

M I N U T E S
LEXINGTON COUNTY COUNCIL
NOVEMBER 08, 2005

Lexington County Council held its regular meeting on Tuesday, November 08, 2005 in Council Chambers, beginning at 4:30 p.m. Chairman Cullum presided; Mr. Davis gave the invocation; Mr. Keisler led the Pledge of Allegiance.

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

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

Lexington High School - Mr. Cullum welcomed students from Lexington High School studying US Government.

Employee Recognition - Art Brooks, County Administrator - None.

Appointments - Museum Commission - Ms. Miley Hall Rhodes - A motion was made by Ms. Summers, seconded by Mr. Jeffcoat to reappoint Ms. Miley Hall Rhodes to the Museum Commission.

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

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

Museum Commission - Ms. Jean Annette Lucas - A motion was made by Mr. Kinard, seconded by Mr. Owens to appoint Ms. Jean Annette Lucas to the Museum Commission.

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

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

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

Incident Based Information Software System - Sole Source - Animal Services - Staff recommended the purchase of the incident based information software system for Animal Services to the sole source provider, US Computing, Inc. The software system will include, but is not limited to, incident tracking, case management, kennel operations, veterinary services, and animal adoptions. The County currently utilizes this database driven software for incident and case tracking at the Sheriff's Department which was developed and implemented by US Computing, Inc. This purchase has been deemed a sole source to ensure compatibility and sharing of information between departments. The cost of the system including tax is \$20,000.

Term Contract - Solid Tires with Rim Assembly and Rubber Wear Pads for Heavy Equipment - Solid Waste Management - Competitive bids were solicited and advertised for a term contract for providing solid tires with rim assembly and rubber wear pads for the Caterpillar and Case front-end loaders for Solid Waste Management.

Two (2) bids and three (3) no bids were received. Staff recommended that the award be made to Setco Incorporated as the low bidder meeting specifications. Estimated annual value of the contract is \$64,714.23 including sales tax. Staff also recommended that the term contract be awarded for an initial period of one (1) year 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.

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

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

Chairman's Report - Mr. Cullum reported on Friday, November 4, he and Mr. Derrick attended the SCAC Steering Committee and said presently there are a number of issues that the committee will be recommending to the state legislature and he attended a number of district functions.

Administrator's Report - No report.

Approval of Minutes - Meeting of October 11, 2005 - A motion was made by Mr. Jeffcoat, seconded by Mr. Keisler to approve the minutes of October 11, 2005 as submitted.

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

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

Zoning Amendments - Landfill Location Review Application L05-01 - Southeastern Associates - Vote to be Taken - A motion was made by Mr. Jeffcoat, seconded by Mr. Derrick that Landfill Location Review Application L05-01 be approved.

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

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

Zoning Map Amendment M05-08 - Ginny Lane - 3rd and Final Reading - Mr. Jeffcoat made a motion, seconded by Mr. Owens that Zoning Map Amendment M05-08 receive third and final reading.

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

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

Zoning Text Amendment T05-09 - Article 2, Application of Regulations, Chapter 5, Signs - 3rd and Final Reading - Mr. Owens made a motion, seconded by Mr. Derrick that Zoning Text Amendment T05-09 receive third and final reading.

Mr. Cullum opened the meeting for discussion.

Mr. Derrick expressed his appreciation to the Sign Committee and staff for a job well done.

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

Ordinance - Ordinance 05-09 - Approving the Conveyance of Real Estate to the Lexington County Recreation and Aging Commission in Exchange of Real Estate from the Lexington Recreation and Aging Commission to the County of Lexington - 3rd and Final Reading - Mr. Jeffcoat made a motion, seconded by Mr. Keisler that Ordinance 05-09 be given third and final reading.

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

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

A budget amendment resolution in the amount of \$38,000 was distributed and signed to appropriate funds to establish accounts for the two (2) acres of donated land to the Library in South Congaree and for the disposal of eight (8) acres of land in Red Bank to the Lexington County Recreation and Aging Commission.

Committee Reports - Justice, S. Davis, Chairman - Victim's Bill of Rights Fund - Mr. Davis reported the Justice Committee convened on Tuesday, October 25, 2005, to receive a status update of the Victim's Bill of Rights fund for the first quarter of the FY2005-2006 budget cycle to assess if the revenue stream would support the continuation of the program. During the FY2005-2006 budget process, Council approved a six-month funding of \$83,100 from fund balance.

Chief Keith Kirchner, Assistant Sheriff, stated the Victim's Bill of Rights program began as a state-funded program. However, due to state budget cuts, funding from that source has decreased over the last several fiscal years. He stated all three departments (Sheriff's Department, Magistrate Court Services, and the Solicitor's Office) have taken measures to reduce expenditures.

