

MINUTES  
LEXINGTON COUNTY COUNCIL  
June 23, 2009

Lexington County Council held its regular meeting on Tuesday, June 23, 2009 in Council Chambers beginning at 4:30 p.m. Chairman Summers, presided.

Mr. Davis gave the Invocation and Mr. Derrick led the Pledge of Allegiance

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

Not Present:             John W. Carrigg, Jr. \*

\*Mr. Carrigg was absent due to a trial case he was involved in.

Also attending: Katherine Hubbard, County Administrator; Joe Mergo, III, Deputy County Administrator; Larry Porth, Finance Director/Assistant County Administrator; John Fachtel, 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.

**Presentation of Check for the E-911 Reimbursement by Mr. Bobby Bowers, Director of Office of Research Statistics, SC Budget and Control Board** - Mr. Bowers presented a \$372,701.59 check to Chairman Summers for the E-911 reimbursement.

**Chairman's Report** - Ms. Summers reported she and several council members attended the preview of the SC State Farmers Market on Thursday, June 18.

**Council Members' Activities and/or Comments** - Mr. Banning reported he and several members of the Columbia area visited Washington on June 11 to meet with our delegation members to present the Regional Priority Projects for the Midlands. Mr. Banning reported the \$100 million John Hardee Expressway in on the top of the list and was accepted very well by all of the delegation members.

Mr. Jeffcoat reported he and several council members toured the Saxe Gotha Industrial Park and is pleased to announce that it is coming along real well.

**Administrator's Report - Independence Day** - Ms. Hubbard reported the County Administrative offices will be closed on Friday, July 3 in observance of Independence Day.

**Shining Stars for the Third Quarter of 2009** - Ms. Hubbard recognized John Thompkins, Temporary Programmer Analyst, Information Services; Christine Deffendall, Part-time Library Assistant I, Library Services; Ronda Porth, Zoning Assistant, Community Development; Margo Vanderkolk, GIS Analyst/Cartographer Assistant, Assessment/Equalization; and Donna Miller, Human Resources Manger as the winners of the third quarter for the Customer Service Shining Star award. Each recipient received an engraved acrylic "Shining Star." Ms. Vanderkolk was not present.

**Employee Recognition - Katherine Hubbard, County Administrator** - Ms. Hubbard recognized Brett Banchemo, Animal Control Officer with Animal Services. Mr. Folsom, Animal Services Coordinator, received two letters from separate individuals thanking officer Banchemo for his assistance with either a stray or aggressive dog in their yard.

Nikki Rodgers, Communications Coordinator; Cari Reinberg, 911 Training Coordinator; and Lewis Black, Telecommunications Operator with Public Safety/Communications and Lt. Alan Driggers and Linda Quig, Administrative Assistant with the Sheriff's Department were recognized for working with the Midlands Workforce Development Board to implement the WorkKeys employee assessment tool as part of the telecommunications operators hiring process.

**Animal Services** - At the request of Council to learn more about staff, Ms. Hubbard introduced Chris Folsom, Animal Services Coordinator, and Dr. Jim Cooler, Veterinarian and asked each to give a brief history about themselves and their role with Animal Services.

**Appointments - Building Codes Board of Appeals - Mr. Joel Carter**- Mr. Cullum made a motion, seconded by Mr. Kinard to reappoint Mr. Joel Carter. Mr. Carter represents the Architect sector.

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

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

**Bids/Purchases/RFPs** - A motion was made by Mr. Davis, seconded by Mr. Derrick to approve the following Bids/Purchases/RFPs (Tabs L, M, N, O, P, Q, R, & S).

**Five-Year Consolidated Plan, Analysis of Impediments to Fair Housing Choice and Annual Action Plan - Community Development** - Competitive sealed proposals were solicited for professional services to establish a contract with a consulting firm to update the Five-Year Consolidated Plan, Analysis of Impediments to Fair Housing Choice and Annual Action Plan. The Plan is for period July 1, 2010 through June 30, 2014. Six (6) proposals were received from responsive firms. Staff recommended awarding the contract to Training & Development Associates. The amount of the contract is \$48,700.

