

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings
Tuesday, April 13, 2004
Second Floor - County Administration Building
212 South Lake Drive, Lexington, SC 29072
Telephone - 803-359-8103 -- FAX 803-359-8101

2:15 p.m. - 2:30 p.m. - Planning and Administration

- (1) Proposed Amendments to the Text of the Landscape Ordinance **A**
- (2) Old Business/New Business
- (3) Adjournment

2:30 p.m. - 2:45 p.m. - Justice

- (1) Probate Court Overview - Probate Court - Judge Dan Eckstrom
- (2) Old Business/New Business
- (3) Adjournment

2:45 p.m. - 3:30 p.m. - Public Works

- (1) Stoney Point Subdivision Update - Public Works - John Fechtel, Director **B**
- (2) Legal Closing of Dirt Portion of Beekeeper Court - Public Works - John Fechtel, Director **C**
- (3) Contract With SCDOT- Storm Debris - Public Works - John Fechtel, Director **D**
- (4) Sandhills Parkway and Foster Brothers Drive - Public Works - John Fechtel, Director **E**
- (5) DHEC Used Oil Grant Application - Solid Waste - Joe Mergo, Director **F**
- (6) Update on Budget Shortfall and Contracting Services for Collection Services Account -
Solid Waste - Joe Mergo, Director
- (7) Old Business/New Business
- (8) Adjournment

3:30 p.m. - 3:45 p.m. - Health and Human Services

- (1) Fire Department Grant Assistance - Fire Service - Chief Russell Rawl, Fire Service
Coordinator **G**
- (2) DHEC Grant for Decontamination Tent Thru Homeland Security Grant - Public Safety -
Chief Tim James, Director of Public Safety and Homeland Security **H**
- (3) EMS Grant-in-Aid Program (DUI Funds) - FY2005 - Public Safety/EMS - Chief Tim James,
Director of Public Safety and Homeland Security **I**
- (4) Old Business/New Business
- (5) Adjournment

3:45 p.m. - 4:15 p.m. Committee as a Whole

- (1) Recommendations on the Classification and Compensation Plan - The Archer Company -
Dr. Earnest Archer
- (2) Old Business/New Business
- (3) Adjournment

Planning & Administration

B. Rucker, Chairman
J. Jeffcoat, V Chairman
J. Carrigg, Jr.
B. Derrick
T. Cullum
S. Davis

Justice

J. Carrigg, Jr. Chairman
J. Jeffcoat, V Chairman
J. Wilkerson
J. Owens
B. Keisler
S. Davis

Public Works

B. Derrick, Chairman
J. Owens, V Chairman
J. Wilkerson
T. Cullum
B. Keisler
S. Davis

Health & Human Services

J. Wilkerson, Chairman
J. Jeffcoat, V Chairman
J. Owens
T. Cullum
S. Davis

Committee as a Whole

S. Davis, Chairman
B. Derrick, V Chairman
B. Rucker
J. Wilkerson
B. Keisler
J. Jeffcoat
J. Carrigg, Jr.
J. Owens
T. Cullum

A G E N D A
LEXINGTON COUNTY COUNCIL

Tuesday, April 13, 2004

Second Floor - Council Chambers - County Administration Building

212 South Lake Drive, Lexington, South Carolina 29072

Telephone - 803-359-8103 FAX - 803-359-8101

4:30 P.M. - COUNCIL CHAMBERS

Call to Order/Invocation

Pledge of Allegiance

Employee Recognition - Art Brooks, County Administrator

**Employee Recognition - National Telecommunicator Week - April 12 through 16 -
Plaque Awarded to Kelly Olin - Presented by Chief Tim James, Director of Public Safety and
Homeland Security**

Presentation of Resolutions

- (1) Lexington, Gilbert, and White Knoll High School's Brass Ensemble -
Presented by Chairman Smokey Davis

Resolutions

- (1) Reserve Deputies - District 5 **J**
- (2) Marie S. Horne **K**
- (3) Blue Ridge Packards **L**
- (4) Lexington High School SAT Team **M**

Appointments N

Bids/Purchases/RFPs

- (1) EMS Equipment and Supplies - Fire Service **O**
- (2) Clay Hill Road - Public Works **P**
- (3) Laptops and Software - Sheriff's Department/Information Services **Q**
- (4) RFP for Food Service - Sheriff's Department **R**
- (5) Taser International Equipment and Accessories - Sole Source Procurement -
Sheriff's Department **S**
- (6) Request for Approval to Utilize Request for Qualifications Process for Engineering
Services - Solid Waste **T**

Chairman’s Report

Administrator’s Report

**Presentation of FY 2004/05 Requested General Fund and Non-General Fund Budgets - Finance -
Larry Porth, Director**

Budget Amendment Resolutions

Approval of Minutes - Meeting of March 09, 2004 U

Isle of Pines Special Tax District - Margaret Pope - Haynsworth Sinkler Boyd, P.A.
Resolutions - Authorizing County Administrator or His Designee to Submit Applications to
the S.C. Water Quality Revolving Fund Authority - (Water and Sewer) V

Ordinances

(1) Ordinance 04-02 - Conveyance of Approximately 40 Acres of Real Estate From the County of
Lexington to the Lexington County Recreation and Aging Commission (Red Bank) - 1st Reading by
Title

Committee Reports

Public Works, B. Derrick, Chairman

- (1) Legal Closing of Dirt Portion of Beekeeper Court - Public Works (Tab C)
- (2) Contract With SCDOT - Storm Debris - Public Works (Tab D)
- (3) DHEC Used Oil Grant Application - Solid Waste (Tab F)

Airport Committee, B. Rucker, Chairman

- (1) Pelion Corporate Airport W
 - (a) Airfield Growth Retardant Program
 - (b) Airfield Herbicide Program
 - (c) Short-Term Priorities

Health & Human Services, J. Wilkerson, Chairman

- (1) DHEC Grant for Decontamination Tent Thru Homeland Security Grant -
Public Safety (Tab H)
- (2) EMS Grant-in-Aid Program (DUI Funds) - FY2005 - Public Safety/EMS (Tab I)

Presentations

- (1) Ms. Catherine Horne, President/CEO - EdVenture, P.O. Box 1638, Columbia, SC 29202 - Update of Activities

6:00 P.M. - Public Hearings

- (1) Ordinance 04-01 - \$15,000.00 Supplemental Budget Appropriation - Solicitor's Office X
- (2) Zoning Map Amendment - M04-02 - 3139 Sidney Road, Parcels A, B, & C Y

OLD BUSINESS/NEW BUSINESS

EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT

Memorandum

March 30, 2004

For: Planning and Administration Committee
Lexington County Council

From: Charlie Compton, Secretary 
Lexington County Planning Commission

Reference: Proposed amendments to the text of the Landscape Ordinance

In response to several questions posed by members of the Planning and Administration Committee, the Lexington County Planning Commission has considered possible changes to the text of the County's Landscape Ordinance. The following is a summary of amendments recommended for consideration by Council at this time:

Enclosure 1: The Landscape Ordinance was created in a very flexible format that envisioned the possibility that in some portions of the County it might be desirable to implement only certain sections of the ordinance. In actuality, in the portions of the County in which the Landscape Ordinance was adopted, it was implemented in its entirety. One of the separate parts is *Article 3, Section 6, Major Road Corridors*, which requires the planting of street trees on Arterial Roads. The requirement for those street trees is quite often satisfied through the landscaping plan for the parking lot; however, where that is not the case, the Planning Commission feels that all roads would benefit from the addition of street trees and not just the Arterial Roads. The attached enclosure1 (*Article 3, Section 6, Major Road Corridors*) has been amended to make it apply to all Arterial, Collector, and Local Roads.

Enclosure 2: This enclosure depicts possible changes recommended by the Planning Commission for *Article 1, Section 1.3, Scope of Regulations*, and *Article 3, Section 7, Scenic Corridor Protection*. These changes are in response to a question concerning the possibility of having scenic corridor requirements apply to residential property and not just non-residential development. The attached draft would bring under the ordinance all residential development on scenic corridors, with one exception. The original intent of this section was to lessen the impact of non-residential construction and the accompanying parking lots by preserving natural vegetation where it exists and adding trees where it is absent. The Commission therefore felt that the front yards of individual homes should be exempted due to the absence of parking lots and the manner in which front yards are generally landscaped and maintained. However, the draft recommendation does require residential subdivisions to follow the scenic corridor requirements when the lot frontage is not the front yards of homes.

If the Committee wishes to have the entire Council consider the adoption of these recommended changes, we could schedule the readings and public input to closely precede the consideration of our first scenic corridor designations.

Section 6. Major Road Corridors

It is recognized that a number of frequently traveled thoroughfares in Lexington County have lost their natural canopies and scenic qualities due to development and road widening projects. It is important then, to the greatest extent practical, that trees in public spaces along the main byways through the community be preserved or reestablished.

3.6.1 Identification of Major Road Corridors

Any road identified as an Arterial, **Collector, or Local** Road by the Lexington County Zoning Ordinance shall be considered a **major road** corridor. Where any **major road** corridor or portion thereof is also identified as a scenic corridor, the requirements of Section 7, "Scenic Corridor Protection," shall prevail.

3.6.2 Pre-Development Activity

Recognizing that in some instances lot-clearing and replanting may be the most cost-effective method of development, and that some existing trees are not suitable or desirable as street-frontage trees, developers are encouraged to identify those trees along **major road** corridors that may be preserved during the clearing and development process. The Landscape Administrator may approve preservation of these trees in lieu of or in combination with specific re-planting efforts.

3.6.3 Trees

- a. Street frontage trees shall average at least one tree per forty (40) feet of frontage, or portion thereof.
- b. Where there are not sufficient existing street frontage trees at development sites on **major road** corridors, the Landscape Administrator shall require the addition of canopy or understory trees, or a combination of the two, in order to enhance the street-scape and public space created by development along road frontage.
- c. Street frontage trees required to be planted shall be setback at least 10 feet, but not greater than 20 feet, from the future road right-of-way as established in the Right-of-Way Plan and set forth in the Lexington County Zoning Ordinance.
- d. Large canopy trees to provide shade will be required except where there exist overhead utilities. Where overhead utilities exist or are planned, understory trees may be required instead of large canopy trees, at a replacement density of three understory trees for each canopy tree.
- e. The location of signs and driveways as part of the development shall take into account the required addition of trees. Signs should be designed and placed in a manner so as not to be obstructed by the required street frontage trees along a **major road** corridor.

Enclosure 1

Article 1 – Authority

1.1 Authority and Jurisdiction

In accordance with the authority conferred by the 1994 “South Carolina Local Government Comprehensive Planning Enabling Act,” S.C. Code Sections 6-29-310 through 6-29-1200, the County of Lexington does hereby establish and enact the following Landscape Ordinance for the unincorporated area of Lexington County, South Carolina.

1.2 Intent

The purpose of this Ordinance is to protect and enhance the character, appearance, and image of Lexington County through attractive and creative landscape design; to ensure land-use compatibility through proper use of vegetation as a transition area and screen; and to preserve scenic, canopied tree corridors.

1.3 Scope of Regulations

Except as otherwise stated, the regulations set forth herein shall apply to all Residential Attached (3 or more) dwelling units, as defined within the Lexington County Zoning Ordinance, and all non-residential development within the unincorporated area of Lexington County, with the exception of the following development conditions/activities:

- a. Any public road construction or utility construction project, except as described in Article 3, Section 4, “Service Areas and Utilities.”
- b. Any land used for Crops and Animal Raising, as defined in the Lexington County Zoning Ordinance. This definition includes the raising of trees, vines, field, forage or other plant crops intended to provide food or fiber. However, processing areas, buildings, and retail or wholesale activities related to crops and animal raising are not exempt from the terms of this Ordinance.
- c. Non-residential development containing a parking lot that is used as a display/storage area greater than ten thousand (10,000) square feet shall be exempt from the provisions of Article 3, Section 3, “Parking Lots”, within the display area only. (i.e., Automobile, Boat and Craft dealerships; truck terminals; etcetera).

Some of the residential activities, exempted above from the scope of these regulations, must follow the requirements of Section 7, Scenic Corridor Protection.

1.3.1 New Activities

Upon the effective date of this Ordinance any building, structure, or tract of land shall be used, constructed, or developed only in accordance with the applicable regulations contained herein.

Enclosure 2

1.3.2 Existing Activities

Any activity legally established prior to the effective date of this Ordinance which does not comply with its regulations shall be subject to the Nonconforming Use provisions of Article 4.

1.3.3 Existing Permits

Building permits or zoning permits lawfully issued before the effective date of this Ordinance or subsequent amendment shall remain in effect provided that such building, structure, or activity is substantially underway and being diligently pursued within six months of the issuance of the permit. If such does not occur, then the permit shall automatically lapse and the provisions of this Ordinance shall apply.

1.4 Establishment of Districts

1.4.1 Road and District Classifications

In order to implement the provisions of this Ordinance, the following road classification and districts are hereby established:

LU - Land Use District (See Article 3, Section 2)

PL - Parking Lot District (See Article 3, Section 3)

SA - Service Areas/Utilities District (See Article 3, Section 4)

BD - Building Design District (See Article 3, Section 5)

MR - Major Road District (See Article 3, Section 6)

Scenic Corridor - Those roads designated as Scenic Corridors will carry the extension "/S" after their road classification as created by the Zoning Ordinance. (e.g. "A/S", "C/S", or "L/S").

1.4.2 Landscape Maps

The Landscape Maps will show the portions of the County within which each of the provisions applies.

1.5 Incorporation of Maps

The location and boundaries of Scenic Corridors and of Landscape Districts established to implement the provisions of this Ordinance are shown on the Landscape Maps, which are hereby incorporated into the provisions of this Ordinance. These maps in their entirety, including all map amendments, shall be as much a part of this Ordinance as if fully set forth and described herein.

1.6 Exclusions

Because such activities are developed with benefit of public hearings and other input, any facility or activity established or expanded by Lexington County is exempt from the provisions and administrative procedures of this Ordinance. However, the development plan for all such exempt activities shall be devised with a diligent effort to meet the requirements of this Ordinance.

Section 7. Scenic Corridor Protection

Certain roads in the County, or portions thereof, shall be established for preservation because of their unique character, to include the existence of long-standing natural tree canopies. These scenic roads have an important role in environmental quality, sense of community and history, and economic development. The following provisions are established in order to preserve and protect the natural vistas of certain thoroughfares and byways within the County. Development along these corridors shall be designed with the principal purpose of accommodating and preserving existing tree canopies, to the greatest extent possible. The intent of this Ordinance is not to prohibit extensive development along these corridors, but to retain the unique character in the process of development.

3.7.1 Identification of Scenic Corridors

Criteria for identifying scenic road corridors under this section shall be established by the Lexington County Planning Commission and approved by Lexington County Council. Criteria may include, but not be limited to, the presence of extremely significant tree canopy or cover.

The Landscape Maps identifying roads or sections of roads in the unincorporated area of Lexington County that meet the established criteria will be recommended by the Planning Commission and approved by County Council.

Scenic corridors may be removed from or added to the map upon a recommendation of the Planning Commission and approval of County Council.

3.7.2 Scope of Regulations

This section shall apply to activities as outlined in Section 1.3. Additionally, the following residential activities shall also be required to follow the restrictions in this section on Scenic Corridor Protection:

- a. Residential subdivisions that have lots developed with frontage on a Scenic Corridor. The requirements of this section shall not apply if the portion of the lot that fronts the road is the front yard of the residence.***
- b. Developments that contain Residential Attached (two dwelling units) activities.***
- c. Mobile Home Parks.***

3.7.23 Pre-Development Activity

There shall be no clear-cutting, timbering, or other removal of canopy trees, understory trees, or underbrush within 50 feet of any existing right-of-way along a scenic corridor without the submission of a clearing plan for approval by the Landscape Administrator.

3.7.34 Clearing Plan

Clearing plans submitted for activities along scenic corridors shall include the following, in addition to the general plan requirements:

- a. Location and identification of all canopy trees with a D.B.H. of eight inches or greater, and all understory trees with a D.B.H. of four inches or greater.
- b. Location and identification of all trophy trees.

3.7.45 Preservation Requirements

- a. Except as otherwise provided for in this Ordinance, there shall be no removal of canopy trees, understory trees, or underbrush within the first 25 feet along a Scenic Corridor. The only development allowed within the first 25' behind the road right-of-way shall be a sign and an entrance driveway regardless of any buffering requirements of the Lexington County Zoning Ordinance.
- b. Except as otherwise provided for in this Ordinance, all canopy trees with a D.B.H. of eight inches or greater, and all understory trees with a D.B.H. of four inches or greater, shall be preserved within the area 26 - 50 feet deep along a scenic corridor.
- c. Parking, groomed conditions, and natural conditions may be utilized within the area 26 - 50 feet deep along a scenic corridor to augment the preserved trees.
- d. Where the imposition of a 50-foot zone represents greater than 20% of the area of a parcel, as platted prior to the enactment date of this ordinance, the combined natural and landscaped zone may be reduced from 50 feet to 20% of the parcel area. This reduced area shall be proportionately shared between the natural conditions and other uses as described above.
- e. Where there is a significant break or gap in an existing tree canopy along an identified Scenic Corridor, the Landscape Administrator shall require that the first twenty five feet be preserved in as natural a condition as possible with an opportunity for the area to re-vegetate naturally in a manner similar to other portions of the corridor. Where there are no substantial trees in this area, the Landscape Administrator may require street frontage trees (as required in Section 6. Major Road Corridors) to average at least one tree per twenty (20) feet of frontage, or portion thereof.
- f. In all cases, preservation of underbrush, understory trees, and canopy trees that are appropriate for the setting is encouraged. The preservation or planting of undesirable underbrush, understory trees, and canopy trees is discouraged.

3.7.56 Signs and Entranceways

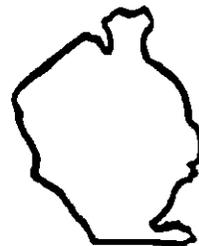
Proper preservation of scenic corridors is compatible with the economic feasibility and visibility of development. The placement of signs and entranceways along a scenic corridor shall be designed in such a manner as to minimize the impact on preserved trees.

3.7.67 Additional Zoning Requirements

Where there is a scenic corridor designation, additional restrictions are contained in the Lexington County Zoning Ordinance.



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

DATE: April 5, 2004
TO: Art Brooks, County Administrator
FROM: John J. Fechtel, Director of Public Works 
RE: Stoney Point Subdivision Update

Back in December I reported to County Council that the estimated total costs to bring the roads in Stoney Point at Bear Creek Subdivision up to County standards to be \$142,180.00. This was \$100,000.00 above the bond we received from the developer's bank (\$42,180.00). We have since received and awarded our 2003-04 resurfacing bid. Based on that contract, we looked at full depth patching of the areas in the road that needed it and also received some better estimates of soil cementing the entire road like the developer was proposing.

