

**MINUTES
LEXINGTON COUNTY COUNCIL
SEPTEMBER 13, 2005**

Lexington County Council held a special meeting on Tuesday, September 13, 2005 in Council Chambers, beginning at 6:00 p.m. The special meeting was held to lessen the impact of the number of agenda items and public hearings that are scheduled for September 27th. Chairman Cullum presided; Mr. Cullum gave the invocation; Mr. Owens led the Pledge of Allegiance.

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

Member not present: Johnny W. Jeffcoat *

* Mr. Jeffcoat was not present due to an illness.

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

Employee Recognition - Art Brooks, County Administrator - None.

Appointments - Library Board - Reverend Richard E. McLawhorn - A motion was made Mr. Carrigg, seconded by Mr. Davis to appoint Reverend Richard McLawhorn to the Library Board. Reverend McLawhorn replaces Ms. Evelyn Faulk.

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

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

Library Board - Ms. Sandra Harley - A motion was made Mr. Owens, seconded by Mr. Keisler to appoint Ms. Sandra Harley to the Library Board. Ms. Harley replaces Mr. William L. Coleman, Jr.

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

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

Bids/Purchases/RFPs - Mr. Davis made a motion, seconded by Mr. Keisler that the following bids/purchases/RFPs (B, C, D, E, F) be approved.

Office Supplies - Term Contract - Countywide - Competitive bids were solicited and advertised for a term contract for office supplies for the County. The cost is based on estimated quantities projected for use by the County for a period of one (1) year and is estimated at an annual value of \$48,927.29 including tax. Four (4) bids were received. Staff recommended that the award be made to Lorick Office Products as the lowest bidder meeting specifications. The term of the contract shall be for a period of three (3) years with the option to extend the contract for two (2) additional one (1) year periods if deemed to be in the best interest of the County.

Brake Drum Lathe - Fleet Services - Competitive sealed bids were solicited for the purchase of a brake drum lathe for Fleet Services. The lathe will replace an existing 20-year-old lathe which has had several major repairs and is no longer economically feasible for further repairs. Five (5) bids were received. Staff recommended that the award be made to Automotive Equipment Service Company as the low bidder meeting specifications. Total cost including tax is \$12,646.86.

Motorola 800 MHZ Radio and Accessories - Public Safety/Emergency Preparedness E-911 - Staff recommended the purchase of one (1) Motorola 800 MHZ radio and supplies for Public Safety/Emergency Preparedness E-911 from Motorola through State Contract Number OIR2002.07. The radio will be used by the Communications Center Administrator to monitor the dispatch performance of all telecommunications operators and the ability to identify weak areas that require immediate attention as well as determine compliance with established policies. Total cost including tax is \$5,330.54.

Motorola Vehicular Radio Modem and Accessories - Sheriff's Department - Staff recommended the purchase of one (1) Motorola vehicular radio modem and accessories for the Sheriff's Department from Motorola through State Contract Number OIR2002.07. The modem is required to interface with the automatic vehicle locator system currently in use by County Dispatch and will be used to allow for a data link between the mobile command post and the Emergency Operations Center. The data link will also enable the command post to provide text messaging to individual units responding to the scene. Total cost of equipment including programming, installation, and tax is \$6,586.10.

Fleet Vehicle Replacements/Additions - Various Departments - Staff recommended the purchase of Fleet Vehicle Replacements/Additions for Various Departments through the appropriate State Contract. The vehicles are recommended and approved in accordance with the Fleet Management Policy. The cost of the approved vehicles is \$170,325.20 including tax.

Mr. Cullum opened the meeting for discussion.

Mr. Derrick asked, what is a Chevrolet Trailblazer?

Mr. Ellis Gammons, Fleet Service Manager, replied that the Chevrolet Trailblazer, V-6, is the smallest SUV that is presently offered under state contract.

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

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

Chairman's Report - Mr. Cullum asked Chief Rucker to give a brief update on the recent anhydrous ammonia leak in the Town of Lexington and the County's participation with evacuees from the New Orleans area.

