

M I N U T E S
LEXINGTON COUNTY COUNCIL
OCTOBER 09, 2007

Lexington County Council held its regular meeting on Tuesday, October 09, 2007 in Council Chambers, beginning at 4:30 p.m. Mr. Derrick presided. Mr. Kinard gave the Invocation.

Mr. Robert L. Craft, senior and student body president at Lexington High School, led the Pledge of Allegiance.

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

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

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

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

Employee Recognition - Katherine Hubbard, County Administrator - Ms. Hubbard recognized Holly Bowers, PC/LAN Specialist II with Information Services, for successfully completing two of the four required classes to complete her Microsoft Certified Systems Administrator (MCSA) certification; Microsoft Certified Professional (MCP) curriculum and the Network+ certification.

Resolutions - Renaming of the Lexington County Law Enforcement Complex to the Lexington County James R. Metts Law Enforcement Complex - A motion was made by Mr. Jeffcoat, seconded by Mr. Carrigg to approve the adoption of the resolution.

Mr. Derrick opened the meeting for discussion.

Mr. Davis stated, "let there be no doubt of my admiration for Sheriff Metts. Please, I hope everyone understands that but without a policy in place at this time, I choose to abstain."

Mr. Cullum stated, "I have much admiration for the Sheriff; appreciate the work that he has done in the past and has given us all an example and goal to lead by in his political service to the people of this county. However, this is an honor, I think an honor that caps a life-time or either a career of achievement, and I think that's exactly what it should be when that time comes. Not just the sheriff and any elected official, myself included, or anyone else otherwise that is a current sitting office holder. I struggle with that greatly. I struggle in bestowing this sort of honor, which it's not unduly to the sheriff, but I think it

actually is. I think maybe today might be a premature time of when we are taking this action, but again, if it's the will of this body, from the standpoint of majority to do so, then that's what I will abide by as how we operate. But, I don't know that I can support it at this day and time as the present circumstances are given to us. But, again, no reflection on our Sheriff at all. That goes for any elected official in which we have the capacity to do this naming."

Ms. Summers stated, "it is not personal, it is policy and I'm elected to do that."

Mr. Carrigg stated, "I understand there's not a policy, but I think we have adopted and used the same policy for years and that's the policy of common sense and that's what I'm using today."

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

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

Resolution - Gary Taylor - Ms. Summers made a motion, seconded by Mr. Cullum to approve the adoption of the resolution.

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

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

Appointments - Museum Commission - Ms. Carol R. Metts - A motion was made by Mr. Cullum, seconded by Mr. Kinard to reappoint Ms. Carol R. Metts to the Museum Commission.

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

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

Central Midlands Council of Governments - Mr. Banning made a motion, seconded by Mr. Jeffcoat to appoint Mr. John Fechtel to the Central Midlands Council of Governments. Mr. Fechtel replaces Ms. Melanie P. Ellerbe.

Mr. Derrick opened the meeting for discussion.

Mr. Davis asked whether Mr. Fechtel could serve as a COG board member and serve on the Technical

Coats Committee.

Mr. Fechtel replied that he was not sure, but would come back to Council with a staff appointee for Council's consideration for the Technical Coats Committee.

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

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

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

Mail System Replacement - Central Stores - Staff recommended the purchase of a mailing system for Central Stores from Mail-Ship Inc. (MSI) through State Contract Number 06-S7089-A12023. Total cost including tax is \$16,038.23.

Computer Aided (CAD) 911 Server Replacements - Public Safety/Communications - Staff recommended the purchase of Computer Aided (CAD) 911 server replacements for Public Safety/Communications directly from the manufacturer (Dell) through State Contract Number 05-S6656-A11104. Total cost including tax is \$26,163.39.

Fire Safety Prevention Trailer - Public Safety/Fire Service - Competitive bids were solicited and advertised for a fire safety prevention trailer for Public Safety/Fire Service. Two (2) bids were received. Staff recommended the award of the bid to Surrey Fire Safety as the lowest bidder meeting specifications. Total cost including tax is \$64,176.46.

(5) Dell Latitude Laptop Personal Computers - Public Works and (3) Dell Precision M90 Intel Core2 Personal Computers - Solicitors Office - Staff recommended the purchase of five (5) Dell Latitude laptop personal computers for Public Works and three (3) Dell Precision M90 Intel Core2 personal computers for the Solicitor's Office from Dell Marketing through State Contract Number 05-S6656-A11104. Total cost including tax is \$19,257.50.

