

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings
September 25, 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.**

1:00 p.m. - 1:45 p.m. - Economic Development

- (1) Hahl, Inc. Extension Request - Economic Development - Chuck Whipple, Director A
- (2) Industry Update - Economic Development - Chuck Whipple, Director
- (3) Meeting of June 14, 2012 - Approval of Minutes..... B
- (4) Old Business/New Business
- (5) Adjournment

1:45 p.m. - 2:00 p.m. - Planning and Administration

- (1) Political Sign Regulations (Goal 1) - Community Development - Chris Folsom, Development Administrator C
- (2) Meeting of June 14, 2012 - Approval of Minutes..... D
- (3) Old Business/New Business - Additional Language/Information (Pennington) for Communication Towers
- (4) Adjournment

2:00 p.m. - 2:10 p.m. - Justice

- (1) Fleet Vehicle Replacement, Additions, and Accessories - Sheriff's Department – Col. Allan Paavel E
- (2) Paul Coverdell Forensic Science Improvement Grant Award (Goal 1) - Sheriff's Department - Col. Allan Paavel F
- (3) Violence Against Women Act (VAWA) Grant Award (Goal 1) - Sheriff's Department - Col. Allan Paavel..... G
- (4) Meeting of June 14, 2012 - Approval of Minutes..... H
- (5) Old Business/New Business
- (6) Adjournment

2:10 p.m. - 2:15 p.m. - Health and Human Services

- (1) Appointment of Code Enforcement Officers (Animal Services) - Animal Services - Billy Derrenbacher, Animal Services Coordinator..... I
- (2) Meeting of June 14, 2012 - Approval of Minutes..... J
- (3) Old Business/New Business
- (4) Adjournment

2:15 p.m. - 2:50 p.m. - Public Works & Solid Waste Management

- (1) Ordinance 12-13 - Ordinance Extending the Residential Solid Waste Franchise Contracts - 1st Reading (Tentative) - Dave Eger, Director of Solid Waste Management..... K
- (2) Right-of-Way Acquisition Procedures - Public Works - Randy Edwards, P.E., County Engineer..... L
- (3) Right-of-Way Letter from County Council - Public Works - Randy Edwards, P.E., County Engineer..... M
- (4) Meeting of June 14, 2012 - Approval of Minutes..... N
- (5) Old Business/New Business - 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.; Micala Drive Bridge Update; Green is Good List of Lexington & Richland County Businesses; Chaney Road Barricade; C-Fund Policy
- (6) Adjournment

2:50 p.m. - 4:15 p.m. - Committee of the Whole

- (1) Capital City/Lake Murray Country New Tourism Advertising Campaign - Miriam Atria, President/CEO
- (2) Resolution R12-7 - Declaring the Intention of Lexington County, SC (the Issuer) to Reimburse Itself for Certain Expenditures With the Proceeds of Debt to be Issued by the Issuer..... O
- (3) Ordinance 12-12 - Authorizing the Issuance, Sale & Delivery of G.O. Bonds Not Exceeding \$26 Million (\$5.575 Million Refunding of Series 2006B Bonds and Issuance of \$3 Million for EOC Center Construction and \$17 Million for Economic Development) - 1st Reading P
- (4) Possible Executive Session if Time Permits
- (5) Old Business/New Business
- (6) 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 & COUNTY TRANSPORTATION COMMITTEE
September 25, 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

Presentations

- (1) Community Impact of the Columbia Museum of Arts - Karen Brosius, Executive Director
- (2) Presentation of the Barrett Lawrimore Award to Lexington and Richland County - Presented by Anna Berger, SCAC Director of Research and Training

Chairman's Report

Administrator's Report

Employee Recognition - Joe Mergo, County Administrator

Appointments

- (1) Boards and Commissions Q

Bids/Purchases/RFPs

- (1) Pre-Trial Services - Magistrate's Office R
- (2) Agilent GCMS System or Equal (Grant Funds) - Sheriff's Department S
- (3) Eighteen (18) 800 MHz Radios with Accessories - Sheriff's Department T
- (4) Fleet Vehicle Replacement, Additions, and Accessories - Sheriff's Department U
- (5) Request for Approval to Utilize the Competitive Sealed Proposal Process for a LiveScan Sex Offender Portable Unit-Sheriff's Department V

Ordinance

- (1) Ordinance 12-11 - An Ordinance to Amend Article III, Division 2, Sections 34-92 (Powers, Duties, and Authority of Lexington County Health Services District) of the Lexington County Code - 2nd Reading W

Committee Reports

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

- (1) Ordinance 12-13 - Ordinance Extending the Residential Solid Waste Franchise Contracts - 1st Reading (Tentative) K

Justice, S. Davis, Chairman

- (1) Paul Coverdell Forensic Science Improvement Grant Award (Goal 1) F
- (2) Violence Against Women Act (VAWA) Grant Award (Goal 1)..... G

Health & Human Services, B. Matthews, Chairman

- (1) Appointment of Code Enforcement Officers (Animal Services)..... I

County Transportation Committee (CTC), B. Banning, Sr., Chairman

- (1) Chariot Street X
- (2) Frye Road..... Y
- (3) West Columbia and Cayce C-Fund Request..... Z

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

- (1) Resolution R12-7 - Declaring the Intention of Lexington County, SC (the Issuer) to Reimburse Itself for Certain Expenditures With the Proceeds of Debt to be Issued by the Issuer..... O
- (2) Ordinance 12-12 - Authorizing the Issuance, Sale & Delivery of G.O. Bonds Not Exceeding \$26 Million (\$5.575 Million Refunding of Series 2006B Bonds and Issuance of \$3 Million for EOC Center Construction and \$17 Million for Economic Development) - 1st Reading P

Budget Amendment Resolutions

6:00 P.M. - Public Hearing

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

OLD BUSINESS/NEW BUSINESS

EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT

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County of Lexington

Community Development Department
212 South Lake Drive—Suite 401
Lexington, SC 29072
Phone: (803) 785-8121
Fax: (803) 785-8188

MEMORANDUM

TO: Planning and Administration Committee
Lexington County Council

THROUGH: Joe Mergo III, County Administrator

FROM: Chris Folsom, Development Administrator

DATE: September 14, 2012

RE: Political Sign Regulations

County Council requested that Community Development staff research zoning requirements in various counties and municipalities governing the political signage. Attached is our research of ordinance requirements from similar counties and various municipalities. This information is presented to County Council for information purposes only. If County Council desire's to adopt any of the provisions contained in our research for the purpose of a zoning text amendment, we would be glad to work with the Planning and GIS Department to draft specific language per your direction.

Requested Action: For informational purposes only.

Political Sign Regulations

State Laws:

57-25-10 – Unlawful to display, place or affix posters within right-of-way. It shall be unlawful for any person to display, place or affix a poster within any right-of-way and visible from the main-traveled way of the highway. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or imprisoned for not more than 30 days.

57-25-140 – Signs permitted along interstate or federal-aid primary highways; customary use exceptions; removal of vegetation from right-of-way. *() signs of thirty-two square feet or less advertising agricultural products of a seasonal nature, signs of a political nature, signs erected by or on behalf of eleemosynary, civic, nonprofit, church, or charitable organizations, or signs advertising special community events which are erected temporarily for ninety days or less.

Municipalities:

Town of Lexington:

159.03.02 (L) – Political campaign signs announcing candidates seeking public office or relating to any election or public referendum. Such signs shall be confined to placement on private property. Such signs shall be removed within seven (7) days after the election or referendum has been decided.

City of West Columbia:

905.2 (5) Political Signs: Signs announcing candidates seeking public office or relating to any election, vote by a governing body or public referendum shall be allowed on private property only. Further, such signs shall be removed within seven (7) days after the election of referendum for which they were prepared had been decided. Nothing contained herein shall be construed to limit or prohibit the purchase of advertising space on permitted advertising signs in addition to the signs permitted by this section.

Town of Batesburg Leesville:

9-10.4 Temporary campaign signs which relate to a candidate or candidates for public office or to a ballot measure which shall be confined wholly to placement on private property and shall

be removed within five (5) days after the election or elections. Each parcel is limited to one sign per office or ballot measure. Surface area shall be a maximum of 4.5 square feet with no light. Campaign signs must adhere to the vision clearance regulations at intersections as contained in Section 6-8. The regulations of this section do not prohibit purchase of advertising space on permitted advertising signs in addition to the signs permitted herein.

City of Columbia:

Division 12 – Signs. Political Campaign Signs. Signs Announcing candidates seeking public office or relating to any election or public referendum shall be permitted in all zoning districts of the city, in addition to other permitted signs in any particular zoning district, subject to the following provisions:

- a. These signs shall be confined wholly to placement on private property;
- b. These signs shall be removed within seven days after the election or referendum for which they were prepared has been decided; and
- c. Signs located in required front yards must comply with sections 17-402 (Vision Clearance) and 17-277 (Set Back).

City of Spartanburg:

503.6 Political Signs – Political Signs shall mean any sign advocating or supporting a political candidate or political view defined as any matter upon which is an election, general or specific, is held.

Political signs shall be permitted on private property for a period not to exceed sixty (60) days before the applicable election and seven (7) days after the election. Political signs shall not exceed a total of sixteen (16) square feet (eight (8) square feet per side of a two-sided sign or two (2) feet by four (4) feet). Political signs shall not be placed on Public property or on public right-of-ways, except when a portion of the right-of-way is maintained by a private property owner, provided that the private property owner consents to the placement of a political sign. Any sign that the city determines to be a visual obstruction shall be removed. In addition, the placement of political signs must comply with Section 501.8, Visibility at Intersections, of the City of Spartanburg Zoning Ordinance.

Counties:

Richland County:

Ord No. 052-08HR; 9-16-08 – Political Signs. Political Signs shall not be located with a public road right-of-way and shall not be attached to trees, utility poles, or publicly owned property. Such signs shall not be illuminated and shall not exceed thirty-two (32) square feet in area, and six (6) feet in height if the sign is freestanding. Political signs may be displayed during a period beginning sixty (60) days prior to an election, but must be removed within seven (7) days after the election or referendum had been decided. It shall be the responsibility of the candidate to have such signs removed.