Based on the above, we feel the road can be brought up to our standards for about \$90,000.00 total. With the developer's bond of \$42,180.00, this would leave about \$47,820.00 to be funded through "C" Funds to finish this project. We have let a contract for the soil cement portion of the road and should have the results by the April 27th meeting.

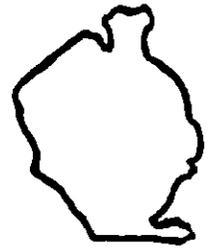
In the past we have finished roads the developers have defaulted on for the protection of the citizens buying lots. I request County Council approve this method with legal action against the developer following completion.

Please refer this to the Public Works Committee for their review.

JJF/sd



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

DATE: April 1, 2004
TO: Art Brooks, County Administrator
FROM: John J. Fechtel, Director of Public Works 
RE: Legal Closing of Dirt Portion of Beekeeper Court

Attached is a letter from Thomas and Richard Pool requesting that the County portion of Beekeeper Court be legally closed. Beekeeper Court is 400' in length and is a dirt road. There is some property changing ownership in the near future, and due to the configuration of these properties, it is essential that this portion of road be legally closed to maximize the potential use.

In addition, the SC6 widening plans call for the southernmost end of our road be barricaded to deny access to SC6 due to the extreme angle in which it intersects SC6. This is for safety reasons. According to SCDOT's best guess, this barricade would be in place in about a year.

The Pools will pay all legal costs associated with the legal closing.

I recommend County Council approve this request. It should probably go to the Public Works Committee first and then to full Council that evening.

JJF/sd



Southern Visions Realty, Inc.

April 2, 2004

To Whom It May Concern:

In February of 2003 I closed property at Jake's Landing Drive, #6 and Beekeeper Court.

We met with Planning and Development, DHEC, and D.O.T about the widening of the road on #6. We have the plans from D.O.T. in reference to the barricading of Beekeeper Court at #6. We understand this is going to take place no matter what. We presently have the sliver of land consisting of .25 acres under contract that sits in front of our property at #6 and Beekeeper Court.

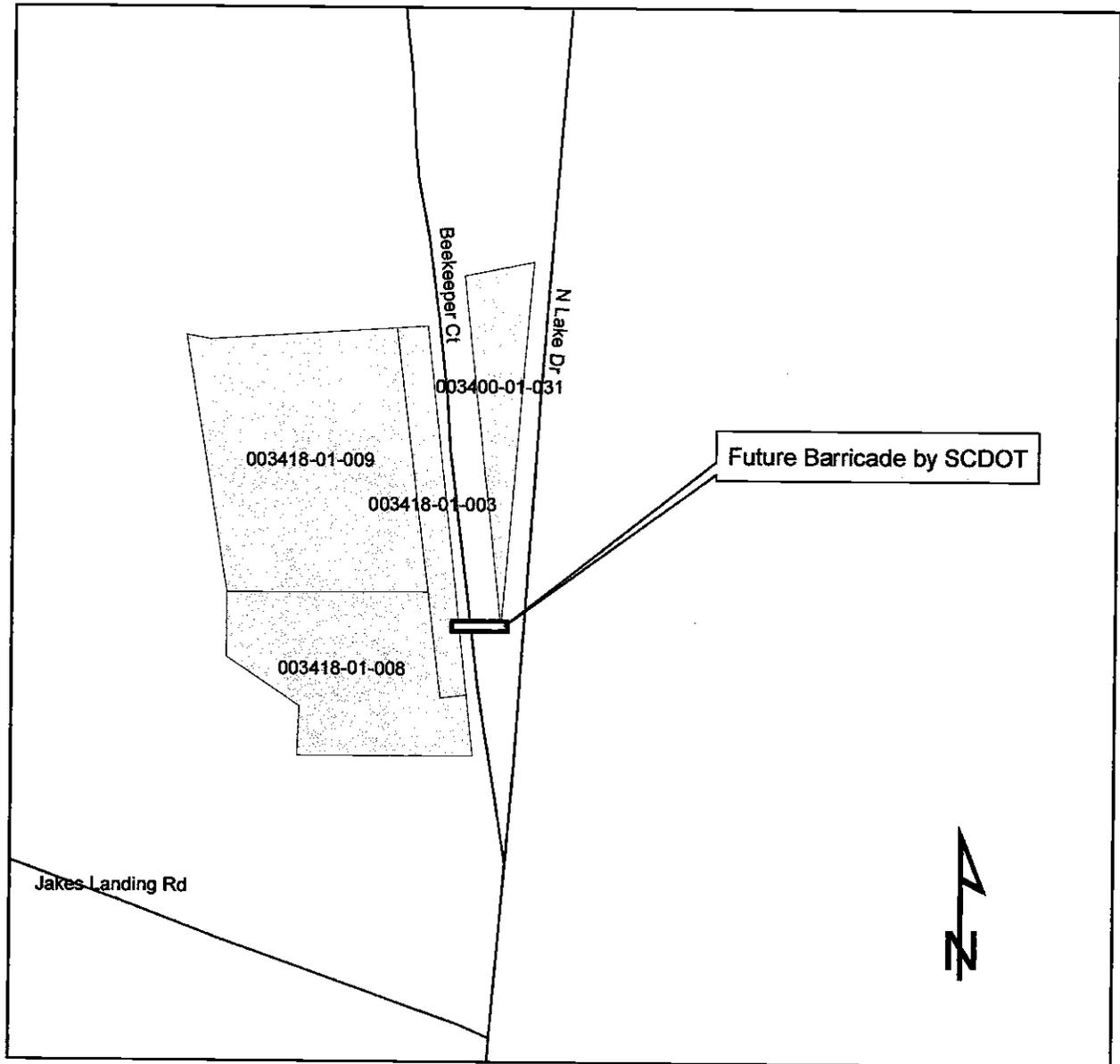
We have spoken with John Fechtel about closing and deadening Beekeeper Court at that intersection so we can connect the two parcels together, since we understand that we will not be able to use that existing intersection.

Thank you for your attention in this matter.

Sincerely,

Thomas Pool

SCDOT Barricade

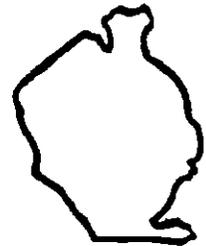


Legend

-  parcels selection
-  roads



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

DATE: April 5, 2004
TO: Art Brooks, County Administrator
FROM: John J. Fechtel, Director of Public Works 
RE: Contract with SCDOT – Storm Debris

Attached is a draft contract with SCDOT for storm debris cleanup in Lexington County due to the ice storm in January. The County attorney is reviewing this agreement but I would like to get County Council's agreement as to the concept so SCDOT can bid out their cleanup. The municipalities are working with SCDOT directly.

The funding portion of this contract is as follows:

1. SCDOT will bid out storm debris removal for their roads in the unincorporated areas of the County.
2. SCDOT will receive 75% of their costs from FEMA.
3. SCDOT will receive 12.5% of their costs from the state.
4. SCDOT estimates 20% of the debris on their right-of-way to be from the direct result of the ice storm and estimates 80% to be from private property.
5. Based on the above, the 12.5% out of pocket expenses for SCDOT would be split 20% - 80%, or SCDOT 2.5% of the total and Lexington County 10% of the total. Example: SCDOT's cleanup bid is \$500,000; then Lexington County's portion would be \$50,000.00.

I recommend County Council approve the funding of SCDOT's cleanup contract at 10% and that "C" Funds be used to cover the County's cost since it is related to road maintenance costs.

Please present this to the Public Works Committee for their review to be reported out later that afternoon to full Council and based on the County attorney's review of the agreement.

JJF/sd
Att.

MAI-_____

Project No. _____
General Ledger: _____
Activity Code: _____
Objective Code: _____
PIN: _____

AGREEMENT BETWEEN
THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
AND
_____ COUNTY

This Agreement, made this _____ day, of _____, 2004, by and between the South Carolina Department of Transportation, hereinafter referred to as DEPARTMENT and the _____ County, hereinafter referred to as the COUNTY.

Witnesseth that:

WHEREAS, on January 26 and 27 of 2004 an ice storm created a State of Emergency in the State of South Carolina; and

WHEREAS, in response to a request from the Governor of the State of South Carolina, the President of the United States declared those areas of the State of South Carolina affected by the ice storm as disaster areas; and

WHEREAS, in response to the President's declaration the Federal Emergency Management Agency (FEMA) established FEMA project number 1509-DRSC to assist in the removal of debris, disposal, and clean-up along the State's Highway System; and

WHEREAS, the DEPARTMENT and COUNTY by this document have agreed to work together in the debris removal, disposal, and clean-up of State Roads in _____ County excluding those State Roads within the incorporated areas of the _____; and

WHEREAS, the COUNTY is a body politic with all the rights and privileges of such including the power to contract as necessary; and

WHEREAS, the DEPARTMENT is an agency of the State of South Carolina with the authority to enter into contracts necessary for the proper discharge of its functions and duties; and

WHEREAS, the DEPARTMENT has agreed to assist the COUNTY with the herein after described project.

NOW THEREFORE, in consideration of the several promises to be faithfully performed by the parties hereto as set forth, DEPARTMENT and COUNTY do hereby agree as follows:

I. PROJECT DESCRIPTION:

The project which is the subject of this Agreement consists of the removal, disposal of debris and clean-up of ice storm damage along State Roads in _____ County excluding those State Roads within the incorporated areas of _____.

The term PROJECT is intended to refer to the above described project.

II. DEPARTMENT SHALL:

(a) Fund the DEPARTMENT's share of the PROJECT as more specifically defined under Section IV Funding.

(b) Perform by force account or contractor all services required for the PROJECT. Services will include but not be limited to the removal, disposal and clean up of debris in two (2) passes on each road.

(c) Perform, secure and submit any and all permits and environmental approvals that may be necessary or required for this PROJECT, and to comply with the Environmental Policy Act, as well as other federal legislation pertaining to environmental requirements that may be necessary for this PROJECT.

(d) Invoice the COUNTY on a basis not more frequently than monthly for COUNTY's share of PROJECT services performed.

(e) Be responsible for all traffic control for the PROJECT.

(f) Arrange for and conduct a final inspection of the completed PROJECT with the COUNTY to determine whether all work has been performed in accordance with contractual requirements.

(g) Perform all DEPARTMENT required services in accordance with State, Federal and DEPARTMENT guidelines.

(h) To the extent provided by existing South Carolina Law, the DEPARTMENT hereby assumes its responsibility for any claims and liability due to negligent acts of the DEPARTMENT or its employees in connection with the prosecution and completion of the terms and work covered by this Agreement.

III. COUNTY SHALL:

(a) Provide the COUNTY's cost share for this PROJECT as more specifically defined under Section IV Funding.

(b) Through appropriate public notification and advertisement, state a cut off date for all debris to be placed on the highway right of way to be removed. After this cut off date the responsibility will rest with the property owner.

(c) Identify and provide a COUNTY employee to assist the DEPARTMENT with the work covered by this Agreement.

(d) Reimburse the DEPARTMENT for all eligible costs submitted by the DEPARTMENT as provided for under the terms of this Agreement. Reimbursements shall not be unreasonably withheld or denied by the COUNTY.

(e) Perform all required services in accordance with State, Federal, and DEPARTMENT guidelines considered appropriate by the DEPARTMENT.

(f) To the extent permitted by existing South Carolina Law, the COUNTY hereby assumes complete responsibilities for any loss resulting from bodily injuries (including death) or damages to property, arising out of any act or failure to act on the COUNTY's part, or the part of any employee or agent of the COUNTY in performance of the work undertaken under this Agreement.

IV. FUNDING:

- a. The DEPARTMENT is responsible for _____ of the total PROJECT cost.
- b. The COUNTY is responsible for _____ of the cost of the PROJECT.
- c. The COUNTY will make payment to the DEPARTMENT for all eligible costs incurred by the DEPARTMENT based on a valid invoice submitted by the DEPARTMENT to the COUNTY. Payments by the COUNTY to the DEPARTMENT shall be received by the DEPARTMENT within forty-five (45) days of receipt of invoice by the COUNTY.

V. GENERAL:

(a) In any dispute concerning a question or fact in connection with the work of this Agreement or compensation thereof, the decision of the DEPARTMENT's State Highway Engineer in the matter shall be final and conclusive for both Parties, subject to appeal to the South Carolina Circuit Court of Jurisdiction within ninety (90) days of PROJECT completion.

(b) Either Party hereto shall have the right to make on site inspections during the progress of the PROJECT.

(c) Each party hereto shall assume their appropriate maintenance responsibility for the completed and accepted PROJECT.

(d) The parties hereto agree to conform to all State and Federal laws, rules and regulations governing agreements or contracts relative to the maintenance of roads and bridges.

(e) The COUNTY, or its authorized agent, shall agree to hold consultations with the DEPARTMENT as may be necessary with regard to the execution of supplements to this Agreement during the course of this PROJECT for the purpose of resolving any items that may have been unintentionally omitted from this agreement. Such supplemental agreements shall be subject to the approval and proper execution of the parties hereto. No Amendment to this Agreement shall be effective or binding on either party unless such Amendment has been agreed to in writing by both parties.

(f) Any and all reviews and approvals required of the parties herein shall not be unreasonably denied or withheld.

(g) This Agreement may be terminated by either party upon written notice in the event of substantial failure of the other party to perform, through no fault of the terminating party in accordance with the terms herein. If the services covered under this Agreement are not performed, this Agreement is then terminated. In the event of termination for any reason each party to this Agreement is obligated on a quantum meruit basis.

VI. SUCCESSORS AND ASSIGNS:

The DEPARTMENT and COUNTY each binds himself, his successors, executors, administrators, and assigns to the other party with respect to these requirements, and also agree that neither party shall assign, sublet, or transfer his interest in the Agreement without the written consent of the other.

VII. ENTIRE AGREEMENT:

This Agreement constitutes the entire Agreement between the parties. The contract is to be interpreted under the laws of the State of South Carolina.

Intentionally Left Blank

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first written above.

Signed, sealed and executed for COUNTY.

WITNESS: _____ COUNTY
By: _____
(Signature)
Title: _____
Federal ID # _____

Signed, sealed and executed for the DEPARTMENT

WITNESS: _____ SOUTH CAROLINA DEPARTMENT OF
TRANSPORTATION
By: _____
Deputy Director

RECOMMENDED:

Title: _____

CERTIFICATION OF DEPARTMENT

I hereby certify that I am the Deputy Director of the Department of Transportation of the State of South Carolina and that the COUNTY or its legal representatives have not been required directly or indirectly as an expressed or implied condition in connection with obtaining or carrying out this Agreement to:

- (a) employ or retain, or agree to employ or retain, any firm or person or
- (b) pay, or agree to pay, to any firm, person, or organization, any fee, contribution, donation, or consideration of any kind, except as herein expressly stated (if any).

In accordance with Section 635.105 of Title 23 CFR, I further certify that the work stipulated in this Agreement to be performed by COUNTY can be more advantageously performed by said COUNTY and that said COUNTY is adequately staffed and suitably equipped to undertake and satisfactorily complete such work, including the performance of proper maintenance on the highway facilities constructed under the terms of this agreement.

I acknowledge that this certificate is to be furnished to the Federal Highway Administration, U. S. Department of Transportation in connection with this Agreement, and is subject to applicable State and Federal laws, both criminal and civil.

(Date)

(DEPARTMENT Signature)

CERTIFICATION OF COUNTY

I hereby certify that I am the _____ and
duly authorized representative of the COUNTY, whose address is
_____, and that neither I nor the
above COUNTY I hereby represent has:

- (a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above COUNTY) to solicit or secure this Agreement,
- (b) agreed, as an expressed or implied condition for obtaining this Agreement, to employ or retain the services of any firm or person in connection with carrying out the Agreement, or
- (c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above COUNTY) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the contract except as herein expressly stated (if any).

I acknowledge that this certificate is to be furnished to the DEPARTMENT and the Federal Highway Administration, U.S. Department of Transportation, in connection with this Agreement, and is subject to applicable State and Federal laws, both criminal and civil.

(Date)

(COUNTY Signature)

Certification for Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

DATE

DEPARTMENT

DATE

COUNTY

DRUG-FREE WORKPLACE CERTIFICATION

In accordance with Section 44-107-30, South Carolina Code of Laws (1976), as amended, and as a condition precedent to the execution of this Agreement, the undersigned, certifies that it will provide a drug-free workplace by:

- (1) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensations, possession, or use of a controlled substance is prohibited in the COUNTY's workplace and specifying the actions that will be taken against employees for violations of the prohibition;
- (2) establishing a drug-free awareness program to inform employees about:
 - (a) the dangers of drug abuse in a workplace;
 - (b) the person's policy of maintaining a drug-free workplace;
 - (c) any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) the penalties that may be imposed upon employees for drug violations;
- (3) making it a requirement that each employee to be engaged in the performance of the agreement be given a copy of the statement required by item (1);
- (4) notifying the employee in the statement required by item (1) that, as a condition of employment of this agreement, the employee will:
 - (a) abide by the terms of the statement; and
 - (b) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after the conviction;
- (5) notifying the South Carolina Department of Transportation within ten days after receiving notice under item (4)(b) from an employee or otherwise receiving actual notice of the conviction;
- (6) imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee convicted as required in Section 44-107-50; and
- (7) making a good faith effort to continue to maintain a drug-free workplace through implementation of items (1), (2), (3), (4), (5), and (6).
- (8) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements), and that all such subrecipients shall certify and disclose accordingly.

(Date)

(COUNTY Signature)

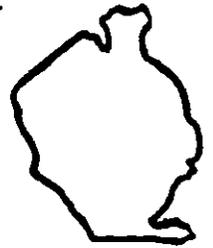
(Date)

(DEPARTMENT Signature)



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

Council



MEMORANDUM

DATE: March 30, 2004
TO: Art Brooks, County Administrator
FROM: John J. Fechtel, Director of Public Works *JJF*
RE: Sandhills Parkway and Foster Bros. Drive

The attached memo from Gary Adkins, P.E., reflects that these two roads have been brought up to County standards (was privately maintained) by the developer, Mr. Lloyd Kapp. In accordance with your policy, I recommend County Council accept these roads into our road maintenance system.

JJF/sd
Att.



March 26, 2004

To: John Fechtel, Public Works Dir.

