

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings

July 24, 2012

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.**

12:30 p.m. - 1:30 p.m. - Economic Development

- (1) Discussion of the Industry Appreciation Event - Economic Development - Chuck Whipple, Director
- (2) Introduction of Project CNC - Economic Development - Chuck Whipple, Director
- (3) Introduction of Project Highpoint - Economic Development - Chuck Whipple, Director
- (4) Ordinance 12-09 - Ordinance Authorizing an Amendment to the Agreement for Development of a Joint County Park Between Newberry Cty & Lexington Cty Dated 7-28-98 to Add F. G. Wilson - 1st Reading - Economic Development - Chuck Whipple, Director A
- (5) Assignments of Property Contracts - Chuck Whipple, Director
- (6) Access Easement Agreement to Road - Chuck Whipple, Director
- (7) Easement Agreement to Access Road - Chuck Whipple, Director
- (8) Meeting of April 24, 2012 - Approval of Minutes..... B
- (9) Old Business/New Business
- (10)Adjournment

1:30 p.m. - 1:50 p.m. - Planning and Administration

- (1) Ordinance 12-01 Amendments to the Landscape and Open Space Ordinance (Goal 2) - Planning & GIS - Charlie Compton, Director of Planning and GIS; Robbie Derrick, Landscape Administrator..... C
- (2) Old Business/New Business - Additional Language/Information (Pennington) for Communication Towers, Number of Forfeited Land Commission Mobile Homes Not Sold and Had Separate Owners Than the Landowner
- (3) Adjournment

1:50 p.m. - 1:55 p.m. - Justice

- (1) Meeting of April 24, 2012 - Approval of Minutes..... D
- (2) Old Business/New Business
- (3) Adjournment

1:55 p.m. - 2:25 p.m. - Health and Human Services

- (1) Garage at Fire Training Center - Public Safety/Fire Service - Chief Brad Cox E
- (2) Adoption of Emergency Operations Plan (EOP) - Public Safety/Preparedness – Tom Collins, Emergency Response Coordinator..... F
- (3) Resolution R12-4 - Approval of Resolution for the Emergency Planning Zone for V.C. Summer Nuclear Station - Public Safety/Preparedness - Tom Collins, Emergency Response Coordinator G
- (4) Old Business/New Business
- (5) Adjournment

2:25 p.m. - 3:25 p.m. - Public Works & Solid Waste Management

- (1) Stormwater Improvements - 12-Mile Creek (319 Grant Award) (Goal 1) - Public Works - Sheri Armstrong, Stormwater Manager H
- (2) Green is Good for Business Conference Sponsorship - Public Works - Synithia Williams, Environmental Coordinator I
- (3) Sustainable Energy Plan for the Central Midlands Region - Public Works - David Brandes, Genesis Consulting..... J
- (4) Kinley, K-1 and K-2 Creeks Funding Options - Public Works - John Fechtel, Deputy County Administrator and Chris Stone, Floodplain Manager K
- (5) Public Works Committee - Old/new business items - Public Works - John Fechtel, Deputy County Administrator..... L
- (6) Solid Waste/DHEC Management Grant Award (Goal 1) - Solid Waste Management - Dave Eger, Director..... M
- (7) Solid Waste/DHEC Used Oil Grant Award (Goal 1) - Solid Waste Management - Dave Eger, Director..... N
- (8) Meeting of April 24, 2012 - Approval of Minutes..... O
- (9) Old Business/New Business - Traffic Congestion, Alternate Material for Road Swells, New Road/Corley Mill/Riverchase Monthly Update, Flooding Issues/Kinley Creek Criteria, Stormwater Utility Fee Update, Pine Glen Alternate Exit (Emergency Access Road Cost), Nursery Road Project Update, List of Outstanding Bonds, etc. ; Chapter 7 Agreements, Bonds, Warranties Review; LPA Process Update, State Dirt Roads, Tire Disposal Program, Cost Update on Buck Corley and Old Bush River Design, Update on City of Columbia Enhancement Grant for Columbiana Ave.; C Fund Account Balance; Micala Drive Bridge Update
- (10)Adjournment

3:25 p.m. - 4:15 p.m. - Committee of the Whole

- (1) Ordinance 12-10 - Ordinance Finding That the Richland-Lexington Riverbanks Parks District May Issue Not Exceeding \$32,000,000 G.O. Bonds and to Provide for the Publication of Notice of Public Hearing - 1st Reading - Satch Krantz, Executive Director, Riverbanks Zoo & Botanical Gardens P
- (2) Resolution R12-5 - Calling for a Public Hearing to be Held Upon the Question of the Issuance of Not Exceeding \$32,000,000 G.O. Bonds - Satch Krantz, Executive Director, Riverbanks Zoo & Botanical Gardens..... Q
- (3) Meeting of February 14, 2012 - Approval of Minutes R
- (4) Meeting of April 24, 2012 - RFP Banking Committee - Approval of Minutes..... S

- (5) Meeting of April 24, 2012 - Approval of Minutes..... T
- (6) Possible Executive Session if Time Permits
- (7) Old Business/New Business - Local Contractor Procurement; Letter to State Paper about Newspapers
- (8) 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

- J. Jeffcoat, Chairman
- S. Davis, V Chairman
- J. Kinard
- D. Summers
- B. Keisler

Planning & Administration

- D. Summers, Chairman
- S. Davis, V Chairman
- J. Kinard
- B. Matthews
- T. Cullum

Justice

- S. Davis, Chairman
- B. Keisler, V Chairman
- F. Townsend, III
- J. Jeffcoat
- B. Matthews

Health & Human Services

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

Public Works & Solid Waste Management

- T. Cullum, Chairman
- J. Kinard, V Chairman
- B. Keisler
- J. Jeffcoat
- B. Matthews

Committee of the Whole

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

**AGENDA
LEXINGTON COUNTY COUNCIL**

July 24, 2012

**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

Presentations

- (1) Community Impact of the Columbia Museum of Arts - Ms. Karen Brosius, Executive Director
- (2) Green Business Member Recognition - Public Works - Synithia Williams, Environmental Coordinator and Amanda St. John, Recycling Coordinator U

Administrator's Report

Employee Recognition - Joe Mergo, County Administrator

- (1) Employee of the 2nd Quarter

Appointments

- (1) Boards and Commissions V

Bids/Purchases/RFPs

- (1) One Caterpillar 287C High Flow XPS Multi-Terrain Loader with Attachments - Solid Waste Management..... W
- (2) Fleet Vehicle Replacements - Building Services, Public Works, & Solid Waste Management X
- (3) Fleet Vehicle Replacement for Sheriff's Department..... Y
- (4) Request For Approval To Utilize The Competitive Sealed Proposal Process For The Acquisition Of Pre-Trial Consultant Services For The Magistrate's Office Z

Approval of Minutes

- (1) Meeting of May 22, 2012 1
- (2) Meeting of June 14, 2012 2

Ordinance

- (1) Ordinance 12-08 - Ordinance Authorizing the Conveyance of 8.90 Acres, More or Less, to the Town of Lexington - 1st Reading..... 3

Committee Reports

Economic Development, J. Jeffcoat, Chairman

- (1) Ordinance 12-09 - Ordinance Authorizing an Amendment to the Agreement for Development of a Joint County Park Between Newberry Cty & Lexington Cty Dated 7-28-98 to Add F. G. Wilson - 1st Reading A
- (2) Assignments of Property Contracts - Chuck Whipple, Director-
- (3) Access Easement Agreement to Road - Chuck Whipple, Director-
- (4) Easement Agreement to Access Road - Chuck Whipple, Director

Public Works & Solid Waste Management, T. Cullum, Chairman

- (1) Stormwater Improvements - 12 Mile Creek (319 Grant Award) (Goal 1)..... H
- (2) Solid Waste/DHEC Management Grant Award (Goal 1) M
- (3) Solid Waste/DHEC Used Oil Grant Award (Goal 1) N

Health & Human Services, B. Matthews, Chairman

- (1) Garage at Fire Training Center E
- (2) Adoption of Emergency Operations Plan (EOP) F

Committee of the Whole, B. Banning, Sr., Chairman

- (1) Ordinance 12-10 - Ordinance Finding That the Richland-Lexington Riverbanks Parks District May Issue Not Exceeding \$32,000,000 G.O. Bonds and to Provide for the Publication of Notice of Public Hearing - 1st Reading..... P
- (2) Resolution R12-5 - Calling for a Public Hearing to be Held Upon the Question of the Issuance of Not Exceeding \$32,000,000 G.O. Bonds Q

Budget Amendment Resolutions

OLD BUSINESS/NEW BUSINESS

EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT

STATE OF SOUTH CAROLINA)
) ORDINANCE NO. 12-09
COUNTY OF LEXINGTON)

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK BETWEEN NEWBERRY COUNTY AND LEXINGTON COUNTY DATED JULY 28, 1998, ADDING ADDITIONAL PROPERTY OF F.G. WILSON (USA) LLC, AND OTHER MATTERS RELATED THERETO.

WHEREAS, Newberry County and Lexington County entered into an Agreement for Development of Joint County Industrial Park dated July 28, 1998 (the “Agreement”); and

WHEREAS, pursuant to Section 3 of the Agreement, the boundaries of the park created therein may be enlarged pursuant to ordinances of the respective county councils; and

WHEREAS, F.G. Wilson (USA) LLC (the “Company”) is investing through the acquisition, construction, and/or renovation of land, buildings, improvements, and/or personal property (the “Project”) on land described in Schedule I attached hereto, which is located in Newberry County (the “Property”); and

WHEREAS, the Property is not located in any multi-county industrial and business park; and

WHEREAS, the Company has requested that Lexington County and Newberry County include the Property in the Agreement in order to allow an enhanced jobs tax credit and facilitate special source revenue credits; and

WHEREAS, the Company has requested that the Property be included in the Agreement for the longer of 30 years or the term of the Fee Agreement among F.G. Wilson (USA) LLC, Caterpillar, Inc., and Newberry County dated December 1, 2010 (the “Fee Agreement”); and

WHEREAS, Lexington County benefits from having the Project located in one park in order to avoid confusion in the administration of multiple Park Agreements and has therefore agreed to include the Property in the joint county industrial and business park created by the Agreement (the “Park”).

NOW, THEREFORE, be it ordained by the Lexington County Council that:

1. The Agreement is hereby and shall be amended to include the Property and to extend for the longer of 30 years or the term of the Fee Agreement, and the County Administrator or Chairman of the Lexington County Council are hereby authorized to execute and deliver any desired amendments to the Agreement necessary to accomplish the within amendments and enlargement.

2. This Ordinance shall amend, to the extent necessary, any other ordinances or resolutions of the Lexington County Council pertaining to the Park.

3. This Ordinance shall be effective upon approval.

Passed and approved this ____ day of _____, 2012.

**LEXINGTON COUNTY,
SOUTH CAROLINA**

Signature: _____

Name: _____

Title: _____

SCHEDULE I

Property Added to Exhibit A to the Agreement for Development of Joint County Industrial Park Between Newberry County and Lexington County Dated as of July 28, 1998

All that certain piece, parcel or tract of land situate, lying and being in the County of Newberry, State of South Carolina fronting on Mawson Way and being more particularly shown as Parcel D-1 & D-2, at 4.895 acre tract on a plat prepared for F. G. Wilson (USA) LLC by Foard H. Talbert, Jr., SCPLS, dated January 18, 2011, and recorded in the Office of the Clerk of Court for Newberry County in Plat Book C251 at page 7; reference to said plat being had for a more complete and accurate description thereof.

This being a portion of the same property conveyed to Raymond D. Hobby by deed of West/Hobby, LLC recorded in the Office of the Clerk of Court for Newberry County on the 11th day of May, 2005, in Record Book 1054 at page 234 and by deed of West/Hobby, LLC to Billye L. West recorded in the aforesaid office on the 11th day of May, 2005, in Record Book 1054 at page 236 and by deed of Raymond D. Hobby to Billye L. West recorded in the aforesaid office on the 11th day of May, 2005, in Record Book 1054 at page 238.

Tax Map # 451-22-4

SCHEDULE I

**Property Added to Exhibit A to the
Agreement for Development of Joint County Industrial Park
Between Newberry County and Lexington County Dated as of July 28, 1998**

All that certain piece, parcel or tract of land situate, lying and being in the County of Newberry, State of South Carolina fronting on Mawson Way and being more particularly shown as Parcel D-1 & D-2, at 4.895 acre tract on a plat prepared for F. G. Wilson (USA) LLC by Foard H. Talbert, Jr., SCPLS, dated January 18, 2011, and recorded in the Office of the Clerk of Court for Newberry County in Plat Book C251 at page 7; reference to said plat being had for a more complete and accurate description thereof.

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Tax Map # 451-22-4

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Memorandum

July 10, 2012

To: Joe Mergo
County Administrator

For: Planning and Administration Committee
County Council

From: Charlie Compton, Secretary
Lexington County Planning Commission

Reference: Ordinance #12-1
Amendments to the Landscape and Open Space Ordinance

On June 28, 2012, the Lexington County Planning Commission voted to recommend the attached draft. The items in **green** are additional issues that the Commission has considered and recommended, or deleted in some cases. The following summary may help as you consider what to recommend to the full Council for second reading:

- There is new language in Section 1.3 to address temporary activities operating for longer than 90 calendar days.
- Alternate language has been recommended for Section 1.6 that hopefully addresses the concerns expressed earlier by Council.
- Large display/storage areas, previously exempted in Section 1.3, have now been given some perimeter requirements in Section 3.3.3.
- Mulching, species diversity, planting under overhead utilities, and other administrative issues are addressed.

The Planning Commission spent several meetings attempting to come up with answers to the landscaping and screening of detention/retention ponds, primarily in residential subdivisions. Because of the difficulties inherent in the long-term regular maintenance of such facilities by either the County or private homeowners associations, the Commission was unable to make a recommendation on this issue beyond what is already in the Landscape and Open Space Ordinance.

Enclosure: Ordinance #12-1



DRAFT
(as of June 28, 2012)

COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE #12-1

AN ORDINANCE AMENDING THE LEXINGTON COUNTY LANDSCAPE AND OPEN SPACE ORDINANCE

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

Amendments to the Landscape and Open Space Ordinance are to be considered that would update the restrictions contained therein and as a minimum address the following issues:

1. Address the scope of the regulations.
2. Modify and expand the definitions.
3. Update and expand the Landscaping Requirements.
4. Modify the Open Space Requirements.

Make the following changes and additions to:

Article 1 – Authority

1.2 Intent

The purpose of this Ordinance is to protect and enhance the character, appearance, and image of Lexington County through attractive and creative landscape design and open space; to ensure land-use compatibility through proper use of vegetation and open space as transition areas and screening; and to preserve scenic, canopied tree corridors **while balancing the needs and demands of a quickly developing community.**

1.3 Scope of Regulations

Except as otherwise stated, the regulations set forth herein shall apply to all Residential Attached dwelling units and Mobile Home Parks, as defined within the Lexington County Zoning Ordinance; all residential and nonresidential subdivisions, as defined and regulated within Article 4; and all nonresidential development within the unincorporated area of Lexington County, with the exception of the following development conditions/activities:

- a. Any public road construction or utility construction project, except as described in Article 3, Section 4 Service Areas/Utilities.
- b. Any land used for Crops and Animal Operations, as defined in the Lexington County Zoning Ordinance. These definitions include the raising of trees, vines, field, forage, or other plant crops intended to provide food or fiber. However, processing areas/buildings, transport and warehousing, and retail or wholesale activities related

to crops and animal operations are not exempt from the terms of this Ordinance. Section 3.1.7 Clearcutting, further defines the exemptions allowed for timber harvesting.

~~c. Nonresidential development containing a parking lot that is used as a display/storage area greater than 10,000 square feet shall be exempt from the provisions of Article 3, Section 3 Parking Lots, within the display area only (i.e., automobile, boat and craft dealerships; truck terminals; etc.).~~

~~d.c. Advertising signs, as defined and regulated in the Lexington County Zoning Ordinance.~~

Some of the residential activities, exempted above from the scope of these regulations, must follow the requirements of Article 3, Section 7, Scenic Corridor Protection. Temporary activities that offer seasonal or holiday products that occur for a period of time exceeding 90 calendar days will be required to comply with applicable street frontage tree requirements included in Article 3, Section 6, Road Frontage Trees, and Article 3, Section 7, Scenic Corridor Protection.

1.6 Exclusions

~~Because such activities are developed with benefit of public hearings and other input, In the interest of meeting the public need for services in an efficient and timely manner, and because such activities are developed with the benefit of public input, any facility or activity established or expanded owned and operated by Lexington County is exempt from the provisions and administrative procedures of this Ordinance. However, the development and operation plan for all such exempt activities shall be devised conducted with a diligent effort to meet the requirements of this Ordinance.~~

1.6 Exclusions [ALTERNATE LANGUAGE]

In the interest of meeting the public need for services in an efficient and timely manner, and because such activities are developed with the benefit of public hearings and other public input, any facility or activity established or expanded and/or owned and operated by Lexington County is exempt from the administrative procedures found in Article 6 of this Ordinance. However, the development and operation of such activities shall meet all of the requirements of this Ordinance with the authority to vary from any of those provisions residing only with Lexington County Council.

Make the following changes and additions to:

Article 2 – Definitions

2.2 Definitions

Bioretention Pond – A structure that utilizes soils and woody and herbaceous plants to remove pollutants from stormwater runoff.

Tree, Canopy, Large – Any single- or multi-stem tree of a species which normally reaches a height of 30 feet or more and a crown spread of 20 feet or more at maturity.

Tree, Understory, Small – Any single- or multi-stem tree of a species which normally reaches a height of between 8 and 30 feet and a crown spread of less than 20 feet at maturity.

Make the following changes and additions to:

Article 3 – Landscaping Requirements

Sections 1(General), 3(Parking Lots), 4(Service Areas/Utilities), and 6(Road Corridors)

Section 1 (General)

3.1.2 Planting and Maintenance

- c. All newly planted trees and shrubs shall be mulched evenly around each individual plant and extend to the dripline, but no less than a 4-foot radius from the trunk of the tree or shrub. The mulch should be two to three inches in depth. Group plantings, including shrubbery, shall have a defined bed area that shall be mulched. Natural areas with groupings of trees that are preserved to meet provisions of this Ordinance do not require mulch; however, individual trees that are protected will require mulch. The mulched areas should be maintained and kept free of weeds and grass.
- e.d. New trees must be planted properly, to include soil/site preparation and protection of roots. See Appendix.

3.1.3 Species Selection

- f. To encourage diversity and flexibility of design, no more than ~~60~~ 40 percent of any one species ~~can be used for new tree plantings~~ ~~of tree may be used~~ in the overall development plan.

Section 3 (Parking Lots)

3.3.3 Trees

- b. Where overhead utilities exist or are planned, ~~or where space restricts the use of canopy trees~~, understory trees may be required instead of large canopy trees, at a replacement density of ~~three~~ two understory trees for each canopy tree.
- c. The requirements of this Section shall apply only to the perimeter of a parking lot greater than 10,000 square feet that is used as a display/storage area for nonresidential development (i.e., automobile, boat and craft dealerships; truck terminals; etc.). The permit applicant may chose to not follow the requirements of this Section on the interior portion of such a display/storage area.

Section 4 (Service Areas/Utilities)

3.4.1 Application

- a. The requirements of this section shall apply to all service areas, equipment, and structures related to garbage collection, utilities and communication, as well as all detention and retention ponds, or other similar stormwater holding areas, to include those in residential subdivisions.
- b. This section shall not be construed to deny access by vehicles and equipment to service areas or for maintenance of detention and retention ponds.

3.4.3 Detention/Retention Ponds

- a. Detention and retention ponds, or other holding areas that are part of a storm/surface water system, should be enhanced as an amenity of the development.
- b. Unless designed as an integral part of a landscape plan or features as an amenity (i.e., water features in a wet bottom basin or recreation/open space in a dry bottom basin), all detention ponds, retention ponds, or other similar holding areas shall be screened from view from any existing or future private or public street and from adjoining property.
- ~~c. For detention and retention ponds that are part of a storm/surface water system that is to be dedicated to the County, a common area shall be platted adjacent to the perimeter of the newly created County parcel. This common area shall be adequately sized to provide for either landscaping that is consistent with the overall design of the development or vegetation to screen the stormwater structure. Pond access across the common area must be provided and dedicated to the County. Easements for stormwater discharge may also be required within this common area. All platted parcels must conform to applicable Lexington County Subdivision and Land Development Regulations.~~
- ~~d.c.~~ Bioretention systems will be considered to have met the additional landscape requirements noted in this section of the Ordinance.
- ~~e.d.~~ The development of any system shall be in accordance with the provisions of the Lexington County Stormwater Management Ordinance, to include the requirement of fencing for safety purposes.

3.4.4 Screening

The use of vegetation for screening is strongly encouraged; however, if fencing or a wall is used for screening of service areas, utilities, or ponds, at least 50 percent of the structure shall be softened with shrubbery or other vegetation. The vegetation must be placed on the outside property line of the structure. Access and room for maintenance must be incorporated into the design and placement of the structure and subsequent vegetation. ~~The substance of the fencing, wall, or other screening structure must be approved by the Landscape Administrator.~~

Section 6 (Road Corridors)

3.6.1 Identification of Road Corridors

Any road identified as an Arterial, Collector, or Local Road by the Lexington County Zoning Ordinance shall be considered a road corridor. ~~When the road, and/or its right-of-way, is located within the boundaries of a municipality, the provisions of this section shall still apply if the parcel is located in the unincorporated portion of Lexington County.~~ Where any road corridor or portion thereof is also identified as a scenic corridor, the requirements of Section 7 Scenic Corridor Protection shall prevail.

3.6.3 Trees

- ~~d. Large canopy trees to provide shade will be required except where there exist overhead utilities.~~ Where overhead utilities exist or are planned, ~~or where space restricts the use of canopy trees,~~ understory trees may be required instead of large canopy trees at a replacement density of ~~three~~ **two** understory trees for each canopy tree.

Make the following changes and additions to:

Article 4 – Open Space Requirements

4.1 Residential Subdivisions

The purpose of this section is to provide guidelines for the establishment of suitable and useable open space within all proposed residential subdivisions with lot sizes less than 2 acres or which have at least ten lots.

4.1.1 Quantity of Open Space

At least 10 percent of the total gross land area of the subdivision shall be designated as open space. The following shall be counted toward this minimum open space requirement provided they are actually set aside on property separate from the subdivision parcels:

- a. Natural features (riparian areas, wetlands, natural ponds, streams, wildlife corridors, steep slopes, etc.), natural hazard areas (floodplains, floodways, etc.), stormwater features (drainage channels, ditches, ponds, etc.), and land area occupied by Low Impact Development (LID) stormwater devices;
- b. Land designated as open space as a result of the Scenic Corridor Section of this Ordinance; ~~and,~~
- c. Land occupied by active and passive recreational uses such as pools, playgrounds, tennis courts, jogging trails, ball fields, and clubhouses used primarily for recreation purposes. However, this category of open space can only encompass up to 50 percent of the required open space; ~~and,~~
- d. Land occupied by landscaped buffers or landscaped common areas.

This Ordinance shall take effect _____, 2012.

Enacted the _____ day of _____, 2012

William B. Banning, Sr.
Chair, Lexington County Council

ATTEST:

Diana W. Burnett, Clerk

First Reading: January 10, 2012
 Public Hearing: February 14, 2012
 Second Reading: _____
 Third & Final Reading: _____
 Filed w/Clerk of Court: _____

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County of Lexington
Department of Public Safety

FIRE SERVICE DIVISION



July 12, 2012

Lexington County Fire Service is asking to be allowed to erect a garage on the training grounds at the Fire Training Center. This garage is 20 ft. x 41 ft. with three enclosed sides. The cost of this garage erected is \$5,414.20. We are in the process of getting final approval from the SC Firefighters Association for this purchase using 1% funding. The site the garage would be erected on the Fire Training Facility is secured and not visible to the general public.

This garage structure will house the Fire Service's fire prevention trailer, which was previously purchased using 1% funds. This trailer must be properly housed to protect it against the weather. Additionally, the fire service maintains one of the department's original fire engines (1974) in the fleet, yet there is not proper garage storage space available to store the apparatus. This engine will also be housed in this garage to protect it from the weather until it can be restored in the future.

Thank you

Eddie Turner
Administrative Fire Chief

cc: Sketch of garage location of fire training grounds
Price quote for garage

463 Ball Park Road • Lexington, South Carolina • 29072
Phone (803) 785-8287 Fax (803) 785-8589
E-Mail: lcfs@lex-co.com



92 Feet

38 Feet

20 Feet

20 Feet

41 Feet

20 Feet

Fire Station

1605.98 Square Feet

Drafting Pit

1306.34 Square Feet

1660 Dixon Airline Road
 Augusta, GA. 30906
 Toll Free 1-877-830-7086
 Fax: 1-877-880-0048

Buyers Name(s): BOWLING SPRINGS FIRE SERVICE
 Address: 2639 CALKS FERRY RD
 City: LEXINGTON State: SC Zip: 29673
 Phone (Day) _____ (Evening) _____ (Cell) 920-7766
 email: CONTACT BOBBY BARFOOT FAX-785-3811
 Installation Site (If different from above) Chick @ pbtcomm.net

Date: 4-12-12
 Retailer: Cool Sheas-Lexington
 Serial No: 211002
 Run: _____

Type	Width	Roof Length	Frame Length	Leg Height	Installation	Land Level	Electric Available	Permits
Carport					Ground	Yes	Yes	Yes
Garage					Cement	No	No	No
Barn					Asphalt			
RV Cover					Other			
Utility								
Other								

Color			
Roof	Sides	Ends	Trim
Alamo White	Alamo White	Alamo White	Alamo White
Gray	Gray	Gray	Gray
Tan	Tan	Tan	Tan
Lt. Stone	Lt. Stone	Lt. Stone	Lt. Stone
Charcoal	Charcoal	Charcoal	Charcoal
Brown	Brown	Brown	Brown
Rustic	Rustic	Rustic	Rustic
Forest Green	Forest Green	Forest Green	Forest Green
Ocean Blue	Ocean Blue	Ocean Blue	Ocean Blue
Black	Black	Black	Black
Burnished Slate	Burnished Slate	Burnished Slate	Burnished Slate
Crimson	Crimson	Crimson	Crimson
Taupe	Taupe	Taupe	Taupe
Burgundy	Burgundy	Burgundy	Burgundy
Ivory	Ivory	Ivory	Ivory
Galvalume	Galvalume	Galvalume	Galvalume

Options		Price
Standard Carport	20x41	
Optional Roof Style	<input type="checkbox"/> Boxed Eave <input checked="" type="checkbox"/> Vertical	2095.00
12 Gauge Framing Upgrade		800.00
Certified 130 mph / 30 psf		
Extra Bracing:	<input type="checkbox"/> 2' <input type="checkbox"/> 3'	
"J" Trim		
Side Height	6' To 10' ADD 4' 10'	400.00
Close Both Sides	HORIZONTAL SIDING	980.00
Close Each End	# Certified 130 mph / 30 psf 785.00 2 END	785.00
Frame Outs:	Window Door Garage Door	
Header	Location	
Window	24 x 36 Standard Location	
Walk-In Door	36 x 80 Standard Location	
Roll-Up Door	Size X Location	
Roll-Up Door	Size X Location	
Wind Anchors		
Extra Panels		
40 Yr. Metal upgrade		
Other (Specify)		
Other (Specify)		
Other (Specify)		

Special Features or Options?

NOTICE TO BUYER: This order shall only become effective upon execution and acceptance by Seller-Bennett Buildings Systems at its offices in Augusta, Georgia and upon acceptance by Seller shall constitute the contract between Seller and Buyer, subject to the Terms and Conditions on the reverse side hereof. Dealer is an independent contractor, and not the agent of Seller, except for receipt of the deposit described above, and no representation of Dealer shall be binding on Seller until and except to the extent accepted in writing by Seller. This contract includes cost of installation of the Unit at the address of Buyer indicated above upon receipt of their full purchase price; provided, however, Buyer shall be responsible for properly preparing the site for installation, obtaining any required permits for installation of the Unit and all other terms contained on the reverse side, which Buyer hereby acknowledges by its signature below to having read and understood, including without limitation, any conditions of site preparation, permits, warranties and additional charges and responsibilities.

\$ 5060.00 Sales Total
 \$ 354.20 Sales Tax
 \$ 5414.20 Grand Total
 \$ 506.00 Deposit 10%
 \$ 4908.20 Balance Due
 -25.00 1/2 OF G.C. License
 4883.20 TO OBTAIN BLDG. PERMIT. PER JOHNNY

Terms of Sale	
Cash	<input type="checkbox"/>
Financed	<input type="checkbox"/>
Credit Card	<input type="checkbox"/>
Debit Card	<input type="checkbox"/>

Buyer's Signature: Rickie Smith Date: 4-12-12
 Retailer's Signature: Cool Sheas Date: _____

VISA
 ACCEPTED BY Bennett Building Systems LLC. Date: _____
 Coolsheds
 May 02 12 12:12p



Lexington County Public Safety Department
Emergency Management Division

TO: Diana W. Burnett
Clerk to Lexington County Council

FROM: Thomas B. Collins 
Emergency Manager

REF: Adoption of the Emergency Operations Plan (EOP)

DATE: July 11, 2012

We respectfully request to put to County Council the revised EOP for adoption.

As a part of this process, we respectfully request that Chairman of County Council, Mr. William B. Banning, Sr. sign the Letter of Promulgation as a part of this adoption. A copy of the revised EOP will also be placed on the County's website.

Thank you for your attention to this matter.

