

M I N U T E S  
LEXINGTON COUNTY COUNCIL  
April 13, 2010

Lexington County Council held its regular meeting on Tuesday, April 13, 2010 in Council Chambers beginning at 4:30 p.m. Chairman Kinard presided.

Rev. Justin Smith, Community Life Pastor at Christian Life Church and Associate Chaplain at Lexington Medical Center, gave the invocation. Purple Heart recipient SFC E-7 James D. Miller, led the Pledge of Allegiance.

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

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 Economics and Government Class** - Mr. Kinard recognized students from Lexington High School attending as part of their economics and government class assignment.

**Presentation of Awards - Recycling Awards from the South Carolina Department of Health & Environmental Control Presented by Kent M. Coleman, Director**

**(A) 2009 Outstanding Waste Reduction/Recycling Program and 2009 Outstanding Local Governmental Used Oil Recycling Program Awards - Lexington County** - On behalf of Mr. Coleman, Ms. St. John recognized Lexington County for receiving the 2009 Outstanding County Waste Reduction/Recycling Program (Large Population) and the 2009 Outstanding Local Governmental Used Oil Recycling Program Awards during the 15<sup>th</sup> Annual Recycle Guys Awards Program on March 2.

**(B) South Carolina Recycling School of the Year Award - Batesburg-Leesville Elementary School** - Ms. St. John recognized Batesburg/Leesville Elementary School for receiving the South Carolina Recycling School of the Year Award during the 15<sup>th</sup> Annual Recycle Guys Awards Program on March 2.

**(C) Recycling Center Attendant Recognition Award - Yolanda Webb, Babcock Center** - Ms. St. John recognized Yolanda Webb for receiving the Recycling Center Attendant Award for Lexington County during the 15<sup>th</sup> Annual Recycle Guys Awards Program on March 2.

**Smart Business Awards to Lexington County Businesses from the South Carolina Smart Business Recycling Program, South Carolina Department of Health & Environmental Control, Office of Solid Waste Reduction and Recycling Presented by Amanda St. John, Coordinator**

**(A) Michelin North America, Inc. and Shaw Industries** - Ms. St. John recognized Michelin North America, Inc. and Shaw Industries for receiving awards for their outstanding waste reduction and recycling programs during the 2<sup>nd</sup> Annual South Carolina Smart Business Recycling Program Awards ceremony on February 24.

**Chairman's Report** - Chairman Kinard reported he had the privilege of giving the opening remarks and making a rain barrel during the 2<sup>nd</sup> Rain Barrel Workshop hosted by the Lexington County Stormwater Department on March 31. In addition, he and Ms. Summers attended the Columbia Mayor's Committee on Employment of People with Disabilities Banquet on April 8 and, on behalf of the County, were honored to accept the Mid-Size Employer of the Year Award for employing individuals with disabilities.

**Council Members' Activities and/or Comments** - Mr. Davis reported he attended the CMC Ribbon Cutting of their new facility on State Road in Cayce on April 1.

Mr. Cullum reported he and Councilmen Jeffcoat and Banning attended the grand re-opening of Krispy Kreme doughnuts on Knox Abbotts Drive on Thursday, April 8.

Mr. Banning reported he and Councilman Jeffcoat attended the Unifirst Ribbon Cutting of their new facility on Industrial Court on Thursday, April 8.

**Administrator's Report - Presentation of the FY2010-2011 General and Non-General Requested Budgets** - Mr. Larry Porth, Director of Finance, gave Council a brief recap of the FY2010-2011 General and Non-General requested budgets and revenue projections.

Mr. Porth reported all requested budgets have been received. He said the total requested General Fund budget for FY2010-2011 is \$102,446,730. Of that - \$99,067,710 is for existing programs and \$3,379,020 is for new programs. In addition, there are several Special Revenue Funds and Grants that total \$56,699,730 for a combined total of \$159,146,460. Also, the Millage Agencies requests are approximately \$20 million.

