

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings
Tuesday, May 24, 2005
Second Floor - County Administration Building
212 South Lake Drive, Lexington, SC 29072
Telephone - 803-785-8103 -- FAX 803-785-8101

4:15 p.m. - 4:20 p.m. - Justice

- (1) Title IV-D Pilot Program - Clerk of Court - The Honorable Beth Carrigg
- (2) Old Business/New Business
- (3) Adjournment

4:20 p.m. - 4:25 p.m. - Committee of the Whole

- (1) Woodrow Street and Railroad Crossing Project Update - Public Works -
John Fachtel, Director **A**
- (2) Old Business/New Business
- (3) Adjournment

Justice

- S. Davis, Chairman
- T. Cullum, V Chairman
- J. Owens
- B. Keisler
- B. Rucker

Committee of the Whole

- B. Rucker, Chairman
- T. Cullum, V Chairman
- B. Derrick
- S. Davis
- D. Summers
- B. Keisler
- J. Jeffcoat
- J. Carrigg
- J. Owens

A G E N D A
LEXINGTON COUNTY COUNCIL

Tuesday, May 24, 2005

Second Floor - Council Chambers - County Administration Building

212 South Lake Drive, Lexington, South Carolina 29072

Telephone - 803-785-8103 FAX - 803-785-8101

4:30 P.M. - COUNCIL CHAMBERS

Call to Order/Invocation

Pledge of Allegiance

Employee Recognition - Art Brooks, County Administrator

Presentation of Resolutions

- (1) Bryson Malone Summers Presented by Councilman Smokey Davis
- (2) William A. Byrd Presented by Councilman Johnny Jeffcoat

Resolution **B**

- (1) Kids Kamp 2005

Appointments **C**

Bids/Purchases/RFPs

- (1) Trash Can Liners - Term Contract - Central Stores **D**
- (2) Fire Hose and Fire Fighting Equipment - Public Safety/Fire Service **E**
- (3) Foam Trailer - Public Safety/Fire Service **F**
- (4) Fire Station Renovations - Hollow Creek, Boiling Springs, Fairview and Gilbert -
Gilbert Portion Only - Public Safety/Fire Service **G**
- (5) Light Kits - Public Safety/Fire Service **H**
- (6) Ruggedized Laptop Notebook Computers - State Homeland Security Grant -
Public Safety/Fire Service **I**
- (7) 170lb Gas Clothes Dryers - Sheriff's Department **J**
- (8) Computer Software and Licenses - Sheriff's Department **K**

- (9) Computers, Docking Stations, Software, Flat Panel Television Monitors and Power Point Projectors (CCTV Hardware) - Law Enforcement Terrorism Prevention Program/Homeland Security - Sheriff's Department **L**
- (10) Heavy Duty Stainless Steel Meal Carts - Sole Source Procurement - Sheriff's Department **M**
- (11) Laptop Computers with Docking Stations, Monitors and Software - Law Enforcement Terrorism Prevention Program - Sheriff's Department **N**
- (12) Panasonic Toughbook Laptops and Accessories - Sheriff's Department **O**
- (13) Waste Tire Services - Solid Waste Management **P**

Delayed Item

- (1) Ordinance 05-02 - An Ordinance Adopting a Supplemental Appropriation for Fiscal Year 2004-2005 - 3rd and Final Reading **Q**

Chairman's Report

Administrator's Report

- Approval of Minutes** - Meetings of April 26 and May 03, 2005 **R**

Zoning Amendments

- (1) Zoning Text Amendment T05-03 - Vested Rights - Proposed Changes to Article 12, Administration, of the Lexington County Zoning Ordinance - 2nd Reading **S**

Ordinances

- (1) Ordinance 05-03 - Vested Rights - Proposed Changes to Section 3, Procedures, of the Lexington County Subdivision Regulations - 2nd Reading **T**
- (2) Ordinance 05-04 - FY 2005-06 - General and Non-General Fund Budgets - 2nd Reading **U**
- (3) Ordinance 05-05 - Amendment to the Solid Waste Ordinance - 2nd Reading **V**

Committee Reports

Airport, T. Cullum, Chairman

- (1) Fuel Farm and Runway Maintenance **W**

Committee of the Whole, B. Rucker, Chairman

- (1) Woodrow Street and Railroad Crossing Project Update - Public Works - **(Tab A)**

6:00 P.M. - Public Hearings

- (1) Justice Assistance Grant (JAG) X
- (2) Ordinance 05-03 - Vested Rights - Proposed Changes to Section 3, Procedures, of the Lexington County Subdivision Regulations- **(Tab T)**
- (3) Zoning Text Amendment T05-03 - Vested Rights - Proposed Changes to Article 12, Administration, of the Lexington County Zoning Ordinance - **(Tab S)**
- (4) Ordinance 05-05 - Amendment to the Solid Waste Ordinance - **(Tab V)**
- (5) Zoning Text Amendment T05-04 - Recycling Centers Y
- (6) Ordinance 05-04 - FY 2005-06 - General and Non-General Fund Budgets - **(Tab U)**

Budget Amendment Resolutions

OLD BUSINESS/NEW BUSINESS

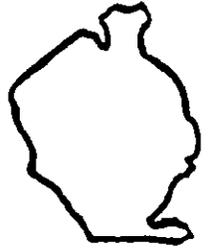
EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



M E M O R A N D U M

DATE: May 13, 2005
TO: Art Brooks, County Administrator
FROM: John Fechtel, Public Works Director
Asst. County Administrator 
RE: Woodrow Street and Railroad Crossing Project Update

We had originally estimated \$300,000 for the Woodrow Street and Railroad Crossing Project based on the preliminary information given to us by SCDOT, CSX Railroad and my staff. County Council approved the project based on the following revenue sources.

County "C" Funds	\$100,000
SCDOT RISE Match	\$100,000
Irmo Land Company	<u>\$100,000</u>
Total Revenue:	\$300,000

As it stands today, the following expenditures are estimated:

Road (engineering and construction)	\$117,199
Traffic signal	50,000
Railroad relocation	<u>250,000</u>
Total:	\$417,199

This leaves a shortfall of \$117,199. By using the same one-third (1/3) split of expenditures, it would require the following increase in revenues.

County "C" Funds	\$ 39,066.33
SCDOT RISE Match	39,066.33
Irmo Land Company	<u>39,066.33</u>
Total Increase:	\$117,198.99

Page Two

May 13, 2005

Art Brooks Memo

Woodrow St. and RR Crossing Project Update

The additional cost to the County is \$39,066.33 in "C" Funds. There is \$39,066.33 available through SCDOT RISE Match. The Irmo Land Company will need to commit an additional \$39,066.33 towards the project. Also, attached is my memo dated 9-2-03 outlining this project.

These additional funds will be required to finish the project. We are about two-thirds (2/3) complete on the road but the railroad crossing construction and traffic signal work has not begun to date. Please ask Council to address this issue on May 24, 2005. Funds are available through the SCDOT RISE Match and "C" Fund Economic Development (2700-121301-539900). Irmo Land Company has been notified about the additional expense and realize they will have to contribute their one-third (1/3) share (\$39,066.33).

/lh

Wellness Parkway Project RECAP

Original commitments:

Lexington County	\$100,000
SCDOT RISE Match	\$100,000
Irmo Land Company	<u>\$100,000</u>
Total	\$300,000

New commitments:

Expenditures (or purchase orders)

Lexington County	
1. Engineering (road)	\$11,880
2. Construction (road)	<u>\$57,004</u>
Total	\$68,884

SCDOT RISE Match -0-

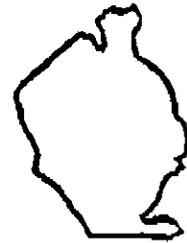
Irmo Land Company	
1. Engineering (road)	\$11,315
2. Construction (road)	\$37,000
3. Engineering (railroad)	<u>\$20,000</u>
Total	\$68,315

When the road contract was let Irmo Land Company gave \$37,000 to the County. Irmo Land also paid CSX \$20,000 for the preliminary engineering for the relocated crossing.

Based on the new estimates it will require an additional \$39,066 from the County, \$39,066 from the RISE Match, and \$39,066 from Irmo Land Company as stated in the attached memo.



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

DATE: September 2, 2003
TO: Art Brooks, County Administrator
FROM: John J. Fechtel, Director of Public Works
RE: "C" Fund Economic Development Request

Attached is a letter from South Carolina Internal Medicine Associates requesting up to \$150,000.00 from our "C" Fund Economic Development account. As the letter states, this is a fairly large commercial development investment with new job potential and should be a great asset to this portion of Irmo and Lexington County. Based on these items and also with the traffic situation, I agree with funding a portion of their request. A portion of Woodruff Street needs to be relocated and the railroad crossing arm needs to be moved approximately 200 linear feet to align the new road directly onto St. Andrews Road. The preliminary estimate is \$300,000.00 for this work.

This project needs this relocation of Woodruff and the crossing arm to handle the traffic that will utilize these facilities and also will improve the traffic flow from the Lexington Medical Center complex by the placement of a traffic signal. There may be some potential of SCDOT participation in this project but that is still in the works.

Based on the above, I recommend County Council approve \$100,000.00 in "C" Funds to reimburse the developer for the relocations whether or not SCDOT can match any of it.

Please remit this to the Public Works Committee for their review and have them report out to full Council that evening.

JJF/sd
Att.

*Internal Medicine*

Steb S. Guran, M.D.
Jonathan J. Levinson, M.D.
Joseph R. Gabriel, M.D.
Jean Hartwick, PA-C

SOUTH CAROLINA INTERNAL MEDICINE ASSOCIATES AND REHABILITATION, L.L.C.

August 21, 2003

Mr. John Fechtel
Director of Public Works
Assistant County Administrator
County of Lexington
440 Ball Park Road
Lexington, SC 29072-2240

RE: Wellness Parkway Relocation and Extension

Dear John:

Thank you for your time and interest in meeting with Senator Knotts and us on August 20th to discuss the new 31 acre development across St. Andrews Road from Lexington Medical Center in Irmo.

The project consists of approximately 16 acres of commercial development in the front of the property and 14 acres of residential development. The residential development consists of approximately 48 lots.

Currently under construction is a 60,000 square foot Professional Office Center on 5 acres with a value of \$11.5 million. Also, a pharmacy and retail center on 2.5 acres with an estimated value of approximately \$3 million is in the early stages of development. The remaining 8.5 acres is available for near term development for up to an additional \$13.5 million. Accordingly, the total private investment for the 16 acres of commercial property will be approximately \$28 million and the residential development on the back 14 acres will be in the range of \$8.6 million.

Along with this potential total private investment on the 31 acres of \$36,600,000 is the tremendous creation of new jobs in Lexington County.

The 60,000 square foot Irmo Professional Building will be home to new medical practices and expansion space for others already located in the area. The new jobs created to staff this facility will be in the range of 125 to accommodate over 100,000 patient visits per year. The addition of the retail center will also create approximately 25 new positions. Based on our expectations, the other 90,000 square feet of pending development will also create approximately 175 new positions over the next 24 months.

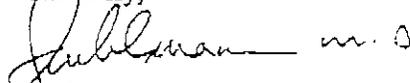
In order to accommodate a development of this size, we have determined, together with numerous other officials and citizens in the Lexington community, that traffic flow and safety of the community will be best served by relocating the access road into the project and the railroad crossing from the current location to line up with the main entrance in the Lexington Medical Center Irmo campus and obtain a traffic signal to control safe access to the Lexington Hospital campus and the 31 acre development.

In order to accomplish this road realignment and the associated movement of the railroad crossing, we anticipate a budget of \$300,000. The project's owners are prepared to contribute 50% of this additional cost and are seeking assistance from public funds for the other 50%, \$150,000.

Your consideration of this request to help support the significant private investment in Lexington County and job creation, as well as insuring public safety would be greatly appreciated.

Please advise how we can proceed together toward this community improvement.

Sincerely,


Subh Guram, MD

cc: Senator Knotts
David Jacobs, Atrium Development

COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 24TH DAY OF MAY, TWO THOUSAND AND FIVE ADOPTED THE FOLLOWING:

WHEREAS, nine partnering and twenty-three participating churches in Lexington, West Columbia, Columbia, and surrounding communities have joined together to provide a free "kamp" for children between the ages of four and sixteen; and

WHEREAS, the sixth annual Kids Kamp will be held for the first time at the South Congaree Sports Arena on June 13 - 17, 2005; and

WHEREAS, Kids Kamp breaks down all denominational barriers joining more than 400 volunteers with one goal in mind; to introduce each child to the saving grace of our Lord and Savior, Jesus Christ and to offer them hope that will last a life time. This "kamp" is designed to be one of the most effective for the time and cost to carry it out. There is no cost to the 1,200 plus children who attend; and

WHEREAS, we believe that to invest in the children of our State is to invest in the future of our State.

NOW, THEREFORE, BE IT RESOLVED that we, the members of Lexington County Council hereby commend Kids Kamp Participating Churches for their service to the area youth and offer our endorsement of Kids Kamp 2005.

Bruce E. Rucker, Chairman

M. Todd Cullum, V Chairman

William C. "Billy" Derrick

George H. "Smokey" Davis

Debra B. Summers

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

Joseph W. "Joe" Owens

ATTEST:

Diana W. Burnett, Clerk

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

May 24, 2005

BILLY DERRICK

Board of Zoning Appeals - Michael J. A. Reed (to replace Ronnie E. Garner) - Term expired 12/31/04

DEBBIE SUMMERS

Assessment Appeals Board - Linda S. Ham (to replace Allen Lee Wooten) - Term expires 9/21/05

BOBBY KEISLER

Children's Shelter - Mary L. Miller - Term expires 6/30/05 - Not eligible for reappointment

JOHNNY JEFFCOAT

Children's Shelter - Christine B. Westbrook - Term expires 6/30/05 - Eligible for reappointment

JOHN CARRIGG

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

Library Board - Vacant (Resigned) - Term expires 9/26/07

JOE OWENS

Accommodations Tax Board - Vacant - Term expires 12/31/06

Children's Shelter - James E. Murray - Term expires 6/30/05 - Eligible for reappointment

TODD CULLUM

Accommodations Tax Board - Vacant - Term expired 12/31/03

Assessment Appeals Board - Bill Power - Term expired 9/21/04 - Eligible for reappointment

Children's Shelter - Vacant - Term expired 6/30/03

AIKEN/BARNWELL/LEXINGTON COMMUNITY ACTION

At-Large Appointment

Ms. Juanice Aaron (to replace Pamela Bobbitt) - Term expires 12/31/05

BUILDING CODE BOARD OF APPEALS

Building - E. D. Sturkie - Term expired 8/13/04

Plumbing - Perry Kimball - Term expired 8/13/03

REGIONAL TRANSIT AUTHORITY

At-Large Appointment (no term limit)

Andrew R. Gambrell (Resigned)

Lowell C. Spires, Jr.