County of Lexington

County Council
212 South Lake Drive, Suite 601
Lexington, South Carolina 29072
TELEPHONE: (803) 785-8103 FAX: (803) 785-8101

LETTER OF PROMULGATION

James E. Kinard, Jr.
District 1

Frank J. Townsend, III
District 2

George H. Davis
District 3
Parliamentarian

Debra B. Summers
District 4

Bobby C. Keisler
District 5

Johnny W. Jeffcoat
District 6
Vice Chairman

K. Brad Matthews
District 7

William B. Banning, Sr.
District 8
Chairman

M. Todd Cullum
District 9

Pursuant to the Authority granted by Lexington County, Code 1976, the Lexington County Emergency Operations Plan is hereby adopted and promulgated. This county plan is intended to implement and to further the responsibility of the Lexington County Emergency Response Coordinator as set forth in South Carolina Legislative Act 199 of 1979, Section 21. This Plan is coordinated with the South Carolina Emergency Operations Plan and sets forth the specific delegation of responsibility of county and municipal agencies in Lexington County in the event of a major disaster.

Every attempt has been made to identify and designate available forces and resources at all levels of our government to be utilized in response to emergencies and disasters. Planning, preparation and timely response must be the goal of all if the people of Lexington County are to realize and enjoy the services and protection of their government.

Tasks for specific emergency functions have been assigned, where feasible, to those governmental organizations accustomed to performing such duties as primary day-to-day responsibilities. In addition, local governmental and volunteer organization decision makers have been provided with instructions and guidelines for implementing disaster response actions and programs appropriate to the emergency(ies) at hand. In so charging these officials, I strongly urge all citizens of Lexington County to render to their leaders and planners fullest support and cooperation to avert or mitigate effects of emergencies, and enhance rapid restoration of order and recovery when one does occur.

When County Council is unable to declare a state of emergency, the authority to do so is delegated, in succession to: County Council Chairperson or Vice Chairperson, any council member, County Administrator, or Lexington County Emergency Response Coordinator.

The Lexington County Emergency Response Coordinator is charged with the responsibility of implementing this Plan through coordination with all county departments, agencies and municipalities involved. When necessary or appropriate, modifications, additions, or deletions will be made to this Plan and/or Annexes.

William B. Banning, Sr.
Chairman, Lexington County Council

Date

Diana W. Burnett
Clerk, Lexington County Council

Date

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COUNTY OF LEXINGTON
STORMWATER IMPROVEMENTS - 12 MILE CREEK
Annual Budget
Fiscal Year - 2012-13

Object Code	Revenue Account Title	Requested 2012-13	Recommend 2012-13	Approved 2012-13
* PW - Stormwater Improvements - 12 Mile Creek (2711):				
Revenues:				
457000	Federal Grant Income	400,980	402,565	418,664
801000	Op Trn From General Fund/LE	25,000	25,000	45,717
** Total Revenue		425,980	427,565	464,381
***Total Appropriation		427,565	427,565	464,381
FUND BALANCE				
	Beginning of Year	0	0	0
FUND BALANCE - Projected				
	End of Year	(1,585)	0	0

**** Farmers/Landowners will pay a 40% or \$233,392 match toward this project on allowable expenses.**

Fund: 2711
Division: Public Works
Organization: 121400 - Stormwater Management

Object Code	Expenditure Classification	BUDGET		
		2012-13 Requested	2012-13 Recommend	2012-13 Approved
Personnel				
510100	Salaries & Wages	9,856	9,856	16,882
511112	FICA - Employer's Portion	754	754	1,292
511113	State Retirement - Employer's Portion	940	940	1,789
511130	Workers Compensation	82	82	501
* Total Personnel		11,632	11,632	20,464
Operating Expenses				
520300	Professional Services	20,000	20,000	45,000
520400	Advertising & Publicity	16,500	16,500	1,500
520800	Outside Printing	2,500	2,500	3,500
521200	Operating Supplies	2,000	2,000	1,000
521213	Public Education Supplies	4,800	4,800	11,576
523100	Building Rental	700	700	700
525100	Postage	3,000	3,000	3,300
525240	Personal Mileage Reimbursement	253	253	253
529903	Contingency	0	0	0
* Total Operating		49,753	49,753	66,829
** Total Personnel & Operating		61,385	61,385	87,293
Contributions				
534E01	Heavy Use Area Protection	28,620	28,620	30,210
534E02	Septic Repairs/Sewer Hookups	144,000	144,000	153,000
534E03	Streambank Stabilization	19,320	19,320	33,120
534E04	Stream Crossings	2,400	2,400	4,800
534E05	Wells	27,000	27,000	22,680
534E06	Watering Facilities	12,600	12,600	14,238
534E07	Piping	13,440	13,440	13,440
534E08	Loafing Sheds	36,000	36,000	18,000
534E09	Stacking Sheds	16,800	16,800	16,800
534E10	Manure Compost Facilities	27,000	27,000	24,000
534E11	Fencing	39,000	39,000	46,800
** Total Contributions		366,180	366,180	377,088
*** Total Budget Appropriation		427,565	427,565	464,381

SECTION III - PROGRAM OVERVIEW

319 Grant TMDL Implementation Twelve Mile Creek Watershed

The Public Works Stormwater Department of Lexington County will be the lead organization for this project. The Stormwater Department works under the direction of Lexington County Council. Twelve Mile Creek is listed in the South Carolina Section 303d List of impaired waterbodies for fecal coliform bacteria impairments. A Total Maximum Daily Load (TMDL) for fecal coliform bacteria was developed for three (1) sampling sites within the watershed located at S-294. By developing quality land practices, community cooperation and educational programs the County will work to restore and protect Twelve Mile Creek. The TMDL for Twelve Mile Creek calls for fecal coliform load reduction of 89.9%. Nonpoint sources have been identified as the main contributors of fecal coliform bacteria contamination for these sites. Lexington County and its consultant AMEC will partner with the USDA Natural Resource Conservation Services, Soil and Water Conservation District, the Lexington County Solid Waste Department, Midlands Biofuel, the Town of Lexington, and land owners to educate and implement best management practices in the watershed.

Staffing Level

		Grade
1 Stormwater Manager	with insurance	25
1 Hydrologist	with insurance	23
1 Environmental Coordinator	with insurance	18
2 Engineering Associate III	with insurance	18
2 Engineering Associate II	with insurance	13
1 Engineering Associate I	with insurance	10
1 Administrative Assistant	with insurance	9

Cooperating Agencies

Natural Resource Conservation Services, NRCS
Soil and Water Conservation District
Lexington County Solid Waste
Town of Lexington
Midlands Biofuel

SECTION V. – LINE ITEM NARRATIVES

SECTION V.B. – OPERATING LINE ITEM NARRATIVES

520300 - Professional Services \$45,000

To cover project oversight, reporting services by the stormwater consultant AMEC.

520400 – Advertising & Publicity \$1,500

Newspaper advertisements and billboards with information on the grant.

520800 – Outside Printing \$3,500

Brochures, Door Hangers & Flyers with information about septic tank repair, conservation planning and proper grease disposal to use at public meetings along with promotional items such as magnets and pens to be provided at outreach events.

521200 – Operating Supplies \$1,000

Supplies for public meetings, including note pads, markers, printing of maps, etc.

521213 – Public Education Supplies \$11,576

- Costs associated with building 15 pet stations at \$125/each and pet waste bags (\$350). Stations will be donated to areas with high population of pets (i.e. parks, homeowners associations, vets offices and pet stores.)
- 1,000 Fat trappers and liners (total cost \$5,301) to be given to homeowners in the watershed for grease collection that can be properly disposed of later.
- 2,000 “Dump No Waste/Drains to Stream” storm drain labels (total cost \$4,050) for storm drains in neighborhoods within the watershed.

523100 – Building Rental \$700

Rental of Community Building for public meetings and listening sessions.

525100 - Postage \$3,300

Postage to mail letters to residents in the 12 Mile Creek Watershed.

525240 – Personal Mileage Reimbursement \$253

To cover travel associated with implementing the grant.

**CONTRIBUTION LINE ITEM NARRATIVES
(60% of the total cost will be reimbursed to the Farmer/Landowner)**

534E01 - HEAVY USE PROTECTION AREA \$30,210

To cover the costs of gravel and filter fabric used to stabilize areas around livestock watering facilities. (Budgeted at approximately 19,000 sqft of HUA at \$1.59/sqft)

534E02 - SEPTIC REPAIRS/REPLACEMENTS & SEWER HOOKUPS \$153,000

Repair/replace failing septic systems. To cover the cost of approximately:

- 35 septic repairs at 60% coverage (\$2,160/repair),
- 5 repairs at 80% coverage (\$2,880/repair),
- 5 repairs at 100% coverage (\$3,600/repair)
- 5 sewer hook-ups (\$9,000/hookup).

534E03 - STREAMBANK STABILIZATION \$33,120

To cover the costs associated with the stabilization of eroding streambanks. (Budgeted at approximately 12,000 lnft of eroded stream banks @ \$2.76/lnft)

534E04 - STREAM CROSSINGS \$4,800

To cover the cost of approximately two stream crossings (i.e. cattle guards). (Budgeted @ \$2,400/crossing)

534E05 - WELLS \$22,680

To cover the cost to install 15 wells as an alternative watering source for livestock. (Budgeted @ \$1,512.00/well)

534E06 - WATERING FACILITIES \$14,238

To cover the cost to install 30 watering facilities (tanks) associated with the wells. (Budgeted @ \$474.60/facility)

534E07 - PIPING \$13,440

To cover the cost to install approximately 7,000 linear feet of piping associated with wells. (Budgeted @ \$1.92/lnft)

534E08 - LOAFING SHEDS \$18,000

To cover the cost to build two sheds that provide cover for animal feeding areas. (Budgeted @ \$9,000/shed)

**FUND 2711 – STORMWATER IMPROVEMENT: 12 MILE CREEK
PUBLIC WORKS/STORMWATER MANAGEMENT (121400)
FY 2012-13 BUDGET REQUEST**

4

534E09 - STACKING SHED **\$16,800**

To cover the cost to build two sheds to compost chicken feed. (Budgeted @ \$8,400/shed)

534E10 - MANURE COMPOSTING FACILITIES **\$24,000**

To cover the cost to build two facilities to properly compost animal manure. (Budgeted @ \$12,000/facility)

534E11 - FENCING **\$46,800**

To cover the cost to install approximately 24,000 lnft of fencing along streams. (Budgeted @ \$1.95/lnft)



Grant Agreement Number: EQ-3-457

SCEIS Number: _____

Project Number: 10 4K

GRANT AGREEMENT
Between
SC DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
BUREAU OF WATER, SECTION 319 NONPOINT SOURCE PROGRAM
And
LEXINGTON COUNTY

This Grant is a Cooperative Agreement that shall be **effective for 36 months** between the South Carolina Department of Health and Environmental Control, Office of Environmental Quality Control (SC DHEC) and **Lexington County** (hereinafter referred to as the Grantee).

The parties to this Agreement agree as follows:

A. SCOPE OF SERVICES

Lexington County will implement the **Section 319 Grant Project #10 4K, FY 2010 (Incremental Allocation) titled "Twelve Mile Creek Watershed Water Quality Improvement Project."** See *Attachment 1* for the detailed workplan for this project.

B. TIME OF PERFORMANCE

This Agreement will be **effective beginning on the date of the last signature and will terminate 36 months from the effective date.** SC DHEC reserves the right to extend the term of the Grant Agreement and such extension will be issued in written amendment prior to the agreement expiration date and are dependent upon subsequent availability of funds.

C. COMPENSATION

1. Grant Award

SCDHEC agrees to reimburse the Grantee, following the submittal of the required items each quarter, for all allowable costs incurred, on a quarterly basis (January, April, July and October), up to 90% of the total grant award, provided the total amount paid under this Agreement does not exceed **\$418,664.00**. Payment will not be made until the quarterly reporting requirements addressed in Section D below have been met. The balance of the grant award will be paid after all FINAL reports, documentation, and invoices have been submitted and approved by the authorized SC DHEC staff.

2. Source of Funds

Compensation for performance of services will be reimbursed with funds made available from the US Environmental Protection Agency through Cooperative Agreement **C9994629-10**, Section 319(h) Nonpoint Source Pollution, Assistance Program CFDA Number 66.460, Nonpoint Source Implementation.

DHEC's Point of Contact for financial information regarding payments made under this contract:
Ronnie Belleggia, Assistant Bureau Director

Bureau of Financial Management
2600 Bull Street
Columbia, SC 29201-1708

Contact the DHEC 319 Grant Program directly for questions regarding invoices, MBE/WBE forms, quarterly reporting, and/or as an initial point of contact for any basic contract questions. Contact information is as follows:

Meredith Murphy
SC DHEC Bureau of Water
319 Grant Program
2600 Bull Street
Columbia, SC 29201-1708
Phone: (803) 898-4222

3. Reimbursement Limitation

SCDHEC's financial obligations to the Grantee are limited by the amount of Federal funding awarded in Section C, 1: Grant Award and as outlined in Attachment 1. If the Grantee incurs costs in anticipation of receiving additional funds from SCDHEC, it does so at its own risk.

4. Travel

The Contractor's travel expenses, including room and board, incurred in connection with the services described in the Scope of Services will be limited to reimbursement at the standard State rate in effect during the period of this agreement and will be included within the maximum amount of the contract.

The State standard rate for hotels will be at the established federal Government Services Administration rate or below for the area of travel. These rates can be found at <http://www.gsa.gov>

The Contractor must submit lodging receipts showing a zero balance when seeking reimbursement. Prior to submitting any invoices for contractual reimbursements of out-of-state travel, Contractor must submit a written request for approval of out-of-state travel and receive written approval of out-of-state travel. The request for approval must include a breakdown of all proposed travel expenses including, but not limited to, airfare, registration, and lodging and an explanation of how the travel is related to the activities described in the Scope of Services.

D. REPORTING REQUIREMENTS

1. Periodic Grantee Reporting

a. Quarterly Reporting

Once every three (3) months during the Agreement period and following the performance of services described in Section A, the Grantee MUST submit to SC DHEC the following three items (due January 5, April 5, July 5, and October 5) BEFORE payment will be made. Information included on the following should reflect activities and expenses incurred during the prior quarter (for example, the paperwork due April 5 covers the January 1- March 31 timeframe). Additionally, these items MUST be submitted using forms and guidelines provided by SCDHEC staff.

Quarterly Invoices: Quarterly requests for payment. All invoices submitted by the Grantee should report the amount of the Federal and non-Federal funds expended.

Quarterly Progress Reports: As required by EPA, the Grantee agrees to furnish a progress report to SC DHEC for every three-month period contained in the agreement. This report will describe the progress of objectives and milestones as stated in the workplan. Reports should include information on all activities occurring within the past quarter. Any difficulties, successes or delays should be noted and described in the report as well.

Quarterly Load Reduction Reports: The Grantee agrees to furnish project-specific BMP implementation data. These reports will include worksheets and charts that outline all best management practices (BMPs) installed through activities outlined in Section A. These forms will be provided to the Grantee by SCDHEC staff. Information gathered on these forms is used by SCDHEC staff to calculate pollutant load reductions for the project, which will be entered into EPA's Section 319 Nonpoint Source Program national database.

b. Semi-annual Reporting

Twice a year (semi-annually) during the Agreement period and following the performance of services described in Section A, the Grantee MUST submit a MBE/WBE Form to SC DHEC (due April 5th & October 5th). The MBE/WBE MUST be submitted using forms and guidelines provided by SCDHEC staff. Reconciled MBE/WBE forms which list the names and addresses of all Minority, Woman, or Other owned business enterprises which were expended for any project expense excluding Personnel Expenses, Fringe Expenses, or Travel Expenses. EVERY procurement outside of Personnel, Fringe or Travel MUST be included on the MBE/WBE form and it must reconcile with the prior submitted invoices.

2. Final Reporting

Upon the end of the grant, the Grantee agrees to submit a closeout (final) report that adheres to US EPA Project Closeout Guidelines.

Final Technical Project Report due 30 days after grant ending date.

Final Invoice and Matching Report due 30 days after grant ending date. The Grantee's final invoice will reflect the balance of the allowable reimbursable costs and the total project match calculations.

Final Financial Report due 45 days after grant ending date.

The recipient agrees to use recycled paper for all reports, which are prepared as a part of this agreement and delivered to EPA (see *Section F: Administrative Terms and Conditions* for recycling terms).

E. PROGRAMMATIC CONDITIONS

1. Site Visits

The Grantee is subject to site visits from DHEC in an effort to monitor compliance with this agreement. These visits will occur, at a minimum, on an annual basis, but may occur more frequently if deemed necessary.

2. QAPP

As required by EPA, all projects that obtain or generate environmental data must have an approved quality assurance project plan (QAPP) no later than 120 days from the date of the award and **before** water quality monitoring begins. No water quality monitoring may begin until detailed monitoring plans and protocols have been submitted by the Grantee and approved by the 319 Program staff and SCDHEC's Office of Quality Assurance.

3. Geospatial Data

As required by EPA, all geospatial data created must be consistent with Federal Geographic Data Committee (FGDC) endorsed standards. Information on these standards can be found at www.fgdc.gov.

4. Cost shared BMPs

As required by EPA, projects with Agricultural Best Management Practices (BMPs), that involve cost shared installation of best management practices, the Grantee and cooperating agencies are authorized to use average costs, in accordance with procedures established in Title 120 of the USDA Natural Resources Conservation Service General Manual, for establishing and documenting the costs for agricultural BMPs.

5. Animal Feeding Operations

As required by EPA, any Animal Feeding Operation (AFO) that receives financial assistance pursuant to this grant must have and implement a nutrient management plan that: 1) provides and maintains buffers or equivalent practices; 2) diverts clean water; 3) prevents direct contact of confined animals with water of the United States; 4) addresses animal mortality; 5) addresses chemical disposal; 6) addresses proper operation and maintenance; 7) addresses record keeping and testing; 8) maintains proper storage capacity; 9) addresses rates and timing of land application of manure and wastewater. SC DHEC approval of the Plan must be obtained before cost share funds are dispensed to the producer. Producers that have approved plans should provide permit number so that its existence may be verified.

6. Maintenance

As required by EPA, the Grantee shall ensure that any on-the-ground Best Management Practices that are funded with Section 319 grant dollars are properly operated and maintained for the normal expected useful life of the practice.

7. Match

The Grantee agrees to match the Federal funds with a minimum of **\$279,108.69** in non-Federal funds. This represents forty percent (**40%**) of the total project cost.

8. Outputs

Informational materials, including but not limited to reports, manuals, brochures, fact sheets, newsletters, posters, videos, and Internet home pages, produced under a project funded by a Section 319 Grant must acknowledge SC DHEC and the US EPA as the funding source by including this phrase, **"This project was funded wholly or in part by the US EPA under a Section 319 Grant through the SC Department of Health and Environmental Control (SC DHEC)."**

F. ADMINISTRATIVE TERMS AND CONDITIONS

1. Adherence to Federal Regulations

The Grantee will comply with the Federal regulations as described in 40 CFR Part 31: Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. The provisions of the agreement are contingent upon any possible revision of Federal regulations and requirements governing 319(h) Nonpoint Source Grants.

2. Amendments

Any change to this Agreement is considered an amendment to the Agreement, which must be mutually agreed to and executed in the same manner as the original Agreement.

3. Audit

All Grantees (sub-recipients), except for profit entities, that expend \$500,000 or more in Federal awards from all sources during their fiscal year shall have a single or program, specific audit conducted for that fiscal year in accordance with the provisions of Office of Management and Budget (OMB) Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, dated June 27, 2003.

The Audit shall be completed and submitted within the earlier of 30 days after receipt of the auditor's report(s), or nine months after the end of the audit period. The Grantee agrees to send one copy of any audit conducted under the provisions of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, dated June 27, 2003, to:

SC DHEC
Office of Internal Audits
2600 Bull Street
Columbia, SC 29201

Entities which are audited as part of the State of South Carolina Statewide Single Audit are not required to furnish a copy of that audit report to SC DHEC's Office of Internal Audits.

Non-Federal entities that expend less than \$500,000 a year in total Federal awards, from all sources, are exempt from the Federal audit requirements of OMB Circular A-133 for that year, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office (GAO).

A Grantee is prohibited from charging the cost of an audit to Federal Awards if the contractor expended less than \$500,000 from all sources of Federal funding in the contractor's fiscal year. If the contractor expends less than \$500,000 in Federal funding from all sources in the contractor's fiscal year, but obtains an audit paid for by non-Federal funding, then DHEC requests a copy of that audit be sent to:

SCDHEC Bureau of Water
319 Grant Program
2600 Bull Street
Columbia, SC 29201

As a sub-recipient, if you utilize an indirect cost rate, you must provide a copy of the approved indirect cost rate letter from your Federal cognizant agency, OR an indirect cost rate reviewed and approved by an external auditor in accordance with GAAP. Otherwise, only direct charges will be allowed under the terms and conditions of this grant.

4. Audit²

Grantees who are not required to obtain a single or program specific audit may be required to obtain limited scope audits if the quarterly compliance reports, site visits and other information obtained by the Department raise reasonable concern regarding compliance with grant conditions. Such engagements may not be paid for by SC DHEC pass-through funds.

5. Confidentiality

The Grantee agrees to abide by DHEC's Confidentiality Policy, which states that all information about personal facts and circumstances of DHEC employees, clients, or members of the public is confidential and will not be disclosed without written authorization of the individual to which it pertains, unless disclosure is required by law, or otherwise required in accordance with this agreement and released to the Grantee after DHEC Office of General Counsel review. If confidential information is disclosed pursuant to a properly completed authorization, documentation of the disclosure and a copy of the authorization must be maintained and made available for DHEC inspection and audit. In addition, confidential agency information and action shall not be disclosed unless DHEC authorizes the disclosure in writing, or the disclosure is required by law.

The types of information that generally must be kept confidential include, but are not limited to, personal information about job applicants, DHEC employees, DHEC clients or members of the public, such as names, social security numbers, addresses, telephone numbers, medical or disability information, financial status and information, account or identification numbers issued by government agencies or private financial institutions, other identifying information, or confidential business information.

The Family Privacy Protection Act may place additional restrictions on the collection and disclosure of personal information. Information that is otherwise available to the public under the Freedom of Information Act may be released in accordance with State law.

The Grantee and the Grantee's employees/agents may be required to sign DHEC's Confidentiality Agreement (DHEC form #0321). Alternatively, if the Grantee desires to rely upon an existing Confidentiality Agreement signed by its employees/agents, a copy of the Confidentiality Agreement must first be provided to the DHEC Contract Officer for evaluation, and the Contracting Party must provide written verification that all employees/agents who may have access to DHEC confidential information in the course of performing this agreement have executed the Confidentiality Agreement. The Contractor must ensure that confidential information released to the Contractor's employees/agents is limited to the information minimally necessary in order to meet its obligations under this agreement.

Unauthorized disclosure of confidential information may result in termination of this agreement and may be grounds for fines, penalties, imprisonment, injunctive action, civil suit, or debarment from doing business with the State. Unauthorized disclosure of confidential information not consisting of protected health information must be immediately reported to the DHEC Contract Officer, 2600 Bull Street, Columbia, SC 29201.

6. Conflict of Interest

Personnel and other officials connected with this Grant shall adhere to the requirements given below:

- a. **Advice** No official or employee of a state or unit of local government or of non-government Grantees/sub-Grantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding application, request for a ruling or other determination, agreement, grant cooperative agreement, claim, controversy or other particular matter in which these funds are used, where to the person's knowledge or his immediate family, partners, organization other than a public agency in which he is serving as officer, director, trustee, partner, or employee of any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest.

- b. **Appearance** In the use of these agreement funds, officials or employees of state or local units of government and non-governmental Grantees/sub-Grantees shall avoid any action which might result in, or create the appearance of: 1) using the person's official position for private gain; 2) giving preferential treatment to any person; 3) losing complete independence or impartiality; 4) making an official decision outside official channels; or 5) affecting adversely the confidence of the public in the integrity of the governmental or the program.

7. Copyright

SC DHEC shall have sole ownership and copyright for any tangible product developed under this agreement. SC DHEC shall have unrestricted authority to publish, disclose, distribute, and otherwise use, in whole or in part, any report, data or other materials prepared under this Agreement. This should not be construed to prevent the Grantee from publishing and referencing the product.

8. Debarment

Grantee certifies that they have not been debarred or suspended under OMB Circular A-133 Compliance Supplement or otherwise from doing business with any governmental entity.

9. Demonstration of Progress and Eligibility

Upon request, the recipient (Grantee) shall demonstrate to SC DHEC satisfactory progress in meeting the schedule of milestones and continuing eligibility for Section 319(h) Grants. Such demonstration may include providing information, data, and reports as outlined in this agreement, or as deemed necessary by SC DHEC.

10. Dispute

The Agreement, any dispute, claim, or controversy relating to the agreement and all the rights and obligations of the parties shall, in all respects, be interpreted, construed, enforced and governed by and under the laws of the State of South Carolina, except its choice of law rules. All disputes, claims, or controversies relating to the Agreement shall be resolved in accordance with the South Carolina Procurement Code, Section 11-35-10 et seq., or in the absence of jurisdiction, only in the Court of Common Pleas for, or a Federal court located in Richland County, South Carolina.

11. Discrimination

No person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in relation to any activities carried out under this Agreement on the grounds of race, age, health status, handicap, color, sex, religion or national origin. This includes the provision of language assistance services to individuals of limited English proficiency eligible for services provided by SC DHEC.

12. Drug-free Workplace

The Grantee must certify to SC DHEC that it will provide a drug-free workplace by:

- a. publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's workplace and specifying the actions that will be taken against employees for violations of the prohibition;
- b. establishing a drug-free awareness program to inform employees about:
 - (1) the dangers of drug abuse in the workplace;
 - (2) the person's policy of maintaining a drug-free workplace;
 - (3) any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) the penalties that may be imposed upon employees for drug violations;
- c. making it a requirement that each employee to be engaged in the performance of the Grant Agreement be given a copy of the statement required by item a.;
- d. notifying the employee in the statement required by item a., that as a condition of employment on the Grant, the employee will:
 - (1) abide by the terms of the statement; and
 - (2) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after the conviction;
- e. notifying the SC DHEC within 10 days after receiving notice under item d.(2) from an employee or otherwise receiving actual notice of the conviction;
- f. imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee convicted, as required by Section 44.107.50 (SC Code of Laws); and
- g. making a good faith effort to continue to maintain a drug-free workplace through implementation of items a., b., c., d., e., and f.

13. Equipment

Title to equipment will vest with Grantee based on consistency with the Section 319 Program and provided that the conditions outlined in 40 CFR Part 31.32] are followed. Equipment may be utilized by other cooperating entities, as long as equipment usage is consistent with the Section 319 Program and Federal guidelines. For purposes of this agreement, equipment is defined as items of a permanent nature which can be used continuously and with a useful life of at least two years, and a cost of over \$2,500. Transportation, installation charges and sales tax on equipment are a part of the cost of equipment.

14. Hotel/Motel

The Grantee agrees to ensure that all conference, meeting, convention or training space funded in whole or in part with Federal funds, complies with the protection and control guidelines of the Hotel Motel Fire Safety Act of 1990 (PL 101-391, as amended).

15. Indemnity

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

16. Law Applicable

This Agreement is made under and shall be construed in accordance with the laws of the State of South Carolina. By executing this agreement, the Grantee agrees to submit himself/herself to the jurisdiction of the courts of the State of South Carolina in all matters arising or to arise hereunder, including but not limited to performance of said Agreement and the payment of all licenses and trades of whatever kind or nature applicable thereto.

17. Liability

The Grantee shall be responsible for any liability for loss of damage to person or property arising from acts of the Grantee or his employees in performance of this Agreement. Each of the parties agrees to maintain professional, malpractice and general liability insurance, and may be required to provide the other with satisfactory evidence of such coverage. Neither party will provide individual coverage for the other party's employees, with each party being responsible for coverage of its respective employees. The Grantee agrees and understands that neither the Grantee, its employees nor agents is covered by any professional or tort liability insurance maintained by SC DHEC.

18. License/ Accreditation

The parties agree that during the term of this Agreement, each party shall maintain its respective Federal and state licenses, certifications, and accreditations required for the provision of services therein. The Grantee will immediately notify DHEC if a board, association, or other licensing authority takes any action to revoke or suspend the license, certification, or accreditation of the Grantee.

19. Lobbying Disclosure Act

The recipient agrees to comply with Title 40 CFR Part 34, New Restrictions on Lobbying. The recipient shall include the language of this provision in award documents for all subawards exceeding \$100,000, and require that subrecipients submit certification and disclosure forms accordingly.

In accordance with the Byrd Anti-Lobbying Amendment, any recipient who makes a prohibited expenditure under Title 40 CFR Part 34 or fails to file the required certification or lobbying forms shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

The chief executive officer of the Grantee's agency shall ensure that no grant funds awarded under this agreement are used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. Recipient shall abide by its respective OMB Circular (A-21, A-87, or A-122), which prohibits the use of Federal grant funds for litigation against the United States or for lobbying or other political activities. .

20. Management Fees and Similar Charges

Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work as outlined in Attachment 1.

21. Minority Business

The recipient agrees to comply with the requirements of EPA's Program for Utilization of Small, Minority, and Women's Business Enterprises in procurement under assistance agreements contained in 40 CFR, Part 33.

- a. Fair Share Goals: The recipient accepts the Minority Business Enterprise/Women's Business Enterprise (MBE/WBE) "fair share" goals and objectives negotiated with EPA as follows:

Construction:	3.6% MBE	and 2.4% WBE
Services:	11.0% MBE	and 11.0% WBE
Goods/Equipment:	10.0% MBE	and 10.0% WBE
Supplies:	9.0% MBE	and 9.0% WBE

- b. Six Good Faith Efforts: Pursuant to 40 CFR, Section 33.3301, the Grantee agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under this agreement, and to ensure that sub-Grantees also comply. Records documenting compliance with the six good faith efforts shall be retained:

- Ensure Disadvantaged Business Enterprises (DBEs) are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For State and local government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For State and local government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
- Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- Use the services and assistance of the Small Business Administration and the minority Business Development Agency of the Department of Commerce in finding DBEs.
- If the prime contractor awards subcontracts, require the prime contractor to take the steps in the paragraphs i. through v. above.