Kershaw County:

Section 3:3.4-3 A – Temporary Campaign and Election Signs are permitted in all zoning districts provided that:

1. One (1) sign per street frontage per candidate or issue being voted on shall be allowed. If the property lies on a corner lot or double frontage lot, then a second sign may be oriented along the second street so long as the two signs are at least 100 feet apart as measured by the shortest straight line.
2. Signs in areas zoned residential shall not exceed six (6) square feet in sign face area, and shall not exceed (4) feet in height. Signs in areas no zoned residential shall not exceed twenty (20) square feet in sign face area, and shall not exceed ten (10) feet in height.
3. No sign shall be placed in any right-of-way, on any telephone pole, street sign, fence, on any public property, or within a driveway or intersection sight triangle.
4. Temporary campaign and election signs shall not be illuminated.
5. In accordance with SC law, no such political sign shall be placed within 200 feet of any building in which an election poll is being conducted.
6. If the sign is placed on the property by someone other than the property owner, the property owner upon whose land the sign is placed shall give written permission for the placement of said sign and will be held responsible for violations.
7. All such signs shall be erected no sooner than sixty (60) days in advance of each specific election or referendum for which they are made.

8. All such signs shall be removed within seven (7) days after the election or referendum for which they were made. Signs for runoff elections may remain until seven (7) days after the final election to which the signs apply.

Dorchester County:

13.5.5 Exempted Signs

(b) Political candidacy signs, provided they are removed within one (1) week after the election in which the candidate ran.

Horry County:

Political or campaign signs subject to the following and are also subject to seizure and permanent disposal for non-compliance:

1. Such signs shall not be placed within a public right-of-way.
2. Such signs shall not be attached to trees, fences, or utility poles.
3. Such signs shall not be larger than sixteen (16) square feet in area. Signs, other than small yard signs (no greater than four (4) square feet in area) shall be affixed to wooden, plastic or similar supports. Supports made of rebar, metals or other materials that may damage existing infrastructure are prohibited, except that small yard signs may use wire supports.
4. Such signs are allowed no sooner than forty-five (45) days prior to an election and all such signs shall be removed within three (3) days after the election.

Georgetown County:

1004.9 – Political Signs shall not be larger than 16 square feet in area and 12 feet in height. Such signs shall not be erected more than 100 days prior to the date of an election (balloting) and shall be removed within 14 days following the date of the election (balloting), or a run-off election, should that be necessary.

Charleston County:

*Does not specifically address

York County:

155.475 Signs not requiring a zoning compliance:

- (4) Political campaign yard signs, if the signs are ground posted and do not exceed 32 square feet in area.
- (5) Political signs permitted under this section will be removed and disposed of within 14 days after the final political election for which the sign was posted.

Florence County:

Sec. 30-205. - Temporary signs on private property

Sign Type	Display Period	Display Intervals	Dimensions	Conditions
A-frame	daylight hours only	off-hours	12 sq. ft.	A
Banner	30 days	6 months	None	B
Posters	30 days	None	6 sq. ft.	C
Portable	7 months	Any 7 months in a calendar year	60 sq. ft.	D, H, I, J, K
Inflatable	30 days	1 year	None	E
Pennants	30 days	6 months	None	B
Identification	90 days, or project completion	None	200 sq. ft.	F
Real estate	Unlimited	Not applicable	32 sq. ft.	C
Political*	Unlimited	Not Applicable	32 sq. ft.	C/G

- G. Political signs shall be removed within seven days after the election.

Gwinnett County, Georgia:

The Gwinnett County Police Department, Quality of Life Unit is charged with the responsibility of enforcing the county’s Sign Ordinance. The Gwinnett County Department of Planning and Development is charged with the responsibility of issuing sign permits. The Sign Ordinance regulates the size, quantity & location of signs in the unincorporated areas of the county. The Sign Ordinance also prohibits certain types of signs and advertising devices such as signs in the street right-of-way, signs on utility poles, and signs attached to traffic control devices. There are several options available that may be used for signage for political campaigns. These options are Exempt Signs and Temporary (Banners only) Signs.

Exempt Signs (Section 86-111)

1. One (1) sixteen (16) square foot sign per lot **OR** up to four (4) signs not to exceed four (4) square feet each per lot are allowed.
2. These Exempt Signs shall not exceed: eight (8) feet above the street grade or three (3) feet above ground level, whichever is greater.
3. These Exempt Signs must be located out of the right of way and at least ten (10) feet from the curb (or edge of pavement if no curbing exists) of the public street. **Please note that**

signs placed in the street right-of-way and on utility poles are PROHIBITED and are subject to removal without notice to the sign owner.

4. Exempt Signs cannot be banners (a Temporary Sign Permit is required for banners; see below).
5. Permission of the property owner is required.
6. A Sign Permit for Exempt Signs is NOT required.

Temporary Banner Signs (Section 86-109)

1. One (1) banner per lot road frontage.
2. Banners shall not exceed sixteen (16) square feet in area.
3. Allowed for a maximum of 21 calendar days every three (3) months.
4. A Temporary Sign Permit is required.

Prohibited Signs (Section 86-108)

The following is a short list of signs or advertising devices that are prohibited (please refer to Section 86-108 of the Sign Ordinance for other prohibited signs or devices):

1. Signs in the street right-of-way (the right-of-way line is typically eleven (11) feet from the curb, or where no curb exists, eleven (11) feet from the edge of pavement).
2. Signs on utility poles or other structures in the street right-of-way.
3. Signs attached to traffic control devices such as “speed limit” or “stop” signs.
4. Portable, trailer, curb or “A-type” signs.
5. Streamers.

Please note that signs placed in the street right-of-way and on utility poles are PROHIBITED and are subject to removal without notice to the sign owner.

Political Sign Specifications

Sets time allowed prior to election:

City of Spartanburg:	60 days prior to election
Richland County:	60 days prior to election
Kershaw County:	60 days prior to election
Horry County:	45 days prior to election
Georgetown County:	100 days prior to election

Sets time allowed to remove after election:

Town of Lexington:	7 days after election
City of West Columbia:	7 days after election
Town of Bates/Lees:	5 days after election
City of Columbia:	7 days after election
City of Spartanburg:	7 days after election
Richland County:	7 days after election
Kershaw County:	7 days after election
Dorchester County:	1 week after election
Horry County:	3 days after election
Georgetown County:	14 days after election
Florence County:	7 days after election
York County:	14 days after election

Sets specific sign face size limitations:

Town of Bates/Lees:	Surface area shall be a maximum of 4.5 square feet
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City of Spartanburg:	Political signs shall not exceed a total of sixteen (16) square feet (eight (8) square feet per side of a two-sided sign)
Richland County:	Shall not exceed thirty-two (32) square feet in area
Kershaw County:	Signs in areas zoned residential shall not exceed six (6) square feet in face area. Signs in areas not zoned residential shall not exceed twenty (20) square feet in sign face area.
Horry County:	Such signs shall not be larger than sixteen (16) square feet in area.
Georgetown County:	Signs shall not be larger than 16 square feet in area.
Florence County:	No larger than 32 square feet.
York County:	Not to exceed 32 square feet in area.
Gwinnett County, GA:	One (1) sixteen (16) square foot per lot or up to four (4) signs not to exceed four (4) square feet per lot are allowed.

Sets sign height limitations:

Richland County:	Shall not exceed six (6) feet in height if the sign is freestanding.
Kershaw County:	Signs in areas zoned residential shall not exceed four (4) feet in height. Signs in areas not zoned residential shall not exceed (10) feet in height.
Georgetown County:	Signs shall not exceed 12 feet in height.
Gwinnett County, GA:	These signs shall not exceed: eight (8) feet above the street grade or three (3) feet above the ground level, whichever is greater.

Sets limit on number of signs per parcel:

Town of Bates/Lees:	Each parcel is limited to one sign per office or ballot measure.
Kershaw County:	One (1) sign per street frontage per candidate or issue being voted on shall be allowed. If the property lies on a corner lot or double frontage lot, then a second sign may be oriented along the

second street so long as the two signs are at least 100 feet apart as measured by the shortest straight line.

Gwinnett County, GA:

One (1) sixteen (16) square foot sign per lot or up to four (4) signs not to exceed four (4) square feet each per lot are allowed.

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COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: September 14, 2012

TO: Joe Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

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

We are in receipt of several requisitions for the purchase of thirty-two (32) fleet vehicle replacements and additions including any emergency equipment/installation and accessories for the Sheriff's Department. The vehicles are being purchased from Love Chevrolet through South Carolina state contract numbers 4400002993 and 4400004322. All vehicles will require the purchase and installation of emergency equipment and accessories. The accessories will be purchased from Dana Safety Supply through South Carolina State Contract number 440001051 and the Lexington County procurement process from West Chatham Warning Devices. 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 \$857,903.74. It is recommended that the awards be made to multiple vendors as follows:

Love Chevrolet	\$811,757.00
Dana Safety Supply	\$32,374.77
West Chatham Warning Devices	\$13,771.97

After the signing of the Budget Amendment Resolution on September 25, 2012, funds will be appropriated in the following accounts:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>	<u>Requisition Amount</u>
1000-151200-5AD364	(19) Marked Utility Vehicles With Equipment	\$570,000.00	\$491,946.90
1000-151200-5AD365	(4) Marked Sedan Vehicles With Equipment	\$120,000.00	\$116,241.09
1000-151200-5AD366	(2) Unmarked Utility Vehicles With Equipment	\$60,000.00	\$53,197.58

1000-151200-5AD367	(4) Marked Utility Vehicles With Equipment	\$120,000.00	\$112,675.04
1000-151200-5AD368	(1) Marked Utility Vehicle With Equipment	\$31,500.00	\$28,622.17
1000-151200-5AD369	(1) Marked Utility Vehicle With Equipment	\$30,000.00	\$28,622.17
1000-151200-5AD370	(1) Unmarked Utility Vehicle With Equipment	\$31,500.00	\$26,598.79

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 September 25, 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)	Requisition Number	Dana Safety Supply (State Contract)	Requisition Number	West Chatham (Low Vendor)	Total
1000-151200-5AD364	\$ 480,472.00	13-196	\$ 3,854.25	13-196-1	\$ 1,883.20	
1000-151200-5AD364		13-201	\$ 3,854.25	13-201-1	\$ 1,883.20	\$491,946.90
1000-151200-5AD365	\$ 104,488.00	13-198	\$ 8,376.17	13-198-1	\$ 3,376.92	\$116,241.09
1000-151200-5AD366	\$ 50,046.00	13-194	\$ 3,151.58	N/A	N/A	\$ 53,197.58
1000-151200-5AD367	\$ 101,152.00	13-197	\$ 7,708.49	13-197-1	\$ 3,814.55	\$112,675.04
2633-151200-5AD368	\$ 25,288.00	13-199	\$ 1,927.12	13-199-1	\$ 1,407.05	\$ 28,622.17
2633-151200-5AD369	\$ 25,288.00	13-200	\$ 1,927.12	13-200-1	\$ 1,407.05	\$ 28,622.17
2632-151200-5AD370	\$ 25,023.00	13-195	\$ 1,575.79	N/A	N/A	\$ 26,598.79
TOTALS	\$ 811,757.00		\$ 32,374.77		\$ 13,771.97	\$857,903.74

COUNTY OF LEXINGTON
LE/P. COVERDELL FORENSIC SCIENCE IMPROVEMENT
Annual Budget
FY 2012-13 Estimated Revenue

Object Code	Revenue Account Title	Requested 2012-13	Approved 2012-13	Awarded 2012-13
* LE - P. Coverdell Forensic Science Improvement 2457:				
Revenues:				
457000	Federal Grant Income	23,900	23,900	15,760
461000	Investment Interest	0	0	0
801000	Op Trn from General Fund/LE	0	0	0
** Total Revenue		23,900	23,900	15,760
***Total Appropriation		23,900	23,900	15,760
FUND BALANCE				
	Beginning of Year	0	0	0
FUND BALANCE - Projected				
	End of Year	0	0	0

* Grant will be funded 100% from DPS.

