

**M I N U T E S**  
**LEXINGTON COUNTY COUNCIL**  
**MARCH 23, 2004**

Lexington County Council held its regular meeting on Tuesday, March 23, 2004 in Council Chambers, beginning at 4:30 p.m. Chairman Davis presided; Chairman Davis gave the invocation; Mr. Derrick led the Pledge of Allegiance.

Members attending:	George H. Smokey Davis	Bruce E. Rucker
	William C. Billy Derrick	Jacob R. Wilkerson
	Bobby C. Keisler	John W. Carrigg, Jr.
	Johnny W. Jeffcoat	Joseph W. Joe Owens
	M. Todd Cullum	

Also attending: Art Brooks, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; Katherine Doucett, Personnel Director/Deputy 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** - Mr. Brooks stated the County has implemented a new program, Customer Service Shining Stars, to recognize individuals who demonstrate excellent customer service to citizens of Lexington County. Mr. Brooks stated the winners will each receive a prime parking space donated by Council for each quarter. The winners of the Customer Service Shining Stars were Cheryl Huntley, Clerk, Auditor's Office; Andrew Marshe, Program Analysis, Information Services; and Tom Douberley, Assistant Tax Collector, Treasurer's Office.

Ms. Katherine Doucett, Personnel Director, stated in January 2004 the County partnered with Lexington Medical Center to do the Great Weight Challenge with over ten percent of employees participating.

Ms. Janet Fleming, Lexington Medical Center, stated 141 employees participated in the Great Weight Challenge program which consisted of 19 teams for a total weight loss of 926 pounds. Receiving Honorable Mention was Mega Bytes, Flying Zucchini's, and Missfits. Awards were given to the first three place winners. They were the Large Cuddly Fat Servants, Fabulous Fat Busters, and Eager Eaters. The overall winner of the Great Weight Challenge was the Eager Eaters for having lost 100 pounds at a 9.01 percent weight loss.

**Presentation of Resolutions - John D. Frick - Presented by Chairman Smokey Davis** - Mr. Davis presented a resolution to Mr. John Frick, law clerk for Judge Westbrook, to thank him for his

dedicated efforts in helping to organize the program for the dedication of the Judicial Center and Addition to the Administration Building.

**Sheriff James R. Metts and the INTEL Team (Intelligence through Teamwork, Effort and Accountability in Management) - Presented by Councilman John Carrigg** - Mr. Carrigg presented a resolution to Sheriff Metts for providing effective and efficient law enforcement services to the citizens of Lexington County and for the INTEL team's efforts in reducing the crime in Lexington County by 18 percent in 2003.

A resolution was also presented to Chief Tim James, Captain Quig, and Captain Gordon for their leadership with the INTEL team.

**Comments by Councilman Rucker** - Mr. Rucker stated during a recent meeting of the S.C. Association of Counties he received positive comments from several council chairmen regarding the changes within the Sheriff's Department and the Consolidated Communications operations.

**Resolutions - Mr. James B. Ellisor** - A motion was made by Mr. Rucker, seconded by Mr. Wilkerson that the resolution be adopted.

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

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Wilkerson	Mr. Derrick
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

**Mr. John O. "Tee" Derrick** - A motion was made by Mr. Rucker, seconded by Mr. Wilkerson that the resolution be adopted.

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

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Wilkerson	Mr. Derrick
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

**Appointments - Health Services District Board of Directors - Elizabeth W. Foster** - A motion was made by Mr. Cullum, seconded by Mr. Owens to reappoint Ms. Elizabeth W. Foster to the Health Services District Board of Directors.

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

In Favor:	Mr. Davis	Mr. Cullum
	Mr. Owens	Mr. Rucker

Mr. Derrick	Mr. Wilkerson
Mr. Keisler	Mr. Jeffcoat
Mr. Carrigg	

**Health Services District Board of Directors - At Large - J. Larry Stroud, Pharm.D., R.Ph. -**  
A motion was made by Mr. Owens, seconded by Mr. Jeffcoat to appoint J. Larry Stroud, Pharm.D., R.Ph. to the Health Services District Board of Directors.

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

In Favor:	Mr. Davis	Mr. Owens
	Mr. Jeffcoat	Mr. Rucker
	Mr. Derrick	Mr. Wilkerson
	Mr. Keisler	Mr. Carrigg
	Mr. Cullum	

**Accommodations Tax Board - William Teague -** A motion was made by Mr. Carrigg, seconded by Mr. Jeffcoat to appoint Mr. William Teague to the Accommodations Tax Board.

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

In Favor:	Mr. Davis	Mr. Carrigg
	Mr. Jeffcoat	Mr. Rucker
	Mr. Derrick	Mr. Wilkerson
	Mr. Keisler	Mr. Owens
	Mr. Cullum	

**Assessment Appeals Board - G. Randall McKay, Esquire -** A motion was made by Mr. Carrigg, seconded by Mr. Owens to appoint G. Randall McKay, Esquire to the Assessment Appeals Board.

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

In Favor:	Mr. Davis	Mr. Carrigg
	Mr. Owens	Mr. Rucker
	Mr. Derrick	Mr. Wilkerson
	Mr. Keisler	Mr. Jeffcoat
	Mr. Cullum	

**Temporary Sign and Permitting Committee - John A. Huffman -** A motion was made by Mr. Wilkerson, seconded by Mr. Rucker to appoint Mr. John A. Huffman to the Temporary Sign and Permitting Committee.