- c. Semi-Annual Reporting: The recipient agrees to submit MBE/WBE form, as provided by SCDHEC staff, beginning with the Federal fiscal year the recipient receives the award and continuing until the project is completed. These reports must be submitted semi-annually to **ATTN: 319 NPS Program, SCDHEC, Bureau of Water, 2600 Bull Street, Columbia, SC 29201** no later than April 5th and October 5th (see *Section D.1.b: Semi-annual Reporting*).

22. Penalty Clause

All services listed within this Agreement are to be completed. In the event that all services are not fully rendered as provided for in the Agreement, any monies that have been paid by SC DHEC under the Agreement must be refunded to SC DHEC along with a 12% penalty.

23. Preventing and Reporting Fraud, Waste and Abuse

SCDHEC has procedures and policies concerning the prevention and reporting of fraud, waste and abuse (FWA) in agency-funded programs, including but not limited to those funded by Federal grants such as Medicaid. No agency employee, agent, or contractor shall direct, participate in, approve, or tolerate any violation of Federal or state laws regarding FWA in government programs.

Federal law prohibits any person or company from knowingly submitting false or fraudulent claims or statements to a federally funded program, including false claims for payment or conspiracy to get such a claim approved or paid. The False Claims Act includes “whistleblower” remedies for employees who are retaliated against in their employment for reporting violations of the Act. Under State law, persons may be criminally prosecuted for false claims made for health care benefits, for Medicaid fraud, for insurance fraud, or for using a computer in a fraud scheme or to obtain money or services by false representations. Additional information regarding the Federal and state laws prohibiting false claims and SC DHEC’s policies and procedures regarding false claims may be obtained from the agency’s Contract Officer or Bureau of Business Management.

Any employee, agent, or contractor of SCDHEC who submits a false claim in violation of Federal or state laws will be reported to appropriate authorities.

If the Grantee, Grantee’s agents or employees have reason to suspect FWA in agency programs, this information should be reported in confidence to the agency. A report may be made by writing to the Office of Internal Audits, SCDHEC, 2600 Bull Street, Columbia, South Carolina 29201; or by calling the Agency Fraud, Waste and Abuse Hotline at 803-896-0650 or toll-free at 1-866-206-5202. The Grantee is required to inform Grantee’s employees of the existence of DHEC’s policy prohibiting FWA and the procedures for reporting FWA to the agency.

24. Records Retention

Records with respect to all matters covered by this Agreement shall be retained by the Grantee for six (6) years after the end of the Contract period, and shall be available for audit and inspection at any time such audit is deemed necessary by DHEC or EPA. If an audit has begun but is not completed at the end of the 6-year period, or, if audit findings have not been resolved at the end of the 6-year period, the records shall be retained until resolution of the audit findings.

25. Recycled Paper

In accordance with EPA Order 1000.25 and Executive Order 13423, Strengthening Federal Environmental, Energy and Transportation Management (January 2, 2007), the recipient agrees to use recycled paper for all reports, which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by available through the General Services Administration.

Any State agency or agency of a political subdivision of a State which is using appropriated Federal funds shall comply with the requirements set forth in Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6962). Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000

or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

26. Subcontracting

None of the work or services covered by this Grant Agreement shall be subcontracted without the prior written approval of DHEC. Sub-Grantees or sub-contractors are also subject to all of the terms and conditions described in this Agreement.

27. Termination

Subject to the provisions contained below, this Grant Agreement may be terminated by either party providing written notice of that intent to the other party thirty (30) days in advance.

- a. Funds for this Grant Agreement are payable Federal appropriations. In the event sufficient appropriations are not made to pay the charges under this Grant Agreement, it shall terminate without any further obligation by DHEC.
- b. DHEC may terminate this Grant Agreement for cause, default or negligence on the part of the Grantee at any time without thirty days advance written notice.

The parties to this agreement hereby agree to any and all provisions of the agreement as stated above.

SC DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL	LEXINGTON COUNTY
BY:	BY:
TITLE: Director of Environmental Affairs	TITLE:
DATE:	DATE:
WITNESS:	WITNESS:

MAILING ADDRESS:

Sheri Armstrong
 Lexington County
 Stormwater Division of the Public Works Dept.
 440 Ball Park Rd.
 Phone: 803-785-8111
 Fax: 803-785-8593

FEIN: 57-6000379

Project Title: Twelve Mile Creek Watershed Water Quality Improvement Project
Length (months): 36 months

Watershed Name(s): Twelve Mile Creek
12 Digit HUC(s): 03050109210
County(ies): Lexington
Water Quality Parameter(s): Fecal Coliform
SCDHEC Monitoring Site(s): S-294 (with request to add additional station)

This watershed: (check one) Has a draft or approved TMDL Is impaired (no TMDL) Is threatened

1. FUNDING REQUEST:

Federal Request:	<u>\$418,664.00</u>	<u>60.00%</u>
Non-Federal Match:	<u>\$279,108.69</u>	<u>40.00%</u>
Total Amount:	<u>\$697,772.69</u>	

Additional Federal Funding, if applicable: \$0 confirmed
Source: Potential for EQIP and CDBG

2. LEAD ORGANIZATION INFORMATION:

Lead Organization: Lexington County
Federal ID Number: 576000379

Project Manager: Sheri Armstrong, Stormwater Manager
Mailing Address: Stormwater Division of the Public Works Department
440 Ball Park Rd
Lexington, SC 29072
Telephone: (803)785-8117
Fax: (803)785-8593
Email: sarmstrong@lex-co.com

Alternate Contact: Synithia Williams, Environmental Coordinator
Telephone: (803) 785-8634
Email: swilliams@lex-co.com

Financial Officer: Adam Dubose, Grants Manager (Lexington County)
Telephone: (803) 785-8111
Email: adubose@lex-co.com

Official project paperwork (e.g. contract) Adam Dubose, Grants Manager
should be sent to the attention of: _____

3. COOPERATING ORGANIZATIONS:

- Lexington County - The Lexington County Public Works/Stormwater Division (PW/SWD) has committed to support the implementation of the Twelve Mile Creek TMDL for fecal coliform. Lexington County has experience with both Federal and State Grants. More specifically, the PW/SWD is currently implementing the Hollow Creek Watershed 319 Grant. The Public Works Division will draw upon this experience to run a successful TMDL implementation project. Lexington County's Solid Waste Management Department will work with the PW/SWD on the fats/oils/grease portion of the project.

- Lexington Natural Resource Conservation Service (NRCS) – The Lexington NRCS works with landowners through conservation planning and assistance designed to benefit the soil, water, air, plants, and animals that result in productive lands and healthy ecosystems. Lexington NRCS will make site visits with landowners, review livestock operations, make assessments of resource concerns, offer recommendations for Best Management Practices (BMPs) and develop Conservation Plans. NRCS will also inspect installed BMPs to confirm proper installation.
- Lexington Soil and Water Conservation District (LSWCD) - The LSWCD works with landowners and with other units of government to carry out a program for the conservation, use, and development of soil, water, and related resources. LSWCD will assist with education and outreach to farmers in the watershed. They will assist NRCS with proper installation of BMPs on agricultural lands and assist NRCS with inspection of installed BMPs to confirm proper installation.
- Town of Lexington – The Town of Lexington, which is located in the Twelve Mile Watershed, will cooperate with the project in two areas. First, their MS4 will continue efforts to manage the storm system by implementing the six minimum control measures in the MS4. Second, the Town of Lexington’s Wastewater Department will assist with the fats/oils/grease (FOG) measures, including public education and BMPs for restaurants and homeowners. The Town of Lexington also plans to locate a site within the Town limits for a used cooking oil drop-off site for residents.

4. GENERAL PROJECT OVERVIEW (ABSTRACT):

This project is located in Twelve Mile Creek Watershed (HUC 30501092104). A fecal coliform pollutant load reduction of approximately 90% at Water Quality Monitoring Station S-294 will be required to meet clean water standards as specified in the associated TMDL document (SCDHEC, 2004). Because Twelve Mile Creek discharges to the Lower Saluda River, fecal coliform pollutant load reduction in Twelve Mile Creek Watershed will have a direct impact on the water quality of Lower Saluda River, which is also impaired for fecal coliform.

A variety of non-point sources (NPS) have the potential to cause the fecal coliform bacteria loading in Twelve Mile Creek Watershed. Agricultural NPS pollutant sources of fecal coliform bacteria include grazing livestock depositing manure directly into Twelve Mile Creek and its tributaries, as well as manure/litter from cattle, horse and poultry farms entering Twelve Mile Creek and its tributaries through runoff. Septic tank usage is common for rural homes and businesses, particularly in the upper Twelve Mile Watershed, with an estimated septic system failure rate of approximately 5 to 10% (Schueler, 1999). And, sanitary sewer overflows (SSO) are also a pollutant source of fecal coliform in the Twelve Mile Creek watershed. According to the Town of Lexington, which maintains the collection and wastewater treatment system in the Town, the placement of fats, oils and grease (FOG) down the drain are the main cause of SSOs. In addition, urban runoff, such as domestic pet waste, contributes to fecal coliform in Twelve Mile watershed.

To implement the TMDL, Lexington County will use funding to install Best Management Practices (BMPs) to reduce the fecal coliform entering Twelve Mile Creek and its tributaries from non-point sources. BMPs will include septic system repairs and replacements, used cooking oil recycling program, pet waste stations, storm drain markers, stream bank stabilization, buffers, and agricultural BMPs such as stacking sheds, fencing, and manure composting. An outreach effort will accompany this project, educating farmers, residents and businesses of Twelve Mile Creek Watershed about the causes and results of fecal coliform contamination and how they can prevent it.

5. PROJECT DESCRIPTION:

A. General Background

The Twelve Mile Creek watershed is a tributary of the Lower Saluda River watershed (HUC 03050109) which is listed as one of the seven priority watersheds across the state by SCDHEC and EPA Region 4 (Figure 1). The Lower Saluda River is designated as a State Scenic River and recognized as an outstanding recreational resource for kayaking, tubing and trout fishing. Lower Saluda River is a unique habitat for trout, despite its distance from the mountains. According to Game & Fish Magazine, Lower Saluda River is one of South Carolina’s five best trout waters. Therefore, improvement in Twelve Mile Creek’s water quality will improve the quality of life and local economics in Lexington County.

Lexington County will rely heavily on the experience gained and lessons learned from the Hollow Creek Watershed 319 Grant project. Although the Hollow Creek watershed is smaller and more rural than the Twelve Mile Creek watershed, many of the non-point loading sources (agricultural and septic failures) and the corresponding methods and BMPs to address these sources are similar. Lessons learned on informing and educating the public about the problem, and how to elicit participation will be extremely helpful in the success of the Twelve Mile Creek project.

Twelve Mile Creek (Water Quality Monitoring Station S-294) was placed on South Carolina's 2000 and 2002 303(d) list of impaired waterbodies because of violations of the fecal coliform bacteria water quality standard. During the assessment period for TMDL development (1994 through 1998) standards were exceeded in 21% of samples taken at S-294 (N=58). In 2004, SCDHEC established a TMDL for Twelve Mile Creek. A fecal coliform pollutant load reduction of 89.9% (7E+14 cfu/yr) to Twelve Mile Creek upstream of station S-294 will be required to meet clean water standards as specified in the TMDL document (SCDHEC, 2004). Because Twelve Mile Creek discharges to the Lower Saluda River, fecal coliform pollutant load reduction in Twelve Mile Creek Watershed will have a direct impact on the water quality of Lower Saluda River, which is also impaired for fecal coliform.

Land use in the Twelve Mile Creek watershed varies widely (Figures 2 and 3). The eastern side of the watershed is predominantly urban including the Town of Lexington and suburban areas of the City of Columbia. The Town of Lexington and the MS4 limits of Lexington County are located centrally in the lower half of the watershed and are predominantly residential. Commercial and industrial properties dominate the areas along either side of Highways 378 and 1 which traverse the watershed from east to west. The areas along either side of Highway 20, along the lower eastern portion of the watershed are expected to increase in industrial and commercial development. Extensive urban growth has occurred in the Twelve Mile Creek watershed since the TMDL was written and is expected to continue.

The western portion of the Twelve Mile Creek watershed remains predominantly agricultural and contains considerable forest and agricultural land use. The Towns of Gilbert and Summit, neither of which are a permitted MS4, are located along the western boundary of the watershed.

Four categories (and contributing sources of bacteria) were presented in the TMDL for fecal loading in the Twelve Mile Creek watershed are listed below:

- Loading from Permitted Facilities, including:
 - o Lexington/Coventry Woods Wastewater Treatment Facility
- Loading from Land Runoff, which includes loadings from:
 - o Agriculture (including poultry and cattle farming)
 - o Crop farming (row, hay and pasture)
 - o Urban Runoff (including domestic animals/pets)
 - o Wildlife
- Loading from Cattle in Stream
- Direct Loading from Non-Point Sources, which is assumed to include loading from:
 - o Septic tanks
 - o Leaking sewers

According to the existing loading rates calculated in the TMDL, the highest fecal coliform loading (approximately 96%) in the Twelve Mile Creek watershed is being generated from the loading from the Land Runoff category. Non-point sources of untreated wastewater (i.e. septic and sanitary sewer leaks) were estimated to contribute approximately 3%. Additional point and non-point sources generated the remaining loading. Tables 1 and 2 provide a summary of existing fecal coliform loading to the Twelve Mile Creek watershed per the TMDL (SCDHEC, 2004).

AMEC Environment & Infrastructure, Inc. (AMEC) performed further analyses of the Twelve Mile Creek TMDL to improve the County's ability to meet the goals of the TMDL through the development of an effective implementation strategy. AMEC reviewed assumptions and calculations within the TMDL, made in 2004, in detail to determine whether they are still appropriate under the current watershed conditions, or if they need to be revised. For instance, the land use utilized in the TMDL preparation was dated from 1994, but revised land use data is now available. The most current STORET data for station S-294 was also reviewed to determine current trends.

Although the TMDL did not explicitly provide 30-day or annual bacteria loading rates for all pollutant sources, AMEC developed estimates based on a review of the loading rate assumptions provided in the TMDL. The results are presented in Tables 1 and 2. It is important to note that based on AMEC's evaluation of the TMDL, they believe that the TMDL underestimates the total loading rate and the percentage of fecal coliform load attributed to cattle directly in streams.

Table 1 – Existing Fecal Coliform Loading to Twelve Mile Creek Watershed per TMDL (SCDHEC, 2004)

	Permitted Facilities	Land Runoff	Cattle In Streams* (See Section 6B – Agricultural – Cattle/Horse)	Non-Point Sources (Septic and Sewer Leaks)	TOTAL
Monthly Loading (cfu/30 days)	2.23 x 10 ¹⁰	5.53 x 10 ¹³	6.80 x 10 ¹¹ *	1.55 x 10 ¹²	5.76 x 10 ¹³
Annual Loading (cfu/year)	2.71 x 10 ¹¹	6.73 x 10 ¹⁴	8.27 x 10 ¹² *	1.86 x 10 ¹³	7.00 x 10 ¹⁴
% Total Loading in Watershed	0.04%	96.1%	1.2% *	2.7%	100%

*- See Section 6B – Agricultural – Cattle/Horse

Table 2 –Land Runoff Loading Distribution Estimate Based on Current Conditions per TMDL (SCDHEC, 2004)

	Agricultural	Croplands	Urban Runoff	Wildlife	TOTAL
Monthly Loading Estimate (cfu/30 days)	4.75 x 10 ¹⁴	8.12 x 10 ¹³	8.12 x 10 ¹³	5.96 x 10 ¹²	5.99 x 10 ¹⁴
Annual Loading (cfu/year)	5.78 x 10 ¹⁵	9.87 x 10 ¹⁴	9.87 x 10 ¹⁴	7.25 x 10 ¹³	7.28 x 10 ¹⁵
% Total Loading of Land Runoff Loading	79%	6%	14%	1%	100%
% Total Loading in Watershed	75.9%	13.4%	5.8%	1%	96.1%

B. Specific Objectives and Goals of the Project:

Pollution Source: Agricultural – Cattle/Horse

Description: The two main methods of fecal coliform loading to the Twelve Mile Creek watershed from cattle/horses are stormwater runoff from pastures containing manure and cattle depositing manure directly in the stream. Within the watershed, Lexington County staff have observed cattle with direct access to streams. Cattle concentrated in smaller areas (e.g. shaded areas, water sources, feeding areas, etc.) often results in larger, more concentrated manure deposits and poorly stabilized soils resulting in erosion which provides an additional source of fecal loading.

The TMDL does not provide a separate fecal coliform load between livestock and poultry sources. However, the fecal coliform load from total agricultural animal sources (livestock and poultry) is estimated to comprise approximately 79% and cattle in streams comprise approximately 1.2% of the overall bacterial loading within the watershed, according to the TMDL. From AMEC’s review of the TMDL assumptions, the assumptions used to calculate loading rates from cattle were very conservative compared to the practices that are currently in place. AMEC concluded that the amount of time cattle spent directly in the stream was much higher than assumed in the TMDL. Therefore the loading rate, which was calculated based on time spent in streams, is expected to be higher. Since cattle that wade into streams contribute bacteria at a significantly higher rate due to the complete lack of decay, the loading from cattle directly in streams should have been calculated at a higher rate compared to the runoff loading from agricultural sources. Therefore, the estimated loading distribution from cattle in stream should be considered significantly higher than 1.2%.

Through GIS analysis and knowledge of the watershed, Lexington County estimates that 923 grazing animals occupy this watershed. Farms in this area range from small hobby farms consisting of only a few livestock to larger commercial

farms with dozens of livestock. According to the Farm Service Agency, there are approximately 184 farms (cattle, horse, poultry and crop farms) in Twelve Mile Creek watershed. See Photos 1 and 2 for example of manure and cattle-related erosion in Twelve Mile Watershed.



Photograph 1: Manure, erosion and cattle near Zenker Road in Twelve Mile Creek Watershed



Photograph 2: Manure and erosion near Zenker Road in Twelve Mile Creek Watershed

Target Audience: Cattle/Horse Farms

Description: All agricultural property owners and operators within the watershed area are going to be targeted for outreach efforts. Figure 2 depicts the rural improved areas. Cattle/horse farms located in the headwaters of the watershed (i.e. the western portion of the watershed) will be the primary focus for BMP installation, although the program will be made available to any agricultural properties throughout the watershed. Most of the cattle farms in this watershed are family-owned and operated and the land has been within the family for generations. Many of the goals of the project (to reduce fecal coliform in the watershed) also meet some of the goals of the landowners (healthier animals and preserving the land for future generations). Lexington County found through the Hollow Creek 319 project that the biggest barriers to participation amongst farmers are a reluctance to change common practices they have performed for years, and resistance to perceived interference of their operations by government.

Horse farms, such as Hendrix Farm, will also be targeted for manure management.

Strategies/BMPs Needed: Reduction of fecal coliform loading from agricultural land will be accomplished through cost share assistance on the installation of selected BMPs. The goal is to reduce livestock access to the streams, educate and assist farmers with manure management and stabilize soil. Because participation in the project is voluntary, and the landowners are traditionally somewhat skeptical of interference in their operations, effective outreach will be crucial in reaching the appropriate participants. In cooperation with NRCS and LSWCD, these outreach efforts will strive to incorporate farms affected by improper livestock and/or farming practices into the project.

Lexington County anticipates gaining the participation of and assisting approximately 15 total farms (cattle, horse, poultry and crop farms) in the watershed through this project. This is approximately 10% of the 184 farms that the Farm Service Agency estimates are in Twelve Mile Creek Watershed. Figure 4 shows 19 potential farms for targeting outreach for the agricultural component of this project. Lexington County personnel performed an aerial review of the watershed and selected farms with visible signs of animals (cattle, horses, animal feed operations, etc). In addition to those targeted farms with animals, Lexington County also chose targeted crop farms after holding discussions with Walter P. Rawl and Sons, Inc. and Sease Farms, as detailed in the following section.

Cost share from the 319 grant will be provided at 60% percent to agricultural landowners. Landowners may be eligible for additional funding assistance through other programs and grants which will further support the overall goals of the project. For example, landowners may be eligible for cost-share assistance through the NRCS Environmental Quality Incentives Program (EQIP). Availability of additional funding options like EQIP funding may not coincide with the project goals and milestones. Therefore, Lexington County is not relying on these alternative funding options to meet watershed objectives but will continue to explore them and recommend them to landowners to potentially allow for the inclusion of additional farms and properties in the project.

NRCS, with the assistance of the LSWCD, will work with the landowners to review their livestock operations, assess their resource concerns, develop Conservation Plans and recommend appropriate BMPs. Lexington County staff and its consultant(s) will work with LSWCD, NRCS and the landowners/operators to choose the appropriate BMPs and ensure they are installed and used correctly. An extensive set of BMPs can be used for different farm activities and resource conditions. Lexington County staff, its consultants and project partners will consult the technical specifications and practice standards for applicable agricultural BMPs. The following BMPs will likely be used to filter or reduce the amount of animal waste entering Twelve Mile Creek and/or its tributaries:

1. Stream bank fencing (approximately 24,000 linear feet) will be installed to keep livestock out of floodplain.
2. Development of conservation and manure management plans for each participating farm.
3. Waste management/manure composting, particularly at horse farms.
4. Alternative waters sources (approximately 15), such as groundwater wells and water troughs.
5. Soil stabilization of approximately 19,000 square feet of heavy traffic areas and 12,000 linear feet of streambanks.
6. Vegetated buffers or setbacks will be planted along impacted stream beds.
7. Pasture Planting/Critical Area Stabilization.
8. Loafing sheds as an alternative to direct access to streams for livestock.
9. Cross fencing will be installed to promote rotational grazing.
10. Two stream crossings are estimated to be installed to allow cattle to cross streams without loitering in them.

The following plan will be used to manage the agricultural portion of the project. All three agricultural sources addressed in this proposal (cattle, poultry, and cropland), which are further detailed in the following two pollution source sections, will be addressed with this management strategy:

1. Project Management: Lexington County will complete all reporting requirements, conduct procurement activities, and, with the support of a consultant and project partners, furnish project technical support, create and provide outreach and educational campaign/materials and provide overall project coordination. Lexington County will act as the lead entity for all advocacy activities by working directly with the local agricultural and conservation agency partners throughout the outreach and implementation portions of this project.
2. Recruitment of Landowners: Lexington County plans to get out into the community (e.g. public meetings, churches, fire departments, community centers, local activities) to elicit support from farming participants. Lexington County will combine direct communication with potential participants with local advertising (e.g. local network, flyer distribution, mailings) to recruit participants. Meetings will be conducted in the watershed to inform farmers about the Project as well as providing support and insight into other educational campaign messages and outreach techniques. Lexington County will use success stories from the Hollow Creek project, such as the farmers' endorsement in the Hollow Creek Farm Tour video (http://www.youtube.com/watch?v=GpsZ2_sV8Rc), as an additional recruiting tool.
3. Prioritization of Sites: All landowners in the watershed who meet the criteria of needing agricultural BMPs will be recruited, despite their location in the watershed. However, with respect to prioritization, those farms in the floodplain in the headwaters of Twelve Mile Creek will be addressed first, and, if necessary, those outside of the floodplain will be addressed next.
4. Development of Conservation Plans and Implementation: The NRCS, assisted by LSWCD, will have primary responsibility for helping the landowners develop conservation plans. Lexington County will administer the 319 grant cost-share fund distribution to land users who successfully complete the installation of BMPs which support the project objectives. NRCS, assisted by LSWCD, will have primary responsibility for ensuring the technical integrity of all planned

and installed BMPs. Lexington County, assisted by its consultant(s) and the LSWCD, will have primary responsibility for developing and distributing the project message and educational campaign.

Outreach Needed: Lexington County will use the same outreach plan to manage all three of the agricultural portions of the project, which are further detailed in the following two pollution source sections. Because participation in the project is voluntary, effective outreach will be crucial in the success of this project. It is fortunate that the goal of the project (to reduce fecal coliform in the watershed) can be achieved by the same actions that meet some of the goals of the landowners (healthier animals and preserving the land for future generations).

LSWCD and NRCS are familiar with farmers in the area and know the best locations and means to promote the program. Using the experience of LSWCD and NRCS, targeted outreach efforts will be employed such as one-on-one interviews with local farmers and visits to individual farms. Lexington County will use lessons learned from the outreach efforts from the Hollow Creek 319 grant project, such as recruiting participants to reach out to their neighbors and requesting to participate in already planned local community events, (church group meetings or volunteer fire department gatherings) instead of scheduling additional public meetings. Listening sessions at regularly scheduled meetings in the community will be the main outreach method utilized. This will allow the county to change its approach based on the types of farms and feedback. For example the barriers to change for poultry farmers may be different from the barriers to change for cattle farmers. Presentation of the Hollow Creek video during the listening sessions will educate farmers about fecal coliform loading of the watershed, best management practices that could reduce fecal coliform from agriculture related enterprises and demonstrate the benefits other Lexington County farmers saw through the program. The Farm Tour video which was created for the Hollow Creek 319 grant will also be used during these listening sessions and local festivals to recruit participants in the project.

After information is gained through the listening sessions, a broader outreach plan will begin. Other social media methods, such as Facebook, the County's website, the Town of Lexington's website and Twitter, and the Green Business Program will be used for outreach for the project. Once interest has been generated in the program, NRCS will conduct site visits to further encourage farmers to voluntarily participate in the project and assist them in developing conservation plans.

Evaluation Method(s): In addition to evaluation of monitoring data, the success of this program will be evaluated based on:

- the number of cattle/horse famers within the watershed who participate in outreach initiatives
- the number of cattle/horse farms that develop conservation and manure management plans
- the number of conservation plans, with their associated BMPS, that are implemented at cattle/horse farms.

Follow up surveys will be conducted in the last year of the program to determine if there has been a change in attitudes, knowledge, and future conservation efforts regarding agricultural practices.

Anticipated Environmental Results: Based on a calculation using the anticipated participation in the project and estimated fecal coliform loading from livestock, it is estimated that 2.08E+15 CFU/year will be reduced in the Twelve Mile Creek watershed by this project. Table 3 provides details of the estimated load reduction calculations to Twelve Mile Creek Watershed from proposed 319 Grant BMPs.

Table 3 Estimated Load Reductions to Twelve Mile Creek Watershed from Proposed 319 Grant BMPs

Loading Source	BMPs	*Existing Loading (cfu/year)	Comments	% of participants in 319 project	% of Load Removed by BMPs	% of total fecal from loading source removed	Estimated Loading Removed (cfu/year)
Agricultural - Cattle & Poultry	*Total loading	5.79E+15	5.78E15 from agricultural sources + 8.27E12 from cattle in stream				
	Fencing, alternate water locations, manure composting, etc.	5.79E+15	15 farms participate; Assume 25 livestock per farm = 325 livestock; 375/923 total livestock in watershed ~40% participation	40%	90%	36%	2.0838E+15
Agricultural - Croplands	*Total loading	9.87E+14					
	Manure management, soil stabilization	9.87E+14	Assume 40% of current farms participate	40%	80%	32%	3.1584E+14
Septic & Sewer Leaks	*Total loading	1.86E+13	Assume 50% loading from septic and 50% from SSOs				
	Septic Repairs/ Replacement	9.30E+12	Approximately 4,000 septic systems in watershed; Assume 10% of septic systems are failing = 400 systems; Assume 100% of loading from failing systems to watershed; 50 septic systems participate (40 septic repairs/10 sewer connections) ~ 12.5% of failing systems	12.5%	98%	12.3%	1.1393E+12
	Septic Maintenance Education	9.30E+12	Assume 80% of failing septic system are due to maintenance issues; Assume education program will be 50% effective	80.0%	50%	40.0%	3.72E+12
	Combined Septic Loading Reduction						4.859E+12
	Used Oil Recycling & Fat Trappers	9.30E+12	FOG blockages account for a total of 50 to 75% of all SSO's. ¹ Assume 25% reduction of FOG to sanitary sewer resulting from program; Therefore, assume reduction in SSOs is 25% x 50%; Assume 100% of loading from SSOs to watershed;	12.5%	98%	12.3%	1.1392E+12

TOTAL Reduction from Proposed BMPs 2.4056E+15

*Existing Total Loading are based on TMDL calculations, not current conditions, unless noted otherwise.

¹NC State University's Fats, Roots, Oils, and Grease (FROG) in Our Centralized and Decentralized Sanitary Sewers. <http://www.ce.ncsu.edu/research/frog/>

Estimated Cost: Lexington County estimates that a total of 15 farms (cattle/horse, poultry and cropland) will participate in this cost share program for a total cost of agricultural BMPs (including cattle/horse, poultry and cropland) of approximately \$373,480. The budget chart (Appendix) includes more detail about estimated quantities and costs for individual BMPs (i.e. length of fencing, number of troughs, etc.) and the breakdown between federal and non-federal funding.

Pollution Source: Agricultural – Poultry

Description: Based on AMEC’s review of the TMDL, assumptions and knowledge of the watershed, and mandatory poultry permitting regulations, poultry farming contributes a small portion of the bacterial loading.

At the time of the TMDL development, there were nine poultry facilities in the watershed with an estimated production of 3.6 million chickens per year. Through GIS analysis and knowledge of the watershed, Lexington County estimates that five poultry facilities (23 poultry houses) are currently located in Twelve Mile Creek watershed (see Figure 2 for rural improved land use of parcels in the watershed). Currently 2.4 million chickens are estimated to be produced in the watershed per year, a third less than when the TMDL was developed. AMEC estimated that 6.1 tons of manure is produced annually for every 1,000 chickens, totaling approximately 2,928 tons of chicken manure (“litter”) produced per year in the Twelve Mile Creek watershed; this is approximately 1,500 tons less than at the time of TMDL development.

All modern poultry facilities are required to have a Waste Management Plan by both NRCS and SCDHEC to address the cleaning of chicken litter. There are two types of litter cleaning processes in poultry houses:

- once a year the entire house is cleaned, and
- partial cleanout between cycles where 30-50% of the litter is removed while the remaining litter is wind rowed and then spread back on the floor to a depth of approximately 3 inches deep and then covered with pine shaving.

If the litter is removed from the house and moved into an open space, it is required to be covered within 72 hours. Many facilities employ stacking sheds to keep the litter covered, while others store the litter on the ground (but covered) until needed for personal field application, or until sold to manure brokers. When farmers sell excess litter to manure brokers, it is distributed to other Counties in SC as well as to surrounding states.