From: Gary Adkins, County Engineer



Ref: Inclusion of Sandhills Parkway and Foster Bros. Drive into the maintenance system

The subject roads have been requested for inclusion by Mr. Lloyd Kapp and are part of the newly named industrial park complex called Sandhills Industrial Park. Mr. Kapp requested a review for inclusion some time back and we complied. He was given a list of deficiencies that were corrected by his contractor. He has submitted construction plans and rights-of-way forms for the roads and drainage and these have been reviewed by Jeff Anderson.

Sandhills Parkway is a four lane 48 foot wide entrance road approximately 646 feet in length from the edge of pavement on US 321 to the centerline of Foster Bros. Drive. It has an 80 foot right-of-way width and has barrier curb and gutter.

Foster Bros. Drive is a two lane 24 foot wide access road upon which all the active current businesses are located. The road is approximately 2210 feet long from the centerline of Sandhills Parkway to the end of pavement. This section has a 66 foot right-of-way and also has barrier curb and gutter.

The asphalt surface is in good condition with some minor cracking that has since been sealed by the contractor. There were two utility cuts that were patched with concrete and painted black with an asphalt emulsion. These were replaced with concrete and topped with asphalt. The plans specified a three inch binder course topped with a 1 and ½ inch wearing surface. We were able to verify an asphalt thickness that met or exceeded that.

The catch basins are appropriately located and the piping system was appropriately sized. The drainage easements all spill to low areas located quite a distance from the roadway proper.

There is a four way intersection at the very end of this road and one other located approximately at the halfway point. All are stubouts and are not completed. Barriers have been erected at the stubouts.

I see no reason to deny the request. The roads meet development criteria for commercial/industrial roadways.

COUNTY OF LEXINGTON
FINANCE DEPARTMENT

interoffice
MEMORANDUM

to: County Council

from: Evelyn Babbitt, Manager of Grants Administration

subject: DHEC Used Oil Grant Application for Solid Waste

date: April 6, 2004

The Solid Waste Division is asking your approval to apply for the Annual Used Oil Grant through the SC Department of Health and Environmental Control. This grant in the amount of \$28,250.00 is a 100% State funded grant and provides for the purchase of supplies, community education, and staff training on the proper disposal of used oil.

The new grant is also requesting contracted maintenance for the maintenance and repair of our oil filter cuber.

Memorandum
Solid Waste Management
Lexington County, South Carolina

Date: March 22, 2004

To: Evelyn Babbitt, Finance

From: Donna Hendrix, Project Coordinator

Reference: 2005 SCDHEC Used Oil Application

LEXINGTON COUNTY

MAR 23 RECD

FINANCE DEPT

Enclosed is our application for the above referenced grant.

Please review and request placement on County Council's April 12 agenda for their approval.

Thank You!

Memorandum
Solid Waste Management
Lexington County

Date: April 1, 2004

To: Evelyn Babbitt, Finance

From: Donna Hendrix, SWM

Reference: Amendment to Used Oil Grant

Yesterday at approximately 10:30 a.m. I was contacted by SCDHEC recycling division. They have agreed and suggested we put in our application a request for contracted maintenance for the maintenance and repair of our oil filter cuber. Enclosed is an amended application (See application Section B - Contract Services) and budget

Please present the amended to County Council.

If you need additional information, please inform.

LEXINGTON COUNTY

APR 02 RECD

FINANCE DEPT

**SC DHEC Office of Solid Waste Reduction and Recycling
FY2005 Used Oil Grant Application**

1.	Total Amount Requested: \$28,250
2.	Name of Local Government: Lexington County
3.	Federal ID Number: 57-6000379
4.	<p>Recycling Coordinator Information</p> <p>Name: Donna Hendrix Address: 498 Landfill Lane Lexington, South Carolina 29073</p> <p>Phone: (803) 755-3325 Fax: (803) 755-3833 E-mail Address dhendrix@lex-co.com</p>
5.	<p>Contact Person Information</p> <p>Name: Donna Hendrix Address: 498 Landfill Lane Lexington, South Carolina 29073</p> <p>Phone: (803) 755-3325 Fax: (803) 755-3833 E-mail Address dhendrix@lex-co.com</p>
6.	<p>Financial Officer/Grant Administrator Information</p> <p>Name: Evelyn Babbitt Address: 212 South Lake Drive Lexington, South Carolina 29072</p> <p>Phone: (803) 359-8111 Fax: (803) 359-8101 E-mail Address:</p>
7.	<p>Authorized Representative (County Administrator, etc.) Information</p> <p>Name: William A. Brooks Title: County Administrator Address: 212 South Lake Drive Lexington, South Carolina 29072</p> <p>Phone: (803) 359-8100 Fax: (803) 359-8101 E-mail Address:</p>
8.	<p>Address to which reimbursements should be mailed:</p> <p>Evelyn Babbitt 212 South Lake Drive Lexington, South Carolina 29072</p>

9. How much material was collected for recycling last year? (Include used oil, oil bottles, oil filters,

and oil/gas mixtures). The vendor/market must be provided.

Material	Number of gallons/lbs/etc	Vendor/Market
Used Oil (Include oil/gas mixtures)	94,548 gallons (Jan - Dec 2003)	Santee Cooper
Used Oil Filters	19.31 (Jul - Dec 2003)	Commercial Metal Company
Used Oil Bottles	27,300 lbs. (approx. accumulation of 18 ton minimum prior to shipment)	Plastic Revolution

10. Describe in detail the used oil recycling project for which grant funding is being requested. Include a complete description of all goods or services listed on budget pages (*note: cost estimates must match budget pages*). **Please include with the original application, descriptive literature for all equipment requested.** Please provide any information needed to adequately assess your application. (Attach additional pages, if necessary.)

A. Request to procure parts and services for maintenance of oil bottle shredder, cuber and forklift used in filter/bottle program. \$5,500

Request to purchase bags and Gaylord boxes, for shredded oil bottles. \$4,500

Request to purchase polyethylene secondary containment trays. Trays presently in service were purchased during beginning of LCSWM's used oil program and are in need of replacement. The trays hold oil drums to collect oil bottles and filter in twelve-collection sites and insure environmental protection from any oil dripping from the recycled bottles and filters. The trays also house the cubed oil filters during and after cubing process. The bottoms of 55-gallon drum are perforated and placed on the trays to assure additional oil draining of the cubed filters. The trays are then placed in a covered area and are stored for accumulation and additional drainage, prior to recycling. \$4,600

B. Contractual Service

Request to procure services for the maintenance of our oil filter cuber. Per our records Lexington County collected 205 drums last year of D.I.Y.'s from our collection sites. If Lexington County were to procure services for oil filter recycling from the current State contractor the cost would be \$10,575. In addition we have a current record of other counties, which, Lexington has assisted, and the total from 7/1/03 until 12/31/03 was 100 drums. The recorded other counties included, but are not limited to (Fairfield, Calhoun and Barnwell). Therefore we estimate at least 100 more drums will be bought to our facility during the remaining FY03/04 year. If these other counties did not receive our assistance they too would require at least \$10,000 for State contract services. Note Lexington County's oil filter recycling is a turnkey process, where we switch full drum to the other counties with empty drums. Therefore, the State contract cost for a drum deposit is not included in the estimated \$10,000, a savings we have given to other counties by processing their filters. Enclosed is a proposed Preventive Maintenance quote for the contractual services for FY04/05. Lexington County is requesting \$9,900.00 for maintenance of our cuber for the coming year.

C. Request to purchase SCDHEC approved education materials of our used motor oil bottle/ filter and oil/gas mixture recycling programs offered by LCSWM to include other appropriate educational tools. \$3,000

D. Site Preparation (none)

E. Travel

Request funding to attend recycling conferences as announced, during the fiscal year. Recycling coordinator will obtain educational information in reference to waste oil and waste oil bi-product recycling. \$750

11. Describe your recycling education efforts. Include brochures, videos, print advertisements or other examples with your original application. (Attach additional pages, if necessary.)

Continue to distribute education literature as purchased

BlackCap Service Intn'l Corp.

2-530 Krug Street
 Kitchener, Ontario
 N2B 1L6

Quote

Date	Quote Number
31/03/2004	115

Name / Address
County of Lexington 212 South Lake Drive Lexington, SC. 29072-3493 USA Fax 803-755-3833

P.O. No.	Rep	Contact
TBA	Mike	Donna

Item	Description	Qty	Rate	Total
TMR	Total Maint., Service, P.M. Service and Parts Per Year This includes all Transportation Charges, Accommodation and Meals P.M. Services will be supplied at least twice a year. Full payment must be received at our office prior to approved departure times. Payments may be sent via UPS OVERNIGHT DELIVERY using our account number A8A 746.	1	9,876.00	9,876.00
Quote valid for 30 days			Total	US\$9,876.00

Phone #	Fax #	E-mail	Web Site
519-570-2742	519-570-3648	service@blackcapservice.com	www.blackcapservice.com



County of Lexington

DEPARTMENT OF PUBLIC SAFETY

212 South Lake Drive • Lexington, South Carolina 29072

TELEPHONE: (803) 359-8141 FAX (803) 359-8589

April 2, 2004

MEMORANDUM

To: Timothy M. James
Assistant Sheriff / Director of Public Safety

From: Russell Rawl *RR*
Fire Service Coordinator

Reference: Fire Department Grant Assistance

As requested by County Council at their March 23, 2004 Council meeting, I have reviewed the Fire Service budget to determine the availability of funds for assisting the fire departments in obtaining their matching share of grants received by the Federal Emergency Management Agency.

Departments that have received approved Grants

Department	Grant Amount	Department Match	Equipment
Edmund	\$13,800	\$1,380	Thermal Imaging Camera
Sandy Run	\$55,570	\$5,557	Breathing Air System Upgrade Thermal Imaging Camera
Total	\$69,370	\$6,937	

The entire Fire Service will utilize this equipment as well as be available for use by all emergency responders throughout the County. Therefore, obtaining these items will be beneficial to the Fire Service.

Upon review of the budget and due to the fact that this is a one time capital expenditure, the departments match of \$6,937 is available in the Fire Service Contingency Account (1000-131599-549904). This fund could be utilized without any negative effect on Fire Service operations.

Should you have any questions or need any additional information, please let me know.

Request for Funds**EDMUND**

Invoice Number: 1

• What is the federal share amount you are requesting? \$ 10800

Period covered by this request

Beginning Date 08/01/2003

Ending Date 07/31/2004

Payee Information

Name Edmund Fire Department

Address1 5715 Edmund Highway

Address2

City Lexington

State South Carolina

Zipcode 29073- 9581

Please provide a brief description of what these funds request will cover.
Bullard T-3 max thermal imaging camera

Washington found that, " the use of a thermal imaging camera reduces the time of exposure greatly".

6. Is this piece of equipment primarily:

Rescue equipment

7. Will this grant be used primarily for Rapid Intervention Teams (RIT)?

Yes

Total Budget

Application number is 12839.

Budget Object Class

a. Personnel	\$ 0
b. Fringe Benefits	\$ 0
c. Travel	\$ 0
d. Equipment	\$ 13,800
e. Supplies	\$ 0
f. Contractual	\$ 0
g. Construction	\$ 0
h. Other	\$ 0
i. Indirect Charges	\$ 0

Indirect Cost Details

Agency Indirect Cost Agreement with

Indirect Cost Rate

%

Agreement Summary

Federal and Applicant Share

Federal Share

\$ 12,420

Applicant Share

\$ 1,380

Federal Rate Sharing (%)

90/10

* Non-Federal Resources (The combined Non-Federal Resources must equal the Applicant Share of \$ 1,380)

a. Applicant

\$ 1380

b. State

\$ 0

c. Local

\$ 0

d. Other Sources

\$ 0

If you entered a value in Other Sources, Please identify the source of your cost share, i.e., fund reserves, savings, fund-raisers, donations; etc.

Total Budget

\$ 13,800

Award Status*SANDY FUN*

Congratulations! Your grant application has been selected for an award.

[View Award Package](#)

Award Number: EMW-2003-FG-13439

Award Amount: \$50,013

You establish acceptance of this award when you expend any grant funds available to you. You should fill out your Direct Deposit Form 1199A immediately; however, submit your request for funds when you are ready to spend the money. *It is a federal requirement to minimize the time between you receiving the funds in your bank account and your spending of those funds.* For planning purposes, you can estimate that it could take up to three weeks for the funds to be transferred to your account.

Budget Object Class

a. Personnel	\$ 0
b. Fringe Benefits	\$ 0
c. Travel	\$ 0
d. Equipment	\$ 55,570
e. Supplies	\$ 0
f. Contractual	\$ 0
g. Construction	\$ 0
h. Other	\$ 0
i. Indirect Charges	\$ 0

Indirect Cost Details

Agency Indirect Cost Agreement with

Indirect Cost Rate %

Agreement Summary

Federal and Applicant Share

Federal Share \$ 50,013

Applicant Share \$ 5,557

Federal Rate Sharing (%) 90/10 (Administratively changed)

* Non-Federal Resources (The combined Non-Federal Resources must equal the Applicant Share of \$ 5,557)

a. Applicant	\$ 5557
b. State	\$ 0
c. Local	\$ 0
d. Other Sources	\$ 0

If you entered a value in Other Sources, Please identify the source of your cost share, i.e., fund reserves, savings, fund-raisers, donations, etc.

Total Budget \$ 55,570

Narrative Statement

Application number is 13439

COUNTY OF LEXINGTON
FINANCE DEPARTMENT

interoffice
MEMORANDUM

to: County Council

from: Evelyn Babbitt, Manager of Grants Administration

subject: DHEC Grant for Decontamination Tent thru Homeland Security Grant

date: April 5, 2004

Through a federal Homeland Security Grant obtained by South Carolina Department of Health and Environmental Control (DHEC), Lexington County will be receiving (1) Decontamination Tent for use by the county's emergency response team and possible mutual aid to surrounding counties. Our responsibility will be to maintain the tent in good working order, properly inventory the tent, and to complete training provided by the manufacturer for proper deployment, maintenance and storage of the tent.

A memorandum of agreement between DHEC and Lexington County must be signed by the County Administrator and we are asking your approval to accept this grant. This MOA shall be effective April 1, 2004.

cc: Chief Tim James
Neil Ellis



2600 Bull Street
Columbia, SC 29201-1708



March 30, 2004

MEMORANDUM

To: County Administrator

From: Alonzo W. Smith
Director
Emergency Medical Services

RE: Decontamination Tents

The South Carolina Department of Health and Environmental Control (DHEC) Division of Emergency Medical Services (EMS) and the South Carolina Emergency Medical Services Association have collaborated in the writing of a grant to purchase decontamination tents to be utilized in the event of a mass exposure to an agent. The tents will be purchased for all 46 counties under the auspices of the federal Office of Homeland Security.

The grant process is now at the point where competitive bids for the decontamination tents have been received by DHEC's Procurement agent. It is specified in the bid document that the tents shall be shipped directly to each county. I would ask that you please provide me with a specific shipping address in your county where the vendor can deliver the tent.

Attached you will find a Memorandum of Agreement that lists the responsibilities of all participants. The grant provides only for the purchase and delivery of the tents and the training of the county personnel in the use of the tents. Training sessions will be conducted by the vendor awarded the contract in four areas of the state.

Please sign the Memorandum of Agreement and return to the Division of EMS. Should you have questions regarding the grant or the details of the Memorandum of Agreement, please call me or Vickie White at (803) 545-4204.

MEMORANDUM OF AGREEMENT

BETWEEN

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL EMERGENCY MEDICAL SERVICES

AND

LEXINGTON COUNTY

PURPOSE:

The South Carolina Department of Health and Environmental (hereafter referred to as DHEC and Lexington County (hereafter referred to as the County) hereby enter into this Memorandum of Agreement (hereafter MOA) for the purpose allocation of a decontamination tent for the County.

II. SCOPE OF SERVICES:

- A. Responsibilities of DHEC: Under the terms of this MOA, DHEC shall be responsible for transferring one decontamination tent for the county.
- B. Responsibilities of the county. Under the terms of this MOA, the county shall be responsible for assuring the decontamination tent is available for use by the county's emergency response team and possible mutual aid to surrounding counties; maintained and kept in good working order; and is properly inventoried. Within thirty days of delivery the county will provide to DHEC the location of the decontamination tent to include address and serial number.
- C. The county must complete training provided by the manufacture for proper deployment, maintenance and storage of the tent.

III. TERMS AND CONDITIONS:

A. Effective Dates.

This MOA shall be effective on April 1, 2004 or when all parties have signed, whichever is later, and will terminate on March 31, 2005. At the end of the contract period the county may continue to utilize the decontamination tents for their emergency response team and possible mutual aid to surrounding counties and then dispose of the tent under the policies and procedures of the county.

B. Termination.

1. Subject to the provisions contained below, this MOA may be terminated by either party providing thirty (30) days advance written notice of termination.
2. Funding to support performance of this MOA may be payable from State and/or Federal and/or other appropriations. In the event sufficient appropriations are not made to support performance under this MOA, it shall terminate without further obligations of the parties except as set forth herein.
3. DHEC may terminate this MOA for cause, default or negligence on the part of the County at any time without thirty days advance written notice.

C. Amendment.

Any changes to this MOA, which are mutually agreed upon between DHEC and the County, shall be incorporated in written amendment to this MOA and will not become effective until the amendment is signed by each party.

D. Confidentiality.

The Contractor agrees to abide by DHEC's policy of confidentiality, which states that all information as to personal facts and circumstances given or made available to employees/volunteers and/or contractors of DHEC in administration of programs shall be held confidential and shall not be divulged without consent of the programs and services and individual(s) to which it pertains. Confidential agency information and action shall not be divulged.

Certain information received by DHEC may not be released pursuant to the Family Privacy Protection Act. Information that is otherwise available to the public under the Freedom of Information Act may be released in accordance with State law. Should information identify a DHEC client or employee, it may not be released outside of the agency except upon receipt of a properly completed authorization signed by the individual or his/her parent or guardian. If information is released pursuant to the receipt of a properly completed authorization, documentation of the release must be maintained. A copy of the authorization must be included in this documentation.

Protected Health Information generally cannot be released except pursuant to a proper authorization by the client or his/her parent or guardian, or pursuant to a specific exception under the Health Insurance Portability and Accountability Act (45 CFR Parts 160 and 164). DHEC may conduct routine audits of health records to ensure compliance with this procedure.

Any unauthorized disclosure of confidential information may result in termination of this contractual relationship with DHEC and may be grounds for fines, penalties, imprisonment, civil suit, or debarment from doing business with the State.