LEXINGTON/RICHLAND ALCOHOL & DRUG ABUSE COUNCIL

At-Large Appointment

Steve Hatchell - (to replace William L. Rawl, Jr.) - Term expired 12/31/04

LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM

Name of Board/Commission: Zoning Board of Appeals

Name: Michael J.A. Reed

Address: 308 Peach Cider Court. Gilbert SC 29054

Employed by: Centex Homes

Address: 3140 Ferdinandia Rd. Suite A Cole, SC 29210

Home Telephone: (803) 892-4344 Business Telephone: (803) 750-0101 ext. 1662

Mobile Phone: (803) 513-8208 Beeper Number: ---

Fax Number: (803) 750-5987

Are you aware of board/commission activities and responsibilities:

Background information (include education, community service activities, previous service on county boards/commissions or any other boards/commissions on which you are currently serving):

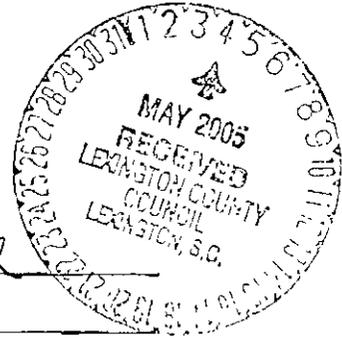
- B.S. from University of South Carolina
- Member of Wittenburg Church Council
- Active Homebuilder w/ South Carolina Residential Bldg. License.

Furnished by: L.H. C. Q.

Date: 5-9-05

Lexington County Council
Telephone 803-785-8103
FAX - 803-735-8101

LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM



Name of Board/Commission: Assessment Appeals Board
Nominee: Linda S. Ham
Address: 3180 Buckeye Drive - West Columbia, SC 29170
Employed by: Geigee - Carolinas - Sales Rep (self-employed)
Address: 500 Columbia Avenue - Cherter, SC 29036
Home Telephone: 794-2855 Business Telephone: 345-1600 x 26
Mobile Phone: 920-5267 Beeper Number: N/A
Fax Number: 794-2855

Is nominee aware of board/commission activities and responsibilities: _____

Background information (include education, community service activities, previous service on county boards/commissions or any other boards/commissions on which you are currently serving):

1981 Brookland Cayce High School
1962 Columbia Commercial College
I have been active in a Federated Woman's Club
(largest volunteer organization in the world) for 32 years.
I am presently in the Palmetto Women's Club and was also in
Springdale Jr. Women's Club. I am currently President of LBA
(Lexington Business Assoc.); I also served a four year
term on the SC Cosmology Board.

Submitted by: Linda Ham

Date: 5-2-05

Lexington County Council

FAX - 359-8101

cc. Debbie Summers

AIKEN/BARNWELL/LEXINGTON COMMUNITY ACTION COMMISSION, INC.

GEORGE A. ANDERSON
EXECUTIVE DIRECTOR

JAMES C. MILLEDGE
CHAIRMAN OF THE BOARD

P.O. BOX 2066
AIKEN, SOUTH CAROLINA 29802
(803) 648-6836
FAX (803) 649-1588

March 7, 2005

The Honorable Bruce E. Rucker, Chairman
Lexington County Council
212 South Lake Drive
Lexington, South Carolina 29072

In Re: Board Membership Appointments
Aiken/Barnwell/Lexington Community Action

Dear Mr. Rucker:

We are seeking your assistance along with the consideration and approval of Council, regarding the appointment of a person to the referenced Board of Directors, which, as you may be aware, has involved itself in providing programmatic services and financial assistance to some of the most needy, and disadvantaged citizens in Lexington County. While our Commission has been operating since 1966, our provision and assistance in Lexington County began in 1984.

Accordingly, we would recommend the following and ask that you please cause the subject of this appointment be given the most immediate consideration by the Council.

Recommendee

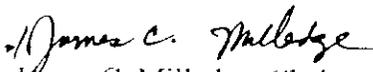
Area Representing

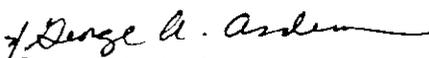
Ms. Juanice Aaron
4465 Highway 321, SC-7,
Gaston, South Carolina 29053

Lexington County At Large

We have consulted the recommendee who has varied experience which we deem appropriate to serve on our Board, and she had indicated her desire, willingness, and availability. Thank you for your assistance and we look forward to hearing from you and Council at your earliest opportunity. You may wish to contact Mr. Anderson for any questions you may have at (803) 648-6836, extension 234.

Sincerely yours,


James C. Milledge, Chairman


George A. Anderson
Executive Director



PROGRAM AREAS:

CENTRAL OFFICES LOCATED AT
291 BEAUFORT STREET NE

INDIRECT COST • WORKFORCE INVESTMENT ACT • COMMUNITY SERVICES BLOCK GRANT
WEATHERIZATION • HEAD START • RETIRED SENIOR & VOLUNTEER • ENERGY ASSISTANCE
WELFARE TO WORK • FOSTER GRANDPARENT



01/01/2005 THU 11:59 AM

FAX 80

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LRADAC

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LEXINGTON COLONY SC

PAGE 02/02

772-1953

LEXINGTON COUNTY COUNCIL
BOARD COMMISSION NOMINATION FORM

Name of Board/Commission: LRADAC
Name: Steve Hatchell Steve Hatchell
Address: 300 Kennebec Court, Lexington SC 29072
Employed by: Total Comfort Service Center, Inc.
Address: 5636 Old Bush River Road, Columbia SC 29312
Home Telephone: 803-8535 Business Telephone: 772-4495
Mobile Phone: 446-4392 Pager Number: _____
Fax Number: 772-1953

Is candidate aware of Board/Commission activities and responsibilities: Yes

Background information: (include education, community service activities, previous service on County Board/Commission or any other Board/Commission on which you are currently serving):

Education: University of South Carolina - 1984
Degree: BS in Accounting

Boards: Boys + Girls Clubs of the Midlands
2002 - Present (Finance Committee)

Submitted by: William L. Raul, Jr.
Date: 2/21/05

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8385

(F) 785-2240

DATE: May 6, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Janice A. Bell, CPPB
Procurement Officer



SUBJECT: Trash Can Liners - Term Contract
BID NO. C05014-03/29/05B
Central Stores

Competitive bids were solicited and advertised for a term contract for trash can liners for Central Stores.

We received fifteen (15) bids (see attached bid tabulation). Bids were evaluated by Rod Pimental, Central Stores Manager and Janice A. Bell, Procurement Officer. It is recommended that the award be made to Central Poly Corporation as the lowest bidder meeting specifications. The cost is based on estimated quantities projected for use by Central Stores for a period of one (1) year. It is estimated that the annual value of this contract is \$31,471.40 including applicable sales tax. These liners are used by the County and various entities, such as Irmo Recreation and Aging Commission; Lexington Recreation and Aging Commission; Town of Lexington and the Town of Springdale.

It is our recommendation to award this term contract for the initial period of one (1) year with the option to extend the contract for two (2) additional one (1) year periods, if deemed to be in the best interest of the County.

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 May 24, 2005.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Rod Pimental, Central Stores Manager

County of Lexington

Bid Tabulation

CO014 bl
jab
05/06/05

BID C05014-03/29/05B

TRASH CAN LINERS - TERM CONTRACT

Quantity	Description	Unit Price	Total								
700	33 x 39 Liner	\$13.50	\$9,450.00	\$9.31	\$6,517.00	\$17.72	\$12,404.00	\$8.90	\$6,230.00	\$11.59	\$8,113.00
1700	38 X 58 Liner	\$25.85	\$43,945.00	\$17.88	\$30,396.00	\$16.55	\$28,135.00	\$13.80	\$23,460.00	\$23.88	\$40,596.00
	Sub-Total		\$53,395.00		\$36,913.00		\$40,539.00		\$29,690.00		\$48,709.00
	Tax		\$3,203.70		\$2,214.78		\$2,432.34		\$1,781.40		\$2,922.54
	Grand Total		\$56,598.70		\$39,127.78		\$42,971.34		\$31,471.40		\$51,631.54

Quantity	Description	Unit Price	Total								
700	33 x 39 Liner	\$11.88	\$8,316.00	\$28.49	\$19,943.00	\$6.81	\$4,788.00	\$13.76	\$9,632.00	\$6.78	\$4,746.00
1700	38 X 58 Liner	\$19.20	\$32,640.00	\$29.76	\$50,592.00	\$13.87	\$23,579.00	\$19.98	\$33,966.00	\$13.63	\$23,171.00
	Sub-Total		\$40,956.00		\$70,535.00		\$28,367.00		\$43,598.00		\$27,917.00
	Tax		\$2,457.36		\$4,232.10		\$1,702.02		\$2,515.88		\$1,675.02
	Grand Total		\$43,413.36		\$74,767.10		\$30,069.02		\$46,213.88		\$29,592.02

Quantity	Description	Unit Price	Total								
700	33 x 39 Liner	\$17.50	\$12,320.00	\$10.27	\$7,189.00	\$13.81	\$9,667.00	\$7.84	\$5,498.00	\$7.70	\$5,390.00
1700	38 X 58 Liner	\$16.10	\$27,370.00	\$19.61	\$33,337.00	\$30.74	\$52,258.00	\$15.84	\$26,928.00	\$16.67	\$28,339.00
	Sub-Total		\$39,690.00		\$40,526.00		\$61,925.00		\$32,416.00		\$33,729.00
	Tax		\$2,381.40		\$2,431.56		\$3,715.50		\$1,944.96		\$2,073.74
	Grand Total		\$42,071.40		\$42,957.56		\$65,640.50		\$34,360.96		\$35,752.74

Calico Ind bid was rejected as their liners did not meet the weight requirements
 Jadcore bid was rejected as they qualified their bid by requiring a minimum quantity to be ordered

Bids Opened March 29, 2005

Janice A. Bell, CPPB
 Procurement Officer 

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: May 9, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager 

FROM: Donna J. Harris, CPPB
Procurement Officer

SUBJECT: Fire Hose and Fire Fighting Equipment - Public Safety/Fire Service
Bid No. B05031-03/17/05H

Competitive bids were solicited and advertised for Fire Hose and Fire Fighting Equipment for Public Safety / Fire Service. Bidders were allowed to submit bids on one or a multiple of items, depending on the products that they could provide. The County's fire departments use fire hose, fire ground and special equipment to meet the demands of firefighting. These items include but are not limited to fire hose, nozzles, salvage covers, flashlights, chainsaws, assorted tools, fire rakes, etc. Most of the existing fire hose in service today is nearing the end of its service life. Damaged hose is repaired until it is in such condition that it is no longer fit for fire service use. Replacing needed fire fighting equipment and worn fire hose will also allow Fire Service to continue toward equipping all fire apparatus to meet the Insurance Service Office (ISO) and National Fire Protection Association (NFPA) standards.

We received eleven (11) bids (see attached bid tabulation). Bids were evaluated by Eddie Turner, Fire Chief, Fire Service; David Fulmer, Chief Operations Officer, Fire Service; and Donna J. Harris, Procurement Officer.

It is our recommendation to make multiple awards to the lowest responsible bidders meeting specifications for the total cost of \$40,765.86 including applicable sales tax as follows. Wally's Fire & Safety Equipment Incorporated - \$1,341.96, Charlotte Equipment Sales Incorporated - \$4,356.60, C. W. Williams & Company Incorporated - \$8,140.80, Anderson Fire & Safety Equipment - \$4,446.70, FireSafe Associates - \$17,279.99, Municipal Emergency Services - \$3,545.90, and Slagle's Fire & Equipment & Supply Company Incorporated - \$1,653.91.

Funds are appropriated in the following accounts:

#1000-131500-540020 Fire Hose	\$22,118.89
#1000-131500-540021 Fire Ground and Special Equipment	\$18,646.97

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 May 24, 2005.

Attachments

copy: Larry Porth, Director of Finance/Assistant County Administrator
Russell Rawl, Fire Service Coordinator
Eddie Turner, Fire Chief, Fire Service
David Fulmer, Chief Operations Officer, Fire Service



County of Lexington

DEPARTMENT OF PUBLIC SAFETY

212 South Lake Drive • Lexington, South Carolina 29072
TELEPHONE: (803) 359-8141 FAX (803) 359-8589

May 12, 2005

MEMORANDUM

TO: Donna Harris
Procurement

FROM: Russell Rawl 
Fire Service Coordinator

REFERENCE: Bid B05031-03/17/05H
Fire Hose and Fire Fighter Equipment

After review of the above reference bid, I make the following recommendation. We have recommended low bid which meets specifications, unless indicated otherwise.

Wally's Fire & Safety Equipment

Item # 11 – Piercing Applicator – **2 ea @ \$460 = \$920**

Item # 12- Shutoff for Piercing Applicator – Low bid (\$165.55) did not meet specifications.