New 55-Ton Lowboy Trailer - Public Works - Competitive bids were solicited and advertised for a new 55-ton lowboy trailer for Public Works. Nine (9) bids and one (1) no bid were received. Staff recommended the award of the bid to John Evans Manufacturing Company as the low bidder meeting specifications. Total cost including tax is \$46,582.45.

New 2008 Truck Tractor - Public Works - Competitive bids were solicited and advertised for a new 2008 truck tractor for Public Works. Five (5) bids were received. Staff recommended the award of the bid to Columbia Freightliner in the amount of \$86,786 including tax. In addition, the vehicle will require lighting equipment that will be purchased from W&W Body Works in the amount of \$2,113.25 including tax. Total cost for the truck tractor and lighting equipment is \$88,899.25.

Roadway Improvements to Truex Road - "C" Funds - Public Works - Competitive bids were solicited and advertised for roadway improvements to Truex Road. The project includes the construction of approximately 1.5 miles of asphalt from the intersection with Fairview Road and Neely Wingard Road. There is an estimated 9,338 L.F. of 18" and 555 L.F. of 24" R.C. pipe, 20,000 C.Y. of unclassified

excavation, 117 S.Y. of rip rap, 1,220 S.Y. driveways, 615 L.F. removal and replacement of existing fence, 59,994 S.Y. 10" sand clay base course, and 58,044 S.Y. 2" Type 1 asphalt surface course. Thirteen (13) bids were received. Staff recommended the award of the bid to Cherokee, Inc. as being the lowest responsive bidder. Total bid for the project, based on estimated quantities, is \$1,358,746.21.

Multi-Flash Card Reader/Writer – Sole Source – Registration and Elections - Staff recommended the purchase of a multi-flash card reader/writer for Registration and Elections from the sole source provider, Election Systems & Software. This has been deemed a source sole as it is a proprietary device that is specific to the iVotronic Voting System purchased by the State of South Carolina in 2004 and not commercially available elsewhere for purchase. Total cost including tax is \$5,379.42.

Hewlett Packard Printers & Accessories - Treasurer/Auditor Offices - Staff recommended the purchase of five (5) Hewlett Packard printers and accessories for the Treasurer/Auditor offices from Hewlett Packard Direct through State Contract Number 05-S6656-A11230. Total cost including tax is \$7,942.61.

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

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

Chairman's Report - Chairman Derrick reported he and Councilman Jeffcoat attended the V.C. Summer Nuclear Exercise on Tuesday, October 2, 2007 at the Fire Service Training Center on Ballpark Road. Also, he and several members of council attended the Clerk of Courts and Register of Deeds statewide conference banquet on Wednesday, September 26.

Columbia Museum of Arts - Mr. Banning reported he attended a reception at the Columbia Museum of Arts where 19 site consultants from throughout the United States were in attendance.

November/December 2007 Schedule - Mr. Cullum made a motion seconded by Mr. Jeffcoat to cancel November 27 and December 25, 2007 Council meetings and continue with the regular scheduled meetings of November 13 and December 11, 2007. It is noted that should the need arise, the Chairman may call a special called meeting.

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

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

Administrator's Report - Ms. Hubbard proudly announced after the V.C. Summer Nuclear Exercise, there were no corrective actions stated, which is an A+ on the exercise.

Ordinances - Ordinance 07-03 - An Ordinance Amending the Animal Control Ordinance (Goals 1,2) - 3rd and Final Reading - Mr. Banning made a motion, seconded by Mr. Cullum that Ordinance 07-03 receive third and final reading.

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

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

Ordinance 07-09 - An Ordinance Amending Ordinance No. 05-15 (Ordinance Governing False Fire Alarms) (Goals 1,2) - 3rd and Final Reading - A motion was made by Mr. Cullum, seconded by Mr. Kinard that Ordinance 07-09 receive third and final reading.

Mr. Derrick opened the meeting for discussion.

Mr. Davis said he has had constituents complain about not receiving the three warnings and asked that Code Enforcement make sure that individuals/businesses have been adequately warned prior to issuing a fine.

Mr. Derrick called for further discussion; none occurred.

