

M I N U T E S  
LEXINGTON COUNTY COUNCIL  
December 8, 2009

Lexington County Council held its regular meeting on Tuesday, December 8, 2009 in Council Chambers beginning at 4:30 p.m. Chairman Summers presided.

Reverend Donna Peele, Director of Pastoral Care for Lexington Medical Center, gave the invocation. Misses Haley and Avery Adler, daughters of Lori Adler, Human Resources Director, led the Pledge of Allegiance.

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

\*Mr. Jeffcoat arrived after the meeting was in progress.

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.

**Special Recognition - Lexington High School Economic and Government Class** - Chairman Summers recognized students from Lexington High School who were attending as part of their class assignment.

**Presentations - Stormwater Presentation Presented by Sheri Armstrong, Public Works/Stormwater Manager** - Ms. Armstrong presented Councilman Derrick with a "Clemson" rain barrel that was constructed during the first Lexington Countywide Stormwater Consortium Rain Barrel Workshop in appreciation of his company, Derrick Plumbing, Inc. donating all the plumbing parts for the barrels. The event was a partnership between Lexington County and Clemson Extension through the Carolina Clear program.

**Presentation of a Check to County Council by PBT for the Batesburg/Leesville Industrial Park Presented by Glenn Martin, Sr. Vice-President and Ben Spearman, Vice-President** - Messrs. Glenn Martin and Ben Spearman presented a \$200,000 check to the County to assist with the infrastructure at the Batesburg/Leesville Industrial Park.

**Special Olympics Check Presentation Presented by Sheriff James R. Metts** - Sheriff Metts presented a check for \$1,056 to Mr. Barry Coats for the South Carolina Special Olympics. The funds were raised through the Sheriff Department's Trail of Treats event that was held on October 31.

**Chairman’s Report** - Chairman Summers reported she attended the following events: West Metro’s Christmas Parade, the Lexington County’s Green Business reception at Sun Printing, the 2<sup>nd</sup> Annual Spare the Air Awards, the Rain Barrel Workshop, and the 26<sup>th</sup> Anniversary Volunteer Recognition Ceremony for the Juvenile Arbitration volunteers.

**Council Members’ Activities and/or Comments** - Mr. Derrick reported he attended the South Carolina Association of Counties Legislative Conference in Charleston and noted the agenda for the Senate this year will be job creation.

Mr. Banning reported he and Chuck Whipple, Economic Development Manager, attended the 29<sup>th</sup> Annual Economic Outlook Conference at the Darla Moore School of Business at USC.

**Administrator’s Report - Lexington County Museum’s Annual Christmas Open House** - Ms. Hubbard announced that the Lexington County Museum’s Annual Christmas Open House is Sunday, December 13 from 2 p.m. to 5 p.m.

**Holiday Closing** - Ms. Hubbard announced that the County Administrative offices will be closed Thursday, December 24, Friday, December 25 and Monday, December 28 for Christmas and Friday, January 1 for New Year’s.

**Employee Recognition - Katherine Hubbard, County Administrator** - Ms. Hubbard recognized Dr. Cooler, the County’s veterinarian, who has resigned and moving to the coast.

Bob Hall was recognized for his assistance in helping Clemson Extension schedule events at the Auxiliary Building. Ms. Kelly, with Clemson Extension, said no matter when she calls Bob, he is always pleasant and willing to help.

**Resolution - Phil Tanner - Presented by Councilman Johnny Jeffcoat** - On behalf of Councilman Jeffcoat, Councilman Carrigg presented a framed resolution to Mr. Tanner in honor of being named the national 2009-10 I-CAR Instructor of the Year

**Appointments - Building Codes Board of Appeals - Mr. Kenneth Timmerman, P.E.** - Mr. Derrick made a motion, seconded by Mr. Davis to appoint Mr. Kenneth Timmerman to the Building Codes Board of Appeals to represent the Engineering sector. Mr. Timmerman replaces Mr. Todd Swygert.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Not Present: Mr. Jeffcoat \*

\*Mr. Jeffcoat was not present at the time the vote was taken.

