

M I N U T E S
LEXINGTON COUNTY COUNCIL
MARCH 10, 2009

Lexington County Council held its regular meeting on Tuesday, March 10, 2009 in Council Chambers, beginning at 4:30 p.m. Ms. Summers presided.

Mr. Banning gave the invocation. Teen Lead, a group of students who lead leadership activities at White Knoll High School to help their peers make positive decisions and choices, led the Pledge of Allegiance.

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

Not Present: John W. Carrigg, Jr. *

*Mr. Carrigg was out-of-town.

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.

Chairman's Report - Ms. Summers reported on February 25, she and several Council members attended a breakfast at Lexington Medical Center where Lexington Medical Center staff announced the terms of an agreement between Lexington Medical Center and Providence Hospital to bring open-heart surgery to Lexington County. Following that event, she and Mr. Derrick attended the SCAC 22nd Annual Mid-Year Conference, as well as the press conference held at the State House regarding the proposed reduction in funding to county governments. On February 26, she and Mr. Mergo attended the Good to Great Program and later that morning she attended the Council on Government meeting. On March 9, she and Mr. Kinard toured several properties that are being developed in the County and on March 5, she attended a Masters in Public Administration class at USC conducted by Ms. Hubbard and Mr. Mergo on Improvement Government Performance/Organizational Change and Learning.

Ms. Summers thanked staff for the manner in which they handled the decision to not close the County offices due to a forecasted snow storm that did not occur.

Ms. Summers reported Council received a letter from the Project Citizen Class at Chapin High School, she and Mr. Kinard attended, thanking Council for listening to their thoughts and opinions on a proposed smoking ban. Staff was asked to send a letter from Council thanking

them for their interest in issues involving county government.

Council Members' Activity - Mr. Kinard reported he, Ms. Summers and Mr. Banning toured the Saxe Gotha Industrial Park and the Lexington County Farmer's Market. He said things are progressing nicely at the Saxe Gotha Industrial Park; the road is in and work continues on the infrastructure. Also, he reported things are beginning to take shape at the Lexington County Farmer's Market.

Mr. Kinard reported he attended the Sandy Run Crime Watch meeting where he presented the County's strategic plan.

Mr. Banning reported he and Ms. Summers attended the Ribbon Cutting and Grand Opening of Sun Printing, a \$6 million dollar investment with 100 jobs. Mr. Banning said despite what we hear about the economy, a lot of good things are happening in Lexington County.

Lexington High School Government and Economic Classes - Ms. Summers recognized students from Lexington High School attending as part of their government and economic class assignment.

Employee Recognition - Katherine Hubbard, County Administrator - Severe Weather Guidelines - Ms. Hubbard thanked Council for their comments about the decisions staff made to not close the County offices and outlined the approach staff follows during severe closings. She said staff receives information from the National Weather Service, through the Emergency Operations Center, and, unless there is a severe weather condition that is completely obvious that would not be in the citizens' or employees' best interest to come to the County offices, staff will delay making a decision until around 5 o'clock in the morning. Shortly after 5 o'clock, employees and citizens can call the County's main number at 359-8000, option 4, to hear a prerecorded message of any closings. The information is also posted on the County's website at www.lex-co.com as well as distributed to the news media.

Ms. Hubbard said Mr. Fachtel, Director of Public Works, received a letter from Mr. Larry Kyzer praising the following Public Works employees for their assistance with a dirt road by his house: Neal Bickley, Kent Smith, Mark Porter, and Melena Arbaugh. Mr. Kyzer wrote that the employees were both personable and professional and it was obvious that they took their jobs very seriously.

Ms. Hubbard recognized Michelle Williams with Library Services. Mr. Dan MacNeill, Director of Library Services, received a letter from Ms. Amilia Timmons, whose son volunteers at the library, who has observed Ms. Williams' interactions with children in the Library Youth Services Department. Ms. Timmons said it is an honor and pleasure to witness Ms. Williams' excellent demeanor, skills, patience, knowledge and pleasant personality as she interacts with the children.

Resolutions - Fair Housing Month and Community Development Block Grant Week - A motion was made by Mr. Jeffcoat, seconded by Mr. Banning to approve the resolutions.