Fund: 2457
Division: Law Enforcement
Organization: 151200 - LE/Operations

Object Expenditure Code	Classification	2012-13 Requested	<i>BUDGET</i> 2012-13 Approved	2012-13 Awarded
Personnel				
* Total Personnel		0	0	0
Operating Expenses				
* Total Operating		0	0	0
** Total Personnel & Operating		0	0	0
Capital				
5AD225	(1) Forensic Lab Module	19,000	19,000	15,760
5AD226	(1) Evidence Cart & Accessories	4,900	4,900	0
** Total Capital		23,900	23,900	15,760
*** Total Budget Appropriation		23,900	23,900	15,760

SECTION V. - PROGRAM OVERVIEW

The Forensic Lab Module is an additional software component to the new Records Management System. This module will work in conjunction with the existing evidence module and will improve the quality and the timeliness of forensic science services by streamlining the process of evidence handling and improving the accuracy of recording forensic evidence. The module will also digitally record evidence and track it from the point of submission through each process or step, to the ending lab results. At any given time, the forensic evidence may be viewed to see which step the evidence is being analyzed or to pin point the location of the evidence.

The manual system now being used consists of documenting evidence information on paper. Because the forensic lab module records everything digitally, the evidence information may be retrieved immediately with accuracy. Accountability of the work process will be increased and the final results will be generated in a shorter period of time. Using this system will eliminate the stand alone databases, paper forms and will allow accessibility of information to the requesting investigator.

SECTION VI. D. – CAPITAL LINE ITEM NARRATIVES

5AD225 – (1) FORENSIC LAB MODULE

\$ 15,760

The Forensic Lab Module is an additional software component to the new Records Management System. This module will work in conjunction with the existing evidence module and will improve the quality and the timeliness of forensic science services by streamlining the process of evidence handling and improving the accuracy of recording forensic evidence. The module will also digitally record evidence and track it from the point of submission through each process or step, to the ending lab results.



South Carolina Department of Public Safety
Office of Justice Programs

September 7, 2012

Mr. Joe Mergo
County Administrator
Lexington County
212 South Lake Drive
Lexington, South Carolina 29072



RE: Paul Coverdell Forensic Science Improvement Grant Program No. 1NF12002
Forensic Evidence Tracking Software Enhancement

Dear Mr. Mergo:

I am pleased to provide you with a grant award approved by this office in the amount of \$15,760. In order to complete the contract for this award, it is necessary that the official authorized to sign the application return the original grant award with an original signature within 30 days from the date of this award. The signed original should be sent to:

Ms. Peggy McBride
Senior Accountant
S.C. Department of Public Safety
Accounting-Grants
Post Office Box 1993, Building D, Floor 1
Blythewood, South Carolina 29016

Copies of the grant Request for Financial Payment/Quarterly Fiscal Report Forms can be found on our website at www.scdps.org/ojp/cjgp.asp. The financial reports should be completed for each calendar quarter ending date and are due 30 days after the end of the quarter. The Programmatic Progress Report Form can also be found on this page under Forensic Science Improvement. The due dates and periods covered for programmatic progress reports are indicated on the progress report forms.

Sincerely,


Burke O. Fitzpatrick
Administrator

BOF:tr
Enclosures

c: Ms. Nandalyn S. Heitley
Paul Coverdell Forensic Science Improvement Grant Official File

SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF JUSTICE PROGRAMS
POST OFFICE BOX 1993
BLYTHEWOOD, SOUTH CAROLINA 29016

GRANT AWARD

Subgrantee: Lexington County
Grant Title: Forensic Evidence Tracking Software Enhancement
Grant Period: 10/1/2012 - 9/30/2013 Date of Award: September 7, 2012
Amount of Award: \$15,760 Grant No.: INF12002

In accordance with the provisions of the Paul Coverdell Forensic Science Improvement Grant Program, CFDA No. 16.742 (Federal Formula Grant #2012-CD-BX-0033), and on the basis of the application submitted, the South Carolina Department of Public Safety hereby awards to the foregoing subgrantee a grant in the federal amount shown above, for the projects specified in the application and within the purposes and categories authorized for the Paul Coverdell Forensic Science Improvement Grant Program grants.

This grant is subject to the terms and conditions set forth in the application and to the special conditions attached to the grant award.

Payment of Funds: Grant funds will be disbursed to subgrantees (according to the project budget) upon receipt of evidence that funds have been invoiced and products received or that funds have been expended (e.g., invoices, contracts, itemized expenses, etc.). A copy of the Budget Detail Page of the grant application is available on our website for the subgrantee's use in completing the request for payment forms.

The grant shall become effective, as of the date of award, upon return to Accounting - Grants of an originally signed copy of this form signed by the Official Authorized to Sign in the space provided below. This award must be accepted within thirty (30) days from the date above, and such quarterly and other reports required by the South Carolina Department of Public Safety must be submitted to Accounting - Grants in accordance with regulations.



Bonnie Burns, Program Manager
Office of Justice Programs

ACCEPTANCE FOR THE SUBGRANTEE

Signature of Official Authorized to Sign



Burke O. Fitzpatrick, Administrator
Office of Justice Programs

GRANT AWARD DATA: THIS AWARD IS SUBJECT TO SPECIAL CONDITIONS ATTACHED.

**COUNTY OF LEXINGTON
VIOLENCE AGAINST WOMEN ACT
Annual Budget
FY - 2012-13 Estimated Revenue**

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
*LE - Violence Against Women Act 2456:								
Revenues (Organization: 000000)								
457000	Federal Grant Income	118,300	113,247	116,343	116,343	141,814	141,814	73,769
461000	Investment Interest	1	0	0	0	0	0	0
801000	Op Trn from General Fund/LE	0	43,323	43,323	43,323	0	43,323	61,408
** Total Revenue		118,301	156,570	159,666	159,666	141,814	185,137	135,177
***Total Appropriation					173,562	141,814	185,137	135,177
FUND BALANCE								
Beginning of Year					<u>17,197</u>	<u>3,301</u>	<u>3,301</u>	<u>3,301</u>
FUND BALANCE - Projected								
End of Year					<u><u>3,301</u></u>	<u><u>3,301</u></u>	<u><u>3,301</u></u>	<u><u>3,301</u></u>

COUNTY OF LEXINGTON
VIOLENCE AGAINST WOMEN ACT
Annual Budget
Fiscal Year - 2012-13

Fund: 2456
Division: Law Enforcement
Organization: 151200 - LE/Operations

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						
510100 Salaries & Wages - 2	84,040	74,642	101,267	89,600	89,600	85,995
510199 Special Overtime	1,533	1,219	2,000	2,000	2,000	0
510200 Overtime	0	0	0	0	0	0
511112 FICA - Employer's Portion	5,902	5,156	9,312	7,007	7,007	6,580
511113 State Retirement - Employer's Portion	3,659	3,313	4,713	4,664	4,415	4,241
511114 Police Retirement - Employer's Portion	5,475	4,907	6,633	5,609	6,132	5,657
511120 Insurance Fund Contribution - 2	15,600	14,300	19,350	15,600	15,600	15,600
511130 Workers Compensation	1,712	1,507	2,114	3,078	1,800	2,148
515600 Clothing Allowance	800	600	800	800	800	800
519999 Personnel Contingency	0	0	0	0	302	-
* Total Personnel	118,721	105,644	146,189	128,358	127,656	121,021
Operating Expenses						
520303 Accounting/Auditing Services	0	425	0	0	0	0
521000 Office Supplies	178	173	1,500	500	500	500
521200 Operating Supplies	0	0	1,500	500	500	500
522200 Small Equipment Repairs & Maintenance	0	0	0	0	0	0
522300 Vehicle Repairs & Maintenance	0	43	3,480	2,000	2,000	2,000
524100 Vehicle Insurance	0	0	562	546	546	546
524201 General Tort Liability Insurance	798	798	1,492	800	1,490	798
524202 Surety Bonds	0	15	20	0	0	0
525004 WAN Service Charges	0	654	2,160	720	720	720
525020 Pagers & Cell Phones	0	360	2,440	1,440	1,440	1,440
525030 800 MHz Radio Service Changes	0	0	1,669	600	600	600
525031 800 MHz Radio Maintenance Fee	0	0	0	0	0	0
525041 E-mail Service Charges	162	149	312	150	162	162
525210 Conference, Meeting & Training Expense	405	0	95	0	0	0
525240 Personal Mileage Reimbursement	699	901	2,600	1,200	1,200	1,200
525400 Gas, Fuel and Oil	0	2,253	8,171	5,000	5,000	5,690
529903 Contingency	0	0	1,372	0	43,323	0
* Total Operating	2,242	5,771	27,373	13,456	57,481	14,156
** Total Personnel & Operating	120,963	111,415	173,562	141,814	185,137	135,177
Capital						
540000 Small Tools & Minor Equipment	0	0	0	0	0	0
540010 Minor Software	0	0	0	0	0	0
All Other Equipment	0	0	0	0	0	0
** Total Capital	0	0	0	0	0	0
*** Total Budget Appropriation	120,963	111,415	173,562	141,814	185,137	135,177

SECTION V. - PROGRAM OVERVIEW

Three decisions made by the United States Supreme Court (Washington v. Crawford, Davis v. Washington and Hamon v. Indiana) changed the way in which prosecutors can proceed with domestic violence prosecution, especially when victims do not appear for court. The Lexington County Sheriff's Department began keeping detailed statistics on the specialized criminal domestic violence court (CDVC) in July 2005. At least 80% of victims either do not appear or have reconciled with the offender at the first appearance date. This court date is usually held within six weeks of arrest. These statistics demonstrate the need to proceed with victimless prosecution or to have the ability to demonstrate to a jury why a victim recants testimony at trial. Increasing the level of pre-trial contact with the victims through telephone calls, letters, and, when necessary, home visits is a benefit to the victim, and increases the level of victim participation in the prosecutorial process.