**Building Codes Board of Appeals - Mr. Lawrence Markey** - Mr. Derrick made a motion, seconded by Mr. Davis to appoint Mr. Lawrence Markey to Building Codes Board of Appeals to represent the

Contractor's sector. Mr. Markey replaces Mr. Robert Murphy.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Not Present: Mr. Jeffcoat\*

\*Mr. Jeffcoat was not present at the time the vote was taken.

**Accommodations Tax Board - Ms. Pat Johnson** - A motion was made by Mr. Banning, seconded by Mr. Keisler to appoint Ms. Pat Johnson. Ms. Johnson replaces Ms. Karen Holderfield.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Not Present: Mr. Jeffcoat\*

\*Mr. Jeffcoat was not present at the time the vote was taken.

**The Midlands Authority for Conventions, Sport & Tourism Facility Review Committee - John W. Carrigg, Jr.** - Mr. Banning made a motion, seconded by Mr. Cullum to appoint Mr. John W. Carrigg, Jr. to the Midlands Authority for Conventions, Sport & Tourism Facility Review Committee.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Abstained: Mr. Carrigg

Not Present: Mr. Jeffcoat\*

\*Mr. Jeffcoat was not present when the vote was taken.

**Lexington County Stormwater Advisory Board - Ms. Sue Green** - Mr. Derrick made a motion, seconded by Mr. Cullum to appoint Ms. Sue Green to serve as an Environmental Consultant on the Lexington County Stormwater Advisory Board. Ms. Green replaces Mr. Jerry Shrum.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Not Present: Mr. Jeffcoat\*

\*Mr. Jeffcoat was not present when the vote was taken.

**Accommodations Tax Board - Mr. William Teague** - Mr. Carrigg made a motion, seconded by Mr. Kinard to reappoint Mr. William Teague.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Accommodations Tax Board - Ms. Kathy Rabune** - Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to reappoint Ms. Kathy Rabune.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Board of Zoning Appeals - Mr. Edward G. Yates** - Mr. Carrigg made a motion, seconded by Mr. Banning to reappoint Mr. Edward Yates.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Accommodations Tax Board - Mr. J. Kevin Reeley** - Mr. Cullum made a motion, seconded by Mr. Kinard to appoint Mr. J. Kevin Reeley. Mr. Reeley replaces Mr. David Murray.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Bids/Purchases/RFPs** - A motion was made by Mr. Keisler, seconded by Mr. Jeffcoat to approve the following Bids/Purchases/RFPs (Tabs - 5,6,7,8,9,10, and 11).

**Tire Repairs and Maintenance (Term Contract) - Fleet Services** - Competitive bids were solicited and advertised for a term contract for tire repairs and maintenance for Fleet Services. Two (2) bids were received. Staff recommended splitting the award of the contract with Karl Crapps and Frank’s Tire based on the service locality. The estimated annual contract, including tax, is \$36,000. The term of the contract shall be for the period of one (1) year with the option to extend the contract for up to four (4) additional one (1) year periods, if deemed to be in the best interest of the County.

**(123) Microsoft Office 2007 STD, (28) Windows Pro 7 Upgrade, and (24) Office 2007 Pro – Information Services** - Staff recommended the purchase of 123 Microsoft Office 2007 STD, 28 Windows Pro 7 Upgrade, and 24 Office 2007 Pro for Information Services from SHI International Corporation through State Contract Number 4400000323. The total cost, including tax, is \$43,370.54.

**Surfacing Asphalt - Term Contract - Public Works** - Competitive bids were solicited and advertised for a term contract for surfacing asphalt to be picked up on an as needed basis by the Public Works Department. The contract includes materials for pavement repairs, paving of roads and parking lots. Three (3) bids were received. Staff recommended the award of the contract to the following three vendors who submitted bids: Rea Contracting, LLC; C.R. Jackson, Inc.; and Sloan Construction Co. The surfacing asphalt will be purchased from the nearest service locality. The estimated annual value of the contract is \$100,328. The term of the contract shall be for the period of one (1) year with the option to extend the contract two (2) additional one (1) year periods, if deemed to be in the best interest of the County.

