

**MINUTES**  
**LEXINGTON COUNTY COUNCIL**  
**JANUARY 11, 2005**

Lexington County Council held its regular meeting on Tuesday, January 11, 2005 in Council Chambers, beginning at 4:30 p.m. Chairman Davis presided; Mr. Rucker gave the invocation; Mr. Derrick led the Pledge of Allegiance.

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

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

**Presentation of Plaques** - Vice Chairman Derrick presented Chairman Davis a plaque for his service as Chairman for 2003 and 2004 and Chairman Davis presented a plaque to Vice Chairman Derrick for his service as Vice Chairman for 2004.

**Attendance - Calendar Year 2004** - Mr. Davis stated for calendar year 2004 there were six councilmen who had perfect attendance. Mr. Davis congratulated and presented a pen set to Mr. Rucker, Mr. Derrick, Mr. Keisler, Mr. Jeffcoat, and Mr. Cullum for having perfect attendance. Former Councilman Wilkerson was also recognized for perfect attendance. Mr. Davis stated that Mr. Derrick has had perfect attendance since being on Council.

**Comments from Chairman Davis** - Mr. Davis thanked Council and staff for their support during his tenure as Chairman from January 2003 - December 2004 and talked of important events that occurred. In 2003 three new councilmen were elected - Joe Owens, Todd Cullum, and Bobby Keisler; Councilman Rucker was instrumental with the intergovernmental relations between the Irmo Fire District and Lexington County; Councilman Jeffcoat was responsible for the dedication of the North Lake Service Center; the Communications Center became a reality with the leadership of former Councilman Wilkerson and Chief James; and Messrs. Rucker, Carrigg, Derrick, and Jeffcoat were given the task of selecting an Assistant Clerk to Council.

In 2004 Messrs. Jeffcoat and Cullum assumed the role as Chair and Co-Chair of the Space Utilization Committee; Messrs. Derrick, Jeffcoat and Lexington County citizens Bill Bryd and Bill Monts were part of the Communications Committee who conducted extensive research of the County's phone system that will result in tremendous savings for the County; Mr. Carrigg served on the Judicial Center Dedication Committee; Oak Grove Magistrate's dedication was led by former Councilman Wilkerson; Mr. Keisler assembled a group that toured the Augusta Burn Center; Emergency Medical Services Operation Center was dedicated with the services of Councilman Jeffcoat and former Councilman Wilkerson; and Council planted trees in celebration of the County's 200<sup>th</sup> anniversary.

Mr. Davis noted Council raised millage by 0.836 mills during his two years as Chairman and said if Council continues the trend, in ten years the millage in the County would be double.

Mr. Davis said he would like to encourage Council and all County personnel to work harder for the citizens of Lexington County and do more with less instead of always having to have more; by doing this we can stem the tide of growth of government and still give efficient service to the citizens of Lexington County.

Mr. Davis stated it has been a privilege and honor to have served as Chairman.

**Election of Officers - Chairman** - Mr. Davis opened the floor for nominations for Chairman. Mr. Owens nominated Mr. Rucker, seconded by Mr. Keisler.

Mr. Davis called for further nominations; no further nominations were made. Mr. Davis called for the vote.

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

Abstaining: Mr. Rucker

Mr. Davis turned the gavel over to Mr. Rucker.

Chairman Rucker thanked Mr. Davis for his leadership and dedication to the County.

**Vice Chairman** - Chairman Rucker opened the floor for nominations for Vice Chairman. Mr. Davis nominated Mr. Cullum, seconded by Mr. Derrick.

Mr. Rucker called for further nominations; no further nominations were made. Mr. Rucker called for the vote.

In Favor:	Mr. Rucker	Mr. Davis
	Mr. Derrick	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	Mr. Owens

Abstaining: Mr. Cullum

**Appointment of Parliamentarian** - Mr. Rucker will make the appointment at a later date.

**Employee Recognition - Art Brooks, County Administrator** - Mr. Brooks recognized Bob Hall, Administrative Assistant, Ray Gunning, Maintenance Assistant II, and Louise Wise, Custodian in Building Services and Anna Mosser, Customer Service Clerk with Register of Deeds.

**Presentation of Resolution - Gilbert High School Boys Cross Country Team - Presented by Councilman Billy Derrick** - Mr. Derrick presented a resolution to Coach Jimmy Copeland and the Gilbert High School Boys Cross Country Team in recognition of winning the Class 2A/1A Boys Cross Country State Championship on November 6, 2004.