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

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

Presentation of Certificate - Todd Sease Presented by Councilmember Debra B. Summers - Ms. Summers presented Mr. Sease with a framed certificate in appreciation of his ten years of volunteer service on the Planning Commission.

Appointments - Museum Commission - Miley Hall Rhodes - Ms. Summers made a motion, seconded by Mr. Kinard to reappoint Ms. Rhodes to the Museum Commission.

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

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

Bids/Purchases/RFPs - A motion was made by Mr. Cullum, seconded by Mr. Keisler that the following Bids/Purchases/RFPs (Tabs L-P) be approved.

ADA Compliance Project (Ramp) and Handrails - Building Services - Bids were solicited and advertised for the construction of a ramp and handrails at the Marc H. Westbrook Lexington County Judicial Center. Three (3) bids were received. Staff recommended the award of the project to the lowest bidder, Palmetto Scale, Inc. Total cost, including tax, is \$33,382.46.

Bulk Deliveries of Unleaded Gasoline and Diesel Fuel - Term Contract - Fleet Services - Bids were solicited and advertised for a term contract for bulk deliveries of unleaded gas and diesel fuel for Fleet Services. Staff recommended making multiple awards to the following lowest bidders meeting specifications: Item #1 (Unleaded Regular 87 Octane) to Mansfield Oil Company in the amount of \$14,141.09; Item #2 (Ultra Low Road Diesel) to Petroleum Traders Corporation in the amount of \$6,025.83; and Items #3 & 4 (under 7500 Tankwagon 87 Octane and Under 7500 Tankwagon Diesel) to James River Solutions in the amount of \$11,932.20. Total cost, including tax, is \$32,099.12.

In addition of the premium rate, the County will also pay the current base bulk rate. The term of the contract is for the initial period of one (1) year with the option to extend the contract for two (2) additional one (1) years periods, if deemed to be in the best interest of the County.

One (1) Citizen's Response System with License and Webtrax Software Upgrade - Information Services - Staff recommended the award of the Citizen's Response System with license and Webtrax software upgrade for Information Services to the sole source provider, US Computing, Inc. This is deemed a sole source as U.S. Computing, Inc. is the developer of the existing Webtrax application. Total cost, including tax, is \$31,000.

One (1) Answering Point and Recording Device (Grant Funds) - Sheriff's Department -

Bids were solicited and advertised for an Answering Point and Recording device for the Sheriff's Department. Three (3) bids were received. Of the three (3) bids, two (2) did not meet the specifications. Staff recommended award of the bid to, Replay Systems, Inc. Total cost, including tax, is \$68,875.

Landscape Supplies - Term Contract - Solid Waste Management -

Bids were solicited and advertised for a term contract for landscape supplies for Solid Waste Management. Two (2) bids and one (1) non-responsive bid were received. Staff recommended making multiple awards to the following lowest bidders meeting specifications: Items #1 - #8 & #12 (19-19-19 Fertilizer; Rye Grass Seed; Bermuda, Hulled; Bermuda, Unhulled; Brown-top Millet; Mulch, Hydro Green, Std; Mulch, Hydro Red; Lime, Liquid; Sediment Logs – 12" x 10') to Delta Landscape Supply in the amount of \$28,980,42 and Item #11 (Curlex III Revegetation Matting) to Lesco, Inc. in the amount of \$29,232.40. Items # 9 & #10 (Slope Master Winter Mix and Summer Mix) were not awarded. Total cost, including tax, is \$58,212.82.

The term of the contract is for the initial period of one (1) year with the option to extend the contract for two (2) additional one (1) years periods, if deemed to be in the best interest of the County.

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

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

Zoning Amendment - Zoning Text Amendment T08-12 - (ARTICLE 12-ADMINISTRATION, Chapter 3 - Amendments, Section 123.13 - Public Hearing) - 3rd and Final Reading - Mr. Cullum made a motion, seconded by Mr. Davis to approve third and final reading of Zoning Text Amendment T08-12.

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

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

Ordinances - Ordinance 08-19 - An Ordinance to Amend No. 95-12, as Amended by Subsequent Ordinances Relating to the Joint County Industrial Park of Lexington and Calhoun Counties so as to Enlarge the Park to Add Certain Property Owned by or Leased to Owen Electric Steel Company of South Carolina (DBA CMC Steel South Carolina) or Affiliates - 3rd and Final Reading - Mr. Cullum made a motion, seconded by Mr. Banning to approve third and final reading of Ordinance 08-19.