SECTION VI. B. – LISTING OF POSITIONS

	Positions	Full Time Equivalent		Total	Grade
		General Fund	Other Fund		
Current Staffing Level:					
General Fund					
Victim Asst. Officer/Law Enf.	2	2	0	2	20
Victim Assistance Coordinator	1	1	0	1	6
Victim's Bill of Rights					
Victim Asst. Officer/Law Enf.	1	0	1	1	20
Victim Assistance Coordinator	1	0	1	1	6
Totals:	5	3	2	5	

	Positions	Full Time Equivalent		Total	Grade
		General Fund	Other Fund		
VAWA					
VAWA Investigator	1	0	1	1	13
Program Coordinator	1	0	1	1	11
Totals:	2	0	2	2	

SECTION VI. C. – OPERATING LINE ITEM NARRATIVES

521000 - OFFICE SUPPLIES **\$ 500**

Office supplies are required to perform job tasks. Some of the items that will be purchased are pens, portfolio folders for the case file, printer cartridges, calendars and other general office supply needs.

521200 - OPERATING SUPPLIES **\$ 500**

Quality photograph paper is required to print pictures taken at various points during the investigation. A better quality paper is needed so that the photograph does not fade. These pictures may also become part of the case file that is kept for many years. In addition, various sizes of batteries will be required for battery-operated equipment.

522300 - VEHICLE REPAIRS AND MAINTENANCE **\$ 2,000**

Vehicle repairs and maintenance are needed for the grant vehicle.

524100 - VEHICLE INSURANCE **\$ 546**

Vehicle insurance is required for the vehicles.

524201 - GENERAL TORT LIABILITY INSURANCE **\$ 798**

General Tort Liability Insurance is required for each person employed by the County.

525004 – WAN SERVICE CHARGES **\$ 720**

Air card fees are required for the personnel to have access to the internet, automated CDV files, and various criminal databases to include NCIC.

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

Cell phone service is requested to enable communication between the victim and the victim assistance officer at any time of day. In addition, it enables another method of communication that is always needed.

(2 cell phones * \$60/month * 12 months = \$1,440)

525030 – 800 MHz RADIO SERVICE CHARGES **\$ 600**

The 800 MHz radio monthly fees are estimated, which includes an allotment for roaming fees that may be incurred.

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

With technology progressing as quickly as it has, e-mail is nearly a necessity.

(2 e-mails accounts * \$6.75/ month * 12 months = \$162)

525240 - PERSONAL MILEAGE REIMBURSEMENT **\$ 1,200**

The grant reimburses the mileage at the federal rate for the grant-funded program coordinator to allow travel to court and to perform their duties within the scope of the grant.

525400 - GAS, FUEL, AND OIL **\$ 5,690**

The investigator must travel to court and investigative scenes while performing his duties.



South Carolina Department of Public Safety
Office of Justice Programs

September 5, 2012

Mr. Joe Mergo
Administrator
Lexington County
212 South Lake Drive
Lexington, South Carolina 29072

RE: Violence Against Women Act Grant No. 1K12011
Enforcement and Prosecution for CDV

Dear Mr. Mergo:

Enclosed are the original and one copy of the grant award approved by this office in the amount of \$73,769. In order to complete the contract for this award, it is necessary that the Official Authorized to Sign return the original grant award with an original signature in blue ink within 30 days from the date of this award. The signed original should be sent to:

Ms. Audrey Roberts
Senior Accountant
S.C. Department of Public Safety - Accounting-Grants
Post Office Box 1993, Building D, Floor 1
Blythewood, South Carolina 29016-1993

Copies of the grant *Request for Financial Payment/Quarterly Fiscal Report Forms* can be found on our website at www.scdps.org/ojp/voca.asp. The financial reports should be completed for each calendar quarter ending date, and are due 30 days after the end of each quarter. The *Programmatic Progress Report Form* is available on the Grants Management Information System, as is the *VAWA Measuring Effectiveness Initiative Annual Subgrant Report*. The due dates and periods covered for *Programmatic Progress Reports* are indicated on the *Programmatic Progress Report Form*. Additionally, the Office on Violence Against Women requires a report on each calendar year that the grant award spans. Information on these reports will be forthcoming from my staff. Should you have any questions or need assistance, please contact our office.

Sincerely,

Burke O. Fitzpatrick
Administrator

BOF:vfc
Enclosures

c: Ms. Nandalyn S Heaitley
VAWA Official File



POST OFFICE BOX 1993, BLYTHEWOOD, SOUTH CAROLINA 29016

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INTEROFFICE MEMORANDUM- ANIMAL SERVICES

TO: COUNTY COUNCIL
THROUGH: JOE MERGO III, COUNTY ADMINISTRATOR
FROM: BILLY DERRENBACHER, ANIMAL SERVICES COORDINATOR
SUBJECT: APPOINTMENT OF CODE ENFORCEMENT OFFICERS (ANIMAL SERVICES)
DATE: 9/18/2012
CC: FILE

Mr. Stephen Robertson began his employment with the County of Lexington on August 13, 2012 and Ms. Julie Davis began her employment on August 20, 2012 as Animal Control Officers. I would respectfully request that Mr. Robertson and Ms. Davis, being duly qualified, be appointed as Lexington County Code Enforcement Officers. These appointments would allow Mr. Robertson and Ms. Davis to be assigned to a patrol area which would afford a quicker response time to the citizens whom are requesting service.

I would request that this be reported out to full council for their consideration on September 25, 2012.

MISSION STATEMENT:

PROVIDE QUALITY SERVICES TO OUR CITIZENS AT A REASONABLE COST.

VISION STATEMENT:

PLANNED GROWTH FOR OUR COMMUNITIES WITH ABUNDANT OPPORTUNITIES FOR ALL, IN A QUALITY

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COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE NO. 12-13

AN ORDINANCE EXTENDING THE RESIDENTIAL SOLID WASTE FRANCHISE CONTRACTS.

WHEREAS, The County of Lexington (County) has previously awarded franchises for residential solid waste collection in the unincorporated areas of Lexington County; and

WHEREAS, the County desires to extend the award of the franchised areas to the current solid waste collectors; and

WHEREAS, the County has negotiated a reasonable extension of the contracts upon the terms set forth in the franchise contract; and

WHEREAS, the County Council has determined that it would benefit the residents of the unincorporated areas of Lexington County for the existing franchise collector's contract to be extended pursuant to the terms set forth in the franchise contract extensions.

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

1. The franchise contracts for the residential solid waste collection are hereby extended, pursuant to the terms of the contracts attached hereto and incorporated herein.
2. This Ordinance shall take effect upon its enactment.

Enacted this _____ day of _____, 2012

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

ATTEST:

Diana W. Burnett, Clerk

First Reading: _____

Second Reading: _____

Public Hearing: _____

Third Reading: _____

Filed W/Clerk of Court: _____



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

MEMORANDUM

DATE: September 14, 2012
TO: Joe Mergo, County Administrator
FROM: Randy Edwards, P.E., County Engineer
RE: Draft Right-of-Way Procedures

During the special public works committee meeting held Monday September 10, 2012, Lexington County Council requested that staff provide a "Procedures" draft that are followed when requesting and obtaining right-of-way in order to pave an existing dirt road that was petitioned. A draft of these procedures is attached for their review.

Please present the attached to the Public Works Committee for their consideration, review and comment.

Attachments

C-Fund Right-of-way Acquisition Procedure

The following procedure will be followed to secure right-of-way and storm drainage easement commitments from property owners along roads that are programmed for paving. This procedure keeps projects active and informs the local property owners on the status of various projects and allows Council Members the opportunity to meet with affected property owners and resolve any issues. The expected time period for final resolution to all right-of-way acquisition concerns is 9 months from the date of the original letter. If resolution cannot be had, the project will be presented to County Council with a recommendation to drop the project.

1. First 3 month time period from date of original letter.
 - Right-of-way and storm drainage easement questionnaire letters will be generated and mailed to local property owners.
 - Property owners will be given 30 days to respond to the letter.
 - Staff will tabulate the results.
 - Staff will perform the necessary plat and deed research to determine if Lexington County has existing right-of-way and storm drainage easements in areas where property owners do not respond and in areas where negative responses are received.
 - Staff will contact all property owners that responded negatively and attempt to resolve any issues or concerns.
2. Second 3 month time period from date of original letter.
 - Send certified letters to all property owners that did not respond to the original letter if no right-of-way or storm drainage easements exist based on plat and deed research.
 - Property owners will be given 30 days to respond to the certified letter.
 - Tabulate the results from the certified letters.
 - Evaluate the road and consider alternatives in an effort to continue the project.
 - Contact the affected property owners and attempt to secure reduced right-of-way if reduced right-of-way is optional.
 - Staff will prepare a status package for presentation to County Council pending the inability to secure the necessary right-of-way or storm drainage easements,.
3. Third 3 month time period from date of original letter.
 - Send "Letter from Councilmember" to all property owners along the affected road if all above right-of-way acquisition attempts fail.
 - Coordinate an onsite meeting with property owners and the appropriate Council representative.
 - Provide pertinent information to appropriate property owners as a result of any "Freedom of Information Act" requests.
4. Staff will present final results to County Council upon completion of all attempts to secure the right-of-way for approval to drop the affected project.



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

MEMORANDUM

DATE: September 14, 2012
TO: Joe Mergo, County Administrator
FROM: Randy Edwards, P.E., County Engineer
RE: Right-of-Way Form Letter from County Council

During the special public works committee meeting held Monday September 10, 2012, Lexington County Council requested that staff provide a form letter concerning a "final request" for obtaining right-of-way in order to pave an existing dirt road that was petitioned. This letter would be sent to all affected property owners after County staff was unable to resolve the issue using our standard policy and procedures.

Please present the attached letter to the Public Works Committee for their consideration, review and comment.

Attachments

County of Lexington

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

James E. Kinard, Jr.
District 1

September 12, 2012

Frank J. Townsend, III
District 2

George H. Davis
District 3
Parliamentarian

Property Owner
123 Dirt Road Way
Lexington, South Carolina 290000

RE: Paving of One Dirt Road

Debra B. Summers
District 4

Dear Property Owner:

Bobby C. Keisler
District 5

It has come to my attention that Lexington County Public Works staff has been unsuccessful in obtaining the right-of-way required for paving "One Dirt Rd". Without consensus from all of the affected property owners, Lexington County will be unable to continue with the design and construction of this roadway.