**Resolution - Robert N. Senn** - A motion was made by Mr. Jeffcoat, seconded by Mr. Owens that the resolution be adopted.

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

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

**Lexington County Recreation and Aging Commission - Designation for Lexington County Recreation and Aging Commission to Provide Transportation to Particular Sectors of the Elderly and/or Persons with Disabilities - Jay Criscione, Executive Director** - A motion was made by Mr. Cullum, seconded by Mr. Owens to approve the resolution for the Lexington County Recreation and Aging Commission.

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

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

**Appointments - Health Services District Board of Directors - Mr. Robert O. Heilman and Mr.**

**Thad H. Westbrook** - A motion was made by Mr. Jeffcoat, seconded by Mr. Cullum to reappoint Mr. Heilman and Mr. Westbrook to the Health Services District Board of Directors.

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

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

**Health Services District Board of Directors - Mr. William E. Stilwell, Jr. and Mr. James I. Shealy** - Mr. Keisler made a motion, seconded by Mr. Cullum to reappoint Mr. Stilwell and Mr. Shealy to the Health Services District Board of Directors.

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

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

**Museum Commission - Mr. Isaac D. Porter** - A motion was made by Mr. Keisler, seconded by Mr. Cullum to appoint Mr. Porter to the Museum Commission.

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

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

**Board of Zoning Appeals - Mr. Richard Walker** - Mr. Owens made a motion, seconded by Mr. Cullum to appoint Mr. Walker to the Board of Zoning Appeals.

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

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

**Bids/Purchases/RFPs** - A motion was made by Mr. Jeffcoat, seconded by Mr. Cullum that the following bids and purchases (Tabs O, P, Q, & R) be approved:

**APD 2000 Advanced Portable Chemical Agent Detector - Public Safety/Fire Service** - Bids were advertised and solicited from qualified bidders for one (1) APD 2000 advanced portable chemical agent detector for Public Safety/Fire Service. The APD 2000 is a multi-chemical detector used to identify specific weapons of mass destruction so that they can be mitigated safely. The detector will be placed at the Round Hill Fire Station on the County's COBRA truck to be used by the COBRA Team should an emergency arise.

Six (6) bids and one (1) no bid were received. Staff recommended the award of the bid to Abatix, Corporation as the lowest responsible bidder. Total cost is \$9,868.95 including sales tax.

**Radiation Monitors - Ludlum - Public Safety/Fire Service** - Bids were advertised and solicited from qualified bidders for radiation monitors for Public Safety/Fire Service. As first responders to events involving Weapons of Mass Destruction, it will allow personnel to identify the "hot, warm and cold" zones or to know where you must stop all incoming personnel to avoid contamination.

Eight (8) bids and four (4) no bids were received. Staff recommended the award of the bid to Chemical Environmental Consulting as the lowest responsible bidder. Total cost including tax is \$14,080.50.

**Computers, Docking Stations, Monitors, and Laptops - Public Safety/Communications, Sheriff's Department** - Public Safety/Communications and the Sheriff's Department requested the purchase of twenty-three (23) Dell computers and docking stations, twenty-three (23) Dell monitors and ten (10) Hewlett Packard laptops. The computers will be used by municipal police agencies, emergency operations center personnel, and for fire operations. The Dell computers, docking stations and monitors will be purchased from Dell Computers through South Carolina State Contract Number 03-S5869-A9659. The Hewlett Packard laptops will be purchased from Hewlett Packard through South Carolina State Contract Number 03-S5869-A9662.

Total cost including tax is \$80,766.59.

**Motorola 800 MHZ Radios and Accessories - Solid Waste Management** - A requisition was received for the purchase of two (2) Motorola 800 MHZ radios and accessories for Solid Waste Management. One (1) radio is to be vehicle mounted with an external speaker. This would alleviate the physical accountability of misplacing a handheld unit and would allow personnel to hear dispatching due to outside noise interference from heavy equipment and disposal tractors. One (1) radio will include a base station to replace the existing station that is non-repairable and is essential to the scale house to communicate with operators in the landfill.

Total cost including tax is \$5,643.70.

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

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

**Chairman's Report** - Chairman Rucker announced Wednesday, January 19 is a joint meeting with the Legislative Delegation at the Columbia Metropolitan Convention Center.