Chief Bruce Rucker, Assistant Sheriff and Director of Public Safety and Homeland Security, reported approximately two weeks ago, the JET team and several members of the COBRA team responded to an anhydrous ammonia leak at Palmetto Propane Company where they were successful in sealing the leak. He said the gas dissipated within a couple of hours.

Mr. Owens commended Chief Rucker and his staff in the manner in which they responded and stated the response was done in record time.

Major George Brothers, Homeland Security Coordinator, stated on September 2, 2005 Public Safety was notified by the EPD that they would be setting up the National Disaster Medical System to begin receiving patients from the New Orleans area; however, no patients were received through the medical system. Major Brothers said 412 evacuees arrived at the Columbia Metropolitan Airport where they were triaged by doctors from the Veterans Affairs Administration; 11 were transported to Richland Memorial Hospital and 17 to Lexington Medical Center. The remaining evacuees were bused to the Naval Reserve Center at USC before being housed at area motels/hotels in Lexington and Richland counties; none in the City of Columbia. He said the number of evacuees has increased as people continue to arrive.

Mr. Owens said it was interesting that no evacuees were being housed in the City of Columbia but rather in Lexington and Richland counties after Mayor Cable had extended the invitation to house evacuees.

Major Brothers said he was told the reason that no evacuees were housed in the City of Columbia was because the motels/hotels were previously reserved for ball games.

Mr. Brooks added that Lexington County Animal Control also assisted greatly with the operation.

SCAC Board of Directors - Chairman Cullum announced that Councilman Billy Derrick was elected to the SCAC Board of Directors during the SCAC conference held at Hilton Head in August.

Administrator's Report - Mr. Brooks updated Council on the County's fuel situation. He said the County tries to maintain the fuel tanks at 70% and noted there had been a delay with fuel deliveries but it is now back to normal. Presently the County is paying \$2.40 a gallon.

Mr. Brooks said the County is looking at different programs to help the County and employees conserve fuel. The programs that are being discussed are car pools and four 10-hour days scheduled over five (5) days. In addition, he said Public Safety has begun utilizing the "storm plan" and the County will be purchasing Chevrolet Impalas rather than Ford Crown Victorias for the Sheriff's Department which will be less expensive and get better gas mileage. Purchase price alone will save the County approximately \$70,000 and, based on fuel mileage, the savings will be approximately \$61,000.

Approval of Minutes - Meeting of August 23, 2005 - A motion was made by Mr. Owens, seconded by Mr. Derrick to approve the minutes of August 23, 2005 as submitted.

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

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

Ordinances - Ordinance 05-07 - Amend the Agreement for Development of Joint County Industrial Park Between Lexington County and Calhoun County - The Electric Controller and Manufacturing Company, LLC - 2nd Reading - Mr. Davis made a motion, seconded by Mr. Owens that Ordinance 05-07 be given second reading.

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

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

Ordinance 05-08 - Authorizing an Amendment to a Lease Agreement Between Lexington County and Michelin North America, Inc. with Regard to the Investment to be Made by the Company in Connection with the Fee in Lieu of Tax Payments and Infrastructure Tax Credits - 2nd Reading - Mr. Derrick made a motion, seconded by Mr. Keisler that Ordinance 05-08 be given second reading.

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

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

Economic Development Project - Pirelli Communication Cables and Systems USA, LLC - Approval of Estoppel Agreement and Deeds for Pirelli FILOT - Delayed.

Committee Reports - Planning & Administration, J. Owens, Chairman - Town of Swansea - Annexation of Lexington County Public Works Camp #2 and Annexation of Clay Pit, Lexington County Industrial Park - Mr. Owens stated members of the Planning & Administration Committee met on Tuesday, August 23, 2005 to consider a request by the Town of Swansea for the annexation of Lexington County Public Works Camp #2, TMS Number 012900-01-043 and Clay Pit, Lexington County Industrial Park, TMS Number 012900-02-036.

