

**AGENDA**  
**LEXINGTON COUNTY COUNCIL**  
**Committee Meetings**  
**October 11, 2011**  
**Second Floor - County Administration Building**  
**212 South Lake Drive, Lexington, SC 29072**  
**Telephone - 803-785-8103 -- FAX 803-785-8101**

**\*Times are tentatively scheduled committee meetings that may run behind or ahead of schedule; therefore, the times could change by as much as 30 minutes. Also, if time permits, Council may elect to enter into Executive Session to discuss contractual, legal, personnel matters, etc.**

**1:00 p.m. - 1:50 p.m. - Economic Development**

- (1) Approval of Resolution R11-07 to Section 4.05 of that Certain Fee in Lieu of Tax and Incentive Agreement Dated 9/1/2007 Between Lexington County, SC and Otis Spunkmeyer, Inc. - Economic Development - Chuck Whipple, Director ..... A
- (2) Project TeePee Discussion - Economic Development - Chuck Whipple, Director
- (3) Project Too Discussion - Economic Development - Chuck Whipple, Director
- (4) Meeting of September 13, 2011 - Approval of Minutes ..... B
- (5) Old Business/New Business
- (6) Adjournment

**1:50 p.m. - 2:00 p.m. - Planning & Administration**

- (1) CDBG and HOME Programs FY 2010-11 Consolidated Annual Performance and Evaluation Report (Goal 2) - Community Development - Rhonda Dean, Community Development Administrator ..... C
- (2) Meeting of September 13, 2011 - Approval of Minutes ..... D
- (3) Old Business/New Business
- (4) Adjournment

**2:00 p.m. - 2:15 p.m. - Justice**

- (1) Request for Position Re-classification (Goal 1) - Sheriff's Department - Allan Paavel, Colonel..... E
- (2) FY 11 State Criminal Alien Assistance Program (SCAAP) Award (Goal 1) - Finance - Allan Paavel, Colonel ..... F
- (3) Old Business/New Business
- (4) Adjournment

**2:15 p.m. - 2:20 p.m. - Health & Human Services**

- (1) Meeting of September 13, 2011 - Approval of Minutes ..... G
- (2) Old Business/New Business
- (3) Adjournment

**2:20 p.m. - 2:40 p.m. - Public Works**

- (1) Update on the Legal Closure (Portion) of Ben Kyzer Drive - Public Works - John Fechtel, Director of Public Works/Assistant County Administrator..... H
- (2) Meeting of September 13, 2011 - Approval of Minutes ..... I
- (3) Old Business/New Business – Traffic Congestion, Alternate Material for Road Swells, New Road/Corley Mill/Riverchase, Flooding Issues/Kinley Creek Criteria, Stormwater Land Development Manual Chapter 7, Stormwater Utility Fee Update
- (4) Adjournment

**2:40 p.m. - 2:45 p.m. - Solid Waste**

- (1) Meeting of September 13, 2011 - Approval of Minutes ..... J
- (2) Old Business/New Business
- (3) Adjournment

**2:45 p.m. - 4:15 p.m. - Committee of the Whole**

- (1) Update of the 12,000 Year History Park and Greenway Connections at Congaree Creek and the Progress and Future of the River Alliance - Mike Dawson, Executive Director - The River Alliance
- (2) Lexington CTC Annual C Fund Report for FY 2010-2011 - Public Works - Jim Starling, Engineering Assoc. III..... K
- (3) Review of Cell Tower Locations - Ron Scott, Director- Community Development and Charlie Compton, Director - Planning & GIS
- (4) Meeting of September 13, 2011 - Approval of Minutes ..... L
- (5) Possible Executive Session if Time Permits
- (6) Old Business/New Business – Local Contractors Procurement
- (7) Adjournment

## **GOALS**

1. Provide for public services to citizens of Lexington County.
2. Manage growth to meet the needs of Lexington County.
3. Provide innovative Financial Management.

### **Economic Development**

B. Banning, Sr. Chairman  
D. Summers, V Chairman  
J. Jeffcoat  
T. Cullum  
J. Kinard

### **Planning & Administration**

J. Jeffcoat, Chairman  
S. Davis, V Chairman  
B. Matthews  
B. Banning, Sr.  
J. Kinard

### **Justice**

S. Davis, Chairman  
B. Keisler, V Chairman  
F. Townsend, III  
B. Banning, Sr.  
J. Kinard

### **Health & Human Services**

J. Jeffcoat, Chairman  
D. Summers, V Chairman  
F. Townsend, III  
B. Keisler  
J. Kinard

### **Public Works**

T. Cullum, Chairman  
B. Keisler, V Chairman  
B. Matthews  
B. Banning, Sr.  
J. Kinard

### **Solid Waste**

D. Summers, Chairman  
T. Cullum, V Chairman  
S. Davis  
J. Jeffcoat  
J. Kinard

### **Committee of the Whole**

J. Kinard, Chairman  
B. Banning, Sr., V Chairman  
F. Townsend, III  
S. Davis  
D. Summers  
B. Keisler  
J. Jeffcoat  
B. Matthews  
T. Cullum

**AGENDA  
LEXINGTON COUNTY COUNCIL**

**October 11, 2011**

**Second Floor - Dorothy K. Black 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**

**Chairman's Report**

**Presentation of Resolution**

(1) Volunteer Firefighters Day Presented by Chairman Kinard

**Administrator's Report**

**Employee Recognition - Katherine Hubbard, County Administrator**

**Resolution**

(1) November 6-12, 2011 as Thank a Veteran Week ..... M

**Appointments**

(1) Boards and Commissions ..... N

**Bids/Purchases/RFPs**

(1) Ten (10) Switches (S Series) - Replacements - Information Services – Procurement..... O

(2) Network Capacity and Design Study - Information Services – Procurement ..... P

(3) One (1) Sweepster - Replacement - Public Works – Procurement ..... Q

(4) One (1) Tri-Axle Dump Truck (Replacement) - Public Works – Procurement ..... R

**Approval of Minutes**

(1) Meeting of September 13, 2011 - Approval of Minutes ..... S

**Ordinance**

(1) Ordinance 11-16 - An Ordinance to Prohibit the Use, Purchase, Sale or Possession of Bath Salts and Synthetic Marijuana Substances in Lexington County - 2nd Reading..... T

**Committee Reports**

**Economic Development, B. Banning, Sr., Chairman**

- (1) Approval of Resolution R11-07 to Section 4.05 of that Certain Fee in Lieu of Tax and Incentive Agreement Dated 9/1/2007 Between Lexington County, SC and Otis Spunkmeyer, Inc. - Economic Development - Chuck Whipple, Director – Tab A

**Justice, S. Davis, Chairman**

- (1) FY 11 State Criminal Alien Assistance Program (SCAAP) Award (Goal 1) - Finance - Allan Paavel, Colonel – Tab F
- (2) Highway Safety Enhanced DUI Enforcement Award (Goal 1) - Finance - Allan Paavel, Colonel..... U

**Committee of the Whole, J. Kinard, Chairman**

- (1) Lexington CTC Annual C Fund Report for FY 2010-2011 - Public Works - Jim Starling, Engineering Assoc. III – Tab K

**Budget Amendment Resolutions**

**OLD BUSINESS/NEW BUSINESS**

**EXECUTIVE SESSION/LEGAL BRIEFING**

**MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION**

**ADJOURNMENT**

**LEXINGTON COUNTY  
RESOLUTION NO. 11-07**

A RESOLUTION, PURSUANT TO SECTION 4.05 OF THAT CERTAIN FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT DATED AS OF SEPTEMBER 1, 2007 BETWEEN LEXINGTON COUNTY, SOUTH CAROLINA (“THE COUNTY”) AND OTIS SPUNKMEYER, INC. (THE “COMPANY”): (1) CONSENTING TO THE COMPANY’S CONSOLIDATION WITH PENNANT FOODS COMPANY, LLC, AN AFFILIATE COMPANY, AND THE CONVERSION OF THE COMPANY FROM A CORPORATION TO A LIMITED LIABILITY COMPANY; (2) AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH AGREEMENTS, CERTIFICATES AND OTHER DOCUMENTATION AS MAY BE REASONABLY REQUIRED TO EVIDENCE THE FOREGOING CONSENTS; AND (3) OTHER MATTERS RELATING THERETO.

WHEREAS, Lexington County, South Carolina (the “County”), acting by and through its County Council (the “Council”) pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended through the date hereof (the “Code”), and particularly Title 12, Chapter 44 (the “Simplified FILOT Act”), and Ordinance No. 07-07 of the County duly enacted August 28, 2007, did heretofore enter into that certain Fee In Lieu Of Tax And Incentive Agreement dated as of September 1, 2007 (the “Agreement”) between the County and Otis Spunkmeyer, Inc., acting for itself or an affiliate or other project sponsor (the “Company”); and

WHEREAS, pursuant to the Agreement, the Company agreed to establish certain manufacturing facilities in the County (the “Project”), and the County agreed, among other things, to accept certain fee in lieu of tax payments with respect to the Project; and

WHEREAS, the Company has determined to consolidate into the Company Pennant Foods Company, LLC, a limited liability company under common ownership with the Company, and to convert from a corporation to a limited liability company; and

WHEREAS, the Company has requested that the County consent to such actions in accordance with Section 4.05 of the Agreement, and the County has determined, on the basis of the information supplied to it by the Company, that such actions are consistent with the transactions contemplated by the Simplified FILOT Act and the Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Council, as follows:

Section 1. The County hereby ratifies and consents to the consolidation of Pennant Foods Company, LLC into the Company, to the conversion of the Company from a corporation to a limited liability company and to all actions by the Company reasonably related to the foregoing, all in accordance with the provisions of Section 4.05 of the Agreement and the Simplified FILOT Act. The County acknowledges that the name of the Company following such actions will be “Otis Spunkmeyer, LLC.”

Section 2. The Chairman of the Council, the County Administrator and the Clerk to Council, for and on behalf of the County, are hereby each authorized, empowered, and directed to do any and all things necessary or proper to evidence the foregoing consents, including without limitation the execution of any and all agreements, certificates and other documentation reasonably required by the Company.

Section 3. All orders, resolutions, and parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This Resolution shall take effect and be in full force upon adoption by the Council.

Done in meeting duly assembled this \_\_\_\_ day of October, 2011.

LEXINGTON COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
James E. Kinard, Jr., Chairman, County Council  
Lexington County, South Carolina

[SEAL]

Attest:

By: \_\_\_\_\_  
Diana W. Burnett, Clerk to County Council  
Lexington County, South Carolina

April C. Lucas  
Member  
Admitted in SC

September 1, 2011

**HAND DELIVERED**

Katherine L. Hubbard, County Administrator  
Lexington County, South Carolina  
212 S. Lake Drive  
Lexington, SC 29072-3434

Re: Notice, pursuant to that certain Fee In Lieu Of Tax And Incentive Agreement dated as of September 1, 2007 (the "Agreement") between Lexington County, South Carolina (the "County") and Otis Spunkmeyer, Inc. (the "Company"), of the consolidation of Pennant Foods Company, LLC into the Company and the conversion of the Company from a corporation to a limited liability company and request, pursuant to Section 4.05 of the Agreement, for consent of the County to the foregoing actions

Charleston  
Charlotte  
**Columbia**  
Greensboro  
Greenville  
Hilton Head  
Myrtle Beach  
Raleigh

Dear Katherine:

On behalf of Otis Spunkmeyer, Inc., a Delaware corporation, (the "Company") we are writing to provide you with notice, pursuant to that certain Fee In Lieu Of Tax And Incentive Agreement dated as of September 1, 2007 (the "Agreement") between Lexington County, South Carolina (the "County") and the Company, of the consolidation of Pennant Foods Company, LLC ("Pennant") into the Company and the conversion of the Company from a corporation to a limited liability company and to request, pursuant to Section 4.05 of the Agreement, that the County consent to the foregoing actions.

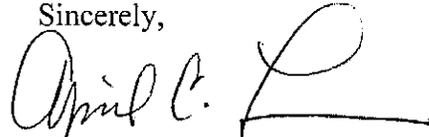
On March 27, 2011 the Company underwent an internal reorganization, as a result of which Pennant (then under common ownership with the Company) merged into the Company and the Company converted from a corporation to a limited liability company. The Company's name is now "Otis Spunkmeyer, LLC." All other contact information shall remain the same.

1230 Main Street  
Suite 700 (29201)  
PO Drawer 2426  
Columbia, SC 29202  
www.nexsenpruet.com  
**T** 803.540.2035  
**F** 803.727.1462  
**E** ALucas@nexsenpruet.com  
Nexsen Pruet, LLC  
**Attorneys and Counselors at Law**

Katherine L. Hubbard, County Administrator  
Lexington County, South Carolina  
September 1, 2011  
Page 2

A proposed Resolution is attached. If it meets with your approval, please arrange for it to be considered by County Council at your earliest convenience. We have been in contact with Jeff Anderson and Chuck Whipple to provide them with the background for this request and copies of the corporate documentation evidencing these changes. If you would like additional information or documentation, please do not hesitate to ask.