Item # 11 and Item # 12 brand names must match, therefore I recommend Wally's Fire which is next low bid (\$173.00) that meets specifications. **2 ea @ \$173 = \$346**

Charlotte Equipment Sales – request color – yellow with Red Head couplings

Item # 3 – 3” Nitrel Rubber Hose – **20 ea @ \$158 = \$3,160**

Item # 4 – 1.75” Nitrel Rubber Hose – **10 ea @ \$95 = \$950**

CW Williams

Item # 14 – Fiberglass Pike Poles – **1 ea @ \$46 = \$46**

Item #16 – Handline – Low bid was NAFECO who bid Elkart namebrand and specifications were for Task Force Tip, therefore we recommend CW Williams which was next low bid that meets specifications. **3 ea @ \$712 = \$2,136**

Item #17 – Nozzle – Low bid was NAFECO who bid Elkart namebrand and specifications were for Task Force Tip, therefore we recommend CW Williams which was next low bid that meets specifications. **5 ea @ \$586 = \$2,930**

Item # 23 – Portable Scene Lights – **2 @ \$350 = \$700**

Item # 24 – VentMaster Saw – **1 ea @ \$1,378 = \$1,378**

Item # 31 – Pick Head Fire Axe - 2 ea @ \$35 = \$70

Item # 33 – Air Hammer Rescue Kit – 1 ea @ \$420

Anderson Fire & Safety

Item # 1 – Nitrel Rubber Fire Hose – request Red Head couplings – 1 ea @ \$270 = \$270

Item # 2 – Nitrel Rubber Fire Hose – request Red Head couplings – 1 ea @ \$185 = \$185

Item # 18 – Salvage Covers – 5 ea @ \$90 = \$450

Item # 25 – Vent Saw – 1 ea @ \$1,300 = \$1,300

Item # 32 – Hydrant Gate Valve – Low bid was Firesafe Associates (\$190.30), however they bid a lightweight allow metal (4.5 pounds). Specifications was for a Task Force Tip hydrant gate valve (7.2 pounds) with the high-strength body and bronze stem. Therefore, I recommend Anderson Fire which is next low bid (\$230) that meets specifications. 3 ea @ \$230 = \$690

Firesafe Associates

Item # 5 – Woven Jacket Fire Hose, orange – request Red Head couplings. 80 ea @ \$74.85 = \$5,988

Item # 7 – Woven Jacket Fire Hose, blue - request Red Head couplings – 36 ea @ \$74.85 = \$2,694.60

Item # 6 – Woven Jacket Fire Hose, white. Low bid was Anderson Fire (\$70), however they bid a woven jacket fire hose which is not rubber lined. Therefore, I recommend Firesafe Associates which is next low bid (\$71.88) that meets specifications. Request Red Head couplings. 106 ea @ \$71.88 = \$7,619.28

Municipal Emergency Services

Item # 8 – Streamlight – 13 ea @ \$83.31 = \$1,083.03

Item # 9 - Gated Wye – 4 ea @ \$189.44 = \$757.76

Item # 10 – Portable Scene Lights – 2 ea @ \$164.20 = \$328.40

Item # 13 – Fiberglass Pike Pole – 3 ea @ \$39.20 = \$117.60

Item # 15 – Fiberglass Pike Pole – 2 ea @ \$59.30 = \$118.60

Item # 20 – Halligan Tool – 3 ea @ \$129.61 = \$388.83

Item # 27 – Rescue Rope, blue/white – 1 ea @ \$96.36 = \$96.36

Item # 29 – Rescue Rope, red/white – 1 ea @ \$96.36 = \$96.36

Item # 30 – Fire Axe – 3 ea @ \$30.68 = \$92.04

Item # 35 – Double Female Adapter – 1 ea @ \$106.13 = \$106.13

Item # 37 – Air Pack Brackets – 6 ea @ \$26.68 = \$160.08

Jack L. Slagles Fire Equipment

Item # 19 – Floor Runners – 2 ea @ \$19.50 = \$39.00

Item # 21 – Shoulder Strap – 3 ea @ \$41.93 = \$125.79

Item # 22 – Bolt Cutters – 1 ea @ \$65.56 = \$65.56

Item # 26 – Roof Hook – 1 ea @ \$73.03 = \$73.03

Item # 28 – Rescue Rope – 1 ea @ \$88.64 = \$88.64

Item # 34 – Aluminum Stepladder – 1 ea @ \$530.11 = \$530.11

Item # 36 – Turtle Tile Liner – 6 ea @ \$106.36 = \$638.16

RRR:abs

cc: Art Brooks, County Administrator

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM
(O) 785-8385
(F) 785-2240

DATE: April 22, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Janice A. Bell, CPPB
Procurement Officer



SUBJECT: Foam Trailer - B05037-04/19/05B
Public Safety/Fire Service

Competitive sealed bids were solicited for the purchase of a foam trailer for Public Safety/Fire Service. We received four (4) bids and one (1) no bid (see attached bid tabulation). The bids were evaluated by Russell Rawl, Fire Service Coordinator; Neil Ellis, Emergency Service Coordinator; and Janice Bell, Procurement Officer. The grant procedures have been approved by the South Carolina Department of Public Safety.

This equipment will be used throughout the County to mitigate the effects of a hazardous material spill resulting from a commercial accident or terrorism event. This foam will severely retard the spread of chemicals that are leaking from the tank. We recommend award to Slagle Fire Equipment as the low bidder meeting specifications. The total cost of this system is \$37,719.65 including applicable sales tax.

Funds are appropriated in the following account:

2476-131500-5A5544	State Homeland Security Grant
(1) Foam Trailer with Foam	\$37,719.65

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 May 24, 2005.

Attachment

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

County of Lexington

Bid Tabulation

BID: B05037-04/19/05B

FOAM TRAILER

Quantity	Description	Charlotte Equipment		Crash Rescue		Anderson Fire		Slagle Fire		Slagle Fire-Alternate	
		Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Foam Trailer	\$22,950.00	\$22,950.00	\$22,162.00	\$22,162.00	No Bid		\$17,950.00	\$17,950.00	\$17,950.00	\$17,950.00
2	Spumifer Nozzle	\$1,495.00	\$2,990.00	\$1,882.35	\$3,764.70	No Bid		\$2,411.76	\$4,823.52	\$2,411.76	\$4,823.52
6	50' section fire hose	\$134.00	\$804.00	\$126.50	\$759.00	No Bid		\$129.51	\$777.06	\$129.51	\$777.06
2	Tote Solvent	\$8,250.00	\$16,500.00	\$10,353.00	\$20,706.00	No Bid		\$12,647.06	\$25,294.12	\$6,017.00	\$12,034.00
	Sub-Total		\$43,244.00		\$47,391.70				\$48,844.70		\$35,584.58
	Tax		\$2,594.64		\$2,843.50				\$2,930.68		\$2,135.07
	Grand Total		\$45,838.64		\$50,235.20				\$51,775.38		\$37,719.65

Bids Opened April 19, 2005

Janice A Bell CPPB 
 Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: May 16, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Donna J. Harris, CPPB
Procurement Officer

SUBJECT: **Fire Station Renovations-Hollow Creek, Boiling Springs, Fairview and Gilbert - Public Safety/ Fire Service - BID NO. B05013-12/15/04H - GILBERT PORTION ONLY**

Invitations for Bids were solicited (B05013-12/15/04H) from twenty-three (23) qualified contractors for Fire Station renovations for Hollow Creek, Boiling Springs, Fairview and Gilbert. It was recommended and approved by County Council on February 22, 2005 that the bids for Boiling Springs, Fairview and Hollow Creek Fire Stations be accepted and awarded. The Gilbert Station was not approved at that time upon the request of the Town of Gilbert and the Gilbert Fire Station in order to obtain pricing for brick veneer on the exterior walls of the bay area of the station which would better match the town's street scape. The Gilbert Fire District was in the process of deeding a parcel of land to the County adjacent to the existing property. The Town of Gilbert and the Fire Department will be contributing \$7,500.00 towards this project.

Since these items have been completed, Public Safety requests and recommends proceeding with the remainder of this project. The project includes all equipment, materials, and labor necessary for the renovation of the existing two-bay garage and the new construction of a 40' x 40' steel frame two-bay addition at the Gilbert Fire Station which includes site preparation and grading. The Gilbert Fire Station is in significant need of an addition to replace a pole building addition that is in very poor condition. Ray Disher, Building Services Manager, has evaluated and recommended the replacement of the pole building addition at Gilbert be expedited to prevent further damage to the existing structure.

We received one (1) bid and five (5) no bids. Hoover Metal Buildings, Murphy Contracting, Incorporated; Tyler Construction Company, Incorporated; Cannon Associates, Incorporated and Holzheimer Construction, Incorporated stated that their schedule would not permit them to perform.

Bids were evaluated by Russell Rawl, Fire Service Coordinator (see attached memorandum) and Donna J. Harris, Procurement Officer. It is our recommendation to award the balance of this contract to MAR Construction Company, Incorporated as being the lowest responsive bidder. The total cost of the project including applicable sales tax is \$144,325.00.

Funds are appropriated in account:

#1000-131500-5A5084	Gilbert Fire Station	\$144,325.00
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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 May 24, 2005.

Attachment

copy: Larry Porth, Director of Finance / Assistant County Administrator
Russell Rawl, Fire Service Coordinator
Ray Disher, Building Services Manager



County of Lexington

DEPARTMENT OF PUBLIC SAFETY

212 South Lake Drive • Lexington, South Carolina 29072

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

May 16, 2005

MEMORANDUM

To: Art Brooks
County Administrator

From: Russell Rawl *RR*
Fire Service Coordinator

Reference: Gilbert Fire Station Renovation

The Gilbert Fire Station Renovation project was bid as part of a renovation project that included the Boiling Springs, Fairview and Hollow Creek Fire Stations. The bids were approved for Boiling Springs, Fairview and Hollow Creek Fire Stations at the February 22, 2005 County Council Meeting. The Gilbert Station was not approved at this time upon request of the Town of Gilbert and the Gilbert Fire Station in order to obtain pricing for brick veneer on the exterior walls of the bay area of the station, which would better match the town's street scape. The Gilbert Fire District was in the process of deeding a parcel of land adjacent to the existing property. The Fire Department has also contributed \$7,500 towards this project.

Now that these above items have been completed, I recommend proceeding with this project, awarding the bid for the Gilbert Renovation Project to MAR Construction Company as follows:

Station Renovation	\$116,825
Site Prep.	\$ 6,000
Brick Veneer Option	\$ 21,500
Total	\$144,325

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

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM
(O) 785-8385
(F) 785-2240

DATE: April 22, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Janice A. Bell, CPPB
Procurement Officer



SUBJECT: **Light Kits - B05036-04/13/05B**
Public Safety/Fire Service

Competitive sealed bids were solicited for the purchase of light kits for Public Safety/Fire Service. We received four (4) bids (see attached bid tabulation). The bids were evaluated by Russell Rawl, Fire Service Coordinator; Neil Ellis, Emergency Service Coordinator; and Janice Bell, Procurement Officer. The grant procedures have been approved by the South Carolina Department of Public Safety.

This equipment will be used to provide the COBRA team and other emergency response agencies within the County with sufficient light to conduct operations during periods of limited visibility. Two kits are required to ensure that a sufficient area is illuminated or to allow for simultaneous operations in two locations. We recommend award to Maddux Supply as the low bidder meeting specifications. The total cost of this system is \$17,850.40 including applicable sales tax.

Funds are appropriated in the following account:

2476-131500-5A5543	State Homeland Security Grant
(2) Light Kits	\$17,850.40

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 May 24, 2005.

Attachments

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

County of Lexington

Bid Tabulation

BID: B05036-04/13/05B

LIGHT KITS

Quantity	Description	Neff Rental		Blanchard Machinery		Maddux Supply		United Rentals	
		Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
2	Light Kits	\$6,954.50	\$13,909.00	\$7,560.00	\$15,120.00	\$8,420.00	\$16,840.00	\$8,694.00	\$17,388.00
	Tax		\$834.54		\$907.20		\$1,010.40		\$1,043.28
	Grand Total		\$14,743.54		\$16,027.20		\$17,850.40		\$18,431.28

Bids from Neff Rental and Blanchard Machinery were rejected for the following reasons:

We specified a 50 gallon fuel tank - they bid a 30 gallon fuel tank

We specified a "Tool-less" Quick Aim - their product requires hand tools to adjust and aim each lamp fixture

We specified durable cast aluminum lamp fixtures - their product is light-weight aluminum lamp fixtures

Bids Opened: April 13, 2005

Janice A Bell, CPPB
 Procurement Officer



COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

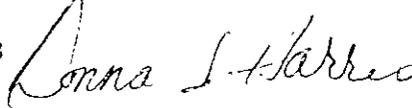
DATE: May 9, 2005

TO: Art Brooks
County Administrator

FROM: Sheila R. Fulmer, CPPB
Procurement Manager



THROUGH: Donna J. Harris, CPPB
Procurement Officer



SUBJECT: Ruggedized Laptop Notebook Computers - State Homeland Security Grant - Public Safety Fire Service

We received a requisition for the purchase of two (2) Hewlett Packard ruggedized laptop notebook computers for Public Safety Fire Service. The Hewlett Packard ruggedized laptop notebooks will be purchased directly from the manufacturer (Hewlett Packard) through the South Carolina State Contract #05-S6656-A11230.

This equipment will be issued to municipal fire departments to increase communications interoperability. This equipment is being funded through the State Homeland Security Grant Program and requires no County funds.

Jim Schafer, Director of Information Services, has reviewed and recommended the requested equipment. The grant procedures have been approved by the South Carolina State Law Enforcement Division (SLED).

The cost of this equipment is \$9,031.20 including applicable sales tax.

Funds are appropriated in the following account:

#2476-131500-5A5579	State Homeland Security Grant
(2) Laptops Ruggedized	\$ 9,031.20

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 May 24, 2005

copy: Larry Porth, Director of Finance / Assistant County Administrator
Russell Rawl, Fire Service Coordinator
Neil Ellis, Emergency Management Coordinator
Jim Schafer, Director of Information Services

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

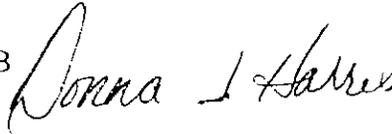
DATE: May 4, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Donna J. Harris, CPPB
Procurement Officer



SUBJECT: 170lb Gas Clothes Dryers - Sheriff's Department
B05028-04/19/05H

Competitive sealed bids were solicited for the installation of two (2) 170lb gas clothes dryers for the Sheriff's Department. We received two (2) bids and one (1) no bid (see attached bid tabulation). The bids were evaluated by Captain Joe Quig, Sheriff's Department; John Price, Building Services; and Donna J. Harris, Procurement Officer.

The current dryers are over 12 years old, require constant repairs, and have exceeded their life expectancy. These dryers will replace the failing units with two large capacity machines that will handle the Sheriff's Departments laundry demand and result in lowering repair costs.

We recommend award to ICLM Systems, LLC as the low bidder meeting specifications. The total amount of this purchase is \$14,904.32 which includes the equipment, installation, labor and optional fire detection and suppression system along with applicable sales tax.

Funds are appropriated in the following account:

#2632-151300-5A5222	LE/Inmate Services
(2) Replacement Clothes Dryers	\$14,904.32

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 May 24, 2005.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Chief Keith R. Kirchner, Assistant Sheriff
Major Scott Prill, Sheriff's Department
Sylvia Dillon, Sheriff's Department

COUNTY OF LEXINGTON

BID TABULATION SHEET

BID: B05028-04/19/05H

DATE: April 29, 2005

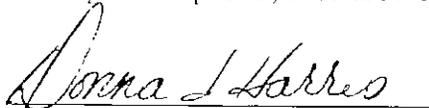
PROJECT: To provide, deliver and install 170 lb Gas Clothes Dryers for the Lexington County Sheriff's Department.

		ICLM Systems, LLC		Texchine, Incorporated	
		J. R. Gardner		Jay Dixon	
		843-225-4222		800-768-8205	
Qty	Description	Unit Price	Total Price	Unit Price	Total Price
2 ea	170 lb Gas Dryer	6,486.57	12,973.14	7,465.00	14,930.00
1 lt	Labor to install new machines and remove old machines	750.00	750.00	984.00	984.00
1 lt	Labor cost for electrical work	included in cost	included in cost	300.00	300.00
1 lt	Training cost	included in cost	included in cost	included in cost	included in cost
1 lt	Warranty on labor	90 days	90 days	30 days	30 days
1 lt	Warranty on parts and materials	2 years	2 years	3 years	3 years
1 ea	Cost for annual maintenance	750.00	750.00	1,000.00	1,000.00
1 ea	Projected completion date after receipt of order	30 days	30 days	30 days	30 days
2 ea	Optional item Fire Detection and Suppression system	190.00	380.00	411.00	822.00
2 ea	Sales tax on equipment	400.59	801.18	472.56	945.12
	Total Cost for Equipment, installation and labor		14,904.32		17,981.12

A no bid response was received from Central Equipment Company stating that they are unable to meet specifications

Recommend award to ICLM Systems, LLC for equipment, installation, labor and optional fire detection and suppression system

Bids Opened: April 19, 2005 at 3:00 p.m.