The Contracting Party shall immediately notify the District Medical Director and DHEC HIPAA Privacy Officer of any possible breach of privacy or security of DHEC client's protected health information under the HIPAA Privacy Rule or applicable state law that occurs in the course of performing this Agreement.

The Contracting Party and employees/agents of the Contracting Party will be required to sign DHEC's Confidentiality Agreement (DHEC form #0321), a copy of which is attached hereto. Alternatively, if the Contracting Party desires to rely upon an existing Confidentiality Agreement signed by its employees/agents, a copy of the Confidentiality Agreement must first be provided to the DHEC Contract Officer for evaluation, and the Contracting Party must provide verification that all employee/agents obtaining access to DHEC confidential information in the course of performing this agreement have executed the Confidentiality Agreement.

E. Records.

Records with respect to all matters covered by this MOA must be retained for 6-years after the end of the period of this MOA and shall be available for audit and inspection at any time such audit is deemed necessary by DHEC. If audit has begun but is not completed at the end of the 6-year period, the records shall be retained until resolution of the audit findings.

F. Liability.

Neither party shall be liable for any claims, demands, expenses, liabilities and losses (including reasonable attorney's fees) which may arise out of any acts or failures to act by the other party, its employee or agents, in connection with the performance of services pursuant to this MOA.

G. Non-Discrimination.

No person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in relation to any activities carried out under this MOA on the grounds of race, handicap, color, sex, religion, age, health status or national origin.

H. Controlled Substance Statement.

The county certifies that he/she will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the performance of this MOA.

J. Governing Law.

The agreement and any dispute, claim, or controversy related to the agreement shall, in all respects, be interpreted, construed, enforced and covered by and under the laws of the state of South Carolina. All disputes, claims or controversies relating to the agreement shall be resolved in accordance with the South Carolina Procurement Code, Section 11-35-10, et. Seg., and the contractor agrees to subject himself to the jurisdiction and process of the courts of the State of South Carolina.

M. Each party shall bear and be responsible solely for its own costs and expenses necessary to comply with this MOA.

AS TO DHEC

BY: _____

Leon Frishman
Deputy Commissioner
Health Regulation

DATE: _____

AS TO THE CONTRACTING PARTY
CONTRACTING PARTY

BY: _____

(NAME)

(TITLE)

DATE: _____

COUNTY'S MAILING ADDRESS:

EMPLOYER ID #



DHEC Confidentiality Agreement

I understand that the South Carolina Department of Health and Environmental Control (DHEC) has a legal and ethical responsibility to maintain confidentiality of information as to personal facts and circumstances of DHEC clients, employees, or other citizens given or made available to DHEC in administration of the agency's programs and services.

DHEC's Confidentiality Policy states that Information about personal facts and circumstances of DHEC employees and clients will be kept confidential and will not be disclosed without the individual's written authorization, except as required by law. Protected Health Information that identifies an individual generally cannot be released unless properly authorized by the client or his/her legal representative, or pursuant to a specific exception under the Health Insurance Portability and Accountability Act (45 CFR Parts 160 and 164). The Family Privacy Protection Act may place additional limitations on disclosure of personal information.

Information that is made available to the public under the Freedom of Information Act must be disclosed in accordance with State law. However, the Freedom of Information Act protects information of a personal nature such that public disclosure would constitute an unreasonable invasion of privacy. The types of information that generally must be kept confidential include, but are not limited to: protected personal information of job applicants or DHEC employees, vital records information, social security numbers, and health information that identifies individuals.

I understand that during the course of my employment, volunteer services, or contract performance with DHEC, I may see or hear confidential information and/or protected health information.

By signing this agreement, I understand and agree that I will not disclose confidential information or protected health information unless the disclosure complies with DHEC policies and is required to perform my responsibilities. I will not access or view any information other than what is required to do my job. If I have any questions about whether I need access to certain information, or whether certain information should be disclosed, I will immediately ask my supervisor for clarification.

I will not discuss any confidential information or protected health information obtained in the course of my relationship with DHEC with any person or in any location outside of my area of responsibility in DHEC, except as otherwise required or permitted by law. I will not make any unauthorized copy or disclosure of this information, or remove or transfer this information to any unauthorized location.

I agree that my obligations under this Agreement regarding confidential and protected health information will continue after termination of my employment/volunteer assignment/contract affiliation with DHEC.

DHEC Confidentiality Agreement

I understand that violation of this Agreement may result in termination of my volunteer, contractual and/or work relationship with DHEC and may be grounds for disciplinary action, fines, penalties, imprisonment or civil suit to be brought against me.

I have read the above Agreement and agree to comply with all its terms.

Signature: _____ Date: _____

Witness: _____ Date: _____

Work Location: _____

COUNTY OF LEXINGTON
FINANCE DEPARTMENT

interoffice
MEMORANDUM

to: County Council

from: Evelyn Babbitt, Manager of Grants Administration

subject: EMS Grant-In-Aid Program (DUI Funds) - FY2005

date: April 6, 2004

The Emergency Medical Services Division (EMS) is requesting your approval to apply for a grant through the SC Department of Health and Environmental Control. The funds provided for this type of grant are derived through fees the State has mandated be charged in DUI cases and are to be utilized to purchase training materials, etc. in the education and training in public information programs to reduce the incidents of DUI. These presentations will be primarily in the schools.

This grant application is in the amount of \$1,000.00 which is 94.5% State and 5.5% County funds.

The grant is due April 15, 2004.



2600 Bull Street
Columbia, SC 29201-1708

February 25, 2004

Chief James
lets go for these forms
AW



MEMORANDUM

TO: Licensed Ambulance Service Directors
County Administrators
Regional EMS Offices

FROM: Alonzo W. Smith, *Director*
Emergency Medical Services

SUBJECT: EMS Grant-in-Aid Program (DUI FUNDS)- FY2005

Please read and carefully review the forms and guidelines required to complete the application for EMS funding utilizing funds generated from DUI funds. These are **competitive grants**. Each region has been allocated **\$7,000.00**. The grants will be based on a 94.5% state/5.5% local cash match and the contract will be awarded for one year.

The procedure will be for the ambulance services to complete the application and send it to the county for review and approval following the guidelines. As soon as the county completes the approval process, it will send the application to its regional office for review by **March 30, 2004**. The Regional EMS board/council will submit their recommendations, **in priority order**, to the State Grant-in Aid committee by **April 15, 2004**. The State GIA committee will review the grants, in priority order, and make a recommendation for approval to the State EMS Advisory Council. Contracts will be awarded after Advisory Council approval.

Priority emphasis should be placed on CISD programs, Dispatcher training and Public Information and Education Resources (PIER)/Injury Prevention activities. DUI funds may be utilized to purchase training materials that are directly related to these projects. Training materials include textbooks, handouts, promotional items (buttons, coloring books, pens, pencils and brochures), slides and workbooks.

Secondary priority should be placed on the other items listed on the attached list of Eligible Items (DUI Generated). Replacement of items for fair wear and tear will not be approved.

Let's make the sixth year of the GIA competitive grant-in-aid funding a successful year with competitive, quality applications for significant EMS improvements.

AWS:sbw

Enclosure(s)

GIA Procedural Guidelines (DUI Generated)

1. Appropriate/divide the monies equally among the EMS regions for disbursement to successful applicants within county or multi county applicants.
2. Licensed ambulance providers, who provide emergency service, are invited to submit **competitive applications** for selection and approval by each EMS region.
3. The regional council should give priority, in the review process, to multi county or individual projects to any of the following:
 - a. CISD programs
 - b. Dispatcher training and the related textbook(s)/workbook(s)
 - c. Public Information and Education Resources (PIER)/Injury Prevention activities and materialsSecondary priority should be given to any other item(s) listed on the List of Eligible Items (DUI Generated).
4. Regional EMS boards/councils submit their recommendations, in priority order to the state Grant-In-Aid committee for their review and approval. The regions first priority recommendation will be approved or disapproved by the committee. If the first application is denied, it will not be considered at this time. The GIA committee will review the remaining recommendations in priority order of that region.
5. Contracts will be awarded after Advisory Council approval.
6. Application deadline: due to regional office(s) March30th, due to the Grant-In-aid committee by April 15th.



Emergency Medical Services
Community EMS Assistance Program

1. Lexington
County

2. March 29, 2004
Date of Application

3. Project Grant Period:
From: April, 2004
To: April, 2005

4. 1 Year 2 Years

5. State Funds Requested \$ 945.00
Total Local Cash \$ 55.00
Total Project Cash \$ 1,000.00

Source of Local Funds

County Community Private

6. Ambulance Service:
Lexington County EMS 212 South Lake Drive, Lexington, SC 29072 803-359-8144
Name P.O. Box Address Telephone
Thomas A. Gross
Director/Chief/Name Signature

7. County Authorization:

Choice of Funding Formula

The county has chosen a local formula for distribution of monies among the ambulance services and all the services have agreed in writing on this formula. The documentation of their agreement with signatures is attached.
If yes, initial here:

The county has chosen to fund each of the ambulance services based on the percentage of the county's total emergency runs which were run by each ambulance service.
If yes, initial here:

I certify that I understand and agree to comply with the general and fiscal requirements of this application and that I am duly authorized to commit the applicant to these requirements. I also understand that the funds available through this grant are not to be used to replace existing dollars now used for the EMS program. A reasonable effort has been made to inform all eligible services of the opportunity to apply for EMS assistance through this grant program.

Authorizing Official

Lexington William A. Brooks County Administrator
County Name Title
212 South Lake Drive, Lexington, SC 29072 803-359-8100
Street City Zip Telephone
Signature Date

8. Review and Approval:

Regional EMS Agency:
Region
Signature Title
Date:

4. Communications Equipment

Quantity	Item	Total

Communications Equipment Total \$ _____

5. Training

Quantity	Item	Total
250	Lucite Retractable Pen	225
250	2"x3" Mirror	300
500	Key Chain	475

Training Total \$ 1,000

6. Other/Describe (Ambulance)

Quantity	Item	Total

Other Totals \$ _____

Budget Justification

Please state, in a concise manner, specifically how each item of equipment or each training course that you have requested will provide improved patient care in your area. State how many items you now have and why you need more. (i.e. We have five ambulances, four at the ALS level and wish to upgrade the fifth ambulance to ALS and need a defibrillator and four paramedic tuitions).

Be as complete as possible to avoid any confusion to decrease the need for additional justification. Attach extra pages, brochures, vendor literature (only on items that are unusual/innovative) to explain.

Funds are requested to acquire items to be distributed in conjunction with the public information programs. These presentations, to be delivered primarily in schools, are designed to enhance public awareness of injury prevention habits.

The County is presently working with school officials in different districts to produce DUI awareness via re-enactments. The requested items will increase the interest level among those in attendance, and will supply the youth with mementos to identify local EMS.

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, David Allen Faircloth performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Deputy Faircloth volunteers his time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Deputy Faircloth works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when he is off from his full-time employment; and

WHEREAS, Deputy Faircloth suffers the dangers and uncertainties of a sometimes hostile environment for the good of his neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Deputy Faircloth provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through his professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **DEPUTY DONALD ALLEN FAIRCLOTH**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

M. Todd Cullum

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Russell Leroy Bauknight performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Deputy Bauknight volunteers his time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Deputy Bauknight works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when he is off from his full-time employment; and

WHEREAS, Deputy Bauknight suffers the dangers and uncertainties of a sometimes hostile environment for the good of his neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Deputy Bauknight provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through his professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **DEPUTY KEVIN JOHNNY BLALOCK**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

M. Todd Cullum



COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Kevin Johnny Blalock performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Deputy Blalock volunteers his time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Deputy Blalock works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when he is off from his full-time employment; and

WHEREAS, Deputy Blalock suffers the dangers and uncertainties of a sometimes hostile environment for the good of his neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Deputy Blalock provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through his professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **DEPUTY KEVIN JOHNNY BLALOCK**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, James Randy Collins performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Deputy Collins volunteers his time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Deputy Collins works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when he is off from his full-time employment; and

WHEREAS, Deputy Collins suffers the dangers and uncertainties of a sometimes hostile environment for the good of his neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Deputy Collins provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through his professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **DEPUTY JAMES RANDY COLLINS**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

M. Todd Cullum

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Howard Duncan Harllee performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Deputy Harllee volunteers his time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Deputy Harllee works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when he is off from his full-time employment; and

WHEREAS, Deputy Harllee suffers the dangers and uncertainties of a sometimes hostile environment for the good of his neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Deputy Harllee provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through his professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **DEPUTY HOWARD DUNCAN HARLLEE**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

M. Todd Cullum

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Robert Richard Hunter performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Deputy Hunter volunteers his time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Deputy Hunter works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when he is off from his full-time employment; and

WHEREAS, Deputy Hunter suffers the dangers and uncertainties of a sometimes hostile environment for the good of his neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Deputy Hunter provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through his professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor DEPUTY ROBERT RICHARD HUNTER, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

M. Todd Cullum

COUNTY OF LEXINGTON, SOUTH CAROLINA

R E S O L U T I O N

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Sandra Anne Ligon performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Deputy Ligon volunteers her time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Deputy Ligon works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when she is off from her full-time employment; and

WHEREAS, Deputy Ligon suffers the dangers and uncertainties of a sometimes hostile environment for the good of her neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Deputy Ligon provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through her professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **DEPUTY SAUNDRA ANNE LIGON**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Robin Denise Brown performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Deputy Brown volunteers her time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Deputy Brown works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when she is off from her full-time employment; and

WHEREAS, Deputy Brown suffers the dangers and uncertainties of a sometimes hostile environment for the good of her neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Deputy Brown provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through her professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **DEPUTY ROBIN DENISE BROWN**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Sergeant James F. Joy, Jr. performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Sergeant Joy volunteers his time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Sergeant Joy works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when he is off from his full-time employment; and

WHEREAS, Sergeant Joy suffers the dangers and uncertainties of a sometimes hostile environment for the good of his neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Sergeant Joy provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through his professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **SERGEANT JAMES F. JOY, JR.**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

M. Todd Cullum

COUNTY OF LEXINGTON, SOUTH CAROLINA

R E S O L U T I O N

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Sergeant Timothy Jay Parcheta, Sr. performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Sergeant Parcheta volunteers his time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Sergeant Parcheta works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when he is off from his full-time employment; and

WHEREAS, Sergeant Parcheta suffers the dangers and uncertainties of a sometimes hostile environment for the good of his neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Sergeant Parcheta provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through his professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **SERGEANT TIMOTHY JAY PARCHETA, SR.**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Lieutenant Kevin Garth Ridenour performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Lieutenant Ridenour volunteers his time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Lieutenant Ridenour works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when he is off from his full-time employment; and

WHEREAS, Lieutenant Ridenour suffers the dangers and uncertainties of a sometimes hostile environment for the good of his neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Lieutenant Ridenour provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through his professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **LIEUTENANT KEVIN GARTH RIDENOUR**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Lieutenant Barron Lee Thomas performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Lieutenant Thomas volunteers his time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Lieutenant Thomas works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when he is off from his full-time employment; and

WHEREAS, Lieutenant Thomas suffers the dangers and uncertainties of a sometimes hostile environment for the good of his neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Lieutenant Thomas provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through his professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **LIEUTENANT BARRON LEE THOMAS**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Captain Bernard Oscar Bourne, III performs law enforcement duties for the citizens of Lexington County as a Reserve Deputy Sheriff with the Lexington County Sheriff's Department; and

WHEREAS, Captain Bourne volunteers his time and energy to the Lexington County Sheriff's Department as a certified Reserve Deputy Sheriff in a dedicated effort to serve the citizens and enhance the law enforcement presence throughout Lexington County; and

WHEREAS, Captain Bourne works without compensation from Lexington County, attends regular training sessions and works days, nights, weekends, and holidays for the Sheriff's Department and the citizens of Lexington County when he is off from his full-time employment; and

WHEREAS, Captain Bourne suffers the dangers and uncertainties of a sometimes hostile environment for the good of his neighbors and all of the communities within Lexington County by working long hours performing patrol duties, investigations, special assignments, and other duties of a full-time law enforcement officer; and

WHEREAS, Captain Bourne provides an invaluable service to the Lexington County Sheriff's Department and the citizens of Lexington County through his professionalism, dedication, and attentiveness to duty.

NOW, THEREFORE, BE IT RESOLVED that Lexington County Council wishes to honor **CAPTAIN BERNARD OSCAR BOURNE, III**, a certified Reserve Deputy Sheriff with the Lexington County Sheriff's Department, who is working within our County to help make it a safer and better place for the citizens to live.

George H. Smokey Davis, Chairman

William C. Billy Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Marie S. Horne began her service on the Lexington County Library Board in September 1995; and

WHEREAS, her commitment to devoting the time necessary to fulfill the responsibilities of this appointment is a reflection of her concern for Lexington County and its citizens; and

WHEREAS, during Ms. Horne's tenure on the Board, she served on the Finance Committee, the By-laws Committee, the Chapin Library Committee, and the Pelion Library Committee; and

WHEREAS, while serving on the Library Board, Ms. Horne was instrumental in working closely with the County and County Council in finding ways to save money for the library system.

NOW THEREFORE, BE IT RESOLVED that we extend to MARIE S. HORNE our sincere thanks and gratitude for the tremendous job she has done for the Library Board and the citizens of Lexington County.

George H. "Smokey" Davis, Chairman

William C. "Billy" Derrick, V Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. "Joe" Owens

M. Todd Cullum

ATTEST:

Dorothy K. Black, Clerk

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO THOUSAND AND FOUR ADOPTED THE FOLLOWING:

WHEREAS, Blue Ridge Packards is one of 55 regions of Packard Automobile Classics; and

WHEREAS, Packard Automobile Classics was organized in 1953 to advance the maintenance, preservation, authentic restoration and use of Packard vehicles; and

WHEREAS, Blue Ridge Packards was organized in 1987 to serve Packard enthusiasts in a six-state area along the Blue Ridge mountains; and

WHEREAS, Lexington County will host the spring meeting of the Blue Ridge Packards May 13-16, 2004; and

WHEREAS, members of the Blue Ridge Packards will be traveling from North Carolina, Georgia, Southwest Virginia and East Tennessee to attend the meeting and other events.

NOW, THEREFORE, BE IT RESOLVED that we welcome the members of the BLUE RIDGE PACKARDS to Lexington County and hope that everyone enjoys the festivities planned for this gathering.