The standards that are in place today for poultry farming have improved since the TMDL development. Poultry farmers are more conscientious about the environment, and mandatory permitting regulations have become more stringent over the years. No-till technology is currently employed, which allows the remnant foliage to be left on the field, thereby reducing the likelihood of land-applied manure being transported to waterways by stormwater runoff. Likewise, the use of stacking sheds for the coverage of manure is a more recent practice, which reduces the potential for runoff from the site.

Target Audience: Poultry Farms

Description: The poultry facilities that have remained in the Twelve Mile Creek watershed are mostly older, more established facilities that have operated at their current locations for several years. As with the cattle farms, many of the poultry facilities are family owned and operated. Most of the litter produced by farms is sold to manure brokers and shipped out of the watershed. Therefore, the educational goals and proposed BMPs for this project are going to focus on the litter that is maintained at facilities for personal use (i.e. field application for feed crops). The BMPs will assist with upgrading and modernizing facilities and practices to meet both operational goals and Waste Management Plan requirements, which will also meet the program’s goals of reducing fecal coliform loading from poultry operations.

All poultry owners and operators within the watershed area are going to be targeted for outreach efforts. Figure 2 depicts the rural improved areas. Poultry farms located in the headwaters of the watershed (i.e. the western portion of the watershed) will be the primary focus for BMP installation, although the program will be made available to any agricultural properties throughout the watershed.

Strategies/BMPs Needed: Reduction of fecal coliform loading from agricultural land will be accomplished through a social marketing strategy and cost share assistance on the installation of selected BMPs. The goal of these BMPs for poultry farmers is to educate and assist farmers with proper methods for litter management by upgrading existing

control measures of all the poultry operators and for at least one operator to install a litter composter. See below for examples of small- and large-scale composters.



Photograph 3: Example of Large Composter for Waste Management



Photo Source: O2 Compost

Photograph 4: Example of Small Composter for Waste Management

NRCS, with the assistance of the LSWCD, will work with the landowners to review their operations, assess their resource concerns, review Waste Management Plans, develop Conservation Plans, as needed, and recommend appropriate BMPs. Lexington County staff and its consultant(s) will work with LSWCD, NRCS and the landowners/operators to choose the appropriate BMPs and ensure they are installed and used correctly. Cost share from the 319 grant will be provided at 60% percent to agricultural landowners.

The following BMPs will be recommended to filter or reduce the amount of poultry waste entering Twelve Mile Creek and/or its tributaries:

- Waste storage /coverage for litter removed from houses (such as stacking sheds or improved covering materials),
- Conservation and waste management plans for each participating farm,
- Waste composting. The goal of this project is to have at least one facility install a medium-sized litter composter. A photo and additional details of the composter is included in Attachment 3. This composter is also being used as part of the SC Equine Park 319 project in Kershaw County to reduce fecal coliform runoff from horse manure. The composted litter will provide the same nutrient benefit for field application but will have reduced fecal coliforms and other pathogens and fecal coliforms.

The management strategies and recruiting process outlined in the cattle agricultural portion above will be expanded to poultry farms as well, but the targeted audience will be adjusted.

Outreach Needed: The outreach strategy outlined in the cattle/horse agricultural portion above will be expanded to poultry farms as well with additional advertising targeted specifically to poultry farms.

Evaluation Method(s): In addition to evaluation of monitoring data, the success of this program will be evaluated based on:

- the number of poultry farms within the watershed that participate in outreach initiatives
- the number BMPs for waste management that are implemented.

Follow up surveys will be conducted in the last year of the program to determine if there has been a change in attitudes, knowledge, and future conservation efforts regarding agricultural practices.

Anticipated Environmental Results: The anticipated results for the poultry related sources are included in the load reduction estimate listed above under the agricultural-cattle/horse source (2.08E+15 CFU/year) since loading rates were not differentiated between the livestock sources. See Table 3 for more details of the estimated load reductions to Twelve Mile Creek Watershed from proposed 319 Grant BMPs.

Estimated Cost: Lexington County estimates spending \$40,000 for waste management for agricultural projects, including both poultry and horse farms. The budget chart (Appendix) includes more detail about estimated quantities and costs for individual BMPs and the breakdown between federal and non-federal funding.

Pollution Source: Agricultural - Cropland

Description: According to the TMDL, agricultural sources from cropland comprise approximately 6% of the overall bacterial loading within the watershed. Cropland within the Twelve Mile Creek watershed has been greatly reduced since the 1994 landuse data used to develop the TMDL was obtained. In the TMDL, row crop land use accounted for approximately 28.6% of the overall watershed with a total of 8,462 acres. As of the most recent land use data, there are estimated to be less than 3,000 acres of cultivated croplands and pasture/hay croplands, approximately 66% less than the total amount of croplands used to develop the TMDL. Fecal coliform loading from croplands is mostly attributed to runoff from fertilizer (i.e. manure) and poorly stabilized soils.

In addition to the reduced amount of cropland, according to truck farmers in the Twelve Mile watershed, the practice of using manure (chicken litter) to fertilize crops has also changed. These farmers have explained that due to the liability of salmonella, the vegetable farmers in Twelve Mile watershed do not use litter for fertilization of their fields, however row crop and hay crop farmers do land apply chicken litter. It should also be noted that no waste (i.e. chicken litter) is hauled into the watershed from other watersheds for farming practices; manure brokers only haul waste out of the watershed when there is a surplus.

However, the litter is applied for hay crops up to four times a year. And, for other row crops, litter is typically applied once a year. Typically the application rates are specific for each facility to address the composition of the soil and litter. On average it takes two to three tons of litter to fertilize one acre of hay field. No Till land application practices cause less erosion and thus reduce the ability of the soil particles and bacteria to be transported from the land to waterways. This new application procedure provides a more sustainable environment and healthier farming practices. Some row crop farmers within the watershed land apply the litter as well and, if no rain occurs within 72 hours after application, they will disk the litter into the fields for vector (mosquito) and odor control, as well as to avoid rapid loss of nutrients from the litter as it decays.



Photograph 5: Workers at crop farm in Twelve Mile Creek Watershed



Photograph 6: Plowing at crop farm near pond in Twelve Mile Creek Watershed

Target Audience: Crop farms

Description: The crop farms in the Twelve Mile Creek watershed tend to be large, family-owned farms. A large majority of the hired help on the farms are Hispanic so an interpreter may be needed for the education program. Lexington County plans to reach out to two of the larger family-owned farms (Walter P. Rawl and Sons, Inc. and Sease Farms) in the watershed that have been in operation for numerous years. These family farms play a big role in the community, and we believe will be influential amongst other farms. Lexington County already has developed a good working relationship with Walter P. Rawl and Sons, Inc. as part of the Lexington County Green Business Program (<http://www.lex-co.com/greenbusinessmembers.html>).

All farm owners and operators within the watershed area are going to be targeted for outreach efforts. Figure 2 depicts the rural improved areas. Croplands located in the headwaters of the watershed (i.e. the western portion of the watershed) will be the primary focus for BMP installation, although the program will be made available to any agricultural properties throughout the watershed.

Strategies/BMPs Needed: The strategies and BMPs that will be used for croplands will be very similar to those used for other agricultural sources since the main fecal coliform loading source addressed will also be runoff, but from fertilization and harvesting practices as opposed to livestock. The goal for crop farmers is to educate and assist farmers with proper methods for fertilizer management.

Cost share from the 319 grant will be provided at 60% percent to agricultural landowners.

NRCS, with the assistance of the LSWCD, will work with the landowners to review their operations, assess their resource concerns, and develop Conservation Plans and recommend appropriate BMPs. Lexington County staff and its consultant(s) will work with LSWCD, NRCS and the landowners/operators to choose the appropriate BMPs and ensure they are installed and used correctly. The following BMPs will likely be used for croplands: soil stabilization, streambank stabilization, development of manure management plans for each participating farm, waste management/manure composting, vegetated buffers or setbacks will be planted along impacted stream beds, and critical area stabilization.

The management strategies and recruiting process outlined in the cattle/horse agricultural portion above will be expanded to crop farms as well.

Outreach Needed: The outreach strategy outlined in the agricultural - cattle/horse portion above will be expanded to crop farms as well with additional advertising targeted specifically to croplands. Lexington County will reach out to Walter P. Rawl and Sons, Inc. and Sease Farms to assist with developing an education program that will be most beneficial for workers on their farms. Lexington County will further refine the outreach message and strategy (e.g. workshops conducted at the farm, educational flyers) based on their feedback.

Evaluation Method(s): In addition to evaluation of monitoring data, the success of this program will be evaluated based on:

- the number of crop farms within the watershed or participate in outreach initiatives
- the number of crop farm owners who develop conservation plans
- the number BMPs that are implemented at crop farms.

Follow up surveys will be conducted in the last year of the program to determine if there has been a change in attitudes, knowledge, and future conservation efforts regarding agricultural practices.

Anticipated Environmental Results: Based on a calculation using the anticipated participation in the project (approximately 40% of farms) and estimated fecal coliform loading from croplands, it is estimated that 3.16E+14 CFU/year will be reduced in the Twelve Mile Creek watershed by this project. See Table 3 for more details of the estimated load reductions to Twelve Mile Creek Watershed from proposed 319 Grant BMPs

Estimated Cost: Lexington County estimates spending \$55,200 for soil and streambank stabilization for agricultural projects, available to crop, poultry and cattle/horse farms. The budget chart (Appendix) includes more detail about estimated quantities and costs for individual BMPs and the breakdown between federal and non-federal funding.

Pollution Source: Untreated Wastewater Inputs – Failing Septic Systems

Description: Non-point sources, which include septic loads and sewer leaks but exclude sanitary sewer overflows, comprise 2.7% of the overall bacterial loading within the watershed, according to the TMDL. Many homes and businesses in the watershed rely on septic tanks for the treatment of sanitary sewer. Lexington County estimates that approximately 1 house per every 3 acres of developed area is on septic. More than 60% of the watershed is not provided sanitary sewer service, and thus relies on septic. Figure 5 depicts known information about sanitary sewer and septic use areas in the watershed. Many residential property owners may be unaware of problems with their septic tanks or may be unable to afford repair of their septic tanks. Therefore, failing septic systems are a significant source of fecal coliform in the watershed. Lexington County estimates that approximately 5 to 10% of all septic tanks in the County are in need of repair (Schueler, 1999). There are approximately 4,000 on-site waste disposal (septic) systems estimated in this watershed.

Target Audience: Property owners with failing septic systems

Description: All homeowners and businesses whose septic system is in need of repair and/or replacement within the watershed area will be targeted for outreach efforts, though homes located within the MS4 boundaries will be evaluated on a case-by-case basis for qualification for 319 funds. The more rural western portion of the watershed will be targeted first, using the communities around the Towns of Summit and Gilbert for the initial outreach efforts. Lexington County will reach out to Homeowner Associations, civic groups and the local chamber of commerce to spread the message to more property owners.

From the County's experience with Hollow Creek, lower income families had the most difficulty addressing septic problems because of the cost of repairs. For the Twelve Mile Creek project, the County intends to place more emphasis on the sliding scale for reimbursement dependent on the owner's financial status.

Strategies/BMPs Needed: Lexington County will work with experienced SCDHEC personnel, local organizations, and septic tank contractors to target historic problem systems and problem areas. Lexington County developed a process as part of the Hollow Creek 319 project, for identifying problem systems, informing and approving participants, properly documenting costs and reimbursements, and screening and contracting with local septic tank contractors. In order to reduce the fecal coliform loading in the watershed through the repair of failing septic systems, Lexington County will provide a sliding scale cost sharing assistance to homeowners to repair or replace their failing septic systems or connect to an existing sewer line.

Cost share assistance will cover at least 60% of the cost for repair or replacement to eligible rural residential homeowners. Lexington County will utilize a sliding scale based on homeowner income to lower the homeowner match. Using the low/moderate income qualification of the Community Development Block Grant program, homeowners whose income is 10-20% above CDBG income requirements will be eligible for an 80/20 split and homeowners whose income is 0%-10% above CDBG income requirements will be eligible for 100% coverage. Lexington

County Stormwater Division is already working with the County's Community Development Block Grant (CDBG) coordinator to obtain CDBG funds to pay for septic tank repairs and replacements for lower to moderate income families in the Twelve Mile Creek watershed. Although the CDBG program provided helpful guidance for the Hollow Creek septic program, the requirements were sometimes too restrictive and limited participation. For example, in the Hollow Creek project the County adopted the CDBG's procurement process for determining septic contracts in order to ensure that qualifying projects could get funding from either 319 or CDBG funds. The restrictions of the procurement process sometimes did not allow property owners to choose their own contractor or have repairs covered partially by a warranty. Although the County will continue to review and approve contractors and BMP costs for the Twelve Mile project, they will provide more options for determining the contractors and method for reimbursement.

The County will continue to work with the CDBG coordinator to make CDBG funds available to homeowners in the Twelve Mile watershed that meet CDBG income qualifications. Other options for those who cannot afford repairs include:

- o Negotiate with one or more septic contractors to obtain a discount that can be used to supplement the homeowners' portion of the match;
- o Other home improvement assistance programs.

Many septic problems and leaks are due to lack of or poor maintenance of the septic system. Outreach and education, including distribution of the DHEC septic maintenance folders and septic "reminder" magnets, will be used to address this problem and encourage septic owners to improve maintenance. Funding will only be used for BMPs to repair problems with the system, not for routine maintenance. Lexington County will work with SCDHEC personnel, owners, and septic tank contractors to determine if problems are due to maintenance issues or larger issues which require BMPs to fix. Based on Lexington County's experience with the Hollow Creek project, approximately 80% of the failing septic systems are due to maintenance issues and approximately 20% are due to septic system failures which could be addressed by BMPs. Therefore the education program is going to extend to all septic owners, approximately 4,000 in watershed, but the BMP cost-share program is going to be targeted at the failing systems, assumed to be 10% or 400 systems. Based on participation in Hollow Creek, Lexington County estimates, it will repair or replace approximately 45 septic systems and connect 5 formerly septic systems to sewer. Because the cost of sewer connection is more than septic replacement, the decision between replacing the septic system or connecting to sanitary sewer will be determined by requirements of local ordinances, property characteristics, proximity to a sanitary sewer main, and, to a lesser degree, property owner preference. Certain local ordinances, such as the Town of Lexington's, will not allow replacing septic systems if sanitary sewer is available in the area. Removing septic systems adjacent to waterbodies and in flood plains will have a larger fecal coliform reduction than repairing the system. Therefore, Lexington County estimates that this project will install BMPs to address approximately 12.5% of failing systems and the maintenance education program will address 80% of failing systems with the overall goal of addressing over 92% of failing systems.

The following plan will be used to manage the septic portion of the project:

1. Project Management: Lexington County will complete all reporting requirements, conduct procurement activities, coordinate with SCDHEC and local septic providers for project technical support, create and provide outreach and educational campaign/materials and provide overall project coordination. Lexington County will act as the lead entity for all advocacy activities by working directly with the local community throughout the outreach and implementation portions of this project.
2. Recruitment of Property Owners with Failing Septic: Marketing materials (e.g. flyers, presentations at community meetings, video from Hollow Creek which includes endorsements from septic owners who participated) and word-of-mouth will be used to reach out to the local community to inform septic system owners about the Project as well as providing support and insight into educational campaign messages and outreach techniques.
3. Prioritization of Sites: All landowners in the watershed who meet the criteria of needing septic repairs will be recruited, despite their location in the watershed. However, with respect to prioritization, those property owners in the floodplain in the headwaters of Twelve Mile Creek will be addressed first, and, if necessary, those outside of the floodplain will be addressed next. As part of the screening process for potential participants, the location of the septic system and where it drains will be considered compared to MS4 boundaries since systems which drain to the MS4 will not be included in this 319 project, but instead will be addressed by the MS4s' Illicit Discharge Detection and Elimination (IDDE) program.

4. **Determination of Repair:** The SCDHEC will assist Lexington County with assessing septic problems. Routine maintenance (e.g. pump outs) is not included as part of this project. 319 funding will be used for repairs, replacements, or connection to sewer depending on the nature of the problem and location of the system.

5. **Determination of Match:** Lexington County will administer the 319 grant cost-share fund distribution to participants who successfully complete the installation of BMPs which support the project objectives. Lexington County will review each BMP and participant on a case-by-case basis and use a sliding scale for cost-share funding, when appropriate.

Outreach Needed: The reduction of fecal coliform in the watershed through repair and replacement of failing septic systems also benefits homeowners through the elimination of odor problems, health issues, and increase in property values. The following outreach measures will be performed:

- o Conduct surveys, make presentations at community meetings, and/or listening sessions within the watershed to advertise the project and recruit homeowners for participation.

- o Identify Homeowner Associations, civic organizations and local chambers of commerce in the watershed to spread the message to more property owners

- o Evaluate septic pump-out records obtained from local licensed contractors.

- o Work with experienced SCDHEC personnel, local organizations, and septic tank contractors to target historic problem systems and problem areas;

- o Tailor available outreach tools (e.g. flyers & video developed for Hollow Creek Water Quality Improvement Project which included homeowner endorsements of the septic program) for Twelve Mile Creek audience.

- o Other social media methods, such as Facebook, the County's website, the Town of Lexington's website and Twitter will be used for outreach to generate interest in the program.

- o Distribution of DHEC's "Septic System Maintenance" information and septic system management magnets (to remind homeowners that it is time to have their septic system cleaned out).

Baseline information will be gathered in order to understand the level of knowledge of homeowners in the watershed relating to septic tank maintenance and repairs. Lexington County will work with its consultant, AMEC Environment & Infrastructure, Inc., to determine the best method of acquiring this baseline information regarding the knowledge, attitudes, and practice of homeowners in the watershed. Once the baseline information is gathered, the County will conduct more focused research through interviews at local community centers/churches and businesses located in the watershed.

Based on information obtained, a broader outreach effort will be conducted to all homeowners in the watershed. This will include the announcement of the cost share program at various venues with good exposure to homeowners residing in the watershed. It is anticipated that local non-profit organizations and septic tank contractors will assist with outreach efforts. Lexington County staff will conduct site visits and interviews with homeowners to encourage participation in the cost share program and promote responsible septic tank maintenance practices. All individuals receiving assistance will be educated on proper septic tank maintenance. Follow up surveys will be conducted with homeowners in the last year of the program to determine if there has been a change in their attitudes, knowledge, and future maintenance plans regarding their septic systems.

Evaluation Method(s): In addition to evaluation of monitoring data, the success of this program will be evaluated based on:

- the number of property owners within the watershed that participate in outreach initiatives
- the number of failing septic systems that are repaired or replaced.

Follow up surveys will be conducted in the last year of the program to determine if there has been a change in attitudes, knowledge, and future maintenance plans regarding their septic systems.

Anticipated Environmental Results: Based on a calculation using the anticipated participation for both septic maintenance education and septic repairs/replacements and estimated loading from failing septic systems, it is estimated that 4.86E+12 CFU/year will be reduced in the Twelve Mile Creek watershed by this project. See Table 3 for more details of the estimated load reductions to Twelve Mile Creek Watershed from proposed 319 Grant BMPs.

Estimated Cost: Based on Hollow Creek data, the average cost for repairing or replacing a septic tank is estimated to be approximately \$3,600 per system. The average cost for a connection to a sewer line is estimated to be approximately \$15,000 per connection. An estimated 45 property owners are anticipated to participate in this cost share program for septic repair for a total cost of \$162,000 (including the sliding scale) and 5 property owners are anticipated to participate for sewer connections for a total cost of \$75,000. The budget chart (Appendix) includes more detail about estimated quantities and costs for individual BMPs (i.e. breakdown by cost-share options) and the breakdown between federal and non-federal funding.

Pollution Source: Untreated Wastewater Inputs – Sanitary Sewer Overflow (SSO) from Fat, Oil, and Grease (FOG)

Description: Many residences, commercial facilities, and industries rely on sanitary sewer service for the collection and treatment of their sanitary sewer. Sanitary sewer collection systems contribute fecal coliform to the watershed when sanitary sewer overflows (SSO) occur. During a 6 month period in 2011, there were numerous sanitary sewer overflows in Twelve Mile Creek watershed, totaling 445,750 gallons of untreated wastewater.

Although there are different causes for sanitary sewer overflows, fats, oils, and greases (FOG) poured into sanitary sewer collection systems, either intentionally or unintentionally, have a significant effect on the size and frequency of sanitary sewer overflows. The Town of Lexington stated that a majority of their SSOs are caused by FOG. The majority of the FOG is presumed to be from residential users. According to the Town of Lexington, FOG directly from restaurants is not a major contributor to SSOs since the Town increased enforcement of grease trap regulations. That being said, grease traps that are not cleaned regularly can lead to sanitary sewer overflows. Fats, oils, and greases can build up and eventually block the flow of sanitary sewer in pipes and manholes. When the gravity flow of sanitary sewer is blocked, it typically backs up, and will eventually overflow into roads, ditches, creeks, and rivers. Although sanitary sewer overflows are not a constant source of fecal coliform to the watershed, they can cause a significant impact to the watershed when they occur.

Target Audience: Residential and commercial generators of FOG with sanitary sewer connections

Description: All homeowners and businesses on sanitary sewer within the watershed who generate FOG are going to be targeted for outreach efforts. Figure 5 depicts known information about sanitary sewer and septic use areas in the watershed.

Strategies/BMPs Needed: As with the other components of this grant project, participation is voluntary and will be accomplished through a social marketing strategy and selected BMPs. The BMPs selected for this component include:

- o Using outreach tools within the watershed to advertise the project and recruit homeowners for participation.
- o Piloting a used cooking oil recycling program at the two County recycling facilities in Twelve Mile Creek Watershed. Midlands Biofuels will provide the used cooking oil collection containers and provide pick-up service for the used cooking oil. The Town of Lexington also plans to install a used cooking oil recycle station at the Farmers Market within the MS4.
- o Distributing Fat Trappers (see photo and description below) to residents to encourage the practice of not placing fats/oils and grease down the drain.



The Fat Trapper is a plastic, airtight container that holds a replacement bag. Simply pour cooled cooking grease into the bag, seal with zip closure, and replace the lid. It eliminates spills and odors, while protecting your residents' plumbing system. When the bag is full, simply remove, seal, and discard. As you know, grease blockages in sewer pipes are a direct result of grease that is poured down the drain. The Fat Trapper is the answer to proper disposal of unwanted cooking grease and is already in use by various Waste Water Departments around the nation to help them "Trap the Grease." <http://www.rangekleen.com/>

Photograph 7: The Fat Trapper™

Although FOG directly from restaurants is not a major contributor to SSOs, continuing education of restaurants is needed regarding proper grease trap maintenance, and proper disposal of used cooking oil (i.e. used oil from fryers) to avoid dumping into sinks or storm drains. Lexington County will also inform restaurants of the availability of Midlands Biofuels' service to pick up used cooking oil at no cost to the restaurant.

The following plan will be used to manage the SSO/FOG portion of the project:

1. **Project Management:** Lexington County will complete all reporting requirements, conduct procurement activities, coordinate with Midlands Biofuels and the Recycling facilities, distribute Fat Trappers, create and provide outreach and educational campaign/materials and provide overall project coordination. Lexington County will act as the lead entity for all advocacy activities by working directly with the local community throughout the outreach and implementation portions of this project.
2. **Recruitment of Property Owners:** Marketing materials (e.g. flyers, public meetings, outreach at community centers) and word-of-mouth will be used to reach out to the local community to inform FOG generators about the Project as well as providing support and insight into educational campaign messages and outreach techniques.
3. **Distribution of Fat Trappers:** Lexington County will distribute the Fat Trappers and associated educational materials at public events (e.g. public meetings and County events) and County facilities (e.g. the recycling centers).
4. **Used Cooking Oil Program:** Midlands Biofuels will provide used cooking oil collection containers and pick-up service for the used cooking oil at the two County recycling facilities in Twelve Mile Creek Watershed. Lexington County will advertise this new program through the Public Works and Solid Waste Departments and County facilities. The expansion of the used oil recycling program to the remainder of Lexington County's recycle centers will be explored based on the results of Twelve Mile project.
5. **Education:** Education is a large component of the success of this program. Current education programs are already being implemented as part of MS4 permit compliance to address illicit discharges such as FOG. These education programs will be evaluated for effectiveness and used and supplemented as much as possible to capitalize on progress already being made in the watershed and conserve funding and resources which can be used to address other non-point sources.

Outreach Needed: Participation in the project is voluntary, and effective outreach will be crucial to the success of the project. The following outreach measures will be performed:

- o Conduct surveys, make announcements at community meetings, and participation in local events within the watershed to advertise the project and recruit participation;
- o Other social media methods, such as Facebook, the County's website, the Town of Lexington's website and Twitter will be used for outreach to generate interest in the program.
- o Distribution of Fat Trappers at Lexington County and Town of Lexington facilities and events;
- o Advertisement by Lexington County's recycling facilities and Midlands Biofuels regarding the new services for recycling used cooking oil.

Baseline information will be gathered in order to understand the level of knowledge of homeowners in the watershed relating to disposal of FOG. Lexington County will work with its consultant, AMEC Environment & Infrastructure, Inc., to determine the best method of acquiring this baseline information regarding the knowledge, attitudes, and practice of homeowners in the watershed. Once the baseline information is gathered, more focused research will be conducted.

Based on information obtained, a broader outreach effort will be conducted to all homeowners in the watershed. This will include the announcement of the distribution of Fat Trappers and the new services for recycling used cooking oil at various venues with good exposure to homeowners and businesses in the watershed.

Evaluation Method(s): In addition to evaluation of monitoring data, the success of this program will be evaluated based on:

- the number of participants within the watershed that receive Fat Trappers
- the quantity of used cooking oil collected at the two County recycling facilities,
- the measured reduction in the number of reported SSOs.

Follow up surveys will be conducted in the last year of the program to determine if there has been a change in attitudes, knowledge, and disposal methods for FOG.

Anticipated Environmental Results: Assuming that FOG blockages account for a total of 50 to 75% of all SSO's (NCSU) and a 25% reduction of FOG to sanitary sewer will result from this program, it is estimated that 1.14E+12 CFU/year will be reduced in the Twelve Mile Creek watershed by this project. See Table 3 for more details of the estimated load reductions to Twelve Mile Creek Watershed from proposed 319 Grant BMPs.

Estimated Cost: Midlands Biofuels will provide the used cooking oil collection at no additional cost to the County or users of the recycling facilities. Lexington County anticipates distributing approximately 1,000 Fat Trappers and liners for a total cost of \$5,300. The budget chart (Appendix) includes more detail about estimated quantities and costs for individual BMPs and the breakdown between federal and non-federal funding.

Pollution Source: Urban Runoff

Description: Urban runoff is used to describe loading from stormwater runoff from areas developed for residential, commercial or industrial purposes which have higher impervious areas and contributes approximately 13% of fecal loading to the watershed. Within the Twelve Mile Creek watershed, urbanized areas are mostly located within the Town of Lexington or Lexington County's MS4 permitted areas. For our purposes, urban runoff will exclude sanitary sewer leaks and the potential loads from septic tanks, which are addressed as a separate pollution sources. One of the primary mechanisms for bacteria loads from urban runoff is its ability to transport a high percentage of bacteria from the land into waterways, before decay can take place.

A second mechanism which can occur is the attraction of waterfowl to stormwater ponds. When significant additions of impervious areas are added to the watershed, detention ponds are added to address flood control issues. In some cases, these ponds also address water quality by trapping sediment, but few (if any) detention ponds installed to date have been designed to promote bacteria decay prior to discharging their collected runoff. When such water features

attract resident flocks, such as Canadian geese, they can become a collection point for bacteria between rain events, resulting in higher bacteria discharges to receiving streams when flushed out with stormwater runoff.

Another potential source of bacteria, stemming from urban runoff, is from domestic animals (pets). Numbers of pets can be significant in a watershed, although the populations within the watershed are unknown. Regardless of the number of pets, their waste is often left in areas where it can be more easily transported into the stormwater system before decay can take place.

Target Audience: Urbanized Area with increased impervious areas

Description: The program will target residential, commercial or industrial property owners and users to address urban runoff. Areas within the MS4 will be addressed by the MS4's Stormwater Management Plan. Outside the MS4, Lexington County plans to extend the program by targeting users of recreational facilities and public spaces as well as residential subdivisions and their Homeowners Associations. Lexington County has identified, outside of the MS4 permitted areas, approximately 8 residential subdivisions along Twelve Mile Creek and approximately 2 to 4 public parks that will be targeted for urban runoff education and BMPs.

Strategies/BMPs Needed: Lexington County will use and supplement, as needed, programs already being implemented as part of MS4 permit compliance to address non-point source reduction from urban storm runoff. No additional or new strategies to address urban runoff are being proposed under the 319 program. As part of the 319 program, Lexington County proposes to expand the following programs already being implemented by the MS4s that have been successful at addressing urban runoff:

- Pet waste education programs
- Installation of approximately 15 pet waste stations. As part of the 319 program, Lexington County will provide pet waste stations in green spaces in residential subdivisions, and public parks outside MS4 limits, such as the ball fields located across from the Stormwater Department on Ball Park Road and the ball fields in Gilbert. Veterinary offices outside of the MS4, such as Grace Animal Hospital, will also be possible locations for pet waste stations. Grace Animal Hospital has already partnered with Lexington County to provide pet waste education at the Celebration of Water.
- Storm drain tagging (approximately 2,000) outside of permitted MS4 limits with complementing educational program focused on reducing pet waste disposal in and around storm drains. See below for a photo of a storm drain tag.



Photo 8: Example of a Storm Drain Marker

Lexington County is working with the City of Columbia on a Trash the Poop (TTP) campaign (<http://www.youtube.com/user/ColumbiaStormwater>). As part of the campaign University of South Carolina students will develop a print campaign to go along with the recently created Trash the Poop public service announcement. The campaign will launch during the same timeframe as the grant. Outreach through the TTP campaign will be targeted to the Twelve Mile Watershed to coincide with the grant efforts. Some pet waste stations have recently been located in the watershed for encouragement of pet owner pickup, which will reduce the fecal loading. The additional 15 pet waste stations will expand these efforts. Coordination with homeowners associations to encourage installation of these pickup stations within common green spaces is also expected to continue.