Donna J. Harris, CPPB
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

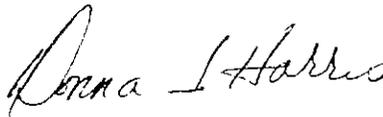
DATE: May 6, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Donna J. Harris, CPPB
Procurement Officer



SUBJECT: Computer Software and Licenses - Sheriff's Department

We received a purchase request and recommendation from the Sheriff's Department for the purchase of fifteen (15) Symantec antivirus user licenses, one (1) Symantec Corporate edition software media and fifteen (15) Microsoft Office Professional 2003 licenses. The software and licenses will be installed on road deputies' laptops, enabling them to electronically submit incident, supplemental and investigative reports. The antivirus software will keep unwanted contamination from the systems. The Microsoft licenses will allow officers the ability to enter data into the National Incident Based Reporting System (NIBRS) as required. The software and licenses will be purchased from Software House International through the South Carolina State Contract #01-S4072-A7243.

The grant procedures have been approved by the South Carolina Department of Public Safety. Jim Schafer, Director of Information Services has reviewed and recommended this purchase.

The cost of the software and licenses is \$5,255.80 including applicable sales tax.

Funds are appropriated in the following account:

#2445-151200-540010	National Incident Based Reporting System
Minor Software	\$5,255.80

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 May 24, 2005.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Chief Keith R. Kirchner, Assistant Sheriff
Major Scott Prill, Sheriff's Department
Ron Smith, Sheriff's Department
Jim Schafer, Director of Information Services
Nandalyn Heaitley, Sheriff's Department

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: May 9, 2005

TO: Art Brooks
County Administrator

FROM: Sheila R. Fulmer, CPPB
Procurement Manager



THROUGH: Donna J. Harris, CPPB
Procurement Officer

SUBJECT: **Computers, Docking Stations, Software, Flat Panel Television Monitors and Power Point Projectors (CCTV Hardware) - Law Enforcement Terrorism Prevention Program / Homeland Security - Sheriff's Department**

We received requisitions for the purchase of six (6) Hewlett Packard computers and docking stations, six (6) Microsoft Office Professional licenses, two (2) flat panel television monitors, and two (2) power point projectors for the Sheriff's Department. The Hewlett Packard computers and docking stations will be purchased directly from the manufacturer (Hewlett Packard) through the South Carolina State Contract #05-S6656-A11230. The Microsoft Office Professional licenses will be purchased from Software House International through the South Carolina State Contract #01-S4072-A7243. The flat panel television monitors will be purchased from the successful low bidder Southern Computer Warehouse (see attached bid tabulation). The power point projectors will be purchased from Clark Powell Associates through the South Carolina State Contract #03-S5324-A9000.

This equipment will be used to support warning point and Emergency Operations Center (EOC) technology. The hardware will serve as an integral part of the system to display South Carolina Department of Transportation (SCDOT) highway intersection cameras and SCANA cameras for the Lake Murray Dam. This is funded through the Law Enforcement Terrorism Prevention Grant Program - Homeland Security and requires no County funds.

Jim Schafer, Director of Information Services, has reviewed and recommended the requested equipment. The grant procedures have been approved by the South Carolina State Law Enforcement Division (SLED).

The cost of the Hewlett Packard computers and docking stations is \$14,914.20, Microsoft software - \$1,896.62; flat panel television monitors - \$9,185.05; and power point projectors - \$10,286.24 for a total cost of \$36,282.11 including applicable sales tax.

Funds are appropriated in the following accounts:

#2477-151200-540010 Minor Software	Supplemental Homeland Security Grant \$ 1,896.62
---------------------------------------	---

#2477-151200-5A5550 (6) Computers and Docking Stations	Supplemental Homeland Security Grant \$14,914.20
---	---

#2477-151200-5A5606 (2) Flat Panel Television Monitors	Supplemental Homeland Security Grant \$ 9,185.05
---	---

#2477-151200-5A5607 (2) Power point Projectors	Supplemental Homeland Security Grant \$10,286.24
---	---

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 May 24, 2005.

Attachment

copy: Larry Porth, Director of Finance / Assistant County Administrator
Neil Ellis, Emergency Management Coordinator
Jim Schafer, Director of Information Services

COUNTY OF LEXINGTON

BID TABULATION SHEET

DATE: May 9, 2005

Flat Panel Television Monitors

BIDDER	2 each Flat Panel Television Monitors	2 each Wall Mounts	Sales Tax	TOTAL
Southern Computer Warehouse	\$8,606.24	\$58.90	\$519.91	\$9,185.05
Software House International	\$8,820.20	\$84.96	\$534.31	\$9,439.47
Florida Micro	No bid	No bid	No bid	No bid

Recommend award to Southern Computer Warehouse as the lowest responsible bidder.

May 9, 2005



Donna J. Harris, CPPB
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: May 3, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Donna J. Harris, CPPB
Procurement Officer



SUBJECT: Heavy Duty Stainless Steel Meal Carts - Sheriff's Department - Sole Source Procurement

We received a purchase request and recommendation from the Sheriff's Department for the purchase of four (4) heavy duty stainless steel meal carts. This procurement will replace four (4) heavy-duty stainless steel meal carts that the Detention Center is currently using that are worn and in dire need of replacement. The meal carts will have a forty-eight (48) tray capacity and will be used to transport inmate meals from the kitchen to various housing units in the Detention Center.

This has been deemed a sole source procurement through Plastocon Incorporated as these carts must be compatible with the existing food trays that are manufactured by Plastocon Incorporated.

The cost of the meal carts is \$16,938.80 including applicable sales tax.

Funds are appropriated in the following account:

#2632-151300-5A5220	LE / Inmate Services
(4) Meal Carts	\$16,938.80

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 May 24, 2005.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Chief Keith R. Kirchner, Assistant Sheriff
Major Scott Prill, Sheriff's Department
Sylvia Dillon, Sheriff's Department

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: May 9, 2005

TO: Att Brooks
County Administrator

FROM: Sheila R. Fulmer, CPPB
Procurement Manager



THROUGH: Donna J. Harris, CPPB
Procurement Officer

SUBJECT: Laptop Computers with Docking Stations, Monitors and Software - Law Enforcement
Terrorism Prevention Program - Sheriff's Department

We received requisitions for the purchase of six (6) Dell laptop computers and docking stations, six (6) Dell monitors and thirty-one (31) Microsoft Office Professional licenses for the Sheriff's Department. The Dell computers, docking stations and monitors will be purchased directly from the manufacturer (Dell computer) through the South Carolina State Contract #03-S5869-A9659. The Microsoft Office Professional licenses will be purchased from Software House International through the South Carolina State Contract #01-S4072-A7243. The computer equipment is being purchased with Law Enforcement Terrorism Prevention Program Funds. The equipment will be issued to municipal police agencies to increase communications interoperability.

Jim Schafer, Director of Information Services, has reviewed and recommended this purchase. The grant procedures have been approved by the South Carolina State Law Enforcement Division (SLED).

The cost of the Dell computers and docking stations is \$8,592.29; Dell monitors - \$1,464.26, and Microsoft Office Professional software - \$9,799.18 for a total cost of \$19,855.73 including applicable sales tax.

Funds are appropriated in the following accounts.

#2477-151200-5A5582	Supplemental Homeland Security Grant
(6) Laptops with Docking Stations	\$ 8,592.29

#2477-151200-5A5581	Supplemental Homeland Security Grant
(6) 17" Flat Panel Monitors	\$ 1,464.26

#2477-151200-540010	Supplemental Homeland Security Grant
Minor Software	\$ 9,799.18

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 May 24, 2005.

copy Larry Porth, Director of Finance / Assistant County Administrator
Neil Ellis, Emergency Management Coordinator
Jim Schafer, Director of Information Services

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

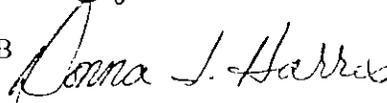
DATE: May 16, 2005

TO: Art Brooks, County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Donna J. Harris, CPPB
Procurement Officer



SUBJECT: **Panasonic Toughbook Laptops and Accessories - Sheriff's Department**
Bid No. B05039-05/11/05H

Invitations for Bids were advertised and solicited from qualified vendors for fifteen (15) Panasonic Toughbook Laptops and Accessories for the Sheriff's Department. The laptop computers will be provided to road deputies to electronically submit incident, supplemental and investigative reports to the Sheriff's Department records management data base in real time. The laptop car mounts are required for officer safety so that the laptops will be locked in a stable position. We received four (4) bids and two (2) no bids (see attached bid tab).

Bids were evaluated by Ron Smith, Sheriff's Department; Jim Schafer, Director of Information Services; 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 the laptops to Computer Service Partners, Incorporated; the auto power adapter to CS Business Supply; and all other accessories to Software House International, as being the lowest responsible bidders. The total bid for this procurement is \$68,784.59 which includes shipping and applicable sales tax.

Funds are appropriated in the following accounts:

#2445-151200-5A5215 (15) Laptop Computer Systems	National Incident Based Reporting System \$64,319.39
#2445-151200-5A5217 (15) Laptop Car Mounts	National Incident Based Reporting System \$ 4,465.20

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 May 24, 2005.

Attachments

copy: Larry Porth, Director of Finance / Assistant County Administrator
Chief Keith R. Kirchner, Assistant Sheriff
Ron Smith, Sheriff's Department
Nandalyn Heartley, Grants Administrator, Sheriff's Department
Jim Schafer, Director of Information Services

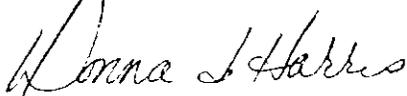
**COUNTY OF LEXINGTON
 BID TABULATION SHEET**

BID: B05039-05/11/05H
 Panasonic Toughbook 29 Laptops and Accessories

ITEM	DESCRIPTION	First Services, Incorporated	Computer Service Partners, Incorporated	Software House International	C/S Business Systems
1	15 Each Laptop's #CF29HTQGZB M (13.3)	\$ 65,306.55	\$ 56,205.00 *	\$ 56,916.45	\$ 56,775.00
2	13 Each DVD-ROM/CD RW	\$ 4,264.00	\$ 4,017.00	\$ 3,738.67 *	\$ 3,744.00
3	15 Each Lind DC adapter	\$ 1,703.25	\$ 1,455.00	\$ 1,159.50	\$ 735.00 *
4	15 Each Locking Cradle for CF-29 Laptops	\$ 1,932.75	No bid	\$ 1,849.50 *	No bid
5	14 Each Tilt/Swivel Hinge	\$ 513.10	No bid	\$ 502.60 *	No bid
6	15 Each Swing arm	\$ 782.85	No bid	\$ 766.95 *	No bid
7	14 Each Passenger Side Base Mount	\$ 1,116.08	No bid	\$ 1,093.40 *	No bid

A no bid response was received from Howard Industries dba/Howard Computers stating that they do not offer this product or service. A no bid response was received from Tech Depot stating that they are unable to meet specifications.

Bids Opened: May 11, 2005



Donna J. Harris, CPPB
 Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: April 29, 2005

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: **Waste Tire Services - Department of Solid Waste Management**
Bid No. C05016-04/26/05H

Competitive bids were solicited and advertised for a term contract for Waste Tire Services for the Department of Solid Waste Management.

We received two (2) bids (see attached bid tabulation). Bids were evaluated by Joe Mergo, III, Director of Solid Waste Management and Donna J. Harris, Procurement Officer. It is recommended that the award be made to U.S. Tire Recycling as the lowest bidder meeting specifications. The cost of this service is based on estimated quantities to be disposed of for a period of one (1) year. The estimated annual value of this contract is \$32,800.00 including applicable sales tax.

The initial term of the contract is for one (1) year with the option to extend the contract for four (4) additional one year periods if deemed to be in the best interest of the County.

The funds used are appropriated on a quarterly basis from the waste tire fund which we receive from the State of South Carolina and must be used for the disposal and recycling of waste tires. The funds are deposited in account #5710-121204-520240.

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 May 24, 2005.

Attachment

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

BID TABULATION
 C05016-04/26/05H
 WASTE TIRE SERVICES

Company Name		Ridge Recyclers		U.S. Tire Recycling	
qty	Description	Unit	Total	Unit	Total
400 tons	Waste Tires	85.00	34,000.00	82.00	32,800.00
	Total annual estimated cost		34,000.00		32,800.00

Bids opened April 26, 2005



 Donna J. Harris, CPPB
 Procurement Officer



COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE 05-02

AN ORDINANCE ADOPTING A SUPPLEMENTAL APPROPRIATION FOR FISCAL YEAR 2004-2005

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 2004-2005, County Council has determined that additional funding needs to be appropriated to meet certain needs of the County for Fiscal Year 2004-2005. 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 2004-2005 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 in the sum of \$9,000,000.00 (Nine Million and No/100 Dollars) from the County General Fund balance to specific accounts for certain building and space needs for the construction of (1) Fire Stations at Corley Mill, Cedar Grove, Chapin, and Lake Murray and other fire station capital and improvements, (2) Libraries for Swansea, Gaston, Gilbert, and Chapin and (3) DSS facility.

Enacted this _____ day of _____, 2005

Bruce E. Rucker, Chairman

ATTEST:

Diana W. Burnett, Clerk

First Reading:

Second Reading:

The minutes have been intentionally omitted until County Council has approved. Upon Council's approval, the minutes will be available on the internet.

Memorandum

April 21, 2005

To: Art Brooks
County Administrator

For: County Council

From: Charlie Compton, Director 
Department of Planning and GIS

Reference: Vested Rights Legislation

The South Carolina Legislature passed a Vested Rights Act that effects local government development approvals. I generally feel that the manner in which Lexington County has honored approvals and permits over the years is better than what is now required by this Act.

In our Subdivision Regulations we grant two-year approvals with multiple two-year extensions allowed if the terms of the approval continue to be met.

In our Zoning Ordinance the permitting procedures and policies allow the permit to remain valid as long as there is continued activity and intent that complies with the terms of the permit.

This new South Carolina Vested Rights Act designates a two-year vesting period with five one-year extensions required. Since legislation on development agreements is available for large projects, I assume the primary intent was to provide some protection for smaller projects from unreasonable "permit or approval termination" in the middle of a project. I am sure there were jurisdictions in the State that probably did that from time-to-time.

Therefore, I have proposed that we adopt the exact vesting terms as outlined in the Act, which would become a statutory requirement anyway after July 1, 2005. I feel we would be better served by having that authority rest in our local ordinances. Our current requirements to obtain these approvals seem to handle the key features of the legislation which are: (1) they are based on a site-specific development plan, and (2) they are an earlier approval than a building permit.

The following schedule for the required readings and public hearing would complete that adoption by July 1, 2005:

1 st Reading	– May 3 rd
2 nd Reading	– May 24 th
Public Hearing	– May 24 th
3 rd Reading	– either June 14 th or 28 th

Jeff Anderson has copies of these recommendations to review for any additional guidance. The Planning Commission also did a preliminary review today and made some changes. They will make a formal recommendation on May 19th.