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

Ms. Hubbard pointed out for the public that the effective date of Ordinance 07-09 will be January 1, 2008.

Ordinance 07-12 - An Ordinance Approving the Conveyance of Real Estate from the County of Lexington to Peggy Williamson (Goal 3) - 3rd and Final Reading - Mr. Kinard made a motion, seconded by Mr. Davis that Ordinance 07-12 receive third and final reading.

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

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

Ordinance 07-14 - An Ordinance to Amend Article III, Division 2, Section 34-92 (Powers, Duties, and Authority of the Lexington County Health Services District) of the Lexington County Code (Goal 1) - 2nd Reading - A motion was made by Mr. Cullum, seconded by Mr. Banning that Ordinance 07-14 be given second reading.

Mr. Davis noted that the agenda contained the incorrect ordinance as it had been revised.

Mr. Derrick asked the Clerk to Council to obtain the correct ordinance for Council's consideration prior to the end of the meeting.

Mr. Cullum withdrew his motion; Mr. Banning withdrew his second.

Ordinance 07-15 - An Ordinance to Convey the Property and Related Utility and Access Easements to PBT Communications, Inc. - 2nd Reading- Mr. Banning made a motion, seconded by Mr. Cullum that Ordinance 07-15 be given second reading.

As a point of discussion, Mr. Derrick asked if anyone noticed the discrepancy between the easement and just the property.

Mr. Banning amended his motion and seconded by Mr. Cullum that PBT Communications, Inc. will pay for the 50' x 50' square plus the 10 foot utility right-of-way leading up to Riverchase, excluding the driveway, at the same price that was stated in the original contract.

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

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

Committee Reports - Planning & Administration, J. Jeffcoat, Chairman - Options to Address Derelict Mobile Homes and Unsafe Structures (Goal 2) - Mr. Jeffcoat reported the Planning and Administration Committee met on Tuesday, September 25, 2007, to review options addressing derelict mobile homes and unsafe structures submitted by Community Development.

Mr. Ronald Scott, Community Development Director, presented research information addressing derelict mobile homes and unsafe structures. In June 2007, the State of South Carolina amended Article 1, Chapter 1, Title 6 of the South Carolina Code of Laws by adding Section §6-1-150 to address derelict mobile homes. Mr. Scott gave a brief summary of the new law which establishes specific criteria and noted the main difference from the County ordinance is that it would allow a magistrate to make the final determination on whether a mobile home is derelict. He said the new law also allows a \$25 registration fee to be assessed on all mobile homes newly registered with the County, which would cover the administrative costs incidental to locating, identifying and inspecting derelict mobile homes. The revenue fee cannot be used for removal.

Mr. Scott proposed a pilot Derelict Mobile Home Removal Program that would address the removal of approximately 12 derelict mobiles at an estimated cost of \$19,522 to cover moving costs, disposal, legal costs, etc, and if necessary, in rare circumstances, cost of placing a lien on the land. He also provided an overview of information for unsafe structures from the existing Lexington County Building Code ordinance.

Mr. Scott said the new law is specific that if the mobile home and property owners are the same you can place a lien on the property but there are no provisions if the ownership of properties is not the same. There had been discussions in the past of tying the ownership of the mobile home to the property because if the mobile home it is not in a mobile home park, it presents problems. Mr. Rick Dolan, County Assessor, added that there is a law that allows a mobile home and land to be classified as real estate.

Staff was asked to look at how to deal with derelict mobile homes in mobile home parks and mobile

homes listed as real property which does not apply under the law. In addition, staff was asked to draft a proposed ordinance for the \$25 mobile home registration fee, look at an increase in the inspection fees to assist in the mobile home cleanup process, and address old mobile homes currently being used as rental units in mobile home parks aside from abandoned derelict mobile homes.

The Planning and Administration Committee voted unanimously to recommend that full Council adopt the proposed budget of \$19,552 for the Derelict Mobile Home Removal Program and direct staff to move forward with administering the new State statute.

Mr. Jeffcoat made a motion, seconded by Mr. Keisler to adopt the budget of \$19,552 for the Derelict Mobile Home Removal Program and directed staff to move forward with administering the new State statute.

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

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

Ordinance 07-16 - An Ordinance to Impose a Registration Fee for Manufactured Homes that are Registered With the County (Goal 2) - 1st Reading - A motion was made by Mr. Jeffcoat, seconded by Mr. Kinard that Ordinance 07-16 receive first reading.