Mr. Porth said the County is faced with reassessment and, by statute, it is to be revenue neutral. Meaning that if the County has an increase in assessed values due to reassessment, the County will have to rollback the millages correspondingly. However, the portions of the assessed values that are being reassessed are basically residential properties. So if residential properties are going up, there are a lot of other things that are not changing due to reassessment – vehicles and manufacturing. So if we have an increase in residential values, it has to be averaged over the entire database. The increase in assessed values this year and the corresponding rollback are a lot smaller then they have been in previous reassessment years.

The estimated reassessment value of a mil, with growth, is a little over a million dollars countywide at the unabated level. The countywide abated mil, which would apply to the County Ordinary, Law Enforcement, Library Services, and Solid Waste is 998,718. The value of the countywide mil for Fire Service is 784,849 and the mil for the Irmo Fire Service is 132,329.

There is no CPI adjustment allowed by statute this year because the Index was flat for the average of 2008 compared to the average of 2009. There is a population adjustment allowable at 2.35 percent that would equate to about 1 ½ mils for the entire General Fund.

The revenue estimates for the General Fund (County Ordinary, Law Enforcement, and Fire Service) is

\$94,898,697. The requested budget of \$102,446,730 compared to the revenue estimate of \$94,898,697 reflects a \$7.5 million difference.

Ms. Hubbard said staff is planning to present the recommended budget at the April 27<sup>th</sup> meeting.

**3<sup>rd</sup> Urban Tree Care Workshop** - Ms. Hubbard reported the 3<sup>rd</sup> Urban Tree Care Workshop will be Friday, April 16 at the Fire Service Training Center on Ball Park Road from 9:00 a.m. to 2:00 p.m.

**Midlands Air Quality Survey** - Ms. Hubbard asked everyone to take a few minutes to fill out the Midlands Air Quality Survey that is on the County's website. The survey is being sponsored by the Central Midlands Council of Governments to assist in determining some of the awareness of air quality issues in the Midlands and what we can do to try to address those at the citizens' level.

**Employee Recognition - Katherine Hubbard, County Administrator - National Telecommunications Week - April 11-17, 2010** - Ms. Hubbard announced April 11-17 is National Telecommunications Week and recognized Public Safety/Communications. Ms. Hubbard reported during 2009 Public Safety/Communications handled approximately 269,000 calls for service.

Ms. Hubbard recognized Tom Collins, Emergency Management Coordinator. Ms. Hubbard said she received a copy of a letter addressed to Chief Rucker from CERT Manager, Millie Massey, M.Ed., RT (R) (CV) about the positive changes Mr. Collins has done with the CERT program since he became the new Emergency Manager Coordinator. Ms. Massey said before Mr. Collins began, the CERT Team was struggling with the decision to continue with the program or not because they felt they were going nowhere but now are busy recruiting new members. For the first time, the CERT team has been deployed in a real life event when they assisted Public Safety with the H1N1 vaccines.

**Michael Mungo** - Mr. Banning said Lexington County lost one of its great citizens this week, Michael J. Mungo, who had a profound impact on Lexington County. He said visitation is tonight from 5:00 p.m. to 7:00 p.m. and the service will be Wednesday.

**Point of Privilege** - Mr. Derrick thanked County personnel and everyone else who responded to the tornado on Sunday, March 28. Mr. Derrick said his business was struck as well as several homes, but thankfully no one was hurt. He said it was reassuring to seeing all the "smiling faces" that showed up to offer assistance.

**Resolutions - Fair Housing Month, Kids Kamp, and Poultry Festival** - Mr. Keisler made a motion, seconded by Mr. Cullum to approve the resolutions.

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

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

**Appointments -Assessment Appeals Board - Kenneth Brad Matthews** - Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to appoint Mr. Matthews. Mr. Matthews replaces Mr. G. Randall McKay.

Mr. Kinard opened the meeting for discussion.

