in the agenda packet.

Mr. Compton pointed out that the service area for the Corley Mill Fire Station involves land that has been annexed by the Town of Lexington and West Columbia and would require an impact fee ordinance to be adopted and implemented by both towns to cover the entire project. He said the public hearing is not a hearing on an ordinance but merely to receive comments from the public.

Mr. Jeffcoat asked what would be the administration cost to collect the \$30,000 per year.

Mr. Compton replied, if you are going to do impact fees, it seems you need to go into it countywide with a lot of large projects because there are a lot of costs up front and it would take a few years before you start to see any gain.

Mr. Derrick asked, how much would a typical permit fee be for a dwelling?

Mr. Compton replied on a recent study that was conducted for the whole southeastern, the cost for a 2,000 sq. ft. dwelling is approximately \$483.

Mr. Derrick noted that no one had signed up to speak in opposition of impact fees and closed that portion of the hearing.

Mr. Derrick opened the meeting for comments from those in favor of impact fees.

In Favor:

Mr. Andy White - 631 Brandon Court, Lexington, SC 29072 - I did a Google search and went to the library and looked around, and I have to tell you that I've never been prouder to be a South Carolinian than I am right now because, I believe that I represent the development and building industry, I am in favor of impact fees and I'm not sure that the government officials that I'm dealing with are in favor of them or not. So, it is a tax we are asking for.

I was involved in the creation of this law back in 1998 and 1999. Earl McLeod and I, who I am now replacing on the Planning Commission, basically drafted this law. But the notion was that there are communities in our state with the kind of growth challenges that Lexington has that would benefit from this sort of law. A lot of folks, including Mr. Compton, initially thought that we had devised this law specifically to keep impact fees from happening. That's not the case.

When you have a high growth area like Lexington County, rural and in the town, this is a very good way to provide for the initial fiscal impacts of growth. I'm not going to get into a debate whether or not growth pays for itself, but I think we would all agree that it does and I'm certainly a major proponent of growth. We do have to recognize that there are initial fiscal impacts and, as a way to help offset that, this impact fee bill was put into place with these restrictions and these conditions. I have to tell you further that I'm a partner in a 570 unit community two miles away from this proposed fire station, and I believe that all 570 lots in my neighborhood would be subject to this impact fee if you were to decide to impose one. So, \$210 to have a fire station close by, good fire protection in your neighborhood, is a cheap price. That's a bargain to have effective fire service. And one of the questions Mr. Jeffcoat asked is, can we really administer this thing? Well, we need a bigger service area, but we can't do a bigger service area. We have to do a series of defined service areas. But if we have those defined service areas, we already know how to do the impact fee, we can do it for those areas as well. It has to be a define service area under that 1999 law. It cannot be just blanket, here is the whole deal; he is the whole county. It's got to be specific areas where there is a growth generated need. That's kind the way you've got to look at this thing.

So, this bill was designed and written and passed specifically to help counties in exactly the shape that Lexington County is in today; in this location. This is it. If you are ever going to do it, this is the time to do it. Do we need a bunch of impact fees? I'm not advocating for that; I'm just saying this is the right time and the right way to use this law. I don't think with all respect to Mr. Compton, I don't think we need an abacus and slide rule to figure this thing out. The math has already been done. Let's take the math and apply it and when we go to pick up the building permits, let's pay the \$210. I don't think it would be that difficult to get that programmed in. That experience on my part comes from a few months in Phoenix back in the early '90s. That is a high growth area. And every time we went to pick up a building permit there, there was a couple of dollars for a ball field, a few dollars for a pumper truck, \$10 for a library, it might be eight or ten items that add up to \$200 to \$300. But, it was a way they were funding the growth in that very high growth area. I don't think we are that far away from being a high growth area.

Mr. Derrick stated no one else had signed to speak in favor and closed the public hearing.

Executive Session/Legal Briefing - A motion was made by Ms. Summers, seconded by Mr. Kinard that Council resume Executive Session to continue discussing contractual and personnel matters and receiving the legal briefing.

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

Matters Requiring a Vote as a Result of Executive Session - Mr. Derrick reported Council received the legal briefing, discussed personnel matters during the Executive Session and indicated there were no motions to be considered.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William C. Derrick
Chairman