Sincerely,



April C. Lucas

ACL/ssc

Enclosure

Cc: Jeffery M. Anderson, Esquire (w/enclosure)  
Charlton L. Whipple (w/enclosure)  
Jim Oshima (w/enclosure)

**LEXINGTON COUNTY  
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LEXINGTON COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
James E. Kinard, Jr., Chairman, County  
Council, Lexington County, South Carolina

[SEAL]

Attest:

By: \_\_\_\_\_  
Diana W. Burnett, Clerk to County Council  
Lexington County, South Carolina

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## County of Lexington

Community Development Department  
212 South Lake Drive  
Lexington, SC 29072  
Telephone (803) 785-8121 - Fax (803) 785-8188

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To: Planning and Administration Committee  
Lexington County Council

Through: Katherine Hubbard, County Administrator

From: Ronald T. Scott – Community Development Director

Date: September 30, 2011

Subject: Community Development Block Grant (CDBG) Program and HOME Investment Partnership Program  
Consolidated Annual Performance and Evaluation Report  
Program Year 2010 (July 1, 2010 – June 30, 2011)

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The County's eleventh year of participation in the Community Development Block Grant Program and third year of participation in the Home Investment Partnership Program ended on June 30, 2011. Year-end reporting requirements include the submission of a narrative report on goals accomplished in conjunction with our 5-year Consolidated Plan and financial reports for the year.

Prior to submission to HUD, this report is made available for public comment for 15 days and is presented at a public hearing. The 15-day comment period began August 18, 2011 and ended September 2, 2012. The public hearing was Wednesday, August 31, 2011 at 1:00 pm in Council Chambers. Following the public hearing and comment period, any comments received are incorporated into the report and the final report is submitted to HUD. The report is due no later than September 30, 2011.

The CAPER is being submitted to County Council for information purposes. Approval is not expressly required, as the activities have already been approved through the Consolidated Plan and Annual Action Plan process. Attached is a summary that provides information on some of the program year accomplishments. A complete copy of the report is available if the committee desires to review the full document. Staff will be prepared to review highlights of the report at the Planning and Administration Committee meeting on October 11, 2011.

## CDBG PROGRAM ACCOMPLISHMENTS AND HIGHLIGHTS

**CDBG TOTAL EXPENDITURES: \$1,964,351.62**

### PROJECTS COMPLETED

- **Boiling Springs Water Main Extension (\$400,000.00)** – Provided public water service to low and moderate income residents along Boiling Springs Road from Pond Branch Road to Highway 6.
- **Pine Street Paving (\$108,868.02)** – Paved Pine Street, an unpaved road located in a low and moderate income area in the Town of South Congaree.
- **Afterschool Program Scholarships - (\$56,730.00)** – Provided funding for low and moderate income children to attend the Lexington Family YMCA's Afterschool Program.
- **South Congaree Sewer Study (\$44,000.00)** – Conducted a comprehensive study of extending public sewer service to the Town of South Congaree.
- **Sistercare Facility Improvements (\$35,568.00)** – Facility improvements were made to a shelter that included constructing a sidewalk, storage room addition, and purchase of a storage building.
- **Holmes and Alley Street Paving (\$30,225.84)** – Paved Alley, Holmes and Brown Streets, three unpaved roads located in a low and moderate income area in the City of West Columbia.
- **LICS Cargo Truck Purchase (\$26,357.00)** – Purchased a cargo truck to pickup and distribution of food and emergency services to Lexington County residents.
- **Work Activity Storage Units (\$4,120.00)** – Purchased two freight containers to secure storage of lawn maintenance equipment and supplies at the Three Fountains and Batesburg-Leesville Work Activity Centers.

### CDBG PROJECTS NEARING COMPLETION

- Gibson Road Sidewalk
- State Street Streetscaping Phase III
- Leica Lane Affordable Housing
- Triangle City Façade Improvements
- State Street Streetscaping Phase IV
- Oak Street Sidewalk
- George Street Sidewalk
- Keeping Every Youth Safe Program
- Minor Home Repair Program
- Demolition and Clearance Program

## HOME PROGRAM ACCOMPLISHMENTS AND HIGHLIGHTS

**HOME TOTAL EXPENDITURES: \$488,802.07**

- **Homeownership Assistance Program** – Twenty-seven (27) households received \$5,000 in downpayment assistance and/or closing cost assistance.
- **Housing Rehabilitation Program** – Fifteen (15) households were assisted with repairs to owner-occupied units.
- **Community Housing Development Organizations (CHDO)** – One (1) household purchased a new construction house developed by Carolina Community Development Corporation.

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*Lexington County Sheriff's Department*

*Administrative Bureau*

## MEMORANDUM

**TO:** Mr. Jim Kinard, Chairman of County Council  
Ms. Katherine Hubbard, County Administrator

**FROM:** Colonel Allan Paavel, Director of Administrative Bureau *AP*

**DATE:** September 29, 2011

**RE:** Request for Position Re-classification

The Lexington County Sheriff's Department is requesting the re-classification of one of our positions for the purpose of enhancing the level of customer service provided to our citizens by the front desk function of the department. Currently, the front desk function is staffed by three sworn Front Desk Officers working twelve hour shifts and a civilian employee working eight hour shifts. The remaining hours are covered by the supervisor. Since the civilian position is currently vacant, we are asking to re-classify this position, listed as a Secretary I-grade 6, civilian, position number 001019, ECLS 01; and re-classify this position as a Front Desk Officer-grade 7, sworn, ECLS 41. Having twenty-four hour coverage by sworn Front Desk personnel will enhance our department's ability to provide citizens with law enforcement related information and services. The proposed scheduling arrangement will also reduce the burden on the supervisor to fill in on the shifts to provide adequate coverage.

The additional cost to fund this position is \$4,463.00; and sufficient funds are available in our contingency account for this position re-classification.

**COUNTY OF LEXINGTON**  
**GENERAL FUND**  
**Annual Budget**  
**Fiscal Year - 2011-12**

Fund: 1000  
 Division: Law Enforcement  
 Organization: 151200 - Operations

Object Expenditure Code Classification	Add 151200 Front Desk Officer Grade 7	Delete 151100 Secretary 1 Grade 6	BUDGET 2011-12
<b>Personnel</b>			
510100 Salaries & Wages	30,288	(28,468)	1,820
511112 FICA Cost	2,317	(2,178)	139
511113 State Retirement		(2,714)	(2,714)
511114 Police Retirement	3,563		3,563
511130 Workers Compensation	1,018	(85)	933
<b>* Total Personnel</b>	<b>37,186</b>	<b>(33,445)</b>	<b>3,741</b>
<b>Operating Expenses</b>			
524201 General Tort Liability Insurance	745	(24)	721
524202 Surety Bonds	9	(8)	1
525041 E-mail Service Charges	81	(81)	0
525600 Uniforms & Clothing	600	(600)	0
<b>* Total Operating</b>	<b>1,435</b>	<b>(713)</b>	<b>722</b>
<b>** Total Personnel &amp; Operating</b>	<b>38,621</b>	<b>(34,158)</b>	<b>4,463</b>
<b>Capital</b>			
<b>** Total Capital</b>	<b>0</b>	<b>0</b>	<b>0</b>
 <b>*** Total Budget Appropriation</b>	 <b>38,621</b>	 <b>(34,158)</b>	 <b>4,463</b>



## DUBOSE, ADAM

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**From:** Michelle Cote [mcote@unificare.com]  
**Sent:** Thursday, September 29, 2011 4:06 PM  
**To:** DUBOSE, ADAM  
**Subject:** WONDERFUL NEWS!!! The FY2011 SCAAP Awards have been announced

Justice Benefits, Inc.

September 29, 2011

VIA EMAIL

Adam Dubose  
Grants Manager  
Lexington County, SC

RE: GREAT NEWS!!! FY2011 SCAAP AWARDS ANNOUNCED

Justice Benefits, Inc. is very excited to inform you that the Bureau of Justice Assistance (BJA) has released the Award Payment List for the FY2011 State Criminal Alien Assistance Program (SCAAP).

Congratulations! Lexington County was awarded \$40,266.

BJA has also stated that they will activate the drawdown link in the Grants Management System within the next three weeks, and you will then be able to accept your award.

There is a deadline to drawdown the money. Once you receive the official notification from BJA that your award is available for drawdown, you must accept your award through the GMS within 45 calendar days. Once 45 days elapses, the award may no longer be available.

Once we (JBI) discover that BJA has activated the drawdown link in the GMS, we will email you the detailed drawdown procedures. JBI's Help Desk will also be available to provide assistance with the drawdown procedure, if needed. Please feel free to call us at 800-576-3518.

Finally and most importantly, we would like to commend the many individuals on your staff for the wonderful spirit of cooperation in working with JBI as we analyzed data and prepared Lexington County's claim. It was only through the "partnership" of Lexington County and JBI that led to the ultimate success of this most deserved award for the FY2011 State Criminal Alien Assistance Program.

As we have in past years, attached at the end of this email you will also find a document that can be used as a press release suitable for your local newspaper and other media.

Please do not hesitate to contact JBI regarding any questions to this email or other questions pertaining to the SCAAP.

Sincerely,

Michelle Coté  
Vice President, SCAAP Inmate Data

Justice Benefits, Inc.

Contact: Kimberly King, Sr. Vice President of Business Development  
JUSTICE BENEFITS, INC.  
Phone: 1-800-835-2164

September 29, 2011  
FOR IMMEDIATE RELEASE

## Press Release

### Lexington County Awarded Federal Reimbursement from the FY2011 SCAAP

The U.S. Department of Justice announced the award of \$40,266 to Lexington County, SC, to reimburse some of the costs of incarcerating undocumented criminal aliens who have committed serious crimes in the United States. The goal of this program is to enhance public safety in communities throughout the nation.

This opportunity originates from federally mandated programs that the County is providing at local cost. As many local entities are aware, the Federal Government drives local political entities to assume more responsibility for the administration and delivery of government services. Many times these services are funded with local dollars.

However, in some cases there are federal funding opportunities available, if the proper request is made. Identifying federal funding stream opportunities and then properly applying for them are not simple or easy tasks. The interaction between federal, state, and local political entities is complex, and often unwieldy for most local political entities.

An aggressive program of researching and applying for little known federal programs to supplement the local tax burden was implemented by engaging Justice Benefits, Inc. (JBI) for assistance.

JBI is a public sector consulting firm located in Dallas, Texas, that specializes in locating and accessing hard-to-find federal reimbursements for local and state entities. JBI does the research, gathers and analyzes the data, and completes all necessary information to be included in the application. As a result of JBI's expertise and experience, Lexington County was able to maximize its dollar amount on this application. Lexington County was one of only 929 (out of 3,140) eligible local entities across the U.S. that successfully applied for these dollars.

	County of Centre	\$12,709.00
	County of Chester ,West Chester Pa	\$128,642.00
	County of Crawford	\$1,938.00
	County of Cumberland	\$12,031.00
	County of Dauphin	\$69,706.00
	County of Erie	\$21,335.00
	County of Indiana	\$5,749.00
	County of Lancaster	\$33,715.00
	County of Lebanon	\$13,195.00
	County of Lehigh	\$80,853.00
	County of Lycoming	\$2,044.00
	County of Monroe	\$17,740.00
	County of Northumberland	\$47.00
	County of Schuylkill	\$907.00
	County of Westmoreland	\$5,154.00
	Lackawanna County	\$6,456.00
	Montgomery County	\$72,724.00
	Northampton County	\$48,033.00
	State of Pennsylvania	\$950,014.00
PR	Puerto Rico Department of Corrections and Rehabilitation	\$298,770.00
RI	State of Rhode Island	\$702,695.00
SC	Aiken County	\$7,966.00
	Anderson, County of	\$5,612.00
	Charleston County	\$153,099.00
	Colleton County	\$5,074.00
	County Council of Beaufort	\$72,973.00
	County of Berkeley	\$7,901.00
	County of Dorchester	\$5,104.00
	County of Greenville	\$77,183.00
	County of Horry	\$106,725.00
	County of Laurens	\$3,674.00
	County of Pickens	\$12,297.00
	County of York	\$39,768.00
	Georgetown County	\$785.00
	Greenwood County	\$4,334.00
	<b>LEXINGTON COUNTY</b>	<b>\$40,266.00</b>
	Richland County Government	\$13,325.00
	STATE OF SOUTH CAROLINA	\$467,406.00
	Spartanburg County	\$1,847.00
SD	Minnehaha County	\$59,033.00
	Pennington County	\$7,946.00
	State of South Dakota	\$50,408.00
TN	County Of Hamblen	\$6,369.00
	County of Anderson	\$2,935.00
	County of Dickson	\$5,268.00
	County of Montgomery	\$55,381.00
	County of Sumner	\$13,415.00
	Hamilton County	\$33,449.00
	Knox County	\$32,179.00
	Lincoln County	\$261.00
	Maury County Government	\$5,712.00
	Metropolitan Nashville And Davidson County	\$205,486.00

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## COUNTY OF LEXINGTON

PUBLIC WORKS DEPARTMENT

ENGINEERING

### MEMORANDUM

DATE: September 30, 2011

TO: Katherine Hubbard, County Administrator

FROM: John Fachtel, Director of Public Works/Assistant County Administrator

RE: Update on the Legal Closure (Portion) of Ben Kyzer Drive

---

Attached is a civil action filed to close a portion of Ben Kyzer Drive. The total length of the road is approximately 1.12 miles and the proposed road closure length is approximately 0.75 miles (See Map). The map also indicates that the closest route to get from one end of the road to the other end and would add approximately 0.72 miles in travel distance. We have also received a petition (see attached) with 61 signatures requesting that the closure not to be approved. Fire Service, EMS, and the Sheriff's Office shared concerns about the additional distance to travel on adjoining dirt roads.