Lexington County addresses many urban runoff issues with the construction and post-construction minimum control measures as part of their MS4 permit compliance. Lexington County is currently in the process of updating their Land Development Manual to incorporate methods and design practices that will decrease loading.

Outreach Needed: Lexington County will use and supplement, as needed, the public outreach and education programs already being implemented as part of MS4 permit compliance to address non-point source reduction from urban storm runoff. Current outreach regarding urban runoff in addition to the TTP campaign already mentioned include information on the County's website, the Town of Lexington's website, Facebook and Twitter accounts, and campaigns including billboards, community clean-up events, rain barrel and other workshops.

Evaluation Method(s): In addition to evaluation of monitoring data, the success of this program will be evaluated based on:

- the number of pet stations installed
- the number of pet waste bags used
- the number of marked storm drains

Anticipated Environmental Results: Annual reduction of loading from urban runoff is anticipated to be achieved from installation of pet waste stations, storm drain marking, and the education programs associated with these BMPs. Currently available data and modeling is not reliable to predict quantifiable reduction (e.g. amount of fecal loading reduced per waste station).

Estimated Cost: Lexington County anticipates using 319 funding to provide 15 pet stations which cost approximately \$125 per station and to provide 2000 storm drain tags which cost approximately \$2 each. The budget chart (Appendix) includes more detail about estimated quantities and costs for individual BMPs and the breakdown between federal and non-federal funding. See Table 3 for more details of the estimated load reductions to Twelve Mile Creek Watershed from proposed 319 Grant BMPs.

Pollution Source: Wildlife

Description: Fecal loading from wildlife, similar to loading from cattle, is attributed to runoff of waste and wildlife defecating directly in the streams. Loading from wildlife can be increased if herds/flocks are concentrated, which often occurs around surface water in areas such as buffers and ponds. The wildlife loading being contributed to Twelve Mile Creek is considered to be a background loading rate, contributing approximately 1% of the load. The bacteria loading in the TMDL due to wildlife was based on typical populations on a per-acre basis. Wildlife loading is dependent on herd types and densities, can vary seasonally, and can decline due to changes in land use (i.e. more built-up lands, less agriculture and open/pasture space).

Target Audience: None

Description: N/A

Strategies/BMPs Needed: Since wildlife loading is such a small amount and considered background, it is not anticipated that any significant measures to control/monitor wildlife are necessary at this time.

Outreach Needed: None

Evaluation Method(s): None beyond water quality monitoring.

Anticipated Environmental Results: None

Estimated Cost: No 319 funding is requested to address wildlife.

C. Technical And Financial Assistance Needed:

The Twelve Mile Creek watershed is split between Twelve Mile Upper and Twelve Mile Lower. Station S-294 is at the end of the watershed. Although this station is supposed to be representative of the entire watershed, there is no station that can determine the similarities of water quality between Twelve Mile Upper (rural area) and Twelve Mile Lower (more urbanized area). If awarded, Lexington County requests that DHEC implement an additional monitoring station at the break between Twelve Mile Upper and Twelve Mile Lower to measure water quality improvements between the two subwatersheds. Figure 4 depicts the location of the requested monitoring station.

NRCS, one of many valuable partners in this project, will help recruit agricultural landowners, develop Conservation Plans and offer recommendations for BMPs. NRCS also administers the EQIP cost share program. The landowners may

apply for EQIP funds, in order maximize the effect of the 319 grant funds. LSWCD will assist NRCS with conservation plans and BMP inspections.

The U.S. Department of Housing and Urban Development (HUD) administers the Community Development Block Grant Program, which assists low- and moderate-income persons. Lexington County has already contacted the County's CDBG coordinator in regard to supplementing the 319 grant funds for septic repairs. Assistance from this coordinator will be pursued in order to help maximize the effect of the 319 grant funds.

The Town of Lexington will assist Lexington County with the implementation of the FOG program.

In addition to the cooperation of NRCS, LSWCD, HUD and the Town of Lexington, Lexington County will administer the implementation project with the help of many supporting organizations which may include: Community Open Land Trust, Town of Summit, Town of Gilbert, the Lexington Greenways Alliance, the Lower Saluda Scenic River Advisory Council, Lexington Joint Municipal Sewer and Water Commission, Congaree Riverkeeper, Saluda River Chapter Trout Unlimited, and the South Carolina Cattleman's Association. The participation of these groups will have a large impact on the ability to conduct an effective and efficient social marketing campaign.

Lexington County Stormwater Division will outline portions of the project to be conducted by their consultant, AMEC Environment & Infrastructure, Inc. These tasks are anticipated to be related to project oversight, reporting, and social marketing.

D. Additional Project Information (optional):

E. Land Use Within The Watershed (optional):

Agricultural:	7,642 acres	24.6 %
Industrial/Commercial:	2,187 acres	7.0 %
Forested:	9,234 acres	29.8 %
Residential:	9,543 acres	30.8 %
Wetlands:	2,416 acres	7.8 %
Total:	31,022 acres	100 %

F. Measurable Milestones:

#	Month	Milestone
1	Quarterly	Submit progress reports, invoices, MBE/WBE forms and BMP information per schedule outlined in grant agreement.
2	30 days after project completion	Submit final invoice and final technical closeout report to DHEC. Submit Final Budget Report within 45 days of project close.
3	2	Initial public meetings and personal visits with agricultural landowners.
4	2	Begin used oil recycling program
5	3	Begin contacting farmers that have expressed interest in participating in the project.
6	4	Continue outreach to and recruitment of agricultural landowners.
7	4	Begin site visits of initial agricultural sites. Generate a prioritized list of agricultural sites based on site visits (prioritizing sites closest to waterbodies).
8	5-9	Begin designing/costing initial agricultural sites and developing conservation/waste management plans.
9	6-12	Complete conservation plans
10	6	Begin recruiting and generating a list of potential interested homeowners for septic, FOG, and urban runoff programs through methods such as doorhangers, an informational mailing, newspaper advertisements, public meetings and word-of-mouth. Contact local septic contractors to spread the word and negotiate potential discount.
11	6-12	Distribute 25% of Fat Trappers
12	7	Begin meeting with interested homeowners, homeowner associations, and local groups for

		septic, FOG, and urban runoff BMPs; confirm eligibility for 319 funding (i.e. confirm septic failure, determine location inside/outside MS4 and applicable funding).
13	9	Begin designing/costing septic BMPs.
14	10	Begin construction/installation on septic sites
15	12-24	Distribute 50% of Fat Trappers
16	12-30	Install pet waste stations
17	12-30	Storm drain marking
18	15	Second round of public meetings to recruit additional interested agricultural landowners.
19	16	Begin site visits of additional agricultural sites.
20	16-21	Begin designing/costing additional agricultural sites.
21	16-24	Complete conservation and waste management plans
22	20-28	Complete construction/installation at agricultural sites.
23	24-36	Distribute 100% of Fat Trappers
24	26	Complete septic repairs/replacements.
25	24-36	Complete all follow-up education

G. Measures Of Project Success:

- SCDHEC monitoring station, S-294, and the additional requested monitoring station, if approved by SCDHEC, will be sampled monthly for the life of the project, plus a minimum of one year after the project closes. The project's success will be determined based on comparing SCDHEC data collected before, during, and after the close of the project.
- Number of BMPs installed on agricultural properties.
- Number septic systems repaired/replaced.
- Number of Fat Trappers™ distributed and amount of used cooking oil collected by Midlands Biofuels.
- Number of pet waste liners used.
- Number of storm drain markers installed.
- Comparison of SSOs before and after the project.
- Comparison of the number of homeowners more aware of proper septic tank maintenance before and after the program; more aware of proper disposal practices for FOG before and after the project.

6. PROPOSED BUDGET

A. Overall Project Budget

	Federal	Non-Federal	Total
Personnel - Salary		\$15,158.66	\$15,158.66
Personnel - Fringe		\$5,305.53	\$5,305.53
Travel		\$252.50	\$252.50
Equipment			
Supplies	\$19,701.00		\$19,701.00
Contractual	\$20,000.00	\$25,000.00	\$45,000.00
Construction	\$378,963.00	\$233,392.00	\$612,355.00
Other			
Indirect			
TOTAL	\$418,664.00	\$279,108.69	\$697,772.69

(Note that a detailed budget is included in the Appendix)

B. Budget Narrative:

Personnel - Salary: Lexington County will manage and administer the overall project. The project manager is the County Stormwater Manager, Sheri Armstrong. She will be assisted by her Environmental Coordinator, Synithia Williams, field personnel, and an administrative assistant. Lexington County staff will also provide labor to construct the pet waste

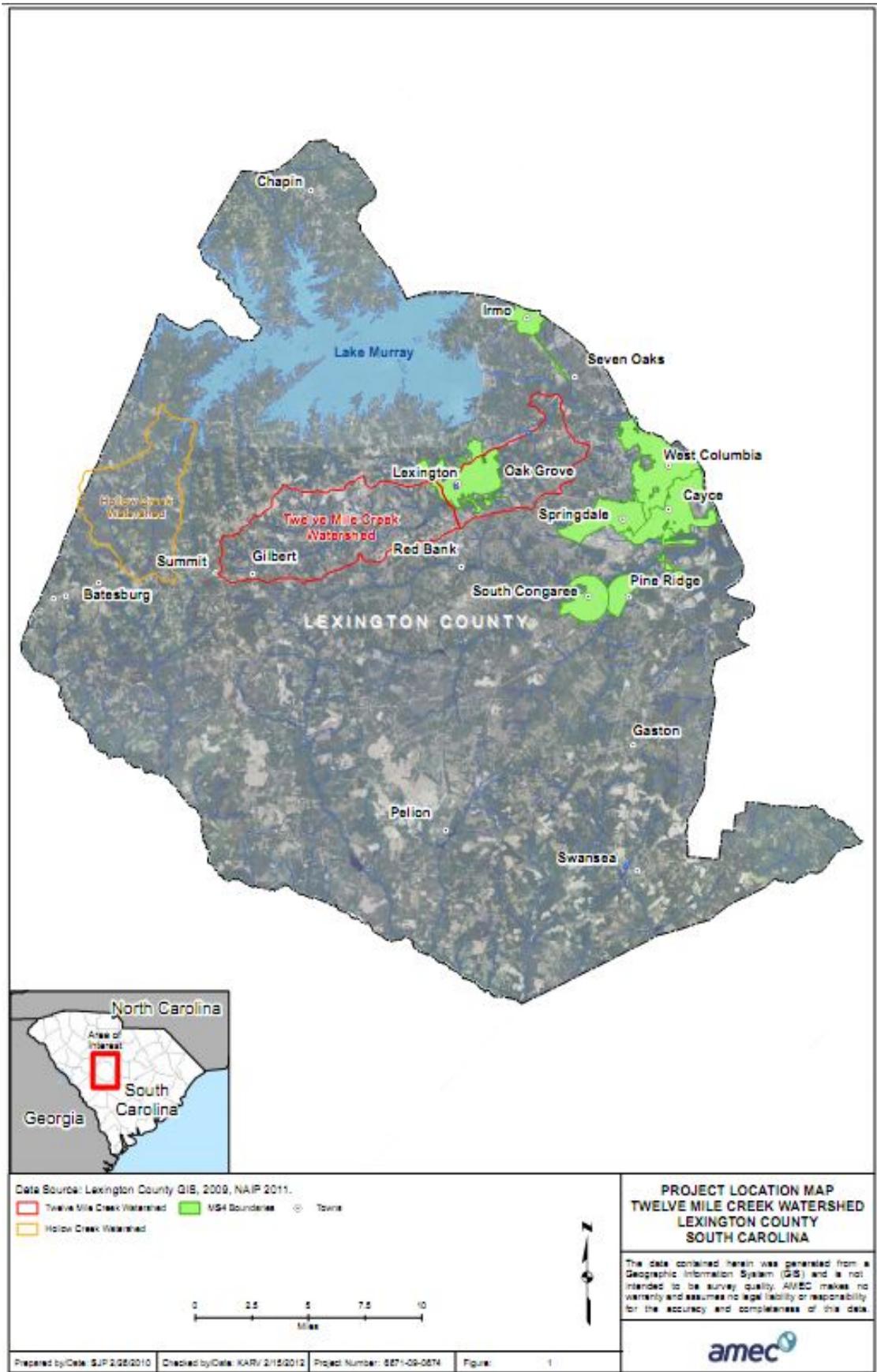
stations and signs for the stations. Lexington County will seek volunteer organizations to install the pet waste stations and storm drain labels, but if no available, County employees will install the pet waste stations and the storm drain labels. All staff will log labor on the project on a time sheet that will be submitted with quarterly reports including the following information: date, time, and description of activities. Lexington Soil Water Conservation District employee, Bill Melven, is an employee of Lexington County and will log his labor on the project on a timesheet as well.

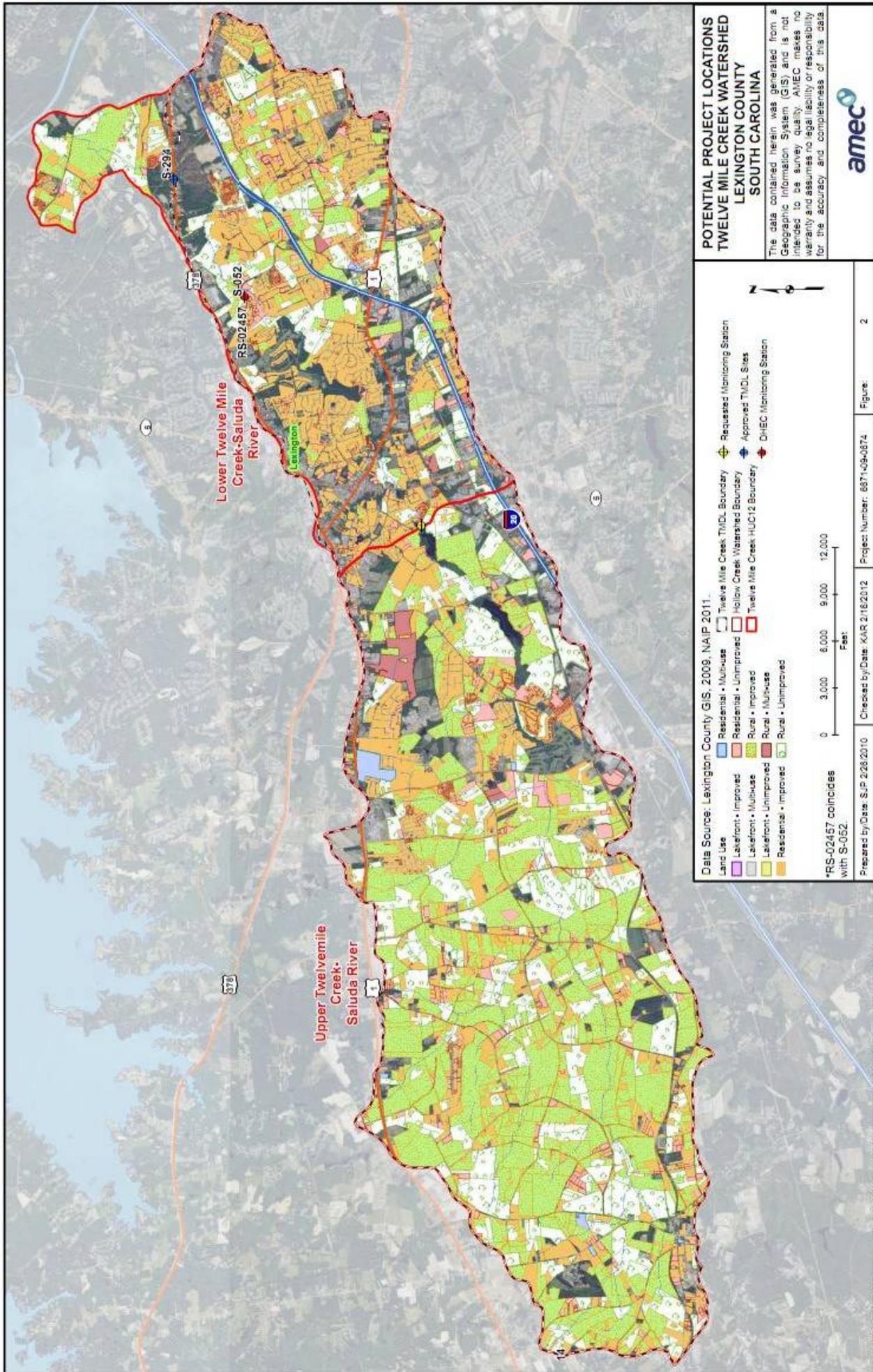
- Personnel – Fringe: The time sheet used for salary also calculates fringe costs based on hourly labor rates.
- Travel: Staff will log mileage that will be submitted with quarterly reports including the following information: date, starting location, destination, description of activities, and total mileage. Mileage budgets will be based on the current SC State Government Mileage Rate.
- Equipment: There are no equipment costs noted for this project.
- Supplies: Federal funds of \$10,000 will be used for education and outreach materials, including brochures, newspaper advertisements, copies, meeting supplies, postage for mailings, etc. In addition, approximately \$5,300 of supply funds will be used for Fat Trappers, approximately \$350 will be used for pet waste bags and approximately \$4,050 will be used for storm drain labels. Details are provided in the budget chart in the Appendix.
- Contractual: Because of their familiarity with the process and the BMPs from the Hollow Creek 319 project, the County anticipates using federal funding of \$20,000 and non-federal funding of \$25,000 to hire consultants, AMEC Environment & Infrastructure Inc., for efficiency and added value to provide project oversight, reporting, and social marketing support. The social marketing efforts by the consultants will include coordinating and participating in focus groups in order to increase voluntary participation by landowners and developing marketing and educational materials to support the goals of the project. In addition, the consultant will support the County for project oversight and reporting.
- Construction: Federal funds of \$378,963 will be used for BMP construction, as detailed in the budget chart in the Appendix. BMP construction will include a combination of: septic repairs, sewer connections, and agricultural BMPs such as stacking sheds, fencing, piping, well installation, watering facilities, water troughs, manure composting facilities, soil stabilization and pet waste stations. Land owners and/or the County will contribute non-federal match of \$233,392 in BMP construction materials and/or labor towards BMP installation.
- Other: No additional expenses for this project are expected.
- Indirect : There will be no indirect expenses for this project.

References:

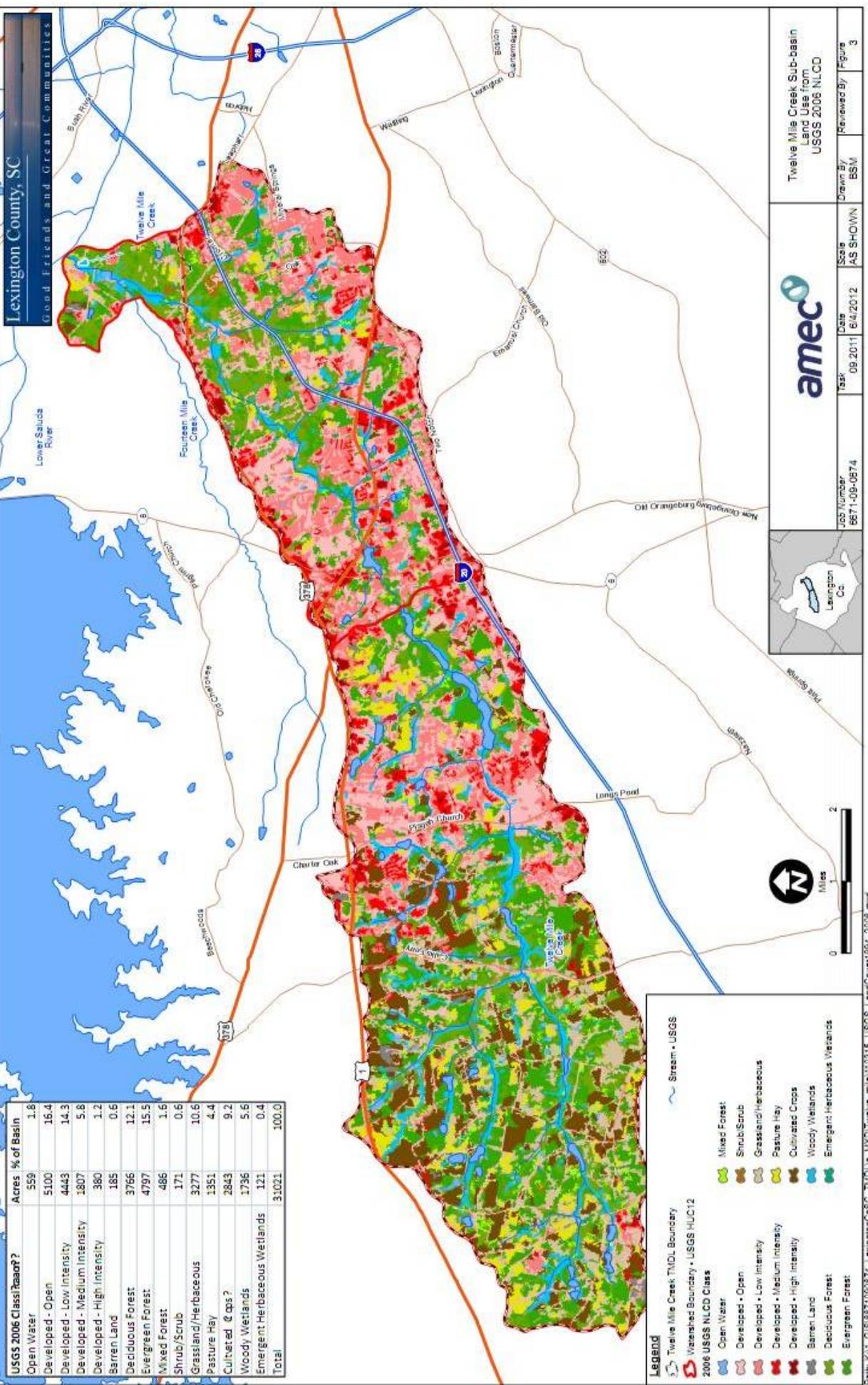
- SCDHEC, TMDL Development for Fecal Coliform Bacteria Lower Saluda River and Tributaries Stations: Lower Saluda S-149, Twelve Mile Creek S-294, Kinley Creek S-260 (HUC 03050109-210), September 1, 2004, available at http://www.scdhec.gov/environment/water/tmdl/docs/tmdl_lowsal_fc.pdf.
- NC State University's Fats, Roots, Oils, and Grease (FROG) in Our Centralized and Decentralized Sanitary Sewers. <http://www.ce.ncsu.edu/research/frog/>
- Schueler, T. 1999. "Microbes and Urban Watersheds." Watershed Protection Techniques. 3(1): 551-596.

Figures:





Lexington County, SC
Good Friends and Great Communities



USGS 2006 Classification?	Acres	% of Basin
Open Water	559	1.8
Developed - Open	5100	16.4
Developed - Low Intensity	4443	14.3
Developed - Medium Intensity	1807	5.8
Developed - High Intensity	380	1.2
Barren Land	185	0.6
Deciduous Forest	3766	12.1
Evergreen Forest	4797	15.5
Mixed Forest	486	1.6
Shrub/Scrub	171	0.6
Grassland/Herbaceous	3277	10.6
Pasture Hay	1351	4.4
Cultivated Crops	2843	9.2
Woody Wetlands	1736	5.6
Emergent Herbaceous Wetlands	121	0.4
Total	31021	100.0

Legend

- Twelve Mile Creek TMDL Boundary
- Watershed Boundary - USGS HUC12
- 2006 USGS NLCD Class
- Open Water
- Developed - Open
- Developed - Low Intensity
- Developed - Medium Intensity
- Developed - High Intensity
- Barren Land
- Deciduous Forest
- Evergreen Forest
- Stream - USGS
- Mixed Forest
- Shrub/Scrub
- Grassland/Herbaceous
- Pasture Hay
- Cultivated Crops
- Woody Wetlands
- Emergent Herbaceous Wetlands



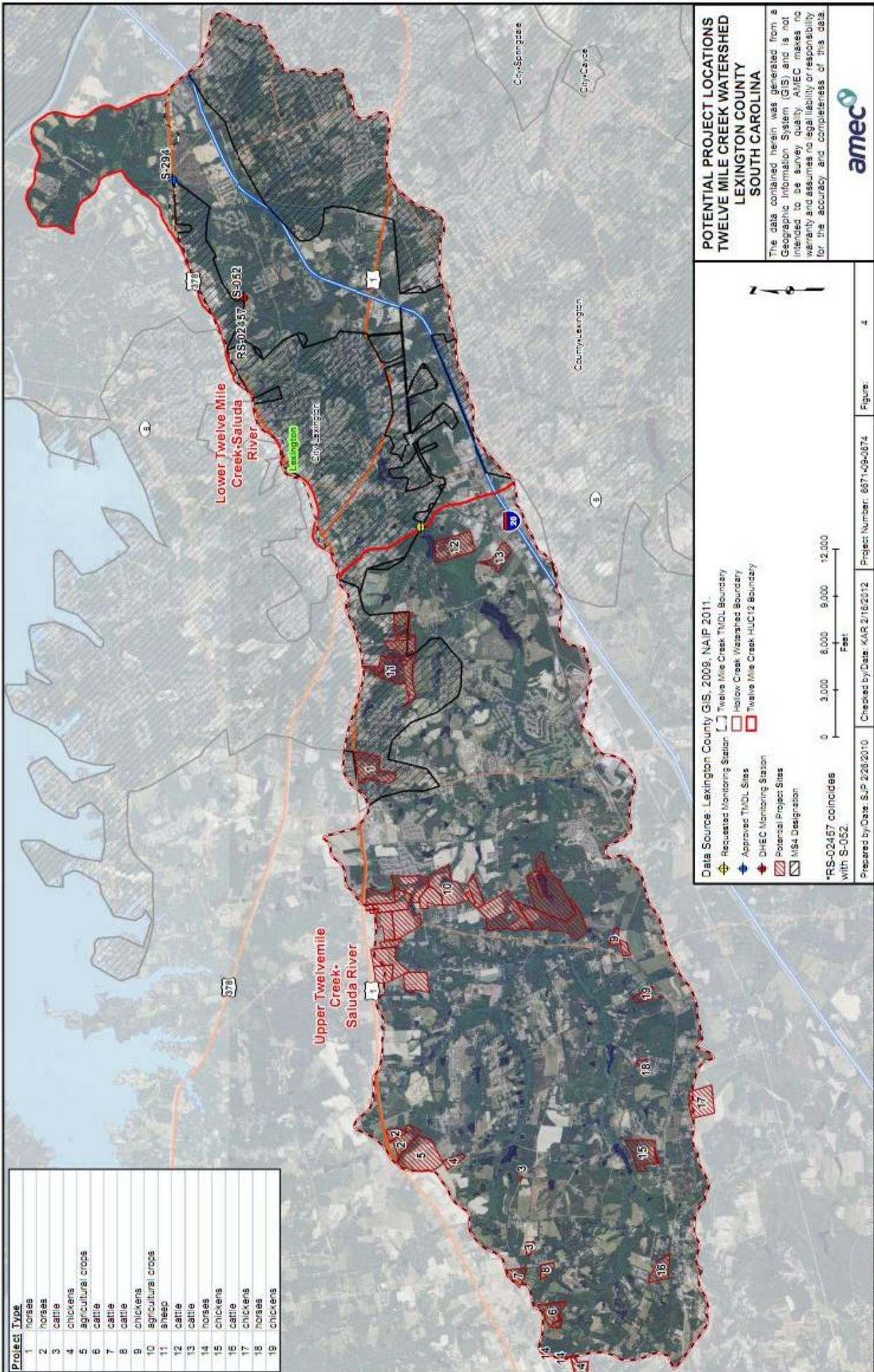
amec

Task: 09.2011 614.2012
 Date: 09.2011 614.2012
 Scale: AS SHOWN
 Drawn by: BSM
 Reviewed by: Figure 3

US Number: 6671-09-0574

Twelve Mile Creek Sub-basin
 Land Use from
 USGS 2006 NLCD

Path: K:\GIS\6671090874_LexingtonCoSC_TMDLs\UXD\Twelve_Mile\1031E_USGS_LandCover1994_2006.mxd



Project Type
1 horses
2 horses
3 cattle
4 chickens
5 agricultural crops
6 cattle
7 cattle
8 cattle
9 chickens
10 agricultural crops
11 sheep
12 cattle
13 cattle
14 horses
15 chickens
16 cattle
17 chickens
18 horses
19 chickens

**POTENTIAL PROJECT LOCATIONS
TWELVE MILE CREEK WATERSHED
LEXINGTON COUNTY
SOUTH CAROLINA**

The data contained herein was generated from a Geographic Information System (GIS) and is not intended to be survey quality. AMEC makes no warranty and assumes no legal liability or responsibility for the accuracy and completeness of this data.

Data Source: Lexington County GIS, 2009, N/AIP 2011.