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

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

Justice, B. Banning, Chairman - COPS Methamphetamine Initiative Grant Award (Goals 1,3) -

Mr. Banning reported the Justice Committee met during the afternoon to consider the acceptance of the COPS Methamphetamine Initiative grant award. The grant in the amount of \$313,300 requires no local match. It is noted that the actual award package has not been received from the Department of Justice outlining the approved equipment.

Mr. Banning made a motion, seconded by Mr. Keisler to approve acceptance of the award.

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

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

Paul Coverdell Forensic Science Improvement Grant Award (Goals 1,3) - Mr. Banning reported

during the afternoon Justice Committee meeting, the committee met to consider the Paul Coverdell Forensic Science Improvement grant award. The grant in the amount of \$27,000 requires no local match. The grant will be used to purchase equipment and supplies and to renovate the present drug laboratory to efficiently and effectively analyze drugs brought in for processing.

Mr. Banning made a motion, seconded by Mr. Keisler to approve acceptance of the award.

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

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

Public Works, D. Summers, Chairman - Commercial Stormwater Fees for Low Impact Developments (Goals 2,3) - Ms. Summers reported the Public Works Committee met on Tuesday, September 25, 2007, to review the commercial stormwater fees for low impact developments submitted by the Public Works Department.

John Fechtel, Public Works Director, presented staff's recommendation that a commercial project be considered "green" or "low impact" if it utilizes over 50% of the property yet disturbs 30% or less. Once a commercial project has met the criteria to be "green" the following fees would apply:

- 1) The base review fee of \$574 would remain the same. However, the fee per acre would be reduced to \$58 from \$115;
- 2) The inspection fee base would remain at \$1,150 but the per acre fee would be reduced to \$57 from \$115.

Public Works' staff and the project's engineer would determine if the "green" concept is met.

Mr. Fechtel also recommended that, at a future date, if less than 30% disturbed area is increased to more than 30%, that the project would not be considered "green" and the full commercial rate would apply. Additionally, the fees "saved" on the initial submittal would be made retroactive to the full original fee schedule.

The Public Works Committee voted unanimously to recommend that full Council approve staff's recommendations for the commercial stormwater fees for low impact developments.

Ms. Summers made a motion, seconded by Mr. Kinard to approve staff's recommendations for the commercial stormwater fees for low impact developments.

Mr. Derrick reiterated to not be confused with any other fees that these fees relate to a "green" or "low impact" development under certain conditions.

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

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

Mr. Carrigg
Mr. Cullum

Mr. Banning

Partial Legal Closure - Dick Corley Road - Ms. Summers reported the Public Works Committee met on Tuesday, September 25, 2007, to discuss the partial legal closure of Dick Corley Road by the Public Works Department.

Mr. John Fechtel, Public Works Director, reported that Mr. Christopher Berry contacted his office requesting the legal closure of approximately 260 feet of Dick Corley Road. He said letters were sent to all property owners and signs were posted on each end of the road for a minimum of 30 days. Mr. Fechtel noted that two letters in favor and two in opposition were received.

Mr. Fechtel reported that Mr. Berry has retained an attorney and has agreed to pay all cost associated with the closure. In addition, Mr. Fechtel requests that if this portion of road is closed, that a 100 foot diameter cul-de-sac be given to Lexington County and improved by the requestor to allow vehicles a safe turn-around area. He indicated that if Mr. Berry proceeded with the closure that the judge would even consider legally closing that portion. Staff recommended not approving the partial legal closure of Dick Corley Road.

The Public Works Committee voted unanimously to recommend that full Council oppose the legal closure of approximately 260 feet of Dick Corley Road.

Ms. Summers made a motion, seconded by Mr. Keisler to oppose the legal closure of approximately 260 feet of Dick Corley Road.

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

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

Limerock Road Update - Ms. Summers reported that the Public Works Committee met on Tuesday, September 25, 2007, to discuss the status of Limerock Road presented by the Public Works Department.

Mr. John Fechtel, Public Works Director, reported that at the July 24, 2007 meeting, Council agreed to legally close 2,156 feet of Limerock Road, contingent that the property owners pay half of the \$2,500 legal costs. He said staff contacted the spokesperson for the property owners who were adamant about not paying any of the legal costs. Mr. Fechtel noted that this road recently came into the County's road system in January as it was previously under the State system. He said the road is gated and if the road is not legally closed, the gate would have to be removed and the 2,156 feet of road would need to be passable for public traffic.