Johnny W. Jeffcoat
District 6
Vice Chairman

Currently, there are X property owners that have failed to respond to staff's request or have stated in writing their desire not to provide the necessary right-of-way required for paving. Upon request to our Public Works Department, this information can be made available through the Freedom of Information Act.

K. Brad Matthews
District 7

As your Councilmember, I am interested in helping to accomplish the paving of "One Dirt Rd". Therefore, as one last attempt, I will hold a public meeting at 6:00 P.M. on WEEKDAY Month day, 2012 at ADDRESS TO BE DETERMINED for any property owners to express their concerns and interest in the paving on this roadway.

William B. Banning, Sr.
District 8
Chairman

If Lexington County has not received the necessary right-of-way within sixty days of the meeting, this roadway will be removed from the ranked list. Any future considerations for paving will require a new petition. Consequently, this will reduce the point value category for "age of petition".

M. Todd Cullum
District 9

Thank you for your understanding and consideration on this matter.

Sincerely,

Councilman/woman

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A RESOLUTION R12-7

DECLARING THE INTENTION OF LEXINGTON COUNTY, SOUTH CAROLINA (THE "ISSUER") TO REIMBURSE ITSELF FOR CERTAIN EXPENDITURES WITH THE PROCEEDS OF DEBT TO BE ISSUED BY THE ISSUER.

WHEREAS, the Issuer has determined to construct and equip an emergency 911 operations center (the "EOC Project");

WHEREAS, in order to promote industrial and economic development within the Issuer's boundaries, the Issuer has determined to construct certain transportation infrastructure and to develop certain industrial and technology parks, which may include, but is not limited to, the acquisition of land and the construction of public improvements, as well as certain site work and engineering and design services related thereto (the "Economic Development Projects" and together with the EOC Project, the "Projects");

WHEREAS, the Issuer, pending a review of available financing alternatives, intends to incur debt (the "Obligations") secured by the full faith, credit and taxing power of the Issuer for the purpose of providing funds to pay the costs of the Projects and costs incurred in connection with the authorization, issuance and sale of the Obligations;

WHEREAS, the estimated cost of the Projects is expected to be an amount not exceeding \$20,000,000;

WHEREAS, the Issuer has previously expended and reasonably expects to continue to expend its moneys for capital costs incurred for the Projects prior to the issuance of the Obligations;

WHEREAS, the Issuer intends and reasonably expects to reimburse itself for all such capital expenditures paid by it with respect to the Projects prior to the issuance of the Obligations from the proceeds of the Obligations and such intention is consistent with the budgetary and financial circumstances of the Issuer; and

WHEREAS, all of the costs to be paid or reimbursed from the proceeds of the Obligations will be for costs incurred in connection with the issuance of the Obligations or will, at the time of payment thereof, be properly chargeable to the capital account of the Projects (or would be so chargeable with a proper election) under general federal income tax principles.

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

Section 1. It is hereby declared that the facts set forth in the preambles to this Resolution are in all respects true and correct.

Section 2. It is hereby declared that the Issuer intends and reasonably expects to reimburse itself with the proceeds of the Obligations for all expenditures related to the Projects and the issuance of the Obligations paid prior to the issuance of the Obligations.

Section 3. This Resolution shall constitute a declaration of official intent under Section 1.150-1 of the Treasury Regulations promulgated by the United States Department of the Treasury.

Section 4. The maximum principal amount of debt expected to be issued for the purpose of paying the costs of the Projects and the issuance of the Obligations is not exceeding \$20,000,000.

DONE IN MEETING DULY ASSEMBLED this 25th day of September, 2012.

LEXINGTON COUNTY, SOUTH CAROLINA

(SEAL)

Chairman, Lexington County Council

ATTEST:

Clerk to Lexington County Council
Lexington County, South Carolina

LEXINGTON COUNTY, SOUTH CAROLINA

ORDINANCE NO. 12-12

AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS OF LEXINGTON COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR AND THE FINANCE DIRECTOR TO DETERMINE CERTAIN MATTERS RELATING THERETO; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

_____, 2012

TABLE OF CONTENTS

ARTICLE I – FINDINGS 1

 Section 1.01 Findings..... 1

ARTICLE II – DEFINITIONS AND CONSTRUCTION..... 4

 Section 2.01 Definitions..... 4

 Section 2.02 Construction 6

ARTICLE III – THE BONDS 7

 Section 3.01 Authorization..... 7

 Section 3.02 Public Hearing..... 7

 Section 3.03 Details of the Bonds 7

 Section 3.04 Medium and Place of Payment..... 7

 Section 3.05 Agreement to Maintain Registrar and Paying Agent 8

 Section 3.06 Registration and Transfer 8

 Section 3.07 Lost, Stolen, Destroyed or Defaced Bonds 9

 Section 3.08 Book-Entry Only System. 9

 Section 3.09 Execution and Authentication of Bonds..... 10

 Section 3.10 Form of Bonds..... 11

 Section 3.11 Security for Bonds..... 11

 Section 3.12 Exemption from Taxation 11

 Section 3.13 Payments Due on Saturdays, Sundays, and Holidays 11

ARTICLE IV – SALE OF THE BONDS..... 12

 Section 4.01 Sale and Award of Bonds..... 12

 Section 4.02 Official Statement and Official Notice of Sale..... 12

 Section 4.03 Summary Notice of Sale..... 12

ARTICLE V – CERTAIN DELEGATIONS AND AUTHORIZATIONS 13

 Section 5.01 Certain Delegations 13

 Section 5.02 Authorization to Call the Series 2006B Bonds; Notice of Redemption 13

ARTICLE VI – APPLICATION OF PROCEEDS..... 14

 Section 6.01 Deposit and Use of Proceeds..... 14

ARTICLE VII – DEFEASANCE 15

 Section 7.01 Defeasance 15

ARTICLE VIII – MISCELLANEOUS..... 17

 Section 8.01 Tax Covenants..... 17

 Section 8.02 Securities Law Covenants 17

 Section 8.03 Notice Pursuant to Section 11-27-40..... 17

 Section 8.04 Professional Services..... 18

 Section 8.05 Authorization to Execute Documents..... 18

 Section 8.06 Ordinance to Constitute Contract 18

 Section 8.07 General Repealer 18

EXHIBIT A – Form of the Bond

**BE IT ORDAINED BY THE COUNTY COUNCIL OF LEXINGTON COUNTY,
SOUTH CAROLINA, AS FOLLOWS:**

ARTICLE I – FINDINGS

Section 1.01 Findings

The County Council of Lexington County (the “County Council”), the governing body of Lexington County, South Carolina (the “County”), hereby finds and determines:

(a) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the “Constitution”), provides that counties may incur general obligation bonded indebtedness upon such terms and conditions as the General Assembly may prescribe by general law subject to the following limitations: (i) such debt must be incurred only for a purpose which is a public purpose and a corporate purpose for a county, and (ii) unless excepted therefrom, such debt may be issued in an amount not exceeding eight percent (8%) of the assessed value of all taxable property of such county (the “Bonded Debt Limit”).

(b) Pursuant to Title 4, Chapter 15 of the South Carolina Code (the same being and hereinafter referred to as the “County Bond Act”), the governing body of any of the counties of the State may issue general obligation bonds to defray the cost of any authorized purpose and for any amount not exceeding such county’s applicable Bonded Debt Limit.

(c) The County Bond Act provides that as a condition precedent to the issuance of bonds an election be held with results favorable thereto. Title 11, Chapter 27 of the South Carolina Code provides that if an election be prescribed by the provisions of the County Bond Act, but is not required by the provisions of Article X, Section 14 of the Constitution, then in every such instance, no election need be held and the remaining provisions of the County Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(d) Title 11, Chapter 15, Article 5 of the South Carolina Code (the “Refunding Act”) provides that the governing body of any issuer, including any county, may issue refunding bonds to such extent as such issuer shall be indebted by way of principal, interest and redemption premium upon any outstanding general obligation bonds, maturing or called for redemption, less all sinking funds and other moneys on hand applicable thereto at any time, but not sooner than one year from the date the outstanding bonds fall due or have been called for redemption.

(e) Under present market conditions, the County has determined that it will achieve interest cost savings by the issuance of refunding bonds and using the proceeds therefrom to redeem all or a portion of the originally issued \$7,575,000 General Obligation Bonds, Series 2006B (Taxable Series) (the “Series 2006B Bonds”), which mature on the first day of February in the years 2013 through 2021 and which have an aggregate outstanding principal amount of \$5,575,000 (the “Refunded Bonds”);

(f) In order to provide emergency services throughout the County, the County Council has determined, at this time, to finance a portion of the costs of an emergency 911 operations center (the "EOC Project") through the issuance of general obligation bonds. The total amount of general obligation bonds to be issued to finance such portion of the EOC Project is estimated to be \$3,000,000.

(g) In order to promote economic development within the County, the County Council has determined to finance the cost of (i) constructing certain transportation infrastructure and (ii) completing and developing certain industrial and technology parks in the County, which may include, but is not limited to, the acquisition of land and the construction of public improvements, as well as certain site work, engineering, and design services related thereto (the "Economic Development Projects" and together with the EOC Project, the "Projects") through the issuance of general obligation bonds. The County Council hereby specifically finds and determines in connection with the accomplishment of the Economic Development Projects that:

- (i) The ultimate goal of the Economic Development Projects is to promote industrial development and thereby provide job opportunities for the citizens of the County;
- (ii) The primary beneficiaries of the Economic Development Projects will be the citizens of the County, who will enjoy an increase in job opportunities; and
- (iii) The Economic Development Projects are in the public interest and well-suited to spurring industrial development in the completed industrial and technology parks and are highly likely to provide benefits to the citizens of the County within a reasonable period.

The total amount of funds required to finance the Economic Development Projects is estimated to be \$17,000,000.

(h) The assessed value of the County for 2011, which is the last completed assessment thereof, is a sum not less than \$1,084,897,526, which produces for the County a Bonded Debt Limit of \$86,791,801. The present outstanding principal amount of general obligation debt of the County is the sum of \$37,273,176 and thus the County may issue additional general obligation debt, in the principal sum of \$49,518,626 without a referendum. Moreover, under the decision of the South Carolina Supreme Court in *Williams v. Rock Hill*, 177 S.C. 82, 180 S.E. 799 (1935), debt issued by the County for the purpose of refunding general obligation debt, and which reduces the annual debt service payments as compared to the refunded debt, does not create additional debt subject to the Bonded Debt Limit. However, the sum borrowed by the County in order to defray the costs of the Projects does count against the Bonded Debt Limit. At the closing of any Series of Bonds issued to refund the Refunded Bonds pursuant to the provisions of this Ordinance, the Finance Director shall certify as to the principal sum used to effect the redemption of the Refunded Bonds as well as the principal sum issued to defray the cost of any of the Projects.

