

MINUTES
LEXINGTON COUNTY COUNCIL
JANUARY 9, 2007

Lexington County Council held its regular meeting on Tuesday, January 9, 2007 in Council Chambers, beginning at 4:30 p.m. Mr. Cullum presided. Ms. Summers gave the Invocation and Mr. Davis led the Pledge of Allegiance.

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

Also attending: Katherine Hubbard, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; John Fechtel, Director of Public Works/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.

Lexington High School Economic Class - Mr. Cullum recognized students from Lexington High School who were in attendance as part of their economic class.

Attendance - Calendar Year 2006 - Mr. Cullum recognized seven Council members who had perfect attendance for calendar year 2006 and presented each member a nice engraved plaque. The seven members with perfect attendance were: Mr. Kinard, Mr. Derrick, Mr. Davis, Ms. Summers, Mr. Keisler, Mr. Jeffcoat and Mr. Cullum.

Also, Mr. Cullum recognized Mr. Derrick for his perfect attendance since he began serving on Council in 1999.

Election of Officers - Chairman and Vice Chairman - Mr. Derrick asked that he be allowed to make a comment prior to any motions being made.

Mr. Derrick stated that he had hoped and had elicited support to perhaps become chairman this year, but because of things that have happened along the way, did not think it would be possible because this body generally is a consensus body. He said everybody gets along well and does a good job working with each other, but because of some things that has happened, he is fearful that it would divide the body with a 5-4 vote with him being the tie-breaker. Therefore, he respectfully requests that his name be withdrawn from nomination for chairman.

Mr. Cullum opened the floor for nominations for Chairman.

Mr. Jeffcoat nominated Mr. Derrick for Chairman and Ms. Summers for Vice-Chairman, seconded by Mr. Banning.

Mr. Cullum asked Mr. Derrick if he wanted to honor the motion since he had previously requested that his name be withdrawn for nomination.

Mr. Banning called for the question.

Mr. Cullum asked that Mr. Derrick be allowed a few minutes to reconsider.

Mr. Derrick stated that he would reconsider nomination for Chairman.

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

Not Present: Mr. Carrigg *

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

Mr. Cullum turned the gavel over to Mr. Derrick.

Mr. Derrick thanked Mr. Jeffcoat and Council for their support.

Appointment of Parliamentarian - Mr. Derrick stated that he would appoint the parliamentarian at a later date.

Employee Recognition - Katherine Hubbard, County Administrator - Shining Stars - Ms. Hubbard recognized Marsha Bloom, Assessment and Equalization; Derrial Gardner, Human Resources; Gloria Smith, Building Services; and Kathleen Boney, Library Services as the winners of the quarter for the Customer Service Shining Stars award.

Ms. Hubbard presented each recipient an engraved acrylic "Shining Star." In addition, Ms. Bloom, Ms. Gardner, and Ms. Smith, employees in the Administration Building, will each receive a prime parking space at the Administration Building donated by County Council.

Ms. Hubbard recognized Deputy Adam Clayton and his K-9 partner, Ben, for successfully apprehending a drug suspect who had 153 lbs. of marijuana and fled the scene after hitting a power line.

Deputy Kevin Blackmon, a resident deputy in the Boiling Springs and Edmund Communities, was recognized for receiving the 2006 Lexington Veterans of Foreign Wars Post 8738 Officer of

the Year award. In addition, Deputy Blackmon has received several awards to include the Sheriff's Department Special Achievement award in 2005 and the agency's Major Case Contribution award in 2006. He also received the Sheriff's Department Veteran's Combat Ribbon for his service as a military officer with the US Army 3rd Infantry Division during Operation Desert Spring and Operation Iraqi Freedom in Iraq in 2002 and 2003.

Robert Risinger, Fire Marshall in Public Safety/Fire Service, was recognized for his many contributions for the safety of the citizens of the Town of Lexington. Ms. Hubbard said she received a letter from Sam Boles, Jr., Building Official/Zoning Administrator for the Town of Lexington commending Robert for his expert knowledge and experience in making detailed inspections.

