

M I N U T E S
LEXINGTON COUNTY COUNCIL
APRIL 28, 2009

Lexington County Council held its regular meeting on Tuesday, April 28, 2009 in Council Chambers, beginning at 4:30 p.m. Vice-Chairman Kinard, presided.

Reverend James Gibson, Chaplain at Lexington Medical Center Urgent Care in Lexington and Chaplain to the Samaritan Wells Women's Transitional Housing Facility and the Central Midlands Transitional Retreat Center for Homeless Veterans, gave the invocation. Miles Johnson and Matt Thorton, students at Lexington High School, led the Pledge of Allegiance.

Members attending:	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

Absent: Debra B. Summers *

* Ms. Summers was absent due to a family emergency.

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.

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

Chairman's Report - No report.

Council member's Activity - Mr. Kinard reported that he attended the Saluda Shoals Wetlands' Preserve groundbreaking ceremony on Monday, April 27 and was a judge for the West Columbia Metro Rotary Club's 5th Annual Chili Cook-off on Saturday, April 25. Also, on Saturday, May 2 he will be participating in the Saluda Shoals' Recycle Regatta.

Administrator's Report - Ms. Hubbard reminded everyone of the Tire Amnesty Day on Saturday, May 2, from 7:00 a.m. to 2:00 p.m. for Lexington County residents to dispose of tires. Tires will be accepted at the Ball Park Road Center, Chapin Center, Edmund Landfill, Gwen Bailey Center, Sandhills Center and the Summit Center. The maximum number of tires per household is 10.

Presentation of FY2009-2010 Recommended Budgets - Finance - Larry Porth, Director - Mr. Porth gave a brief overview of the General Fund recommended budget for FY2009-2010.

The estimated revenue for the General Fund is \$93,498,013 with expenditures of \$93,315,634. This is \$182,379 in excess of appropriations. The actual requested General Fund budget was \$101,315 with estimated revenues of \$89,707. The local government fund (LGF) passed in the Senate Finance

Committee was \$50 million rather than the proposed \$122 million. Therefore, revenue estimates were revised to reflect that change, which restored \$3.2 million of the \$5.5 million cut. Also, approximately \$300,000 for Indigent Care and Mental Health were reallocated to the General Fund.

Mr. Porth noted that the recommended budget does not include funds for salary adjustments, but does include the contribution for the post employment health insurance.

Mr. Derrick asked if the post employment health insurance contribution was for the full amount.

Mr. Porth replied, no. It was a \$1,500 increase per employee.

Mr. Derrick asked if the Senate has adopted the budget with the reduction from the State Aid to Subdivisions.

Mr. Porth replied, according to Mr. Mergo, they have adopted the House bill, but it is not final. Mr. Porth said the revenue estimates contained the property tax estimates, which is the largest portion, without any CPI adjustment.

Employee Recognition - Katherine Hubbard, County Administrator - Ms. Hubbard formally introduced Mr. Tom Collins, the new Emergency Response Coordinator for Public Safety/Emergency Preparedness.

Ms. Hubbard recognized Marlon Buff, Systems Analyst II and Charles Hutchinson, Application Analyst II in Information Services for their role in implementing the new version of the EMS Field Reporting and Management Information Systems for Public Safety/EMS.

Officers Doug Reed and Dale Tipper with Animals Services were recognized for their professionalism as they assisted a resident who was experiencing problems with a neighbor's pets.

Ms. Hubbard recognized Jack Maguire, Planning/GIS Manager; Alison Sengupta, GIS Analysis; Ralph Ford, Senior Cartographer; and Valerie Gray and Steve Pierce, Mapping/GIS Technician II in GIS/Mapping for completing the rigorous requirements to become Certified Geographic Information Systems Professionals (GISP). Ms. Hubbard proudly noted that Lexington County is one of only two South Carolina counties with five staff members who have attained this certification.

Appointments - Stormwater Advisory Board - Pearce L. Atkins, PE - A motion was made by Mr. Cullum, seconded by Mr. Jeffcoat to appoint Mr. Pearce Atkins. Mr. Atkins replaces Mr. Robert Steele.