Chairman Rucker recognized Ms. Debbie Summers and welcomed her as a member of Council as well as Mr. Jeffcoat, Mr. Davis, Mr. Keisler and himself for being re-elected. Also recognized were the Honorable Dan Eckstrom, Probate Judge; the Honorable Art Guerry, Auditor; and the Honorable Beth Carrigg, Clerk of Court who were in attendance.

**Agenda Policy** - Chairman Rucker asked if there is an item on the agenda for discussion during Council meetings that representatives from the department(s) be available and prepared should questions arise.

Mr. Rucker asked if an emergency item needs to be addressed after the agenda has been set that the department will be responsible to hand-deliver the necessary documentation to each Council member and to the Clerk to Council prior to the meeting on Tuesday.

**Administrator's Report - Graniteville Train Wreck** - Chief James briefed Council of the County's involvement with the disaster in Graniteville and distributed pictures.

Chief James stated Animal Services was dispatched to Aiken to assist with animal control, five members of COBRA (Chemical and Biological Response Team) are in the process of being dispatched, and five deputies are assisting with patrolling the area. He said there are citizens who are attempting to commit fraud or deceit by trying to change their drivers' license in order to receive compensation from Norfolk Southern.

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

Supplemental appropriation increase of \$281,500 to appropriate interest earnings on revenue received from utility companies under the Rural Development Act and to appropriate the revenue received this fiscal year.

Appropriation transfer of \$12,000 to allow the Central SC Alliance to procure an independent study to identify three (3) sites for consideration for a Class A industrial park in the I-20 and I-26 corridor.

Appropriation transfer of \$18,487 to establish the Department of Soil and Water Conservation District and to hire one administrative assistant effective January 3, 2005 at a cost of \$9 per hour for 12.9 pay periods.

**Ordinance - Ordinance 04-11 - Authorizing the Approval of a Fee-in-Lieu of Tax Lease - Purchase Agreement - 2<sup>nd</sup> Reading** - A motion was made by Mr. Jeffcoat, seconded by Mr. Carrigg that Ordinance 04-11 be given second reading.

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

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

**Zoning Amendments - Zoning Map Amendment M04-04 - Torrey Pine Lane, Little Gap Court, Little Gap Lane Located in Crystal Pines - 3<sup>rd</sup> and Final Reading** - A motion was made by Mr. Jeffcoat, seconded by Mr. Owens to approve third and final reading.

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

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

Mr. Jeffcoat stated the request was granted and advised the homeowners that he would be available to them should the need arise.

**Zoning Map Amendment M04-05 - 1675 Lake Murray Blvd. - 3<sup>rd</sup> and Final Reading** - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve third and final reading.

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

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

**Committee Reports - Justice, J. Carrigg, Chairman - Re-organization Request - Clerk of Court** - Chairman Carrigg asked Vice Chairman Jeffcoat to give the committee's report on the re-organization request for the Clerk of Court's office.

Chairman Rucker asked Mr. Carrigg for his reason.

Mr. Carrigg stated because it has to do with the Clerk of Court's office.

Vice Chairman Jeffcoat stated the Justice Committee met and discussed the reorganization request by the Honorable Beth Carrigg. The reorganization request is for the reclassification of the Deputy Clerk of Court/Administration to Senior Administrative Deputy Clerk of Court, reclassification of the Office Coordinator position to a lower grade, elimination of the Process Server position, creation of a second DSS Coordinator position, and the addition of an Accountant position.

Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve the reorganization request.

Mr. Rucker opened the meeting for discussion.

Mr. Jeffcoat added that no additional funds were being requested for the changes.

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

Abstaining: Mr. Carrigg

The following two (2) budget amendment resolutions were distributed and signed.

An appropriation transfer of \$19,632 from contingency to appropriate salaries and fringe benefits for the creation of the position of DSS Coordinator, Grade 8 in the Title IV-D federal child support program.

An appropriation transfer of \$16,936 from contingency to appropriate salaries and fringe benefits for the reclassification of the Office Coordinator to Office Administrator, Grade 6, upgrade the Deputy Clerk to Senior Administrative Deputy Clerk of Court, Grade 14 and creation of a new position of Accountant, Grade 13.

Mr. Carrigg reported his committee met and discussed several grants during the afternoon meeting. Mr. Carrigg made a motion, seconded by Mr. Owens that the following grants (Tabs C, D, E, F, & G) be approved.