From strictly a Public Works standpoint, we would not object due to the road maintenance and pond dam issue. It would lower our maintenance costs and some safety issues by having this section of the road closed. We have had various traffic counts on the road, which range from 82 to 160. With the increased traffic flow being routed onto Crout Pond Way and A.C. Bouknight Road, our maintenance costs for these roads will in all likelihood increase.

In light of the amount of opposition to this road closing, it is difficult for the Public Works Department to make a recommendation based on reducing the number of miles of dirt roads that the County maintains. Due to deadlines for the County's response, I am requesting that this matter be presented to the Public Works Committee for their consideration.



**COUNTY OF LEXINGTON**  
PUBLIC WORKS DEPARTMENT  
ENGINEERING

**MEMORANDUM**

DATE: September 16, 2011  
TO: Katherine Hubbard, County Administrator  
FROM: John Fechtel, Director of Public Works/Assistant County Administrator  
RE: Legal Closure of a Portion of Ben Kyzer Drive

---

Attached is a civil action the County received regarding a legal closure of a portion of Ben Kyzer Drive in Gilbert. We basically have not had any advance notice of this closure, therefore, our Public Safety and Sherriff's Departments have not been made aware of this. We will have their comments by Council meeting time.

As the two maps indicate, this portion of the road is located between Crout Pond Way and Two Notch Road. The total length of the road is about 1.12 miles and the proposed road closure length is about 0.75 miles. If the closure is approved by the court, the alternative route going around would add about 0.72 miles to the route. It should also be noted that a portion of the road is on top of the pond dam. We will also have a report on the average daily traffic (ADT) by the next meeting.

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

COPY

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

Tiger Forestry, LLC, et al

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

Plaintiff(s)

2011-CP - 32-

vs.

2011 SEP 12 10:41

J. Brent Clamp, et al

Defendant(s)

(Please Print)

Submitted By: Albert J. Dooley, III

Address: 218 E. Main Street, Lexington, SC 29072

SC Bar #: 75929

Telephone #: 803 359 2547

Fax #: 803 957 3900

Other:

E-mail: trey@dooleylawfirm.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this cover sheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

\*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint.
NON-JURY TRIAL demanded in complaint.
This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
This case is exempt from ADR. (Proof of ADR Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- Contracts: Constructions (100), Debt Collection (110), Employment (120), General (130), Breach of Contract (140), Other (199)
Torts - Professional Malpractice: Dental Malpractice (200), Legal Malpractice (210), Medical Malpractice (220), Previous Notice of Intent Case #, Notice/ File Med Mal (230), Other (299)
Torts - Personal Injury: Assault/Slander/Libel (300), Conversion (310), Motor Vehicle Accident (320), Premises Liability (330), Products Liability (340), Personal Injury (350), Wrongful Death (360), Other (399)
Real Property: Claim & Delivery (400), Condemnation (410), Foreclosure (420), Mechanic's Lien (430), Partition (440), Possession (450), Building Code Violation (460), Other (499) road closing
Inmate Petitions: PCR (500), Mandamus (520), Habeas Corpus (530), Other (599)
Judgments/Settlements: Death Settlement (700), Foreign Judgment (710), Magistrate's Judgment (720), Minor Settlement (730), Transcript Judgment (740), Lis Pendens (750), Transfer of Structured Settlement Payment Rights Application (760), Other (799)
Administrative Law/Relief: Reinstate Driver's License (800), Judicial Review (810), Relief (820), Permanent Injunction (830), Forfeiture-Petition (840), Forfeiture-Consent Order (850), Other (899)
Appeals: Arbitration (900), Magistrate-Civil (910), Magistrate-Criminal (920), Municipal (930), Probate Court (940), SCDOT (950), Worker's Comp (960), Zoning Board (970), Public Service Commission (990), Employment Security Comm (991), Other (999)
Special/Complex/Other: Environmental (600), Automobile Arb. (610), Medical (620), Other (699), Pharmaceuticals (630), Unfair Trade Practices (640), Out-of State Depositions (650), Motion to Quash Subpoena in an Out-of-County Action (660), Sexual Predator (510)

Submitting Party Signature:

[Handwritten Signature]

Date: 09/12/11

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

**FOR MANDATED ADR COUNTIES ONLY**

Allendale, Anderson, Beaufort, Clarendon, Colleton, Florence, Greenville, Hampton, Horry, Jasper, Lee, Lexington, Pickens (Family Court Only), Richland, Sumter, Union, Williamsburg, and York

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

**You are required to take the following action(s):**

1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210<sup>th</sup> day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs. (Medical malpractice mediation is mandatory statewide.)
4. Cases are exempt from ADR only upon the following grounds:
  - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
  - b. Requests for temporary relief;
  - c. Appeals
  - d. Post Conviction relief matters;
  - e. Contempt of Court proceedings;
  - f. Forfeiture proceedings brought by governmental entities;
  - g. Mortgage foreclosures; and
  - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

**Please Note: You must comply with the Supreme Court Rules regarding ADR. Failure to do so may affect your case or may result in sanctions.**

COPY

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

TIGER FORESTRY, LLC, JAMES ODELL  
KELLY, PEGGY N. KELLY, AND BETTY  
KELLY,  
PLAINTIFFS,

IN THE COURT OF COMMON PLEAS  
FILED  
FOR THE 11TH JUDICIAL CIRCUIT

2011 SEP 12 A 10:41

CASE NO.: 2011-CP-32-

BETH A. CARRIGE  
CLERK OF COURT  
LEXINGTON

VS.

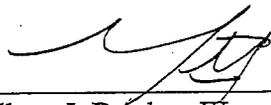
SUMMONS

J. BRENT CLAMP, MARTHA S. ROLAND  
N/K/A MARTHA JONES, INDIGO  
ASSOCIATES LLC AS SUCCESSOR IN  
INTEREST TO INDIGO ASSOCIATES  
LIMITED PARTNERSHIP, THE STATE OF  
SOUTH CAROLINA DEPARTMENT OF  
HIGHWAYS AND PUBLIC  
TRANSPORTATION, AND THE COUNTY  
OF LEXINGTON,  
DEFENDANTS.

2 011CP3203464

TO THE DEFENDANT(S), ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in the above entitled action, copy of which is herewith served upon you, and to serve a copy of your Answer to said Complaint upon the subscriber at his office, 218 East Main Street, Lexington, South Carolina, 29072, within thirty (30) days after service hereof, except as to the United States of America, which shall have sixty (60) days, and if you fail to answer the Complaint within the time aforesaid judgment by default shall be entered against you for the relief demanded in the Complaint.



Albert J. Dooley, III  
Attorney for Plaintiff  
Tiger Forestry, LLC  
THE DOOLEY LAW FIRM, P.A.  
218 East Main Street  
Lexington, SC 29072  
(803) 359-2547

Lexington, South Carolina

Sept. 12, 2011.

STATE OF SOUTH CAROLINA  
COUNTY OF LEXINGTON

FILED  
IN THE COURT OF COMMON PLEAS  
2011 SEP 18 10 41 AM '11  
FOR THE 11TH JUDICIAL CIRCUIT

TIGER FORESTRY, LLC, JAMES ODELLE  
KELLY, PEGGY N. KELLY, AND BETTY  
KELLY,  
PLAINTIFFS,

HEATHER A. CARRIGG  
CLERK OF COURT  
LEXINGTON SC

CASE NO.: 2011-CP-32-

VS.

J. BRENT CLAMP, MARTHA S. ROLAND  
N/K/A MARTHA JONES, INDIGO  
ASSOCIATES LLC AS SUCCESSOR IN  
INTEREST TO INDIGO ASSOCIATES  
LIMITED PARTNERSHIP, THE STATE OF  
SOUTH CAROLINA DEPARTMENT OF  
HIGHWAYS AND PUBLIC  
TRANSPORTATION, AND THE COUNTY  
OF LEXINGTON,  
DEFENDANTS.

COMPLAINT  
(Petition for Abandonment of a Roadway)

2 011CP3203464

Plaintiff, Tiger Forestry, LLC, would respectfully allege:

1. That this action is being brought pursuant to South Carolina Code of Laws Section 57-9-10, et seq. (1976 as amended). That pursuant to this act, Notice of Filing for Abandonment was published in the Lexington County Chronicle on August 11, 2011, August 18, 2011, and August 25, 2011. A copy of Notice attached to these pleadings and hereinafter referred to as Plaintiff's "Exhibit A".
2. That Plaintiffs and Defendants, upon information and belief, are all residents of the State of South Carolina, corporate entities operating under the laws of this state, or are political departments or subdivisions of this state.
3. That Plaintiff desires to close a portion of a roadway known as Ben Kyzer Drive between its intersections with Two Notch Road and Crout Pond Way, located in Lexington County, SC.

Said roadway is shown plat a copy of which is attached and which is herein incorporated within these pleadings and hereinafter referred to as Plaintiff's "**Exhibit B**".

4. That upon information and belief, Defendant South Carolina Department of Transportation is a political subdivision of the State of South Carolina charged with the duty of maintaining and supervising the primary and secondary highway system in South Carolina.

5. That upon information and belief, Defendant, County of Lexington may claim some right, title or interest in and to the subject road to be closed.

6. That Plaintiff is informed and believes that it is in the best interest of all parties for the subject roadway to be closed and access to said properties be redirected.

7. That Plaintiff is informed and believes that the road closing should be subject to the rights of way of existing public utilities and existing recorded right of ways.

8. The Plaintiffs have made agreements within themselves for alternate access to all parcels.

WHEREFORE, Plaintiff prays that this Court make such investigation as it deems necessary and issue its Order as follows:

(1) Ordering that said roadway be permanently abandoned, closed, discontinued and vacated; **PROVIDED HOWEVER THAT THE RIGHTS OF ANY ENTITIES TO PRE-EXISTING UTILITY EASEMENTS NOT BE AFFECTED.**

(2) Ordering that all rights of Defendants State of South Carolina Department of Transportation, County of Lexington, the State of South Carolina, and the public in general might have in and to the road be permanently terminated;

(3) Ordering that the fee simple title to this road be vested in those parties as the Court deems necessary and proper; and

(4) For such other and further relief as the Court deems just and proper.



Albert J. Dooley, III  
Attorney for Plaintiff  
Tiger Forestry, LLC  
THE DOOLEY LAW FIRM, P.A.  
218 East Main Street  
Lexington, SC 29072  
(803) 359-2547

Lexington, South Carolina

Sept 12, 2011.

FILED  
2011 SEP 12 A 10:41  
RETHA A. CARRICO  
CLERK OF COURT  
LEXINGTON, SC

Lexington County  
**Chronicle**  
 & The Dispatch-News - Since 1870

131 Swartz Rd • Post Office Box 9  
 Lexington, SC 29072  
 (803) 359-7633

**Affidavit of Publication**

I hereby certify that on the dates appearing below, I did publish the attached notice in The Lexington County Chronicle & The Dispatch-News, a newspaper of general circulation in the County of Lexington, State of South Carolina, in accordance with the laws of said county and state.

Publication Dates:

August 11, 2011

August 18, 2011

August 25, 2011

Kirsten Eblin

The Lexington County Chronicle  
 & The Dispatch-News

Sworn to before me this 25th day of August, 2011.

Hilda Crain  
 Hilda Crain  
 Notary Public for South Carolina

My Commission expires: October 7, 2019

State of South Carolina  
 County of Lexington  
 in the Court of Common  
 Pleas for the 15th Judicial  
 Circuit  
**NOTICE OF FILING FOR ABANDONMENT OF ROADWAY**  
 Indigo Forestry, LLC  
 James Odell Kelly, Peggy  
 N. Kelly, Betty Kelly, and  
 John Kelly  
 Plaintiffs  
 vs.  
 J. Brent Clamp, Martha  
 S. Roland, N/K/A Martha  
 Jones, Indigo Associates  
 LLC as successor in interest  
 to Indigo Associates Limited  
 Partnership, The State of  
 South Carolina Department  
 of Highways and Public  
 Transportation and the  
 County of Lexington  
 Defendants  
 NOTICE is hereby  
 given that the undersigned  
 attorney will file an action  
 in the Court of Common  
 Pleas for Lexington County  
 for the closing of a portion  
 of a roadway located near  
 the Town of Gilbert, known  
 as Ben Kyzer Road, be-  
 tween its intersections with  
 Two Notch Road and Crout  
 Pond Way.  
 THE DOOLEY LAW FIRM,  
 P.A.  
 Albert J. Dooley, III,  
 Attorney for Plaintiff  
 218 East Main Street  
 Lexington, SC 29072  
 (803) 359-2547  
 Lexington, South Carolina  
 August 2, 2011  
 8-25