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

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

Planning Commission - M. Keith Myhand - On behalf of Chairman Summers, Mr. Banning made a motion, seconded by Mr. Cullum to appoint Mr. Keith Myhand. Mr. Myhand replaces Mr. Todd Sease.

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

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

Children's Shelter - Suzanne Clark - On behalf of Mr. Kinard, Mr. Derrick made a motion, seconded by Mr. Cullum to reappoint Ms. Suzanne Clark.

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

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

Bids/Purchases/RFPs - Roadway Improvements to Payne Lane - Public Works - Competitive bids were advertised for roadway improvements to Payne Lane that consists of pavement construction of approximately 2,400 LF and sidewalks. Seven (7) bids were received. Staff recommended the award of the bid for Alternate B (Triple treatment/sand clay) to the lowest bidder, Cherokee, Inc. in the amount of \$239,992.40.

A motion was made by Mr. Davis, seconded by Mr. Banning to approve the use of crush and run (Alternate C) in place of the sand/clay base. Alternate C is an additional \$17,000 expenditure over the lowest bid of \$239,992.40 for sand/clay. However, the lowest bidder for Alternate C (crush and run) is J.C. Wilkie Construction in the amount of \$257,302.81.

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

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

Request for Approval to Utilize the Competitive Sealed Proposal Process for Administration of IRS Section 125 Insurance Plan - Human Resources - Staff requested approval to utilize the Request for Proposals (RFP) process to seek competitive proposals from qualified bidders for administration of an IRS section 125 insurance plan for county employees. Due to the scope of the project, it is not practical or advantageous to write a comprehensive set of specifications that may limit resources or restrict competition. In selecting a contractor, other award criteria in addition to cost will be considered. A review panel will be responsible for reviewing and evaluating proposals based upon specific evaluation factors.

A motion was made by Mr. Jeffcoat, seconded by Mr. Cullum to approve the request.

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

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

Ordinance - Ordinance 09-05 - An Ordinance Adopting an Annual Budget for Fiscal Year 2009-10-First Reading by Title - A motion was made by Mr. Banning, seconded by Mr. Cullum to approve first reading.

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

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

Committee Reports - Justice, J. Kinard, Chairman - Mr. Kinard reported the Justice Committee met to consider the following grant applications for the Sherriff's Department and voted in favor to recommend to Full Council for approval.

COPS Resident Deputies Community Program Grant Application - The grant application in the amount of \$937,170 requires no County match. The application is for funds to hire five (5) resident deputies for the Red Bank, Dixiana, Irmo, East Lexington/Three-Fountains, and Gaston communities. It is required that after the end of three years, the deputies must be retained 12 months after the grant ends. (Note: the Recovery Act Justice Assistance Grant (JAG) Program Grant application request is for the purchase of five vehicles, operating and capital equipment for the five (5) resident deputies.)

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

Mr. Kinard opened the meeting for discussion.

Mr. Derrick reiterated the Committee's concerns regarding the number of additional personnel and wanted everyone to be extremely cautious of funds needed when the grants end. He had calculated \$1.3 million dollar in salaries alone, not including fringes benefits.

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

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

State Criminal Alien Assistance Program (SCAAP) Grant Application - The application is to seek federal reimbursement offered by the United States Department of Justice to reimburse the County for the housing of alien prisoners for at least four consecutive days in the County Detention Center. Twenty-two percent of the award will go to Justice Benefits, Inc. for research, calculating and formatting the data.

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

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

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

Violence Against Women Act (VAWA) Grant Application - The Justice Committee met on Tuesday, April 14, 2009, to review the request from the Sheriff's department for the Violence Against Women Act

(VAWA) grant application. The following is the Committee Report:

Colonel Allen Paavel presented a request to apply for the Violence Against Women Act (VAWA) grant totaling \$320,398. The grant is funded at 100 percent, but there is an in-kind match required of 25 percent match. Col. Paavel said that because of the particular funding source there is no limit to the number of years that the Sheriff's Department can apply and get approved for the VAWA grant. If approved, this would be the third year for the grant which currently funds one investigator and a program coordinator for the criminal domestic violence program. However, the Sheriff's Department is requesting two additional positions, a specialized victim's advocate and an additional Criminal Domestic Violence (CDV) investigator, in addition to operating supplies and capital items.