Mr. Jeffcoat said he met Mr. Matthews a couple of weeks ago and said he is a fine young man and the type of individual that Council would like to see serving on our Boards and Commissions.

Mr. Kinard called for further discussions; none occurred.

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

**Bids/Purchases/RFPs** - Mr. Keisler made a motion, seconded by Mr. Banning to approve the following Bids/Purchases/RFPs (Tabs V, W, X, Y, Z, 1, and 2)

**HVAC Systems Upgrade (Grant Funds) - Building Services** - Bids were solicited for HVAC systems upgrade for Building Services purchased under the Energy Efficiency and Conservation Block Grant (EECBG) program. Five (5) bids were received. Staff recommended the award of the bid to Custom Air, Inc. as the lowest responsive bidder. Total cost, including tax, is \$27,564.

**Energy Management System Installation (Sole Source) - Buildings Services** - Staff recommended the purchase of an Energy Management System for the County Auxiliary Building to the sole source provider, Control Management, Inc. This has been deemed a sole source because Control Management, Inc. is the only authorized distributor and installer for South Carolina of the NOVAR system that is currently in use. Total cost, including tax, is \$53,441

**Line Striping Program - Public Works** - Competitive bids were solicited for the line striping program for Public Works. The project consists of providing materials, labor, and equipment to place line striping for 55 miles of Lexington County roads. One (1) bid was received. Staff recommended the award of Option 2 to Carolina Pavement Markings, Inc. Total cost, including tax, is \$199,729.15

**One (1) Landfill Compactor (Replacement) - Solid Waste Management** - Competitive bids were solicited for one landfill compactor for Solid Waste Management. Five (5) were received. Of those, three (3) were no bids and one (1) bid did not meet specifications. Staff recommended the award of the bid to Blanchard Machinery. Total cost, including accessories, options with trade-in, total maintenance and repair (six year/8,000 hour) contract and tax is \$637,974.68.

**Landfill Compactor Caron Wheel Tips - Solid Waste Management** - Solid Waste Management submitted a purchase request for the removal and replacement of compactor Caron wheel tips for an 826H landfill compactor. Three (3) quotes were received. Staff recommended the award to Blanchard Machinery Company in the amount of \$28,622.50, including tax.

**Southeast Collection and Recycling Center - Solid Waste Management** - Competitive bids were solicited for the South Southeast Collection and Recycling Center for Solid Waste Manage. Ten (10) bids and one (1) non-responsive bid were received. Staff recommended the award of the bid to LAD Corporation of West Columbia in the amount of \$521,194.25.

**Turf Erosion Reinforcement Materials - Solid Waste Management** - Competitive bids were solicited for a term contract for turf erosion reinforcement materials for Solid Waste Management. Five (5) bids were received. Of those, one (1) was deemed non-responsive. The term of the contract is for 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. The estimated annual cost of the contract, including tax, is approximately \$88,087.75. Staff recommended the award of the contract to Pennington Seed, Inc.

Mr. Kinard opened the meeting for discussion.

Mr. Derrick noted that staff worked hard to present a great recommendation with cost savings and thanked them for their efforts.

Mr. Kinard asked for further discussion; none occurred.

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

**Approval of Minutes - Meetings of March 9 and 23, 2010** - Ms. Summers made a motion, seconded by Mr. Derrick to approve the March 9 and 23, 2010 minutes as submitted.

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

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

**Committee Reports - Justice, S. Davis, Chairman - FY09 Incident Management Team Grant Award** - Mr. Davis reported the Justice Committee met during the afternoon to consider acceptance of the FY09 Incident Management Team grant award. The award in the amount of \$50,000 requires no County match. The grant will be used to purchase equipment and training for the Incident Management Team. The Committee voted unanimously in favor to recommend to full Council for approval.

Mr. Davis made a motion, seconded by Mr. Keisler to approve acceptance of the grant award.