Resolutions - Frank D. Ballentine and Samuel C. "Sam" Wright - Mr. Keisler made a motion, seconded by Mr. Jeffcoat that the resolutions be adopted.

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

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

Appointments - Accommodations Tax Advisory Board - Ms. Jacquelyn McNeill - A motion was made by Ms. Summers, seconded by Mr. Davis to appoint Ms. Jacquelyn McNeill to the Accommodations Tax Advisory Board. Ms. McNeill replaces Ms. Patricia Rawl.

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

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

Board of Zoning Appeals - Mr. Wayne Shumpert - A motion was made by Mr. Keisler, seconded by Mr. Jeffcoat to appoint Mr. Wayne Shumpert to the Board of Zoning Appeals. Mr. Shumpert replaces Ms. Dorothy Young.

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

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

Mr. Cullum

Children's Shelter - Ms. Virginia Jamison - On behalf of Mr. Derrick, Mr. Cullum made a motion, seconded by Mr. Kinard to appoint Ms. Virginia Jamison to the Children's Shelter. Ms. Jamison replaces Ms. Nancy Caughman.

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

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

Central Midlands Council of Governments - Mr. Jeffcoat made a motion to appoint Mr. Banning, to replace Mr. Owens, and reappoint Mr. Carrigg, Mr. Derrick, and Mr. Cullum.

Mr. Cullum interjected to say information from Central Midlands Council of Governments had been sent to Diana Burnett, Clerk to Council.

Ms. Burnett said she received an e-mail from Ms. Robin Cooley, Community & Economic Development Manager with Central Midlands Council of Governments, advising there had been some changes in the composition of the Board as of this past October. One of the new requirements states that the Board must be made up of 35% private sector representatives. Ms. Cooley had asked if Mr. Banning could remain as a citizen appointee, as this would meet one of their criteria, and have Ms. Hubbard replace Mr. Owens as an elected official.

Mr. Derrick asked before moving forward with reappointments, he would like the opportunity to review Ms. Cooley's request and asked that appointments be delayed until the next meeting on January 23.

Midlands Workforce Development Board - Mr. Daniel Gensamer - A motion was made by Mr. Cullum, seconded by Mr. Kinard to appoint Mr. Daniel Gensamer to the Midlands Workforce Development Board.

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

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

Accommodations Tax Advisory Board - Mr. Robert Schaeffer - Mr. Banning made a motion, seconded by Mr. Jeffcoat to reappoint Mr. Robert Schaeffer to the Accommodations Tax

Advisory Board.

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

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

Bids/Purchases/RFPs - A motion was made by Mr. Cullum, seconded by Mr. Keisler that the following Bids/Purchases/RFPs (Tabs S, T, U, V, and X) be approved.

Microsoft Volume Licenses - Magistrate Court Services - Magistrate Court Services submitted a requisition for the purchase of twenty-six (26) Microsoft Volume Licenses for the Judicial Case Management System. The software will be purchased from Software House International through State Contract Number 01-S4072-A7243. Total cost including tax is \$6,657.67.

Automated Stretchers and Stair Chairs - Public Safety/EMS - Bids were advertised from qualified bidders for automated stretchers and stair chairs for Public Safety/EMS. EMS currently has one of the highest workers compensation rates of all services provided by Lexington County which is attributed largely to the moving, transferring, carrying, and lifting of patients. Three (3) bids and one (1) no bid were received. Staff recommended that the award be made to Stryker Corporation as the lowest responsive bidder. Total cost including tax is \$173,536.59.

MSA Equipment/Sole Source Procurement - Public Safety/Fire Service - A requisition was submitted for the purchase of Mine Safety Appliance (MSA) components for Fire Service's self-contained breathing apparatus (SCBA). The equipment will be purchased from the sole source provider, Newton's Fire & Safety Equipment, Inc. as they are the only authorized dealer for South Carolina. Total cost including tax is \$36,426.90.