Enclosures: Ordinance #05-03 – Proposed changes to Section 3, Procedures,
of the Lexington County Subdivision Regulations

Zoning Text Amendment #T05-03 – Proposed changes to Article 12, Administration,
of the Lexington County Zoning Ordinance



COUNTY OF LEXINGTON, SOUTH CAROLINA

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

ZONING TEXT AMENDMENT APPLICATION # T05-03

Section(s) of the Zoning Ordinance which are affected:

Article 12, Chapter 1, Section 121.10

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

To amend the Lexington County Zoning Ordinance with respect to the vesting of project approvals as outlined in Act 287 of 2004 by the General Assembly of South Carolina

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

Date 4/22/05

Signature [Handwritten Signature]

Name(print) Charlie Compton, Planning Director
Lexington County Planning & GIS

Address 212 S. Lake Dr
Lexington SC 29072

Telephone # 785-8121

- 1. 04/22/05 Application Received
- 2. ___/___/___ Fee Received
- 3. ___/___/___ Newspaper Advertisement

5/19/05 Planning Commission Recommendation: _____

05/03/05 First Reading 05/24/05 Public Hearing ___/___/___ Second Reading ___/___/___ Third Reading

Results: _____

ARTICLE 12 - ADMINISTRATION

Chapter 1. General Provisions

121.00 Zoning Administrator

The administration and enforcement of this Ordinance shall be the responsibility of the Lexington County Zoning Administrator.

121.01 Duties of the Zoning Administrator

It shall be the duty of the Zoning Administrator to:

- a. Administer and enforce all applicable provisions of this Ordinance.
- b. Administer and enforce the actions of the Board of Zoning Appeals.
- c. Attend all meetings of the Board of Zoning Appeals.
- d. Maintain current and permanent records relative to the adoption, amendment, administration, and enforcement of this Ordinance.
- e. Provide information to the public on all matters relating to this Ordinance.

121.02 Enforcement of Performance Standards

In all districts where performance standards apply, the Zoning Administrator may require a zoning permit application to be accompanied by a certification from a registered professional engineer of South Carolina that the proposed activity can meet the applicable performance standards. If the Zoning Administrator has reasonable belief that a violation may occur despite the opinion of the engineer, then he may reject the application, citing the reasons.

121.03 Right of Entry upon Land

The Zoning Administrator or persons engaged by him to perform tests or any other duties may enter upon any land within the jurisdiction of this Ordinance and make examinations and surveys. They may also place or remove public notices as required by these regulations. However, there shall be no right of entry into any building without the consent of the owner.

121.04 Power to Arbitrate

Where buffering restrictions and performance standards apply, the Zoning Administrator shall act as the initial arbiter wherein surrounding property owners conflict or consent with regard to the application of these regulations or standards. A decision by the Zoning Administrator to relax either the buffering restrictions or performance standards shall be based upon the written consent of the neighboring and affected property owner(s), upon forms provided by the Zoning Administrator. This consent shall be called a zoning waiver and shall become valid only upon verification by the Zoning Administrator and attachment to an applicable zoning permit.

121.05 Measurement

If it is determined that following the issuance of a zoning permit a structure has been placed within the buffer and/or setback in error and all reasonable remedies (except waiver or variance) have been exhausted, the Zoning Administrator has the discretion to allow an encroachment up to 6 inches or 5%, whichever is greater. This remedy, when applicable, will only be applied to the required linear measurement for buffers and /or setbacks.

121.10 Zoning Permits

No building, structure, or tract of land within the zoned area of the County shall be used, constructed, or developed until the issuance of a valid zoning permit. The Zoning Administrator may

require that an application for a zoning permit include information and exhibits as he deems necessary to determine that the proposed development of the property complies with this Ordinance. He shall have a reasonable time to consult with other governmental agencies and request additional information and data to evaluate the application.

~~A zoning permit shall be effective for two years from the date of the approval. Five one-year extensions of the zoning permit will be granted provided the obligations of the permit continue to be met and provided there have been no amendments to these regulations that prohibit approval.~~

121.20 Zoning Compliance

No building, structure, or activity for which a zoning permit has been issued shall be used or occupied until the Zoning Administrator has indicated that compliance has been made with all applicable provisions of this Ordinance.

121.30 Fees

A fee established by County Council shall be assessed for every permit application reviewed for compliance with the provisions of this Ordinance. This fee shall be paid to Lexington County before or upon the issuance of any permit within the Zoned area of the County, except when deemed unnecessary by the Zoning Administrator for purposes of enforcement of this Ordinance.

Memorandum

April 21, 2005

To: Art Brooks
County Administrator

For: County Council

From: Charlie Compton, Director 
Department of Planning and GIS

Reference: Vested Rights Legislation

The South Carolina Legislature passed a Vested Rights Act that effects local government development approvals. I generally feel that the manner in which Lexington County has honored approvals and permits over the years is better than what is now required by this Act.

In our Subdivision Regulations we grant two-year approvals with multiple two-year extensions allowed if the terms of the approval continue to be met.

In our Zoning Ordinance the permitting procedures and policies allow the permit to remain valid as long as there is continued activity and intent that complies with the terms of the permit.

This new South Carolina Vested Rights Act designates a two-year vesting period with five one-year extensions required. Since legislation on development agreements is available for large projects, I assume the primary intent was to provide some protection for smaller projects from unreasonable "permit or approval termination" in the middle of a project. I am sure there were jurisdictions in the State that probably did that from time-to-time.

Therefore, I have proposed that we adopt the exact vesting terms as outlined in the Act, which would become a statutory requirement anyway after July 1, 2005. I feel we would be better served by having that authority rest in our local ordinances. Our current requirements to obtain these approvals seem to handle the key features of the legislation which are: (1) they are based on a site-specific development plan, and (2) they are an earlier approval than a building permit.

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Enclosures: Ordinance #05-03 – Proposed changes to Section 3, Procedures,
of the Lexington County Subdivision Regulations

Zoning Text Amendment #T05-03 – Proposed changes to Article 12, Administration,
of the Lexington County Zoning Ordinance

Ordinance #05-03

An Ordinance amending the Lexington County Subdivision Regulations with respect to the vesting of project approvals.

WHEREAS, the General Assembly in Act 287 of 2004 provided that local governments may establish a procedure providing for a vesting of rights in certain development plans; and

WHEREAS, the Act allows local governments to implement certain provisions of this legislation before July 1, 2005, in order to avoid being subjected to the requirements of Section 6-29-1650 of this Act; and

WHEREAS, Section 6-29-1650 substitutes statutory conditions for vesting, thereby reducing local control and flexibility;

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COUNCIL FOR LEXINGTON COUNTY, SOUTH CAROLINA, DULY ASSEMBLED, THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:

{Make the following changes to Section 3.}

SECTION 3 - PROCEDURES

The process of obtaining approval for a subdivision is divided into two parts, approval of a Preliminary Plat and approval of a Final Plat.

Preliminary Plat approval is an approval by the staff of the Planning Commission which documents for the subdivider that what is proposed is in accord with these regulations and he may proceed to improve the property. This is the approval for the layout and development of the subdivision before any land is sold or transferred.

Final Plat approval is awarded when the subdivider has fulfilled his obligations with regard to the required improvements in accordance with the approved Preliminary Plat. The Final Plat is the plat of record recorded in the Office of the Register of Deeds of Lexington County.

3.10 Development Review Meeting (Optional)

- 3.11 Prior to the submission of the Preliminary Plat, the subdivider may wish to confer with the Development Administrator, County Engineer and other governmental agency representatives, as appropriate, to determine whether he is proceeding under the proper guidelines as stipulated in these regulations, to consider the desirability or necessity of amending the proposed plan, to clarify the issues and to discuss any other matter pertinent to the subdivision as may aid in the disposition of the submittal.

3.20 Submission of Preliminary Plats

The following procedure shall govern the submission of Preliminary Plats to the Planning Commission:

- 3.21 Whenever any subdivision of land is proposed to be made and before any contract for sale, or any offer to sell said subdivision or any part thereof, is made, the subdivider, through his project engineer, shall file the necessary number of copies of the Preliminary Plat of said plan with the staff of the Planning Commission. The Preliminary Plat shall be prepared in accordance with the regulations set forth in Section 4 of these regulations and shall be submitted to the staff prior to starting any survey of streets and lots and before starting any land disturbance or construction work upon the proposed streets and before any plat of said subdivision is made in form suitable for recording. The staff of the Planning Commission shall determine whether a plat is in proper form and shall not receive and consider such a plat as filed until it is submitted in accordance with the requirements herein.
- 3.22 A filing fee must accompany the submission of the plats. The fee for filing for plat approval shall be as adopted by County Council.
- 3.23 The Preliminary Plat shall be acted on immediately upon receipt of all required approvals and all plat requirements as detailed in Section 4. In no case shall action be delayed longer than 60 days.
- 3.24 The Preliminary Plat shall not be approved by the staff of the Planning Commission until all public and private agencies to which copies of the Preliminary Plat were forwarded have indicated concurrence with the proposed subdivision.
- 3.25 Preliminary Plat approval shall be effective for two years from the date of the approval. Subdivisions, or phases thereof, which have not received Final Plat approval by that time, shall be reviewed by the staff of the Planning Commission to determine the status of the project. ~~Five~~ ~~Two~~ ~~one~~-year extensions of the Preliminary Plat approval ~~may~~ ~~will~~ be granted by the Planning Commission ~~at the~~ ~~upon~~ ~~a~~ ~~recommendation~~ ~~of~~ ~~by~~ ~~the~~ ~~staff~~ ~~provided~~ ~~that~~ ~~the~~ ~~subdivider~~ ~~has~~ ~~indicated~~ ~~a~~ ~~willingness~~ ~~continues~~ ~~to~~ ~~meet~~ ~~the~~ ~~obligations~~ ~~of~~ ~~the~~ ~~Preliminary~~ ~~Plat~~ ~~approval~~ ~~and~~ ~~provided~~ ~~there~~ ~~have~~ ~~been~~ ~~no~~ ~~amendments~~ ~~to~~ ~~these~~ ~~regulations~~ ~~that~~ ~~prohibit~~ ~~approval~~. Preliminary Plat approval may be revoked at any time by the Planning Commission should the subdivider fail to meet the criteria for development documented in the plat, or should one or more of the agencies involved in the approval process revoke their stated approval.

3.30 Submission of Final Plats

The following shall govern the submissions of Final Plats of subdivisions to the Planning Commission.

- 3.31 After the proposed subdivision has been prepared and the required improvements made in accordance with the approved Preliminary Plat, the subdivider shall submit the necessary copies of the Final Plat to the staff of the Planning Commission. The Final Plat shall be prepared in accordance with the stipulations of Section 4 of these regulations.

- 3.32 The Final Plat shall be acted on immediately upon receipt of all required approvals and plat requirements. In no case shall action be delayed longer than 30 days.
- 3.33 Upon the approval of the Final Plat by the staff of the Planning Commission, copies of the plats thus submitted shall be stamped with the appropriate certificate of the Planning Commission indicating Final Plat approval, and returned to the subdivider for recording as the official plat of record in the Office of the Register of Deeds for Lexington County.
- 3.34 The Final Plat shall not be approved by the Commission staff until all public and private agencies to which copies of the Final Plat were forwarded have indicated approval of the Final Plat including the necessary improvements noted thereon.

3.40 General Requirements

- 3.41 A record of all actions on subdivision plats shall be maintained as a public record. This shall include the grounds for approval or disapproval and any conditions attached to the action.

3.50 Appeal of Action

- 3.51 Staff action, if such action is authorized, for either approval or disapproval of a subdivision may be appealed to the Lexington County Planning Commission by any party in interest. The Planning Commission shall act on the appeal within 60 days. Action of the Planning Commission is final.

Appeal of the decision of the Planning Commission in such cases may be taken to circuit court within 30 days after actual notice of the decision.

This Ordinance shall take effect June 30, 2005.

Enacted this _____ day of June, 2005.

Bruce E. Rucker, Chairman

ATTEST:

Diana W. Burnett, Clerk of Council

First Reading: May 3, 2005
 Second Reading: May 24, 2005
 Public Hearing: May 24, 2005
 Third & Final Reading: _____
 Filed w/Clerk of Court: _____

ORDINANCE 05-04
AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR
FISCAL YEAR 2005-06

WHEREAS, South Carolina Code § 4-9-120 and § 4-9-130 require that County Council shall adopt an annual budget; and

WHEREAS, the annual budget shall be based upon estimated revenues and shall provide appropriations for County operations and debt service for all County departments and agencies.

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

SECTION 1 - GENERAL

The fiscal year 2005-06 County budget for Lexington County, South Carolina, a copy of which is attached hereto and incorporated herein by way of reference, is hereby adopted.

SECTION 2 - COUNTY OPERATIONS TAX LEVY

There shall be levied, for County operations on all taxable property in Lexington County, sufficient taxes to fund the referenced budget in the number of mills allowed in Code Section 6-1-320.

SECTION 3 - DEBT SERVICE TAX LEVY

The County Auditor is hereby authorized and directed to levy millages for all county and special district debt service funds in amounts sufficient to retire their respective debts.

SECTION 4 - MILLAGE AGENCY TAX LEVY

There shall be levied, for millage agencies (Lexington County Recreation and Aging Commission, Irmo-Chapin Recreation Commission, Midlands Technical College, Riverbanks Park, Irmo Fire District) on all taxable property in Lexington County, sufficient taxes to fund their respective budgets in the number of mills, allowed in Code Section 6-1-320.

SECTION 5 - BUDGETARY ESTIMATES

Anticipated revenues are stated as estimates and the respective appropriations are maximum and conditional. Should actual funding sources for any such fund be less than projected, the Administrator shall reduce budgeted expenditures attributable to said fund.

SECTION 6 - BUDGETARY CONTROL

Departments and/or other organizational units are bound to the appropriated expenditures incorporated herein. Upon the written request of the department head, the County Administrator, or his designated representative, is hereby authorized to effect transfers between line items.

Any departments which overspend their spending levels for two consecutive months shall have sufficient personnel in their department removed from the County payroll to fully compensate, prior to June 30, 2006, the impending overrun.

SECTION 7 - LINE ITEM CARRYOVERS

Any line items previously appropriated and/or properly encumbered as of June 30, 2005, shall be carried forward as an appropriation of fiscal year 2005-06 upon the recommendation of the County Administrator, and by passage of a budgetary amendment resolution by County Council.

SECTION 8 - NEW GRANTS

Grant funds applied for or received after the budget year, and therefore not stated in this budget ordinance, shall, by passage of a budgetary amendment resolution by County Council authorizing the acceptance of the grant and its appropriations, be accounted for in appropriate special revenues funds. The specific grant provisions shall direct the manner of expenditure of these funds.