**Clothing for Patrol Personnel - Term Contract - Sheriff’s Department** - Competitive bids were solicited and advertised for a term contract for clothing for patrol personnel for the Sheriff’s Department. Two (2) bids were received. Staff recommended the award of the contract to Wright Johnston uniforms. The estimated annual value of the contract, including tax, is \$57,394.80. The term of the contract shall be for the period of one (1) year with the option to extend the contract for up to four (4) additional one (1) year periods, if deemed to be in the best interest of the County.

**Motorola Portable Radios - Sheriff’s Department-** Staff recommended the purchase of eight (8) Motorola XTS 5000 Astro portable radios and accessories for the Sheriff’s Department. The radios and accessories will be purchased from Motorola through State Contract Number DSIT.2009.01. The total cost, including shipping and tax, is \$49,387.08.

**938-H Front End Loader (Replacement) - Solid Waste Management** - Competitive bids were solicited and advertised for a 938-H front end loader for Solid Waste Management. Two (2) bids and one (1) no bid were received. Staff recommended the award of the bid to the lowest responsive bidder, Blanchard Machinery. Total cost, including the Total Maintenance and Repair contract and tax, is \$284,095.70.

**Energy Efficiency and Conservation Block Grant (EECBG) Professional Services** - Competitive proposals were solicited to establish a contract with a consulting firm to assist in planning and managing the Energy Efficiency and Conservation Block Grants (EECBG). Two (2) proposals were received. The term of the contract shall be in accordance with the proposal and shall be completed no later than the term of the EECBG grant requirements. The estimated price for completing the program, including the cost of two (2) program and plan options is not to exceed \$154,307

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Approval of Minutes - Meetings of October 13 and 27, 2009** - Mr. Cullum made a motion, seconded by Mr. Derrick to approve the October 13 and 27, 2009 minutes as submitted.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Zoning Amendments - Zoning Map Amendment M09-08 - Boyd Miller Circle - 1<sup>st</sup> Reading** - Mr. Banning made a motion, seconded by Mr. Cullum to approve first reading.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Zoning Map Amendment M09-05 - North Lake Drive - 3<sup>rd</sup> and Final Reading** - Mr. Banning made a motion, seconded by Mr. Davis to approve third and final reading.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Opposed: Mr. Jeffcoat Mr. Carrigg

**Ordinance 09-14 - An Ordinance Authorizing the Irmo-Chapin Recreation Commission of the Irmo-Chapin Recreation District to Issue General Obligation Bonds in the Principal Amount of Not Exceeding \$1,030,000; and Other Matters Relating Thereto - 2<sup>nd</sup> Reading** - Mr. Derrick made a motion, seconded by Mr. Cullum to approve second reading.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Ordinance 09-15 - An Ordinance Authorizing the Execution and Delivery of a Fee Agreement by and Among Lexington County and Husqvarna Consisting of a Tenant, Its Affiliates and Assigns, as Sponsor Affiliate, to Provide for a Fee in Lieu of Ad Valorem Taxes Incentive, Including of the Company's Property in a Multi-County Park - 3<sup>rd</sup> and Final Reading** - Mr. Banning made a motion, seconded by Mr. Cullum to approve third and final reading.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Committee Reports - Planning & Administration, S. Davis, Chairman - Zoning Map Amendment M09-06 Garden Valley Lane - 2<sup>nd</sup> Reading** - Mr. Davis reported, at the request of Councilman Carrigg, the Committee postponed taking action at this time.

**Ordinance 09-01 - An Ordinance Amending the Lexington County Landscape Ordinance - 2<sup>nd</sup> Reading** - Mr. Davis reported the Committee voted unanimously in favor to recommend to full Council for approval.

A motion was made by Mr. Davis, seconded by Mr. Kinard to approve second reading.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Zoning Text Amendment T09-07 - Article 2 - Application of Regulations - Chapter 5 - Signs, and Other Related Sections of the Zoning Ordinance as Applicable - 2<sup>nd</sup> Reading** - Mr. Davis reported the Committee voted unanimously in favor to recommend to full Council for approval.