**Continuation Narcotic Multi-jurisdictional Task Force Grant - Sheriff's Department/Solicitor's Office** - The Continuation Narcotic Multi-jurisdictional Task Force grant includes funding requests for personnel, equipment, operating supply costs, and service fees for the Sheriff's Department and Solicitor's Office. This is the fourth year of a five-year grant. The funding cycle is July 1, 2005 to June 30, 2006.

The request for the Sheriff's Department is \$160,269 with a 25 percent match of \$40,067. The



match will be funded through the Sheriff's Department fiscal year budget 2005/2006. The request for the Solicitor's Office is \$80,749 with a 25 percent match of \$20,187. The match will be funded through the Solicitor's fiscal year budget 2005/2006.

**Enhancement Gang Unit Grant - Sheriff's Department** - The Enhancement Gang Unit grant is for the hiring of one (1) additional gang investigator, equipment and operating expenses. The grant is effective April 1, 2005 through March 31, 2006 and can be renewed for two additional years with no penalty if the position is not retained after the three year period.

The grant is in the amount of \$107,288 with a 10 percent match of \$10,729. The match will be funded through the Sheriff's Department fiscal year budget 2005/2006.

**Live Scan Fingerprint System Grant - Sheriff's Department** - The Live Scan Fingerprint System grant includes funding requests for equipment, operating and supply costs, and service maintenance. This is a one (1) year grant.

The grant is in the amount of \$190,200 with a 25 percent match of \$47,550. The match will be included in the Sheriff's Department fiscal year budget 2005/2006.

**Multi-jurisdictional Crime Scene Investigative Task Force Grant - Sheriff's Department** - The Multi-jurisdictional Crime Scene Investigative Task Force grant includes funding requests for five (5) new personnel for salary, overtime and fringes, equipment, operating and supply costs, and service fees. The is a three year grant and must be applied for each fiscal year.

The grant is in the amount of \$572,638 with a 25 percent match of \$143,159. The match will be included in the Sheriff's Department fiscal year budget 2005/2006.

**Case Management System Coordinator Grant Program - Circuit Solicitor** - The grant is for a Management System Coordinator, office equipment, and operating expenses.

The grant is in the amount of \$53,020 with a 25 percent match of \$13,255. The matching funds are requested to be funded through the General Fund.

Mr. Rucker opened the meeting for discussion.

Mr. Derrick made an amendment to the motion to delete Tab G (Case Management System Coordinator Grant Program) as the matching funds of \$13,255 were being requested from the General Fund whereas the remainder of the grants are encompassed in the Sheriff's current budget and asked for clarification.

Chairman Rucker asked Mr. Porth, Finance Director, for clarification.

Mr. Porth replied, they are all applications.

Mr. Derrick asked where the matching funds would come from if the grants were approved.

Mr. Porth replied, the General Fund.

Mr. Derrick asked, everyone of them?

Mr. Porth replied, the Sheriff's portion of the General Fund.

Mr. Derrick asked if the funds would be out of his current budget or is it a new request?

Mr. Porth replied, next year, it would come out of next year's money.

Mr. Derrick stated if this is additional General Fund revenue .....

Mr. Carrigg made a motion, seconded by Mr. Cullum to amend the original motion to delete Tab G and vote on Tabs C, D, E, and F.

Mr. Rucker asked for further discussion.

Mr. Derrick asked if this grant application (Tab G) goes in and if we get approval, where does the money come from?

Mr. Brooks stated that Ms. Evelyn Babbitt, Grants Manager, informed him that this is only the application process and if approved, then it would come back through the budget process for next year for the allocation of the County's match.

Mr. Derrick asked what would be the intent of the grant applicant .... where would the money come from? I want to know where the money is going to come from to match the grant in both situations.

Ms. Babbitt stated these are applications only; there is no guarantee that they are going to be approved by the grantor and at the time the budget requests come through, you have the opportunity at that time to appropriate the matching funds or not. If you decide not to appropriate the matching funds, we just don't accept the grant if it is awarded.

Mr. Derrick replied, we need not apply for the grant if we don't intend on funding the additional money, right? It would be useless for us to apply for a grant that we are not planning on funding.

Ms. Babbitt replied, you do have the opportunity to let us apply for it and make the decision later whether you are actually going to fund it or not. Because at the time the award comes in, we have usually 15 days to accept or not accept it.