Because the property owners will not agree to assume half of the legal cost, a decision must be made to either pay the \$2,500 in legal fees for the road closure or remove the gate and resume maintenance of the road. Staff recommended paying the legal costs to legally close the road.

The Public Works Committee voted unanimously to recommend that Council approve staff's recommendation to pay the legal costs at the County's expense to legally close the 2,156 feet of Limerock Road.

Ms. Summers made a motion, seconded by Mr. Cullum to approve staff's recommendation to pay the legal costs (\$2,500) at the County's expense to legally close the 2,156 feet of Limerock Road

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

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

Ordinance 07-14 - An Ordinance to Amend Article III, Division 2, Section 34-92 (Powers, Duties, and Authority of the Lexington County Health Services District) of the Lexington County Code - 2nd Reading - A motion was made by Mr. Banning, seconded by Ms. Summers that Ordinance 07-14 be given second reading.

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

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

Economic Development, S. Davis, Chairman - Project Starbright - Mr. Davis reported during executive session of the Economic Development Committee meeting, the committee heard about a potential economic development, Project Starbright.

Mr. Davis made a motion, seconded by Mr. Cullum to pursue with staff the negotiations for the potential economic development possibility.

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

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

Project Fry - Mr. Davis made a motion, seconded by Mr. Cullum authorizing the Chairman to sign the contract with Project Fry at the appropriate time after the company makes an announcement.

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

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

Presentation - Implementation of the State Case Management System - The Honorable Jean H. Toal, Chief Justice, SC Supreme Court - Prior to Chief Justice Toal's presentation, she praised Beth Carrigg, Clerk of Court, for the great job she did in hosting the statewide Clerk of Courts and Register of Deeds conference.

Chief Justice Toal thanked County Council for their vision and leadership for the fruition of the South Carolina Statewide Court Case Management System and the Lexington Municipalities, the Lexington County Bar Association, the SC Judicial Department, and Judges for working together in making this a success.

Chief Justice Toal said she cannot ever start anything in Lexington County without reminding us that this would have been the completion of late Judge Marc Westbrook's vision for this County and for the system of justice in Lexington County. She said Judge Westbrook was her "right-hand" and he would have had the biggest grin on his face today.

Chief Justice Toal proudly reviewed the many benefits of the new South Carolina Statewide Court Management System for our justice system.

Retirement - Sheila Fulmer - Procurement Manager - Ms. Hubbard recognized Ms. Fulmer for her accomplishments with Lexington County as Procurement Manager and wished her much happiness in her pending retirement. Ms. Fulmer will retire on Friday, October 19.

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

08-042 - A supplemental appropriation increase in the amount of \$19,552 to establish a budget in the general fund for the removal and disposal of derelict mobile homes as a result of the new law, Derelict Mobile Homes, that was passed in June 2007 that allows collection of a \$25 registration fee.

08-043 - A supplemental appropriation increase in the amount of \$198,946 to add two new school resource officers to School District Five.

08-044 - A supplemental appropriation increase in the amount of \$4,191 for a 2002 Ford Econoline van that was donated by Pond Branch Telephone Company to the Sheriff's Department.

08-046 - A supplemental appropriation increase in the amount of \$64,127 for the FY07 Justice Assistance grant.

Old Business/New Business – None.

Executive Session/Legal Briefing - Mr. Derrick stated Executive Session will consist of three (3) legal matters and two (2) contractual matters.

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

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

Abstaining: Mr. Banning

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

S&T Appeal - A motion was made by Mr. Davis, seconded by Mr. Keisler to approve the dismissal of the appeal of the DHEC issued land clearing debris permit to S&T Recycling for the property located next to Target on Highway 378.

In regard to that, Mr. Davis stated, I still think the location of the LCD landfill on Highway 378, which is fast becoming the entrance boulevard of Lexington is a bad location for a landfill. However, since the Town of Lexington wants this landfill that has now been annexed by the Town and the Town of Lexington apparently has negotiated a host fee from S&T in order to support a Fine Arts Center, I think it is time to stop fighting this battle.

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

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William C. Derrick
Chairman