Mr. Davis made a motion, seconded by Mr. Banning to approve second reading.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Information Booth Staffing** - Mr. Davis reported the Committee received a request from Ms. Adler, Human Resources Director, to eliminate the full-time position of the PBX Operator/Receptionist and create two part-time positions for the Information Booth. Each position would be scheduled 25 hours per week and receive no health insurance benefits. This would result in a budget decrease of \$6,212. The Committee voted in favor to approve the request.

Mr. Davis made a motion, seconded by Mr. Cullum to approve eliminating the full-time position and create two part-time employees for the Information Booth.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Justice, J. Kinard, Chairman - Forensic Death Investigator Grant Application** - Mr. Kinard reported the Committee received a request from the Coroner's office to apply for the Forensic Death Investigator Grant. The grant in the amount of \$96,138 will require a five percent County match, which will come from the Coroner's FY10-11 budget. The grant is for the second year of funding for the Forensic Death Investigator. The Committee voted in favor to recommend to full Council for approval.

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

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Coroner's Equipment Grant Application** - Also, the Committee considered a request from the Coroner's office to apply for the Coroner's Equipment grant in the amount of \$114,589. The grant will require a five percent County match, which will come from the Coroner's FY10-11 budget. If awarded, the funds will be used to purchase three four-wheeled SUVs, three laptops, three digital cameras, a mobile printer and three 800 MHz radios. The Committee voted in favor to recommend to full Council for approval.

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

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Courthouse Security Enhancement Grant Application** - Also, the Committee considered a request The Sheriff's Department to apply for the Courthouse Security Enhancement grant in the amount of \$74,551. The grant will require a five percent County match, which will come from the Sheriff's Department FY10-11 budget. If awarded, the funds will be used to purchase and install additional video cameras throughout the courthouse, an exterior surveillance system, and a duress alarm system. The Committee voted in favor to recommend to full Council for approval.

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

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Gang Task Force Grant Application** - In addition, the Committee considered a request from the Sheriff's Department to apply for the Gang Task Force grant in the amount of \$179,197. This is for the second year of funding. The grant will require a five percent County match that will come from the Sheriff's Department FY10-11 budget. If awarded, the funds will be used to continue the costs associated with the two gang task force officers, equipment and operating supplies. The Committee voted in favor to recommend to full Council for approval.

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

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Regional DNA Laboratory Grant Application** - Mr. Kinard reported his Committee also reviewed the request to apply for a Regional DNA Laboratory grant from the Sheriff's Department. The grant in the amount of \$685,333 will require a five percent County match. The match will come from the Sheriff's Department FY10-11 budget. If awarded, the funds will be used to hire two employees to operate the lab and equipment and operating supplies to perform DNA testing. The Committee voted in favor to recommend to full Council for approval.

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

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

**White Collar Crime Unit Grant Application** - The Committee also considered the White Collar Crime Unit grant application. The grant in the amount of \$228,796 requires a five percent County match and will come from the Sheriff's Department FY10-11 budget. Funds, if awarded, will be for two investigators, two vehicles, equipment and operating supplies. The Committee voted in favor to recommend to full Council for approval.

Mr. Kinard made a motion, seconded by Mr. Cullum to approve staff request to move forward with the submittal of the grant application.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Health & Human Services, J. Jeffcoat, Chairman - Emergency Notification System Protocols** - On behalf of Chairman Jeffcoat, Mr. Banning reported the Committee met to review the new Emergency Notification System Policy and Procedures manual for the Notification System submitted by staff. The system is to be implemented only during emergencies when there is a threat to lives and properties in Lexington County. The Committee voted in favor to recommend to full Council for approval.

Mr. Banning made a motion, seconded by Mr. Jeffcoat to approve the Emergency Notification System Policy and Procedures manual.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Fire Service Leadership Team Composition** - Also, the Committee reviewed staff's proposed composition for the Fire Service Leadership Team. The Team will consist of 16 individuals - seven volunteer representatives (one from each battalion) and seven paid battalion captains (one from each battalion) and the North and South Region Fire Chiefs. The Committee voted in favor to recommend to full Council for approval.