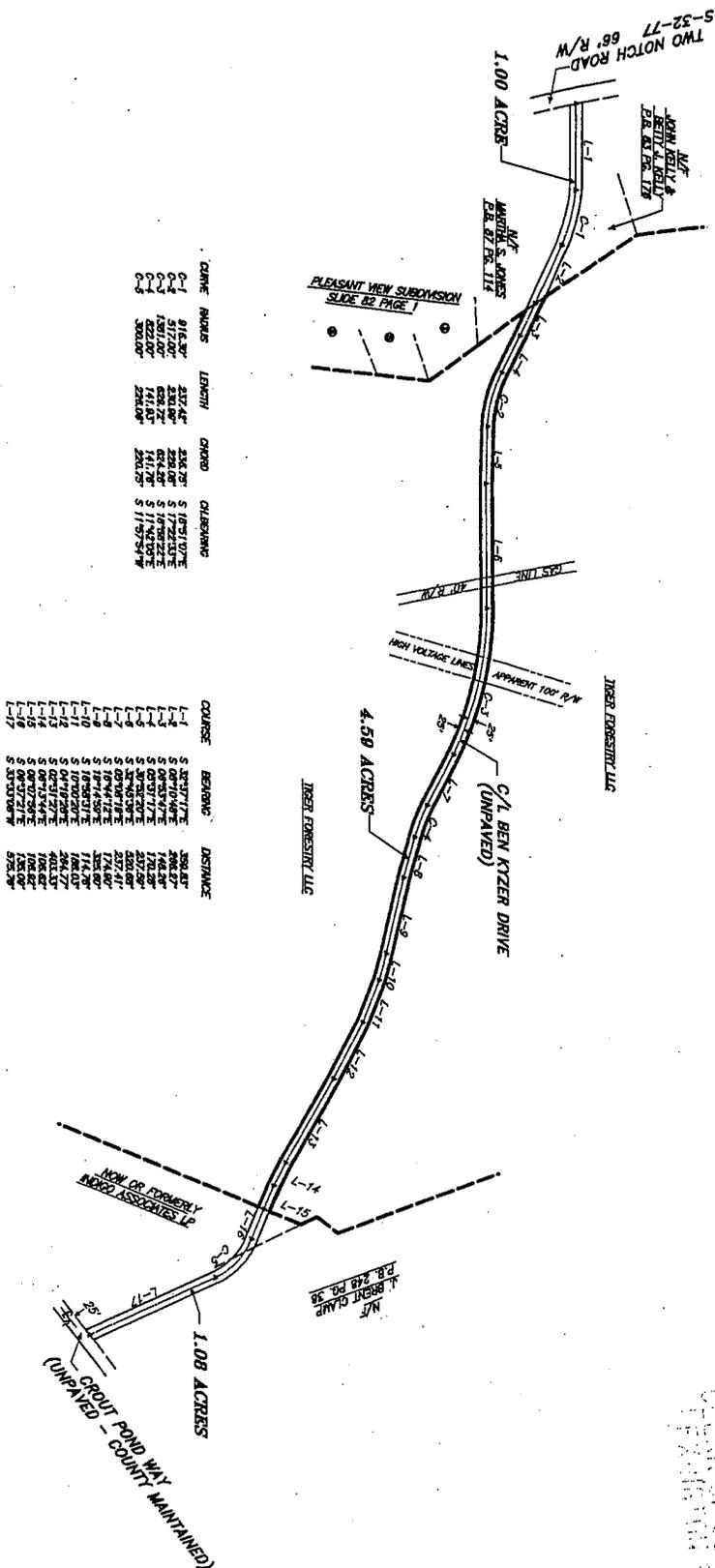
FILED  
 2011 SEP 12 A 10:41  
 JETH A. CARRIG  
 CLERK OF COURT  
 LEXINGTON, SC

**EXHIBIT A**

FILED

2011 SEP 12 A 10:42

DETHA CARRIG  
 CLERK OF COURT  
 17 FOUNTAIN ST  
 FAYETTEVILLE, NC 27803



CURVE	ARC	ANGLE	LENGTH	CHORD	CHORD BEARING
C-1	916.30'	237.44°	238.25'	510.21'	S 10°21'12"E
C-2	517.00'	231.85°	228.08'	424.25'	S 17°28'33"E
C-3	1391.00'	224.72°	624.25'	1148.25'	S 19°08'22"E
C-4	300.00'	226.00°	250.00'	511.93'	S 11°57'54"W

COURSE	BEARING	DISTANCE
L-1	S 32°37'17"E	308.82'
L-2	S 09°51'04"E	206.37'
L-3	S 09°53'17"E	176.52'
L-4	S 30°28'20"E	237.29'
L-5	S 30°28'20"E	237.29'
L-6	S 32°40'59"E	250.81'
L-7	S 10°44'12"E	174.40'
L-8	S 10°44'12"E	174.40'
L-9	S 10°44'12"E	174.40'
L-10	S 10°44'12"E	174.40'
L-11	S 10°44'12"E	174.40'
L-12	S 04°19'20"E	204.17'
L-13	S 04°19'20"E	204.17'
L-14	S 09°07'39"E	106.82'
L-15	S 09°07'39"E	106.82'
L-16	S 09°07'39"E	106.82'
L-17	S 09°07'39"E	106.82'

SITE MAP OF  
 BEN KYZER ROAD

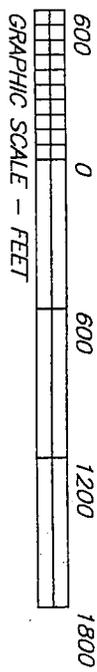
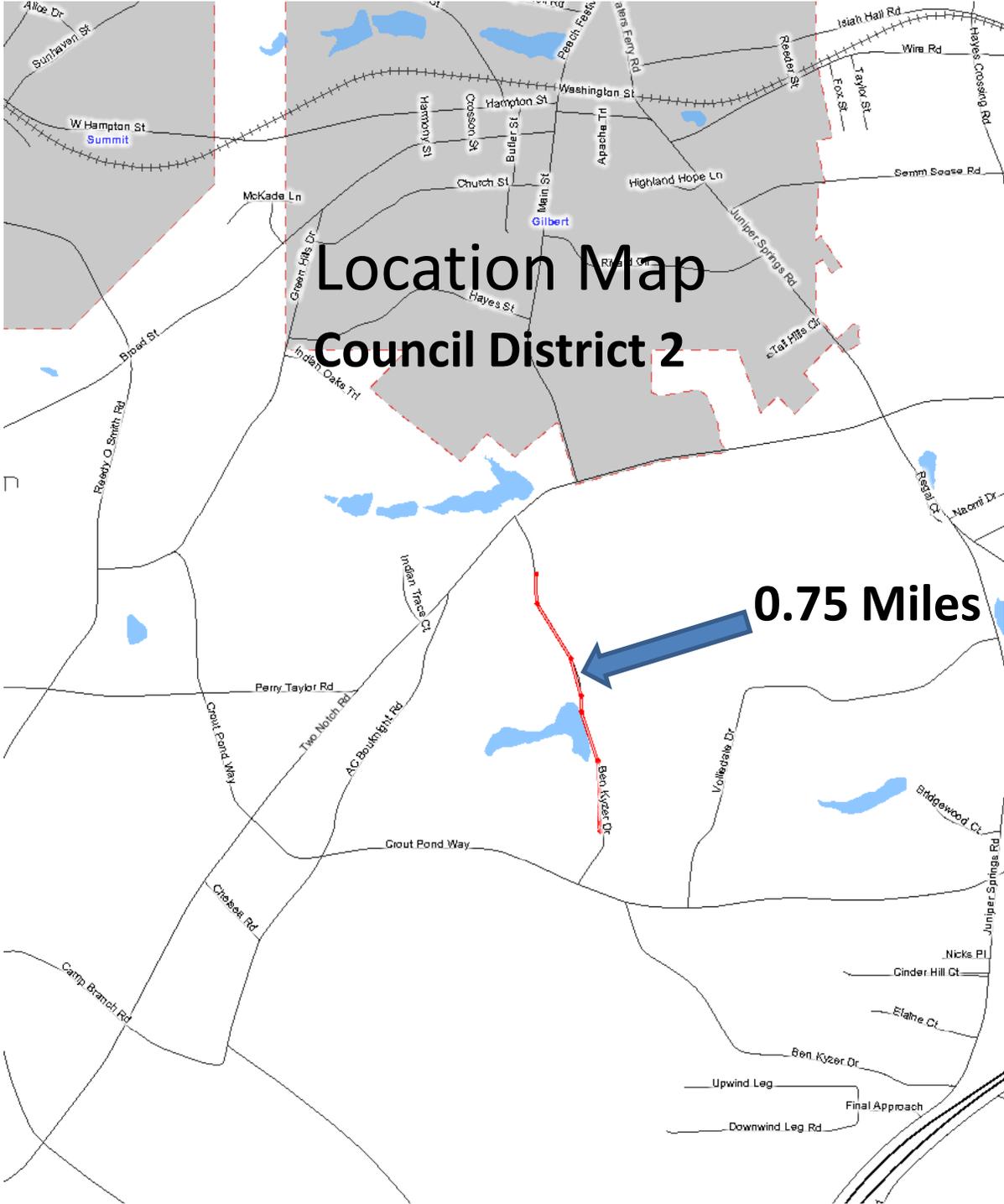
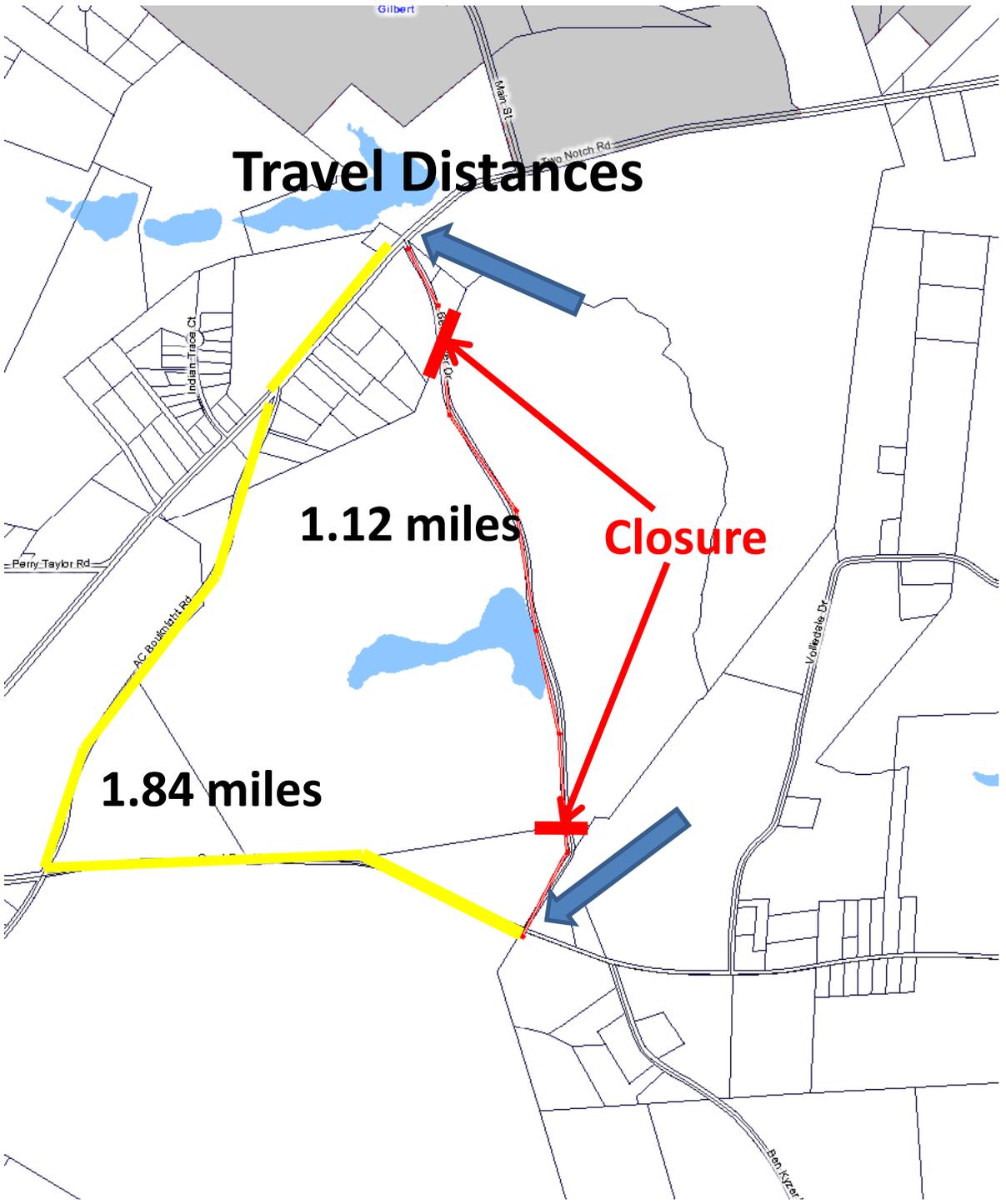


EXHIBIT B



34



# Travel Distances

1.12 miles

Closure

1.84 miles

35

Frank Townsend 600-3171

## Petition to Not Close any part of Ben Kyzer Drive in Gilbert, SC

Petition summary and background	Certain parties have started legal action to close part of Ben Kyzer Drive (section between Two Notch Road and Crout Pond Way). Their reason for wanting the road closed was listed as abandonment.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders/judges to act now to not close any part of Ben Kyzer Drive.