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

In Favor:	Mr. Davis	Mr. Wilkerson
	Mr. Rucker	Mr. Derrick

Mr. Keisler  
Mr. Carrigg  
Mr. Cullum

Mr. Jeffcoat  
Mr. Owens

**Children's Shelter - Ms. Nancy R. Caughman** - A motion was made by Mr. Derrick, seconded by Mr. Jeffcoat to appoint Ms. Nancy R. Caughman to the Children's Shelter Board of Directors.

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

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Jeffcoat	Mr. Rucker
	Mr. Wilkerson	Mr. Keisler
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

**Bids/Purchases/RFPs** -A motion was made by Mr. Rucker, seconded by Mr. Keisler that the following bids be approved.

**Motorola Portable VHF Radios and Accessories - Public Safety/Fire Service** - Staff recommended the purchase of sixteen (16) Motorola portable VHF radios and accessories for Public Safety/Fire Service through State Contract Number OIR2002.07. During emergencies, the need for portable communications devices increases greatly. The initial and service costs associated with the 800 MHZ system make adding additional fire ground radios cost prohibitive, based on usage. The VHF system will be used as a back up communications system in the event of primary systems failure and be operable with any new communications systems that may be considered in the future. The cost including tax is \$20,976.86.

**Laptops/Computers and Monitors - Sheriff's Department/Information Services** - Staff recommended the purchase of five (5) Dell laptop computers, twenty-nine (29) Dell computers and twenty-nine (29) Dell monitors for the Sheriff's Department/Information Services through State Contract Number 03-S5869-A9659. Total cost for the laptops, computers, and monitors including tax is \$31,639.37.

**Bomb Canine - Sheriff's Department** - Bids were advertised and solicited from qualified dog handlers for a bomb canine. The bomb canine is to be used to safely detect suspected explosive devices during a terrorist threat, provide dignitary protection, and to deter terrorist activity at likely terrorist targets, i.e., airports, bridges, dams, government buildings, schools, water plants, etc. Four bids were received. Staff recommended to award the contract to Beck's Canine. The cost of the bomb canine is \$7,500.00 including training and applicable sales tax.

**Bomb Suit & Accessories - Sole Source Procurement - Sheriff's Department** - Staff recommended the purchase of one (1) bomb suit and accessories for the Sheriff's Department to the sole source provider, Med-Eng Systems, Incorporated, for compatibility as this equipment is used by the FBI, U.S. Military, and other bomb squads in South Carolina. The bomb suit will be worn as a safety protective device in case the recovery of a bomb should explode. The cost of the bomb suit and accessories including shipping and tax is \$16,587.90.

**Robot and Accessories - Sole Source Procurement - Sheriff's Department** - Staff recommended the purchase of one (1) robot and accessories for the Sheriff's Department to the sole source provider, Remotec Incorporated, for compatibility reasons as this equipment is used by the South Carolina Law Enforcement Division. The robot will provide emergency responders with a remote means of recon from a safe distance. The robot can enter the suspected area with cameras, weapons, tools, etc., and will report back to the emergency responders as to the dangers involved; thereby, saving lives of responders and citizens. The cost of the robot and accessories including shipping and tax is \$99,323.70.

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

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Keisler	Mr. Derrick
	Mr. Wilkerson	Mr. Jeffcoat
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

**Chairman's Report** - Mr. Davis stated he would be instituting the Airport Committee as a standing committee and expanding the duties and responsibilities of Mr. Rucker, Chair and Mr. Cullum Co-Chair. Mr. Davis appointed Mr. Derrick and Mr. Carrigg to serve as members of the committee. Mr. Davis stated the development of the Pelion Corporate Airport will be an important issue during the next twelve months as the County moves forward with the purchase.

Mr. Davis congratulated staff on the excellent presentation by the Employee Committee during the Employee Banquet.

**Administrator's Report** - Mr. Brooks expressed condolences to the family of Joshua Granger. He stated several family members are employed with the County. He stated his wife, Stephanie, EMS/Public Safety; father, Jack Granger, Sheriff's Department; father-in-law, Zane Spires, Public Safety/Consolidated Communications; and mother-in-law, Ann Spires, Clerk of Court's office.

Mr. Brooks also expressed condolences to the family of Archie Harman who was a former County attorney.

**Budget Amendment Resolutions** -The following BAR was distributed and signed.

An appropriation transfer of \$50,000.00 whereby the County would advance up to \$50,000.00 of the initial costs on the Isle of Pines water and sewer extension. At the completion of the bond issue, the County will be reimbursed with the bond proceeds.

**Approval of Minutes - Meeting of February 24, 2004** - A motion was made by Mr. Wilkerson, seconded by Mr. Derrick that the February 24, 2004 minutes be approved as submitted.

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

In Favor:	Mr. Davis	Mr. Wilkerson
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Mr. Derrick	Mr. Rucker
Mr. Keisler	Mr. Jeffcoat
Mr. Carrigg	Mr. Owens
Mr. Cullum	

**Ordinances - Ordinance 03-12 - Conveyance of Real Estate From the County of Lexington to the Town of Lexington (Hendrix St.) - 3<sup>rd</sup> and Final Reading - Tentative** - A motion was made by Mr. Jeffcoat, seconded by Mr. Derrick that Ordinance 03-12 be given third and final reading.

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

In Favor:	Mr. Davis	Mr. Jeffcoat
	Mr. Derrick	Mr. Rucker
	Mr. Wilkerson	Mr. Keisler
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

**Ordinance 04-01 - \$15,000.00 Supplemental Budget Appropriation - Solicitor - 2<sup>nd</sup> Reading** - A motion was made by Mr. Jeffcoat, seconded by Mr. Carrigg that Ordinance 04-01 be given second reading.