SECTION 9 - OTHER MISCELLANEOUS RECEIPTS

Revenues other than those originally budgeted may be expended as directed by their respective revenue source after they are accepted and appropriated by the County Council by passage of the budgetary amendment resolution. Such funds include, but are not limited to, contributions, donations, special events, insurance and similar recoveries. These funds may be appropriated for any costs or overruns or new projects upon approval of County Council.

SECTION 10 - LINE OF CREDIT AUTHORIZATION

From time to time it may be necessary for the administration of the County (or any other agency for which the county levies taxes) to borrow in anticipation of tax revenues to guarantee continuity in regular operations. To provide for such contingencies, the administration of the county (or the respective agencies) is hereby authorized to borrow in anticipation of ad valorem tax collections. Such authorization may only be exercised upon certification of need by both the County Treasurer and the Finance Director (or the CEO of the agency and the Chief Financial Officer) and any amount borrowed must be obtained at the lowest possible interest rate and repaid as quickly as practical.

SECTION 11 - SEVERABILITY

If for any reason any provision of this Ordinance shall be declared invalid or unconstitutional, such shall not affect the remaining provisions of this Ordinance.

This Ordinance shall become effective July 1, 2005.

Enacted this _____ day of _____, 2005.

Bruce E. Rucker, Chairman

ATTEST:

Diana W. Burnett, Clerk

First Reading:

Second Reading:

Public Hearing:

Third & Final Reading:

Filed w/Clerk of Court:

Memorandum

May 12, 2005

To: Art Brooks
County Administrator

For: County Council

From: Charlie Compton, Director 
Department of Planning and GIS

Reference: Solid Waste Disposal Changes

Listed below are summaries of the ordinance proposals that are scheduled for public hearings on May 24th. These are drafts that can certainly be changed during the adoption process. The Planning Commission will be reviewing them at their meeting on May 19th, but their formal recommendation must wait until after the hearings.

In the Zoning Ordinance the proposed changes do the following:

- Clearly show that the Recycling Center definition in the Zoning Ordinance does not include the more intense activities which are of concern. That clarifies that they are considered solid waste disposal activities as regulated by Article 9, Landfill Operations.
- Allow Lexington County to regulate as a mine any activity that moves substantial quantities of material from a development site over long periods of time. This could be a commercial development, a subdivision, etc.
- Clearly show that Lexington County can regulate any landfill to include those exempt in any way from SCDHEC requirements
- Put in place very stringent regulations with respect to the location and operation of activities that include the on-site processing of construction, demolition, and /or land-clearing debris for recycling. There is one blank involving quantities that needs to be completed here.
- Ensure that deceleration and acceleration lanes will be installed where needed at all mining and landfill operations.

In the Solid Waste Ordinance the proposed changes do the following:

- Add several definitions that provide important links to the County Zoning Ordinance.
- Add an entire new Division to the Ordinance that will allow Council to have the final say on the location of certain solid waste related activities.
- Add a bonding requirement to ensure that unprocessed solid waste material could not be abandoned without a financial means for disposal.

Enclosures:

Zoning Text Amendment #T05-04 – Proposed changes to the Lexington County Zoning Ordinance
Ordinance #05-05 – Proposed changes to the Lexington County Solid Waste Ordinance

Ordinance #05-05

An Ordinance amending the Lexington County Solid Waste Ordinance to address additional definitions and regulations for recycling/processing centers, mining operations, and land clearing debris landfills

{Add these additional definitions to Sec 54-31 – Definitions found in Division 1 of Article II – Collection and Disposal}

Section 54-31. Definitions.

A *Landfill* is any such activity as defined in the Lexington County Zoning Ordinance. It may include solid waste activities exempt from review by the South Carolina Department of Health and Environmental Control (SCDHEC).

Land-Clearing Debris and Yard Trash is *(this needs a solid definition to cover what is exempt from SCDHEC rules)*

A *Mining Operation* is any mining activity defined as such in the Lexington County Zoning Ordinance.

{Add this additional line to the end of Division 2. Franchised Collectors}

Sections 54-65 – 54-80. Reserved.

{Add this additional Division to Article II – Collection and Disposal}

DIVISION 3. ADDITIONAL DISPOSAL REQUIREMENTS

Section 54-81. Location requirements of certain solid waste disposal activities.

The following solid waste disposal activities have unique characteristics that require a thorough review prior to specific site approval and require careful on-going oversight of the day-to-day operations:

- a. The on-site processing of construction, demolition, and/or land-clearing debris for recycling.
- b. Landfills intended to be used for land-clearing debris and yard trash.
- c. Any mining operations that include a Construction, Demolition, and/or Land-Clearing Debris Landfill as a part of their reclamation plan.

Each proposed activity must first be reviewed as to its ability to meet the regulations contained in the Lexington County Zoning Ordinance. A report of that review must then be forwarded to the Lexington County Council as a part of their determination as to the suitability of the proposed location for the activity. If there are aspects of the activity and its proposed location that are of concern to the Council, they will be forwarded to the applicant. If the concerns cannot be addressed satisfactorily, the proposed activity will not be permitted for that location.

Section 54-82. Bonding of recycling/processing activities.

The on-site processing of construction, demolition, and/or land-clearing debris for recycling has several unique characteristics since the material used for this operation is normally destined for an approved landfill. In preparation for processing it is generally stored above-ground in large piles. If for any reason the recycling operation is abandoned, the unprocessed material must be transported to an approved landfill. Therefore, Lexington County requires that a bond with surety and conditions satisfactory to it be filed and accepted prior to the permitting of such an operation. The nature of the surety and the bonding procedures shall be as determined by the County Council to ensure that, in the event of a default by the applicant, funds will be available to dispose of the unprocessed solid waste material. The amount of the bond at all times must be equal to the cost of such disposal.

This Ordinance shall take effect _____, 2005.

Enacted this ____ day of _____, 2005.

Bruce E. Rucker, Chairman

ATTEST:

Diana W. Burnett, Clerk of Council

First Reading: April 26, 2005
Second Reading: May 3, 2005
Public Hearing: May 24, 2005
Third & Final Reading: _____
Filed w/Clerk of Court: _____

COMMITTEE REPORT

RE: Fuel Farm and Runway Maintenance

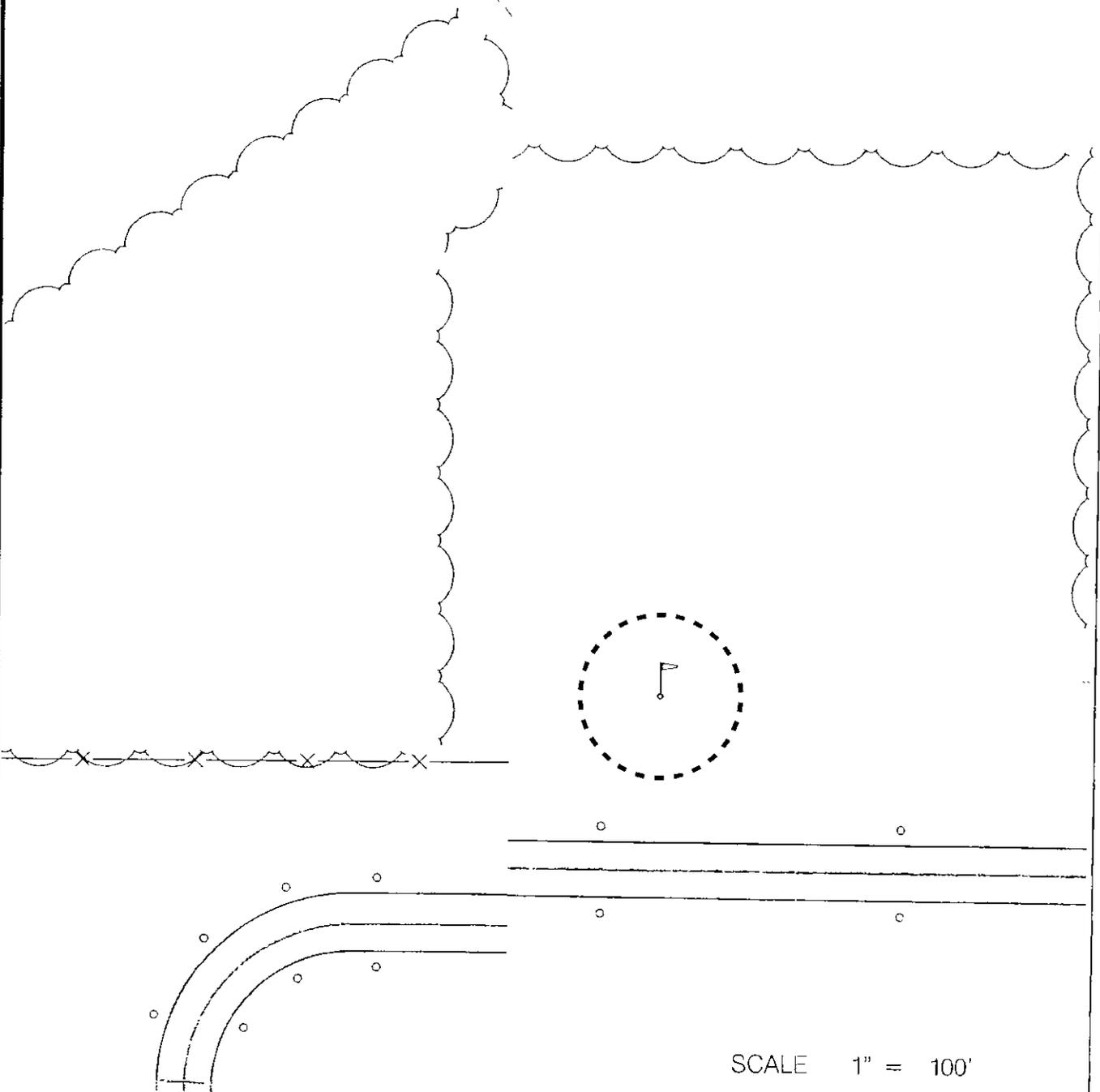
DATE: May 6, 2005

COMMITTEE: Airport

MAJORITY REPORT: Yes

The Airport Committee met on Friday, May 6, with Ms. June Witty and Frank Leaphart, Senior Aviation Designers with Wilbur Smith Associates to discuss the apron and access design for the new fuel farm tank, grubbing and small tree removal in and around the runaway. Also discussed were specs on the County's RFQ for the fuel farm.

The Committee instructed Mr. John Fechtel, Director of Public Works, to obtain the clearance measurements for the runway from Ms. Witty and proceed with the grubbing and tree removal.



SCALE 1" = 100'

REV NO		DATE	REVISIONS	DESCRIPTION OF REVISION

PRELIMINARY FUEL FARM
AND APRON LAYOUT

PROJECT NO. (NSA)

NO OF

Justice Assistance Grant Program Narrative

Lexington County is a fast growing rural area with a population of 230,000 citizens and covering 741 square miles. There are three major highways running through the county: I-20, I-26, I-77. There are also numerous back roads in the rural area where traffickers and other criminals travel from coast to coast. The Columbia Metropolitan Airport is also located in Lexington County and serves as a hub for professionals as well as criminals traveling to other parts of the country and the coast.

Crime continues and budget constraints are a factor in significant lowering of all types of crimes. With these crimes come arrests of suspects. The Lexington County Detention Center houses all the prisoners for the law enforcement agencies in Lexington County. It is vitally important that the information gathered by each agency officer be data entered into a system for a centralized criminal records database system that will be used as the facilitator for sharing criminal records and confidential information with all law enforcement agencies and departments in Lexington County. All criminal justice agencies must have the criminal history at their "fingertips" to detain or arrest those who are dangerous to the human society.

At the present time, the criminal histories of prisoners are logged into a system that cannot be downloaded into a central system for sharing of information. Upgrades are a necessity and new agency sensitive specialized computer programs must be developed so that the agencies can perform time sensitive tasks and provide updated and correct information. Agencies will be sharing information that could be of value to another state; for example: a criminal being held in a detention facility or stopped for a traffic violation could be wanted in another state

A comprehensive centralized record incident management system will enable responders at all agency levels to work together more effectively to manage incidents no matter what the cause, size, or complexity. The system must be maintained and upgraded continually to provide strategic direction for all agencies to include refining and programming to fit agency and department needs over the long term. Standards will be developed, training will be required, and evaluation of the system routinely performed and other requirements met according to federal and state guidelines.

It is important that all law enforcement agencies and criminal justice agencies are in constant contact for the protection of citizens and the well being of the public. This can only be accomplished with the sharing of information, knowledge, training and skills derived from the team building network system developed through a centralized record database.

**JUSTICE ASSISTANCE GRANT
MAGISTRATE COURT SERVICES (142000)
FY 2005-06**

CAPITAL LINE ITEM NARRATIVE

540000 SMALL TOOLS AND MONOR EQUIPMENT \$1,913

These funds will be used to purchase new or replacement equipment that may be needed throughout the fiscal year.

540010 MINOR SOFTWARE \$2,000

Computer program developed by U.S. Computing Inc. for computer generated bond forms, defendant rights form, preliminary hearing and transfer court forms.

(3) DIGITAL RECORDERS \$3,000

These recorders will be used at the New Lexington County Summary Court Center. These recorders have been quoted at approximately \$700 each. Additional fees will be used for installation.

(2) SOUTH CAROLINA CODE OF LAW \$1,800

Two additional sets of South Carolina Code of Law books will be purchased for the Lexington County Summary Court Center. The cost for one set of books is \$900.

COUNTY OF LEXINGTON
FINANCE DEPARTMENT

interoffice
MEMORANDUM

to: County Council

from: Kristi Hornsby, Manager of Grants Administration

subject: Justice Assistance Grant (JAG)

date: April, 19 2005

The Sheriff's Department is requesting your approval to apply for the Edward Byrne Memorial Justice Assistance Grant (JAG). Lexington County is eligible to receive \$72,611. The funds can be used for technical assistance, training, equipment, supplies, contractual support, and information systems for criminal justice.

The deadline for this grant was March 31, but the County has been given an extension. Due to the urgency of this deadline, the Sheriff's Department is requesting your immediate response.

There is no county match required. There are no personnel costs funded by this grant.



Edward Byrne Memorial
Justice Assistance Grant

JAG

FY 2005 Local Solicitation

Eligibility

Units of local government appearing on the *FY 2005 Units of Local Government List* are eligible to apply for JAG funds. To view this list, go to www.ojp.usdoj.gov/BJA/grant/jagallocations.html.

GMS Application Deadline

All JAG applications are due on or before 8:00 p.m. EST on March 31, 2005.

For assistance with the JAG solicitation, contact:

Timothy S. Wight, Associate Deputy Director, Programs Office, at Timothy.Wight@usdoj.gov or
Matthew D. Hanson, Director's Special Assistant for Administration, at Matthew.Hanson@usdoj.gov.