Mr. Banning made a motion, seconded by Mr. Jeffcoat to approve the new Fire Service Leadership Team Composition.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Town of Swansea Outdoor Burning Ordinance Enforcement** - Mr. Banning reported the Town of Swansea adopted the County's Burn Ordinance on November 9, 2009 and is requesting assistance from Public Safety/Fire Service with enforcing the Lexington County Burn Ordinance within the town limits. The Committee voted in favor to recommend to full Council for approval.

Mr. Banning made a motion, seconded by Mr. Kinard to approve the Town of Swansea's request for assistance with enforcement of the Lexington County Burn Ordinance.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Public Works, T. Cullum Chairman - MS4 Intergovernmental Agreement** - Mr. Cullum reported the Committee reviewed the Intergovernmental Agreements between the seven Municipalities that outlines the implementation of the Stormwater Management Program (SWMP) in Support of the NPDES MS4 General Permit, which is an addendum to the County's current Intergovernmental Agreement with the MS4s. The Committee voted in favor to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Banning to approve the Intergovernmental Agreements with the seven MS4s.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

**Chapin Public Works Office Water Tap Contract** - Mr. Cullum reported the Committee met to review the Chapin Public Works Office Water Tap agreement with the City of Columbia. The County needs to eliminate the well for drinking water at the Chapin Public Works office and is requesting to tie into the City of Columbia’s water system. However, before being allowed the tie into the system, the City of Columbia is requiring that the County sign the agreement, which has been reviewed by the County attorney. The Committee voted in favor to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Banning to approve the Chapin Public Works Office Water Tap Contract.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Opposed:	Mr. Keisler	Mr. Cullum
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**Budget Amendment Resolutions** - The following BARs were distributed and signed:

10-075- A supplemental appropriation increase of \$7,200 to appropriate funds in the Fire Service Capital contingency as the result of the sale of the mobile home that was located on the property for the new Lake Murray Fire Station.

10-076 - An appropriation transfer of \$130,000 from the New Home Construction Program and the Housing, Counseling & Education funds to the Community Housing Development Organization and Homeownership Assistance Program funds for the HOME Program.

10-077 - An appropriation transfer of \$1,787 and a supplemental appropriation increase of \$2,461 to set up a new capital line item for a replacement recycling trailer that was damaged in an accident.

10-078 - An appropriation transfer of \$17,291 to adjust the Human Resource’s budget to match the reorganization request. The information booth employee is retiring and is being replaced by two part-time positions to fill the full-time position. This will result in a cost savings of \$6,212.

10-079 - A supplemental appropriation increase in the amount of a \$200,000 donation received from

Comporium, PBT's parent company, for infrastructure improvements to the Batesburg/Leesville Industrial Park. Note: This is a duplication of BAR Number 10-057 from October 13, 2009.

10-080 - A supplemental appropriation increase in the amount of a \$50,000 donation received from AT&T for wastewater infrastructure improvements at the Saxe Gotha Industrial Park.

**Executive Session/Legal Briefing** - A motion was made by Mr. Davis, seconded by Mr. Derrick to move back into Executive Session to continue discussions of two personnel matters. Following the Space Utilization Subcommittee meeting, Council went into Executive Session to discuss five personnel, four contractual, two legal, and two economic development matters.

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

Ms. Summers reported that Council would need to go back into Executive Session following the public hearings to complete discussions on one personnel issue.

**6:00 P.M. - Public Hearings** - Prior to opening the public hearings, Ms. Summers reviewed the guidelines for public hearings. She stated that the purpose of the hearing is to obtain comments from proponents and opponents regarding specific subject matter. She asked that each speaker provide their name and mailing address and that comments be limited to three (3) minutes. Ms. Summers asked that if there was anyone present who had signed up to speak but chose not to speak, but wanted to concur with what has been said, it was acceptable to indicate concurrence. Also, Ms. Summers said there will be no disruptions including cheering, clapping, head counts, etc.

**Ordinance 09-10 - An Ordinance Authorizing (1) The Execution and Delivery of a Fee Agreement Between Lexington County and Flextronics America, LLC; (2) The County to Covenant in Such Incentive Agreement to Accept Certain Fees in Lieu of Ad Valorem Taxes with Respect to the Expansion Project; (3) Benefits of a Multi-County Park; (4) the Re-Documentation Within Such Incentive Agreement of Certain Lease Purchase Agreements Pertaining to a Project Established by the Company within the County in 1999** - Ms. Summers announced that the Ordinance has been pulled from the agenda.