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

In Favor:	Mr. Davis	Mr. Jeffcoat
	Mr. Carrigg	Mr. Rucker
	Mr. Derrick	Mr. Wilkerson
	Mr. Keisler	Mr. Owens
	Mr. Cullum	

**Zoning Amendments - Zoning Map Amendment - M04-02 - 3139 Sidney Road, Parcels A, B, & C - Announcement of 1<sup>st</sup> Reading** - Mr. Davis announced first reading of Zoning Map Amendment - M04-02.

**Committee Reports - Public Works, B. Derrick, Chairman** - Mr. Derrick stated his committee met during the afternoon and had no recommendations to be reported out.

**New Position - Public Works** - Mr. Jeffcoat made a motion, seconded by Mr. Carrigg to approve the requested new position for Public Works in order to expedite engineering plans submitted by developers doing business in Lexington County.

Mr. Davis opened the meeting for discussion.

Mr. Derrick stated during the Public Works committee meeting the committee voted to postpone the requested new position until the budget process; therefore, there was no committee report.

Mr. Rucker stated he was involved in a meeting with Mr. John Fachtel, Director of Public Works,

and several local contractors to discuss delays in approving engineering plans whereby Mr. Fechtel indicated his department was in need of additional personnel. Mr. Rucker asked Mr. Fechtel if Council approved the requested new position would it have an immediate impact on the department's backlog or could the request be postponed until the budget process.

Mr. Fechtel stated the requested new position is a FEMA flood position that would assist the building department with flood issues on any property in Lexington County. He stated his present staff of Engineering Associates are covering both flood issues and commercial plan reviews and the requested new position would be for flood issues only so the Engineering Associates could devote their time reviewing commercial plans.

Mr. Rucker asked if Council approved the requested new position now would it help the department's backlog between now and June 30, 2004.

Mr. Fechtel stated the backlog has been greatly accelerated since he has moved other employees from their duties to assist on the plan reviews.

Mr. Rucker asked Mr. Fechtel for a yes or no answer.

Mr. Fechtel stated it will take approximately one month for the hiring process then another three months for training.

Mr. Rucker stated if Council approved the requested new position today the individual would be trained and in place by July 1 but if Council postponed the request, it would be approximately September or October before someone is trained.

Mr. Fechtel replied, correct.

Mr. Owens stated he was part of the committee to postpone the requested new position until the budget process, but felt this would be an exception and would be supporting the vote.

Mr. Davis stated he made the motion to postpone the request as he felt it should be brought forth during the budget process but underestimated the urgency.

In Favor:	Mr. Davis	Mr. Jeffcoat
	Mr. Carrigg	Mr. Rucker
	Mr. Wilkerson	Mr. Keisler
	Mr. Owens	

Opposed:	Mr. Derrick	Mr. Cullum
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Mr. Brooks presented Council a budget amendment resolution authorizing an appropriation transfer of \$13,151.00 to establish a new position within the storm water department of the Public Works Department. The funding is available from the salary and wages account due to position vacancies during this fiscal year. The \$13,151.00 amount is representative of 25 percent (3 months) of the annual costs and the total capital costs associated with this position. This position will be included

in the FY04/05 budget as an existing position.

**Health & Human Services, J. Wilkerson, Chairman - Establishment of Formal Position of Director of Public Safety and Homeland Security - Public Safety** - Mr. Wilkerson reported during the afternoon, his committee met and discussed the establishment of the formal position of Director of Public Safety and Homeland Security.

Mr. Wilkerson made a motion, seconded by Mr. Jeffcoat to approve the establishment of the formal position of Director of Public Safety and Homeland Security.

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

In Favor:	Mr. Davis	Mr. Wilkerson
	Mr. Jeffcoat	Mr. Rucker
	Mr. Derrick	Mr. Keisler
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

Mr. Brooks presented Council a budget amendment resolution authorizing an appropriation transfer of zero (\$0.00) dollars to establish the position of Director of Public Safety and Homeland Security. The funding for this position will remain in the Law Enforcement's budget through June 30, 2004. Afterwards funding will be split 50/50 between Law Enforcement and the General Fund.

**Reorganization of the Consolidated Communications Operations - Public Safety** - Mr. Wilkerson stated his committee met this afternoon and discussed the reorganization of the Consolidated Communications operations.

A motion was made by Mr. Wilkerson, seconded by Mr. Owens to allow staff to move forward with the reorganization of the Consolidated Communications operations.

Mr. Davis opened the meeting for discussion.

Mr. Derrick stated he would be voting against the request to move forward with the reorganization of the Consolidated Communications operations, as he did against the requested new position in Public Works, because these are items that should be considered during the budget process. He stated he would like to have seen the budget reduced rather than an additional layer of supervision. He stated he was not opposed to the reorganization and recognized Chief James' efforts and said he was not voting against the request because of "what" it is but because "when" it is.

Mr. Derrick stated the earlier requested new position in Public Works becomes a funding issue. He stated he would like to see a user fee imposed to expedite plan reviews to help fund the requested new position.

Mr. Jeffcoat stated it was his understanding that the reorganization would not create an increase in funding.



Mr. Derrick stated, "we don't know."

Mr. Jeffcoat stated, "we do know."