Dell Computer, Laptops, Hewlett Packard Printer and Omnixx Client Access Fee - Sheriff's Department - A request was submitted for the purchase of one (1) Dell computer, two (2) Dell laptops, and one (1) Hewlett Packard printer and monthly Omnixx Client Access fees for the Sheriff's Department. The equipment will benefit the Fugitive Task Force Unit by increasing the efficiency and effectiveness of the service of Title IV-D papers. The Dell computer and laptops will be purchased directly from the manufacturer, Dell, through State Contract Number 05-A6656-A11104. The Hewlett Packard printer will be purchased from CompuWorld through State Contract Number 05-S6656-A11230 and the Omnixx Client Access fee will be purchased from DataMaxx Applied Technologies. Total cost including tax is \$5,936.38.

Motorola 800 MHz Radios - Various Departments - Staff recommended the purchase of five (5) XTS5000, Model III, Smartzone 800 MHz radios from Motorola through State Contract Number OIR2002.07. Four (4) of the XTS5000 are for the Sheriff's Department for law

enforcement officers and one (1) will be used by the 911 Training Coordinator in Public Safety/Communications to monitor the dispatch performance of all telecommunications operators. Total cost including tax is \$26,292.30.

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

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

Fleet Vehicle Replacements - Various Departments - Staff recommended the purchase of nineteen (19) Fleet Vehicle Replacements for various departments through the appropriate State Contract. Two (2) of the vehicles requested will be equipped with Flex Fuel capability. Thirteen (13) of the vehicles will require installation of emergency equipment and accessories, which will be purchased through County Contract Number C05011-02/09/05B. The Ford cargo van will be equipped with a prisoner transportation insert through the sole source provider, Bob Barker, as they are the manufacturer and the only distributor of the product. The vehicles are recommended and approved in accordance with the Fleet Management Policy. Total cost for all vehicles including tax is \$382,377.84.

Mr. Cullum made a motion, seconded by Mr. Kinard to approve the purchase of the Fleet Vehicle replacements.

Mr. Derrick opened the meeting for discussion.

Mr. Cullum asked Ms. Hubbard if she would like to address the purchase of the 2007 Chevrolet Tahoe that replaces the 1997 Ford Crown Victoria.

Ms. Hubbard asked Col. Paavel to come forward to address Council regarding the purchase of the 2007 Chevrolet Tahoe.

Col. Paavel replied that the 2007 Chevrolet Tahoe will be purchased with Title IV-D funds and the vehicle will be used by the Fugitive Task Force to transport prisoners and surveillance work. Because of the nature that the vehicle is going to be used, they did not want a "police looking" vehicle. Title IV-D funds are brought in by the Fugitive Task Force by serving Family Court Bench warrants. Col. Paavel indicated this is a standard issued Tahoe with no extra equipment.

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

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

Mr. Banning

Battery Collection/Recycling Program - Solid Waste Management - Competitive bids were received for a term contract for the Battery Collection/Recycling program for the Department of Solid Waste Management. The term of the contract shall be for a period of one (1) year with the option to extend four (4) additional one (1) year periods. The contract is a revenue based contract and the award is based on the highest bidder meeting specifications.

Two (2) bids were received. Warren's Battery Service submitted the highest bid of \$1.77 per battery, which equates to a projected annual revenue of \$3,828.51.

Mr. Davis made a motion, seconded by Mr. Cullum to approve for discussion.

Mr. Derrick opened the meeting for discussion.

Mr. Cullum said Mr. Joe Mergo, Director of Solid Waste, had questions about using the high bidder on the recycling program of the batteries. He said currently the County is using Roger's Battery Company at \$0.25 per battery and Warren's Battery Service submitted the highest bid of \$1.77 per battery and asked if the recommendation from Procurement is to remain with Robert's Battery Company.

Ms. Hubbard asked that since this is a contractual relationship that Council discuss the matter in Executive Session.

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

Chairman's Report - No report.