Mayor Ray Spires stated the Town of Swansea has been expanding and would like to annex the Lexington County Public Works Camp #2 (Martin-Neese Road) and Clay Pit (N. Side Hwy. 3, E. Side Hwy. 102) which are contiguous properties. He said even though the Clay Pit is not in their jurisdiction, they are constantly having to patrol the area due to problems with three-wheelers and dirt bikes at night and on weekends. He said by granting the annexations, the town would have more jurisdiction to provide the service to the County.

The Committee voted to recommend that full Council approve the annexations.

Mr. Owens made a motion, seconded by Mr. Keisler that the annexations be approved.

Mr. Cullum opened the meeting for discussion.

Mr. Davis stated he understood there is no motive for the annexation of the properties other than for the Town to be able to have jurisdiction.

Mr. Derrick asked, why would the Town of Swansea want to annex the property?

Mr. Davis replied, they are patrolling the area but it is not part of the town; they don't have the full authority.

Mr. John Fechtel, Director of Public Works, stated the Town's property backs up to the Public Works Camp #2 through the woods and by annexing the Public Works Camp #2 that gets them to the road and, as he understood from Mayor Spires, there are people on the other side of the road that wanted to annex into the Town. The annexation would give the Town the jurisdiction with law enforcement.

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

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

Economic Development, J. Jeffcoat, Chairman - Alpha Manufacturing Company, Inc. - Fire Hydrant - On behalf of Mr. Jeffcoat, Mr. Davis reported members of the Economic Development Committee convened on Tuesday, August 23, 2005 to discuss the possibility of assisting Alpha Manufacturing with costs associated with the installation of a fire hydrant at 100 Old Barnwell Road.

Mr. Dean Young, President, said Alpha Manufacturing is a machine, tool, and die shop. He said he has been trying to expand his business since 2004 but has been unable to obtain a building permit because of the lack of fire hydrants. He said presently there are two hydrants; one that is 550 feet north of his property and the other being 1000 feet south, which will not meet code.

Mr. Young stated in order for a fire hydrant to be installed, his company will have to tap onto the existing 8" water main and install up to 10 feet of pipe. He said he obtained two proposals that included materials, labor and equipment costs; Carolina Tap & Bore, Inc.- \$3,750 and Patriot Construction Co., Inc. - \$3,500.

The Committee voted to recommend that full Council approve the material cost of \$1,675 proposed by Patriot Construction Co., Inc. for the installation of a fire hydrant at Alpha Manufacturing.

A motion was made Mr. Davis, seconded by Mr. Derrick to approve the cost of materials only in the amount of \$1,675 to assist Alpha Manufacturing with the installation of a fire hydrant.

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

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

Mr. Keisler made a motion, seconded by Mr. Carrigg to approve the following committee reports (L, M, N). The approval includes \$15,000 to assist Cross Roads Fire Station with their water line, \$95,000 in CDBG funds to assist the City of Cayce with the Lloydwood sewer system, and an additional \$2,100 for the cost of materials to install the double check backflow preventer for Roof Basket Works, Inc.

Cross Roads Fire Station - The Economic Development Committee met on Tuesday, August 23, 2005, to discuss providing financial assistance to extend a water line to the Cross Roads Fire Station.

Mr. Jeffcoat, Committee Chairman, stated the Cross Roads Fire Station is continually experiencing problems with their well and has asked for assistance. He said the cost estimate is \$75,000.

The Committee voted to recommend that full Council approve \$15,000 from Fire Service to assist with the cost associated with the water line. However, if funds are not available in Fire Service, then funding will be provided from Economic Development funds.

Lloydwood Sewer System - As part of the Economic Committee meeting on Tuesday, August 23, 2005, Mr. Cullum asked that the committee consider a request for CDBG funding from Mr. John Sharpe, City Manager of Cayce, to assist with the Lloydwood sewer system.

Mr. Cullum stated the cost estimate proposed by American Engineering to tie the Lloydwood sewer system into the City of Cayce's wastewater system is \$334,032. He said with the help of Senators Setlzer, Knotts, and Representative Bingham grants totaling \$240,000 have been secured from the Department of Commerce (\$190,000) and DHEC (\$50,000), leaving a balance of \$95,000.