Printed Name	Signature	Address	Comment	Date
Jeremiah Spars	<i>J. Spars</i>	1005 Benkyzer Rd Gilbert SC 29054		9/23/2011
Michael Black	Michael Black	352 Live Oak Rd Leesville, SC 29070		9/24/2011
Wendy Jett	Wendy Jett	352 Live Oak Rd Leesville, SC 29070		9/24/2011
Griffin Black	Griffin Black	352 Live Oak Rd Leesville, SC 29070		9/24/11
Cryshal Jones	Cryshal Jones	751 Sand Pit Rd Leesville 29070		9/24-11
James R. Clapp	James R Clapp	511 Juniper Springs Rd	MAYOR TOWN OF Gilbert	9-24-11
Marlette Hook	Marlette Hook	126 Neely Wingard Rd Gilbert SC - 29054		9-25-11
JC Storey Jr	JC Storey Jr	1241 Neely Wingard Rd Gilbert S.C. 29054		9-25-11
Candyn Black	Candyn A Black	642 Ben Kyzer Dr		9-25-11
Rick Black	<i>Rick Black</i>	642 Ben Kyzer Dr Gilbert SC		9-25-11
Brent Clapp	Julian B Clapp	632 Ben Kyzer Dr Gilbert SC	Hurt Value of Land	9-22-11
Johnnie L. Amick	Johnnie L Amick	133 Cannon Place Rd.		9-26-11

Sep. 27, 2011 9:23AM

No. 0205 P. 6



# Petition to Not Close any part of Ben Kyzer Drive in Gilbert, SC

Sep. 27, 2011 9:20AM

Petition summary and background:	Certain parties have started legal action to close part of Ben Kyzer Drive (section between Two Notch Road and Crout Pond Way). Their reason for wanting the road closed was listed as abandonment.
Action petitioned for:	We, the undersigned, are concerned citizens who urge our leaders/judges to act now to not close any part of Ben Kyzer Drive.

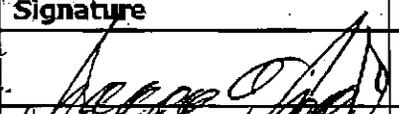
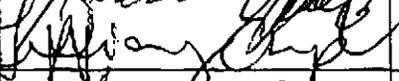
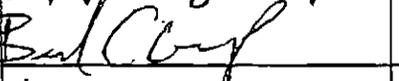
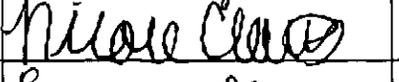
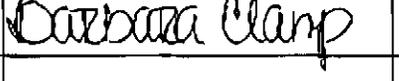
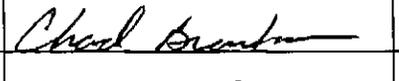
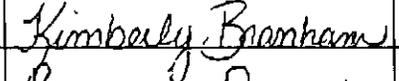
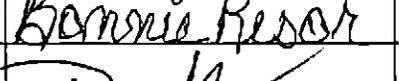
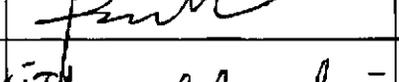
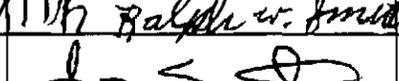
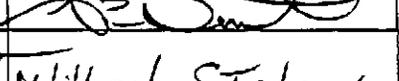
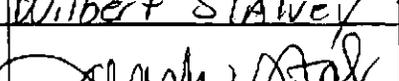
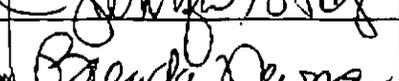
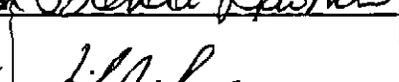
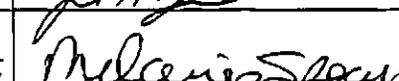
Printed Name	Signature	Address	Comment	Date
Maed Brophy	<i>[Signature]</i>	609 Crout Pond Way		9/26/11
Bonnie Brophy	<i>[Signature]</i>	609 Crout Pond Way		9/26
JEFF MARTINEZ	<i>[Signature]</i>	602 Crout Pond Way		09/26/2011
Maria Gutierrez	<i>[Signature]</i>	614 crout pond way		09/26/2011
Travis Pritchard	<i>[Signature]</i>	613 crout pond way		9-26-11
Jessica Pritchard	<i>[Signature]</i>	1013 Crout Pond Way		9/26/11
Chris McWhitt	<i>[Signature]</i>	565 Vollicedale Ct		9-26-11
Janice Cody	<i>[Signature]</i>	622 Crout Pond Way		9-26-11
Kenneth Cody	<i>[Signature]</i>	622 Crout Pond Way		9-26-11
Melissa Miller	<i>[Signature]</i>	1017 Crout Pond Way		9-26-11
Scott Miller	<i>[Signature]</i>	602 Crout Pond Way		9-26-11
Missy Uzarraga	<i>[Signature]</i>	605 Crout Pond Way		9-26-11

No. 0205 P. 2

# Petition to Not Close any part of Ben Kyzer Drive in Gilbert, SC

Person's Name, Age, and background	Certain parties have started legal action to close part of Ben Kyzer Drive (section between Two Notch Road and Crout Pond Way). Their reason for wanting the road closed was listed as abandonment.
Victory petitioned for	We, the undersigned, are concerned citizens who urge our leaders/judges to act now to not close any part of Ben Kyzer Drive.

Printed Name	Signature	Address	Comments	Date
Scott Clamy	<i>Scott Clamy</i>	632 Ben Kyzer Dr Gilbert SC 29054		9/21
Scott Cockrell	<i>Scott Cockrell</i>	633 BEN KYZER DR, GILBERT S.C. 29054	SAFER for the Community IN CASE of FIRE	9-21-11
Susan Cockrell	<i>Susan Cockrell</i>	633 Ben Kyzer Dr Gilbert, SC 29054	safer for Community + easier to get to schools	9/21/11
Wanda Sneed	<i>Wanda Sneed</i>	631 Ben Kyzer Dr Gilbert, SC 29054		9/21/11
Ann McWatters	<i>Ann McWatters</i>	565 VOLLIEDALE DR Gilbert, SC 29054	I go this way 4 times a day - school	9/21/11
Chris McWatters	<i>Chris McWatters</i>	"	"	9/21/11
Grady McWatters	<i>Grady A. McWatters</i>	"	"	9/21/11
Scott Hallman	<i>Scott Hallman</i>	513 VOLLIEDALE DR Gilbert SC 29054	Use it for school!	9/21/11
Cindy Hallman	<i>Cindy Hallman</i>	"	"	9/21/11
Amanda McWatters	<i>Amanda McWatters</i>	350 VOLLIEDALE Rd.	use it a lot	9/21/11
Michael McWatters	<i>Michael McWatters</i>	392 VOLLIE DALE RD	use it	9/21/11
Greg Jones	<i>Greg Jones</i>	553 VOLLIEDALE DR, Gilbert SC 29054	Use it regularly	9/21/11

Printed Name	Signature	Address	Comment	Date
James A. Jones		953 Vollandale Rd.	use rd - most of <sup>the time</sup>	9-21-2011
Tiffany Clamp		632 Ben Kyzer Dr.	use this rd to get to work + must for my commutes	9/21/11
Brad Clamp		"	use this rd all my life for my commutes	9/21/11
Nicole Clamp		632 Ben Kyzer Dr.	USE DAILY	9/21/11
BARBARA Clamp		632 Ben Kyzer Dr.	use this road everyday	9/21/11
Chad Branham		638 Ben Kyzer Dr.	use this road to get to schools and to take daughter to ball practice	9/21/11
Kimberly Branham		" "	use daily	9/21/11
Bonnie Resor		646 Ben Kyzer Dr.	use daily	9-23-11
Paul Jean		649 Ben Kyzer Dr.	Extremely helpful daily	9-23-11
RALPH W. SMITH		917 Ben Kyzer Dr.	USE OFTEN	9-23-11
Tim Smith		328 Vollandale Dr.	use sometimes	9-23-11
Wilbert Staley		429 Crout Pond Way	use often	9-23-11
Jennifer Staley		429 Crout Pond Way	use often	9-23-11
Brenda Newman		904 Ben Kyzer Dr.	use often	9-23-11
Jerrish W. Spear		1003 Ben Kyzer Dr. Gilbert, SC		9/25/11
Melanie Spears		1003 Ben Kyzer Dr. Gilbert, SC 29054	use often	9/25/11

Printed Name	Signature	Address	Comment	Date
Michael Padgett	<i>[Signature]</i>	1009 Ben Kyzer Dr.		9-25-11
Debra Padgett	<i>[Signature]</i>	1009 Ben Kyzer Dr.		9-25-11
Stanley Hallman	Stanley Hallman	636 CROFT POND WAY		9-24-11
Lynn Hallman	Lynn Hallman	636 CROFT POND WAY		9-24-11 <del>10/25/11</del>
Janice Jones	<i>[Signature]</i>	553 Volta Ave. Dr.		9-25-11
Steve Peers	<i>[Signature]</i>	701 CROFT POND WAY GIBBET		9-25-11
Jerry E. Oswald	Jerry Oswald	P.O. Box 112 4504 Two Notch Rd		9-25-11
Martha Jones	Martha Jones	4513 Two Notch Rd		9-25-11

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COUNTY OF LEXINGTON  
PUBLIC WORKS DEPARTMENT  
ENGINEERING

## Memorandum

**To:** Katherine Hubbard, County Administrator  
**From:** Jim Starling, Engineering Associate III  
**Date:** 9/28/2011  
**Re:** FY 2010-2011 Lexington County Transportation Committee (CTC) Annual C Fund Report

---

The South Carolina State law that governs the C-Fund Program (12-28-2740) requires that a general accounting report of annual expenditures be submitted to the South Carolina Department of Transportation (SCDOT) for the General Assembly. The FY 2010-2011 annual report for the Lexington County Transportation Committee (CTC) is attached. The report needs to be presented to the Lexington CTC (County Council) for review and approval prior to submittal to SCDOT (Attention: Herbert J. Cooper, P.E., PO Box 191, Columbia, SC 29202-0191).

Please have this placed on the October 11<sup>th</sup>, 2011 agenda to be presented to the "Committee of the Whole" for review and approval. Pending approval by the "Committee of the Whole", the report will need to be reported out to full Council on the same evening because it is due to SCDOT by October 14<sup>th</sup>, 2011. Chairman Kinard will have to sign the report.

# LEXINGTON CTC ANNUAL C FUND REPORT

JULY 1, 2010-JUNE 30, 2011  
REPORT DATE: SEPTEMBER 21, 2011

## INCOME AND EXPENSES

Balance of Funds as of July 1, 2010_____		\$ 7,088,888.00
Income:		
Funds Received for Period July 1, 2010 through June 30, 2011	\$ 2,643,048.00	
Interest Earned for Period July 1, 2010 through June 30, 2011	\$ 39,459.00	
Donor County Funds Received Period July 1, 2010 through June 30, 2011	\$ 1,337,540.00	
Project Refunds for Period July 1, 2010 through June 30, 2011	\$ 147,157.00	
Total Income_____		\$ 4,167,204.00
Expenses:		
Administrative Expenses	\$ -	
Local Paving Project Expenditures	\$ 1,927,277.00	
State Road Project Expenditures	\$ 1,471,103.00	
State Road Match Expenditures	\$ -	
Project Manager Position Expenses	\$ 10,259.00	
Total Expenditures_____		\$ 3,408,639.00
Balance of Funds as of June 30, 2011_____		\$ 7,847,453.00

## FUNDING COMMITMENTS

Local Paving Projects	\$ 4,723,958.00	
State Road Projects	\$ 206,598.00	
State Road Match Projects	\$ -	
Project Manager Position	\$ 63,637.00	
Total Committed Funds_____		\$ 4,994,193.00
Total Uncommitted Funds Available for New Projects_____		\$ 2,853,260.00
Uncommitted Funds as Percent of Total Income =	68%	