Administrator's Report - Martin Luther King, Jr. Holiday - Ms. Hubbard announced that the County will be closed on Monday, January 15 in observance of the Martin Luther King, Jr. holiday.

Proposed Budget Timetable - Ms. Hubbard said the instruction packets will be distributed to departments within the next two weeks and the budget requests from the contribution and millage agencies as well as County departments are due by February 16. This will put us on schedule to have the general fund and non-general budget presented to Council by April 10. The public hearing for the budget will be May 22 with third and final reading by June 12.

Telecommunications Committee - Mr. Boykin Roseborough - Ms. Hubbard said Mr. Roseborough, who has an extensive background in communications, has offered to assist the County with telecommunications needs and asked permission to add Mr. Roseborough to the Telecommunications Committee.

Mr. Derrick stated the Telecommunications Committee is an appointed committee and, as Chairman, asked Ms. Hubbard to extend the invitation to Mr. Roseborough to be part of the

Telecommunications Committee.

Sharpes Hill Fire Station - Ms. Hubbard said during the last meeting of December 12, there was some confusion whether the name of the new fire station would be Sharpes Hill Service Center or the Sharpes Hill Fire Station and for clarification of the records is stating that it will be the Sharpes Hill Fire Station unless there was an objection.

Mr. Derrick asked if anyone had any objections; there were none.

Approval of Minutes - Meeting of November 14, 2006 - A motion was made by Mr. Cullum seconded by Ms. Summers to approve the minutes of November 14, 2006 as submitted.

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

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

Not Present: Mr. Carrigg *

* Mr. Carrigg was in the process of leaving the room when the vote was taken.

Zoning Amendments - Zoning Map Amendment M06-12 - West Side of Charter Oak Road Between US 1 and US 378 - 3rd and Final Reading - Mr. Cullum made a motion, seconded by Mr. Kinard that Zoning Map Amendment M06-12 receive third and final reading.

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

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

Not Present: Mr. Carrigg *

Abstaining: Mr. Banning **

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

** Mr. Banning abstained as he was not present during the first and second reading of Zoning Map Amendment M106-12.

Zoning Map Amendment M06-13 - Brittany II Subdivision - 3rd and Final Reading - Mr. Jeffcoat made a motion, seconded by Mr. Cullum that Zoning Map Amendment M06-13 be

given third and final reading.

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

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

Not Present: Mr. Carrigg *

Abstaining: Mr. Banning **

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

** Mr. Banning abstained as he was not present during the first and second reading of Zoning Map Amendment M106-13.

Zoning Map Amendment M06-15 - Old Chapin Road from Lexington Town Limits 260' North Towards Maxie Road and Maxie Road From the Intersection of Old Chapin Road 1000' North Towards Ashley Hills Drive - Announcement of 1st Reading - Mr. Derrick announced first reading of Zoning Map Amendment M06-15.

Committee Reports - Planning & Administration, J. Jeffcoat, V-Chairman - Zoning Map Amendment M06-11 - North of Bush River Road and South of Jimmy Love Ln., Columbia - 2nd Reading - Mr. Jeffcoat reported the Planning and Administration Committee met during the afternoon to consider second reading of Zoning Map Amendment M06-11. The Committee recommended to Full Council that the request to rezone the property from General Commercial (C2) to Low Density Residential (R1) be denied.

Mr. Cullum made a motion, seconded by Ms. Summers to approve the denial of Zoning Map Amendment M06-11.

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

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

Opposed: Mr. Jeffcoat Mr. Carrigg

Justice, S. Davis, Chairman - Violent Crime Task Force Grant Application and the Revision of the Lexington County Drug Court Grant Application - Mr. Davis reported during the afternoon, his Committee met to consider two requests from Rick Hubbard, Deputy

Solicitor, that the Solicitor's office be allowed to move forward with two grant applications.