**Ordinance 09-14 - An Ordinance Authorizing the Irmo-Chapin Recreation Commission of the Irmo-Chapin Recreation District to Issue General Obligation Bonds in the Principal Amount of Not Exceeding \$1,030,000; and Other Matters Relating Thereto** - Ms. Summers opened the public hearing for those in favor of Ordinance 09-14.

**In Favor:**

**Brian Elmer - 405 Oxenbridge Way, Chapin, SC 29036** - I am a local businessman in the Irmo/Chapin area. I am also a youth football coach for three years in the Chapin area. I am also a youth high school and collegiate official. As someone who is on the front lines of youth athletics, I can tell you that the Irmo/Chapin system is bursting at the seams. The facilities that we have now were built in 1994 when, basically, half the people that we have in these areas lived in those areas. Even with the explosion of travel youth teams, we are still seeing a bursting at the seams of facilities for our youth athletics. Our

youth football teams practice on baseball fields that are converted from waste sites, elementary schools, and old high school football fields. I think it is time for somebody again, who is on the front line of youth athletics, of decisions we make here. We are the ones who see the repercussions. We are the ones who have to explain why the City of Lexington has a \$19 million dollar facility and we have substandard facilities. I urge you to pass this for the benefit of these youth athletes. Thank you.

**Elizabeth Taylor, 1314 Quail Valley West, Columbia, SC 29212** - I serve as the executive director for the Irmo-Chapin Recreation Commission. I am also a resident of the district. I am here tonight to ask for your support of this request by the commission for the \$1,030,000 bond. The purpose of the bond is for land acquisition in the Chapin area and some minor capital improvements throughout the district. This request comes to you as a result of an 18-month long strategic planning process that involved over 1600 members of our community in assessing the recreational needs of the district. One of the primary needs that were identified was additional outdoor athletic facilities in the Chapin area. We feel like this is an excellent time to make an investment for the future in the Chapin area as far as land acquisition, and we ask you to support this request tonight. Thank you.

**Ray Jones, 1306 Wellington Drive, Columbia, SC 29204** - I am the bond counsel for the Irmo-Chapin Recreation Commission and have worked with them during this entire process to look at the opportunities for how they can fund improvements and fund the needs that have been highlighted tonight without having to raise taxes and do some of the other things that would be difficult in this kind of economy. We have been able to find a way to access monies that have already been collected to utilize them for the purposes of the commission. We happen to be in a situation where this kind of bond, which will be a very short-term bond, are at historically low rates. I have even seen some bonds recently priced at below one percent interest that were less than six months or less than a year in duration. So, we feel confident in the terms of the timing in which we are issuing the bonds that we are doing so at a time that is favorable in the market and will enable the commission to accomplish their needs. Based on that, I am here tonight on behalf of the commission asking for your support. Thank you.

**Linda Marsh, 661 Webster Point, Chapin, SC 29036** - I am just a parent. I have six kids, but I certainly know the importance of sports to children. I know everybody here has probably seen over and over again the statistics that children who participate in sports get better grades, graduate from high school in greater numbers and stay out of trouble more. That having been said, additionally, the Well Respect Science Quarterly recently reported that sports programs increased cooperation and pro-social behavior to foster cooperation and cooperative behavior in high schools. We should encourage participation in varsity sports and, yet, we don't even have enough room for our children who participate now to participate in sports. For example, for the first time in three years, some of you may know, the South Carolina high school league has added a varsity sport to the programs in South Carolina. They recently added Lacrosse. At our first meeting, where we invited boys to attend, we had over 60 boys to show up. We think we will have over 50 boys on that Lacrosse team. Two weeks ago we held a program for the girls. We had 52 girls to show up for that meeting and we didn't even announce or publicize that the fact we were having a team. Those are district teams. We are having just one boys' team and one girls' team in the entire district. Why, because we don't have any field space. Even if we could put more teams on the field, we couldn't do it. We barely have the space to fill these two teams that we have right now. And, yet the boys' Lacrosse team recently sponsored a Lacrosse camp for young people. We had 62 young people sign up; primarily elementary and middle-school students. And, yet, we have no recreation program for them. They signed up for the camp and will come to the camp, but we have no rec program. Why, because we have no fields. So, it seems to me that if we have the students who want to participate, and they clearly do want to participate, then why can't we provide the space for them to do that. Thank you.