**LEXINGTON CTC ANNUAL C FUND REPORT**

JULY 1, 2010-JUNE 30, 2011  
REPORT DATE: SEPTEMBER 21, 2011

**LOCAL PAVING PROJECTS**

LOCAL ROUTE	PROJECT DESCRIPTION	WORK TYPE	RESPONSIBLE AGENCY	BUDGET	TOTAL EXPENDITURES	CURRENT FISCAL YEAR EXPENDITURES	REMAINING BUDGET
Road Resurfacing	Road Resurfacing	Resurfacing	County	\$ 2,084,059	\$ 717,867	\$ 717,867	\$ 1,366,192
Dogwood Road, 1&2	From Pine Street to existing pavement	Paving	County	\$ 934,796	\$ 826,941	\$ 701,427	\$ 107,855
John Kinard Court and Circle	From exist pave near Long Pine Road to dead end	Paving	County	\$ 10,977	\$ -	\$ -	\$ 10,977
Elbert Taylor Road,#1 & 2	From Calks Ferry Road westerly for 1.0 miles	Paving	County	\$ 434,127	\$ 29,525	\$ 13,975	\$ 404,602
Line Striping Program	Painting centerlines, edgelines, and placing RPMs	Line Striping	County	\$ 200,000	\$ 110,497	\$ 110,498	\$ 89,503
Jim Rucker Road	From Highway 6 to Calvary Church Road	Paving	County	\$ 1,056,425	\$ 1,056,425	\$ 96,146	\$ -
Payne Lane	From Hallmark Drive to dead end	Paving	County	\$ 334,077	\$ 323,498	\$ 13,321	\$ 10,579
Jayne Lane	From Pine Street to dead end	Paving	County	\$ 239,878	\$ 239,878	\$ 24,649	\$ -
Martin Neese Road	From Hwy 6 to I.W. Hutto Road	Paving	County	\$ 147,500	\$ 11,556	\$ 696	\$ 135,944
Gilbert-Church Street Stabilization	Stabilization of Church Street	Road Project	County	\$ 10,000	\$ -	\$ -	\$ 10,000
Holmes Street- West Columbia	Storm drainage improvements to Holmes Street	Storm drainage improv	County	\$ 23,410	\$ -	\$ -	\$ 23,410
Stonewall Court	Portion of engineering design for paving	Engineering for paving	County	\$ 5,000	\$ -	\$ -	\$ 5,000
Saxe Gotha Drive	Paving a portion of Saxe Gotha Drive for LC Recreation	Paving	County	\$ 100,000	\$ -	\$ -	\$ 100,000
Colonial Drive	Paving a portion of Colonial Drive	Paving	County	\$ 55,061	\$ 53,943	\$ 34,705	\$ 1,118
Windy Wood Road	Paving portion from Ben Franklin Rd to Calks Ferry Rd	Paving	County	\$ 100,000	\$ -	\$ -	\$ 100,000
Fire Tower Road	Paving from Hwy 378 to approximately 300 LF	Paving	County	\$ 37,700	\$ 33,930	\$ 33,930	\$ 3,770
Bitternut Court Utility Reloc.	Utility relocation for paving project	Utility	County	\$ 78,659	\$ 48,159	\$ 48,159	\$ 30,500
Fox Branch Road	From Calks Ferry Rd to Smith Pond Rd	Paving	County	\$ 166,543	\$ 9,550	\$ 9,550	\$ 156,993
Jim Spence Road	From Hwy 302 to Hwy 6	Paving	County	\$ 174,170	\$ 28,307	\$ 28,307	\$ 145,863
Kittal Road	From Jim Spence Road to Pat Road (S32-1912)	Paving	County	\$ 10,260	\$ -	\$ -	\$ 10,260
Nursery Road Bridge	Bridge replacement alternative for Goldstone Drive Bridge	Bridge Design/Constr	County	\$ 1,464,342	\$ 10,291	\$ 10,291	\$ 1,454,051
Porth Circle	Paving from Bradey Porth Rd (S32-1239) to exist pavem	Paving	County	\$ 697	\$ 696	\$ 696	\$ 1
Ashby Drive	Paving from Ball Park Rd (S32-1136) to Irvin Jumper Rd	Paving	County	\$ 32,967	\$ 732	\$ 732	\$ 32,235
South Cove Drive	Paving from Ramblin Rd (S32-103) to dead end	Paving	County	\$ 10,000	\$ 625	\$ 625	\$ 9,375
Oak Hill Road	Paving from existing pavement to dead end	Paving	County	\$ 30,000	\$ 696	\$ 696	\$ 29,304
Hyman Road	Paving from existing pavement to approximately 800 LF	Paving	County	\$ 10,000	\$ 732	\$ 732	\$ 9,268
Darby Ambrose Road	Paving from existng pavement to Park Place Trail	Paving	County	\$ 30,000	\$ 696	\$ 696	\$ 29,304
Sweet Pea Lane	Paving a portion from Gus Sturkie Road to bottom of hill	Paving	County	\$ 840	\$ 839	\$ 839	\$ 1
Roy Steel Road	Stabilization of a portion of the road	Stabilization	County	\$ 768	\$ 767	\$ 768	\$ 1
Green Hills Drive	Stabilization of a portion of the road	Stabilization	County	\$ 768	\$ -	\$ -	\$ 768
Mission Rd/Trailstream Rd	Storm drainage improvements to Mission Rd	Storm drainage improv	County	\$ 30,272	\$ 16,542	\$ 16,542	\$ 13,730
Quail Hollow Lane Drainage	Repair CMP under roadway	Pipe Repair	County	\$ 184,290	\$ 41,066	\$ 41,066	\$ 143,224
Micala Drive	Geotech Invest on Micala Drive Dam	Road Failure Investigation	County	\$ 8,200	\$ 8,120	\$ 8,120	\$ 80
Green Haven Drive	Drainage project along Green Haven Drive	Drainage improvement	County	\$ 11,300	\$ 10,886	\$ 10,886	\$ 414
Sandy Lane	Road improvement/paving project for Pine Ridge Town	Road Improvement	County	\$ 37,500	\$ 732	\$ 732	\$ 36,768
Spruce Lane	Road improvement/paving project for Pine Ridge Town	Road Improvement	County	\$ 37,500	\$ 625	\$ 625	\$ 36,875
Broken Hill Road	Drainage improvement project along Broken Hill Road	Drainage	County	\$ 9,700	\$ -	\$ -	\$ 9,700
Henry Street	Paving for town of Batesburg-Leesville	Paving	County	\$ 7,000	\$ -	\$ -	\$ 7,000
Railroad Avenue	Town of Pelion placement of RAP on Railroad Ave	Placement of RAP	County	\$ 7,500	\$ -	\$ -	\$ 7,500
Washington Street	Town of Gilbert road improvement to Washington Street	Road improvement	County	\$ 7,500	\$ -	\$ -	\$ 7,500
Lexington Avenue	Town of Irmo road improvements to Lexington Ave	Road improvement	County	\$ 28,000	\$ -	\$ -	\$ 28,000
Drainage Projects	Unclassified funding for drainage projects	Drainage	County	\$ 1,177	\$ -	\$ -	\$ 1,177
Road Maintenance Projects	Unclassified funding for minor paving and maintenance	Paving Funds	County	\$ 155,116	\$ -	\$ -	\$ 155,116
				\$	\$ -	\$ -	\$ -
<b>TOTALS</b>				\$ 8,308,079	\$ 3,584,121	\$ 1,927,277	\$ 4,723,958
EXPENDITURES FOR LOCAL PAVING PROJECTS AS PERCENTAGE OF ANNUAL C-FUND ALLOTMENT INCOME =				69%			

**LEXINGTON CTC ANNUAL C FUND REPORT**

JULY 1, 2010-JUNE 30, 2011  
REPORT DATE: SEPTEMBER 21, 2011

**STATE ROAD PROJECTS**

LOCAL ROUTE	PROJECT DESCRIPTION	WORK TYPE	RESPONSIBLE AGENCY	BUDGET	TOTAL EXPENDITURES	CURRENT FISCAL YEAR EXPENDITURES	REMAINING BUDGET
A.C. Bouknight Road (S32-1888)	From exist pavemt (S32-1888) to Crout Pond Way	Paving	SCDOT	\$ 1,080,000	\$ 1,080,000	\$ 1,080,000	\$ -
Pine Plain Road (S32-1793)	From Frontage Road to exist. Pvmt. (S1930)	Paving	SCDOT	\$ 1,000	\$ -	\$ -	\$ 1,000
Carlisle Street ( S32-772)	Town of Irmo Enhancement Grant-sidewalk improvement	Sidewalk Placement	Irmo/County	\$ 57,000	\$ 33,395	\$ -	\$ 23,605
I.W. Hutto Road (S32-248)	School Dist 4 turn lane along I.W. Hutto Rd (S32-248)	Turn Lane	ScI Dst 4/LexCo	\$ 75,000	\$ 54,839	\$ 54,839	\$ 20,161
Church Street ( US-321)	Town of Swansea Enhan -Swansea Entrance Plaza	Beautification Project	Swansea/LexCo	\$ 50,000	\$ 50,000	\$ 35,235	\$ -
SC 302 and US 178	Town of Pelion 08 Enhancement Streetscape	Streetscape	Pelion/LexCo	\$ 70,000	\$ 49,999	\$ -	\$ 20,001
12th St, S-2, US1, SC32	W Cola Enhn 06, Ph II, III, IV, State St, Meeting St,	Streetscape	W Cola/LexCo	\$ 108,750	\$ 82,169	\$ -	\$ 26,581
Fork Avenue (S32-478)	Rehabilitation of Fork Avenue (S32-478)	Road Rehabilitation	SCDOT	\$ 40,000	\$ 40,000	\$ 40,000	\$ -
Victor Road (S32-1935)	Legal Fees for SCDOT Condemnation (S32-1935)	Legal Fees	SCDOT	\$ 1,500	\$ 1,500	\$ 1,500	\$ -
I-77 and I-26 Interchange	Andre Bauer Sign Ded.	Dedication Sign	SCDOT	\$ 500	\$ 500	\$ 500	\$ -
Airport Blvd (SC - 302)	Cayce Beautification Enhan Grant for Airport Blvd	Beautification Enh Grant	SCDOT	\$ 30,083	\$ -	\$ -	\$ 30,083
Airport Blvd (SC - 302)	W Cola Beautification Enhan Grant for Airport Blvd	Beautification Enh Grant	SCDOT	\$ 30,083	\$ -	\$ -	\$ 30,083
Airport Blvd (SC - 302)	Springdale Beautification Enhan Grant for Airport Blvd	Beautification Enh Grant	SCDOT	\$ 30,084	\$ -	\$ -	\$ 30,084
US Hwy 321	Gaston Enh. Grant Signs along Hwy 321	Enhancement Grant	SCDOT	\$ 23,000	\$ 23,000	\$ 23,000	\$ -
Meeting St (US-1) & State (SC-2)	W Cola. Enhancement Grant ENH # 73-04	Enhancement Grant	SCDOT	\$ 65,395	\$ 65,395	\$ 65,395	\$ -
Charleston Hwy (US - 176)	W Cola. Enhancement Grant FPA # 28-10	Enhancement Grant	SCDOT	\$ 36,250	\$ 36,250	\$ 36,250	\$ -
Hampton Street (S32-31)	Town of Gilbert Enh Grant Sidewalk	Enhancement Grant	SCDOT	\$ 36,000	\$ 36,000	\$ 36,000	\$ -
I-20/Hwy 378 (Sunset Blvd)	Town of Lexington I-20/Hwy 378 Interchange Beautificatn	Beautification Project	SCDOT	\$ 98,384	\$ 98,384	\$ 98,384	\$ -
Sunset Dr(s1897)RamblinRd(s102)	Sidewalk from school on Ramblin to library on Sunset	Sidewalk Placement	County	\$ 25,000	\$ -	\$ -	\$ 25,000
<b>TOTALS</b>				\$ 1,858,029	\$ 1,651,431	\$ 1,471,103	\$ 206,598

**STATE ROAD PROJECTS**

LOCAL ROUTE	PROJECT DESCRIPTION	WORK TYPE	RESPONSIBLE AGENCY	CTC MATCH FUNDS COMMITTED	EXPENDITURES	CURRENT FISCAL YEAR EXPENDITURES	REMAINING BUDGET	YEAR EXPENDITURES IN EXCESS OF MATCH AMOUNT*
SCDOT Match Program	SCDOT Matching Funds	SCDOT Projects	SCDOT	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTALS</b>				\$ -	\$ -	\$ -	\$ -	\$ -

EXPENDITURES FOR STATE ROAD PROJECTS AND MATCH PROJECTS IN EXCESS OF MATCH AMOUNT AS PERCENTAGE OF ANNUAL C-FUND ALLOTMENT TOTAL INCOME = 53%

\* Note: For match programs only CTC expenditures in excess of match amounts may be applied towards meeting the 25% requirement for expenditure on the state highway system.

\* Note: Annual C-Fund Allotment Total includes Project Refunds received for report period.

\* Note: The 53% expenditures for FY 2011 place Lexington County in compliance with State law governing the 25% requirement.

**LEXINGTON CTC ANNUAL C FUND REPORT**

JULY 1, 2010-JUNE 30, 2011  
 REPORT DATE: SEPTEMBER 21, 2011

**PROJECT MANAGER EXPENSES**

TITLE	DESCRIPTION	POSITION	BUDGET	TOTAL EXPEND.	CURRENT FISCAL YEAR EXPENDITURES	REMAINING BUDGET
Salaries & Wages	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 51,858	\$ -	\$ -	\$ 51,858
FICA - Employer Portion	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 3,968	\$ -	\$ -	\$ 3,968
SCRS - Employer Portion	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 4,870	\$ -	\$ -	\$ 4,870
Employee Insurance - Employer	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 7,800	\$ 7,800	\$ 7,800	\$ -
Workers Comp. - Employer	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 644	\$ -	\$ -	\$ 644
Professional Services	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 250	\$ 250	\$ 250	\$ -
Office Supplies	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 50	\$ -	\$ -	\$ 50
Duplicating	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 200	\$ -	\$ -	\$ 200
Operating Supplies	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 200	\$ -	\$ -	\$ 200
General Tort Liability Insurance	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 77	\$ 75	\$ 75	\$ 2
Pagers & Cell Phones	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 300	\$ -	\$ -	\$ 300
E-mail Service Charges	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 81	\$ -	\$ -	\$ 81
Gas, Fuel, & Oil	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 1,200	\$ -	\$ -	\$ 1,200
Minor Software	Associated Funds for Managing "C"-Fund Projects	"C" Fund Project Mgr.	\$ 262	\$ -	\$ -	\$ 262
Personal Computer	1 PC for Project Mgr. position	"C" Fund Project Mgr.	\$ 1,816	\$ 1,814	\$ 1,814	\$ 2
Flat Screen Monitor	1 20" Flat screen monitor for Project Mgr. position	"C" Fund Project Mgr.	\$ 320	\$ 320	\$ 320	\$ -
<b>TOTALS</b>			<b>\$ 73,896</b>	<b>\$ 10,259</b>	<b>\$ 10,259</b>	<b>\$ 63,637</b>

\*Note: Project Manager Position was not filled during FY 2010-2011 and therefore none of these expenditures were charged against specific projects. The position is currently filled (FY 2011-2012) and all associated expenses will be charged against specific projects on the FY 2011-2012 Annual Report.

