

M I N U T E S
LEXINGTON COUNTY COUNCIL
February 23, 2010

Lexington County Council held its regular meeting on Tuesday, February 23, 2010 in Council Chambers beginning at 4:30 p.m. Chairman Kinard presided.

Prior to the prayer, Mr. Banning proudly announced starting March 9 through the end of the year a Purple Heart veteran will be leading the Pledge of Allegiance.

Chief Bruce Rucker, Director of Public Safety and Pastor at Calvary United Methodist Church, gave the invocation and led the Pledge of Allegiance.

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

*Mr. Carrigg left early due to illness.

Also attending: Katherine Hubbard, County Administrator; Joe Mergo, III, Deputy County Administrator; Larry Porth, Finance Director/Assistant County Administrator; John Fachtel, 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.

Point of Privilege - Cell Phones for Soldiers - Mr. Davis said he has taken on a special project, Cell Phones for Soldiers, and asked everyone to donate their old cell phones to help soldiers in the fields to call home. Each soldier will be allowed one hour and there is no cost to the sender. Please contact the Clerk to Council's office for mailing bags.

Chairman's Report - Chairman Kinard reported he and several Council members toured the new Home Depot Distribution facility on Hwy. 321 on February 19. The ribbon cutting is scheduled for March 8 at 10:00 a.m.

Council Members' Activities and/or Comments - Mr. Cullum reported he also participated in the tour of the Home Depot Distribution facility as well as attended the Farm Bureau Legislative Breakfast on February 10 along with Councilmen Derrick and Keisler.

Mr. Banning reported he and Councilman Jeffcoat and Councilwoman Summers attended the grand opening and ribbon cutting of the new Lexington/Richland Alcohol Drug Abuse Council facility on Colonial Drive.

Administrator's Report - Ms. Katherine Hubbard, County Administrator - Ms. Hubbard announced the following upcoming events:

Lexington County Energy Expo - The event will take place on Friday, March 5 from 10:00 a.m. - 6 p.m. at the Saluda Shoals Park River Center. The County along with the assistance of the Irmo-Chapin Recreation Commission will sponsor the event to educate citizens on how to make their homes and lifestyles more energy efficient.

Green Business Seminar - The event will be held at the Town of Lexington Conference Center on Thursday, March 11 from 9:00 a.m. to 11:00 a.m.

Phone Book Recycling - Phone books can be recycled at all 11 of the County's Collection and Recycling Centers through March 15.

Employee Recognition - Katherine Hubbard, County Administrator - Ms. Hubbard recognized Andrew Bigony, Microfilm/Records Management Supervisor, on being elected President of the South Carolina Public Records Association (SCPRA).

Lexington High School Economics and Government Class - Mr. Kinard recognized students from Lexington High School attending as part of their economics and government class assignment.

Presentation of Certificate - Sammye Locklair Stevens Presented by Chairman Jim Kinard - Chairman Kinard presented a framed certificate to Ms. Sammye Stevens in recognition of her organizing a fundraiser to provide all 32 fire stations in Lexington County with a Pet Rescue and Resuscitation Oxygen Mask designed to save pets during fire rescues.

Resolution - Olive Branch Baptist Church - Mr. Derrick made a motion, seconded by Mr. Jeffcoat to approve the resolution.

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

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

Not Present: Mr. Carrigg

Appointments - Midlands Workforce Development Board - Marty T. Martin - Mr. Derrick made a motion, seconded by Ms. Summers to appoint Mr. Martin. Mr. Martin replaces Mr. Doug Bolin.

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

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

Not Present: Mr. Carrigg

Approval of Minutes - Meeting of January 26, 2010 - Mr. Jeffcoat made a motion, seconded by Mr. Davis to approve the January 26, 2010 minutes as submitted.

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

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

Not Present: Mr. Carrigg

Zoning Amendment - Zoning Text Amendment T09-04 - Designation of the Lexington County Airport District - 3rd and Final Reading - Mr. Cullum made a motion, seconded by Mr. Davis to approve third and final reading.

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

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

Not Present: Mr. Carrigg

Solid Waste Processing Facility Amendment - Solid Waste Processing Facility Application 09-05 - Platt Springs Scrap and Recycling - Final Reading - Mr. Jeffcoat made a motion, seconded by Mr. Banning to deny the request.

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

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

Not Present: Mr. Carrigg

Ordinance - Ordinance 10-02 - An Ordinance Authorizing Pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the Execution and Delivery of a Fee Agreement Between Lexington, South Carolina and Republic National Distributing Company, LLC; the Addition of Certain Property to the Joint County Industrial Park so as to Enlarge the Park; and Matters Relating Thereto -3rd and Final Reading - Mr. Kinard made a motion, seconded by Mr. Cullum to approve third and final reading subject to amending by the County attorney.

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

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

Abstained: Mr. Derrick *

Not Present: Mr. Carrigg

*Mr. Derrick abstained as his company, Derrick Plumbing, Inc., may be involved in the construction of the building (attached).

Committee Reports - Justice, S. Davis, Chairman - Highway Safety Enhanced DUI Enforcement Grant Application - Mr. Davis reported the Justice Committee met during the afternoon and voted unanimously in favor to recommend to full Council for approval. The application in the amount of \$403,865 requires no County match. If approved, funds will be used to create a Driving Under the Influence Traffic Enforcement Unit.

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

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

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

Not Present: Mr. Carrigg

Public Works, B. Derrick, Chairman - Community Action for a Renewed Environment (CARE) Grant Support Letter - Mr. Derrick reported the Committee met during the afternoon to review staff's request to approve a letter of support for the Central Midlands Council of Governments (CMCOG) application for a Community Action for a Renewed Environment (CARE) Grant application. The Committee voted unanimously in favor to recommend to full Council for approval.

Mr. Derrick made a motion, seconded by Mr. Cullum approve staff's recommendation of the letter of support for the CMCOG to apply for the Community Action for a Renewed Environment (CARE) grant to implement the anti-idling program in and around schools to help the ground level ozone.

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

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

Not Present: Mr. Carrigg

Budget Amendment Resolutions - The following BARS were distributed and signed:

10-104 - An appropriation transfer of \$1,275 for the reclassification of the clerk position to coordinator for Human Resources.

10-105 - An appropriation transfer of \$19,997 to establish an estimated budget for the annual employee awards banquet.

10-106 - An appropriation transfer of \$687 to reduce the grade of the Risk Manager from a Grade 20 to a Grade 19.

Old Business/New Business - None.

Matters Requiring a Vote as a Result of Executive Session - Mr. Kinard reported Council was able to complete Executive Session during the Committee of the Whole and noted there were no motions to be considered.

Motion to Adjourn - Mr. Derrick made a motion, seconded by Ms. Summers to adjourn.

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

Not Present: Mr. Carrigg

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

James E. Kinard, Jr.
Chairman

ABSTENTION FROM VOTING AND DELIBERATING

I am hereby asking the Chairman to excuse me from voting and deliberating on the matter of **Ordinance 10-02 –An Ordinance Authorizing Pursuant to Chapter 44 of Title 12, SC Coe of Laws, 1976, as Amended, the Execution and Delivery of a Fee Agreement Between Lexington, SC and Republic National Distributing Company, LLC, The Addition of Certain Property to the Joint County Industrial Park so as to Enlarge the Part; and Matters Relating Thereto - 3rd and Final Reading** because of a potential conflict of interest because of the following:

My company, Derrick Plumbing, Inc., may be involved in the construction of the building.

I am furnishing this statement to the Chairman and I request that this statement be printed in the Minutes of this meeting.



William C. Billy Derrick

Date: February 23, 2010