(i) It is in the best interest of the County for the County Council to authorize and provide for the issuance and sale of general obligation refunding and improvement bonds of the County pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina for the purposes of refunding the Refunded Bonds and raising sufficient moneys to defray the cost of the Projects.

ARTICLE II – DEFINITIONS AND CONSTRUCTION

Section 2.01 Definitions

As used in this Ordinance, unless context otherwise requires, the following terms shall have the following respective meanings.

“Authorized Investments” mean and include any securities which at the time of determination are legal investments for political subdivisions in South Carolina as provided by the South Carolina Code.

“Bond” or **“Bonds”** means any of the Bonds of the County authorized by this Ordinance.

“Bondholder” or **“Holder”** or **“Holders of Bonds”** or **“Owner”** or similar term means, when used with respect to Bonds or a Bond, any person who shall be registered as the owner of any Bonds Outstanding.

“Bond Payment” means the periodic payment of principal of and interest on the Bonds.

“Bond Payment Date” means the date upon which the principal of and interest on the Bonds authorized by this Ordinance are due and payable.

“Chairman” means the Chairman of County Council.

“Code” means the Internal Revenue Code of 1986, as amended.

“Corporate Trust Office” when used with respect to any Paying Agent or Registrar, means the office at which its principal corporate trust business shall be administered.

“County Administrator” shall mean the County Administrator of the County.

“County Auditor” means the Auditor of the County.

“County Council” means the County Council of the County.

“County Treasurer” shall mean the Treasurer of the County.

“Enabling Act” means Article X, Section 14 of the Constitution of the State of South Carolina, 1895, and Title 4, Chapter 15 and Title 11, Chapter 27 of the South Carolina Code. To the extent refunding bonds are issued, such term also includes Title 11, Chapter 15, Article 5 of the South Carolina Code.

“Escrow Agent” means a financial institution appointed by the County to hold funds for the purpose of defeasing the Bonds in accordance with Article VII of this Ordinance.

“Fiduciary” means the Paying Agent and the Registrar, including any financial institution appointed to serve as such, and their successors and assigns.

“Finance Director” shall mean the Finance Director of the County.

“Government Obligations” means and includes direct general obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which is fully and unconditionally guaranteed by the United States of America.

“Note” or **“Notes”** means bond anticipation notes, issued pursuant to the authorizations of Sections 11-17-10 to 11-17-120 of the South Carolina Code, and this Ordinance, for the purpose of defraying the cost of the Projects or for the purpose of refunding a Note or Notes.

“Outstanding” when used in this Ordinance, with respect to the Bonds, means as of any date, all Bonds theretofore authenticated and delivered pursuant to this Ordinance except:

(i) any Bond cancelled or delivered to the Registrar for cancellation on or before such date;

(ii) any Bond (or any portion thereof) deemed to have been paid in accordance with the provisions of Section 7.01 hereof; and

(iii) any Bond in lieu of or in exchange for which another Bond shall have been authenticated and delivered pursuant to Section 3.09 of this Ordinance.

“Paying Agent” means any bank, trust company or national banking association which is authorized to pay the principal of or interest on any Bonds and has the duties, responsibilities and rights provided for in this Ordinance, and its successor or successors and any other corporation or association which at any time may be substituted in its place pursuant to this Ordinance. The entity named as Paying Agent may also act as Registrar. Notwithstanding the above definition of Paying Agent, if the Bonds are delivered in physical form, the Paying Agent may be the County Treasurer.

“Person” means an individual, a partnership, a corporation, a trust, a trustee, an unincorporated organization, or a government or an agency or political subdivision thereof.

“Principal Installment” means, as of any date of calculation, the principal amount of all Bonds due on a specified date.

“Projects” has that meaning described in Section 1.01 herein.

“Purchaser” means a purchaser of the Bond or Bonds.

“Record Date” means the fifteenth day of the month immediately preceding a Bond Payment Date.

“Registrar” means any bank, trust company, or national banking association which is authorized to maintain an accurate list of those who from time to time shall be the Holders of the Bonds and shall effect the exchange and transfer of Bonds in accordance with the provisions of this Ordinance and having the duties, responsibilities, and rights provided for in this Ordinance and its successor or successors and any other corporation or association which at any time may be

substituted in its place pursuant to this Ordinance. The institution named as Registrar may also act as Paying Agent. Notwithstanding the above definition of Registrar, if the Bonds are delivered in physical form, the Registrar may be the County Treasurer.

“*Series*” or “*Series of Bonds*” shall mean Bonds issued hereunder as a single issue, i.e., sold and closed on the same dates under a common designation.

“*South Carolina Code*” means the Code of Laws of South Carolina, 1976, as amended.

“*State*” means the State of South Carolina.

“*Taxable Bonds*” shall mean any Bonds that have been designated as such by the County Administrator and the Finance Director pursuant to Section 8.01(d) of this Ordinance.

Section 2.02 Construction

In this Ordinance, unless context otherwise requires:

(a) Articles and Sections referred to by number shall mean the corresponding Articles and Sections of this Ordinance.

(b) The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder,” and any similar terms refer to this Ordinance, and the term “hereafter” shall mean after, and the term “heretofore” shall mean before the date of adoption of this Ordinance.

(c) Words of the masculine gender shall mean and include correlative words of the female and neuter genders, and words importing the singular number shall mean and include the plural number and vice versa.

(d) Any Fiduciary shall be deemed to hold an Authorized Investment in which money is invested pursuant to the provisions of this Ordinance, even though such Authorized Investment is evidenced only by a book entry or similar record of investment.

ARTICLE III – THE BONDS

Section 3.01 Authorization

The issuance of not exceeding \$26,000,000 of general obligation bonds of the County (the “Bonds”) is hereby authorized pursuant to the Enabling Act in order to: (i) provide for the refunding of the Refunded Bonds, (ii) defray costs associated with the Projects, and (iii) provide for the costs of issuance thereof. The actual amount of the Bonds to be issued hereunder shall be determined by the County Administrator and the Finance Director.

Section 3.02 Public Hearing

Prior to third reading of this Ordinance, a public hearing shall be conducted. Notice of such hearing shall be given in accordance with the provisions of Section 4-9-130 or Section 15-29-40 of the South Carolina Code. The notice shall be in the form approved by the County Administrator and the Finance Director.

Section 3.03 Details of the Bonds

The Bonds will be issued in fully registered form registered in the name of the purchaser thereof or under a book-entry-only system, registered in the name of Cede & Co. as the registered owner and nominee of The Depository Trust Company, New York, New York, which in such instance will act as securities depository for the Bonds. The Bonds shall be dated as of the first day of the month in which the Bonds are delivered to the initial purchaser(s) thereof, the date of delivery thereof, or such other date as shall be selected by the County Administrator and the Finance Director; shall be in such denominations as determined by the County Administrator and the Finance Director; shall bear interest from such date as may be accepted by the County Administrator and the Finance Director at the time of the sale thereof; and shall mature in such Principal Installments as the County Administrator and the Finance Director may determine.

The Bonds may be issued in a single series, or from time to time in multiple series as determined by the County Administrator and the Finance Director.

Section 3.04 Medium and Place of Payment

(a) Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

(b) If the Bonds are issued in book-entry form, the Bond Payments shall be payable at the Corporate Trust Office of the Paying Agent and payment of the interest on each Bond shall be made by the Paying Agent to the Person appearing as the registered owner thereof on each Record Date on the registration books of the County, which books shall be held by the Registrar, by check or draft mailed to such registered owner at his address as it appears on such registration books in sufficient time to reach such registered owner on the Bond Payment Date. Payment of

the Principal Installment of all Bonds shall be made upon the presentation and surrender for cancellation of such Bonds as the same shall become due and payable.

Section 3.05 Agreement to Maintain Registrar and Paying Agent

Subject to the last paragraph of this Section 3.05, as long as any of the Bonds remain Outstanding there shall be a Registrar and a Paying Agent which shall be a financial institution maintaining Corporate Trust Offices where: (i) Bonds may be presented for registration of transfers and exchanges, (ii) notices and demands to or upon the District in respect of the Bonds may be served, and (iii) the Bonds may be presented for payment, exchange and transfer. Initially, the financial institution designated by one or more of the County Administrator and the Finance Director shall act as both Registrar and Paying Agent. The single institution so chosen shall exercise both the functions of the Registrar and the Paying Agent.

If any Series of Bonds are issued in the form of a single bond in physical form, the Finance Director or the County Treasurer's office may serve as the Registrar and Paying Agent for the Bonds and shall fulfill all functions of the Registrar and Paying Agent enumerated herein. It shall also serve as Registrar and Paying Agent should the Bonds initially be held in a book-entry system and such system is subsequently discontinued.

Section 3.06 Registration and Transfer

The County shall cause books (herein referred to as the "Registry Books") to be kept at the offices of the Registrar, for the registration and transfer of the Bonds. Upon presentation at its office for such purpose, the Registrar shall register or transfer, or cause to be registered or transferred, on such Registry Books, the Bonds under such reasonable regulations as the Registrar may prescribe.

Each Bond shall be transferable only upon the Registry Books of the County, which shall be kept for such purpose at the principal office of the Registrar, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond, the Registrar, on behalf of the County, shall issue, in the name of the transferee a new fully registered Bond or Bonds, of the same aggregate principal amount, interest rate and maturity as is the surrendered Bond. Any Bond surrendered in exchange for a new registered Bond pursuant to this Section shall be canceled by the Registrar.

The County and the Registrar may deem or treat the person, in whose name any fully registered Bond shall be registered upon the registry books, as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the Registrar shall be affected by any notice to the contrary. In all cases in which the privilege of transferring Bonds is exercised, the County shall execute and the Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. Neither the County nor the

Registrar shall be obliged to make any such transfer of Bonds during the period beginning on the day after the 15th calendar day of the month next preceding an interest payment date on such Bonds and ending on such interest payment date.

Section 3.07 Lost, Stolen, Destroyed or Defaced Bonds

In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the County shall execute and the Registrar shall authenticate and deliver at the principal office of the Registrar, or send by registered mail to the owner thereof at his request, risk and expense a new Bond of the same interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the County and the Registrar evidence or proof satisfactory to the County and the Registrar of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the ownership thereof, and also such security and indemnity in such amount as may be required by the laws of the State or such greater amount as may be required by the County and the Registrar. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under this Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder.

All expenses necessary for the providing of any duplicate Bond shall be borne by the applicant therefor.