CTC Chairman: \_\_\_\_\_

Date: \_\_\_\_\_

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## RESOLUTION

**THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 11TH DAY OF OCTOBER, TWO THOUSAND AND ELEVEN ADOPTED THE FOLLOWING:**

**WHEREAS**, Lexington County is home to almost 24,000 Veterans who have served throughout the world in the forces of the United States, the Reserves and the National Guard; and

**WHEREAS**, November 6, 2013 has been designated to celebrate Veteran's Day in Lexington County with a parade in the town of Lexington; and

**WHEREAS**, the United States celebrates and honors Veteran's Day on November 11, 2011; and

**WHEREAS**, these men and women have served with distinction and honor and deserve to be thanked and recognized for their service and sacrifice to the Nation; and

**WHEREAS**, the citizens of Lexington County are encouraged to personally thank a Veteran in their family, church, workplace, civic organization, or school.

**NOW THEREFORE BE IT RESOLVED** that we, the members of Lexington County Council, do hereby proclaim the week of **November 6-12, 2011 as THANK A VETERAN WEEK** in Lexington County and extends its sincere gratitude and heartfelt appreciation to these men and women for their selfless service, dedication and sacrifice to Lexington County, the state of South Carolina, and the United States of America.

\_\_\_\_\_  
James E. Kinard, Jr., Chairman

\_\_\_\_\_  
William B. Banning, Sr., Vice Chairman

\_\_\_\_\_  
Frank J. Townsend, III

\_\_\_\_\_  
George H. "Smokey" Davis

\_\_\_\_\_  
Debra B. Summers

\_\_\_\_\_  
Bobby C. Keisler

\_\_\_\_\_  
Johnny W. Jeffcoat

\_\_\_\_\_  
K. Brad Matthews

\_\_\_\_\_  
M. Todd Cullum

ATTEST:

\_\_\_\_\_  
Diana W. Burnett, Clerk



## APPOINTMENTS BOARDS & COMMISSIONS

October 11, 2011

### **BRAD MATTHEWS**

- **Library** - David Fellows; term expired 09/26/11; eligible for reappointment; *confirmed desire to serve another term*

### **BILL BANNING**

- **Planning Commission** - Robert Lee Matthews; term expired 08/26/11; eligible for reappointment; *confirmed desire to serve another term*

### **TODD CULLUM**

- **Board of Zoning Appeals** - Vacant; term expires 12/31/13
- **Library** - Ray Sharpe; term expired 09/26/11; eligible for reappointment; *confirmed desire to serve another term*
- **Museum** - Vacant (Carol Metts); term expires 11/01/13

### **AT LARGE:**

#### **Building Codes Board of Appeals:**

- **Plumbing** - Ashton Shuler; term expired 08/13/11; eligible for reappointment; *confirmed desire NOT to serve another term*
- **Gas/Mechanical** - Marvin Smith; term expired 08/13/11; eligible for reappointment; *confirmed desire NOT to serve another term*

#### **Stormwater Advisory Board:**

- **Developer** - Carl J. Berry, II; term expires 12/09/12; resigned effective July 8, 2011

# COUNTY OF LEXINGTON

## Procurement Services

---

### MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** September 23, 2011

**TO:** Katherine L. Hubbard  
County Administrator

**THROUGH:** Jeffrey A. Hyde  
Procurement Manager

**FROM:** Angela M. Seymour  
Procurement Officer

**SUBJECT: Ten (10) Switches (S Series) – Replacements  
Information Services**

---

We have received one (1) requisition from Information Services for the purchase of ten (10) replacement switches (S Series). These items will be purchased from the SC State Contract # 4400002812 from Data Network Solutions.

Mike Ujcich, Chief Information Officer, has reviewed and recommended this purchase. The total cost, including applicable sales tax, is \$31,366.41.

Funds are appropriated in the following account:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>
1000-102100-5AC027	(10) Switches (S Series) - Replacement	\$48,701.00

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 October 11, 2011.

copy: Larry Porth, Director of Finance/Assistant County Administrator  
Mike Ujcich, Chief Information Officer

# COUNTY OF LEXINGTON

## Procurement Services

---

### MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** September 30, 2011

**TO:** Katherine L. Hubbard  
County Administrator

**THROUGH:** Jeffrey A. Hyde  
Procurement Manager

**FROM:** Angela M. Seymour  
Procurement Officer

**SUBJECT:** **Network Capacity and Design Study  
Information Services**

---

We have received one (1) requisition from Information Services for the purchase of a Network Capacity and Design Study. These services will be purchased from the SC State Contract # 4400001378 from Team IA.

Mike Ujcich, Chief Information Officer, has reviewed and recommended this purchase. The total cost, including applicable sales tax, is \$36,400.00.

Funds are appropriated in the following account:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>
1000-102100-5AB676	Network Capacity and Design Study	\$36,400.00

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 October 11, 2011.

copy: Larry Porth, Director of Finance/Assistant County Administrator  
Mike Ujcich, Chief Information Officer

# COUNTY OF LEXINGTON

## Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** September 29, 2011

**TO:** Katherine L. Hubbard  
County Administrator

**THROUGH:** Jeffrey A. Hyde  
Procurement Manager

**FROM:** Angela M. Seymour  
Procurement Officer

**SUBJECT: One (1) Sweepster (Replacement)  
B120140-9/21/11S  
Public Works**

Competitive bids were solicited and advertised for one (1) Front Mount Sweepster replacement for Public Works. We received two (2) bids on September 21, 2011 (see attached Bid Tabulation).

The bids were evaluated by John Fechtel, Director of Public Works/Assistant County Administrator; Bill Kazmierczak, Fleet Manager; and Angela M. Seymour, Procurement Officer. It is our recommendation that it be awarded to Linder Industrial Machinery Company, as the lowest responsive bidder. The total cost, including applicable sales tax, is \$45,956.50. The County is also choosing to exercise the option of \$3,500.00 for the trade in on our existing equipment.

Funds are appropriated in the following account:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>
1000-121300-5AC081	(1) Sweepster (Replacement)	\$45,956.50

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 October 11, 2011.

Copy: Larry Porth, Director of Finance/Assistant County Administrator  
John Fechtel, Director of Public Works/Assistant County Administrator  
Bill Kazmierczak, Fleet Manager

## County of Lexington

### Bid Tabulation

**BID # : B12014-09/21/11S**

**Front Mount Sweepster**

Item	Qty	U/M	Description	Linder Machinery Company		Arrow Equipment, LLC	
				Unit Total	Total Cost	Unit Total	Total Cost
1	1	EA	Front Mount Sweepster	\$ 42,950.00	\$ 42,950.00	\$ 45,450.00	\$ 45,450.00
			<b>Taxes</b>		<b>\$ 3,006.50</b>		<b>\$ 3,181.50</b>
			<b>Total</b>		<b>\$ 45,956.50</b>		<b>\$ 48,631.50</b>

**Options:**

Item	Qty	U/M	Description	Unit Total	Total Cost	Unit Total	Total Cost
1	1	EA	Trade in on existing Front Mount Sweepster	\$ (3,500.00)	\$ (3,500.00)	\$ (2,450.00)	\$ (2,450.00)
			<b>Grand Total</b>		<b>\$ 42,456.50</b>		<b>\$ 46,181.50</b>

Bids Received: September 21, 2011 @ 3:45 PM E.S.T.

Angela Seymour  
Procurement Officer

# COUNTY OF LEXINGTON

## Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

**DATE:** September 29, 2011

**TO:** Katherine L. Hubbard  
County Administrator

**THROUGH:** Jeffrey A. Hyde  
Procurement Manager

**FROM:** Angela M. Seymour  
Procurement Officer

**SUBJECT: One (1) Tri-Axle Dump Truck (Replacement)  
B120140-9/21/11S  
Public Works**

Competitive bids were solicited and advertised for one (1) Tri-Axle Dump Truck replacement for Public Works. We received eight (8) bids on September 21, 2011 (see attached Bid Tabulation).

The bids were evaluated by John Fechtel, Director of Public Works/Assistant County Administrator; Bill Kazmierczak, Fleet Manager; and Angela M. Seymour, Procurement Officer. It is our recommendation that it be awarded to Columbia Truck Center, as the lowest responsive bidder. The total cost, including applicable sales tax, is \$119,429.00. The County is also choosing to exercise the option of \$20,000.00 for the trade in on our existing equipment.

Funds are appropriated in the following account:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>
1000-121300-5AC078	(1) Tri-Axle Dump Truck (Replacement)	\$140,000.00

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 October 11, 2011.

Copy: Larry Porth, Director of Finance/Assistant County Administrator  
John Fechtel, Director of Public Works/Assistant County Administrator  
Bill Kazmierczak, Fleet Manager

## County of Lexington

### Bid Tabulation

BID # : B12015-09/21/11S

Heavy Duty Tri-Axle Dump Truck

Item	Qty	U/M	Description	**Grande Truck Center		Shealy's Truck Center (Bid #1)		Shealy's Truck Center (Bid #2)	
				Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost
1	1	EA	Heavy Duty Tri-Axle Dump Truck		No Bid	\$ 141,554.00	\$ 141,554.00	\$ 140,276.42	\$ 140,276.42
			Taxes		No Bid		\$ 300.00		\$ 300.00
			Total		No Bid		\$ 141,854.00		\$ 140,576.42

**Options:**

Item	Qty	U/M	Description	Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost
1	1	EA	Trade in on existing Heavy Duty Tri-Axle Dump Truck		No Bid	\$ (25,000.00)	\$ (25,000.00)	\$ (25,000.00)	\$ (25,000.00)

Item	Qty	U/M	Description	Carolina International Trucks		Carolina International Trucks (Alternate #1)		Carolina International Trucks (Alternate #2)	
				Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost
1	1	EA	Heavy Duty Tri-Axle Dump Truck	\$ 131,290.00	\$ 131,290.00	\$ 132,500.00	\$ 132,500.00	\$ 127,265.00	\$ 127,265.00
			Taxes		\$ 300.00		\$ 300.00		\$ 300.00
			Total		\$ 131,590.00		\$ 132,800.00		\$ 127,565.00

**Options:**

Item	Qty	U/M	Description	Unit Total	Total Cost	Unit Total	Total Cost	Unit Total	Total Cost
1	1	EA	Trade in on existing Heavy Duty Tri-Axle Dump Truck	No Bid					

Item	Qty	U/M	Description	Columbia Truck Center		Advantage Truck Center	
				Unit Total	Total Cost	Unit Total	Total Cost
1	1	EA	Heavy Duty Tri-Axle Dump Truck	\$ 119,129.00	\$ 119,129.00	\$ 129,745.40	\$ 129,745.40
			Taxes		\$ 300.00		\$ 300.00
			Total		\$ 119,429.00		\$ 130,045.40

**Options:**

Item	Qty	U/M	Description	Unit Total	Total Cost	Unit Total	Total Cost
1	1	EA	Trade in on existing Heavy Duty Tri-Axle Dump Truck	\$ (20,000.00)	\$ (20,000.00)	\$ (10,000.00)	\$ (10,000.00)

**\*\*Grande Truck Center provided a "no bid" response because they could not meet the bid specifications.**

Bids Received: September 21, 2011 @ 4:00 PM E.S.T.

Angela Seymour  
Procurement Officer

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**COUNTY OF LEXINGTON, SOUTH CAROLINA**

**ORDINANCE NO. 11-16**

**AN ORDINANCE TO PROHIBIT THE USE, PURCHASE, SALE OR POSSESSION OF BATH SALTS AND SYNTHETIC MARIJUANA SUBSTANCES IN LEXINGTON COUNTY**

**WHEREAS**, substances containing methylone, mephedrone, methoxymethcathinone, fluroromethcathinone or methylenedioxypropylone (MDPV, collectively “bath salts”), are being used as recreational drugs producing a “high” similar to cocaine and methamphetamine; and

**WHEREAS**, substances containing HU-210 (molecular structure very similar to THC) CP 47,497 and JWH-018 (1-Pentyl-3-(1-naphthoyl)indole) known as the combination of herbs mixed with a lab-produced strain of marijuana is usually marketed as K2, Spice, JWH-018 or incense (collectively “synthetic marijuana”) are being used as recreational drugs producing a “high” similar to cannabis; and

**WHEREAS**, banning the use, purchase, sale or possession of “bath salts” and synthetic marijuana will help prevent drug use and drug related crimes in Lexington County while promoting the public health, welfare, safety, and general welfare of all citizens.

**NOW THEREFORE**, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR LEXINGTON COUNTY:

**SECTION I. “Bath Salts” and synthetic marijuana.**

(a) Definitions.

The following words, term and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Methylone, mephedrone, methylmethcathinone, fluoromethcathinone or methylenedioxypropylone (MDPV), collectively “bath salts” shall mean any material, compound, mixture or preparation, whether produced directly or indirectly from a substance of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis, that contains any quantity of the following substances, or that contains any of the following substances’ analogs, salts, isomers, and salts of isomers when the existence of the analogs, salts, isomers, and salts of isomers is possible within the specific chemical designation: methylone, mephedrone, methoxymethcathinone, fluroromethcathinone or methylenedioxypropylone (MDPV).*

*Synthetic marijuana shall mean and refer to all chemical compounds intended to replicate, mimic or cause a similar reaction to the effects of marijuana or cannabis. Such compounds are known or marketed under such names as THC, HU-210 Cannabicyclohexanol, JWH-018, JWH-073, K2, Spice, herbal incense, herbal smoking blends, and other names. Further synthetic marijuana shall be considered an illegal narcotic.*

(b) Prohibition.