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

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

Ordinance 09-02 - An Ordinance Approving the Conveyance of Real Estate From the County of Lexington to James E. Mayers - 3rd and Final Reading - Mr. Davis made a motion, seconded by Mr. Banning to approve third and final reading of Ordinance of 09-02.

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

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

Committee Reports - Health & Human Services, J. Jeffcoat, Chairman - 2009 Local Emergency Management Performance Grant (LEMPG) Application - On behalf of Mr. Jeffcoat, Mr. Banning reported the Health & Human Services Committee met during the afternoon to review the request from Public Safety/Emergency Management to apply for the 2009 Local Emergency Management Performance (LEMPG) Grant. The grant in the amount of \$151,511 requires a 50 percent County match, which the County's portion will come from salaries of the Emergency Manager and Administrative Assistant. Funds will be used for the WebEOC, the Emergency Communications Network, and to offset the cost of personnel.

Mr. Banning made a motion, seconded by Mr. Kinard 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. Banning
	Mr. Kinard	Mr. Derrick
	Mr. Davis	Mr. Keisler
	Mr. Jeffcoat	Mr. Cullum

Public Works, T. Cullum, Chairman - Traffic Signal Light - Lexington County School District 3 - Mr. Cullum reported the Public Works Committee met on Tuesday, February 24, 2009, to discuss a traffic signal for Lexington County School District 3.

Mr. John Fechtel, Public Works Director, reported that the Public Works Department received a letter from the Town of Batesburg-Leesville in reference to the traffic problem at the B-L Primary School located on Highway 391 (Summerland Avenue). The South Carolina Department of Transportation has not approved a light for this location or provided an estimate. Staff has estimated a traffic light at this location would be approximately \$50,000 to \$60,000. Mr. Fechtel said \$75,000 is available in the FY 2008/09 "C" Funds account (2700-121300-529901) for school projects. Staff recommends approving fifty percent of the cost of the traffic light on Summerland Avenue with a maximum amount of \$30,000 based on the final cost. If the cost exceeds \$60,000 the School District or the Town of Batesburg-Leesville would provide the additional funding. Mr. Fechtel said the school has agreed to spend \$30,000 for this project. The Committee suggested revisiting this project if the money is not allocated by the end of the

fiscal year to see if there is any additional money left from the \$75,000 "C" Funds account for school projects to possibly increase the County's contribution towards the traffic light.

The Public Works Committee voted unanimously to recommend that full Council approve staff's recommendation to approve fifty percent of the cost of a traffic light at the B-L Primary School on Highway 391 (Summerland Avenue) with a maximum amount of \$30,000 and to increase the amount if funds remain in the "C" Fund account at the end of the fiscal year, if the funds have not been allocated at that time.

Mr. Cullum made a motion, seconded by Mr. Banning to approve fifty percent of the cost of the traffic light with a maximum of \$30,000. (If additional funds are available in "C" Funds, the county will contribute up to the available balance. However, if expenses exceed \$75,000, or the amount available, Lexington County School District 3 will be responsible for the difference.)

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

Budget Amendment Resolutions - None.

Old Business/New Business - None.

Executive Session/Legal Briefing - A motion was made by Mr. Jeffcoat and seconded by Mr. Kinard to go into Executive Session to discuss one personnel matter, three contractual matters, and one legal matter.

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

Matters Requiring a Vote as a Result of Executive Session - Ms. Summers reconvened the meeting in open session and reported there was one motion to be considered.

Agreement Concerning Construction and Conveyance of a Water Main from the Twelfth Street Extension to Saxe Gotha Industrial Park - Mr. Banning made a motion, seconded by Mr. Jeffcoat to approve the Agreement Concerning Construction and Conveyance of a Water Main from the Twelfth Street Extension to Saxe Gotha Industrial Park on the condition that language is added to the agreement that protects the Park in regard to any future annexation requests.

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. Cullum

Motion to adjourn - Mr. Banning made a motion, seconded by Mr. Jeffcoat to adjourn.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

Debra B. Summers
Chairman