Chief Kirchner stated he talked with Colonel Russell Ward of the South Carolina Highway Patrol who indicated that the Highway Patrol will be graduating over 50 new patrol officers in November and an additional 75 in 2006. This will provide additional revenue with more officers issuing tickets. In addition, a change in the Criminal Domestic Violence legislation will also produce additional revenue and feels the additional revenue will support the current personnel.

Chief Kirchner stated that he currently has two vacancies in his department that need to be filled, and asked the Committee to consider an additional \$30,000 - \$40,000 to fund the two vacancies

(grade 6 and grade 13). Savings will be taken from two departments as a result of vacant positions to reduce the amount from \$83,100 to approximately \$30,000 - \$40,000 from fund balance.

Ms. Kristi Hornsby, Grants Manager, has prepared a BAR in the amount of \$45,445 to fund the two vacant positions.

It is the recommendation of the committee that Council appropriate an additional \$45,445 from fund balance to cover the costs to fund the two vacant positions and that a status report be provided to the Committee on a quarterly basis to monitor the revenue stream.

Mr. Davis made a motion, seconded by Mr. Owens to approve the appropriation of \$45,445 from fund balance for the two vacant positions.

Mr. Cullum opened the meeting for discussion.

Mr. Davis stated Council is hopeful that the additional revenues generated from tickets being issued will be sufficient to fund the program rather than taxpayers.

Mr. Cullum stated this is another instance whereby a state funded program has once again fallen short in providing a source of revenue and placing the burden on the County to subsidize.

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

A budget amendment resolution in the amount of \$45,445 was distributed and signed to fund the two vacancies at the Sheriff's Department for the remainder of fiscal year 2006. If revenues come in above budget, a transfer will be made back to the general fund.

Public Works, B. Derrick, Chairman - City of West Columbia Enhancement Grant Request -

Mr. Derrick reported the Public Works Committee convened on Tuesday, October 25, 2005, to consider a request from the City of West Columbia for \$108,750 in "C" Funds for their 20 percent match of a SCDOT Enhancement grant.

Mr. John Fechtel, Director of Public Works stated the City of West Columbia received a grant from SCDOT in the amount of \$543,750 that requires a 20 percent match of \$108,750 for the State Street/Meeting Street Streetscape Project, Phases III and IV (72,500) and the 12th Street Streetscape Project, Phase II (36,250). The State Street/Meeting Street Streetscape Project will consist of installing additional steel railings on the 100 block of State Street, erect historic street signs along State Street, and place traffic signals on metal poles and overhanging arms at the intersections of Meeting Street and Sunset Boulevard, Meeting Street and State Street, and Sunset Boulevard and State Street. The 12th Street Streetscape Project consists of erecting a steel and masonry fence along

Klapman Boulevard and 12th Street at the new West Columbia City Hall, redesign existing storm water detention ponds to permit construction of footings for the fence, and install new landscaping and transplant existing trees.

The Committee voted to recommend that \$108,750 be allocated from the “C” Fund program.

Mr. Derrick made a motion, seconded by Mr. Owens to approve the allocation of \$108,750 from “C” funds for the City of West Columbia Enhancement Grant.

Mr. Cullum opened the meeting for discussion.

Mr. Owens thanked Council for their support.

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

FY 04-05 and FY 05-06 Municipal “C” Fund Requests - Mr. Derrick reported the Public Works Committee convened on Tuesday, October 25, 2005, to consider Municipal “C” Fund requests in the amount of \$80,000 from the towns of Batesburg/Leesville, Irmo, Springdale, Summit, and West Columbia.

Mr. John Fechtel, Director of Public Works stated Batesburg/Leesville is requesting \$25,350 to continue their Community Master Plan; Irmo - \$11,240 to repair the sub-grade and pave approximately 100' of Lexington Avenue; Springdale - \$10,000 for road improvements on Hookdale Drive; Summit - \$10,000 to complete the multipurpose pathway project; and West Columbia - \$23,410 - for the Holmes Street storm drainage project.

The Public Works committee voted to recommend that Council approve staff’s recommendations and that funds be allocated from the “C” Fund Special Projects account.

Mr. Derrick made a motion, seconded by Mr. Keisler to approve the \$80,000 in Municipal “C” Fund requests for the towns of Batesburg/Leesville, Irmo, Springdale, Summit, and West Columbia.