George H. Smokey Davis, Chairman

William C. Billy Derrick, Vice Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

M. Todd Cullum

ATTEST:

Dorothy K. Black, Clerk

RESOLUTION

**THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA,
MEETING IN GENERAL SESSION THE 13TH DAY OF APRIL, TWO
THOUSAND AND FOUR ADOPTED THE FOLLOWING:**

WHEREAS, the Lexington High School SAT Team was named Co-Champions of the Class AAAA State SAT Championship in March 2004; and

WHEREAS, this was the fourth state title for the Lexington Wildcats out of the six-year existence of the competition; and

WHEREAS, these young people are to be praised for their display of academic excellence and their commitment to preparing themselves for this challenge; and

WHEREAS, it is only fitting that we honor team members, **Stephanie Caldwell, T. J. Cofield, Bill Cossen, Mark Deaton, Rachel Dolan, Casey Duffy, Emily Floyd, Jennifer Ghelardini, Kyle Johnson, Amy Karwan, Dan Karwan, Justin Law, Don Mackay, Alex Mackintosh, Layne Madden, Daniel Mallory, Robert Meldau, Tyler Moses, Mallory Porter, Kaylee Rogers, Jessie Shaffer, Ankit Shrivastava, Jamie Stancil, Adam Wilson, and Reed Zhao** for their extraordinary efforts and distinguishing themselves in this event; and

WHEREAS, coaches **Angie Freeman and Madonna Moore** are to be commended for devoting their time and expertise to ensure the team was mentally and physically ready for the rigorous written and verbal exams.

NOW, THEREFORE, BE IT RESOLVED that we, the members of Lexington County Council, extend our heartfelt congratulations to the **LEXINGTON HIGH SCHOOL SAT TEAM and COACHES** for this superior accomplishment which draws attention to the school, the school district, the county, and the state.

George H. Smokey Davis, Chairman

William C. Billy Derrick, Vice Chairman

Bruce E. Rucker

Jacob R. Wilkerson

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. Joe Owens

M. Todd Cullum

ATTEST:

A P P O I N T M E N T S - B O A R D S & C O M M I S S I O N S

April 13, 2004

JOHN CARRIGG

Children's Shelter - Vacant - Term expired 6/30/01

JOE OWENS

Planning Commission - Vacant

TODD CULLUM

Accommodations Tax Board - Marila J. Turbyfill - Term expired 12/31/03 - Eligible for Reappointment

Children's Shelter - Gloria Jackson - Term expired 6/30/03 - Eligible for Reappointment; however, does not attend board meetings

ATHLETIC COMMISSION

Steve Keefe - Term expired 11/30/00 - Unable to contact - no response

Joel Slotnick - Term expired 11/30/02 - Eligible for Reappointment - Willing to serve again

LEXINGTON/RICHLAND ALCOHOL & DRUG ABUSE COUNCIL

At-Large Appointments

Anida P. Mims - Term expired 12/31/03 - Eligible for Reappointment

CULTURAL COUNCIL OF RICHLAND AND LEXINGTON COUNTIES

Replacement of former Chairman Bill Banning

BUILDING CODE BOARD OF APPEALS

Plumbing - Perry Kimball - Term expired 08/13/03 - Not eligible for Reappointment

Mechanical Contractor

Building Industry (new)

Member at Large (new)

CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS

Melanie P. Ellerbe - At Large - Terms expires 06/15/04 - Eligible for Reappointment

TEMPORARY SIGN AND PERMITTING COMMITTEE

Vacant - District 7

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

DATE: March 29, 2004

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager

FROM: Donna J. Harris, CPPB
Procurement Officer

SUBJECT: EMS Equipment and Supplies
Bid No. B04032-03/29/04H

Sheila R Fulmer

Donna J Harris

Competitive bids were solicited and advertised for EMS Equipment and Supplies for Fire Service. Bidders were allowed to submit bids on one or a multiple of items, depending on the products that they can provide. This equipment is being purchased to support Chemical Ordinance Biological Radiological (COBRA) operations. The equipment is a portion of the protective equipment required for use in hazardous material conditions. The quantities requested are in keeping with the amount required by South Carolina Emergency Management Division (SCEMD) and the Statewide Chemical Ordinance Biological Radiological (COBRA) Standard Operating Procedures (SOP).

We received two (2) bids and five (5) no bids (bid tabulation is attached). Bids were evaluated by Neil Ellis, Communications Coordinator and Donna J. Harris, Procurement Officer. The grant procedures have been approved by the South Carolina Department of Public Safety.

It is our recommendation to award this bid to Fisher Scientific, LLC as the lowest responsible bidder meeting all specifications for the total cost of \$29,376.14 including applicable sales tax.

Funds are appropriated in the following account:

#2476-131500-540022 - Personal Protective Equipment - Homeland Security Grant - \$29,376.14

I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on April 13, 2004.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Russell Rawl, Fire Service Coordinator
Neil Ellis, Communications Coordinator

COUNTY OF LEXINGTON

BID TABULATION SHEET

BID: B04032-03/29/04H

DATE: March 29, 2004

EMS EQUIPMENT AND SUPPLIES

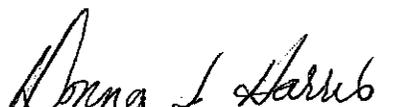
			Lab Safety		Fisher Scientific, LLC	
			Jean Reilly		William Thomas	
			404-691-0042		800-955-6666	
Item #	Qty	Description	Unit Price	Total Price	Unit Price	Total Price
1	24ea	Responder, Level A	no bid	no bid	519.43	12,466.32
2	24ea	Responder, Level B	no bid	no bid	216.28	5,190.72
3	5 cs	Tyvek Suits	no bid	no bid	125.00	625.00
4	10pk	Inner Nitrile Gloves	no bid	no bid	4.95	49.50
5	24pr	Butyl Gloves	12.84	308.16	9.35	224.40
6	24pr	Vitron Gloves	84.15	2,019.60	59.20	1,420.80
7	3pk	Silver Shield Gloves	32.13	96.39	27.28	81.84
8	2pk	Sol-Vex Nitrile Gloves	20.88	41.76	14.00	28.00
9	40ea	Over-the-sock Boots	59.84	2,393.60	46.10	1,844.00
10	200pr	Latex Boot covers	no bid	no bid	1.99	398.00
11	30ea	Safety Helmets	8.84	265.20	6.55	196.50
12	30pr	Safety Glasses	4.51	135.30	1.23	36.90
13	40ea	FF Respirator	178.24	7,129.50	103.20	4,128.00
14	10cs	WMD Cartridges	144.50	1,445.00	107.55	1,075.50
15	60pk	P100 Respirator filters	5.61	336.60	3.53	211.80

No bid response was received from: Matrx Medical, Inc., Tri-anim Health Services, Armstrong Medical Industries, Inc. and Southeastern Emergency Equipment stating they are not set up as distributors for these products at this time.

No bid response was received from Med-Supply Partners stating that they had insufficient time to respond to the solicitation.

Recommend award to Fisher Scientific, LLC as the lowest responsible bidder.

Bids opened March 29, 2004


 Donna J. Harris, CPPB

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 359-8385

(F) 359-2240

DATE: March 31, 2004

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Janice A. Bell, CPPB
Procurement Officer



SUBJECT: CLAY HILL ROAD
BID NO. B04026-03/25/04B

Invitations for Bids were advertised and solicited from qualified contractors for Roadway Improvements for Clay Hill Road. The project includes grading, drainage, and paving of approximately 0.902 miles of roadway. There is an estimated 1,513 L.F. of R.C. Pipe, 34 Catch Basins, 2 Junction Boxes, 39 tons Class A Rip Rap, 6,300 tons Recycled Asphalt Product (R.A.P.) 4" Uniform, and 128 S.Y. Macadam Base Course. We received bids from four (4) contractors (see attached bid tabulation).

Bids were evaluated by Jim Starling, Engineering Associate III; John Fachtel, Director of Public Works; Brian Nickerson, E.I.T., Project Manager, Civil Engineering Consulting Services, Inc.; and Janice A. Bell, Procurement Officer. It is our recommendation to award the base bid, alternate II, and alternate III to Cherokee, Inc. as being the low bidder. The total bid for the project, based on estimated quantities is \$529,872.58.

Funds are appropriated in the following account:

2700-121300-539859 Clay Hill Road

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on April 13, 2004.

Attachments

copy: Larry Porth, Director of Finance / Assistant County Administrator
John Fachtel, Director of Public Works
Jim Starling, Public Works
Michael Spires, Public Works

COUNTY OF LEXINGTON

BID TABULATION SHEET

BID: B04026-03/25/04B

DATE: March 31, 2004

CLAY HILL ROAD

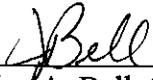
BIDDER	Base Bid	*Alternate I	**Alternate II	***Alternate III	Total Bid Alternate I (without Alt. III)	Total Bid Alternate II (without Alt. III)	Total Bid Alternate I (with Alt. III)	Total Bid Alternate II (With Alt. III)
Cherokee, Inc.	\$331,665.48	\$120,635.70	\$97,407.10	\$100,800.00	\$452,301.18	\$429,072.58	\$553,101.18	\$529,872.58
Rea Contracting	\$365,268.10	\$115,894.70	\$123,882.00	\$196,875.00	\$481,162.80	\$489,150.10	\$678,037.80	\$686,025.10
C.R. Jackson, Inc.	\$372,087.45	\$175,671.75	\$169,935.20	\$138,600.00	\$547,759.20	\$542,022.65	\$686,359.20	\$680,622.65
Eagle Construction	\$403,583.65	\$157,931.25	\$151,149.14	\$182,700.00	\$561,514.90	\$554,732.79	\$744,214.90	\$737,432.79

*Alternate I consist of unclassified excavation, borrow excavation, and macadam base course. (6" uniform)

**Alternate II consist of unclassified excavation and sand-clay base course. (8" uniform)

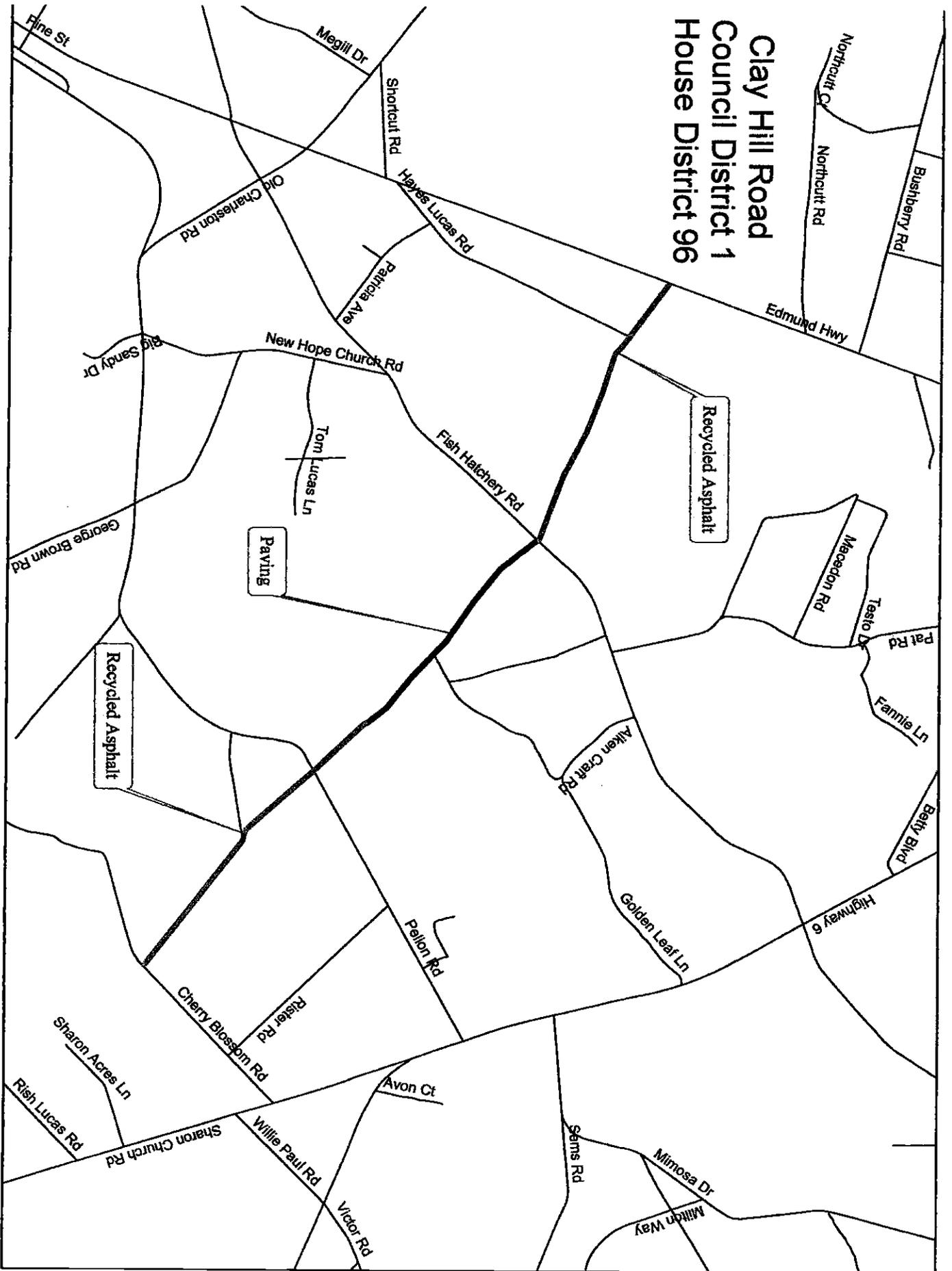
***Alternate III consist of recycled asphalt product (R.A.P.) - 4" uniform

Bids Opened: March 25, 2004 @ 3:00 PM



Janice A. Bell, CPPB
Procurement Officer

Clay Hill Road Council District 1 House District 96



COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 359-8319

(F) 359-2240

DATE: March 22, 2004

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager *Sheila R Fulmer*

FROM: Donna J. Harris, CPPB
Procurement Officer *Donna J. Harris*

SUBJECT: Laptops and Software
Sheriff's Department/Information Services

We received a purchase request from Chief Timothy James, Sheriff's Department/Director of Public Safety and Homeland Security for the purchase of four (4) Dell laptop computers, four (4) Microsoft Office Professional Software, and four (4) Norton Antivirus Software. The Laptop computers will be used to document and maintain files for the narcotic multijurisdictional task force. The computers will allow all task force investigators access to the Sheriff's Department in-house system and will be network capable. The Software is required to operate the computer system to maintain grant data and to produce correspondence and other pertinent information for the grant files. The Laptops will be purchased directly from the manufacturer (Dell Marketing LP) through the South Carolina State Contract #03-S5869-A9659. The Software will be purchased from Software House International through the South Carolina State Contract #01S62819.

Jim Schafer, Director of Information Services, has reviewed and recommended the requested equipment for replacement.

The cost of the Dell laptops is \$6,578.04 and the Software is \$1,445.68. Total cost for the laptops and software is \$8,023.72 including applicable sales tax.

Funds are appropriated in the following accounts:

2436-151200-5A4179 - (4) Laptops - Multijurisdictional Task Force	\$ 6,578.04
2436-151200-540010 - (4) Software - Multijurisdictional Task Force	\$ 1,445.68

I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on April 13, 2004.

copy: Larry Porth, Director of Finance / Assistant County Administrator
Chief Timothy James, Sheriff's Department / Director of Public Safety and Homeland Security
Jim Schafer, Director of Information Services

**LEXINGTON COUNTY SHERIFF'S DEPARTMENT
FOOD SERVICE PROGRAM**

***Evaluation Committee Report and Recommendation
Request for Proposal No. P04003-02/26/04B***

March 22, 2004

PURPOSE

The County of Lexington solicited competitive sealed proposals from potential correctional food service providers to establish a contract for providing food service to the inmate population of the Lexington County Sheriff's Department in the most cost effective manner possible. The term of this contract will be for three (3) years with the option to renew for two (2) additional one year periods.

Currently our food service facility operates under the direction of a contract provider to provide meals to an average of 770 inmates. The importance of food service in a correctional facility cannot be overstated. Food assumes a greater importance to an inmate than when he was free in the community. It is our intention to maintain a high quality food program and providing responsive management daily through contracting with a firm that specializes in correctional food service management. The contractor will provide an on site minimum staff level of one Food Service Manager, one Assistant Food Service Manager and three (3) cooks/supervisors. We will still provide trusty labor to supplement the contractor's staff in varying and fluctuating quantities, except during lock down or other emergencies. All menus and special diets are required to meet the standards for adult holding and detention facilities as established by the American Correctional Association (ACA). All meals served will be in compliance with the Recommended Daily Allowance for adult males and females as established by the National Academy of Sciences. The contractor will provide a 2900 calorie, 4 week cycle menu, which will establish a consistency in the quality and quantity of food served. The operation will meet all guidelines as prescribed by the American Correctional Association in order that the food service facility may obtain American Correctional Association accreditation. The contractor will be responsible for the payment and ordering of all food and supplies required.

EVALUATION COMMITTEE

As required by the County's Purchasing Ordinance and RFP Criteria, an evaluation committee was appointed by Art Brooks, County Administrator, to evaluate and review the proposals and ultimately report its recommendation to County Council for their consideration. Committee members were Lieutenant Kathryn Harrell, Lieutenant Lynn Gunter, Captain Buddy Williams, Major Allan Paavel, and Sylvia Dillon of the Sheriff's Department; Sheila Fulmer, Procurement Manager and Janice Bell, Procurement Officer.

SOLICITATION REQUIREMENTS

The required legal advertisements soliciting sealed, competitive proposals from qualified firms were placed and appeared in the South Carolina Business Opportunities Publication on February 9, 2004 through

DemandStar and the County's website. Notification was also mailed to firms on our vendor list.

The Request for Proposal process required all interested firms to attend a mandatory pre-proposal conference on February 12, 2004 at which time three (3) firms attended. The conference included a review of the RFP document, its detailed requirements and discussion of the County's current operations, and the desire of content of the proposals for a food service program for the inmate population of the detention center.

Proposals were due and received at 5:00 p.m. on February 26, 2004. At that time, the County received proposals from two (2) firms:

ABL Management, Inc.
Trinity Services

EVALUATION PROCESS

On March 1, 2004, the Evaluation Committee began its evaluation process. Copies of the proposals were distributed to each committee member for his/her individual evaluation. The committee met again on March 18, 2004 for a detailed discussion of their individual evaluations of the proposal and respective scoring of each criteria factor.

Each proposal under consideration was evaluated and scored on the five (5) specific criteria areas as indicated in the RFP. The factors listed in the order of their relative importance were as follows: (1) Corporate experience in providing correctional food service operations; (2) Offeror's understanding of the project requirements and ability to clearly describe how their proposed program will meet the requirements of the County; (3) Corporate capability; (4) References; and (5) Total cost/basis of fees charged.