The Committee voted to recommend that full Council approve \$95,000 in CDBG funding in order to tie the Lloydwood sewer system into the City of Cayce's wastewater system. Funding will be provided from uncommitted CDBG funds with any remainder coming from the Law Enforcement Center @ Pelion project.

Roof Basket Works, Inc. - Fire Hydrant - As part of the Economic Committee meeting on Tuesday, August 23, 2005, Mr. Derrick asked that the committee consider providing an additional \$2,100 in assistance to Roof Basket Works, Inc. for the installation of their fire hydrant.

Mr. Derrick stated during the June 28th Economic Development Committee meeting, the Committee voted to recommend that full Council approve \$3,335 to cover the cost of materials to assist in the installation of a fire hydrant which Council approved on July 12th.

Mr. Derrick stated at the time the request was made it was unclear whether a double check backflow preventer had to be installed. However, it is a requirement by the Joint Water and Sewer Commission.

The Committee voted to recommend that Council approve the additional \$2,100 for the cost of materials to install the double check backflow preventer. Total cost of assistance to Roof Basket Works, Inc. for the installation of a fire hydrant is \$5,435.

Mr. Cullum opened the meeting for discussion; none occurred.

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

Procedure for Fire Hydrant Reimbursement - Mr. Derrick stated that a system needed to be in place to verify the installation of fire hydrants prior to reimbursing the applicant.

Mr. Brooks stated the County, as part of the building inspection process, would have to certify that the building was within the proper distance to the fire hydrant and said once the County certifies the fire hydrant then the applicant would provide the County with a bill for payment.

Mr. Derrick stated, "but we need to make sure that it has been paid before we pay."

Mr. Cullum reiterated that reimbursement will not be paid to a contractor but to the applicant. He said that the Building Inspections department will handle the inspections and approval and reimbursement will only be made to the applicant once a paid invoice is received.

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

An appropriation transfer in the amount of \$95,000 to fund the remainder of the cost for the Lloydwood sewer tie-in to the City of Cayce's wastewater system. The funding source is made up of \$190,000 from a grant by the Department of Commerce, \$50,000 from a DHEC grant, and \$95,000 provided by Lexington County CDBG funds.

An appropriation transfer in the amount of \$5,000 to aid the Disabled American Veterans Chapter 51 in the purchase of a 12-passenger Ford van. The van will be used to transport disabled veterans in Lexington County to the Dorn VA Medical Center.

An appropriation transfer in the amount of \$7,110 to provide the materials for the installation of fire hydrants at Roof Basket Works, Inc. (\$5,435) and Alpha Manufacturing, Inc. (\$1,675).

An appropriation transfer of \$15,000 to provide financial assistance in extending a water line to the Cross Roads Fire Station.

A supplemental appropriation increase in the amount of \$10,321 to appropriate funds from a contribution for the paving of Adams Lane.

A supplemental appropriation decrease in the amount of \$6,789 to reduce the appropriations for the purchase of bulletproof vests. The Bureau of Justice Assistance only awarded Lexington County with \$2,711. The original application was for \$9,500.

A supplemental appropriation increase in the amount of \$8,196 awarded by SCEMD for the FY05 Citizen Corps program.

A supplemental appropriation decrease in the amount of \$56,164 and a supplemental increase in the amount of \$72,611 to reduce the Local Law Enforcement Block grant budget to zero because it is not currently funded and to appropriate our grant award of \$72,611 for the Justice Assistance grant.

FEMA Reimbursement - Chairman Cullum stated that FEMA will reimburse the County for all costs associated with the evacuees.

Old Business/New Business - None.

Executive Session/Legal Briefing - A motion was made by Mr. Owens and seconded by Mr. Davis that Council go into executive session to discuss contractual and personnel matters and receive the legal briefing.

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

Mr. Cullum reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Chairman Cullum reported Council received the legal briefing and discussed personnel and contractual matters and reported no motions were to be considered.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

M. Todd Cullum
Chairman