Section 3.08 Book-Entry Only System

(a) Notwithstanding anything to the contrary herein, so long as the Bonds are being held under a book-entry system of a securities depository, transfers of beneficial ownership of the Bonds will be effected pursuant to rules and procedures established by such securities depository. If held under a book-entry system, the initial securities depository for the Bonds will be The Depository Trust Company (“DTC”), New York, New York. DTC and any-successor securities depositories are hereinafter referred to as the “Securities Depository” and “Securities Depository Nominees” respectively.

(b) As long as a book-entry system is in effect for the Bonds, the Securities Depository Nominee will be recognized as the holder of the Bonds for the purposes of: (i) paying the principal, interest, and premium, if any, on such Bonds, (ii) selecting the portions of such Bonds to be redeemed, if Bonds are to be redeemed in part, (iii) giving any notice permitted or required to be given to Bondholders under this ordinance, (iv) registering the transfer of Bonds, and (v) requesting any consent or other action to be taken by the holders of such Bonds, and for all other purposes whatsoever, and the County shall not be affected by any notice to the contrary.

(c) The County shall not have any responsibility or obligation to any participant, any beneficial owner or any other person claiming a beneficial ownership in any Bonds which are registered to a Securities Depository Nominee under or through the Securities Depository with respect to any action taken by the Securities Depository as holder of such Bonds.

(d) The County shall pay all principal, interest and redemption premium, if any, on Bonds issued under a book-entry system, only to the Securities Depository or the Securities Depository Nominee, as the case may be, for such Bonds, and all such payments shall be valid and effectual to fully satisfy and discharge the obligations with respect to the principal of and premium, if any, and interest on such Bonds

(e) In the event that the County determines that it is in the best interest of the County to discontinue the book-entry system of transfer for the Bonds, or that the interests of the beneficial owners of the Bonds may be adversely affected if the book-entry system is continued, then the County shall notify the Securities Depository of such determination. In such event, the Registrar shall authenticate, register and deliver physical certificates for the Bonds in exchange for the Bonds registered in the name of the Securities Depository Nominee.

(f) In the event that the Securities Depository for the Bonds discontinues providing its services, the County shall either engage the services of another Securities Depository or arrange with a Registrar for the delivery of physical certificates in the manner described in subparagraph (e) above.

(g) In connection with any notice or other communication to be provided to the holders of Bonds by the County or by the Registrar with respect to any consent or other action to be taken by the holders of Bonds, the County or the Registrar, as the case may be, shall establish a record date for such consent or other action and give the Securities Depository Nominee notice of such record date not less than 15 days in advance of such record date to the extent possible.

(h) At the closing of any Series of Bonds and the delivery of the same to the purchaser thereof through the facilities of DTC, the Registrar may maintain custody of bond certificates on behalf of DTC in accordance with DTC's "FAST" closing procedures.

Section 3.09 Execution and Authentication of Bonds

The Bonds shall be executed in the name of the County, with the manual or facsimile signature of the Chairman attested to by the manual or facsimile signature of the Clerk to County Council under a facsimile of the seal of the County, which shall be impressed, imprinted or reproduced thereon. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Bond shall bear a certificate of authentication manually executed by the Registrar in substantially the form set forth herein.

Section 3.10 Form of Bonds

The Bonds shall be in substantially the form to that attached hereto as Exhibit A.

Section 3.11 Security for Bonds

The full faith, credit and taxing power of the County is hereby irrevocably pledged for the payment of the principal and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor. There shall be levied annually by the County Auditor and collected by the County Treasurer in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

The County Auditor and the County Treasurer shall be notified as to the delivery of and payment for the Bonds and are hereby directed to levy and collect, respectively, a tax, without limit, on all taxable property in the County sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

Section 3.12 Exemption from Taxation

Both the principal of and interest on the Bonds shall be exempt, in accordance with the provisions of Section 12-2-50 of the South Carolina Code, from all State, county, municipal, school district and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate and transfer taxes, but the interest thereon may be includable in certain franchise fees or taxes.

Section 3.13 Payments Due on Saturdays, Sundays, and Holidays

In any case where a Bond Payment Date for a Series of Bonds shall be a Saturday or Sunday, or, at the place designated for payment, a legal holiday or a day on which banking institutions are authorized by law to close, then any Bond Payment due shall be payable on the next succeeding business day with the same force and effect as if made on the Bond Payment Date and no interest shall accrue during such period.

ARTICLE IV – SALE OF THE BONDS

Section 4.01 Sale and Award of Bonds

The Bonds shall be sold at public sale, at not less than par and accrued interest to the date of delivery. Bids shall be received at such time and date and in such manner as is selected by the County Administrator and the Finance Director. Unless all bids are rejected, the award of Bonds of a Series may be made by the County Administrator or the Finance Director to the bidder offering the lowest interest cost therefor, computed on the basis set forth in a notice of sale used in providing for the sale of the Bonds (the “Notice of Sale”).

Section 4.02 Official Statement and Official Notice of Sale

The County Council hereby authorizes the County Administrator and the Finance Director to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Bonds. The County Council authorizes the County Administrator to designate the Preliminary Official Statement as “final” for purposes of Rule 15c2-12 of the Securities Exchange Commission. The County Administrator is further authorized to see to the completion of the final form of the Official Statement upon the sale of the Bonds so that it may be provided to the purchasers of the Bonds.

Should the County Administrator and the Finance Director determine to employ an Official Statement in connection with the issuance of the Bonds, the County Council authorizes an official Notice of Sale to be distributed coincident with and in like manner as the Preliminary Official Statement.

Section 4.03 Summary Notice of Sale

In lieu of publishing the official Notice of Sale in its entirety, the Finance Director and the County Administrator may elect to publish an abbreviated form of notice and provide the full text of the foregoing official Notice of Sale only to those persons who request the same or who are identified as prospective bidders for the Bonds. A summary of the official Notice of Sale shall be published not less than 7 days prior to the date fixed for sale, in a newspaper having general circulation in the State and, if deemed appropriate by the County Administrator, in a financial publication published in the City of New York, State of New York.

ARTICLE V – CERTAIN DELEGATIONS AND AUTHORIZATIONS

Section 5.01 Certain Delegations

The County Council hereby expressly delegates to the County Administrator and the Finance Director the authority, with respect to the Bonds, to determine: (a) the date of sale, the date of issuance, the maturity schedule and the Bond Payment Dates with respect to the Bonds; (b) the redemption provisions, if any; (c) whether to use bond insurance, and if so, to make appropriate arrangements therefor; (d) whether to retain a financial advisor; (e) whether to award the Bonds on the basis of net interest cost or true interest cost; (f) whether the Bonds will be designated as “qualified tax-exempt obligations”; (g) whether to utilize the provisions of Section 11-27-40(8) of the South Carolina Code with respect to this Ordinance; (h) whether to issue all or a portion of the Bonds as Taxable Bonds; (i) whether to create and distribute preliminary and final Official Statements in connection with the issuance of any Series of Bonds; and (j) such other matters regarding the Bonds as are necessary or appropriate. In making such determinations, the County Administrator and the Finance Director are directed to take into account the amounts available in the County’s debt service fund. The County Council may, by resolution, authorize the County Administrator and the Finance Director to alter any of the conditions specified above or elsewhere herein.

The County Administrator and the Finance Director are hereby authorized and directed to conduct the sale of the Bonds pursuant to the provisions of Article IV hereof. The County Council hereby expressly delegates to the County Administrator and the Finance Director the authority to award the sale of any Bonds in accordance with the Notice of Sale contemplated in Article IV hereof.

Section 5.02 Authorization to Call the Series 2006B Bonds; Notice of Redemption

The County Administrator and the Finance Director are authorized to call the Series 2006B Bonds and provide for the notice of redemption thereof, in such manner, form and time as required by the proceedings authorizing the issuance of the Refunded Bonds. The County Administrator and the Finance Director are further authorized to effect the redemption of the Refunded Bonds and to invest the proceeds pending the use thereof for the purposes provided herein.

ARTICLE VI – APPLICATION OF PROCEEDS

Section 6.01 Deposit and Use of Proceeds

The proceeds derived from each sale of the Bonds issued pursuant to this Ordinance shall be paid to the County Treasurer, to be deposited in a special fund to the credit of the County, and shall be expended and made use of by the County as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such Bonds;

(b) Any premium shall be applied to the payment of the first Principal Installment of such Bonds. Notwithstanding the foregoing, in the case of refunding Bonds, any premium generated from the sale of such Bonds shall be first applied to effect the redemption of the Refunded Bonds; and

(c) The remaining proceeds shall be expended and made use of by the County to defray the cost of issuing the Bonds and to either (i) effect the refunding of the Refunded Bonds, or (ii) defray the costs of the Projects described in Section 1.01 hereof, or (iii) both;

Pending the use of the proceeds of the Bonds, the same shall be invested and reinvested in Authorized Investments; provided, that neither the Purchaser nor any Holder of the Bonds shall be liable for the proper application of the proceeds thereof.

ARTICLE VII – DEFEASANCE

Section 7.01 Defeasance

(a) If all of the Bonds issued pursuant to this Ordinance shall have been paid and discharged, then the obligations of this Ordinance hereunder, and all other rights granted thereby shall cease and determine. Bonds shall be deemed to have been paid and discharged within the meaning of this section under any of the following circumstances:

(i) If a bank or other financial institution (the “Escrow Agent”) shall hold, at the stated maturities of the Bonds, in trust and irrevocably appropriated thereto, moneys for the full payment thereof; or

(ii) If default in the payment of the principal of the Bonds or the interest thereon shall have occurred, and thereafter tender of payment shall have been made, and the Escrow Agent shall hold, in trust and irrevocably appropriated thereto, sufficient moneys for the payment thereof to the date of the tender of payment; or

(iii) If the County shall have deposited with the Escrow Agent, in an irrevocable trust, either moneys in an amount which shall be sufficient, or direct general obligations of the United States of America, which are not subject to redemption by the issuer prior to the date of maturity thereof, as the case may be, the principal of and interest on which, when due, and without reinvestment thereof, will provide moneys, which, together with the moneys, if any, deposited with the Escrow Agent at the same time, shall be sufficient to pay, when due, the principal, interest, and redemption premium or premiums, if any, due and to become due on the Bonds and prior to the maturity date or dates of the Bonds, or, if the County shall elect to redeem the Bonds prior to their stated maturities and shall have irrevocably bound and obligated itself to give notice of redemption thereof in the manner provided in the form of the Bonds herein, on and prior to the redemption date or dates of the Bonds, as the case may be; or

(iv) If there shall have been deposited with the Escrow Agent either moneys in an amount which shall be sufficient, or direct general obligations of the United States of America the principal of and interest on which, when due, will provide moneys, which, together with the moneys, if any, deposited with the Escrow Agent at the same time, shall be sufficient to pay, when due, the principal and interest due and to become due on the Bonds on the maturity thereof.