After the evaluation committee was in agreement that it had obtained, reviewed, and analyzed all information and documentation presented and collected in the evaluation process, the final evaluation was completed by the committee on March 18, 2004. The tabulated scores resulted in the unanimous recommendation to seek the award of this contract to ABL Management, Inc. as providing the most cost effective and functional proposal based on the County's needs.

PROPOSED COST

The cost proposal submitted by ABL Management, Inc. for a contract period of three years is as follows:

Term	Annual Cost	Daily Cost	
First Contract Year	\$656,814	\$1,800	Cost based on 770 meals 3 x day
Second Contract Year	\$716,678	\$1,963	Cost based on 850 meals 3 x day
Third Contract Year	\$817,965	\$2,241	Cost based on 1000 meals 3 x day

The price per meal is based on a sliding scale depending upon the average daily population (ADP). Total meals indicated above includes 50 inmate workers per day. The price scale that would most affect our contract cost is as follows:

ADP	COST PER MEAL	
	Inmate	Inmate Worker
Less than 751	\$0.790	\$0.790
751 - 800	\$0.779	\$0.779
800 - 850	\$0.770	\$0.770
851 - 900	\$0.762	\$0.762
901 - 950	\$0.754	\$0.754
951 - 1000	\$0.747	\$0.747

Inmate workers are served a portion and a half. All prices include sales tax.

The cost is based on an average daily population (ADP) of inmates. If the ADP increases or decreases during the month, the cost will be adjusted according to the per diem pricing listed. The cost for years four and five may be increased in the amount equivalent to the percentage change in the U. S. Department of Labor Consumer Price Index, Southeastern Region, for the previous calendar year (December-December).

ABL's proposed cost is approximately \$41,549.00 lower per year than our current cost. (This information is given for comparison purposes only, cost is not the only factor that was evaluated for this contract award.)

RECOMMENDATION

The evaluation committee feels that in order to ensure that Lexington County continues to provide food services that are in compliance with the American Correctional Association and the National Sheriff's Association, it would be in the best interest of the County to award the contract for the food service operation at the detention center to ABL Management, Inc. as the highest rated offeror. New contract to begin July 1, 2004.

The committee hereby submits this recommendation for Council's consideration and approval. We further recommend that this proposal be placed on County Council's agenda for their next scheduled meeting on April 13, 2004.

Janice A. Bell, CPPB
Procurement Officer



Sheila R. Fulmer
Sheila R. Fulmer, CPPB
Procurement Manger

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 359-8385

(F) 359-2240

DATE: March 30, 2004

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Janice A. Bell, CPPB
Procurement Officer



**SUBJECT: Taser International Equipment and Accessories / Sole Source Procurement
Sheriff's Department**

We have received a requisition for the purchase of Taser International Equipment and Accessories for the Sheriff's Department.

Replacement tasers are needed because repair parts can no longer be obtained for existing equipment. The manufacturer of the current tasers is no longer in business. These tasers are a non-lethal form of protection used by officers. This has been deemed a Sole Source through Lawmen's Safety Supply as they are the only authorized dealer for South Carolina.

The cost of this equipment is \$10,499.65 including applicable tax.

Funds are appropriated in the following account:

1000-151200-5A4682

(12) Tasers with Accessories

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on April 13, 2004.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Sheriff James Metts
Chief Timothy James, Sheriff's Department/Director of Public Safety and Homeland Security

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

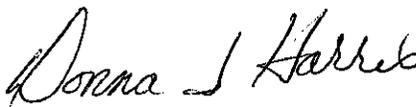
DATE: March 26, 2004

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Donna J. Harris, CPPB
Procurement Officer



SUBJECT: REQUEST FOR APPROVAL TO UTILIZE REQUEST FOR
QUALIFICATIONS PROCESS FOR ENGINEERING SERVICES

We are requesting the approval for the use of the Request for Qualifications process in order to select the services of an Engineering Firm to provide necessary engineering services to ensure compliance with Federal and State environmental regulations for Solid Waste Management.

The Procurement Department will prepare a formal invitation and advertise for submission of qualifications. The Request for Qualifications process provides for a review panel to evaluate the qualifications of each submittal to determine the top three (3) qualified persons or firms to be interviewed in view of their (a) past performance; (b) experience, qualifications and technical competence in all aspects of solid waste landfill management, engineering and hydrogeology; (c) willingness to meet time and budget requirements; (d) location; (e) recent, current and projected workloads of the firms; (f) creativity and insight related to proposed tasks; and (g) related experience on similar proposals. The committee will then negotiate a contract with the most qualified person or firm at a compensation which is fair and reasonable to the County.

A written report from the selection committee will be presented to County Council for final approval prior to award of a contract.

It is our recommendation that we utilize the Request for Qualifications process as outlined above. Further recommend that we present this request to County Council at the next scheduled County Council meeting set for April 13, 2004.

Thank you.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Joe Mergo, III, Director of Solid Waste Management

Minutes are left out intentionally until approved by Lexington County Council. Upon Council's approval, the minutes will be available on the internet.

RESOLUTION

WHEREAS, the South Carolina Water Quality Revolving Fund Authority (the "State Authority") provides low-interest loan financing for the construction of publicly owned potable water facilities from the Drinking Water Revolving Fund (the "Fund") pursuant to the Federal Clean Water Act and Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, the County of Lexington (the "County") is a legally constituted political subdivision in the State of South Carolina and is authorized to incur general obligation debt pursuant to Title 4, Chapter 15, Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, THE County has determined that it is in the best interests of the County to apply to the State Authority for a loan from the Fund;

NOW, THEREFORE, BE IT RESOLVED by the County Council of the County of Lexington, South Carolina (the "Council"), in a meeting duly assembled:

1. That the Council hereby authorizes the County Administrator or his designee to complete, execute and submit an application to the State Authority for a loan from the Fund in an amount not to exceed \$150,000 to finance the costs of constructing water distribution lines in an area of the County to be known as Isle of Pines Special Tax District. The County Administrator is authorized to take such actions as may be necessary or convenient to complete the application process.
2. That the County will grant to the State Authority a pledge of the County's full faith, credit and taxing power for repayment of the loan.
3. That the final terms and conditions of the loan and the loan documents shall be subject to the approval of this Council.

ADOPTED, this ___ day of _____, 2004.

(SEAL)

Chairman, Lexington County Council

Attest:

Clerk, Lexington County Council

RESOLUTION

WHEREAS, the South Carolina Water Quality Revolving Fund Authority (the "State Authority") provides low-interest loan financing for the construction of publicly owned wastewater treatment facilities from the Water Pollution Control Revolving Fund (the "Fund") pursuant to the Federal Clean Water Act and Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, the County of Lexington (the "County") is a legally constituted political subdivision in the State of South Carolina and is authorized to incur general obligation debt pursuant to Title 4, Chapter 15, Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, THE County has determined that it is in the best interests of the County to apply to the State Authority for a loan from the Fund;

NOW, THEREFORE, BE IT RESOLVED by the County Council of the County of Lexington, South Carolina (the "Council"), in a meeting duly assembled:

1. That the Council hereby authorizes the County Administrator or his designee to complete, execute and submit an application to the State Authority for a loan from the Fund in an amount not to exceed \$250,000 to finance the costs of constructing sewage collection lines in an area of the County to be known as Isle of Pines Special Tax District. The County Administrator is authorized to take such actions as may be necessary or convenient to complete the application process.
2. That the County will grant to the State Authority a pledge of the County's full faith, credit and taxing power for repayment of the loan.
3. That the final terms and conditions of the loan and the loan documents shall be subject to the approval of this Council.

ADOPTED, this ___ day of _____, 2004.

(SEAL)

Chairman, Lexington County Council

Attest:

Clerk, Lexington County Council

COMMITTEE REPORT

RE: Pelion Corporate Airport

COMMITTEE: Airport Committee

MAJORITY REPORT: Yes

The Airport Committee held its first official meeting on Tuesday, March 30, 2004 to discuss future plans for the Pelion Corporate Airport and to receive comments and suggestions from interested parties prior to the County's ownership of the Pelion Corporate Airport.

The committee discussed five agenda items. The agenda items were: Capital Improvements Plan, SC Aeronautics Division Grants, Due Diligence Items, Short-Term Priorities, and Budget Operations.

Project Overview - Ms. Tammy Coghill, Director of Economic Development, gave the committee a project overview of the Pelion Corporate Airport.

Ms. Coghill stated the County signed a contract with the Town of Pelion in mid-January for the purchase of the Pelion Corporate Airport. The property consists of approximately 151 acres with an easement over an additional 70 acres.

Ms. Coghill stated the County is in a 90-day due diligence period in which time the County has been actively obtaining a property appraisal, boundary survey, environmental review, and review of lease agreements. She stated the County expects to have ownership sometime in mid-May.

Capital Improvements Plan - Ms. Coghill stated a required update of the Master Plan and Capital Improvements Plan has recently been completed for the Town of Pelion by Wilbur Smith Associates and is under review by the FAA. With this update comes a new 5-year cycle for grants.

Ms. Coghill stated general aviation airports are eligible for approximately \$150,000 each year in federal entitlement for capital improvements and discussed recommendations for the next five years.

Ms. Coghill stated the five-year plan will include runway widening and strengthening, apron expansion, additional hangars, relocation and upgrade of the fuel service on site, and activities to ensure safe operations. The estimated cost of \$2.3 million far exceeds the base award. She stated, however, all needs must be expressed in case additional funding is awarded.

Ms. Coghill stated FAA grants are 95 percent federally funded with a 5 percent local match. The state, through the SC Division of Aeronautics, will provide one-half of the County's 5 percent match, leaving the County with a 2 ½ percent funding requirement. Therefore, the County's portion would be \$3,750 per year based on a federal award of \$150,000.

Ms. Coghill stated Wilbur Smith Associates has requested an extension of the March 31st deadline for the 5-year capital improvements plan submitted to FAA until the County has taken ownership of the Pelion Corporate Airport.

SC Aeronautics Division Grants - Ms. Coghill stated that for safety purposes, the FAA requires that the runway, taxiway, and surrounding areas be maintained to eliminate obstructions growing into the runway and the lights remain visible.

Ms. Coghill stated the SC Division of Aeronautics has proposed two grants for growth retardants/seed head suppression and herbicides to be used on the runway, taxiway, and surrounding areas. The grants are 75/25 percent match. The cost to the County for the two grants would be approximately \$2,500.

The Airfield Growth Retardant Program grant will include three (3) applications provided by an outside agency in the initial year. The grant is 75/25 percent match with the County's portion being approximately \$2,000.

The Airfield Herbicide Program grant will include the herbicide to be applied by the County. The grant is 75/25 percent match with the County's portion being approximately \$500.

Due to April and May deadlines for the grant applications, the committee voted to recommend to Council that the County participate in the Airfield Growth Retardant and Airfield Herbicide Program grants offered by the SC Division of Aeronautics. The SC Division of Aeronautics will conduct the bids and in return will bill the County for the 25 percent match.

Due Diligence Items - Ms. Coghill stated the County is presently in a 90-day due diligence period prior to the property closing. Ms. Coghill stated there are three major items that need to be addressed prior to the end of the due diligence period.

Residential Encroachment - Ms. Coghill stated during the installation of the perimeter fence it was discovered that a mobile home on a neighboring parcel is partially across the property line. Staff recommended, due to liability issues, that the mobile home be relocated.

Lease Agreements - Ms. Coghill stated current leases with the Town of Pelion show a wide range of terms, ranging from month-to-month to 15 years. It is the recommendation of staff that all leases be rewritten for one-year terms in order to align with the County's fiscal year and to be reviewed regularly, as improvements are made to the facilities. It was further recommended that Council limit the use of hangars to aviation-related activities. Ms. Coghill stated she will be presenting a model draft of a lease agreement for Council's review.

Homes on Site - Ms. Coghill stated currently there are two homes on the Pelion Corporate Airport property. One resident, Mr. McCallum, has a monthly agreement with the Town of Pelion to rent the space for \$100 per month, plus utilities, until the resident ceases to rent his hangar at which time the home must be relocated. An occupied mobile home that was donated to the Town of Pelion upon

the resident's death, which recently occurred, must be relocated. It is staff's recommendation that the County work with the Town of Pelion to have the un-leased mobile home removed and work with Mr. McCallum toward a long-term plan regarding his residence.

No action was taken by the committee. Mr Anderson, the County attorney, is aware of the above situations prior to the County assuming ownership.

Short-Term Priorities - Ms. Coghill gave the committee an overview of items that have been suggested as short-term priorities upon the County's possession of the Pelion Corporate Airport.

- (1) Runway/taxiway - removal of obstructions
- (2) Fuel tank - empty and clean existing tank; research self-serve option as interim service/revenue source until new fuel farm installed
- (3) Hangar meters - utilities to the hangars are not individually metered and various arrangements are in place for payment of utilities to the Town of Pelion; recommend these be metered and the tenant billed directly
- (4) Terminal Building repairs/upgrade - general clean up and repair
- (5) Secure facility - Recommend exploring putting an electric closure on the gates to restrict access even with the new perimeter fence due to re-occurring vandalism; identify who has keys to what parts of the facility, to include hangars, and to restrict to tenant and County only; explore the cost of re-keying the facility; and determine access to be granted to terminal building and its amenities.
- (6) To repair or replace the rotating beacon for safety issues
- (7) To implement a schedule for changing the windsock and have enough contrast between the ground and the windsock to be more visible from the air
- (8) To re-install public telephone service
- (9) To consider the possibility of installing solar powered taxi and runway lights

The committee voted to recommend that Council approve the previous short-term priorities in order for staff to proceed with identifying sources necessary to implement.

Budget Operations - Ms. Coghill stated once the County assumes possession of the Pelion Corporate Airport there will be approximately 45 days that the County will need to include in the current FY03/04 budget.

Ms. Coghill asked the committee to dedicate the current anticipated lease revenues for the remaining FY03/04 of \$2,962.50 to cover costs incurred for basic utilities, building insurance, maintenance repairs to the terminal building, replacement of light, planning consultants, and professional services.

Ms. Coghill presented the committee a draft proposed budget for the upcoming FY04/05 budget. She stated the proposed estimated revenues for FY04/05 are \$23,700 with \$12,748 of possible expenditures identified to date. Ms. Coghill stated this budget will be set up as an Enterprise Fund

as it will be funded through generated revenues. Ms. Coghill stated the draft proposed budget does not include personnel for management of the airport and asked the committee for direction for moving forward on the day-to-day operations.

The committee voted to recommend that the balance of the anticipated revenues be included as a contingency line item in the proposed FY04/05 budget and, once the board is formed, the committee will make necessary recommendations for the day-to-day operations as needed.

COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE 04-01

**AN ORDINANCE ADOPTING A SUPPLEMENTAL APPROPRIATION
FOR FISCAL YEAR 2003-2004**

Pursuant to the authority granted by the Constitution of the State of South Carolina and General Assembly of the State of South Carolina, be it ordained and enacted by the Lexington County Council as follows:

Section 1. Findings. Since the adoption of the annual budget for the Fiscal Year 2003-2004, County Council has determined that additional funding needs to be appropriated to meet certain needs of the County for Fiscal Year 2003-2004. County Council has further determined that additional appropriations may be made from the General Fund balance into specific accounts so as to meet any additional Fiscal Year 2003-2004 obligations of Lexington County.

NOW, THEREFORE, be it enacted by the County Council of Lexington County as follows:

County Council hereby makes a supplemental appropriation not to exceed the sum of \$15,000.00 (Fifteen Thousand and No/100 Dollars) from the County General Fund balance into a specific account in the Solicitor's Office of the Eleventh Judicial Circuit for projected expenditures in legal expenses for the remainder of Fiscal Year 2003-2004.

Enacted this _____ day of _____, 2004

George H. "Smokey" Davis, Chairman

ATTEST:

Dorothy K. Black, Clerk

First Reading:

Second Reading:

Public Hearing:

Third & Final Reading:

Filed w/Clerk of Court:



COUNTY OF LEXINGTON, SOUTH CAROLINA

Department of Community & Economic Development
County Administration Building (803) 359-8121
212 South Lake Drive Lexington, South Carolina 29072

ZONING MAP AMENDMENT APPLICATION # M 04 - 02

Address and/or description of property for which the amendment is requested:

3139 Sidney Road, Parcels A, B, & C, TMS #002899-03-010, 2899-03-009, 002899-03-020

Zoning classifications: R-1 (current) C-1 (proposed)

Reason for the request (use the back of this application form if necessary):

The owner is deceased. The best use of the property is commercial (office). The estate would like to sell the property for commercial use - primarily as office space.

Even though this request will be carefully reviewed and considered, the burden of proving the need for the amendment rests with the applicant.

Date 3-4-04

() Owner?

(x) Agent?

Telephone # 803-781-8700

Signature [Handwritten Signature]

Name (print) Joseph M. Epting
PR Estate of Edna M. Corley

Address PO Box 2387

Irmo, SC 29063

- 1. 3/4/04 Application Received
- 2. 3/4/04 Fee Received
- 3. 3/25/04 Newspaper Advertisement

- 4. 3/25/04 Property Posted
- 5. 3/25/04 Notices Sent

/ / Planning Commission Recommendation: _____

3/23/04 First Reading 4/13/04 Public Hearing / / Second Reading / / Third Reading

Results: _____

STAFF SUMMARY
ZONING MAP AMENDMENT #M04-02

Description of the Amendment: This map amendment request is for a change in zoning classification from "Low Density Residential (R1)" to "Neighborhood Commercial (C1)" for three adjoining parcels. The personal representative for the estate wishes to sell the property for commercial office use. Total acreage in the three tracts is approximately 2.88 acres.

Character of the Area: There is a mix of commercial and residential use property. The subject property is bordered on the north and west by single family residential and on the east by Sidney Rd. On the southern boundary there is a beauty/barber shop, office building and a vacant tract.

Zoning History: This property is in the Seven Oaks Planning Area zoned in 1971. In 1980 a request for change in zoning from R1 to R3 was denied for what is now known as Willow Winds, a Planned Cluster development bordering the subject property on the west. In 1983 a request for change in zoning classification from LC to C1 was approved for a contiguous parcel on the southern side of the subject site. In 1997 there was a request for a change from R1 to C2 for property on the adjacent parcel to the south. It was approved as C1. In the near vicinity a request for a change in zoning classification from C2 to ID was denied in 1998.

The proposed change in zoning for the Dutch Fork area would leave this parcel zoned as R1(Low Density Residential).