Ms. Summers stated no one else signed up in favor and closed that portion of the public hearing.

Ms. Summers opened the public hearing for those in opposition.

**In Opposition:**

**Ed Yates, 228 Century Drive, Columbia, SC 29212** - Prior to speaking, notes provided by Mr. Yates were distributed to Council. I know each one of you have received a couple of e-mails from me during the last couple of weeks regarding the expenditure of the \$1,030,000 for more land near Chapin. I wanted to address the Council tonight just to bring you up to date with some of the things that I know. I want to say that Elizabeth, Eve, and Jim do a wonderful job at the recreation commission. We are very proud of the recreation in the Irmo-Chapin area, but I want to give you a little history. In 1969, we chose to break away from the Lexington County recreation district, which we did, and formed our own recreation commission. I don't think Senator Knotts has ever forgiven us for that. Since 1969, our population now represents 20 percent of the County's population. That is 51,000 people out of approximately 264,000 in the County. The general and special funds spending for Irmo is 73 percent of what the Lexington County recreation district spends, \$7,500,000 vs \$10,000,000. Richland County plans to spend \$50,000,000 on improved parks and new facilities in Richland County right adjacent to the Irmo-Chapin Recreation Commission. This means that of the 35 percent of the kids using our parks and fields now, those children most likely will be using their own fields and parks in the future, as they spend that \$50,000,000. District 5 is spending \$243,000,000 on new schools. This means a new high school, a new elementary school, a new middle school, and possibly a new alternative school. I heard last night that Irmo-Chapin has revised their plans for the Irmo-Chapin High School, which will mean a new soccer field and two new practice football fields for Chapin High School. I know there is an argument about the schools and the A.D.s don't want the recreation commission to use these facilities, but these are facilities that all belong to the taxpayers so I think we ought to try to work out some deal where we can use the schools' facilities for recreation. Over the next nine years, McKibben and Associates have determined that the Chapin cluster will only grow 144 students. That is 14 students a year. This is kind of surprising when our previous administrator, Dr. Anderson, had projected that the district would go from 15,000 to 25,000 students. His crystal ball apparently wasn't working too well. The Irmo-Chapin Recreation Commission spent \$2.4 million on the BC Component property. It was a revenue bond. They appeared before you and some of you were quite disgruntled with the fact that, that revenue bond they asked to be turned into a taxpayer paid general obligation bond. That same evening they asked for \$900,000 to tear down the BC Component factory and offices and dispose of that. We have gone through many iterations. We had a proposal for an \$18 million water park; a proposal for a \$25 million water park; we have had proposals for skate parks. Most recently, we wanted to use that property for a hockey arena. You people probably know better than I do, but that is probably a dead issue now. Here we have approximately \$1 million available, about \$50 a family for the people living in the Irmo-Chapin area. And, the recreation commission thinks - well, rather than reduce millage, rather than save this to be used at the end of the bond pay off, they would like to buy more property at this time. I think at this time, it's just bad judgment. In my neighborhood alone there have been ten foreclosures. Every week two or three people lose their jobs. We have had many stores in the St. Andrews area to close - restaurants, Ryans and Bojangles on St. Andrews Road and this is a tough economy to be just saying, we have found a \$1 million, let's spend it.