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

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

Economic Development, J. Jeffcoat, Chairman - Project Film - Economic Development - Tentative - Adoption of Resolution - Mr. Jeffcoat made a motion, seconded by Mr. Keisler to approve the adoption of a resolution authorizing the execution and delivery of an Inducement and Millage Rate Agreement between Lexington County and Project Film.

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

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

Ordinance 05-13 - Ordinance Authorizing the Execution and Delivery of a Fee in Lieu of Taxes Agreement Between Lexington County and Project Film - 1st Reading by Title - Mr. Jeffcoat made a motion, seconded by Mr. Keisler that Ordinance 05-13 be given first reading.

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

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

Ordinance 05-14 - Ordinance Authorizing the Execution and Delivery of an Agreement Between Lexington County and Project Film for Granting Certain Infrastructure Credits to Project Film - 1st Reading by Title - Mr. Jeffcoat made a motion, seconded by Mr. Keisler that Ordinance 05-14 be given first reading.

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

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

Projects Requiring Fire Hydrants - Mr. Jeffcoat reported the Economic Development Committee met on Tuesday, October 25, 2005, to receive a status update on projects that required the installation or relocation of an existing fire hydrant since the requirement for fire hydrants became effective on July 1, 2000.

Mr. Ron Scott, Director of Economic Development, stated since July 1, 2000 there have been 58 permitted projects that required either the installation of a new or relocation of an existing fire hydrant. However, permit 03-01879 for Southern Propane Systems, Inc., which first brought this to Council's attention, was issued on April 23, 2003. Prior to that, 29 permits had been issued that were affected by the fire hydrant standard and 28 subsequent permits.

The Committee voted to recommend that \$25,000 be allocated for the remainder of FY 2005-2006 to assist businesses with the installation or relocation of fire hydrants. It is based on the cost of the parts only. No labor will be involved. Each request will be considered on a case-by-case basis and funds distributed proportionately at the end of the fiscal year for all requests received during that fiscal year. In addition, \$25,000 will be budgeted annually in Economic Development to assist with future fire hydrants.

Mr. Jeffcoat made a motion, seconded by Mr. Davis to approve the committee's recommendation.

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

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

Southern Propane Systems, Inc. - Fire Hydrant - Mr. Jeffcoat reported members of the Economic Development Committee convened on Tuesday, October 25, 2005, to discuss the possibility of reimbursing Mr. Steve Derrick, owner of Southern Propane Systems, Inc., with costs associated with the installation of a fire hydrant that he had installed at 2017 Augusta Highway, Lexington, S.C.

Mr. Derrick first appeared before Council on August 12 and again on October 11, 2005 asking for financial assistance, which at that time funding was not available. Since that time, Council has considered and provided some financial assistance on the installation of fire hydrants on a case-per-case basis.

Mr. Derrick stated the total cost he incurred for the installation of the fire hydrant was \$4,700 of which \$3,500 was for the cost of materials. The following is a list of materials used:

Items

5' Hydrant
6" Ductile iron pipe
6" Mega lugs and gaskets
Mega lug bolts, nuts, and washers
Concrete collar
Valve box

10" x 6" Steel wrap around sleeve
6" flange valve

The Committee voted to recommend that full Council approve reimbursing Mr. Derrick \$3,500 for the cost of materials. Funding will be provided from the Economic Development account.

A BAR in the amount of \$3,500 was distributed and signed during the October 25th meeting. I am asking that Council take action to ratify the approval of this expenditure.

A motion was made by Mr. Jeffcoat and seconded by Mr. Keisler to ratify the expenditure of \$3,500 to Mr. Derrick for the cost of materials involved in the installation of a fire hydrant.

Mr. Cullum opened the meeting for discussion.

Mr. Derrick asked for clarification if this expenditure (\$3,500) is prior to the new policy that Council just approved to assist businesses with the installation of fire hydrants.

Mr. Jeffcoat replied, that's correct.

Mr. Cullum stated this will not affect the \$25,000 that Council just established.

Mr. Cullum asked for further discussion; none occurred.

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

A budget amendment resolution in the amount of \$25,000 was distributed and signed to establish funds for the installation of fire hydrants.

Budget Amendment Resolutions - Three separate budget amendment resolutions were distributed and signed during the meeting. They were for Ordinance 05-09 (\$38,000), Victim's Bills of Rights Fund (\$45,445), and Projects Requiring Fire Hydrants (\$25,000).

Old Business/New Business - None.

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

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Jeffcoat	Mr. Kinard

Mr. Derrick	Mr. Davis
Ms. Summers	Mr. Keisler
Mr. Carrigg	

Messrs. Jeffcoat and Carrigg left following Executive Session to reach the voting polls prior to closing.

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 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