Council District: Seven - Councilman John W. Carrigg, Jr.

Attachments: Chart of Allowed Uses by Zoning District
Location Maps
Political Boundaries Maps

21.30 Permitted Uses by District

The columnar chart which follows describes the activities permitted within each district. This chart is based upon the list of principal activities defined in Section 21.10 of this Ordinance and the districts established in Section 11.40, and is subject to the following:

- a. The listing of a permitted activity within a district may be voided upon the application of the special overlay district regulations pertaining to flooding, drainage, or airports found in Articles 4 and five of this Ordinance.
- b. The provisions of Chapters 2, 3, and four of this Article shall apply in all districts to all listed activities as applicable. The application of these provisions may prohibit an activity from locating in a particular district.
- c. Within the Limited Restriction (LR) district, all activities except the following are permitted without review for compliance with the specific provisions of this Ordinance:

Extremely Hazardous Materials as regulated by Article 3
 Mining Operations as regulated by Article 8
 Mobile Home Parks as regulated by Article 7
 Sexually Oriented Businesses as regulated by Article 9

21.31 Chart of Permitted Activities by District

Those activities that are marked by an asterisk (*) are allowed only when granted a special exception by the Board of Planning Appeals as outlined in Article 11 of this Ordinance.

RI	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
					XX	XX	XX	XX	XX	XX	Administrative Offices
					XX		XX	XX	XX	XX	Advertising Signs
				XX	Airports						
			XX	XX	XX				XX	XX	Animal Raising
		XX		XX	XX		XX	XX	XX	XX	Boat Docks
					XX				XX	XX	Bus and Transit Terminals
					XX			XX	XX	XX	Business Services
	XX	XX	XX	XX	XX			XX	XX	XX	Cemeteries
	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Child or Adult Day Care
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Churches
					XX				XX	XX	Communication Towers
XX	XX	XX	XX	XX	XX			XX	XX	XX	Community Education
					XX			XX	XX	XX	Construction Services
			XX	XX	XX				XX	XX	Crops
					XX				XX	XX	Detention Centers
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Essential Services (Limited)
	XX	XX	XX	XX	XX			XX	XX	XX	Essential Services (Extensive)
				XX	XX			XX	XX	XX	Food Services
					XX			XX	XX	XX	General Repair and Maintenance Services
					XX		XX	XX	XX	XX	General Retail (Limited)
					XX			XX	XX	XX	General Retail (Extensive)
XX#	XX#	XX#	XX#	XX	XX		XX	XX	XX	XX	Group Assembly (Limited)
				XX	XX			XX	XX	XX	Group Assembly (Intermediate)
					XX			XX	XX	XX	Group Assembly (Extensive)

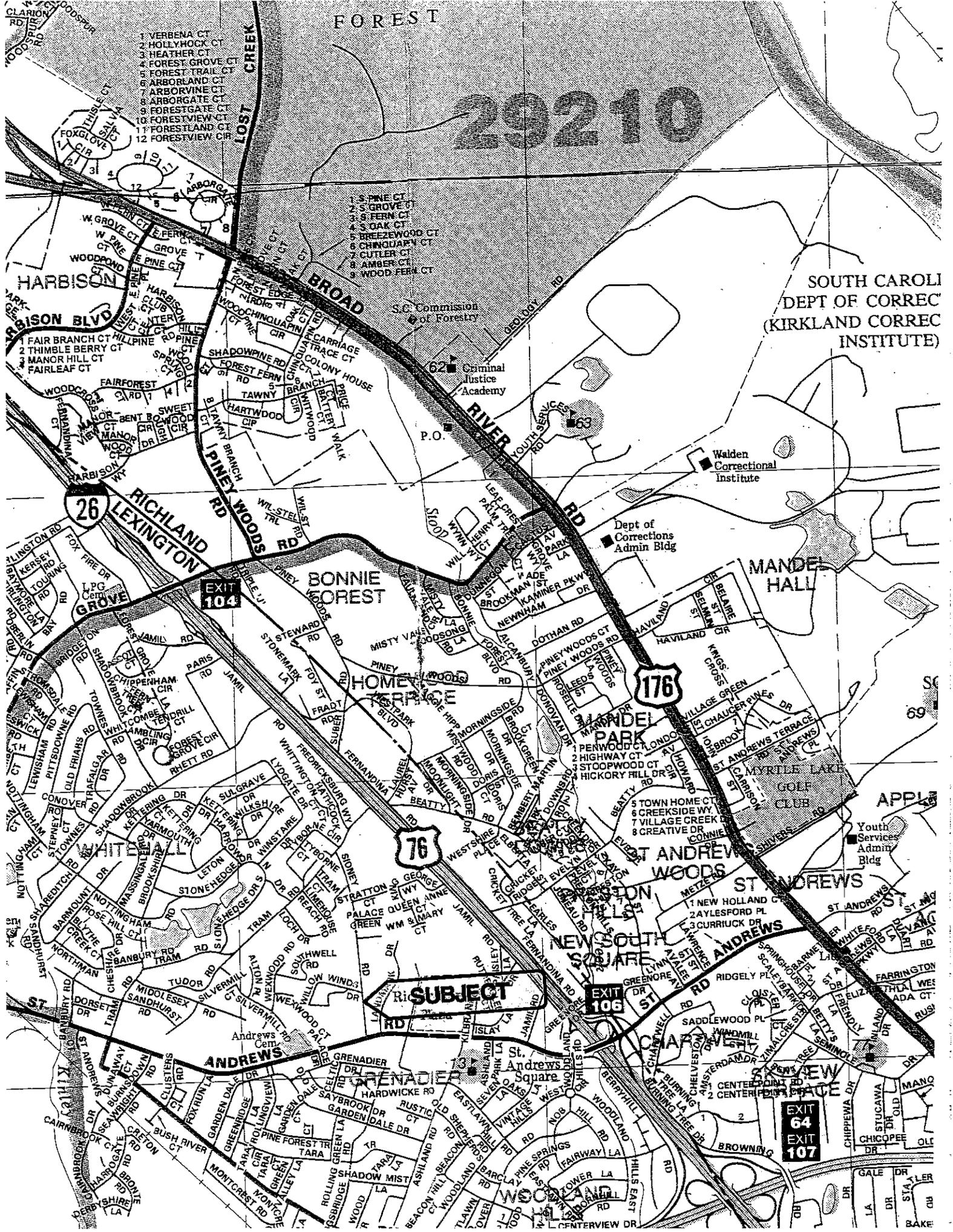
PROPOSED

R1	R2	R3	D	RA	RD	LC	CT	C2	ID	LR	ACTIVITIES
		XX	Group Housing								
					XX		XX	XX	XX	XX	Hospitals
			XX	XX	XX				XX	XX	Kennels and Stables
					XX				XX	XX	Landfills (Limited)
					XX				XX	XX	Landfills (Intermediate)
					XX				XX	XX	Landfills (Extensive)
					XX			XX	XX	XX	Manufacturing (Light Assembly)
					XX				XX	XX	Manufacturing (Limited)
					XX				XX	XX	Manufacturing (Intermediate)
					XX				XX	XX	Manufacturing (Extensive)
					XX			XX	XX	XX	Marinas
					XX	XX	XX	XX	XX	XX	Medical Services
					XX				XX	XX	Military Installations
			XX		XX			XX	XX	XX	Mining (Limited)
					XX				XX	XX	Mining (Intermediate)
					XX				XX	XX	Mining (Extensive)
XX	Mini-Parks										
					XX			XX	XX	XX	Mini-Warehouses
	XX	XX	XX	XX	XX		XX	XX	XX	XX	Mobile Homes
		XX			XX			XX	XX	XX	Mobile Home Parks (Limited) *
		XX			XX			XX	XX	XX	Mobile Home Parks (Extensive) *
XX	Natural Reserves										
				XX	Non-Assembly Cultural						
	XX	Nursing Homes									
					XX		XX	XX	XX	XX	Personal Convenience Services
			XX	Plant Nurseries							
					XX				XX	XX	Power Plants
					XX	XX	XX	XX	XX	XX	Professional Services
					XX				XX	XX	Radioactive Materials Handling
					XX				XX	XX	Railroad
					XX				XX	XX	Recycling Centers
					XX			XX	XX	XX	Research Services
XX	Residential Detached										
	XX	XX			XX	XX	XX	XX	XX	XX	Residential Attached (2 dwelling units)
		XX			XX			XX	XX	XX	Residential Attached (3 or more dwelling units)
		XX			XX			XX	XX	XX	Retirement Centers/Assisted Living
					XX				XX	XX	Salvage/Wrecking Yard
					XX				XX	XX	Scrap Operations
					XX		XX	XX	XX	XX	Business Parks
					XX			XX	XX	XX	Shopping Centers
											Speculative Development



R1	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
					XX				XX	XX	Industrial Parks
					XX			XX	XX	XX	Towing and Impoundment Lot
					XX			XX	XX	XX	Trade Enterprises
					XX			XX	XX	XX	Transient Habitation
					XX			XX	XX	XX	Transport and Warehousing (Limited)
					XX				XX	XX	Transport and Warehousing (Extensive)
					XX		XX	XX	XX	XX	Transport Services
					XX			XX	XX	XX	Undertaking
XX	Utilities										
					XX			XX	XX	XX	Vehicle Parking
					XX			XX	XX	XX	Vehicle Repair
					XX			XX	XX	XX	Vehicle Sales
					XX		XX	XX	XX	XX	Vehicle Servicing (Limited)
					XX			XX	XX	XX	Vehicle Servicing (Extensive)
				XX	XX			XX	XX	XX	Veterinarian
				XX	XX			XX	XX	XX	Zoos

The permitting of this activity in these districts is allowed only if the Group Assembly (Limited) activity is a membership facility owned, operated, and used by the property owners in the surrounding residential area for which the facility is being established.



29210

- 1 VERBENA CT
- 2 HOLLYHOCK CT
- 3 HEATHER CT
- 4 FOREST GROVE CT
- 5 FOREST TRAIL CT
- 6 ARBORLAND CT
- 7 ARBORVINE CT
- 8 ARBORGATE CT
- 9 FORESTGATE CT
- 10 FORESTVIEW CT
- 11 FORESTLAND CT
- 12 FORESTVIEW CIR

- 1 3 PINE CT
- 2 3 GROVE CT
- 3 3 FERN CT
- 4 3 OAK CT
- 5 BREEZEWOOD CT
- 6 CHINGUARY CT
- 7 CUTLER CT
- 8 AMBER CT
- 9 WOOD FERN CT

SOUTH CAROLINA
DEPT OF CORREC
(KIRKLAND CORREC
INSTITUTE)

Walden
Correctional
Institute

Dept of
Corrections
Admin Bldg

26

EXIT
104

176

76

Ri
SUBJECT

EXIT
106

EXIT
64
EXIT
107

ANDREWS

GRENADIER

St. Andrews
Square

NEW
SOUTH
SQUARE

ANDREWS

ANDREWS

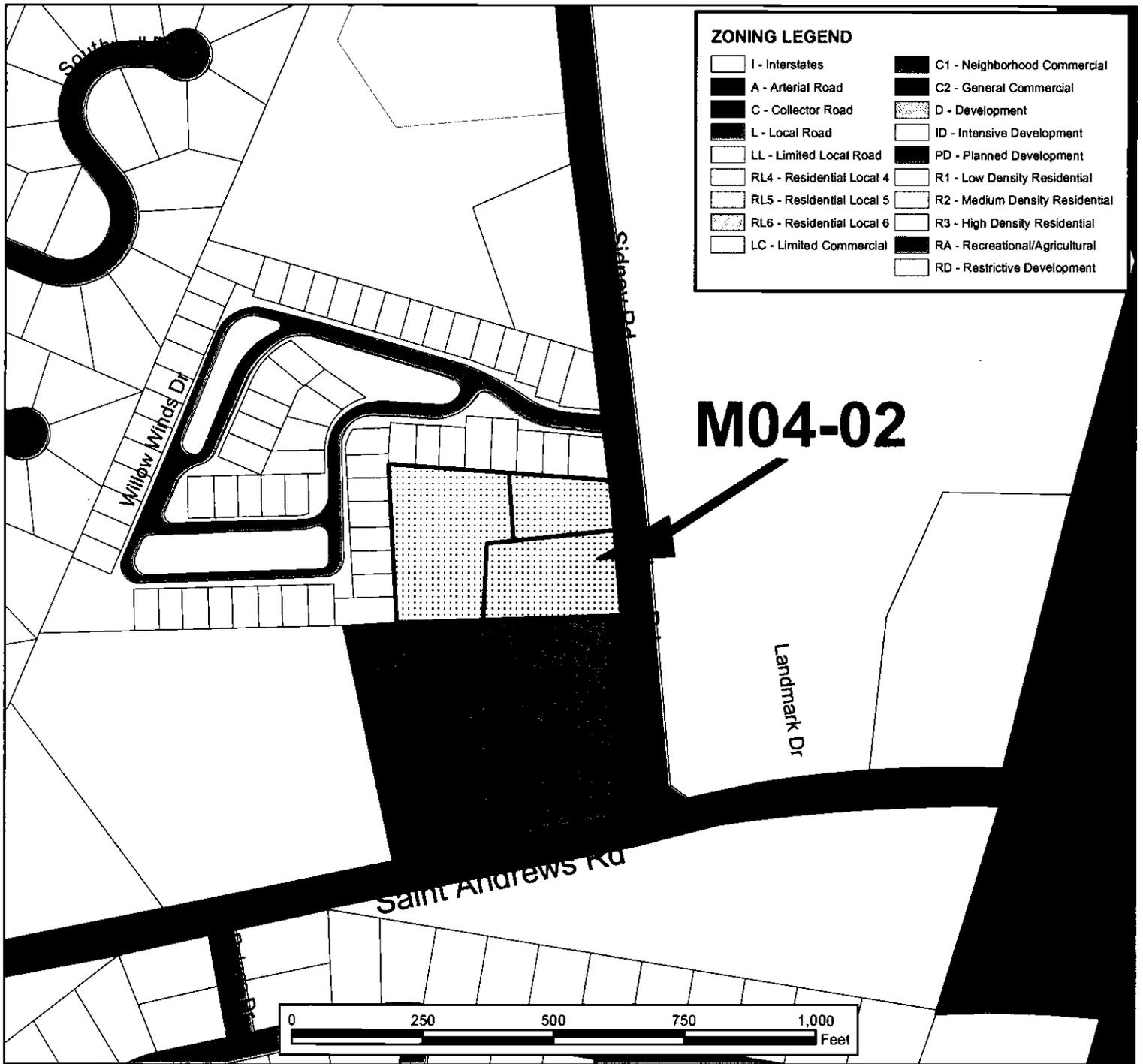
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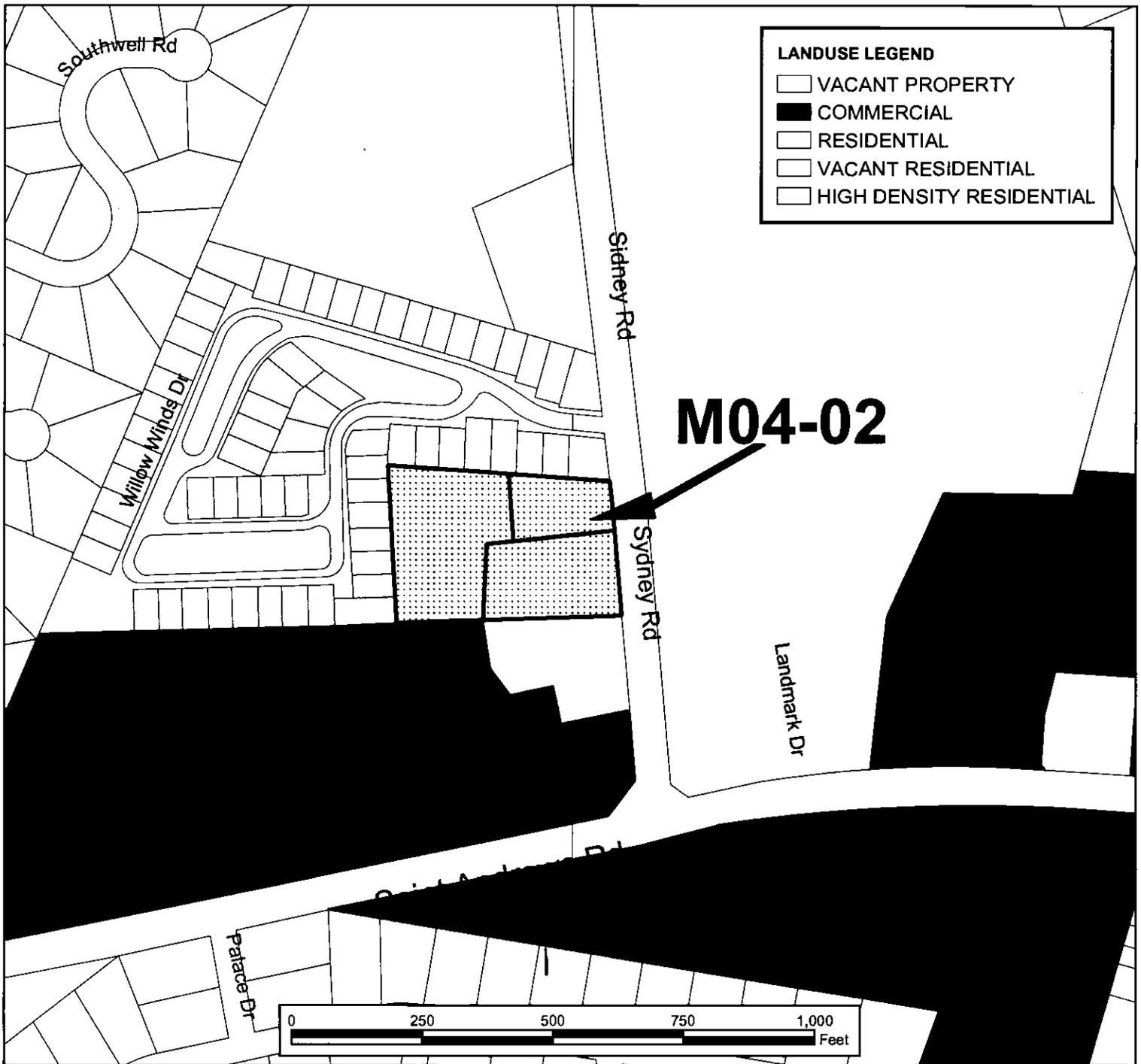
ANDREWS