Chief James stated Communications overall is saving money. He stated there was a Grade 11 - level of supervision in the Communications Department in the Sheriff's Department and Grade 9 and 11 - levels of supervision in Central Dispatch. He stated they were looking not to have the three levels of supervision in Consolidated Communications that are Grades 11, 11, and 9 but Grades 11, 9, and 9 which would overall ultimately reduce funds. However, he stated the longer a person is in a particular grade they may be at a higher salary and, while we are making this transition from Grade 11 to Grade 9, it would reduce a certain amount from Grade 11 to Grade 9 but would maintain the current salary. He stated he did not want to move forward with the request if it was to cost additional funding. He stated he was looking at putting another sub-level of supervision in place that is a lower grade than they had by having two different communications divisions. Chief James stated it may be best to obtain the approval to move forward with shift operations which would not require additional funding in order to have permanent day and night shifts. Chief James stated if funding is required for the additional sub-levels then he would not ask Council to consider as we approach the budget process.

Mr. Cullum asked whether staff knows if there will be no increase in cost. He stated there may not be an increase in cost today in adjusting levels but certainly during the next budget process the cost would be increasing. He stated he agreed with Mr. Derrick that there should be some elimination in mid-level supervisory roles, but no elimination in jobs.

Chief James stated there is no way the department could eliminate any communications operators but could do with less grades than they once had and that is the objective.

Mr. Carrigg stated he realizes Council deals with changes during the budget process but said if Council does not deal with changes as they are needed, other than the budget process, then Council is not effecting good management. He stated when Council has an opportunity to improve, it should be acted on then rather than later.

Mr. Rucker asked Chief James for a total of 9-1-1 calls the County receives on a daily basis.

Chief James stated on an average there are 645 calls a day. He stated over 20,000 calls were received into consolidated dispatch during the month of February.

Chief James stated the reason behind the reorganization is to put career tracking in place for communications officers. He stated we don't want communications officers to become bored and leave the County. He said the career tracking plan has sub-level supervisor positions and major-level supervisor positions which would give communications officers an opportunity to become a firefighter, an EMT, or law enforcement officer. He stated once the career tracking is structured then staff knows the department is equipped with personnel that has three to five years of emergency operators which Law Enforcement, EMS, and Fire Service depends upon.

Mr. Wilkerson stated Council voted to formalize the position of Director of Public Safety and

Homeland Security that Chief James has been overseeing and said Chief James has been able to communicate and build trust among his departments and Council should support his recommendations.

Mr. Wilkerson called for the question.

In Favor:	Mr. Davis	Mr. Wilkerson
	Mr. Owens	Mr. Rucker
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Opposed:	Mr. Derrick	Mr. Cullum
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**Grant - SCBA (Self-Contained Breathing Apparatus)** - Mr. Wilkerson stated Lexington County Fire Service is in the process of replacing its SCBA (Self-Contained Breathing Apparatus) equipment over the next several years in order to remain in compliance with NFPA (National Fire Protection Association) standards. He stated the County has approximately 200 units, and at a cost of \$4200/each, the total cost would be \$840,000.00. He stated FEMA could cover 70 percent of the cost of some or all of the units.

Mr. Wilkerson made a motion, seconded by Mr. Carrigg to allow staff to move forward with the SCBA grant application.

Mr. Davis opened the meeting for discussion.

Mr. Davis asked when a decision would be made on the SCBA grant.

Chief Russell Rawl, Fire Service Coordinator, stated the grants are to be awarded toward the end of the year, possibly October, and then on a monthly basis into 2005. He stated FEMA is still awarding grants from last year.

Mr. Davis asked if staff will know what funds will be needed for the grant during the budget process.

Chief Rawl stated staff will not know whether the County will receive the grant during the budget process but stated his department is submitting a new program in this year's budget that will begin replacing air packs and if the budget is approved, it will be in the department's matching portion for the grant.

In Favor:	Mr. Davis	Mr. Wilkerson
	Mr. Carrigg	Mr. Rucker
	Mr. Derrick	Mr. Keisler
	Mr. Jeffcoat	Mr. Owens
	Mr. Cullum	

Mr. Rucker stated he knows of two fire departments who have received grants for equipment with matching funds and asked Chief Rawl to see how the County can assist fire departments with

matching funds and report his findings to the Health and Human Service Committee on April 13.

**Presentations - Ms. Lisa Lynch, 312 Basing House Road, Columbia, SC 29212 - Flood Damage**

- Ms. Lisa Lynch presented each Council member a copy of her presentation. Accompanying Ms. Lynch was her husband, Steve.

Ms. Lynch stated we had a flood to our home on September 18, 2002 where one-half of our home was flooded due to storm drains that were improperly constructed and maintained by the County. She said she has made numerous calls to the County Administrator, Public Works, and just everybody. She said they had \$10,000.00 worth of damage to their home. She stated the County's engineers have been out several times, as you can see pictures where the drains were to the ground, and said since the flood, the County's engineers have come out and put two cement blocks under several of the drains to raise them. She stated the County's insurance company says they are not liable so we filed a tort claim. She said she was told they were not liable because they did not know there was a problem; neither did we. She said if we had known, we would have been glad to tell them our house was going to flood on September 18. She said they were here tonight trying to obtain some assistance, whatever we can get. She stated the Mayor of Irmo said they could come and present their case to Council and maybe get some assistance or something for the damage. She stated \$10,000.00 worth of damage is a lot of money and we don't have \$10,000.00 to replace our house that was damaged by these drains not catching the water. She said she has dealt with Mr. Fechtel, Mr. Brooks, Mr. Jeffcoat, and Senator Knotts; we just want to be heard. We have a lot of damage to our house. She stated the County, after this happened, did come out and said there was supposed to have been a drain at the back of the property line, but there was not. She said they did come out and open it up and, I have pictures where they put in a drain at the back of the property, and have asked us to sign an easement to move all the water that comes to us, somehow they are going to move this water on the other side of the low end of our house, and move it to a new drainage system. She said the County has been back out, but I don't know how they plan to move all the water that is coming to our house to one area.