ABOUT OJP

The Office of Justice Programs (OJP), U.S. Department of Justice, was created in 1984 to provide federal leadership in developing the nation's capacity to prevent and control crime, administer justice, and assist crime victims. OJP carries out this mission by forming partnerships with other federal, state, and local agencies, as well as national and community-based organizations. OJP is dedicated to comprehensive approaches that empower communities to address crime, break the cycle of substance abuse and crime, combat family violence, address youth crime, hold offenders accountable, protect and support crime victims, enhance law enforcement initiatives, and support advancements in adjudication. OJP also works to reduce crime in Indian Country, enhance technology use within the criminal and juvenile justice systems, and support state and local efforts through technical assistance and training.

ABOUT BJA

The Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice, supports law enforcement, courts, corrections, treatment, victim services, technology, and prevention initiatives that strengthen the nation's criminal justice system. BJA provides leadership, services, and funding to America's communities by emphasizing local control; building relationships in the field; developing collaborations and partnerships, promoting capacity building through planning; streamlining the administration of grants; increasing training and technical assistance; creating accountability of projects; encouraging innovation; and ultimately communicating the value of justice efforts to decision makers at every level

ABOUT JAG

Proposed to streamline justice funding and grant administration, the Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs to provide agencies with the flexibility to prioritize and place justice funds where they are needed most.

Formula

The JAG formula includes a *state allocation* consisting of a minimum base allocation with the remaining amount determined on population and Part 1 violent crime statistics, and a *direct allocation* to units of local government. Once the state allocation is calculated, 60% of the funding is awarded to the state and 40% to eligible units of local government. State allocations also have a *variable pass through* requirement to locals, calculated by the Bureau of Justice Statistics (BJS) from each state's crime expenditures.

Purpose Areas

JAG funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any one or more of the following purpose areas:

- Law enforcement programs
 - Prosecution and court programs
 - Prevention and education programs
 - Corrections and community corrections programs
 - Drug treatment programs
 - Planning, evaluation, and technology improvement programs
- ★ Any law enforcement or justice initiative previously eligible for funding under Byrne or LLEBG is eligible for JAG funding.

Responsibilities

The chief executive officer of an eligible unit of local government or a local agency designated by the chief executive officer must apply for JAG funds. A unit of local government receiving a JAG award will be responsible for the administration of the funds including distributing the funds; monitoring the award; submitting reports including performance measure and program assessment data; and providing ongoing assistance to any subrecipients of the funds.

Administrative Funds

A unit of local government may use up to 10 percent of the award for costs associated with administering JAG funds.

Eligibility

Units of local government appearing on the *FY 2005 Units of Local Government List* established by BJS are eligible to apply for JAG funds. For JAG program purposes, a unit of local government is: a town; township; village; parish, city; county; or other general purpose political subdivision of a state; or a federally recognized Indian Tribe or Alaskan Native organization that performs law enforcement functions as determined by the Secretary of the Interior. In Louisiana, a unit of local government means a district attorney or a parish sheriff. For a listing of eligible units of local government, go to www.ojp.usdoj.gov/BJA/grant/jagallocations.html

Disparate Certification

A disparate allocation occurs when a constituent unit of local government is scheduled to receive one and one half times more (four times more for multiple units of local government) than another constituent unit(s), while the other unit of local government bears more than 50% of the costs of prosecution or incarceration that arise for Part 1 violent crimes reported by the geographically constituent unit(s). JAG disparities are certified by the Director of BJA, based in part on input from the state's Attorney General. For a listing of disparate jurisdictions, go to www.ojp.usdoj.gov/BJA/grant/jagallocations.html.

- Jurisdictions certified as disparate must submit a **joint application** for the aggregate of funds allocated to them, specifying the amount of the funds that are to be distributed to each of the units of local government and the purposes for which the funds will be used. The units of local government involved may establish a joint advisory board to carry out the joint application process. When beginning the JAG application process, a Memorandum of Understanding (MOU) must be completed, signed, and faxed to OJP, indicating who will serve as the applicant/fiscal agent for the joint funds. MOUs must be faxed to 202-354-4147, with the OJP Grants Management System (GMS)-generated application number printed on each page. For a sample MOU, go to www.ojp.usdoj.gov/BJA/grant/05JAGMOU.pdf.

Application Reviews

The eligible unit of local government applying for a JAG award must make the grant application available for review to the governing body of the unit of local government or an organization designated by that governing body not fewer than 30 days before the application is submitted to BJA. Also, the unit of local government must provide an assurance that the application or any future amendment was made public and an opportunity to comment was provided to citizens and to neighborhood or community organizations to the extent applicable law or established procedure makes such an opportunity available.

Supplanting

Federal funds must be used to supplement existing funds for program activities and cannot replace, or supplant, nonfederal funds that have been appropriated for the same purpose.

Award Amount

Of the 40% allocated for direct awards to units of local government from the total JAG appropriation, funds will be allocated and awards made to units of local government by BJA based on the same ratio to such share as the average annual number of Part 1 violent crimes reported by the unit to the Federal Bureau of Investigation (FBI) for the 3 most recent calendar years for which data is available bears to the number of Part 1 violent crimes reported by all units of local government in the state to the FBI for such years.

- For FY 2005, 2006, and 2007, BJA will allocate the local amount to units of local government in the same way the LLEBG program amount was allocated among reporting and nonreporting units of local government.
- If the allocation to a unit of local government is less than \$10,000, the direct JAG award to the state will be increased by the total amount of such allocations to be distributed among state police departments that provide criminal justice services to units of local government and/or to any units of local government whose allocation is less than \$10,000.

Length of Award

Awards are made in the first fiscal year of the appropriation and may be expended during the following 3 years, for a total of 4 years. Extensions beyond this period may be made on a case-by-case basis at the discretion of the Director of BJA.

Match

While match is not required with the JAG Program, match is an effective strategy for states and units of local government to expand funds and build buy-in for law enforcement and criminal justice initiatives.

Trust Fund

The unit of local government must establish a trust fund in which to deposit JAG funds. The trust fund may or may not be an interest bearing account.

Prohibited Uses

JAG funds cannot be used directly or indirectly for security enhancements or equipment to nongovernmental entities not engaged in criminal justice or public safety. Based on extraordinary and exigent circumstances making the use of funds essential, BJA may certify a unit of local government's request to use funds for:

- Vehicles, vessels, or aircraft
- Luxury items
- Real estate
- Construction projects, other than penal or correctional institutions

HOW TO APPLY

The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.738, titled "Edward Byrne Memorial Justice Assistance Grant Program." OJP requires that funding applications be submitted through the OJP Grants Management System (GMS). Faxed or mailed applications will not be accepted.

To access the system, go to <http://grants.ojp.usdoj.gov>. Applications submitted via GMS must be in one of the following formats: Microsoft Word (.doc), PDF file (.pdf), or text (.txt). If you experience difficulties at any point in this process, call the GMS Help Desk at 888-549-9901 between 7:30 a.m. – 9:00 p.m. EST. New GMS users must create a new account before submitting an application. All JAG applications are due on or before 8:00 p.m. EST on March 31, 2005

Step 1: Signing On

- If you already have a GMS user ID, proceed to GMS sign in. Even if your organization already has a user ID, you will not be registered for the solicitation until you have signed onto GMS and entered the appropriate solicitation. To do so, please proceed to step 2.
- If you do not have a GMS user ID, select "New User?" Register Here." After you have completed all of the required information, click "Create Account" at the bottom of the page and note your user ID and password, which are case sensitive.
- A Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number must be included in every application for a new award or renewal of an award. Individuals who would personally receive a grant or cooperative agreement from the federal government are exempt from this requirement. Organizations should verify that they have a DUNS number or take the steps necessary to obtain

one as soon as possible. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS number request line at 800-333-0505

Step 2: Selecting/Registering for the Program

- After you have logged onto the system using your user ID and password, click on "Funding Opportunities."
- Select "Bureau of Justice Assistance" from the drop-down list, and click "Search." This will narrow the list of solicitations within the Office of Justice Programs to those in BJA.
- From the list of BJA grants, find "FY 2005 Justice Assistance Grant Program," and click "Apply Online."
- Confirm that your organization is eligible to apply for this program by reading the text on the screen. If eligible, proceed by clicking "Continue."

Step 3: Completing the Overview Information

- Select the type of application you are submitting by choosing "Application Non-Construction" in the "Type of Submission" section.
- Select "New" in the drop-down box for "Type of Application "
- If your state has a review and comment process under Executive Order 12372 (<http://policy.fws.gov/library/rgeo12372.pdf>), then select either "Yes" and enter the date you made this application available under that review or "N/A" because this program has not been selected by your state for such a review. If your state does not have such a process, then select "No. Program Not Covered by E.O. 12372."
- Click "Save and Continue."

Step 4: Completing the Applicant Information

- Answer "Yes" or "No" to the question about whether your organization is delinquent on any federal debt.
- The rest of this page will prepopulate based on the information you submitted during the registration process. Check this information for accuracy and relevance to your organization, and make any needed changes.
- Click "Save and Continue "

Step 5. Completing the Project Information

- Provide a title that is descriptive of your project.
- List the geographic areas to be affected by the project.
- Enter a start date for the project that is on or after October 1, 2004 and an end date that is not more than 48 months later
- Select all of the Congressional districts that are affected by this application. To select multiple districts, hold down the CTRL key while making your selections.
- Enter the grant amount in the federal line under the "Estimated Funding" section.
- Click "Save and Continue."

Step 6: Uploading the Attachments

- You will be asked to upload three attachments to the online application system. (See the Attachments section for detailed instructions)

1. Program Narrative (Attachment 1)
2. Budget Narrative (Attachment 2)
3. Review Narrative (Attachment 3)

- Click "Attach" to upload these documents. A new window will open. To continue, click "Browse" and find the file on your computer or the network drive from which you wish to upload, then click on "Upload Your Document." A window that says "File Upload Successful" should appear. Next to the upload list, the notation should change to "Attachment OK." Repeat these steps for all three uploads.
- If you encounter any difficulties uploading your file, click on "Tips for Successful Upload." This document will explain the usual problems with uploading files and will help you through them.
- Click "Save and Continue."
- Depending on the size of the attachment and/or your computer's Internet connection, the uploading process can take several hours. The system will shut down promptly at the deadline. Incomplete applications will not be accepted and no exceptions will be granted.

Step 7: Completing the Assurances and Certifications

- You will need to accept both the assurances document and the certifications document. To do this, click on "Assurances" and "Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements."
- Read both documents. At the bottom of each one, click the "Accept" button.
- After you have accepted both documents, enter the correct personal information for the person submitting the application.
- Click the box next to the text at the bottom of the page to certify that the person submitting the application is authorized to accept these assurances and certifications.
- Click "Save and Continue."

Step 8: Reviewing the SF-424

- By answering the questions contained in GMS, you have completed the Standard Form 424 (SF-424) and other forms required to apply for grant funding. Take a moment to review the SF-424 to ensure that it is accurate.
- If you need to make changes to any portion of the application, simply click on that section along the left side of the screen. Be sure to click "Save and Continue" after making any changes.
- When you are sure that the information is accurate, click "Continue."

Step 9: Submitting the Application

- A list of application components will appear on the screen. It should say "Complete" before each component. If it says "Incomplete" then click on the word and it will take you back to the section that needs to be completed. An explanation of what is missing will be at the top of that screen.

ATTACHMENTS

Program Narrative (Attachment 1)

Applicants must submit a program narrative that generally describes the proposed program activities for the 4-year grant period. The narrative must outline the type of programs to be funded by the JAG award, and provide a brief analysis of the need for the programs. Narratives must also identify anticipated coordination efforts involving JAG and related justice funds. Certified disparate jurisdictions submitting a **joint application** must specify the amount of the funds that are to be distributed to each of the units of local government and the purposes for which the funds will be used.

Budget Narrative (Attachment 2)

Applicants must submit a budget narrative outlining how JAG administrative funds will be used to support and implement the program.

Review Narrative (Attachment 3)

Applicants must submit information documenting that their JAG application was available for review to the governing body-or organization designated by that body-not less than 30 days before the application was submitted to BJA. The attachment must also specify that an opportunity to comment was provided to citizens and neighborhood or community organizations to the extent applicable law or established procedure makes such an opportunity available.

GMS APPLICATION DEADLINE

While JAG's implementing language [H.R. 3036] identifies that applications are to be submitted within 90 days after the date on which funds are appropriated for a fiscal year, BJA is providing units of local government with the opportunity to submit their applications on or before 8:00 p.m. EST on March 31, 2005.

QUESTIONS

For assistance with the JAG solicitation, call the JAG Help Line at 1-888-549-9901, Option 4 or e-mail Timothy S. Wight, Associate Deputy Director, Programs Office, at Timothy.Wight@usdoj.gov; or Matthew D. Hanson, Director's Special Assistant for Administration, at Matthew.Hanson@usdoj.gov.

For assistance with GMS, contact the GMS Help Desk at 888-549-9901.

Memorandum

May 12, 2005

To: Art Brooks
County Administrator

For: County Council

From: Charlie Compton, Director 
Department of Planning and GIS

Reference: Solid Waste Disposal Changes

Listed below are summaries of the ordinance proposals that are scheduled for public hearings on May 24th. These are drafts that can certainly be changed during the adoption process. The Planning Commission will be reviewing them at their meeting on May 19th, but their formal recommendation must wait until after the hearings.

In the Zoning Ordinance the proposed changes do the following:

- Clearly show that the Recycling Center definition in the Zoning Ordinance does not include the more intense activities which are of concern. That clarifies that they are considered solid waste disposal activities as regulated by Article 9, Landfill Operations.
- Allow Lexington County to regulate as a mine any activity that moves substantial quantities of material from a development site over long periods of time. This could be a commercial development, a subdivision, etc.
- Clearly show that Lexington County can regulate any landfill to include those exempt in any way from SCDHEC requirements.
- Put in place very stringent regulations with respect to the location and operation of activities that include the on-site processing of construction, demolition, and /or land-clearing debris for recycling. There is one blank involving quantities that needs to be completed here.
- Ensure that deceleration and acceleration lanes will be installed where needed at all mining and landfill operations.

In the Solid Waste Ordinance the proposed changes do the following.

- Add several definitions that provide important links to the County Zoning Ordinance.
- Add an entire new Division to the Ordinance that will allow Council to have the final say on the location of certain solid waste related activities.
- Add a bonding requirement to ensure that unprocessed solid waste material could not be abandoned without a financial means for disposal.

Enclosures:

Zoning Text Amendment #T05-04 – Proposed changes to the Lexington County Zoning Ordinance
Ordinance #05-05 – Proposed changes to the Lexington County Solid Waste Ordinance



COUNTY OF LEXINGTON, SOUTH CAROLINA

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

ZONING TEXT AMENDMENT APPLICATION # T05-04

Section(s) of the Zoning Ordinance which are affected:

Article 2, Chapter 1, Section 21.10; Article 8; and Article 9

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

To amend the Lexington County Zoning Ordinance to address additional definitions and regulations for recycling/processing centers, mining operations, and landfills.