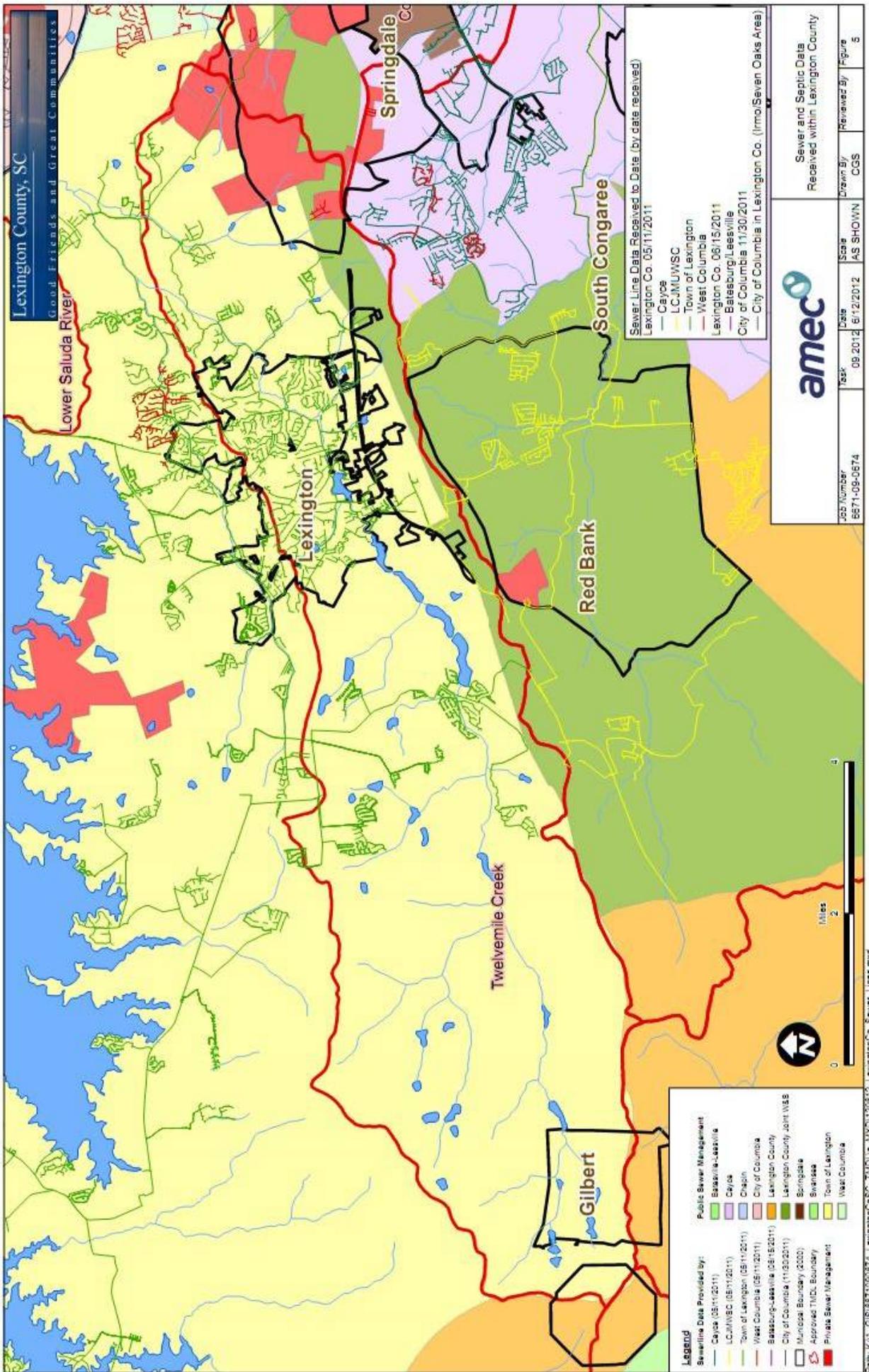
- Requested Monitoring Station
- Approved TMDL Sites
- DHEC Monitoring Station
- Potential Project Sites
- MS4 Designation

Twelve Mile Creek TMDL Boundary
 Hollow Creek Watershed Boundary
 Twelve Mile Creek HUC12 Boundary

+ Requested Monitoring Station
+ DHEC Monitoring Station
1 Potential Project Sites
1 MS4 Designation

*RS-02457 coincides with S-052.

Prepared by Date: SJP 2/28/2010 Checked by Date: KAR 2/18/2012 Project Number: 6871-09-0874 Figure: 4



Appendix: Detailed Budget Tables

1 Federal: Personnel - Salary Costs (Lead Organization Personnel ONLY)				10 Non-Fed: Personnel - Salary, In-Kind Hours (Lead Organization ONLY)			
Employee	# of Hours or Years	Hourly Rate or Salary	Total Cost	In-Kind Employee	# of Hours	Hourly Rate	Total Cost
	0.00	\$0.00	\$0.00	Project Manager	150.00	\$35.06	\$5,259.00
	0.00	\$0.00	\$0.00	Project Manager	150.00	\$24.88	\$3,732.00
	0.00	\$0.00	\$0.00	Field Tech	123.00	\$24.42	\$3,003.66
	0.00	\$0.00	\$0.00	Administrative Asst	100.00	\$11.86	\$1,186.00
	0.00	\$0.00	\$0.00	LSWCD (LC employee)	100.00	\$19.78	\$1,978.00
Section 1 TOTAL			\$0.00	Section 10 TOTAL			\$15,158.66
2 Federal: Personnel - Fringe Benefits Costs (Lead Organization Personnel ONLY)				11 Non-Fed: Personnel - Fringe Benefits Costs (Lead Organization ONLY)			
Percentage of TOTAL Federal Salary		0.00%		Percentage of TOTAL Non-Federal Salary		35.00%	
Section 2 TOTAL			\$0.00	Section 11 TOTAL			\$5,305.53
3 Federal: Travel (Lead Organization Personnel ONLY)				12 Non-Fed: Travel (Lead Organization ONLY)			
Employee	# of miles	Per Mile	Total Cost	Employee	# of miles	Per Mile	Total Cost
	0.00	\$0.505	\$0.00	Lexington County	500.00	\$0.505	\$252.50
Mileage		Sub Total		Mileage		Sub Total	
		\$0.00				\$252.50	
**	Overnight Travel Cost		\$0.00	**	Overnight Travel Cost		\$0.00
Section 3 TOTAL			\$0.00	Section 12 TOTAL			\$252.50
4 Federal: Equipment (If applicable. Equipment is defined as single items with cost over \$2,500)				13 Non-Fed: Equipment (If applicable. Equipment is defined as single items with cost over \$2,500)			
Description	Single Cost	Number Needed	Total Cost	Description	Single Cost	Number Needed	Total Cost
	\$0.00	0	\$0.00		\$0.00	0	\$0.00
Section 4 TOTAL			\$0.00	Section 13 TOTAL			\$0.00
5 Federal: Supplies (i.e., office supplies, laptop, printing costs, postage)				14 Non-Fed: Supplies (i.e., office supplies, laptop, printing costs, postage)			
Description	Cost		Total Cost	Description	Cost		Total Cost
Postage	\$3,300.00		\$3,300.00		\$0.00		\$0.00
Brochures & Copies	\$2,000.00		\$2,000.00		\$0.00		\$0.00
Door Hangers/Flyers	\$500.00		\$500.00		\$0.00		\$0.00
Newspaper Advertisements	\$1,500.00		\$1,500.00		\$0.00		\$0.00
Rental for Community Building	\$700.00		\$700.00		\$0.00		\$0.00
Supplies for Meetings	\$1,000.00		\$1,000.00		\$0.00		\$0.00
Promotional Items (such as septic magnet)	\$1,000.00		\$1,000.00		\$0.00		\$0.00
Fat Trappers & liners	\$5,301.00		\$5,301.00		\$0.00		\$0.00
Pet Waste Bags	\$350.00		\$350.00		\$0.00		\$0.00
Storm Drain Labels	\$4,050.00		\$4,050.00		\$0.00		\$0.00
Section 5 TOTAL			\$19,701.00	Section 14 TOTAL			\$0.00

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6 Federal: Contractual / Services - Section A (Sub-Contractor services, not associated with salary)				15 Non-Fed: Contractual / Services - Section A (Not associated with volunteered time)					
A	Description	Cost	Total Cost	A	Description	Cost	Total Cost		
	AMEC - Project Oversight	\$5,000.00	\$5,000.00		AMEC - Project Oversight	\$10,000.00	\$10,000.00		
	AMEC - Reporting	\$0.00	\$0.00		AMEC - Reporting	\$15,000.00	\$15,000.00		
	AMEC - Social Marketing	\$15,000.00	\$15,000.00		AMEC - Social Marketing	\$0.00	\$0.00		
	Section A	Sub Total	\$20,000.00		Section A	Sub Total	\$25,000.00		
B Federal: Contractual / Services - Section B - Salary Costs (Sub-Contractors)				B Non-Fed: Contractual / Services - Section B - Salary Costs (In-Kind from Volunteers, etc..)					
	Employee	Total # of Hours	Hourly Rate	Total Cost		In-Kind Employee	Total # of Hours	Hourly Rate	Total Cost
		0.00	\$0.00	\$0.00			0.00	\$0.00	\$0.00
	Section B	Sub Total		\$0.00		Section B	Sub Total		\$0.00
C Federal: Contractual / Services - Section C - Travel (Sub-Contractors)				C Non-Fed: Contractual / Services - Section C - Travel (In-Kind from Volunteers, etc..)					
	Employee	Mileage	Per Mile	Total Cost		In-Kind Employee	Mileage	Per Mile	Total Cost
		0.00	0.505	\$0.00			0.00	0.505	\$0.00
	Section C	Sub Total		\$0.00		Section C	Sub Total		\$0.00
			Section 6 TOTAL	\$20,000.00				Section 15 TOTAL	\$25,000.00
7 Federal: Construction (i.e. BMPs)				16 Non-Fed: Construction (i.e. BMPs)					
	Description	Single Cost	Number Needed	Total Cost		Description	Single Cost	Number Needed	Total Cost
	Septic Repairs 60%	\$2,160.00	35	\$75,600.00		Septic Repairs 40%	\$1,440.00	35	\$50,400.00
	Septic Repairs 80%	\$2,880.00	5	\$14,400.00		Septic Repairs 20%	\$720.00	5	\$3,600.00
	Septic Repairs 100%	\$3,600.00	5	\$18,000.00		Septic Repairs 0%	\$0.00	5	\$0.00
	Sewer Hook-up	\$9,000.00	5	\$45,000.00		Sewer Hook-up	\$6,000.00	5	\$30,000.00
	Stacking Shed at AFOs	\$8,400.00	2	\$16,800.00		Stacking Shed at AFOs	\$5,600.00	2	\$11,200.00
	Water Well	\$1,512.00	15	\$22,680.00		Water Well	\$1,008.00	15	\$15,120.00
	Watering Facility	\$474.60	30	\$14,238.00		Watering Facility	\$316.40	30	\$9,492.00
	Pipeline, Ln Ft	\$1.92	7000	\$13,440.00		Pipeline, Ln Ft	\$1.28	7000	\$8,960.00
	Heavy Use Area Protection, Sq Ft	\$1.59	19000	\$30,210.00		Heavy Use Area Protection, Sq Ft	\$1.06	19000	\$20,140.00
	Fencing, Ln Ft	\$1.95	24000	\$46,800.00		Fencing, Ln Ft	\$1.30	24000	\$31,200.00
	Manure Composting Facility	\$12,000.00	2	\$24,000.00		Manure Composting Facility	\$8,000.00	2	\$16,000.00
	Stream Crossing	\$2,400.00	2	\$4,800.00		Stream Crossing	\$1,600.00	2	\$3,200.00
	Soil/Stream Stabilization	\$2.76	12000	\$33,120.00		Streambank Stabilization	\$1.84	12000	\$22,080.00
	Loafing Shed	\$9,000.00	2	\$18,000.00		Loafing Shed	\$6,000.00	2	\$12,000.00
	Pet Waste Stations	\$125.00	15	\$1,875.00		Pet Waste Stations	\$0.00	0	\$0.00
			Section 7 TOTAL	\$378,963.00				Section 16 TOTAL	\$233,392.00

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8	Federal: Other				17	Non-Fed: Other			
	Description	Cost				Description	Cost		
		\$0.00	Section 8 TOTAL	\$0.00			\$0.00	Section 17 TOTAL	\$0.00
9	Federal: Indirect	<i>Include Attachment 4</i>			18	Non-Fed: Indirect	<i>Include Attachment 4</i>		
	Percentage of TOTAL Federal Salary		0.00%			Percentage of TOTAL Non-Federal Salary		0.00%	
			Section 9 TOTAL	\$0.00				Section 18 TOTAL	\$0.00
FEDERAL Budget Summary					NON-FEDERAL Budget Summary				
19	Category	Section Totals	Percentage			Category	Section Totals	Percentage	
	Federal:					Non-Federal / Match			
1	Personnel - Salary	\$0.00			10	Personnel - Salary	\$15,158.66		
2	Personnel - Fringe	\$0.00			11	Personnel - Fringe	\$5,305.53		
3	Travel	\$0.00			12	Travel	\$252.50		
4	Equipment	\$0.00			13	Equipment	\$0.00		
5	Supplies	\$19,701.00			14	Supplies	\$0.00		
6	Contractual / Services	\$20,000.00			15	Contractual / Services	\$25,000.00		
7	Construction	\$378,963.00			16	Construction	\$233,392.00		
8	Other	\$0.00			17	Other	\$0.00		
9	Indirect	\$0.00			18	Indirect	\$0.00		
	Federal TOTAL	\$418,664.00	60.00%	Federal TOTAL		Non-Federal TOTAL	\$279,108.69	40.00%	Non-Federal TOTAL
19	Grand TOTAL	\$697,772.69	FEDERAL & NON-FEDERAL Budget Grand Total						

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COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
STORMWATER DIVISION

MEMORANDUM

DATE: July 12, 2012
TO: Joseph Mergo, County Administrator
FROM: Synithia Williams, Environmental Coordinator
RE: Green is Good for Business Conference Sponsorship Request

The City of Columbia has requested that Lexington County co-sponsor its Climate Protection Action Campaign (CPAC) Committee's statewide Green is Good for Business Conference on September 18, 2012 at the Metropolitan Convention Center.

Lexington County's Environmental Coordinator and Recycling Coordinator serve as members of the conference planning committee. The planning committee also includes representatives from the Greater Columbia Chamber of Commerce and the SC Department of Commerce to increase outreach to the business community. The committee is pleased to announce the keynote speaker for the 2012 conference is Josef Kerscher, President of BMW Manufacturing.

Some of the benefits to the County for sponsoring previous Green is Good for Business Conferences include:

- The County is allowed to set up a booth in a prominent location at the conference with information about the county's air quality, stormwater and Green Business programs.
- Participation in the conference is reported as a public education activity for the National Pollutant Discharge Elimination System Stormwater Program.

There is \$5,000 budgeted in the air quality supplies account (521215) for Fiscal Year 12-13. This money was appropriated to cover air quality projects and sponsorships.

Staff is requesting that \$1,500 be used for sponsorship of the 2012 CPAC Green is Good for Business Conference.

____ 440 BALL PARK ROAD LEXINGTON, SOUTH CAROLINA 29072 803-785-8201 ____



Mrs. Synithia Willams
Lexington County
Sent Via Email

Dear Synithia:

On September 18, the City of Columbia and SC Department of Commerce Recycling Market Development Advisory Council will host the sixth annual Green is Good for Business Conference at the Columbia Metropolitan Convention Center. We have just confirmed Josef Kerscher, president of BMW Manufacturing, as this year's keynote speaker. In addition to featuring this highly sought-after speaker, this year's conference will highlight new technologies, share stories and showcase environmentally-friendly companies and services.

Last year, Lexington County was a Bronze Sponsor, and as we prepare for an even bigger and better conference, we invite you to once again support this year's conference as a sponsor. All sponsor levels and corresponding benefits are listed in the attached sponsor brochure. We appreciate your previous support of Green is Good for Business and look forward to having you with us again this year.

The City's Sustainability Facilitator, Mary Pat Baldauf, will contact you in the next week to discuss this opportunity in further details. Until then, please contact Mary Pat at (803) 545-2722 or mpbaldauf@columbiasc.net if you have any questions, need additional information or would like to request an invoice.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan'.

Daniel Rickenmann
Chairman, City of Columbia Climate Protection Action Campaign
Member, Columbia City Council

PS. This year's promotions will start early, so to be listed as a sponsor in early promotions, we'll need your commitment by June 30, 2012.



PUBLIC WORKS DEPARTMENT – 2910 COLONIAL DRIVE – COLUMBIA, SOUTH CAROLINA 29203



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
STORMWATER DIVISION

M E M O R A N D U M

DATE: July 12, 2012
TO: Joe Mergo, County Administrator
FROM: Synithia Williams, Environmental Coordinator
RE: Sustainable Energy Plan for the Central Midlands Region

In 2009, the Department of Energy awarded Lexington County an Energy Efficiency and Conservation Block Grant (EECBG). A portion of the EECBG funds was put aside to develop a Sustainable Energy Plan with Richland County. The City of Columbia was invited to assist with the drafting of the Energy Plan due to their successful sustainability programs. A core committee was formed from Lexington County, Richland County and the City of Columbia to work with the Central Midlands Council of Governments, which was contracted to assist with the drafting of the plan. The core committee solicited proposals for a consultant to guide the development of the plan. Cadmus, in partnership with Genesis Consulting and ADCO, were selected as the consulting team.

The goals of the plan are to create a roadmap for sustainability within the region, improve energy efficiency, promote energy independence, and protect local air quality. Attached is the draft of the Sustainable Energy Plan for the Central Midlands Region.

I ask for David Brandes with Genesis Consulting to update the Committee of the Whole on the main points in the plan and next steps for implementation. After the presentation, I ask for council to approve the Sustainable Energy Plan for the Central Midlands Region.

____ 440 BALL PARK ROAD LEXINGTON, SOUTH CAROLINA 29072 803-785-8201 ____



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

M E M O R A N D U M

DATE: July 13, 2012
TO: Joe Mergo, County Administrator
FROM: John Fechtel, Deputy County Administrator
RE: Kinley, K-1 and K-2 Creeks Funding Options

Presently there are two (2) potential funding sources available to the County to study the present conditions of Kinley Creek and the K-1 and K-2 tributaries. Exhibit "A" is through DNR (Department of Natural Resources) for a maximum of \$150,000.00 and requires a local match of 25% (\$37,500.00). A consultant that specializes in this type of engineering work needs to be selected through a RFQ (Request for Qualifications) process. The consultant will determine the existing conditions and also make recommendations as to possible solutions to reduce the flooding issues. Until this is done it is uncertain how much of these three watersheds can be analyzed, but we estimate 60-70% of the watersheds can be analyzed resulting in a workable plan.

Also attached (Exhibit "B") is the pre-disaster mitigation grant information, but at this time without having (1) completed plan and (2) a source of a local match (up to \$1,000,000.00) this is not applicable, plus this type of grant funding is on hold by the federal government.

Exhibit "C" is the repetitive flood claims program which allows home owners and/or businesses to apply for funds directly to mitigate their property or remove the structure altogether. We have about seven residences that may qualify for this type of funding.

In addition, the U.S. Army Corp of Engineers has a similar program to the DNR planning grant in which they require a 50-50 match. Until we determine how much we will contribute, the ACOE cannot provide us with a specific scope of services and determine how much of the three watersheds can be studied. See Exhibit "D".

We have approximately \$150,000.00 in our "C" Fund drainage project, account (2700-121302-5R0088) that we will be requesting to carry over from FY12. At this time we are requesting the Public Works Committee to discuss the FMA grant program and the USACE program to see if staff can move forward with further evaluation and establish a funding mechanism for either of the studies.

FMA Grants

The applications may be submitted June 1 to Dec 2 and may be submitted with the help of DNR or a consultant. The max award is \$150,000. This is a 75/25 match and according to DNR, up to 10% of the match can be in kind services.

FEMA's Flood Mitigation Assistance (FMA) is a pre-disaster grant program that provides funding to states and communities to assist in their efforts to reduce or eliminate the risk of repetitive flood damage to buildings and structures insurable under NFIP.

Communities that are in good standing with the NFIP are eligible to apply for planning and project grants. Communities on probation or suspended under 44 CFR 60 are not eligible for FMA grants. To be eligible for project grants, a community must have a Flood Mitigation Plan that is approved by FEMA.

Communities that do not have a Flood Mitigation Plan approved by FEMA may receive FMA planning grants. The primary purpose of planning grants is to develop or update flood mitigation plans. This plan can be a stand alone plan, or a plan meeting the Disaster Mitigation Act of 2000 requirements in 44 CFR 201 can be used if it also meets the flood mitigation plan requirements in 44 CFR 78.5.

Planning grants may also be awarded for the following activities:

- Contracting for consulting services such as engineering and planning;
- Surveying structures at risk; and
- Assessing repetitive losses.

The following projects are eligible under the FMA program:

- Acquisition of NFIP-insured structures and underlying real property
- Elevation of NFIP-insured residential structures in accordance with 44 CFR 60.3;
- Elevation or dry floodproofing of NFIP-insured non-residential property in accordance with 44 CFR 60.3;
- Relocation of NFIP-insured structures from acquired or restricted real property to sites not prone to flood hazards;
- Demolition of NFIP-insured structures on acquired or restricted real property;
- Other activities that bring an insured structure in accordance with 44 CFR 60.3;

Exhibit A

- Minor physical flood mitigation projects that reduce localized flooding problems and do not duplicate the flood prevention activities of other Federal agencies and that lessen the severity or frequency of flooding and reduce predicted flood damages in localized floodprone areas. These include modification of existing culverts and bridges, installation or modification of floodgates, stabilization of stream banks, and creation of small debris or flood/storm water retention basins in small watersheds. Major structural flood control projects under the purview of the US Army Corps of Engineers are not eligible.

Pre-Disaster Mitigation

The PDM Grants may be submitted from June 1 through November 1. At this time, due to federal budget cuts, funding for PDM grants is on hold.

The Pre-Disaster Mitigation (PDM) program provides funds to states, territories, Indian tribal governments, communities and universities for hazard mitigation planning and the implementation of all hazard mitigation projects prior to a disaster event. These plans and projects reduce the overall risk to the population and structures, while also reducing reliance on funding from actual disaster declarations. PDM grants are awarded on a competitive basis and without reference to state allocations, quotas, or other formula-based allocation of funds. The intent of this program is to reduce overall risk to people and property, while also minimizing the cost of disaster recovery.

Eligible Applicants:

Only the state emergency management agency or a similar office (*i.e.*, the office that has emergency management responsibility) of the state are eligible to apply to FEMA for assistance as applicants under this program. Each state shall designate one agency to serve as the applicant for this program. Each applicant may submit an unlimited amount of sub-applications for eligible planning/project activities that the applicant has reviewed and approved in e Grants.

The designated applicant for the state of South Carolina is the South Carolina Emergency Management Division (SCEMD).

Eligible Sub-Applicants:

The following entities are eligible to apply to the applicant for assistance: state-level agencies including state institutions (*e.g.*, state hospital or university); federally-recognized Native American tribal governments; local governments, including state-recognized tribes, authorized tribal organizations; public colleges and universities; and tribal colleges and universities.

Private non-profit (PNP) organizations and private colleges and universities are not eligible. Sub-Applicants, however, are eligible. Relevant state agencies or local governments may apply to the applicant as the sub-applicant for assistance to benefit the private entity.

Eligible Activities:

Proposed hazard mitigation projects must primarily focus on natural hazards but may also address hazards caused by manmade forces. Funding is restricted to a maximum of \$3 million federal share per project sub-application. The federal share will cover 75 percent of the project cost. Sub-applicants are required to provide the remaining 25 percent in matching funds. All project submissions must have a Benefit Cost Analysis of 1 or greater.

The following are examples of eligible mitigation projects:

Exhibit B

- Voluntary acquisition of real property (i.e. structures and land, where necessary) for conversion to open space in perpetuity
- Relocation of public or private structures
- Elevation of existing public or private structures to avoid coastal or riverine flooding
- Structural retrofitting and non-structural retrofitting (i.e., storm shutters, hurricane clips, bracing systems) of existing public or private structures to meet or exceed applicable building codes relative to hazard mitigation (select from the 205 series in the Mitigation Activity section in e Grants)
- Construction of safe rooms (tornado and severe wind shelters) for public and private structures that meet the FEMA construction criteria in FEMA 320 "Taking Shelter from the Storm" and FEMA 361 "Design and Construction Guidance for Community Shelters
- Hydrologic and Hydraulic studies/analyses, engineering studies and drainage studies for the purpose of project design and feasibility determination
- Vegetation management for natural dune restoration, wildfire or snow avalanche
- Protective measures for utilities (e.g., electric and gas); water and sanitary sewer systems and/or infrastructure (e.g., roads and bridges)
- Storm water management projects (i.e., culverts, retention basins) to reduce or eliminate long-term risk from flood hazards (select from the 403 series in the Mitigation Activity)
- Localized flood control projects, such as certain ring levees, bank stabilization and floodwall systems that are designed specifically to protect critical facilities (defined as hazardous materials facilities, emergency operation centers, power facilities, water facilities, sewer and wastewater treatment facilities, communications facilities, emergency medical care facilities, fire protection, and emergency facilities) and that do not constitute a section of a larger flood control system (select 404.1, Localized Flood Control System to Protect Critical Facility)

Repetitive Flood Claims Program

D.1 Eligible Properties

Residential or non-residential (commercial) properties that have received one or more NFIP insurance payments are eligible for RFC funds. Properties included in a subapplication must be NFIP-insured at the time of the application submittal. Flood insurance must be maintained at least through completion of the mitigation activity.

D.2 Increased Federal Share of Costs

An application may be submitted for RFC funding if neither the Applicant nor the subapplicant can currently meet the FMA non-Federal share requirement. For RFC, FEMA may contribute up to 100 percent of the project cost. **The Application and the subapplication must include certification (e.g., signed letter from an authorized local government official) explaining why the FMA cost-sharing requirement cannot be met.** If a project to mitigate this particular property was previously identified on a subapplication for HMA funding and the project was not funded, the Applicant or subapplicant must explain why the 25-percent non-Federal cost share is no longer available for this project.

D.3 Selection

FEMA will rank all eligible mitigation project subapplications on the basis of the greatest savings to the NFIF as demonstrated by the verified project aggregate BCR. All projects will be ranked from highest verified BCR to lowest verified BCR. FEMA will consider the national ranking and program priorities in determining which projects are identified for further review up to the amount of funds available for the RFC program.

Products and Services



U.S. Army Corps
of Engineers @
Charleston District

Section 22 – Planning Assistance to States (PAS)

Point of Contact: Pat O'Donnell
Phone: 843-329-8050
E-mail: Patrick.E.ODonnell@usace.army.mil

What is it?

Section 22 is an authority granted to the U.S. Army Corps of Engineers to cooperate with states and Federally recognized Native American tribes to provide planning assistance in any matters related to water resources. No design or construction is authorized under this program. Examples of services that can be performed under this authority include data collection, master drainage planning, surveying, floodplain inventories and pipe network analyses.

Who can apply?

Any non-Federal government entity can serve as the Sponsor for a Section 22 study. All it takes is a simple request to the local Corps office and a representative will discuss your problem with you and let you know if you qualify for the program.

What does it cost?

- All study costs are shared at a rate of 50% Federal, 50% Sponsor. The Sponsor may contribute their share as in-kind services.
- There is a spending cap of \$500,000 Federal expenditure per state or tribe per fiscal year. The Section 22 Program funding fluctuates annually but cannot be funded more than \$10 million nationwide.
- All studies are subject to availability of Federal appropriations.

How long does it take?

PAS studies vary greatly in size and scope. Some can be completed in a few months from receipt of funds, while others may take a full 12 months. In some cases, multi-phased studies can be completed over the course of 2 years, subject to availability of Federal funds.

69A Hagood Avenue

Charleston, SC 29403

843-329-8050

www.sac.usace.army.mil



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

M E M O R A N D U M

DATE: July 13, 2012
TO: Joe Mergo, County Administrator
FROM: John Fechtel, Deputy County Administrator
RE: Public Works Committee – Old/new business items

Several old/new business items can be removed:

- Traffic congestion- At this point I believe this issue will best be addressed during future discussions of funding possibilities.
- Alternate material for road swells – We have incorporated more ditch sections in our road design when we can. This has been part of our program of alternate paving methods.
- Chaney Road closing – This was finalized last month.

County of Lexington

Department of Solid Waste Management

498 Landfill Lane

Lexington, South Carolina 29073

Telephone: (803) 755-3325

Facsimile: (803) 755-3833

To: Adam DuBose, County Grants Manager
From: Amanda St. John, Recycling Coordinator
Date: July 12, 2012
Re: DHEC Solid Waste Grant Application

Solid Waste Management is requesting Council approval to accept grant funds from DHEC's solid waste management grant program.

We are proposing grant funding be used to implement a backyard and vermi composting education and outreach program. Total funds requested are \$5,000.

Because of the abbreviated summer council schedule, we ask that the Solid Waste Committee report out and send to the 4:30 Council meeting on July 24, 2012.

We appreciate your understanding and consideration of this matter. If you have any questions, please let me know.

COUNTY OF LEXINGTON Grant Request Summary Form

Title of Grant: Solid Waste Management Grant

Fund: 5720 SW / DHEC Management Grant **Department:** 121207 Solid Waste/Recycling
No. Title No. Title

Type of Summary: **Grant Application** _____ **Grant Award** X

Grant Overview:

Lexington County Solid Waste Management is requesting approval to accept grant funding to help educate residents on the importance of backyard composting and diverting yard trimmings from the landfill.

Grant Period: July 1, 2012 to June 30, 2013

Responsible Departmental Grant Personnel: Amanda St. John, Recycling Coordinator

Date Grant Information Released: February 3, 2012 **Date Grant Application Due:** April 6, 2012

Grant Expenditures (Please attach a detailed budget with Excel spreadsheet, Overview, Line Item Narratives, etc.):

Personnel	\$ -		
Operating	\$ 5,000.00	* Application Amount:	5,000.00
Capital	\$ -	* Award Amount:	5,000.00
Total	<u>\$ 5,000.00</u>		

Local Match Required: Yes No

If Yes, What is the Percentage / Amount: N/A

 % \$ Amount

Requirements at the End of this Grant (please explain in detail):

Submit quarterly and year-end reports to DHEC.

Application was approved at the 3/13/12 Council Meeting.