**George Duke, 637 Webster Point, Chapin, SC 29036** - In yesterday papers it said the tax sales were soaring in Lexington County. Sixty percent increase in the number of homes up for tax sale. Unemployment over 10 percent. Quite frankly, those of us on a fixed income are not on a fixed income

anymore. We are on a regressing income. I look at my pension, and I look at my social security and it is going in the wrong direction; it is going backwards. I would expect the ICRC and the Council to mirror their constituents in their belt tightening. The other thing that I understand is that the \$1,030,000 is our money; the taxpayers' money. And, if they over collect it, I think they should make every way possible to return that money to us. The other part is, if they are going to take this money and buy ball fields, that's a double impact. You are taking a \$1,030,000 plus another \$200,000 we just received from the sale of the ballpark in Chapin and you are going to take that money out of the tax base, which means that the rest of the people who live there are going to have to pick up the slack and pay the taxes that the previous property \$1,250,000 was carrying. That, again, is one of the reasons that we are all going backwards on our income. I have a positive recommendation. I was on the steering committee; I was on the strategic planning committee. Elizabeth was nice enough to have me on there and one of the things that I remembered was, yes, there are a lack of ball fields. The other part of that is the people who play ball will go anywhere in the County or in the District 5 area to play. They don't have to have it in Chapin; they don't have to have it in Irmo. So my point is, we've got over 100 acres sitting fallow at the corner of Bush River Road and St. Andrews Road, the old BC Component property, I see no reason why that couldn't be turned into a sports complex as it stands right now for a lot less than \$1,030,000. If you don't want to do that, then also the possibility that you can reduce the millage. Now, I have been told if you reduce the millage, than you will have to raise it again next year. But, I think the people are smart enough to understand, if you explain it to them, that it's this, it could be less for a year, it's going back up because we over collected on your taxes. And that is what happened – they over collected on our taxes. I would just like to employ you to look at this situation with the BC Component property and look at taking this ball field requirement and moving it down there rather than buying new land for the Irmo-Chapin Recreation Commission.

Ms. Summers stated no one else signed up in opposition and closed the public hearing.

**Solid Waste Processing Facility Application 09-04 - Carolina Materials Corp.** - Ms. Summers opened the public hearing for those in favor of SW09-04.

Mr. Dave Eger, Director of Solid Waste Management, presented information on SW09-04. He stated that the applicant, Jo M. Counts, requested an approval to expand their existing construction and demolition landfill by approximately 10.88 acres. The property is located at 120 Carl Drive, Lexington. According to procedures, the application was advertised, adjacent property owners were notified by mail, and the property was posted. A site plan was submitted and approved by the County's zoning department. If approved by the County, then the applicant would proceed to submit plans to SCDHEC requesting a revised permit for the expansion area.

Mr. Jeffcoat asked what they will be processing.

Mr. Eger replied, currently they have a construction and demolition landfill and what they are doing is expanding that landfill another 10.88 acres. They actually do a lot of recycling. They recycle all their wood waste and concrete that comes in. But, again, they are processing construction and demolition materials and land filling that portion that is not recyclable.

Ms. Summers opened the public hearing for those in favor of SW09-04.

**In Favor:**

**Jo M. Counts, 122 Carl Drive, Lexington, SC 29073** - Ms. Counts withdrew her request to speak.

Ms. Summers stated no one else had signed up to speak in favor and closed that portion of the public hearing.

Ms. Summers opened the public hearing for those in opposition to SW09-04.

Ms. Summers stated no one signed up in opposition and closed the public hearing.

**Ordinance - Ordinance 09-10 - An Ordinance Authorizing (1) The Execution and Delivery of a Fee Agreement Between Lexington County and Flextronics America, LLC; (2) The County to Covenant in Such Incentive Agreement to Accept Certain Fees in Lieu of Ad Valorem Taxes with Respect to the Expansion Project; (3) Benefits of a Multi-County Park; (4) the Re-Documentation Within Such Incentive Agreement of Certain Lease Purchase Agreements Pertaining to a Project Established by the Company within the County in 1999 - 3<sup>rd</sup> and Final Reading** - Ordinance 09-10 was pulled from the agenda.

**Executive Session/Legal Briefing** - A motion was made by Mr. Jeffcoat, seconded by Mr. Kinard to move back into Executive Session to continue discussions of one personnel matter.

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

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

**Matters Requiring a Vote as a Result of Executive Session** - Ms. Summers reported as a result of Executive Session there were no motions to be considered.

**Motion to Adjourn** - Mr. Carrigg made a motion, seconded by Mr. Banning to adjourn.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

Debra B. Summers  
Chairman