(1) It is unlawful for a person to use, offer for use, purchase, offer to purchase, sell, offer to

sell, or possess synthetic marijuana and/or bath salts unless prescribed by a licensed physician. Licensed health care providers, pharmacists and medical, pharmaceutical or educational research facilities are exempted from the prohibitions against using, possessing, selling or purchasing bath salts when used, purchased, sold or possessed for patient treatment or medical or pharmaceutical research.

(2) It is unlawful to advertise the sale and/or use of bath salts and synthetic marijuana in the unincorporated area of Lexington County.

(c) Penalty.

Any person who violates any provision of this section shall be subject to the penalty provisions of section 1-8 of the Lexington County Code of Ordinances.

SECTION II. SEVERABILITY. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2011.

LEXINGTON COUNTY COUNCIL

By: \_\_\_\_\_  
James E. Kinard, Jr., Chairman  
Lexington County, South Carolina

ATTEST:

By: \_\_\_\_\_  
Diana W. Burnett, Clerk to County Council  
Lexington County, South Carolina

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Third Reading: \_\_\_\_\_



**COUNTY OF LEXINGTON  
HIGHWAY SAFETY ENHANCED DUI ENFORCEMENT  
Annual Budget  
FY 2011-12 Estimated Revenue**

Object Code	Revenue Account Title	Actual 2009-10	Received Thru Dec 2010-11	Amended Budget Thru Dec 2010-11	Projected Revenues Thru Jun 2010-11	Requested 2011-12	Recommend 2011-12	Approved 2011-12
<b>*LE - Highway Safety Enhanced DUI Enforcement 2491:</b>								
<b>Revenues:</b>								
457000	Federal Grant Income	0	0	225,509	225,509	149,482	149,482	146,409
461000	Investment Interest	0	0	0	0	0	0	0
<b>** Total Revenue</b>		<u>0</u>	<u>0</u>	<u>225,509</u>	<u>225,509</u>	<u>149,482</u>	<u>149,482</u>	<u>146,409</u>
<b>***Total Appropriation</b>					225,509	149,482	149,482	146,409
FUND BALANCE								
Beginning of Year					<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FUND BALANCE - Projected								
End of Year					<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>

**COUNTY OF LEXINGTON**  
**HIGHWAY SAFETY ENHANCED DUI ENFORCEMENT**  
**Annual Budget**  
**Fiscal Year - 2011-12**

Fund: 2491  
Division: Law Enforcement  
Organization: 151200 - LE/Operations

Object Expenditure Code Classification	2009-10 Expend	2010-11 Expend (Dec)	2010-11 Amended (Dec)	2011-12 Requested	<i>BUDGET</i>	
					2011-12 Recommend	2011-12 Approved
<b>Personnel</b>						
510100 Salaries & Wages - 2	0	8,424	81,333	83,000	83,000	83,000
511112 FICA - Employer's Portion	0	629	6,222	6,350	6,350	6,350
511114 Police Retirement - Employer's Portion	0	971	9,378	9,570	9,763	9,763
511120 Insurance Fund Contribution - 2	0	1,300	15,600	15,600	15,600	15,600
511130 Workers Compensation	0	285	2,733	2,788	2,789	2,789
<b>* Total Personnel</b>	<b>0</b>	<b>11,609</b>	<b>115,266</b>	<b>117,308</b>	<b>117,502</b>	<b>117,502</b>
<b>Operating Expenses</b>						
521000 Office Supplies	0	173	500	500	500	500
521200 Operating Supplies	0	0	1,000	1,000	1,000	1,000
521208 Police Supplies	0	0	800	500	500	500
522300 Vehicle Repairs & Maintenance - 2	0	0	1,000	1,000	1,000	1,000
524100 Vehicle Insurance - 2	0	0	1,092	1,092	1,092	1,092
524201 General Tort Liability Insurance	0	1,085	1,490	1,490	1,490	1,490
525004 WAN Service Charges - 2	0	0	1,440	1,440	1,440	1,440
525020 Pagers & Cell Phones - 2	0	0	1,440	1,440	1,440	1,440
525030 800 MHz Radio Service Charges - 2	0	0	1,520	1,520	1,520	1,520
525041 E-mail Service Charges - 2	0	0	192	192	162	162
525210 Conference, Meeting & Training Expense	0	0	1,666	2,000	2,000	0
525400 Gas, Fuel and Oil	0	0	14,883	16,600	16,436	16,413
525600 Uniforms and Clothing	0	0	400	0	0	0
<b>* Total Operating</b>	<b>0</b>	<b>1,258</b>	<b>27,423</b>	<b>28,774</b>	<b>28,580</b>	<b>26,557</b>
<b>** Total Personnel &amp; Operating</b>	<b>0</b>	<b>12,867</b>	<b>142,689</b>	<b>146,082</b>	<b>146,082</b>	<b>144,059</b>
<b>Capital</b>						
540000 Small Tools & Minor Equipment	0	62	800	800	800	800
540010 Minor Software	0	0	400	400	400	150
All Other Equipment		0	81,620			
(2) Passive Alcohol Sensors				1,400	1,400	1,400
(2) In-car Thermal Printer & Accessories				800	800	0
<b>** Total Capital</b>	<b>0</b>	<b>62</b>	<b>82,820</b>	<b>3,400</b>	<b>3,400</b>	<b>2,350</b>
<b>*** Total Budget Appropriation</b>	<b>0</b>	<b>12,929</b>	<b>225,509</b>	<b>149,482</b>	<b>149,482</b>	<b>146,409</b>

### **SECTION V. – PROGRAM OVERVIEW**

The ultimate goal for the creation of a Driving Under the Influence Traffic Enforcement Unit in Lexington County is to combine resources to effect a positive change in the collision, injury, and arrest rate of traffic and DUI violations. By consolidating the resources and expanding knowledge and skills to perform DUI traffic enforcement, the quality of enforcing the traffic laws will result in an effort to reduce severe and fatal traffic collisions. The expertise and knowledge gained from the specialized training will enhance the unit's capability by using technologically sound equipment and techniques to collect and process evidence for court cases for effective discovery, documentation, and judicial prosecution of criminal offenders.

**SECTION VI. A. - SUMMARY OF REVENUES**

**457000 –FEDERAL GRANT INCOME** **\$ 146,409**

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Federal funds awarded from DPS

**SECTION VI. B. – LISTING OF POSITIONS**

**Current Staffing Level:**

<u>Job Title</u>	<u>Positions</u>	<u>Full Time Equivalent</u>		<u>Total</u>	<u>Grade</u>
		<u>General Fund</u>	<u>Other Fund</u>		
Traffic Lieutenant	1	1	0	1	20
Traffic Master Deputies	2	2	0	2	13
Traffic Deputies	7	7	0	7	12
<b>Totals:</b>	<b>10</b>	<b>10</b>	<b>0</b>	<b>10</b>	

	<u>Positions</u>	<u>Full Time Equivalent</u>		<u>Total</u>	<u>Grade</u>
		<u>General Fund</u>	<u>Other Fund</u>		
Traffic Deputies	2	0	2	2	12
<b>Totals:</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>2</b>	

**SECTION VI. C. – OPERATING LINE ITEM NARRATIVES**

**521000 - OFFICE SUPPLIES \$ 500**

Items to be purchased include but are not limited to pens, file jackets, folders, diskettes, calendars and other general supplies used daily.

**521200 - OPERATING SUPPLIES \$ 1,000**

Items to be purchased are traffic supplies such as video and audiotapes, OSH kits, traffic books, disks, batteries, etc. are for operational purposes for the traffic officers.

**521208 – POLICE SUPPLIES \$ 500**

Items to be purchased are traffic cones for DUI stops, flashlights and items used in the line of duty are required for the DUI Officers to perform their tasks.

**522300 - VEHICLE REPAIRS AND MAINTENANCE \$ 1,000**

Vehicle repairs and maintenance that are needed for the grant vehicles (estimated at \$500 per vehicle).

**524100 - VEHICLE INSURANCE \$ 1,092**

Vehicle insurance is required for the grant vehicles. (\$546 X 2 vehicles = \$1,092)

**524201 - GENERAL TORT LIABILITY INSURANCE \$ 1,490**

General Tort Liability Insurance is required for each person employed by the County. (\$745 X 2 officers = \$1,490)

**525004 – WAN SERVICE CHARGES \$ 1,440**

Air card service will allow the grant traffic officers to have wireless access to the web, GNET and other databases from other counties as well as LCSD to obtain immediate information on the person in question. (\$60/month X 2 officers X 12 months = \$1,440)

**525020 - PAGERS AND CELL PHONES \$ 1,440**

The mobile telephones for the grant traffic officers will allow them to communicate effectively with each other and to make contact to those individuals that are involved in traffic situations. (\$60/month X 2 officers X 12 months = \$1,440)

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**525030 – 800 MHz RADIO SERVICE CHARGES** **\$ 1,520**

The 800 MHz radio fees plus roaming fees is required for the operation of 800 MHz radios.

The cost is estimated at \$63.33/month x 2 traffic officers x 12 months = \$1,519.92.

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**525041 – E-MAIL SERVICE CHARGES** **\$ 162**

The email service is required for immediate communication and immediate transfer of documents for DUI investigative purposes. (\$6.75/month x 2 traffic officers x 12 months = \$162)

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**525400 - GAS, FUEL, AND OIL** **\$ 16,413**

The grant reimburses the mileage at the federal rate for the grant-funded personnel to allow them to travel to work and scenes while performing their duties. (\$0.555 X 29,572 miles = \$16,412.46)

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**SECTION VI. D. –CAPITAL LINE ITEM NARRATIVES**

**540000 – SMALL TOOLS AND MINOR EQUIPMENT \$ 800**

Each officer will need various small tools and minor equipment to perform his job duties effectively and efficiently. Impairment goggles will be used to educate students and officers on the visual effects of driving under the influence of alcohol and drugs.

**540010 - MINOR SOFTWARE \$ 400**

Office software and flash drives will be required for the traffic DUI officers to easily download information and for the storing and the collecting of information in the computer.

**5AC425 – (2) PASSIVE ALCOHOL SENSORS \$ 1,400**

Passive alcohol sensors are used to solidify driving under the influence cases by determining the suspect's blood alcohol level.



South Carolina Department of Public Safety  
Office of Highway Safety

A. DuBoise  
A. Paavel

September 20, 2011

Ms. Katherine D. Hubbard  
County Administrator  
County of Lexington  
212 South Lake Drive  
Lexington, South Carolina 29072



RE: Highway Safety Grant No. 2H12015  
DUI and Alcohol Enforcement Team

Dear Ms. Hubbard:

I am pleased to provide you with the original and one copy of a grant award approved by this office in the amount of **\$146,409**, with funding beginning October 1, 2011. In order to complete the contract for this award, it is necessary for you, as the Official Authorized to Sign, to return the original grant award with an original signature within 30 days. The signed original should be sent to:

Dr. Ed Harmon, Assistant Director  
Office of Highway Safety  
S. C. Department of Public Safety  
P. O. Box 1993  
Blythewood, South Carolina 29016

Copies of the Request for Payment/Quarterly Fiscal Report forms have been forwarded to the Project Director. The first report for this grant is due February 1, 2012, for the quarter ending December 31, 2011. Timely submission of progress reports will ensure the processing of eligible claims filed against this grant.

Congratulations on your project's selection for funding for FFY 2012. Our staff looks forward to working with you in our joint mission to reduce the incidence and severity of traffic crashes in our state. Please contact your assigned program manager, Stuart Litman, if you have any questions regarding this award.

Sincerely,

Phil Riley  
Director

c: Ms. Nandalyn S. Heaitley  
Grant File

P.O. Box # 1993 Blythewood, South Carolina 29016  
Toll Free Number: 1(877) 349-7187 Fax: (803) 896-9978

SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF HIGHWAY SAFETY  
P. O. BOX 1993  
BLYTHEWOOD, SOUTH CAROLINA 29016

**GRANT AWARD**

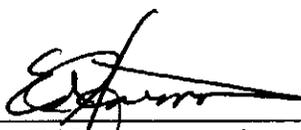
Subgrantee: County of Lexington  
Grant Title: DUI and Alcohol Enforcement Team  
Grant Period: 10/1/2011 - 9/30/2012      Date of Award: 10/1/2011  
Amount of Award: \$146,409      Grant No.: 2H12015

In accordance with the provisions of the Highway Safety Act of 1966, 72 Stat. 885, as amended, CFDA No. 20.601, and on the basis of the application for a grant award submitted to the Office of Highway Safety, the S. C. Department of Public Safety hereby awards to the foregoing Subgrantee, a grant in the amount shown above for the projects specified in the application and within the purposes and categories authorized for the Highway Safety grants.

This grant is subject to conditions set forth within the application and must begin implementation within 90 days following the award date or be subject to automatic cancellation of the grant. Evidence of implementation must be detailed in the first progress report.

**The grant shall become effective as of the date of the award, contingent upon the return of the original of this form to the Office of Highway Safety, signed by the Subgrantee in the space provided below.** This award must be accepted within 30 days, and such progress and other reports required by the S. C. Department of Public Safety must be submitted to the Office of Highway Safety in accordance with regulations.

  
\_\_\_\_\_  
Phil Riley, Director  
Office of Highway Safety

  
\_\_\_\_\_  
Ed Harmon, Assistant Director  
Office of Highway Safety

Acceptance of Grant Award:

\_\_\_\_\_  
Signature of Authorized Official

THIS GRANT AWARD IS SUBJECT TO SPECIAL CONDITIONS ATTACHED.