ZONING MAP AMENDMENT #M04-02

TMS # 002899-03-009, 010, & 020

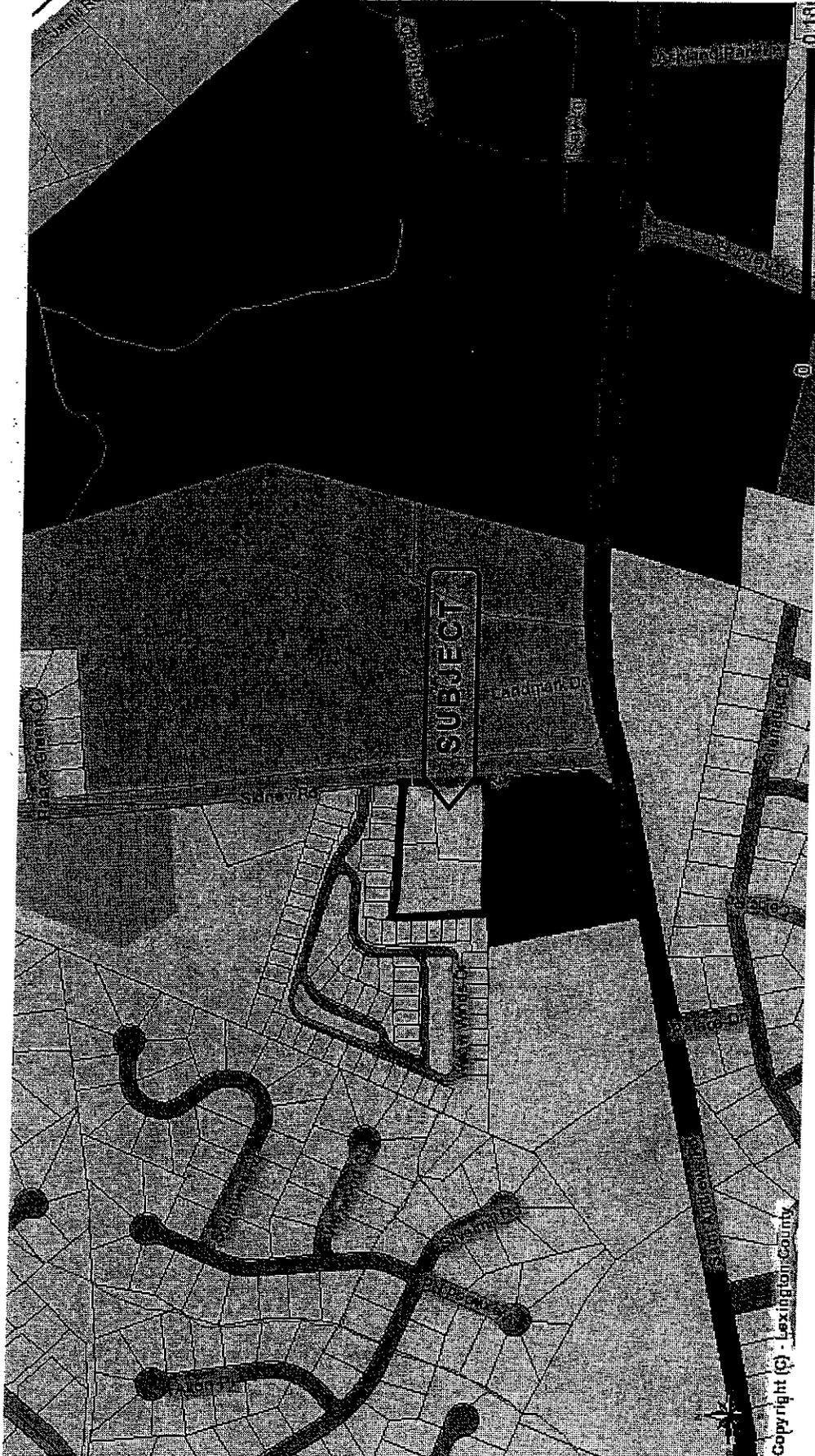




**ZONING MAP AMENDMENT #M04-02
EXISTING LANDUSE**

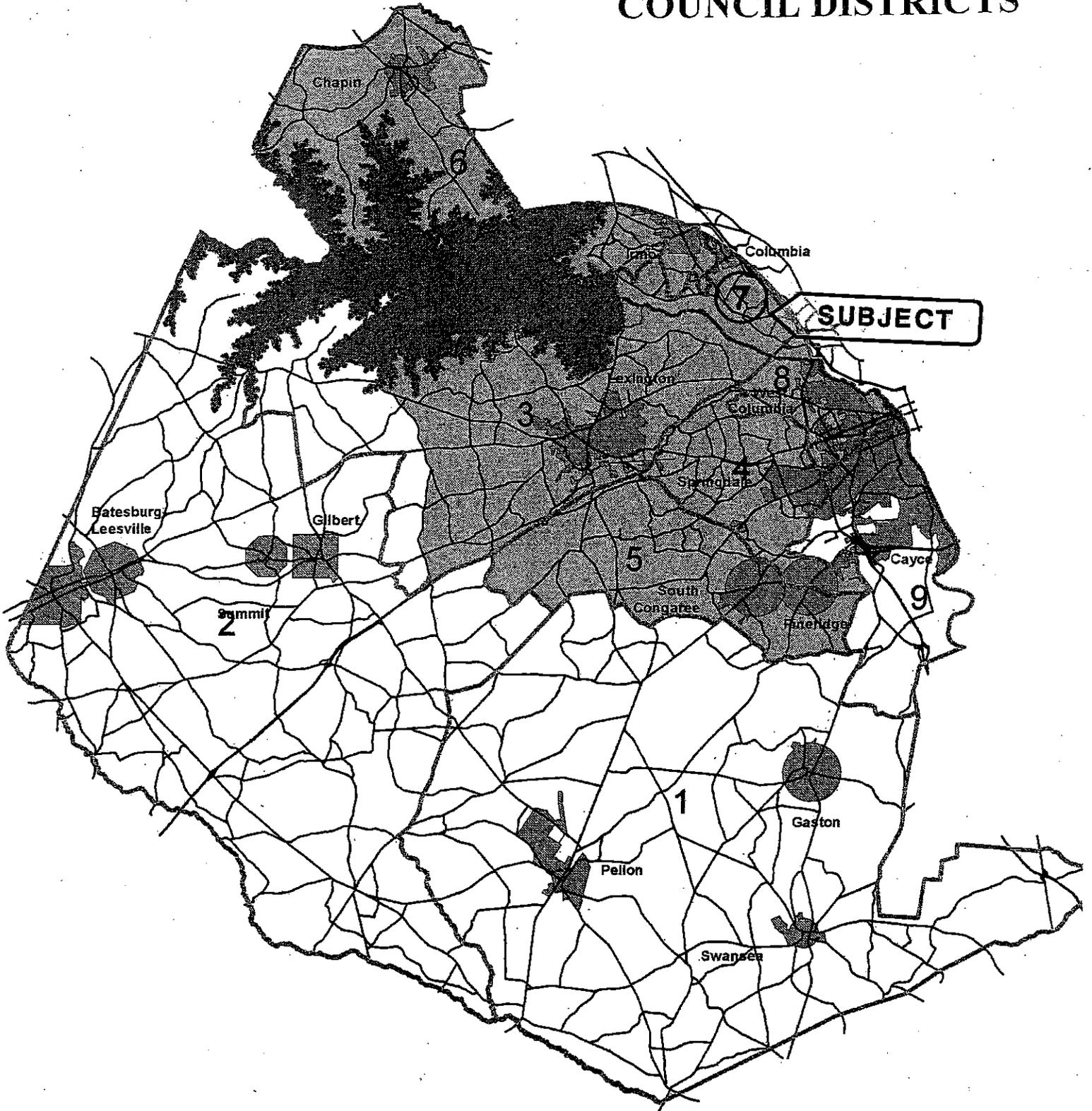
TMS # 002899-03-009, 010, & 020





MAP AMENDMENT # M04-02

COUNCIL DISTRICTS

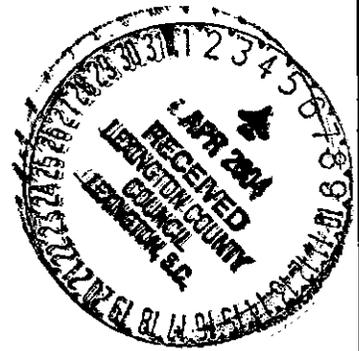


SUBJECT

5 0 5 10 Miles



ROBERT J. & RUTH A. MONARD
100 WILLOW WINDS DRIVE
COLUMBIA, SC 29210



April 2, 2004

Mr. George H. Smokey Davis
212 South Lake Drive
Lexington, SC 29072

**RE: REQUEST OF MR. JOSEPH EPTING FOR RE-ZONING IN THE MAP
AMENDMENT M-04-02 FOR THE PROPERTY AT 3139 SIDNEY ROAD.**

My husband and I join with all the residents of Willow Winds, and those of Stratton Court, Whitehall, and numerous neighbors of single homes all along Sidney Road in **PROTESTING** the above rezoning request.

This property has always been **RESIDENTIAL**, as should all property along Sidney Road.

CI zoning on sidney road will DEVALUE OUR PROPERTY.

TRAFFIC WILL INCREASE ON ON AN ALREADY CONGESTED STREET.

THIS WILL SET A PRECEDENT FOR OTHER ZONE CHANGES IN THE REMAINING VACANT LAND ON SIDNEY ROAD.

THE COUNTY NEEDS TO FOLLOW IT'S LAND USE PLAN WITH MINIMAL DEVIATIONS.

THE COMMERCIALIZATION OF ST.ANDREWS ROAD SHOULD BE SUFICIENT WITHOUT OVERFLOWING INTO RESIDENTIAL PROPERTY..

Thank you for your representation—WE DO APPRECIATE ALL THAT YOU CAN DO.

Sincerely,

Robert Monard
Robert & Ruth Monard
Ruth A. Monard

Sent 4/5/04
cc: jayceem

March 31, 2004

Councilman John W. Carrigg, Jr.
212 S. Lake Dr.
Lexington, S. C. 29072



Dear Councilman Carrigg,

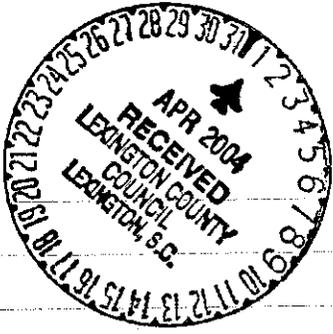
This is to respectfully request your support opposing the change requested by Mr. Epting in the Map Amendment request M-04-C2 for the property at 3139 Sidney Road. My objections are essentially the same as in the past when others have put forward objections to rezone vacant lots on Sidney Rd. for any use except low-density housing.

Any support that you may be able to put forward in this matter will be greatly appreciated, not only by me but many others who own homes in this area.

Most sincerely,

Heyward B. Berry
HEYWARD B. BERRY

Heyward B. Berry
311 Willow Winds Dr.
Columbia, S. C. 29210



202 Willow Wives Dr
Columbia, SC 29210
March 30, 2004

Councilman John W. Carriqg Jr
212 South Lake Dr -
Lexington, SC 29012

Dear Councilman Carriqg,
this is a letter to request your support in
opposing the change requested by Mr. Joseph
M. Epling in the map amendment M-04-02 for
the property at 3139 Sidney Road. I am
objecting to the request for commercial use
on Sidney Road.

this change, if approved, will cause many
problems.

- I.E - increased traffic
- Residential property value loss
- other property on Sidney road will become
subject to commercial vs residential
usage.

Hopefully, you will again be able to
support my opposition to this request

Sincerely
Elizabeth Y Love



March 30, 2004

Councilman John H. Carrigg, Jr.
212 S. Lake Drive
Lexington, SC 29072

Dear Councilman Carrigg:

This is to request your support in opposing the change requested by Mr. Joseph M. Epting in the map amendment request M-04-02 for the property at 3139 Sidney Road. Our Objections are as follows:

The subdivision Willow Winds backs up to this property. We are mainly a retired person's community and like our privacy.

Our property values would go down if this were zoned commercial.

Also, the traffic on Sidney Road is already heavy and this would only make it heavier. Also Landmark Apartments are across the street and there are a number of children over there who play near the road. The increase in traffic on Sidney would make this more dangerous for them.

Thanks you for any help you can give us concerning this problem.

Sincerely,

Jan & Lee Martens
112 Willow Winds Drive
Columbia, SC 29210

Cc: file



126 Willow Woods Dr.
Columbia SC 29210
March 31, 2004

Councilman John W. Carrigg, Jr.
212 F. Lake Drive
Lexington, SC 29072

Dear Mr. Carrigg,

Please support our request
to oppose the change in zoning
for the property at 3139 Sidney Rd.
We are inundated with traffic
now on Sidney and this would
increase this problem appreciably.

We are also concerned that this
would ^{reopen} to more requests for commercial
use on other Sidney Rd. lots.

We hope the County will follow
its land use plan; this we
particularly hope you will support.

Yours truly,

Roger E. Lynd
Shirley S. Gerhart



203 Willow Winds Drive
Columbia, SC 29210
March 29, 2004

Councilman Bruce E. Rucker
212 S. Lake Drive
Lexington, SC 29072

Dear Councilman Rucker,

This is to request your support in opposing the change requested by Mr. Joseph M. Epting in the Map Amendment Request M-04-02 for the property at 3139 Sidney Road. My objections are essentially the same as in previous requests for rezoning for commercial uses on Sidney Road. Some of the reasons are as follows:

Traffic (which has already increased since the last rezoning issue) will again increase.

This change, if approved, will inevitably lead to reopening the issue of commercial vs residential useage of other undeveloped property on Sidney Road.

The County needs to follow its' land use plan with minimal deviations.

The commercialization of St. Andrews Road should be sufficient for commercial enterprises without overflowing into residential property.

Residential property values will suffer if commercial uses continue to encroach into residential areas.

Although we do not reside in your District, your support in opposing this request for rezoning is urgently sought.

Sincerely,


John C. Patrick, Jr.

April 5, 2004

310 Willow Winds Dr.
Columbia, SC 29210



Councilman George H. Smokey Davis
212 S. Lake Dr.
Lexington, SC 29072

Dear Councilman Davis:

This is to request your support in opposing the change requested by Mr. Joseph M. Epting in the Map Amendment Request M-04-02 for the property at 3139 Sidney Road. Some of the reasons for my objections are:

- *Traffic will increase
- *This will lead to reopening the issue of commercial vs. residential usage of other undeveloped property on Sidney Rd.
- *The County needs to follow its land use plan.
- *The commercialization of St. Andrews Rd. should be sufficient for commercial enterprises without overflowing into residential property.
- *Residential property values will suffer if commercial uses continue to encroach into residential areas.

I hope that you will be able to support my opposition to this request.

Sincerely,

Lucille Ducate

Lucille Ducate

122 Willow Winds Drive
Columbia, SC 29210
April 2, 2004

Councilman George H. Smaley Davis
212 S. Lake Drive
Lexington, SC 29072

Dear Councilman Davis:

This is to ask for your support in opposing the change requested by Mr. Joseph M. Epting in the Strip Amendment Request # 04-02 for The Property at 3139 Sidney Road. My objections are:

- (1) Traffic will significantly increase by our residential area
- (2) There will be increased efforts to commercialize other undeveloped property on Sidney Road
- (3) Existing property values will decrease
- (4) The commercialization of St. Andrews Road should be sufficient for commercial enterprises without overflowing into residential property

I hope you will be able to support my opposition to this request for commercial uses on Sidney Road.

Sincerely,
Marshall L. Hooks
MARSHALL L. HOOKS



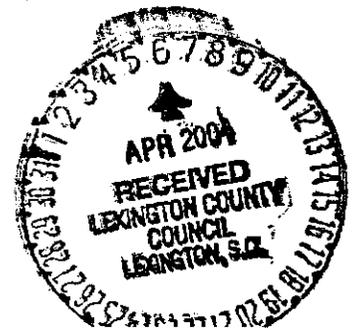
Honorable George Smokey Davis
Dep of Council
212 S Lake Dr
Lex SC 29072

Dear Sir, I ask you to consider the request in the negative as it is an infringement of my rights as a twenty year home owner at 116 Willow Wind Drive to have any change in the zoning as requested by Mr. Joseph M. Epting . At the present time traffic has increased immensely and with a change as requested under Map Amendment M.-04-02 for the property at 3139 Sidney Road it would cause overflowing into residential property. I ask you to vote against this zoning request as a member of Lexington COUNCIL . Because I will be out of the country I cannot oppose what you have on your agenda but please consider us who are 65 family owned homes at Willow Winds. Thank you. PLEASE take into advisement what has transpired with the increase in population in our area and the traffic problems and their increase.

Dear Sir,

My arthritic fingers do not allow me to write to you as I would prefer. Please do not rezone our neighborhood.
Thank you.

Sincerely,
Frances M. Moeller



410 Willow Winds Drive
Columbia, SC 29210

April 2, 2004



Councilman George H. Smokey Davis
212 S. Lake Drive
Lexington, SC 29072

Dear Councilman Davis,

I am writing to ask for your support in opposing the request made by Mr. Joseph M. Epting to change the zoning classification from Low Density Residential (R1) to Neighborhood Commercial (C1) for the property located at 3139 Sidney Road, Columbia, SC 29210, TMS#2899-03-010,009,020.

As you know the residents along Sidney Road are strongly opposed to commercial property being established on Sidney Road. I personally do not feel there is a need for commercial property in this area and it would have a very negative effect on the neighborhood. This is a residential neighborhood and commercial property would only bring more traffic along Sidney Road and change the whole aesthetics of the area. I was told by a fellow Realtor that an offer was made on the property when it was listed with Russell & Jeffcoat Realtors by a builder to build patio homes. There is a need and desire for patio homes in this area. I appreciate that commercial property would be more valuable to the seller but certainly not beneficial to the community.

I appreciate your support in the past and I am again asking you to please support us again by not allowing commercial property in our neighborhood.

Sincerely,

A handwritten signature in cursive script that reads 'Brenda Moore'.

Brenda Moore
Willow Winds Resident



4/6/04

Honorable Council Members/John Carrigg
Lexington County Council

Ladies/Gentlemen:

Subject: Rezone to Commercial 3139 Sidney Rd

During a previous attempt to rezone other residential property to commercial, Mrs. Corley, the recently deceased owner of 3139 Sidney Road, was most insistent and positive she was against any rezoning of residential property to commercial on Sidney Road.

Please respect her previously expressed wishes on this matter and do not approve this request by Mr. Epting.

Sincerely,

303 Willow Winds Dr
Columbia, SC 29210

307 Willow Winds Dr
Columbia, SC 29210