Mr. Davis stated he understood that the Sheriff would use the funds that he has appropriated through his millage to match these grants if they are received.

Mr. Carrigg replied, that was in the grant proposals.

Mr. Davis replied, the money is going to come from the Sheriff's millage.

Mr. Rucker asked for further discussion; none occurred.

Vote on Amendment:

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

Vote on Motion as Amended:

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

Mr. Carrigg made a motion, seconded by Mr. Owens to approve Tab G (Case Management System Coordinator Grant Program).

Mr. Rucker opened the meeting for discussion.

Mr. Owens replied that would come under the same thing, next year's budget for the Solicitor's office and we could look at that at that point and time but certainly do not have a problem moving forward in applying for the grant.

Mr. Rucker asked for further discussion.

Mr. Derrick stated that whenever we (Council) allowed staff to apply for a grant that we (Council) are giving them pre-approval and if we aren't giving them pre-approval, then why would we allow them to move forward with the grant and stated that is the reason why he would be voting against the motion because we (Council) do not have the money to match.

Mr. Jeffcoat stated earlier during the Justice committee meeting he received a check in the amount of \$20,329 from Solicitor Myers from revenues generated in the Worthless Check program and he is only requesting \$13,255 in matching funds.

Mr. Derrick replied, we gave him 1.2 million dollars last year.

Mr. Jeffcoat replied, not to that program. No, sir.

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

Opposed:	Mr. Derrick	Mr. Davis
	Mr. Keisler	Mr. Cullum

**Proposed Multi-jurisdictional Agreement With Chapin Police Department - Sheriff's Department** - Mr. Carrigg asked Chief James if the multi-jurisdictional agreement with the Chapin Police Department needed to be approved tonight and indicated it was not listed to be reported out at the 4:30 session.

Chief James stated it is his understanding that Council would need to approve the agreement for signature authority.

Mr. Rucker allowed Mr. Carrigg to move forward with reporting out the committee's recommendation.

Mr. Carrigg stated his committee met during the afternoon and discussed the proposed multi-jurisdictional agreement with the Chapin Police Department. He said the agreement would allow the Chapin Police Department to expand their jurisdiction into areas of the County immediately adjoining their town along Highway 76 and be able to exercise jurisdiction at the Crooked Creek Park just outside of the town limits at times when a deputy may be otherwise busy with calls.

Mr. Carrigg made a motion, seconded by Mr. Owens to approve the agreement.

Mr. Rucker asked if this request only came up today and stated it was not listed to be reported out during the 4:30 session.

Mr. Carrigg stated it is not on the 4:30 agenda but it was on the Committee meeting's agenda.

Mr. Rucker asked, are you reporting out the committee's recommendation?

Mr. Carrigg replied, he is bringing out the committee's recommendation as he was unsure how soon the agreement needed to get into place.

Mr. Davis asked, what is the timetable? Is it crucial between now and the next meeting?

Chief James stated, if it's Council wish not to vote on the agreement, it could wait until next meeting.

Mr. Rucker said if at all possible, he would like to defer voting until the next Council meeting. He stated the County attorney has advised Council on many occasions that an item needs to be on the agenda prior to voting. However, it can be brought up as old/new business and said if it is not an

emergency issue that he would prefer delaying the request until the January 25 meeting.

Mr. Carrigg withdrew his motion. Mr. Owens withdrew his second.

Mr. Owens stated this is a mute point because this is not something that is requesting funds but strictly a mutual aid agreement, right?

Chief James replied, that's correct.

**Health & Human Services, J. Jeffcoat, V-Chairman - Citizen Corps Grant Award - Public Safety/Emergency Management** - Mr. Jeffcoat reported his committee met and discussed the Citizen Corps grant award.

Mr. Jeffcoat stated Public Safety/Emergency Management was awarded an additional \$3,290 from the Department of Homeland Security and South Carolina Law Enforcement Division. The additional award is for the purchase of backpack emergency response kits. It is a 100 percent federally funded grant.

Mr. Jeffcoat made a motion, seconded by Mr. Cullum to accept the award.

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

A budget amendment resolution in the amount of \$3,290 to appropriate the additional grant award was distributed and signed.

**Public Works, B. Derrick, Chairman - 2004-2005 Community Pride Grant Application - Solid Waste Management** - Mr. Derrick reported his committee met during the afternoon to discuss the 2004-2005 Community Pride grant application for Solid Waste Management. This is a grant in an amount up to \$8,000 from PalmettoPride to purchase border shrub plants for the Ball Park collection station, the Sandhills collection station, and other beautification projects within the County. There are no matching funds.