Mr. Davis thanked Ms. Lynch for her presentation and stated Council will take the matter under consideration and will get back to her with an answer in writing after it has been thoroughly researched.

Mr. Jeffcoat advised Mr. and Mrs. Lynch that he had not forgotten them and asked if they have any intention of signing the easement. Mr. Jeffcoat stated the County is waiting for the signed agreement that was sent to them in October or November 2003.

Ms. Lynch stated she did receive a letter from Mr. Fechtel but said there were several points that he made about this flooding issue to our house that says, "that mother nature basically dictated the flood to our lot and said two things should have happened when our house was built; a berm should have been placed at the back of the property and our house should have been somewhat elevated."

Mr. Jeffcoat stated Mr. Fechtel is eager to meet with you and obtain the required easement. He stated if there are any questions as to how the water is going to be directed then Mr. Fechtel would be the one who would be able to assist them.

Ms. Lynch said she understands that but her question is.... she cannot understand why Lexington County thinks that she and her husband are responsible for \$10,000.00 worth of damage.

Mr. Jeffcoat asked the Lynches if they are in a flood area.

Ms. Lynch replied they were not in a flood area.

Mr. Jeffcoat stated, therefore, you have no flood insurance.

Ms. Lynch stated they are not required to have flood insurance.

Mr. Lynch said water flowing down the road came over your (the County) curbs onto our property.

Ms. Lynch stated three drains did not catch the water coming to our house.

Mr. Jeffcoat asked the Lynches to work with Mr. Fechtel to obtain the best solution for the problem and said he did not know whether the Lynches would be 100 percent satisfied , but hopes they will be. Mr. Jeffcoat stated he thought by erecting a drain so water will be diverted from the house would be a good place to start. Mr. Jeffcoat asked for the Lynches' cooperation in trying to find a solution and advised them that it was not that the County did not want to help them but the County is waiting for the signed easement.

Mr. Lynch stated they have no problem signing an easement but said their problem is who is responsible for the \$10,000.00 worth of damage.

Mr. Jeffcoat stated the County would have to send the claim to the insurance reserve.

Mr. Lynch responded they have already made a claim but it was denied because they said they did not know there was a problem. Ms. Lynch stated they didn't either. She said if they had known that their house was going to flood on September 18, they would have done something.

Mr. Carrigg asked the Lynches how long they have lived in their house.

Ms. Lynch stated they have lived there for 16 years and have made several phone calls to the County about these drains.

Mr. Carrigg stated you have lived there for 16 years and have called the County of Lexington and made complaints about these particular drains before.

Mr. Lynch replied we have called about them falling down, being cracked, and being hazardous to the children who live in the neighborhood.

Mr. Carrigg asked the Lynches if they have ever experienced a flooding or water problem before.

Mr. Lynch replied, yes. He said the County, the Town of Irmo, or whomever prior to when we lived there, had come out and supposedly resolved the issue by digging a huge trench on the other side of

our property.

Mr. Derrick stated as a point of privilege, the issue regarding the flood damage is suppose to be a presentation rather than a question/answer session.

Mr. Carrigg replied that he would be delighted to ask the Lynches questions after the meeting if they did not mind waiting but felt that the information would be of interest to Council.

Ms. Lynch stated on Christmas Eve 2003, she and her husband, during the cold rain, tried to remove debris out of the drains, as water was flowing like a river, in an attempt to keep our house from flooding again. She said her understanding from a County representative that it would have been best to let it flood again then someone might have cared.

Mr. Wilkerson stated he realizes Council usually does not ask questions but asked when was the neighborhood built.

Ms. Lynch stated she was not exactly sure but said one of her neighbors across the street has been in the neighborhood for approximately 25-30 years. She said she has asked the County for their storm drainage system to try to see about the one drain that the County says should have been there and indicated no one seems to be able to find that either.

Mr. Wilkerson thanked the Lynches and assured them that the County will respond with answers to their questions.

**Mr. Jim Reynolds, President, Total Comfort Service Center; Ms. Val Richardson, Workforce Development Manager, Palmetto Health; Dr. Frank Vail, Superintendent, Lexington School District IV; and Mr. Gene Rountree, President, Food Service, Inc. - Midlands Education and Business Alliance - Economic Development/Workforce Development** - Mr. Reynolds thanked Council for allowing them the opportunity to speak.

Mr. Reynolds said as we work with Ms. Tammy Coghill, Director of Economic Development, on economic development issues in the region, the Midlands, we all hear the same message over and over. He stated the most important issue in terms of attracting industry to our region and enabling our existing companies to expand and grow is an educated capable flexible workforce. We have had problems delivering that in the Midlands area over the years. As a result, our hospitals, for example, are having to recruit out-of-state for nurses, med techs, and service techs. Cooper Power Tools, who is in advanced manufacturing, has a difficult time finding qualified candidates for C and C Operations, which are advanced manufacturing procedures in their plant. Mr. Reynolds said in recognizing these needs a number of business partners came together several years ago as a business community to partner with the education community and work together to form the Midlands Education and Business Alliance working through the Chambers of Commerce. Mr. Reynolds said this is an organization that brings together the business community for the tri-county area which includes Lexington, Richland, and Fairfield also the nine schools districts and six colleges. He stated the Midlands Education and Business Alliance Board consists of district superintendents, college presidents, and business leaders whose objective is to connect our young people to the education that allows them to compete for those jobs which in turn would create a world-class workforce that

would attract industry and continue to attract good companies like Michelin and Cooper Tools to the tri-county area and to allow our companies to expand and grow.