The Justice Committee voted unanimously to recommend that full Council approve staff's request to apply for the grant.

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

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

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

Health & Human Services, J. Jeffcoat, Chairman - NEH Preservation Assistance Grants for Smaller Institutions Grant Application - Mr. Jeffcoat reported the Health and Human Services Committee met on Tuesday, April 14, 2009, to review the request from the Lexington County Museum for the National Endowment for the Humanities (NEH) Preservation Assistance Grants for Smaller Institutions grant application. The following is the Committee Report:

Mr. J.R. Fennell, Museum Director, presented a request to apply for the NEH Preservation Assistance Grants for Smaller Institutions Grant in the amount of \$4,889. There are no matching funds required. The grant funds would be used to purchase environmental monitoring equipment which measures and keeps track of temperature and relative humidity changes in order to protect the museum's artifact collection. Mr. Fennell reported that the Museum does not have any monitoring equipment. The equipment is required in order to get accredited by the American Association of Museums, a goal of the Museum Commission.

The Health and Human Services Committee voted unanimously to recommend that full Council approve staff's request to apply for the grant.

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

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

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

Resolution in Support of the Issuance by the South Carolina Jobs - Economic Development

Authority of its Economic Development Revenue Bonds (Lexington-Richland Alcohol and Drug Abuse Council, Inc. Project) Series 2009, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as Amended, in the Aggregate Principal Amount of Not Exceeding \$4,500,000 - Mr. Jeffcoat reported the Health and Human Services Committee met on Tuesday, April 14, 2009, to review the request from the Lexington-Richland Alcohol and Drug Abuse Council (LRADAC) for a Resolution In Support of the Issuance by the South Carolina Jobs - Economic Development Authority of its Economic Development Revenue Bonds (Lexington-Richland Alcohol and Drug Abuse Council, Inc. Project) Series 2009, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as Amended, in the Aggregate Principal Amount of Not Exceeding \$4,500,000. Following is the Committee Report:

Mr. Will Johnson, attorney for Haynsworth, Sinkler, Boyd, P.A. and representing the Lexington-Richland Alcohol and Drug Abuse Council (LRADAC), presented the resolution for Council's approval. The resolution is in support of the issuance of \$4.5 million in JEDA bonds that would finance two projects for LRADAC, one in Lexington County and the other in Richland County. The Lexington Project is the construction and equipping of a new facility that would be located on Highway 6, Lexington, South Carolina, doubling the space that LRADAC has in Lexington County. Mr. Johnson reported that state and federal law require a support resolution to the County prior to the issuance of a JEDA bond and that the issuance of this bond does not in any way impact the debt limits of the County. The County does not incur any liability as a result of the issuance of these bonds.

The Health and Human Services Committee voted unanimously to recommend that full Council approve the request for the resolution.

Mr. Jeffcoat made a motion, seconded by Mr. Banning to approve the resolution.

Mr. Kinard opened the meeting for discussion.

Mr. Davis asked, this is not a debt to the County, but a pass-through resolution, correct?

Mr. Jeffcoat replied, correct.

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

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

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

09-074 - An appropriation transfer of \$145,034 to allow Information Services to purchase several high priority equipment items this FY2008-09 rather than in FY2009-10.

09-076 - An appropriation transfer of \$859 and a supplemental appropriation increase of \$3,842 as the result of a laptop damaged beyond repair and funds received from Insurance Reserve to cover a portion of the cost of a replacement.

09-077 - A supplemental appropriation increase in the amount of a \$50 donation received from Mid-Carolina Electric Cooperative for EMS to provide ambulance standby at their annual meeting.

Old Business/New Business - None.

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

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

Debra B. Summers
Chairman