The Violent Crime Task Force grant will be used to establish a Violent Task Force to focus exclusively on the prosecution of violent crimes. The Task Force will be comprised of the office's most senior and seasoned prosecutors and aided by a qualified and trained support staff. The grant in the amount of \$226,334 will require a County match of 25 percent in the amount of \$56,583.

The Revision of the Lexington County Drug Court grant is needed to be revised to meet the challenges of the staggering problem of methamphetamine in Lexington County. The revised program will include four different levels of treatment for program participants using one or more treatment providers. The program will contract with an assessment professional to determine the level of treatment for each participant with the treatment providers being responsible for collecting payment for their services. The grant in the amount of \$77,916 will require a County match of 25 percent in the amount of \$19,479.

The Committee recommended that the Solicitor's office be allowed to move forward with the grant applications **only**. However, the 25 percent match on each grant are to be revisited during the FY 2007/2008 budget process, but not secured as additional funds.

Mr. Davis made a motion, seconded by Mr. Cullum that the Solicitor's office be allowed to move forward with the grant applications and that the 25 percent match on each grant be revisited during the FY 2007/2008 budget process, but not secured as additional funds.

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	

Airport, T. Cullum, Chairman - FY 2008 Airport Capital Improvement Plan (Goal #3) -
Mr. Cullum reported the Airport Committee met to discuss the Airport Capital Improvement Plan for FY 2008-2012 prepared by The LPA Group.

Mr. Cullum made a motion, seconded by Mr. Kinard to approve the 2008-2012 CIP plan for the Lexington County Airport at Pelion.

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

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

Abstaining: Mr. Banning *

Mr. Banning abstained as he had not participated in the prior discussions.

Ordinances - Ordinance 06-18 - Ordinance to Amend Ordinance 95-12 as Amended by Subsequent Ordinances Relating to Joint County Industrial Park of Lexington and Calhoun Counties so to Enlarge the Park by Including Certain Property Owned by Accurate Therapeutic Supply, Inc., DBA Accurate Mfg., Inc. and Certain Property Designated as the Saxe Gotha Property - 3rd and Final Reading - Mr. Kinard made a motion, seconded by Mr. Cullum that Ordinance 06-18 be given third and final reading.

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

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

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

07-054 - A supplemental appropriation decrease in the amount of \$28,000 to reduce the Solid Waste DHEC Management grant down to the amount approved. Request was \$63,000; amount approved was \$35,000.

07-060 - A supplemental appropriation increase in the amount of \$1,000 for the donation received from Wal-Mart.

07-061 - A supplemental appropriation increase in the amount of \$1,000 for the donation received from Wal-Mart.

07-062 - An appropriation transfer of \$36,835 and a supplemental appropriation increase of \$45,000 to appropriate grant funds for the pictometry project and move budget within the general fund to cover the rest of the cost of the pictometry project not covered by the grant. Total cost of the project is \$81,835.

07-063 - A supplemental appropriation increase in the amount of \$249,985.71 to appropriate funds for RDA land purchase. Land to be purchased will be decided at a later date. Central Electric Power - \$9,985.71, Berkeley Electric Co-op - \$21,428.57, Edisto Electric Co-op - \$18,571.43, and Mid-Carolina Electric Co-op - \$200,000.

07-064 - A supplemental appropriation increase in the amount of \$50,000 to appropriate funds for an acceleration/deceleration lane to be constructed at Williams Industrial Park where Accurate Manufacturing is located.

Old Business/New Business - MY 911 - Mr. Davis said in 2007 he is going to start a campaign for all citizens of the County and County Council to participate in the MY 911 program. By participating in the MY 911 program it will allow EMS, as well as Fire Service, to know the medication that an individual is on when they receive a call so they can provide the best care possible.

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

Mr. Derrick stated Executive Session will consist of five contractual matters and six legal matters.

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

No Vote: Mr. Davis *

* Mr. Davis did not cast a vote as he was on the phone with the vote was taken.

Mr. Derrick reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Mr. Derrick stated Council received the legal briefings and discussed contractual matters and reported no motions were to be considered.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William C. Derrick
Chairman