F:\windows\excel2k\forms\grants\blankgrantsummaryform.xls
 Last Updated: 12/13/06 By: AD

Dept. Preparer:	ASJ	7/12/2012
Dept. Approval:	DE	7/12/2012
Finance Approval:	AD	7/13/2012
	<i>Initials</i>	<i>Date</i>

COUNTY OF LEXINGTON
SOLID WASTE DHEC MANAGEMENT GRANT
Annual Budget
Fiscal Year - 2012-13

Object Code	Revenue Account Title	Actual 2010-11	Received Thru May 2011-12	Amended Budget Thru May 2011-12	Projected Revenues Thru Jun 2011-12	Requested 2012-13	Approved 2012-13	Awarded 2012-13
*Solid Waste DHEC Management Grant 5720:								
Revenues:								
458000	State Grant Income	0	25,342	7,000	7,000	5,000	5,000	5,000
461000	Investment Interest	5	0	0	0	0	0	0
** Total Revenue		<u>5</u>	<u>25,342</u>	<u>7,000</u>	<u>7,000</u>	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>
***Total Appropriation					56,750	5,000	5,000	5,000
FUND BALANCE								
Beginning of Year					1,443	(48,307)	(48,307)	(48,307)
FUND BALANCE - Projected								
End of Year					<u>(48,307)</u>	<u>(48,307)</u>	<u>(48,307)</u>	<u>(48,307)</u>

Fund: 5720
Division: Public Works
Organization: 121207 - Solid Waste / Recycling

Object Expenditure Code	Classification	2010-11 Expend	2011-12 Expend (May)	2011-12 Amended (May)	2012-13 Requested	BUDGET		
					2012-13 Approved	2012-13 Awarded		
Personnel								
* Total Personnel		0	0	0	0	0	0	
Operating Expenses								
520200	Contracted Services	0	3,230	27,250	0	0	0	
520400	Advertising & Publicity	0	0	0	1,267	1,267	1,267	
521200	Operating Supplies	0	0	0	3,733	3,733	0	
521213	Public Education Supplies	0	0	0	0	0	3,733	
525100	Postage	0	0	0	0	0	0	
* Total Operating		0	3,230	27,250	5,000	5,000	5,000	
**Total Personnel & Operating		0	3,230	27,250	5,000	5,000	5,000	
Capital								
599999	Capital Clearing	0	0	0	0	0	0	
	All Other Equipment	0	29,112	29,500	0	0	0	
**Total Capital		0	29,112	29,500	0	0	0	
** Total Budget Appropriation		0	32,342	56,750	5,000	5,000	5,000	

SECTION V. – PROGRAM OVERVIEW

Summary of Program

DHEC Solid Waste Management Grant

Objective:

DHEC is offering grant funds for programs that demonstrably impact the recycling rate through increased collection and recycling. The proposed grant request would help fund a Backyard Composting Education and Outreach Program that would help educate residents on the importance of diverting organic materials, including yard trimmings, from landfills.

SECTION VI. A. – LINE ITEM NARRATIVES

SECTION VI. B. – SUMMARY OF REVENUES

458000 – STATE GRANT INCOME	\$5,000
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SECTION VI. C. OPERATING LINE ITEM NARRATIVES

520400 - ADVERTISING AND PUBLICITY	\$1,267
-------------------------------------------	----------------

(2) Advertisement in Neighbors section of The State newspaper promoting backyard composting and diverting yard trimmings from landfill. (2 newspaper advertisement x \$515.34 each = \$1,030.68).

(1) Advertisements in Lexington Chronicle promoting backyard composting and diverting yard trimmings from landfill. (1 newspaper advertisement x \$236.25 each = \$236.25).

521213 – PUBLIC EDUCATION SUPPLIES	\$3,733
-------------------------------------------	----------------

To cover the costs of backyard/vermin-composting education and outreach to include the following: workshops, certificates, composting supplies for workshops and residents and the printing of an educational brochure or booklet.



Catherine B. Templeton, Director

Promoting and protecting the health of the public and the environment

July 11, 2012

Joe Mergo
Lexington County
212 South Lake Drive
Lexington, SC 29072

Dear Mr. Mergo:

The Office of Solid Waste Reduction and Recycling is pleased to inform you that Lexington County has been awarded a FY2013 Solid Waste Grant. Enclosed please find the original grant agreement. This must be signed and returned to our Office within ten days.

Please pay particular attention to the scope section of the grant agreement. This portion details the expenses that can be reimbursed. In addition, note carefully the information contained in the special terms and conditions section. This section provides guidelines specific to this grant program.

To accept the offer of this award, please sign the original grant agreement and return the original to our office. You may not begin work under the terms of your grant until the office is in possession of the signed original grant agreement. The office will mail you a notification when we receive the signed agreement.

Please send your signed original grant agreement to Jana White; DHEC Office of Solid Waste Reduction and Recycling; 2600 Bull St.; Columbia, SC 29201.

Congratulations on your award. Please call me at 803-896-4221 or Tina Lindler at 803-896-4235 if you have questions concerning this or any other grant. We look forward to working with you this coming year.

Sincerely,

Jana White

cc: Amanda St. John
Larry Porth



Contract # - EQ-3-511

Catherine B. Templeton, Director

Promoting and protecting the health of the public and the environment

SOLID WASTE MANAGEMENT GRANT AGREEMENT

Section 44-96-130, S.C. Code of Laws

GRANT NOTIFICATION INFORMATION

Grantee:

Lexington County
212 South Lake Drive
Lexington, SC 29072

Grant Number:

32 SW13

Grant Execution Date:

The later of July 1, 2012 or upon obtaining the final signature on this grant agreement.

Grant Ending Date:

June 30, 2013

Grant Amount:

\$5,000.00

Authorized Representative:

Joe Mergo

Phone Number:

(803) 785-8100

FAX Number:

(803) 785-8101

Contact Person:

Amanda St. John

Address:

498 Landfill Lane
Lexington, SC 29073

Phone Number:

(803) 785-3340

FAX Number:

(803) 755-3325

Financial Officer:

Larry Porth

Address:

212 South Lake Drive
Lexington, SC 29072

Phone Number:

(803) 785-8105

FAX Number:

(803) 785-8379

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF SOLID WASTE REDUCTION & RECYCLING
GRANT INSTRUMENT

I. SCOPE OF SERVICES STATEMENT

A. INTRODUCTION

The Department of Health and Environmental Control (DHEC), Office of Solid Waste Reduction and Recycling (hereinafter referred to as the Office), is the administrative agency for solid waste management projects approved for expenditure of funds under the Solid Waste Management Grant Program. The Solid Waste Management Grant Program was mandated under the South Carolina Solid Waste Policy and Management Act of 1991. Lexington County submitted to the Office on April 6, 2012 an application for solid waste management grant funds.

A maximum of \$5,000.00 inclusive of all costs will be granted for this project to the government of Lexington County (hereinafter referred to as the Grantee).

B. SCOPE OF WORK

All purchases made under the scope of the grant must be requisitioned, purchased or procured by March 31, 2013 unless otherwise approved by the Office.

Grant funds will be used to implement a backyard and vermicomposting education and outreach program. Funds will be used to conduct workshops and provide educational materials to residents to encourage composting.

Public education funds will be used for activities to include design, printing and distribution of informational materials as approved by the Office.

County staff will ensure that all materials collected in this program are recycled or reused. End markets and total annual tonnages for all materials collected as a result of this grant will be reported in the quarterly progress reports.

Budget:

Advertise and Promote	\$1,200.00
Workshops, refreshments, print/purchase educational/demonstration supplies	\$3,800.00

C. REPORTING REQUIREMENTS

The Grantee shall submit Quarterly Grant Progress Reports in accordance with the timeline detailed below. Quarterly Grant Progress Report forms will be provided by the Office.

Quarterly reports shall be submitted beginning October 15, 2012 and the 15th of the month after each quarter ends thereafter.

- F. The Grantee shall assure that these records are available at all reasonable times for inspection, review or audit by Office personnel and other personnel authorized by the Office. The inspection will be conducted during regular business hours and with 24-hour notification to the Grantee. The Office reserves the right to unilaterally cancel this grant for refusal by the grantee to allow public access to all documents, papers, letters, or other material subject to this grant.
- G. Grantee shall obtain all necessary state, federal and/or local permits required for construction and/or operation of collection facilities.
- H. No travel expenses will be paid under this agreement.
- I. The grantees shall not provide any DHEC grant funds to private sector recycling programs unless specifically contracting for goods or services.
- J. Obligations on any outstanding Solid Waste Management Grant must be fulfilled before any reimbursements are made on a new Solid Waste Management Grant unless otherwise approved by the Office.
- K. All signs and educational material must be pre-approved by the Office prior to production or printing. Draft signs and educational material should be submitted using the Promotional/Educational Approval Verification Form supplied by the Office. The Office reserves the right to deny reimbursement for any material that has not been pre-approved. Approval for activities described in the grant application does not constitute approval of specific educational materials.
- L. The Grantee must provide documentation that the county owns or has a signed lease agreement for any land that may be used in conjunction with the project before any equipment can be purchased.
- M. Equipment and/or supplies having a value of \$1,000.00 or greater will remain the property of the Grantee.
- N. Equipment is defined as items of a permanent nature that can be used continuously and with a useful life of two years, and a cost over \$1,000.00. Transportation, installation charges and sales tax on equipment are a part of the cost of equipment. Equipment purchased is to be utilized during the sub-recipient grant agreement period and maintained per manufacturer's recommendations. Equipment is to be utilized for the full manufacturer's life expectancy.
- O. Any change to this Grant Agreement is considered an amendment to the grant agreement, which must be mutually agreed to and executed in the same manner as the grant agreement.
- P. The term of this grant is upon execution through June 30, 2013. Grantees may apply for two 90-day extensions. Extensions must be requested in writing and approved by the Office thirty days before the end of the Grant period. Allowable costs may be charged to this agreement only during the term of this agreement.
- Q. None of the work or services covered by this Contract shall be subcontracted without the prior written approval of DHEC.

The Grantee's procurement policy may be reviewed to assure that it is as restrictive as these standards and that it provides fair and open competition.

a. Small purchases under \$25,000:

- (1) Up to \$1,500.00 - A single quote is acceptable if price is certified fair and reasonable.
- (2) \$1,501.00 to \$5,000.00 - Solicit verbal or written quotes from a minimum of three qualified sources. Document the solicitation of quotes.
- (3) \$5,001.00 to \$10,000.00 - Solicit written quotes from a minimum of three qualified sources. Document the solicitation of quotes.
- (4) \$10,001.00 to \$25,000.00 - Solicit written quotes from a minimum of five qualified sources.

b. Purchases \$25,000.00 and Over

- (1) Prepare an invitation for bids and solicit competitive sealed bids.
- (2) The invitation for bids must be issued by written notification of qualified sources on a bidders' list and by advertisement in a newspaper of general circulation in the state, a trade journal or *South Carolina Business Opportunities*, allowing a reasonable time prior to bid opening.

2. Sole source justifications exceeding \$1,500.00 must be in writing and have approval prior to contract implementation.
3. The grantee shall procure products and materials with recycled content where practicable. The decision not to procure such items shall be based on a determination that such procurement items are not available within a reasonable period of time, fail to meet performance standards or are only available at a price that exceeds by more than seven and one-half percent the price of alternative items.

C. Contracts under the Grant

The Grantee shall submit to the Office for Pre-award review any contract over \$5,000.00 for work or services covered by this Grant. The submission shall be accompanied by a copy of all proposals or bids submitted.

D. Conflict of Interest.

Personnel or other officials connected with this grant shall adhere to the requirements given below.

1. Advice: No official or employee of a local government or of non-government subgrantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice,

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

- I. **Insurance**
Each of the parties agrees to maintain professional, malpractice and general liability insurance, and may be required to provide the other with satisfactory evidence of such coverage. Neither party will provide individual coverage for the other party's employees, with each party being responsible for coverage of its respective employees.
- J. **Debarment**
Grantee certifies that they have not been debarred or suspended under OMB Circular A-133 Compliance Supplement or otherwise from doing business with any governmental entity.
- K. **Drug-Free Workplace**
Grantee certifies that, if awarded a grant, they will comply with all applicable provisions of The Drug-free Workplace Act, Title 44, Chapter 107 of the South Carolina Code of Laws, as amended.
- L. **Discrimination**
No person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in relation to activities carried out under this contract on the grounds of race, age, health status, handicap, color, sex, religion or national origin. This includes the provision of language assistance services to individuals of limited English proficiency eligible for services provided by DHEC.
- M. **Utilization of Minority Businesses.**
Grantee must agree to make positive efforts to use small and minority owned businesses and individuals. DHEC Form 128 is for use in providing this information.
- N. **Reimbursements to DHEC**
In the event Grantee fails to perform the services described herein and has previously received financial assistance from DHEC, Grantee shall reimburse DHEC to the full extent of payments made. However, if the services described herein are partially performed, and Grantee has previously received financial assistance from DHEC, Grantee shall proportionally reimburse DHEC for payments made.
- O. **Preventing and Reporting Fraud, Waste And Abuse**
DHEC has procedures and policies concerning the prevention and reporting of fraud, waste and abuse (FWA) in agency-funded programs, including but not limited to those funded by federal grants such as Medicaid. No agency employee, agent, or contractor shall direct, participate in, approve, or tolerate any violation of federal or state laws regarding FWA in government programs.

Federal law prohibits any person or company from knowingly submitting false or fraudulent claims or statements to a federally funded program, including false claims for payment or conspiracy to get such a claim approved or paid. The

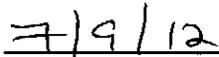
IV. OFFER AND ACCEPTANCE

The State of South Carolina, acting by and through the Office of Solid Waste Reduction and Recycling (DHEC), hereby offers assistance to the local government of Lexington County for all allowable costs incurred up to and not exceeding \$5,000.00.

THE OFFICE OF SOLID WASTE REDUCTION AND RECYCLING (DHEC):



Elizabeth A. Dieck
Director of Environmental Affairs



Date

BY AND ON BEHALF OF THE DESIGNATED LOCAL GOVERNMENT:

Signature of Authorized Representative

Date

Signature of Contact Person

Date

Signature of Financial Representative

Date

County of Lexington

Department of Solid Waste Management

498 Landfill Lane

Lexington, South Carolina 29073

Telephone: (803) 755-3325

Facsimile: (803) 755-3833

To: Adam DuBose, County Grants Manager
From: Amanda St. John, Recycling Coordinator
Date: July 12, 2012
Re: DHEC Used Oil Grant Application

Solid Waste Management is requesting Council committee approval to accept \$59,939 from DHEC's used oil grant program.

This grant funding will be used to purchase three 500-gallon oil/gas mixture tanks, five 120-gallon oil bottle containers, twelve containment platforms, one carport cover and one concrete slab. Funding for professional development and public education are also being requested.

Because of the abbreviated summer council schedule, we ask that the Solid Waste Committee report out and send to the 4:30 Council meeting on July 24, 2012.

We appreciate your understanding and consideration of this matter. If you have any questions, please let me know.

**COUNTY OF LEXINGTON
DHEC USED OIL GRANT
Annual Budget
Fiscal Year - 2012-13**

Object Code	Revenue Account Title	Actual 2010-11	Received Thru May 2011-12	Amended Budget Thru May 2011-12	Projected Revenues Thru Jun 2011-12	Requested 2012-13	Approved 2012-13	Awarded 2012-13
*DHEC Used Oil Grant 5722:								
Revenues:								
458000	State Grant Income	19,075	30,897	34,360	34,360	71,605	71,605	59,939
805700	Op Trn from Solid Waste	0	0	0	0	0	0	0
** Total Revenue		19,075	30,897	34,360	34,360	71,605	71,605	59,939
***Total Appropriation					34,360	71,605	71,605	59,939
FUND BALANCE								
Beginning of Year					0	0	0	0
FUND BALANCE - Projected								
End of Year					0	0	0	0

Fund: 5722
Division: Public Works
Organization: 121207 - Solid Waste / Recycling

Object Expenditure Code	Classification	2010-11 Expend	2011-12 Expend (May)	2011-12 Amended (May)	2012-13 Requested	2012-13 Approved	2012-13 Awarded
BUDGET							
Operating Expenses							
520400	Advertising and Publicity	2,797	800	2,000	2,000	2,000	2,000
521200	Operating Supplies	14,772	6,868	7,542	7,400	7,400	7,400
521213	Public Education Supplies	844	328	3,000	3,000	3,000	3,000
525210	Conference, Meeting & Training Expense	662	995	1,000	750	750	750
* Total Operating		19,075	8,991	13,542	13,150	13,150	13,150
**Total Personnel & Operating		19,075	8,991	13,542	13,150	13,150	13,150
Capital							
599999	Capital Clearing	(30,524)	0	0	0	0	0
	All Other Equipment	30,524	20,809	20,818			
5AD291	(3) 500 Gallon Oil/Gas Mixture Tanks				33,997	33,997	33,997
5AD292	(1) Carport Cover				2,675	2,675	2,675
5AD293	Concrete Slab				4,280	4,280	4,280
5AD294	(5) 120 Gallon Oil Bottle Containers				2,408	2,408	2,408
5AD295	(12) Containment Platforms				3,429	3,429	3,429
5AD296	Construction (Expansion of Recycling Loading Dock)				11,666	11,666	0
**Total Capital		0	20,809	20,818	58,455	58,455	46,789
** Total Appropriation		19,075	29,800	34,360	71,605	71,605	59,939

SECTION V – PROGRAM OVERVIEW

Summary of Programs

DHEC Used Oil Recycling Grant

Objective:

This program is a proposed grant application with South Carolina Department of Health and Environmental Control (DHEC). Funding is being requested to maintain and upgrade each site, educate our residents about the program and provide training for our County staff.

Obtain funding to purchase (3) 500-gallon oil/gas mixture tanks, (1) Carport Cover, (1) Concrete Slab, (5) 120-gallon oil bottle containers, (12) Containment platforms. Also requested are oil bottle bags and other operating supplies.

Funding will also help educate the public about our program by developing and printing a used oil recycling brochure, running advertisements in the newspaper and placing billboards in visible areas.

Finally, funding will be used to send staff to conferences and workshops.

SECTION VI. – LINE ITEM NARRATIVES

SECTION VI. A. – SUMMARY OF REVENUES

458000 – State Grant Income **\$59,939**

SECTION VI. C. - OPERATING LINE ITEM NARRATIVES

520400 - ADVERTISING AND PUBLICITY **\$2,000**

(1) Advertisement in Neighbors section of The State newspaper promoting the county's used oil recycling program. (1 newspaper advertisement x \$515.00 each = \$515.00).

(3) Billboard advertisements placed in various locations around the county promoting the recycling of used motor oil. (3 billboards x \$495.00 each = \$1,485).

521200 - OPERATING SUPPLIES **\$7,400**

(20) Boxes of Oil Bottle Bags (Box of 100) x \$370/Box = \$7,400

These bags are used to line oil bottle recycling containers used for the collection and recycling of oil bottles from the County's 11 collection and recycling Centers.

521213 - PUBLIC EDUCATION SUPPLIES **\$3,000**

(10,000) Used Oil Recycling Brochures

Brochures printed on recycled paper to educate residents about Lexington County's used oil recycling program. The brochures will be distributed via mail, presentations, special events, collection and recycling centers. (10,000 x 0.30each = \$3,000)

525210 – CONFERENCE, MEETING & TRAINING EXPENSES **\$750**

The \$750 professional development allotment will be used toward staff attendance at the Carolina Recycling Association Annual Meeting.

SECTION VI. D. –CAPITAL LINE ITEM NARRATIVES

5AD291 - (3) 500- GALLON OIL/GAS MIXTURE TANK **\$33,997**

Purchase of (3) 500-gallon Oil/Gas Mixture Tanks for the Pelion, Riverchase and Sandhills Collection and Recycling Centers. (3Tanks x \$9,890 each + tax = \$31,746.90 + \$750 (each) installation = \$33,996.90)

5AD292 - (1) CARPORT COVER **\$2,675**

Purchase of (1) Carport Cover for the expansion of the oil pad at the new Landfill Recycling Center. (1Carport Cover x \$2,500.00 + tax = \$ 2,675.00)

5AD293 - CONCRETE SLAB **\$4,280**

Purchase and installation of a concrete slab for the expansion of the oil pad at the Landfill Recycling Center. (1 Concrete pad x \$4,000 + tax = \$4,280.00)

5AD294 - (5) 120 GALLON OIL BOTTLE CONTAINERS **\$2,408**

Purchase of (5) 120- gallon oil bottle containers for Collection and Recycling Centers. (5 Oil bottle containers x \$450 each + tax = \$ 2,408.00)

5AD295 - (12) CONTAINMENT PLATFORMS **\$3,429**

Purchase of containment platforms for safe storage of oil bags, 55-gallon drums for oil bottles and filters. (12 Platforms x 267.00 + tax = \$3,429)



Catherine B. Templeton, Director

Promoting and protecting the health of the public and the environment

July 11, 2012

Joe Mergo
Lexington County
212 South Lake Drive
Lexington, SC 29072

Dear Mr. Mergo,

The Office of Solid Waste Reduction and Recycling is pleased to inform you that Lexington County has been awarded a FY2013 Used Oil Grant. Enclosed please find the **original** grant agreement. This must be signed and returned to our Office within ten days.

Please pay particular attention to the scope section of the grant agreement. This portion details the expenses that can be reimbursed. In addition, note carefully the information contained in the special terms and conditions section. This section provides guidelines specific to this grant program.

Unfortunately, the application was not funded exactly as requested. Due to budget limitations, the loading dock was not approved.

All purchases made under the scope of the grant, with the exception of contractor costs and professional development, must be requisitioned, purchased or procured by the end of the third quarter unless otherwise approved by the Office.

To accept the offer of this grant, please return the signed grant agreement to our office. An applicant wishing to appeal this offer may file a request for a review by the Solid Waste Advisory Council. Requests must be made in writing within 30 days of receipt of this award notification.

You may not begin work under the terms of your grant until the office is in possession of the signed agreement. The office will mail you a notification when we receive the signed grant agreement.

Please send your signed grant agreement to Jana White, DHEC Office of Solid Waste Reduction and Recycling, 2600 Bull St., Columbia, SC 29201.

Congratulations on your award. Please call me at 803/896-4221 or Sharon Thompson at 803/896-4227 if you have questions concerning this or any other grant. We appreciate your recycling efforts and look forward to working with you this coming year.

Sincerely,

Jana White

Enclosures

cc: Amanda St. John
Larry Porth



Contract #: EQ-3-556

Catherine B. Templeron, Director

Promoting and protecting the health of the public and the environment

**USED OIL RECYCLING GRANT AGREEMENT
Section 44-96-160, S.C. Code of Laws**

GRANT NOTIFICATION INFORMATION

Grantee: Lexington County

Mailing Address: 212 South Lake Drive
Lexington 29072

Grant Number: 32WO13

Grant Execution Date: The later of July 1, 2012 or upon obtaining the final signature on this grant agreement.

Grant Ending Date: June 30, 2013

Grant Amount: \$59,939.00

Authorized Representative: Joe Mergo
Phone Number: (803) 785-8100
FAX Number: (803) 785-8101

Contact Person: Amanda St. John
Address: 498 Landfill Lane
Lexington 29073
Phone Number: (803) 785-3340
FAX Number: (803) 755-3325

Financial Officer: Larry Porth
Address: 212 South Lake Drive
Lexington 29072
Phone Number: (803) 785-8105
FAX Number: (803) 785-8379

Page 1 of 11

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF SOLID WASTE REDUCTION & RECYCLING
GRANT INSTRUMENT

I. SCOPE OF SERVICES STATEMENT

A. INTRODUCTION

The Department of Health and Environmental Control (DHEC), Office of Solid Waste Reduction and Recycling (hereinafter referred to as the Office), is the administrative agency for used oil recycling projects approved for expenditure of funds under the Used Oil Recycling Grant Program. The Used Oil Recycling Grant Program is mandated under the South Carolina Solid Waste Policy and Management Act of 1991. Lexington County submitted to the Office on April 6, 2012 an application for used oil recycling funds.

A maximum of \$59,939.00 will be granted for this project to the government of Lexington County (hereinafter referred to as the Grantee).

B. SCOPE OF WORK

Funds will be used for the continuation of the used motor oil recycling program for county residents that change their own oil. Supply funds will be used to purchase high density plastic bags to line the drums for the collection of used oil bottles at all eleven collection and recycling centers.

Oil/gas mixture tanks will be placed inside of fenced, staffed recycling centers at the Pelion, River Chase and the Sandhills sites. All tanks will have secondary containment and be installed on an existing concrete pad with an existing carport cover of sufficient size to limit rainwater from entering the containment area. A carport cover and concrete pad will be purchased to accommodate the larger farmer oil tank at the new recycling area at the Edmund landfill. Five 120-gallon replacement oil bottle containers will be purchased and placed at the county's collection and recycling centers for oil bottle recycling. All oil collected will be recycled or burned for energy recovery in a DHEC approved manner. The facility may not begin collecting oil/gas mixtures until approval by the appropriate local fire official or the State Fire Marshal's Office.

Twelve containment platforms for storage and safe containment of oil/filter bags, oil bottles and 55-gallon drums will be purchased and used at the oil bottle collection area at the Edmund Landfill as well as the collection centers.

Oil bottle drain racks will be placed at the county recycling centers noted above for use by county residents or county staff. Oil bottles will be drained and recycled along with other HDPE plastics.

County staff will ensure that all used motor oil and related items collected in this program are recycled or reused. End markets and total annual tonnages for all materials collected as a result of this grant will be reported in the final report.

Public education funds will be used for used oil and recycling related promotional activities to include design, printing, and distribution of informational materials as pre-approved by the Office.

Funds will be used for professional development including travel to recycling conferences or trainings. Professional development must be requested in writing and may be approved up to

II. SPECIAL TERMS AND CONDITIONS

- A. The Grantee's authorized representative, the financial administrator and contact person must sign the grant instrument and return the original to the Office.
- B. Grants shall not be provided to any local government or region that does not demonstrate a good faith effort to meet the requirements of the Solid Waste Policy and Management Act of 1991.
- C. The Grantee must submit the appropriate reports as required under the guidelines of the Solid Waste Policy and Management Act of 1991 to participate in the program. All recycling projects must be consistent with the county or region plan submitted to DHEC.
- D. The Grantee must maintain a file with copies of related documents including, but not limited to, copies of the application, the grant agreement, all expenditure information, vouchers, receipts, solicitation notices, contracts, subcontracts, leases, travel and public education preapprovals, agreements and legal documents for inspection and review by the Office.
- E. Records with respect to all matters covered by this Grant Agreement shall be retained by the Grantee for 6 years after the end of the grant period, and shall be available for audit and inspection at any time such audit is deemed necessary by DHEC. If audit has begun but is not completed at the end of the 6-year period, or if audit findings have not been resolved at the end of the 6-year period, the records shall be retained until resolution of the audit findings.
- F. The Grantee shall assure that these records are available at all reasonable times for inspection, review or audit by Office personnel and other personnel authorized by the Office. The inspection will be conducted during regular business hours and with 24-hour notification to the Grantee. The Office reserves the right to unilaterally cancel this grant for refusal by the grantee to allow public access to all documents, papers, letters, or other material subject to this grant.
- G. Grantee shall obtain all necessary state, federal and/or local permits required for construction and/or operation of collection facilities.
- H. The Grantee's travel expenses, including room and board, incurred in connection with the services described in the Scope of Services will be limited to reimbursement at the standard State rate in effect during the period of this agreement and will be included within the maximum amount of the contract.

The State of South Carolina's standard rate for hotels will be at the established federal Government Services Administration rate or below for the area of travel. These rates can be found <http://www.gsa.gov>.

The Grantee must submit lodging receipts showing a zero balance when seeking reimbursement. Prior to submitting any invoices for reimbursements of out-of-state travel, the Grantee must submit a written request for approval of out-of state travel and receive written approval of out-of-state travel. The request for approval must include a breakdown of all proposed travel expenses including, but not limited to, airfare, registration, and lodging and an explanation of how the travel is related to the activities described in the Scope of Services.

- I. The Grantee shall not provide any DHEC grant funds to private sector recycling programs unless specifically contracting for goods or services.

- V. DHEC shall have sole ownership and copyright for any tangible product (report, survey, film, etc.) developed under this grant.
- W. By signing this agreement, the Grantee certifies that he/she is not now nor has been within the last two years an employee of a South Carolina State Agency.
- X. All new and existing used oil collection sites must be registered with the DHEC. No reimbursements will be made to the grantee until all sites owned or operated by the grantee or by local governments within the Grantee's county have been registered.
- Y. Grantees that own or operate used oil collection centers must ensure that their used oil and oil/gas mixtures are transported only by transporters who have obtained a DHEC identification number and a registration from the DHEC.
- Z. Grantees that own or operate used oil collection centers must comply with the generator standards in Subpart C of regulation R. 61-107.279.
- AA. The grantee will be responsible for ensuring that used oil and/or oil/gas mixtures transported from the used oil collection centers is recycled at an approved facility. The grantee is also responsible for ensuring that used oil filters and oil bottles collected under this grant are recycled.
- BB. Grantees that own or operate used oil collection facilities must notify the DHEC in writing if they intend to cease the collection of used oil, oil/gas mixtures, oil filters or oil bottles.
- CC. Containers and tanks used to store used oil at collection centers must be equipped with a secondary containment system capable of retaining the volumetric contents of the largest tank or container.
- DD. The primary containment system used to store used oil and oil/gas mixtures at collection centers must be constructed of metal.
- EE. The secondary containment system must consist of, at a minimum: (a) dikes, berms, retaining walls or similar structures and (b) a floor. The floor must cover the entire area within the dikes, berms, retaining walls or similar structures. On some tanks, the secondary containment may be a built-in feature of the tank.
- FF. The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.
- GG. Oil collection tanks, containment systems, oil bottle collection containers, oil bottle drain racks and oil filter collection containers are to be placed on a concrete pad under a cover of a size sufficient to prevent rainwater from collecting in the containment basin and to prevent any used oil from migrating into the environment.
- HH. Oil collection facilities that collect oil/gas mixtures shall operate within guidelines specified by NFPA 30 requirements, other NFPA requirements and other applicable codes as specified by the appropriate fire official. These requirements include, but are not limited to, those related to grounding, tank construction, tank placement and operating procedures. Any additional local requirements must also be met.
- II. Oil collection facilities may not begin collecting oil/gas mixtures until approval has been granted by the appropriate local fire official or the State Fire Marshal's Office.