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

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

In Favor:	Mr. Rucker	Mr. Derrick
	Mr. Cullum	Mr. Davis
	Ms. Summers	Mr. Keisler

Mr. Jeffcoat                      Mr. Carrigg  
Mr. Owens

**Economic Development, J. Jeffcoat, Chairman - Town of Swansea - Happy Town Water/Fire Improvements Projects - Additional Engineering Cost - Community & Economic Development** - Mr. Jeffcoat reported his committee met during the afternoon to discuss the request from Mayor Ray Spires of Swansea for additional engineering funds for the Happy Town water line. He said Mayor Spires is asking for an additional \$5,352.42 in design fees and \$9,120 in project inspection fees for a total of \$14,472.42.

Mr. Jeffcoat made a motion, seconded by Mr. Keisler to approve the requested funding pending approval from the County attorney and HUD.

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

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

A budget amendment resolution in the amount of \$14,473 was distributed and signed.

**Product Development Needs - Community & Economic Development** - Mr. Jeffcoat reported the Economic Development Committee met on Tuesday, December 14, 2004, to discuss the need for a Class A Industrial Park in the I-20/I-26 corridor.

Mr. Ed Parler, Director of Government and Industry Relations, of the Central SC Alliance requested that the County allow an independent study be procured by the Alliance to identify three (3) sites for consideration and come back with recommendations. The cost of the study is approximately \$12,000.

The committee voted to recommend to Council that \$12,000 be appropriated to allow Central SC Alliance to move forward with the site study. Funding will be provided from the Economic Development account.

Mr. Jeffcoat made a motion, seconded by Mr. Davis to approve the \$12,000 appropriation.

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

In Favor:	Mr. Rucker	Mr. Jeffcoat
	Mr. Davis	Mr. Derrick
	Ms. Summers	Mr. Keisler
	Mr. Carrigg	Mr. Owens

Mr. Cullum

**Committee of the Whole, S. Davis, Chairman - 2005 SCDOT Match Projects - Public Works**  
- Mr. Davis reported the Committee of the Whole met during the afternoon to discuss the 2005 SCDOT match projects due to SCDOT in February. The committee asked staff to obtain a list based on the SCDOT priority list by council districts and that the information be provided immediately to Council for review. No motion was made. Received as information.

**Tabled Items - Purchase of Computers - Magistrate Court Services** - Mr. Carrigg stated he has been in contact with Judge Gary Reinhart, newly appointed Chief Magistrate for Magistrate Court Services, and he has asked for additional time to further study the requested purchase. Mr. Carrigg asked for the item to be taken off the table for further discussion.

Mr. Rucker stated he was sending the tabled item back to the Justice Committee for further discussion.

**Personnel Request - Probate Court** - Mr. Carrigg stated Judge Eckstrom of Probate Court had previously appeared before the Justice Committee on December 14 and had appeared again during the afternoon meeting requesting that Council approve two (2) estate clerks, grade 7 for his office.

A motion was made by Mr. Carrigg and seconded by Mr. Owens that the motion be brought off the table.

Vote to take the motion off the table:

In Favor:	Mr. Rucker	Mr. Carrigg
	Mr. Owens	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	

Opposed:	Mr. Derrick	Mr. Cullum
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Mr. Carrigg made a motion, seconded by Mr. Owens to approve the two (2) estate clerks, grade 7.

Mr. Rucker opened the meeting for discussion.

Mr. Davis stated he had previously opposed the personnel request because it was not during the budget process but understands the severity of the need for the additional personnel, therefore, would support the request.

Mr. Carrigg stated if Council was to look at the number of personnel in Probate Court, it would reflect that personnel has remained relatively static while the rest of the County departments have grown significantly. He also stated that the population of the County continues to grow whereby additional personnel is warranted to serve the citizens of Lexington County.

Mr. Jeffcoat said he has had unsolicited phone calls from several friends of his who deal with Judge Eckstrom on a regular basis who have indicated that he is in dire need of additional help. Mr. Jeffcoat agreed with Mr. Davis that personnel requests should be made through the normal budget process, however, this would be an exception that he would also support.

Mr. Rucker called for the question.