Mr. Reynolds stated the Midlands Education and Business Alliance was funded with grant funds from the federal government. This allowed us to hire a staff of seven who have worked with this organization bringing the hundreds of businesses together along with 150 schools in nine school districts and six colleges; serving over one hundred K through 12 students and 50,000 college students, as well as the business partners.

Mr. Reynolds stated the activities we are involved with brings business partners into the schools to talk about career awareness with our young people. We bring the students into businesses so they can do job shadowing which gives them the opportunity for internships also opportunities for co-op employment. The companies provide scholarship and tuition reimbursement funds to help students obtain their degrees so they can qualify for jobs that our businesses are having a hard time filling. He stated the results are very encouraging. We have been at this for four and one-half years and over the last couple of years, we have seen the enrollment at Midlands Tec rise from 9,000 to 11,000. Mr. Reynolds said we have seen an increase in technical programs that five years ago were struggling to get students into. He said we now have a waiting list for these programs; nursing, med techs, imaging technology, and surgical technology. We now are beginning to see those students come through the educational process and as employees in our businesses. So this program has been very successful; it works. Mr. Reynolds stated the program was designed to move forward on a local basis and asked Board members to briefly reenforce the value of the Midlands Education Business Alliance in the community in their area.

Dr. Frank Vail stated working with businesses for four and one-half years we have realized how intricately related business industry, qualified workforce, and education are interwoven together. He stated it has been his pleasure to have worked and served on the Board of the Midlands Education Business Alliance for several years in looking for ways to create a highly qualified workforce. He said the Board is looking for ways to encourage students to move into the professions and obtain the education they need for those technical areas, the areas where jobs are actually existing in the medical and technical fields. We have looked at the entire Midlands, as well as Lexington County, and we are making some success. He stated on behalf of the education community, we feel strongly that this initiative has been very effective and is very supportive of the initiative. He stated some of the things that we see that have happened is a program called Teachers in the Workplace. He stated it is an opportunity for teachers during the summer to actually take part-time or temporary jobs in the workforce to see first hand how the skills that we teach in the classroom are actually used in the workplace so when they go back the next year they can actually make learning real. Dr. Vail stated the whole issue of career awareness is to bring in businesses to share with students where the career opportunities are. Dr. Vail stated many businesses come in and talk with parents and let them know where the career opportunities are also what type of education students would have to have in order to move into those career opportunities.

Mr. Reynolds stated Lexington Medical Center is a very strong business partner that we have in the Midlands Education and Business Alliance and introduced Ms. Val Richardson, Chair of the Central Carolina Workforce Development Alliance.

Ms. Richardson stated everyone is aware of the shortages hospitals are going through right now. It is projected that we are going to have similar difficulties in filling those positions in the future, and we are looking to collaborate with infrastructure such as this to help us educate our parents, our guidance and career placement specialists, and our students about careers in the medical industry. She stated in two years in an education program at Midlands Tec many of these students can be making \$45,000 to \$50,000 a year right out of school. So when we talk about economic development, the health care cluster is one of those clusters that can raise the per capita income of our young people that are coming out of school. The other wonderful by-product of this collaboration is that it has created an infrastructure where hospitals, instead of competitively working against each other to raise the level of workers that are available, we get to work together to provide support. We believe in this process so much that Palmetto Health and Lexington Medical Center were the lead providers of some seed money to the foundation to make sure that we can help the Midlands Education and Business Alliance be a success. Thank you.

Mr. Gene Rountree stated he was certain this is an area Council is particularly interested as it has to do with economic development and prosperity and getting everyone back to work. Mr. Rountree stated he represents the business sector and is proud to be a part of this group for what it has been able to accomplish. He stated one of the things that sets the stage is the cooperation that has existed between the business and education sector which has made the program possible. He stated we have created a model program and have been able to move forward with the cluster concept in the Midlands area. One of the big problems we face in South Carolina is our dropout rate, which we have estimated to be in the range of 30 percent. He stated those people are not only depriving themselves but it is taking a bigger share of welfare and other things to keep them going so this program is intended to excite people about real things. Many of us cannot learn theory but do understand the importance in the workforce of being honest and having a good work ethic and this is what the program is trying to teach; trying to teach problem-solving not theory. He stated we are working with counselors to work with students so they can excite them about the real world. One of the problems we are experiencing is that this program was a starter program and the funds have run out and, unfortunately, the need has not.

Mr. Reynolds stated the program to support economic development with workforce development began with federal funding that was planned to run out and transfer to local leadership to continue the funding of the Midlands Education and Business Alliance. We are building a public-private partnership in continuing this activity because we know it is so important. The funding ends June of this year. Mr. Reynolds stated last year they began visiting the business partners saying we cannot let this program go away as it is too important to the economic development future of the area. Our business partners have already come forward with over \$100,000 of commitments toward a \$625,000 annual budget for the Midlands Education and Business Alliance. We are now going to our governmental entities talking with our County Councils for Lexington, Richland, Fairfield Counties and also the City of Columbia. He stated the City of Columbia has expressed strong interest in making sure that we have sustaining funding because this is so critical for the economic development future of the Midlands. We ask that Lexington County Council consider financial support during the upcoming budget process, as well as partnership with the Midlands Education and Business Alliance for the benefit of our businesses and the future generations who need these jobs and skills to take advantage of these jobs in the future.