**Morgue Transportation Services - Coroner's Office** - Competitive bids were solicited for a term contract for morgue transportation services. The term of the contract will be for a period of one (1) year and may be extended on an annual basis that shall not exceed four (4) additional one year periods. Three (3) responsive bids were received. Staff recommended the award of the contract to two (2) vendors. Capital Transportation, LLC will act as the primary contractor, being the lowest responsible bidder meeting specifications, and Palmetto Mortuary Transport, Inc. as the secondary contractor, to be use as an alternate. The annual value of the contract is estimated to be \$76,000.

**Request for Approval to Utilize the Competitive Sealed Proposal Process for Reverse 9-1-1 System - Public Safety/Emergency Management** - Staff requested authorization to use the Request for Proposal (RFP) process to seek competitive proposals from potential qualified bidders for a reverse 9-1-1 system for Public Safety/Emergency Management. 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.

**1.5” Hot Mix Asphalt Resurfacing Program - Public Works** - Competitive bids were solicited for the 1.5” hot mix asphalt resurfacing program for Public Works. The project consists of pavement construction of approximately 3.6 miles of Lexington County roads. The following list of roads are proposed for resurfacing: Whiteford Way, Timber Ridge Dr., Rockmount Dr, Tree St., Well Spring Dr., Autumn Knoll Dr., Greengarden Ct., Greengarden Dr., Brandon Ct., Shadow Mist Lane, Savanna Woods Cir., Savanna Woods Ct., Savanna Woods Lane, Canterfield Rd., Murraywood Dr. 1, Crossbow Dr., Ephrata Dr., Creekview Dr., Bently Dr., Willow Creek Lane, and Nursery Ridge Lane. However, there are variables that may increase or decrease the amount of roads to be resurfaced. Four (4) responsive bids were received. Staff recommended the award of the bid to CR Jackson as the lowest bidder. The amount of the award is \$394,599.

**Jayne Lane - Public Works** - Competitive bids were solicited for pavement construction of approximately .27 miles of roads that is comprised of Jayne Lane and a portion of Colonial Drive. Eight (8) bids and one (1) no bid were received. Staff recommended the award of the bid to CBG, LLC as the lowest bidder in the amount of \$198,833.95.

**Dirt Road Base Preparation - Public Works** - Competitive bids were solicited for the dirt road base preparation project. The project consists of pavement construction of approximately .54 miles of County dirt roads that is comprised of the remaining unpaved portion of Glenn Street and Westwood Circle. The bid was set up to have three different bid options: Option 1 - Cement Modified Base, Option 2 - Sand Clay Base, and Option 3 - Graded Aggregate Base. Four (4) bids and one (1) no bid were received. Staff recommended the award of the bid to Sanders Brothers Construction Company as the lowest bidder using Option 1 – Concrete Modified Base in the amount of \$39,009.

**Relocation of Red Bank Station - Fencing - Solid Waste Management** - Competitive bids were solicited for fencing for the Red Bank Station relocation. Six (6) bids were received. Staff recommended the award of the bid to Sitec, LLC as being the lowest bidder. Total cost, including tax, is \$25,964.

**Truck Scale - Replacement - Solid Waste Management** - Competitive bids were solicited for one (1) landfill truck scale and catwalk replacement for Solid Waste Management. Eight (8) bids and one (1) no bid were received. Staff recommended the award of the bid to Carolina Scales as being the lowest bidder. Total cost, including tax, is \$45,893.55.

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

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

**Approval of Minutes - Meeting of May 12, 2009** - Mr. Jeffcoat made a motion, seconded by Mr. Derrick to approve the May 12, 2009 minutes as submitted.

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

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

**Ordinance - Ordinance 09-06 - An Ordinance to Amend the Lexington County Code of Ordinances, Chapter 14, Building and Building Regulations; by Adding a New Article Therein for the Purpose**

**of Establishing Regulations and Requirements Related to Smoking in the Unincorporated Areas of Lexington County - 2<sup>nd</sup> Reading** - Mr. Derrick made a motion, seconded by Mr. Keisler to deny second reading.

Ms. Summers opened the meeting for discussion.

Mr. Davis, Parliamentarian, stated that anyone who votes in the affirmative on the prevailing side does have the opportunity to reconsider the ordinance.

Ms. Summers called for further discussion; none occurred.