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

Date 4/28/05

Signature

Name(print)

Charlie Compton, Planning Director
Lexington County Department of Planning and GIS
212 South Lake Drive
Lexington, South Carolina 29072

Telephone # 785-8121

- 1. 04/28/05 Application Received
- 2. ___/___/___ Fee Received
- 3. ___/___/___ Newspaper Advertisement

___/___/___ Planning Commission Recommendation: _____

04/26/05 First Reading 05/24/05 Public Hearing 05/03/05 Second Reading ___/___/___ Third Reading

Results: _____

Mining (Extensive) includes all other mining activities not included within the definition of Mining (Limited) or Mining (Intermediate). This activity category permits on-site mineral processing, chemical leaching, and blasting

Mini-Parks are recreational areas with no more than playground equipment and picnic facilities.

Mini-Warehouses include the operation of warehousing and storage wherein the storage capacity of individual units is less than 1,000 square feet of floor area and individual keys are provided to lock each unit during the term of a rental agreement

Mobile Home activities, including manufactured homes, are transportable dwellings intended for permanent residential occupancy. They may be contained in either one unit or multiple units designed to be joined together into one integral unit, arrive at a site complete and ready for occupancy except for minor and incidental assembly operations, and are constructed so that they may be used without a permanent foundation. This activity shall not include modular residential construction, as defined within the South Carolina Modular Buildings Construction Act of 1976. Modular residential construction shall be included in the Residential Detached or Residential Attached activity types, as appropriate.

Mobile Home Parks (Limited) Three or more mobile homes, exclusive of a mobile home occupied by the property owner, that are operated as a single entity and located within the vicinity of one another. The park may be located on a single parcel, or multiple parcels in the same or different ownership. The minimum size of an individual mobile home space in this type of development is 20,000 square feet.

Mobile Home Parks (Extensive) Three or more mobile homes, exclusive of a mobile home occupied by the property owner, that are operated as a single entity and located within the vicinity of one another. The park may be located on a single parcel, or multiple parcels in the same or different ownership. The minimum size of an individual mobile home space in this type of development is 6,000 square feet.

Natural Reserves and undeveloped open spaces include parks with minimum equipment, botanical gardens and arboretums, golf courses (except for the buildings which are to be assigned specific activity types based on use), and the like.

Non-Assembly Cultural activities include public, parochial and private museums, art galleries, libraries, and observatories

Nursing Homes include convalescent homes, convalescent hospitals and clinics. Skilled care is typically provided to residents/patients. (See also "Retirement Centers".)

Personal Convenience Services include barbering, laundromats, beauty care, dry cleaning, and the repair of personal apparel, and similar items, but not including motor vehicles, structures, or engines.

Plant Nurseries include the cultivation, for sale, of horticultural specialties such as flowers, shrubs, trees, and bushes intended for ornamental or landscaping purposes.

Power Plants (non-atomic).

Professional Services include those performed by recognized professionals such as lawyers, architects, engineers, CPA's, private instructors with less than 30 students at one time, real estate brokers, and the like.

Radioactive Materials Handling includes the use, in any way, of significant amounts of radioactive or atomic material, to include atomic power plants or radioactive waste treatment or storage. Incidental amounts of such material incorporated into activities of scientific measurement or diagnostic practice shall not be included in this classification.

Railroad terminals and yards (freight and passenger).

Recycling Centers include the processing and storage of consumer goods/materials to be sold for the purpose of creating post-consumer use products. ~~This activity does not include the recycling of construction, demolition, and/or land-clearing debris. Such recycling operations shall be regulated as landfills in accordance the provisions of Article 9.~~

ARTICLE 8 - MINING OPERATIONS

Chapter 1. General Provisions

81.00 Purpose

The purpose of this article is to address the unique needs of Mining Operations in order that these activities function in a manner that is compatible with the surrounding area.

81.10 Jurisdiction

The regulations set forth herein shall apply to any property located within the jurisdiction of this Ordinance that is now or is proposed to be developed as a Mining Operation

81.20 Definitions

Minerals are solids, liquids, or gases found in natural deposits on or in the earth, including, but not limited to, soil, sand, clay, gravel, stone, rock, coal, phosphate, metallic ore, petroleum, or natural gas

Mining Area is the area of land from which overburden or minerals have been removed, or upon which overburden has been deposited, including the location of on-site mineral processing, stockpiles, settling ponds, mining vehicle operation, and active reclamation areas. The mining area does not include land which has been reclaimed, the access road or overburden deposits and earthen berms which are part of County approved screening.

Mining includes the extraction or removal of minerals for sale, processing, or consumption ~~even if the mining activity is not required to obtain a mining permit from the South Carolina Department of Health and Environmental Control (SCDHEC). It does not include grading, backfilling, plowing, or excavating areas for agriculture or on-site construction unless the extraction or removal of minerals exceeds 25,000 cubic yards or the activity continues for longer than six months; nor does it include exploratory mining as defined by SCDHEC.~~

Mining (Limited) includes all mining operations where the mining area does not exceed five(5) acres. This activity category does not permit on-site mineral processing, including, but not limited to, milling, crushing, screening, washing, flotation, or refining. This activity category does not include chemical leaching of minerals, hard rock quarrying, or blasting.

Mining (Intermediate) includes all mining operations where the mining area does not exceed twenty-five(25) acres. This activity category permits on-site mineral processing, chemical leaching of minerals, hard rock quarrying, or blasting, provided that the blasting or chemical leaching of minerals meets the buffering restrictions of the Mining (Extensive) category.

Mining (Extensive) includes all other mining activities not included within the definition of Mining (Limited) or Mining (Intermediate). This activity category permits on-site mineral processing, chemical leaching, and blasting.

81.30 Application of Regulations

Upon the effective date of these regulations, Mining Operations can be developed or expanded only in accordance with the applicable restrictions contained herein. Legally nonconforming Mining Operations are subject to the provisions found in Article 11.

81.40 Zoning Permit

It shall be the sole responsibility of a Mining Operation owner to establish and operate a Mining Operation in accordance with the regulations as set forth in this article. The zoning permit shall be issued on the basis of compliance with all applicable state and local regulations.

Chapter 2. Mining Regulations

82.10 Adherence to Other Regulations

The Mining Operation regulations contained herein are in addition to any applicable regulations from the South Carolina Department of Health and Environmental Control (SCDHEC) and any other state or federal agencies. ~~After meeting zoning requirements, If a Mining Operation is regulated by SCDHEC it shall be issued a zoning permit after meeting all zoning requirements and after upon receiving a mining permit from SCDHEC that agency. There may be Mining Operations that are governed only by this ordinance and other regulations of Lexington County.~~

82.20 Buffering Restrictions

Each Mining Operation shall adhere to the Buffering Restrictions covering height regulations, buffers, setbacks and screening as outlined in Chapter 3 of Article 2

82.21 Buffers

In the event that an encroachment appears to be within the buffer area, and/or the buffer area is likely to be encroached unintentionally, the designated area may be required to be clearly delineated by a material approved by the Zoning Administrator

82.22 Setbacks

While accessory activities such as driveways and parking and reclamation thereof can occur within the designated setback, mining operations may not encroach on any part of the setback area. Sites with natural vegetation may qualify for a reduction as stated in Section 82.23, paragraph 1 below.

82.23 Screening

1. All Mining operations must use natural or landscaped vegetation for screening. The screening shall include the use of earthen berms and does not exclude the use of fencing for safety reasons. A setback reduction of 25% may be obtained if existing natural vegetation meeting the partial screening requirement, as determined by the Zoning Administrator, is left undisturbed.
2. Total road frontage screening is required in all districts

82.30 Access

A Mining (Intermediate) activity is allowed access by a local road provided that road is paved, and a Mining (Extensive) activity is allowed access by a collector road provided that road is paved

82.40 Driveways

Driveway access to a paved road must consist of an asphalt apron 100 feet in length. Driveway access to an unpaved road must be stabilized in a manner to reduce excessive fugitive dust. ~~Those driveways may also be required to have deceleration and/or acceleration lanes as a part of an encroachment permit from either Lexington County or the South Carolina Department of Transportation.~~

82.50 Hours of Operation

The following hours of operation restrictions shall apply:

Mining(Limited):	7am to 7pm, Monday through Friday
Mining(Intermediate):	7am to 7pm, Monday through Saturday
Mining(Extensive):	No restriction for hours of operation

82.60 Performance Standards

Each Mining Operation shall adhere to the Performance Standards as outlined in Chapter 4 of Article 2.

82.70 Reclamation

After reclamation of a mining area, the exposed, finished, unconsolidated grade must not exceed a 3 to 1 slope.

ARTICLE 9 - LANDFILL OPERATIONS

Chapter 1. General Provisions

91.00 Purpose

The purpose of this article is to address the unique needs of Landfill Operations in order that these activities function in a manner that is compatible with the surrounding area.

91.10 Jurisdiction

The regulations set forth herein shall apply to any property located within the jurisdiction of this Ordinance that is now or is proposed to be developed as a Landfill Operation.

91.20 Definitions

Landfills include all of the following activities as defined by the South Carolina Department of Health and Environmental Control (SCDHEC) now or in the future. These SCDHEC definitions are published for reference only and are not a part of this ordinance. Within this ordinance landfills are classified as either limited, intermediate, or extensive and may include solid waste activities exempt from review by SCDHEC. Recycling activities which involve construction, demolition and/or land-clearing debris are regulated in the same manner as the landfill classification within which they are listed, even if there is no landfill at the location of the recycling activity.

DHEC Landfill Categories

Municipal Solid Waste Landfills

Construction, Demolition, and Land-Clearing (C&D) Debris Landfills

Short-Term C&D Landfills (Part I).

Land-Clearing Debris and Yard Trash Landfills (Part II).

Permanent Industrial C&D Landfills (Part III).

Long-Term C&D Landfills (Part IV).

Industrial Solid Waste Landfills

Landfills (Limited) shall have a landfill area which does not exceed four acres and is operational for less than two years. This activity category does not include a Municipal or Industrial Solid Waste Landfill, or the disposal of hazardous materials, ~~or the on-site processing of construction, demolition, and/or land-clearing debris for recycling.~~

Landfills (Intermediate) shall have a landfill area which does not exceed twelve acres. This activity category does not include the disposal of hazardous materials, ~~but may include the on-site processing of construction, demolition, and/or land-clearing debris for recycling provided the amount of unprocessed material stored above ground does not exceed~~ cubic yards.

Landfills (Extensive) include all other landfills not included within the definition of Landfill (Limited) or Landfill (Intermediate) ~~this activity category also includes the on-site processing of construction, demolition, and/or land-clearing debris for recycling.~~

91.30 Application of Regulations

Upon the effective date of these regulations, Landfill Operations can be developed or expanded only in accordance with the applicable restrictions contained herein. Legally nonconforming Landfill Operations are subject to the provisions found in Article 11, Nonconformity.

91.40 Zoning Permit

It shall be the sole responsibility of a Landfill Operation owner to establish and operate a Landfill Operation in accordance with the regulations as set forth in this article. The zoning permit shall be issued on the basis of compliance with all applicable state and local regulations.

Chapter 2. Regulations

92.10 Adherence to Other Regulations

The Landfill Operation regulations contained herein are in addition to any applicable regulations from the South Carolina Department of Health and Environmental Control (SCDHEC) and any other state or federal agencies. After meeting zoning requirements, a Landfill Operation shall be issued a zoning permit only after receiving a permit from SCDHEC, if applicable, and an ~~Letter of Consistency approval~~ from Lexington County as to its compliance with ~~the all County Solid Waste Regulations Management Plan.~~

92.20 Buffering Restrictions

Each Landfill Operation shall adhere to the Buffering Restrictions covering height regulations, buffers, setbacks, and screening as outlined in Chapter 3 of Article 2.

92.21 Buffers

In the event that an encroachment appears to be within the buffer area, and/or the buffer area is likely to be encroached unintentionally, the designated buffer area may be required to be clearly delineated by a material approved by the Zoning Administrator.

92.22 Setbacks

While accessory activities such as driveways and parking can occur within the designated setback, landfill operations may not encroach on any part of the setback area. Sites with natural vegetation may qualify for a reduction as stated in section 92.23, paragraph 2 below.

92.23 Screening

1. Landfill (Limited) operations may install vegetative or man-made screening materials. However, man-made screening materials must be removed within 60 days of the closure of the site.
2. Landfill (Intermediate & Extensive) operations must use natural or landscaped vegetation for screening. This screening may include the use of earthen berms and does not exclude the use of fencing for safety reasons. A setback reduction of 25% may be obtained if existing natural vegetation meeting the partial screening requirement, as determined by the Zoning Administrator, is left undisturbed.
3. Total road frontage screening is required in all districts.

92.30 Access

The chart contained in Section 22.02 designates the street classification necessary to access Landfill Operations. The following additional requirements must be met:

1. A Landfill (Intermediate) operation is allowed access by a local street provided that road is paved.
2. A Landfill (Extensive) operation is allowed access by a collector street provided that road is paved.

The appropriate street access shall not be an issue if all of the vehicular activity associated with the landfill is self-contained on the site, as in a Permanent Industrial C&D Landfill (Part III).

92.40 Driveways

Driveway access to a paved road must consist of an asphalt apron at least 100 feet in length. Driveway access to an unpaved road must be stabilized in a manner to reduce excessive fugitive dust. ~~Those driveways may also be required to have deceleration and/or acceleration lanes as a part of an encroachment permit from either Lexington County or the South Carolina Department of Transportation.~~

92.50 Hours of Operation

The following hours of operation restrictions shall apply:

Landfill (Limited)	7:00 a.m. to 7:00 p.m., Monday through Friday
Landfill (Intermediate)	7:00 a.m. to 7:00 p.m., Monday through Saturday
Landfill (Extensive)	No restriction for hours of operation

92.60 Limits on Traffic

The following operational limits shall apply in order to restrict the truck traffic in certain circumstances:

		Average Rate for the Day (Trucks per Hour)	Actual Count per Hour (Trucks per Hour)
Landfill (Limited):	Local Street (unpaved)	one	three
	Local Street (paved)	three	six
	Collector Street (unpaved)	three	six
	Collector Street (paved)	no limit	no limit
	Arterial	no limit	no limit
Landfill (Intermediate):	Local Street (unpaved)	no access is allowed	
	Local Street (paved)	three	six
	Collector Street (unpaved)	three	six
	Collector Street (paved)	no limit	no limit
	Arterial	no limit	no limit
Landfill (Extensive):	Local Street (unpaved)	no access is allowed	
	Local Street (paved)	no access is allowed	
	Collector Street (unpaved)	no access is allowed	
	Collector Street (paved)	no limit	no limit
	Arterial	no limit	no limit

92.70 Performance Standards

Each Landfill Operation shall adhere to the Performance Standards as outlined in Chapter 4 of Article 2. It should be noted that one of those standards that requires extra attention during the design of a landfill operation are the limits placed on noise. Earthen berms are one of the few methods that will contain the noise on-site at a level that meets the standards contained in this ordinance.