In Favor:	Mr. Rucker	Mr. Carrigg
	Mr. Owens	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Cullum

Opposed: Mr. Derrick

A budget amendment resolution in the amount of \$31,850 to appropriate funds was distributed and signed.

**Presentations - Ms. Sandra Francis, Executive Director, Community Mediation Center, P.O. Box 5942, Columbia, SC 29250 - Services Offered Through the Community Mediation Center**  
- Ms. Francis was not in attendance.

**Ms. Connie Sharpe, 208 Hallsborough Drive, West Columbia, SC 29170 - Fireworks** - I live in a subdivision named Brookdale. Our homes are being bombarded by fireworks every holiday. My neighborhood is comprised of a variety of ages, between 30 to mid-70s. We have about 144 homes. Out of those 144 homes, less than 12 people are engaging in fireworks. They have parties in the subdivision, in the cul-de-sacs. We have tried to reason with them but to no avail. I have contacted the Governor's office and he said that fireworks come under local authority.

Our neighbor, Georgia, has banned fireworks. It is just too unsafe to be in a subdivision. We can barely drive a car between two houses, but yet, the people get in a subdivision and shoot off fireworks that will cover two to three houses at a time. It is the type that will go up into the sky and explode into colorful fire covering the houses.

Last year our problems were with bottle rockets. We asked them not to shoot bottle rockets. Not as many were shot this year but they started using this larger equipment that is covering more area when they shoot. There is nothing on the books in Lexington County to protect us from fireworks. For the past year, I have been calling the Lexington County Police Department and they said there is no law per se against fireworks since they are legal and there is no way that we can protect ourselves. I have been trying to find zoning laws to protect us. The only thing that comes close is zoning against littering. They said that is hard to prove. The zoning against noise; they say, is next to impossible to prove. I even requested a resident deputy. I spoke to him on Tuesday because I was kept up until 1:30 a.m. on New Year's Eve with fireworks. They shot the fireworks all day, New Year's Eve day. A black cloud covered the whole neighborhood and as I said, we are only 144 houses. So it is a small neighborhood.



After contacting the Governor's office, he suggested that I come here and this is what I am doing here. I am asking you to do something to protect our neighborhood. As it is now, we can't leave our homes because we are afraid that they are going to burn from the fireworks and we can't get away from the noise because, again, we are afraid to leave. We have no choice. I asked the resident deputy if that wouldn't come under the zoning against noise ordinance and his reply to me was "everyone shoots firecrackers and fireworks on New Year's Eve." I said, "to 1:30 in the morning" and he said, "I wouldn't bother them because everyone does shoot." And that's not true; everyone doesn't shoot. I have been calling for a year; back and forth, back and forth, back and forth and I can't get any help. So I am asking to ban fireworks, specifically in subdivisions.

Mr. Rucker advised Ms. Sharpe that he would ask the Health & Human Services Committee to review and replied she was not the only person to complain about fireworks.

**The Honorable Art L. Guerry, Auditor - Activities in the Auditor's Office** - Prior to Mr. Guerry's presentation, booklets were distributed to Council outlining the duties and responsibilities of the Auditor. In addition, an activities report for tax years 2000 and 2004 was also distributed.

I am Art Guerry, the Lexington County Auditor. It is a great pleasure that I come to speak to you to let you know what our department does. I have learned that a lot of people think that all we do is deal with taxes on vehicles, but there is more to it than that.

I am going to try to speak, and I'm not going to read to you because everyone of you can read that are sitting up here, but I am going to mention some highlights. This is very much a synopsis of what the department covers. This is a good quick reference manual that we put together for the attorneys. On the front page under the Auditor's Office is the wording - Dioecetes vectigalis exactor ad velorem; that's official extraction of taxes from value. Just to let you know that's what we do. We look at the value and we take tax money out of it.

Mr. Guerry briefly discussed segments in the booklet and informed Council of a possible trial that may occur after he leaves office at the end of his term and said a News Release was released by the SC Department of Revenue on October 27, 2004 charging a Lexington County taxpayer with willfully attempting to avoid paying county property taxes on his pleasure boat.

**Old Business/New Business** - None.

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

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

Chairman Rucker reconvened Council in open session.

**Matters Requiring a Vote as a Result of Executive Session** - Chairman Rucker reported Council received the legal briefing, discussed personnel and contractual 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,

Dorothy K. Black  
Clerk

Bruce E. Rucker  
Chairman

Diana W. Burnett  
Assistant Clerk to Council