Mr. Davis thanked members of the Midlands Education and Business Alliance for the information and stated Council will need a formal proposal and financial information in order to consider their request during the upcoming budget process.

Mr. Reynolds stated the Midlands Education and Business Alliance Board will provide a formal proposal with financial documentation within the next few weeks.

**Mr. John A. Huffman, AICP, Planner and Grants Administrator - Central Midlands Council of Governments - Hazard Mitigation in Lexington County** - Mr. John Huffman thanked Council for allowing him the opportunity speak on the Hazard Mitigation in Lexington County.

Mr. Huffman stated last year Central Midlands worked with the Emergency Management Division of the S. C. Adjutant General's Office to sign a contract as one of ten council of governments in the state to undertake a regional disaster mitigation plan. He stated FEMA, Federal Emergency Management Agency, is looking for a document from every council of government in the state so that in the future when there are national disasters such as hurricanes, winter storms, tornadoes, and there is mitigation to be done then the County will be able to apply for 75 percent grant funding to undertake this work. He stated FEMA wants a plan with goals and objects for each unit of government. He stated the reason for his presence tonight is to share with Council on the progress of the mitigation plan and thanked Mr. Ellis and Mr. Fechtel for their assistance.

Mr. Huffman stated later this summer, upon completion of the mitigation document, he will present the Action Plan to Council for review. He stated Council will need to send a letter to the Federal Emergency Management Agency advising them that yes we have seen it, we agree with it, and please submit it on to FEMA for their final review. Mr. Huffman stated he will then ask the County to advertise meetings and public hearings in order to present the Action Plan for discussion. He stated hopefully the Action Plan will be adopted in August by Council for submission to FEMA. He stated after approval by FEMA the Action Plan will go into effect with comprehensive revisions every five years. He stated the federal government is very, very serious about planning for the mitigation so the County will have the programs, policies, and projects lined up both before and after a disaster so the costs of dealing with disasters as they occur will be less. Mr. Huffman stated there is a project time line he has for completing the document and is working with a core team on which Mr. Neil Ellis and Mr. John Fechtel are a part. Mr. Huffman stated he would be presenting Council a copy of the Action Plan sometime in June or July for review.

Mr. Huffman stated he recently attended a meeting regarding a national flood insurance program and they made a comment that in this region, Richland and Lexington Counties, are the only units of government that participate in the community rating system (CRS) of the National Flood Insurance program. He stated he heard earlier during the Council meeting that Mr. Fechtel is attempting to hire additional personnel for flood related issues. He stated the more the County can do to help address the requirements of the National Flood Insurance program it will lower the County's CRS rating of 9 to 8, 7, 6, etc. He stated people who have flood insurance in Lexington County would pay lower premiums as the rating is dropped. He stated the more things the County can do as Mr. Fechtel is attempting is in the right direction.

Mr. Carrigg asked what is the County's CRS rating.



Mr. Huffman replied, 9. Mr. Huffman stated most units of government in the state and the region have no rating; they are not even in the CRS program. He stated the County is moving in the right direction in trying to lower the CRS rating and it will have a definite savings for policyholders who are in flood plains.

Mr. Carrigg asked how can the County achieve a CRS rating of 6.

Mr. Huffman stated once the County has determined it has over nine or ten recorded repetitive flood cases the County would have to enter into a National Flood Insurance program where the County would have to meet certain planning requirements, undertake certain work, objectives, and reporting objectives. He stated as requirements are met, the National Flood Insurance will give the County certificates to lower the County's CRS rate. He stated the reduced rate would have a major savings for policyholders in Lexington County with flood insurance. Mr. Huffman said he had hoped he could have done the CRS planning and the mitigation planning at the same time but because of the specific nature of the requirements of each local government it is not feasible. He stated the County will be responsible for completing the necessary required documentation.

Mr. Carrigg asked if staff can use some of the documentation that Mr. Huffman is preparing and use it toward the CRS planning.

Mr. Huffman stated in the preparation of the Action Plan that he is conducting for the County, he is putting in elements that will address some of what the CRS needs. He said he is trying to overlap it as much as possible.

**Mr. Pete Oliver, 165 Lake Murray Terrace, Lexington, SC 29072 - Nassau Plant** - Mr. Oliver stated Council has two sets of documents from him; the speech from December and the article from Bell Laboratories, which is a part of AT&T owned by Western Electric. If you won't believe Pete Oliver, then let's believe Bell Laboratories.

In this article, it talked about that in 1970 Nassau received 600 million pounds of scrap and Nassau Metals in Gaston, S.C. received over 650 pounds of scrap, also in this same article it says 20 percent of that was plastic. That's 120 million pounds of plastics a year. Now in form 104E, which was filled out by AT&T Nassau Metals submitted to US EPA they stated approximately 53 million pounds over a period of 11 years went into the Lexington County landfill and using their own percentages, it is over 100 million pounds a year. Let's say I'm wrong. Let's say it is 70 million pounds a year, it's not 53 million pounds a year. So they lied to the US EPA and have lied to the citizens of Lexington County. According to US EPA there is no statute of limitation on a false filing of a form 104E, and I'm not a lawyer, but it is my understanding you can take legal action and that's what I implore you to do. Because what's going to happen, because that is not the only false documentation, this article also talks about beryllium. He stated if the current statistics are correct, 19 to 20 percent of 1,300 employees, that's 200 employees will come down with beryllium disease. The majority are not going to have health insurance and I know of one case already, which is not beryllium disease but lung cancer, with unpaid hospital bills of \$1 million and he died. So it conceivably could cost the Lexington County Hospital and Palmetto Health \$200 million in health burdens, not even to mention the tax loss we have suffered. The cancer rate is 38 percent when exposed to beryllium. So last time I was here, you said people may have some questions and I would

be happy to answer any questions that you have that would help you and this County to move forward to take action against the corporation, Lucent Technologies.