- (1) Prepare an invitation for bids and solicit competitive sealed bids.
 - (2) The invitation for bids must be issued by written notification of qualified sources on a bidders list and by advertisement in a newspaper of general circulation in the state, a trade journal or *South Carolina Business Opportunities*, allowing a reasonable time prior to bid opening.
2. Sole source justifications in excess of \$1,500.00 must be certified in writing and maintained with other procurement documentation.
 3. The grantee shall procure products and materials with recycled content where practicable. The decision not to procure such items shall be based on a determination that such procurement items are not available within a reasonable period of time, fail to meet performance standards or are only available at a price that exceeds by more than seven and one-half percent the price of alternative items.
- C. **Contracts under the Grant**
The Grantee shall submit to the Office for Pre-award review any contract for more than \$5,000 for work or services covered by this Grant. The submission shall be accompanied by a copy of all proposals or bids submitted.
- D. **Conflict of Interest**
Personnel or other officials connected with this grant shall adhere to the requirements given below.
1. Advice: No official or employee of a local government or of non-government sub-grantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise in any proceeding, application, request for a ruling or other determination, contract, cooperative agreement, claim, controversy or other particular matter in which these funds are used, where to his knowledge he or his immediate family, partners, organization with which he is involved or negotiating with, has a financial interest.

No DHEC employee shall participate in the completion of, be responsible for, participate personally through decision, approval, disapproval, the completion of the application, or be directly involved or responsible for the implementation of the grant project.
 2. Appearance: In the use of these grant funds, officials or employees of local governments and non-government sub-grantees shall avoid any action which might result in or create the appearance of:
 - 1) Using his official position for private gain;
 - 2) Giving preferential treatment to any person;
 - 3) Losing complete independence or impartiality;
 - 4) Making an official decision outside official channels, or
 - 5) Affecting adversely the confidence of the public in the integrity of the State government or the program.
- E. **Disputes**
The Agreement, any dispute, claim, or controversy related to the Agreement and all the rights and obligations of the parties shall, in all respects, be interpreted, construed, enforced and governed by and under the laws of the State of South Carolina, except its

- d. The penalties that may be imposed upon employees for drug violations;
- 3. Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by item 1.;
- 4. Notifying the employee in the statement required by item a., that as a condition of employment on the contract or grant, the employee will:
 - a. Abide by the terms of the statement and
 - b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after the conviction;
- 5. Notifying DHEC within 10 days after receiving notice under item 4.(b) from an employee or otherwise receiving actual notice of the conviction;
- 6. Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee convicted, as required by Section 44-107-50 (SC Code of Laws); and
- 7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of items 1, 2, 3, 4, 5 and 6.

L. Discrimination

No person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in relation to activities carried out under this contract on the grounds of race, age, health status, handicap, color, sex, religion or national origin. This includes the provision of language assistance services to individuals of limited English proficiency eligible for services provided by DHEC.

M. Utilization of Minority Businesses

Grantee must agree to make positive efforts to use small and minority owned businesses and individuals. DHEC Form 128 is for use in providing this information.

N. Reimbursements to DHEC

In the event Grantee fails to perform the services described herein and has previously received financial assistance from DHEC, Grantee shall reimburse DHEC to the full extent of payments made. However, if the services described herein are partially performed, and Grantee has previously received financial assistance from DHEC, Grantee shall proportionally reimburse DHEC for payments made.

O. Preventing and Reporting Fraud, Waste And Abuse

DHEC has procedures and policies concerning the prevention and reporting of fraud, waste and abuse (FWA) in agency-funded programs, including but not limited to those funded by federal grants such as Medicaid. No agency employee, agent, or contractor shall direct, participate in, approve, or tolerate any violation of federal or state laws regarding FWA in government programs.

Federal law prohibits any person or company from knowingly submitting false or fraudulent claims or statements to a federally funded program, including false claims for payment or conspiracy to get such a claim approved or paid. The False Claims Act includes "whistleblower" remedies for employees who are retaliated against in their employment for reporting violations of the Act. Under State law, persons may be criminally prosecuted for false claims made for health care benefits, for Medicaid fraud, for insurance fraud, or for using a computer in a fraud scheme or to obtain money or services by false representations. Additional information regarding the federal and state laws prohibiting

IV. OFFER AND ACCEPTANCE

The State of South Carolina, acting by and through the Office of Solid Waste Reduction and Recycling (DHEC), hereby offers assistance to the local government of Lexington County for all allowable costs incurred up to and not exceeding \$59,939.00.

THE OFFICE OF SOLID WASTE REDUCTION AND RECYCLING (DHEC):

Elizabeth A. Dieck
Elizabeth A. Dieck, Director of Environmental Affairs

7/19/12
Date

BY AND ON BEHALF OF THE DESIGNATED LOCAL GOVERNMENT:

Signature of Authorized Representative

Date

Signature of Contact Person

Date

Signature of Financial Representative

Date

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AN ORDINANCE

No. 12-10

FINDING THAT THE RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT MAY ISSUE NOT EXCEEDING \$32,000,000 GENERAL OBLIGATION BONDS; TO AUTHORIZE THE RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT TO ISSUE SUCH BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION.

WHEREAS, by action previously taken, the County Council of Lexington County, the governing body of Lexington County (the "County Council"), ordered that a public hearing on the question of the issuance of not exceeding \$32,000,000 general obligation bonds of the Richland-Lexington Riverbanks Parks District be held in the Lexington County Council Chambers, Lexington County Administration Building, at _____ on _____, 2012, and notice of such hearing has been duly published once a week for three successive weeks in *The State* and in *The Lexington County Chronicle*, newspapers of general circulation in Lexington County; and

WHEREAS, the said hearing has been duly held at the above time, date and place and said public hearing was conducted publicly and both proponents and opponents of the proposed action were given full opportunity to be heard and it is now in order for the County Council to proceed, after due deliberation, in accordance with the provisions of Act No. 1189 enacted at the 1974 Session of the South Carolina General Assembly approved July 9, 1974, now codified as Article 5 of Chapter 11 of Title 6 (Sections 6-11-810 through 6-11-1050, inclusive) (the "Enabling Act") to make a finding as to whether not exceeding \$32,000,000 general obligation bonds of the Richland-Lexington Riverbanks Parks District (the "District") should be issued.

NOW THEREFORE, BE IT ORDAINED, by the County Council of Lexington County in meeting duly assembled:

Section 1. It is found and determined that each statement of fact set forth in the preambles of this Ordinance is in all respects true and correct.

Section 2. On the basis of the facts adduced at the public hearing held on August 28, 2012, it is found and determined that the Riverbanks Parks Commission (the "Commission"), the governing body of the District, should be authorized to issue not exceeding \$32,000,000 general obligation bonds of the District.

Section 3. The County Council finds that the Commission should issue general obligation bonds of the District in an amount not exceeding \$32,000,000 as a single issue or from time to time as several separate issues, as the District shall determine.

Section 4. The County Council hereby authorizes the Commission to issue general obligation bonds of the District in an aggregate principal amount of not exceeding \$32,000,000 as a single issue or from time to time as several separate issues, as the Commission shall determine, for the purpose of defraying the cost of the following improvements to the facilities of the District:

- a. HVAC and energy management system upgrades;
- b. Parking lots and road systems repairs, improvements and extensions;
- c. Roof repairs and replacement;
- d. Refurbishment of gunite structures;
- e. Upgrade IT network;
- f. Emergency communication and video surveillance systems;
- g. Replacement of restrooms, gift shop, and snack bar, and expansion of restaurant;
- h. Replacement of entryway and ticketing facilities;
- i. New children's garden;
- j. Interactive animal demonstration area;
- k. New sea lion exhibit, and repair and replacement of other animal exhibits as necessary;
- l. Acquisition of buildings on Rivermont Drive;
- m. Renovation of canal fountain in the botanical garden; and
- n. Relocate tram stop and acquire additional tram cars.

For the payment of the principal of and interest on such bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied annually a tax without limit on all taxable property within the area of the District sufficient to pay such principal of and interest on the said bonds as they respectively mature, and to create such sinking fund.

Section 5. Pursuant to Section 6-11-870 of the Enabling Act, notice of the action herewith taken shall be given in the form substantially as set forth in Exhibit A attached hereto. Such notice shall be published once a week for three successive weeks in *The State* and *The Lexington County Chronicle*, newspapers of general circulation in Lexington County.

Section 6. The Chairman and other officers of the County Council are herewith authorized and empowered to take such further action as may be necessary to fully implement the action taken by this Ordinance.

Section 7. A certified copy of this Ordinance shall forthwith be transmitted to the Commission to advise it of the action taken by the County Council, whereby the Commission has been authorized to issue, pursuant to the provisions of the Enabling Act, its general obligation bonds in the aggregate principal amount of not exceeding \$32,000,000.

DONE AT LEXINGTON, SOUTH CAROLINA, this _____ day of _____, 2012.

(SEAL)

Chairman, County Council of Lexington County,
South Carolina

Attest:

Clerk, County Council of
Lexington County

First Reading: _____, 20__

Second Reading: _____, 20__

Public Hearing: _____, 20__

Third Reading: _____, 20__

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

NOTICE PURSUANT TO SECTION 6-11-870
CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED

Notice is hereby given pursuant to the provisions of Section 6-11-870 Code of Laws of South Carolina, 1976 and following a public hearing held on August 28, 2012, that the County Council of Lexington County has found that:

1. The Richland-Lexington Riverbanks Parks District (the "District") created by Act No. 1207 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1970, as amended, has been authorized to issue not exceeding \$32,000,000 general obligation bonds of the District either as a single issue or as several separate issues, for the purpose of defraying the cost of the following improvements to the facilities of the District:

- a. HVAC and energy management system upgrades;
- b. Parking lots and road systems repairs, improvements and extensions;
- c. Roof repairs and replacement;
- d. Refurbishment of gunite structures;
- e. Upgrade IT network;
- f. Emergency communication and video surveillance systems;
- g. Replacement of restrooms, gift shop, and snack bar, and expansion of restaurant;
- h. Replacement of entryway and ticketing facilities;
- i. New children's garden;
- j. Interactive animal demonstration area;
- k. New sea lion exhibit, and repair and replacement of other animal exhibits as necessary;
- l. Acquisition of buildings on Rivermont Drive;
- m. Renovation of canal fountain in the botanical garden; and
- n. Relocate tram stop and acquire additional tram cars.

(collectively, the "Improvements"). It is estimated that the total cost of designing, constructing, renovating and equipping the Improvements will amount to approximately \$32,000,000. The Improvements consist of renovation and expansion of existing structures, construction of new facilities, and demolition of certain existing facilities to facilitate new construction.

For the payment of the principal of and interest on such bonds as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the Richland-Lexington Riverbanks Parks District shall be irrevocably pledged, and there shall be levied annually a tax without limit on all taxable property within the area of the District sufficient to pay such principal and interest and to create such sinking fund.

2. No election has been ordered in the Richland-Lexington Riverbanks Parks District upon the question of the issuance of the aforesaid bonds.

Any person affected by the action aforesaid of the County Council of Lexington County may by action de novo instituted in the Court of Common Pleas for Lexington County within twenty (20) days following the last publication of this Notice but not afterwards challenge the action of the County Council of Lexington County.

COUNTY COUNCIL OF LEXINGTON COUNTY

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

I, the undersigned, Clerk of the County Council of Lexington County, South Carolina, DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance which was given three readings on three separate days, with an interval of not less than seven days between the second and third readings. The original of this Ordinance is duly entered in the permanent records of minutes of meetings of the County Council, in my custody as such Clerk.

That each of said meetings was duly called, and all members of the County Council were notified of the same; that a majority of the membership were notified of each meeting and remained throughout the proceedings incident to the adoption of this Ordinance.

That each of the meetings were regular meetings of the County Council, for which notice had been previously given pursuant to and in conformity with Chapter 4, Title 30 of the Code of Laws of South Carolina 1976, as amended (the "Freedom of Information Act").

The original of the Ordinance is duly entered in the permanent records of the County in my custody as Clerk.

The Ordinance is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of the County, this ____ day of _____, 2012.

(SEAL)

Clerk to County Council,
Lexington County, South Carolina

First Reading: _____, 20__

Second Reading: _____, 20__

Public Hearing: _____, 20__

Third Reading: _____, 20__

A RESOLUTION
R12-5

CALLING FOR A PUBLIC HEARING TO BE HELD UPON THE QUESTION OF THE ISSUANCE OF NOT EXCEEDING \$32,000,000 OF GENERAL OBLIGATION BONDS OF RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT, SOUTH CAROLINA AND TO PROVIDE FOR THE PUBLICATION OF THE NOTICE OF SUCH HEARING.

BE IT RESOLVED, by the Lexington County Council (the "County Council"), the governing body of Lexington County, South Carolina (the "County"):

WHEREAS, the County Council is empowered by Act No. 1189 enacted at the 1974 Session of the South Carolina General Assembly entitled:

AN ACT TO AUTHORIZE THE GOVERNING BODIES OF ALL COUNTIES OF THE STATE WHEREIN EXIST SPECIAL PURPOSE DISTRICTS CREATED PRIOR TO MARCH 7, 1973, TO ISSUE BONDS OF SUCH DISTRICTS IN FURTHERANCE OF POWERS EXISTING IN SUCH DISTRICTS AS OF MARCH 7, 1973; TO PROVIDE THE PROCEDURES PURSUANT TO WHICH SUCH BONDS MAY BE ISSUED; TO PRESCRIBE THE TERMS AND CONDITIONS UNDER WHICH BONDS MAY BE ISSUED AND THEIR PROCEEDS EXPENDED; TO MAKE PROVISION FOR THE PAYMENT OF SUCH BONDS AND TO VALIDATE ALL BONDS OF SUCH DISTRICTS ISSUED OR SOLD PRIOR TO THE EFFECTIVE DATE OF THIS ACT

approved July 9, 1974, as amended (the "Enabling Act"), to authorize the governing body of any special purpose district created prior to March 7, 1973 and located in whole or in part within the County to issue general obligation bonds of such special purpose district, the proceeds of which shall be used in the furtherance of any power or function committed to such special purpose district and in effect on March 7, 1973; and

WHEREAS, the Richland-Lexington Riverbanks Parks District (the "District"), a special purpose district created prior to March 7, 1973 (having been created by Act No. 1207 of the Acts of the General Assembly of the State of South Carolina for the year 1970, as amended) and located within the Counties of Richland and Lexington with the function of planning, establishing, developing, constructing, enlarging, improving, maintaining, equipping, staffing, operating, regulating, and protecting public recreational and zoo facilities within the territory in the counties of Richland and Lexington contiguous to the Saluda River and the Congaree River from Highway I-26 on the north to Granby Locks on the South, has petitioned the County Council to authorize the issuance of not exceeding \$32,000,000 of general obligation bonds of the District in order to raise moneys to defray the costs of the following improvements to the facilities of the District:

- a. HVAC and energy management system upgrades;
- b. Parking lots and road systems repairs, improvements and extensions;
- c. Roof repairs and replacement;
- d. Refurbishment of gunite structures;
- e. Upgrade IT network;
- f. Emergency communication and video surveillance systems;
- g. Replacement of restrooms, gift shop, and snack bar, and expansion of restaurant;
- h. Replacement of entryway and ticketing facilities;
- i. New children's garden;

- j. Interactive animal demonstration area;
- k. New sea lion exhibit, and repair and replacement of other animal exhibits as necessary;
- l. Acquisition of buildings on Rivermont Drive;
- m. Renovation of canal fountain in the botanical garden; and
- n. Relocate tram stop and acquire additional tram cars.

WHEREAS, the County Council is now minded to proceed in accordance with the provisions of the Enabling Act with respect to the issuance of such general obligation bonds.

Section 1. The County Council finds that it may be in the interest of the District to raise moneys for the purpose of providing for the foregoing improvements, and in that connection hereby orders a public hearing to be held upon the question of the issuance of not exceeding \$32,000,000 general obligation bonds of the District.

Section 2. A public hearing shall be held on the question of the issuance of not exceeding \$32,000,000 of general obligation bonds of the District in the County Council Chambers, Lexington County Administration Building, 212 S. Lake Drive, Lexington, South Carolina, beginning at 6:00 p.m. on the 28th day of August, 2012. A Notice of Public Hearing substantially in the form attached hereto as Exhibit A shall be published once a week for three (3) successive weeks in *The State* and in *The Lexington County Chronicle*, newspapers of general circulation in the District. The first such publication shall not be less than sixteen (16) days prior to the hearing date.

Section 3. The aforesaid hearing shall be conducted publicly at the time and place above stated, and both proponents and opponents of the proposed bond issue shall be given a full opportunity to be heard in person or by counsel.

Section 4. Following the above aforesaid public hearing, the County Council will determine whether and to what extent the proposed bonds should be issued. If the County Council determines that the proposed bonds should be issued, County Council shall authorize the issuance of such bonds by Ordinance, which Ordinance may be given first and second readings prior to the aforesaid public hearing.

Section 5. The Chairman of the County Council is hereby authorized and empowered to take all necessary action to provide for the holding of the aforesaid public hearing in accordance with the provisions of the Enabling Act.

DONE AT LEXINGTON, SOUTH CAROLINA, this 24th day of July, 2012.

(SEAL)

Chairman, Lexington County Council

Attest:

Clerk, Lexington County Council

**NOTICE OF PUBLIC HEARING
ON THE PROPOSED ISSUE OF NOT EXCEEDING \$32,000,000
OF GENERAL OBLIGATION BONDS OF
RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT**

The Lexington County Council (the “County Council”), the governing body of Lexington County, South Carolina (the “County”), has determined that it may be in the interest of the Richland-Lexington Riverbanks Parks District (the “District”) to raise moneys to defray the costs of the following improvements to the facilities of the District:

- a. HVAC and energy management system upgrades;
- b. Parking lots and road systems repairs, improvements and extensions;
- c. Roof repairs and replacement;
- d. Refurbishment of gunite structures;
- e. Upgrade IT network;
- f. Emergency communication and video surveillance systems;
- g. Replacement of restrooms, gift shop, and snack bar, and expansion of restaurant;
- h. Replacement of entryway and ticketing facilities;
- i. New children’s garden;
- j. Interactive animal demonstration area;
- k. New sea lion exhibit, and repair and replacement of other animal exhibits as necessary;
- l. Acquisition of buildings on Rivermont Drive;
- m. Renovation of canal fountain in the botanical garden; and
- n. Relocate tram stop and acquire additional tram cars

(collectively, the “Improvements”). It is estimated that the total cost of designing, constructing, renovating and equipping the Improvements will amount to approximately \$32,000,000. The Improvements consist of renovation and expansion of existing structures, construction of new facilities, and demolition of certain existing facilities to facilitate new construction.

Accordingly, County Council has ordered a public hearing to be held upon the question of the issuance of such bonds in accordance with the provisions of Act No. 1189 enacted at the 1974 Session of the South Carolina General Assembly, as amended (the “Enabling Act”). Notice is hereby given that a public hearing will be held in the County Council Chambers, Lexington County Administration Building, 212 S. Lake Drive, Lexington, South Carolina, beginning at 6:00 p.m. on the 28th day of August, 2012, on the question of the issuance of not exceeding \$32,000,000 general obligation bonds of the District, the proceeds of which will be expended for the purpose of defraying the costs of the Improvements.

For the payment of principal and interest of such bonds as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied on all taxable property within the District ad valorem taxes in an amount sufficient to pay said principal and interest and to create such sinking fund. The Bonds would be issued to defray the cost of the Improvements and issuance costs. The Riverbanks Parks Commission, the governing body of the District, has advised County Council that Improvements are necessary and desirable for the continued safe and orderly operation of Riverbanks Zoo and Garden and the enhancement of its status as a leading recreational, educational and tourist attraction.

The aforesaid hearing shall be conducted publicly and both proponents and opponents of the proposed action shall be given full opportunity to be heard in person or by counsel. Following the hearing, the County Council shall, by ordinance, make a finding as to whether and to what extent the proposed bonds should be issued and may thereupon authorize the governing body of the District to issue such bonds to the extent it shall be found necessary.

COUNTY COUNCIL OF LEXINGTON COUNTY

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

I, the undersigned, Clerk of the Lexington County Council, Lexington County, South Carolina (the "County Council"), DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of a Resolution duly adopted by the County Council at a meeting duly called and held on the 24th day of July, 2012, at which meeting a quorum of the County Council was present, and voted in favor of the adoption thereof.

The original of said Resolution is duly entered in the permanent records of said Council in my custody as such Clerk of County Council.

The Resolution is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of this County, this _____ day of _____, 2012.

(SEAL)

Clerk, Lexington County Council, South Carolina

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COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
STORMWATER DIVISION

M E M O R A N D U M

DATE: July 9, 2012
TO: Joe Mergo, County Administrator
FROM: Synithia Williams, Environmental Coordinator
RE: Lexington County Green Business Member Recognitions

Lexington County Solid Waste and Public Works Departments are proud to induct three new organizations into the Green Business Certification Program. Below is a list of the County's newest Green Business Members and their certification areas:

- | | |
|-------------------------|--------------------------------|
| 1. Total Flooring, LLC. | Waste Reduction and Recycling, |
| 2. Brown and Caldwell | Certified Member |
| 3. Pitner Orthodontics | Certified Member |

We ask that these organizations be recognized at the 4:30 Council Meeting on July 24, 2012.

____ 440 BALL PARK ROAD LEXINGTON, SOUTH CAROLINA 29072 803-785-8201 ____



**APPOINTMENTS
BOARDS & COMMISSIONS
July 24, 2012**

JIM KINARD

- **Assessment Appeals Board - Christopher Lykes**; term expires 09/21/12; resigned effective 04/15/12
- **Children's Shelter - Suzanne Hackett**; term expired 06/30/12; not eligible for reappointment

JOHNNY JEFFCOAT

- **Children's Shelter - Kimberly Thompson**; term expires 06/30/14; resigned effective 07/10/12 due to relocation out of town
- **Museum - Laura Howell**; term expired 11/01/11; *confirmed desire NOT to serve another term*

TODD CULLUM

- **Museum - Carol Metts**; term expires 11/01/13; resigned effective 06/27/11

AT LARGE:

Building Codes Board of Appeals

- **Building - Steve Martin**; term expires 08/13/12; eligible for reappointment; *pending confirmation*
- **Electrical - Michael C. Shealy**; term expires 08/13/12; eligible for reappointment; *confirmed desire to serve another term*
- **Plumbing - Ashton Shuler**; term expired 08/13/11; eligible for reappointment; *confirmed desire NOT to serve another term*

River Alliance

- **Mike Stamps** - term expires 06-26-13

Riverbanks Park Commission

- **Jan Stamps** - term expires 07/31/12; eligible for reappointment; *confirmed desire to serve another term*

Stormwater Advisory Board

- **Environmental Steward - Sue Green**; term expires 12/09/12; resigned effective 11/16/11

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8166

(F) 785-2240

DATE: July 12, 2012

TO: Joseph G. Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Jo Marie Brown
Procurement Officer

SUBJECT: (1) Caterpillar 287C High Flow XPS Multi-Terrain Loader with Attachments
Solid Waste Management

We received a purchase request from Solid Waste Management to procure one (1) Caterpillar 287C High Flow XPS Multi-Terrain Loader with attachments. This item will be purchased with South Carolina state contract # 08-S7683-A13743 from Blanchard Machinery. This equipment has been recommended and approved in accordance with the Fleet Management Policy by Bill Kazmierczak, Fleet Manager.

The total cost including applicable sales tax for this equipment is \$77,851.06

Funds are appropriated in the following account:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>
5700-121204-5AD275	(1) MultiTerrain Vehicle w/Attchmts	\$85,127.00

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 July 28, 2012.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Dave Eger, Director of Solid Waste Management
Bill Kazmierczak, Fleet Manager

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: July 12, 2012

TO: Joe Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **Fleet Vehicle Replacements**
Fleet Services – Building Services, Public Works, and Solid Waste
Management

We are in receipt of three (3) purchase requests for (3) vehicle replacements for Building Services, Public Works, and Solid Waste Management. These vehicles are being purchased from Love Chevrolet through South Carolina state contract numbers 4400004340 and 4400002969 and Dick Smith Ford through South Carolina state contract number 4400004331. This procurement has been recommended and approved in accordance with the Fleet Management Policy by Bill Kazmierczak, Fleet Manager.

The total cost including applicable sales tax for all vehicles and accessories is \$94,582.50.

Funds are appropriated in the following accounts:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>
1000-111300-5AD058	(1) Passenger Service Van – Replacement	\$22,500.00
1000-121100-5AD070	(1) ½ Ton Pickup 4WD Extended Cab Replacement	\$28,000.00
5700-121207-5AD282	(1) Flatbed Truck - Replacement	\$50,000.00

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 July 24, 2012.

copy: John Fechtel, Deputy County Administrator/Director of Public Works
Larry Porth, Director of Finance/Assistant County Administrator
Bill Kazmierczak, Fleet Manager
Mark Kerley, Building Services Manager
Dave Eger, Director of Solid Waste Management

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: July 11, 2012

TO: Joe Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **Fleet Vehicle Replacement and Accessories**
Sheriff's Department

We are in receipt of several requisitions for the purchase of seven (7) fleet vehicles replacements including any emergency equipment/installation and accessories for the Sheriff's Department. These requested vehicles are being purchased through the appropriate South Carolina state contracts and will require the purchase and installation of emergency equipment and accessories. The accessories will be purchased from various vendors through the South Carolina state contract and the Lexington County procurement process. All vehicles have been recommended and approved in accordance with the Fleet Management Policy by Bill Kazmierczak, Fleet Manager.

The total cost including applicable sales tax for all vehicles is \$202,243.81. It is recommended that the awards be made to multiple vendors as follows:

Love Chevrolet	\$145,860.00
Burns Automotive	\$33,316.40
Dana Safety Supply	\$12,736.21
West Chatham Warning Devices	\$9,860.40
Solar Solutions	\$470.80

Funds are appropriated in the following accounts:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>
1000-151200-5AD184	(2) Marked Utility Vehicle with Equipment - Replacement	\$61,000.00
1000-151200-5AD186	(4) Marked Utility Vehicle with Equipment - Replacement	\$122,000.00
1000-151200-5AD187	(1) Unmarked 4 X 4 Utility Vehicle – Replacement	\$36,000.00

I concur with the above recommendation and further recommend that these purchases be placed on County Council's agenda for their next scheduled meeting on July 24, 2012.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Chief Keith Kirchner, Assistant Sheriff
Colonel Alan Paavel, Sheriff's Department
Sylvia Dillon, Sheriff's Department

Account Code	Love Chevrolet (State Contract)	Burns Automotive (State Contract)	Dana Safety Supply (State Contract)	West Chatham Warning Devices	Solar Solutions	Account Code Total
1000-151200-5AD184	\$ 48,720.00		\$ 4,576.39	\$ 2,316.41	\$ 235.40	\$ 55,848.20
1000-151200-5AD186	\$ 97,140.00		\$ 6,527.86	\$ 6,918.99		\$ 110,586.85
1000-151200-5AD187		\$ 33,316.40	\$ 1,631.96	\$ 625.00	\$ 235.40	\$ 35,808.76
Purchase Total	\$ 145,860.00	\$ 33,316.40	\$ 12,736.21	\$ 9,860.40	\$ 470.80	\$ 202,243.81

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 803- 785-8166

(F) 803- 785-2240

DATE: July 19, 2012

TO: Joe Mergo, III
County Administrator

THRU: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: Request For Approval To Utilize The Competitive Sealed Proposal Process For The Acquisition Of Pre-Trial Consultant Services For The Magistrate's Office

We are requesting the use of the Request for Proposals (RFP) process in order to seek competitive proposals from potential qualified respondents for the acquisition of a Pre-Trial Consultant Services contract. The Procurement Office in coordination with the Magistrate's Office feels that it would be in the best interest of the County to request proposals from outside sources.

Due to the scope of this project, we feel that it would not be practical or to our advantage to prepare a comprehensive set of specifications that may limit our resources or restrict competition. In selecting a contracted vendor, it will be advantageous to consider award criteria other than cost. Proposals shall be reviewed and evaluated by a review panel based upon specific evaluation factors such as overall system capabilities and experience of the firm and personnel assigned to the project, demonstrated understanding of the scope and future objectives, technical resources and work plan, references, and proposed commission.

It is therefore our recommendation to utilize the competitive sealed proposal procedure established in the County ordinance. We further recommend that we seek approval at the next scheduled County Council meeting set for July 24, 2012.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Ed Lewis, Chief Court Administrator

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COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE NO. 12-08

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF 8.90 ACRES,
MORE OR LESS, TO THE TOWN OF LEXINGTON**

WHEREAS, the County of Lexington (hereinafter “the County”) owns a tract of land located on Hendrix Street in the County of Lexington, State of South Carolina; and

WHEREAS, the County has been asked by the Town of Lexington to convey approximately 8.90 acres of property to the Town of Lexington for purposes of operating a pet park; and

WHEREAS, the County of Lexington has previously conveyed 1.19 acres of adjacent property to the Town of Lexington for the purposes of construction of a water tank; and

WHEREAS, the County does not have a present need for the subject property and the County finds that it would serve a proper public purpose to provide the subject property to the Town of Lexington;

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

1. Lexington County Council hereby approves the transfer of approximately 8.90 acres of property which is shown on the plat attached hereto and designated as Tract “A”. (Shown as 10.09 acres less and except the 1.19 acres which has already previously been conveyed to the

Town of Lexington and shown on Plat recorded in Book 10125 at page 64 and by deed as recorded in Book 12856, at page 184.)

2. Chairman of Lexington County Council is hereby authorized to execute and deliver a Quit-claim Deed for the subject property and to further execute on other appropriate documents for the conveyance of such property.

Enacted this _____ day of _____, 2012

William B. Banning
Chairman, Lexington County Council

ATTEST:

Diana Burnette, Clerk

First Reading: _____

Second Reading: _____

Third & Final Reading: _____

Filed W/Clerk of Court: _____