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

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

**Health & Human Services, J. Jeffcoat, Chairman - National Endowment for the Humanities (NEH) Preservation Assistance Grants for Smaller Institution Grant Application** - Mr. Jeffcoat reported the Health & Human Services Committee met to consider staff's request to apply for the National Endowment for the Humanities (NEH) Preservation Assistance Grants for Smaller Institutions. The grant in the amount of \$5,779 requires no County match. The grant, if awarded, will be used to purchase environmental monitoring equipment and storage material for preservation of artifacts in the museum's collection. The Committee voted unanimously in favor to recommend to full Council for approval.

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	Ms. Summers
	Mr. Keisler	Mr. Carrigg
	Mr. Cullum	

**Public Works, B. Derrick, Chairman - FY10 Municipal "C" Fund Requests** - Mr. Derrick reported the Public Works Committee discussed the use of "C" Funds for various municipal road requests. The Committee voted unanimously in favor to recommend to full Council to allow Public Works to use their equipment and manpower to pave Colonial Drive in South Congaree and Spruce and Sandy Lanes in Pine Ridge. Funds will come from account number 2700-121302-539904.

Mr. Derrick made a motion, seconded by Mr. Cullum to allow the Public Works Department to use their equipment and manpower to pave Colonial Drive in South Congaree and Spruce and Sandy Lanes in Pine Ridge.

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

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

**Legal Closing of Carroll Hill Drive** - In addition, the Committee reviewed the request for the legal closure of Carroll Hill Drive. The road in question begins at Fire Tower Road and runs in a Northern direction approximately 1,215 feet. Mr. Lewis C. Harmon will be responsible for all legal costs. The Committee voted unanimously in favor to allow the property owner to move forward with the closing of Carroll Hill Drive.

Mr. Derrick made a motion, seconded by Mr. Banning to allow the property owner to move forward with the closing of Carroll Hill Drive. (The owner will be responsible for all legal costs.)

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

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

**Solid Waste, D. Summers, Chairman- Contract to Purchase Real Property** - Ms. Summers reported the item was delayed to a later date.

**Committee of the Whole, J. Kinard, Chairman – Proposed Equipment Cost for Reorganization of Precincts Senate Bill S-963** - Mr. Kinard reported the Committee discussed the proposed equipment cost and decided to postpone taking any action at this time.

**Budget Amendment Resolution** - The following Bars were distributed and signed:

10-110 - A supplemental appropriation increase in the amount of \$340 for two donations Fire Service received. The funds will be used to purchase smoke and carbon monoxide detectors.

10-112 - A supplemental appropriation increase in the amount of \$29,152 that the County received from SCDOT for snow removal.

10-113 - An appropriation transfer of \$3,000 for the Lexington County Airport at Pelion. The airport is going from a visual approach to a non-precision approach.

10-114 - A supplemental appropriation increase of \$50,000 for the FY09 Incident Management Team grant award received for the Sheriff's Department.

**Old Business/New Business - Naming of the Lake Murray Dam Walkway** - As an item of new business, Mr. Davis said years ago when the County was working with SCDOT and SCANA they went to the Infrastructure Bank to try to put in another roadway when the new dam was being built. At that time, the Chairman, Johnny Jeffcoat, pressured and made sure that there would be a secure walkway for residents at the Lake Murray Dam.

Mr. Davis made a motion, seconded by Mr. Banning to ask the Lexington County Legislative Delegation by letter to request that the walkway across the dam be named in honor of past chairman, Johnny Jeffcoat. (This is not in conflict with the County's Naming Policy.)

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

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

Abstained: Mr. Jeffcoat

**Executive Session/Legal Briefing** - Executive Session consisting of one personnel, two contractual, and five legal matters were discussed and completed during the afternoon Committee of the Whole meeting.

**Matters Requiring a Vote as a Result of Executive Session** - Mr. Kinard reported Council was able to complete Executive Session during the Committee of the Whole and noted there were no motions to be considered.

**Motion to Adjourn** - Ms. Summers made a motion, seconded by Mr. Derrick to adjourn.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

James E. Kinard, Jr.  
Chairman