Mr. Davis stated Council has discussed the situation regarding Nassau Metals and will be reviewing it again as a legal matter and felt that it would be more appropriate not to ask questions at this time but will keep in touch and advised Mr. Oliver that he would be hearing from him in the near future.

Mr. Oliver promised each Council member will know at least one employee who will come down with health consequences if they worked at this plant and also every visitor to that plant. As it was explained to him by the beryllium expert medical doctor, Dr. Newman, Denver National Jewish Hospital, if you worked at Savannah River Plant, where they did process beryllium, also your secretary worked two miles away from the building, you walked into that building for 30 seconds where they utilized the ground, melted, or something to beryllium and you left. In your entire 20-year career, you were exposed to 30 seconds. Your chance of coming down with beryllium disease is 1 to 6 percent. If you worked in that building, it goes up to 14 to 16 percent and the latest study is 19 to 20 percent with the most recent study. If you take somebody like Bruce who lives in the area, he is going to know people who are going to come down with this disease. The time of exposure from conception to when it appears is 20 to 30 years no symptoms. So believe, take it to task. I appreciate you allowing me this time.

**Old Business/New Business - Ordinance 03-14 Project Pet - Bower Parkway** - A motion was made by Mr. Carrigg, seconded by Mr. Jeffcoat that Ordinance 03-14 Project Pet be given third and final reading.

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

In Favor:	Mr. Davis	Mr. Carrigg
	Mr. Jeffcoat	Mr. Rucker
	Mr. Derrick	Mr. Owens

*Not Present:	Mr. Wilkerson	Mr. Keisler
	Mr. Cullum	

\*Messrs Wilkerson, Keisler, and Cullum were not present when the vote was taken.

**RFP for Banking Services** - A motion was made by Mr. Jeffcoat, seconded by Mr. Derrick to approved staff's recommendation to award the RFP for Banking Services to BB&T.

Mr. Davis opened the meeting for discussion.

Mr. Carrigg stated he has asked for information regarding the RFP process but has not received the requested information, but would vote for the recommendation.

Mr. Davis stated that staff would provide the RFP information that Mr. Carrigg requested.

In Favor:	Mr. Davis	Mr. Jeffcoat
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Mr. Derrick	Mr. Rucker
Mr. Carrigg	Mr. Owens

\* Not Present: Mr. Wilkerson      Mr. Keisler  
Mr. Cullum

\* Messrs Wilkerson, Keisler, and Cullum were not present when the vote was taken.

**Comments from Councilman Derrick -** Mr. Derrick stated he and Chairman Davis traveled to Edgefield to attend the celebration of the return of Troop 122 - Engineering Battalion. He said he was happy to report all returned with the exception of one, but noted it was not due to a casualty of war. He said it was such a heartwarming celebration of support to our troops and stated as the troops from Batesburg returned, the streets were lined with sirens blaring and it was magnificent and said he was glad to have been a part of the celebration.

**Executive Session/Legal Briefing** - A motion was made by Mr. Rucker, seconded by Mr. Carrigg to go into Executive Session to receive the legal briefing and to discuss contractual matters.

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Carrigg	Mr. Derrick
	Mr. Keisler	Mr. Jeffcoat
	Mr. Owens	

\*Not present: Mr. Wilkerson                      Mr. Cullum

Mr. Rucker left the meeting early due to a prior commitment.

Chairman Davis reconvened the meeting in open session.

**Matters Requiring a Vote as a Result of Executive Session -** Chairman Davis reported Council received the legal briefing and discussed contractual matters during the Executive Session and indicated there were two motions to be considered.

**Oak Grove Magistrate's Office Property** - Mr. Derrick made a motion, seconded by Mr. Cullum to authorize the Chairman to write the Lexington County Recreation Commission confirming that the Lexington County Recreation Commission will pave the Oak Grove softball complex parking lot. In addition, the Lexington County Recreation Commission will meet in April and confirm the donation of the three (3) acres for the Oak Grove Magistrate's office to the County. The County will enter into discussions with the Lexington County Recreation Commission to provide 40 acres at the Red Bank borrow pit for future park development. The County plans to reserve eight (8) acres for the relocation of the Red Bank convenience site to the Red Bank borrow pit. The County will continue to utilize a portion of the pit for borrow material and will remediate this site as required by our mining permit.

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

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Cullum	Wilkerson
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	Mr. Owens

Not Present: Mr. Rucker

**Purchase of Three (3) Acres Adjoining the 321 Landfill** - A motion was made by Mr. Jeffcoat, seconded by Mr. Carrigg to purchase three (3) acres adjoining the 321 landfill.

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

In Favor:	Mr. Davis	Mr. Jeffcoat
	Mr. Carrigg	Mr. Derrick
	Mr. Wilkerson	Mr. Keisler
	Mr. Owens	Mr. Cullum

Not Present: Mr. Rucker

There being no further business, the meeting was adjourned.

**Adjournment.**

Respectfully submitted,

Dorothy K. Black  
Clerk

George H. Smokey Davis  
Chairman

Diana W. Burnett  
Asst. Clerk to Council