In Favor:	Mr. Summers	Mr. Derrick
	Mr. Keisler	Mr. Davis
	Mr. Jeffcoat	Mr. Banning

Opposed:	Mr. Kinard	Mr. Cullum
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**Committee Reports - Planning & Administration, S. Davis, Chairman - Energy Efficiency and Conservation Block Grant (EECBG) Program** - Mr. Davis reported during the afternoon Committee meeting, the Committee discussed and reviewed the 2009 Energy Efficiency and Conservation Block Grant Program application that will be submitted to the Department of Energy. Under the American Recovery and Reinvestment Act of 2009, the County will receive \$2,268,600 but must provide information of how the funds will be used. Staff recommended the following projects: Allowable Administration & Consulting Costs - \$250,000; Administration Building – Fresh Air Intake - \$140,000 and Parking lot timers - \$5,000; Old Courthouse – Hot/Chiller Water Line Replacement/Insulation Upgrade - \$800,000; Air Handler 2 replacement (main courtroom) – \$20,000; window replacement - \$80,000; lighting upgrade (150 fixtures/bulbs/switches) - \$40,000; Auxiliary Administration Building – Building Energy Management System - \$60,000; Lobby HVAC upgrade - \$11,000; Clemson Extension HVAC upgrade - \$8,000; Jail – Annex Gas Furnace/Cooling Replacement - \$400,000; Multi-purpose area HVAC upgrade - \$25,000; Upper hallway HVAC upgrade - \$100,000; Central Stores – Office/mail/print room HVAC replacement – \$8,500; Fleet Services – Window replacement - \$25,000; bay door insulation upgrade - \$30,000; Batesburg Magistrate – HVAC Air Handler replacement - \$4,000; Cayce Magistrate – HVAC unit replacement - \$150,000; Public Works – Window replacement (Engineering) - \$9,000; Interior Lighting upgrades (Engineering) - \$4,850; Window replacement (Transportation) - \$7,500; Interior Lighting upgrades (Transportation) - \$3,500; Lawn Mower Exchange (Partnership with Richland County) - \$20,490 and Fire Service – Lighting for the following fire stations: (Amick’s Ferry) - \$2,813, Boiling Springs - \$3,104; Crossroads - \$3,201; Edmund - \$3,104; Fairview - \$3,104; Gaston - \$1,552; Gilbert - \$3,104; Hollow Creek - \$3,104; Lexington - \$6,855; Mack Edisto - \$3,104; Oak Grove - \$2,134; Pelion - \$5,238; Pine Grove - \$1,754; Red Bank - \$4,074; Round Hill - \$5,917; Samaria - \$3,104; Sandy Run - \$3,495; South Congaree - \$2,910; and Swansea - \$5,089. The Committee voted in favor to recommend to full Council for approval.

Mr. Davis made a motion, seconded by Mr. Kinard to approve submission of the Energy Efficiency Block Grant (EECBG) Program application to the Department of Energy.

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

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

**Justice, J. Kinard, Chairman – FY09 Bulletproof Vest Partnership Grant Application** - Mr. Kinard reported the Committee met to review a request from the Sheriff’s Department to apply for the FY09 Bulletproof Vest Partnership Program grant to purchase body armor vests for law enforcement officers. The grant in the amount of \$8,000 requires a 50 percent match or \$4,000. The match has been budgeted in the Sheriff’s Department budget for FY2009-2010. The Committee voted in favor to recommend to full Council for approval.

Mr. Kinard made a motion, seconded by Mr. Davis that staff be allowed to move forward with the grant application.

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

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

**FY09 Justice Assistance Grant (JAG) Program Application** - Mr. Kinard reported the Committee also reviewed staff’s request from the Sheriff’s Department to apply for the FY09 Justice Assistance Grant (JAG) Program grant in the amount of \$63,570. No County match is required. The JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatments, and justice information sharing initiatives. Funding will be distributed as follows: \$48,949 for the Sheriff’s Department, \$7,628 for Magistrate Court Services, and \$6,993 for Sistercare. The Committee voted in favor to recommend to full Council for approval.

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

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

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

**Health & Human Services, J. Jeffcoat, Chairman – 2008 Citizen Corps (Cert) Grant Award** - Mr. Jeffcoat reported the Health and Human Services Committee met to consider the acceptance of the 2008 Citizen Corps grant award. The award in the amount of \$4,773 requires no County match. The Committee voted in favor to recommend to full Council for approval.

Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve the acceptance of the \$4,773 grant award.

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

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

**FEMA Assistance to Firefighters Fire Station Construction Grant Application** - Mr. Jeffcoat reported the Committee also reviewed the request from Public Safety/Fire Service to apply for the 2009

FEMA Assistance to Firefighters Fire Station Construction grant. The grant in the amount of \$800,000 requires no County match. If awarded, the funds will be used for the construction of the new Lake Murray Fire Station. The Committee voted 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 submission of the grant application.

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

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

**Special Recognition** - Mr. Jeffcoat recognized special guest, Rep. Walt McLeod.

**Public Works, T. Cullum, Chairman - Town of Chapin “C” Fund Request** - Mr. Cullum reported the Public Works Committee met to review the Town of Chapin’s “C” fund request. The Town of Chapin and Lexington School District 5 are wanting to pave Stonewall Court to help alleviate the traffic situation at Chapin High School and is asking the County to provide one-third (\$5,000) of the \$15,000 engineering cost of the road. Staff recommended providing the \$5,000 from the “C” Fund School Road Project account (2700-121300-539901). The Committee voted in favor to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Jeffcoat to approve the Town of Chapin’s request for “C” Funds in the amount of \$5,000.

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

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

**Old Business/New Business - Stormwater Guidelines-** Mr. Cullum reported as an item of New Business in the Public Works Committee, the Committee discussed changes in the Stormwater Management Guidelines regarding fees associated with commercial property that is ¼ acre or less for non-profit organizations and churches. The Committee voted unanimously to recommend to full Council for approval that any requests for permits for land disturbances for commercial property less than 1/4 acre for non-profit organizations and churches are not required to pay a permit fee, but submit an application describing the activity, in which a limited permit would be granted as long as the topography or any of the pervious surfaces of the area were not changed.

Mr. Cullum made a motion, seconded by Mr. Jeffcoat that any requests for permits for land disturbances for commercial property less than ¼ acre for non-profit organizations and churches are not required to pay a permit fee, but submit an application describing the activity, in which a limited permit would be granted as long as the topography or any of the pervious surfaces of the area were not changed.

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

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

Mr. Keisler

Mr. Banning

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

09-083 - A supplemental appropriation increase in the amount of \$7,250 to adjust the revenue to match the actual amount received from SCE&G. When the FY2008-09 budget was passed, the SCE&G Support fund revenue was budgeted at \$5,000 rather than the actual amount of \$12,250.

09-084 - A supplemental appropriation increase in the amount of \$33,400 as a result of the sale of used and confiscated firearms to Dana Supply through Solicitation B09043-05-06-09S.

**Old Business/New Business - Wrecker Rotation List** - Mr. Kinard made a motion, seconded by Mr. Keisler to approve the Wrecker Rotation List for each County zone.

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

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

**Intergovernmental Agreement - 11<sup>th</sup> Circuit Public Defender** - Mr. Kinard made a motion, seconded by Mr. Banning to approve the Intergovernmental Agreement with the 11<sup>th</sup> Circuit Public Defender subject to any legal wording changes as approved by our County Administrator and County Attorney.

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

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

**State Museum** - Mr. Banning made a motion, seconded by Mr. Keisler to set aside \$100,000 for the State Museum for their museum expansion. Funding will come from Economic Development.

Ms. Summers opened the meeting for discussion.

Mr. Jeffcoat stated he would support the motion and asked Council to try and locate funds to reinstate the employee gift cards, the employee awards banquet, and the Fire Service awards banquet for this fiscal year. Mr. Jeffcoat said the most important asset the County has is its employees and it is important that we look out for them because they look out for the citizens of this County 24/7 and thanked all employees for their understanding through this difficult budget year.

Ms. Summers called further discussion; none occurred.

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

Opposed: Mr. Derrick

**Motion to Adjourn** - Mr. Banning made a motion, seconded by Mr. Kinard to adjourn.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

Debra B. Summers  
Chairman