(b) In addition to the above requirements of paragraphs (i), (ii), (iii), and (iv), in order for this Ordinance to be discharged, all other fees, expenses and charges of the Escrow Agent have been paid in full at that time.

(c) Notwithstanding the satisfaction and discharge of this Ordinance, the Escrow Agent shall continue to be obligated to hold in trust any moneys or investments then held by the Escrow Agent for the payment of the principal of, premium, if any, and interest on, the Bonds, to pay to the owners of Bonds the funds so held by the Escrow Agent as and when payment becomes due.

(d) Any release under this Section shall be without prejudice to the rights of the Escrow Agent to be paid reasonable compensation for all services rendered under this Ordinance and all reasonable expenses, charges, and other disbursements and those of their respective attorneys, agents, and employees, incurred on and about the performance of the powers and duties under this ordinance.

(e) Any moneys which at any time shall be deposited with the Escrow Agent by or on behalf of the County for the purpose of paying and discharging any Bonds shall be and are hereby assigned, transferred, and set over to the Escrow Agent in trust for the respective holders of the Bonds, and the moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. If, through lapse of time or otherwise, the holders of such Bonds shall no longer be entitled to enforce payment of their obligations, then, in that event, it shall be the duty of the Escrow Agent to transfer the funds to the County.

(f) In the event any Bonds are not to be redeemed within the 60 days next succeeding the date the deposit required by Section 7.01(a)(iii) or (iv) is made, the County shall give the Escrow Agent irrevocable instructions to mail, as soon as practicable by registered or certified mail, a notice to the owners of the Bonds at the addresses shown on the registry books that (i) the deposit required by subparagraphs (a)(iii) or (a)(iv) of this Section 7.01 has been made with the Escrow Agent, (ii) the Bonds are deemed to have been paid in accordance with this Section and stating the maturity or redemption dates upon which moneys are to be available for the payment of the principal of, and premium, if any, and interest on, the Bonds, and (iii) stating whether the County has irrevocably waived any rights to redeem the Bonds, or any of them, prior to the maturity or redemption dates set forth in the preceding clause (ii).

(g) The County covenants and agrees that any moneys which it shall deposit with the Escrow Agent shall be deemed to be deposited in accordance with, and subject to, the applicable provisions of this Section, and whenever it shall have elected to redeem Bonds, it will irrevocably bind and obligate itself to give notice of redemption thereof and will further authorize and empower the Escrow Agent to cause notice of redemption to be given in its name and on its behalf.

ARTICLE VIII – MISCELLANEOUS

Section 8.01 Tax Covenants

(a) Except with regard to Bonds designated as “Taxable Bonds,” the County covenants that no use of the proceeds of the sale of the Bonds shall be made which, if such use had been reasonably expected on the date of issue of such Bonds would have caused the Bonds to be “arbitrage bonds” as defined in the Code, and to that end the County shall comply with the applicable regulations of the Treasury Department previously promulgated under Section 103 of the Internal Revenue Code of 1954, as amended, and any regulations promulgated under the Code, so long as the Bonds are outstanding.

(b) The County further covenants to take all action necessary, including the payment of any rebate amount, to comply with Section 148(f) of the Code and any regulations promulgated thereunder.

(c) The County covenants to file IRS form 8038 at the time and in the place required therefor under the Code.

(d) Prior to the issuance of a Series of Bonds, the County Administrator and the Finance Director may, in consultation with Bond Counsel, designate a Series of Bonds as taxable under the Code. The election to issue a Series of Taxable Bonds shall be clearly indicated by including the phrase “Taxable Series,” or words to that effect, in the series designation of such Taxable Bonds.

Section 8.02 Securities Law Covenants

The County hereby covenants and agrees that it will comply with and carry out all of the provisions of a continuing disclosure certificate, executed by the Chairman and dated the date of delivery of the Bonds, which will meet the requirements of: (i) Rule 15c2-12 promulgated by the Securities and Exchange Commission and (ii) Section 11-1-85 of the South Carolina Code, as amended, which requires, among other things, that the County file with the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access System (EMMA), a copy of its annual independent audit within 30 days of its receipt and acceptance and event-specific information, within 30 days of an event adversely affecting more than 5% of its revenues or 5% of its tax base.

Section 8.03 Notice Pursuant to Section 11-27-40

In order that the County may proceed as expeditiously as possible to issue and deliver the Bonds authorized hereby, the County Administrator, together with the Finance Director, may determine that the County avail itself of the provisions of paragraph 8 of Section 11-27-40 of the South Carolina Code.

Section 8.04 Professional Services

The County Council hereby authorizes the County Administrator and the Finance Director, if, upon the advice of Bond Counsel, they deems it necessary to retain a financial advisor to advise Bond Counsel and the County in connection with the issuance of the Bonds.

The County Council hereby further authorizes the County Administrator to enter into such contractual arrangements with printers and the suppliers of other goods and services in connection with the sale, execution and delivery of the Bonds, as is necessary and desirable.

Section 8.05 Authorization to Execute Documents

The County Council hereby authorizes the Chairman, Clerk of County Council, the Finance Director and the County Administrator to execute such documents and instruments as may be necessary to effect the issuance of the Bonds.

Section 8.06 Ordinance to Constitute Contract

In consideration of the purchase and acceptance of Bonds, the provisions of this Ordinance shall constitute a contract between the County and such Holders from time to time of the Bonds.

Section 8.07 General Repealer

All rules, regulations, resolutions and parts thereof, procedural or otherwise in conflict herewith or the proceedings authorizing the issuance of the Bonds are to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

ENACTED AT LEXINGTON, SOUTH CAROLINA, THIS ____ DAY OF
NOVEMBER, 2012.

LEXINGTON COUNTY, SOUTH CAROLINA

Chairman, Lexington County Council

(SEAL)

ATTEST:

Clerk to Lexington County Council

First Reading: _____, 2012
Second Reading: _____, 2012
Public Hearing: _____, 2012
Third Reading: _____, 2012

EXHIBIT A – FORM OF BOND

**UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
GENERAL OBLIGATION
REFUNDING AND IMPROVEMENT
BONDS, SERIES 2012
OF LEXINGTON COUNTY**

No. R-____

INTEREST RATE MATURITY ORIGINAL ISSUE DATE CUSIP

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: \$_____

KNOW ALL MEN BY THESE PRESENTS, that Lexington County, South Carolina (the “County”), is justly indebted and, for value received, hereby promises to pay to the registered holder named above, or registered assigns, the principal amount shown above on the maturity date shown above, upon presentation and surrender of this Bond at the principal office of _____ (the “Registrar and Paying Agent”), and to pay interest on such principal sum from the date hereof at the interest rate per annum shown above until the County’s obligation with respect to the payment of such principal sum shall be discharged. Interest on this Bond is payable semiannually on _____ and _____ of each year commencing _____, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the County maintained by the Registrar/Paying Agent, at the close of business on the 15th day of the calendar month next preceding each semiannual interest payment date. The principal and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts, provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

This Bond is one of an issue of Bonds (the “Bonds”) of like date of original issue, tenor and effect, except as to number, date of maturity, denomination and rate of interest, issued in an original aggregate principal amount of \$_____, issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended; Chapter 15, Title 4 Code of Laws of South Carolina, 1976, as amended, Chapter 27, Title 11, Code of Laws of South Carolina, 1976, as amended; Title 11, Chapter 15, Code of Laws of South Carolina, 1976, as amended; and an ordinance duly enacted by the Lexington County Council on _____ (the “Ordinance”).

This Bond shall not be valid or obligatory for any purpose, until the Certificate of Authentication hereon shall have been duly executed by the Registrar.

EXHIBIT A – FORM OF BOND

For the payment of the principal and interest on this Bond as it respectively matures and for the creation of such sinking fund as may be necessary therefor, the full faith, credit, resources and taxing power of the County are hereby irrevocably pledged, and there shall be levied annually by the County Auditor and collected by the County Treasurer in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal and interest of this Bond as they respectively mature and to create such sinking fund as may be necessary therefor.

The Bonds are being issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as provided in the Ordinance. One Bond certificate with respect to each date on which the Bonds are stated to mature, registered in the name of the Securities Depository Nominee, is being issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system will evidence positions held in the Bonds by the Securities Depository's Participants, beneficial ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof being evidenced in the records of such Participants. Transfers of ownership shall be effected on the records of the Securities Depository on the records of the Securities Depository and its Participants pursuant to rules and procedures established by the Securities Depository and its Participants. The County, and the Paying Agent will recognize the Securities Depository Nominee, while the registered owner of this Bond, as the owner of this Bond for all purposes, including payments of principal of and redemption premium, if any, and interest on this Bond, notices and voting. Transfer of principal and interest payments to Participants of the Securities Depository will be the responsibility of the Securities Depository, and transfer of principal, redemption premium, if any, and interest payments to beneficial owners of the Bonds by Participants of the Securities Depository will be the responsibility of such Participants and other nominees of such beneficial owners. The County will not be responsible or liable for such transfers of payments or for maintaining, supervision or reviewing the records maintained by the Securities Depository, the Securities Depository Nominee, its Participants or persons acting through such Participants. While the Securities Depository Nominee is the owner of this Bond, notwithstanding, the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on this Bond shall be made in accordance with existing arrangements between the Paying Agent or its successors under the Ordinance and the Securities Depository.

[INSERT REDEMPTION PROVISIONS, IF ANY]

This Bond is transferable only upon the books of the County kept for that purpose at the principal office of the Registrar/Paying Agent by the registered owner hereof in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same series, aggregate principal amount, interest rate, and maturity shall be issued to the transferee in exchange herefor as provided in the Ordinance. The County and the Registrar/Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

EXHIBIT A – FORM OF BOND

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county, municipal, school district and other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate and transfer taxes, but the interest hereon may be included for certain franchise fees or taxes.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other general obligation and bonded indebtedness of the County, does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina; and that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the County sufficient to pay the principal and interest of this Bond as they respectively become due and to create such sinking fund as may be necessary therefor.

IN WITNESS WHEREOF, LEXINGTON COUNTY, SOUTH CAROLINA, has caused this Bond to be signed by the manual signature of the Chairman of the County Council, attested by the manual signature of the Clerk to County Council and the seal of the County impressed hereon.

LEXINGTON COUNTY, SOUTH CAROLINA

Chairman, County Council

(SEAL)

ATTEST:

Clerk to County Council

EXHIBIT A – FORM OF BOND

REGISTRAR’S CERTIFICATE OF AUTHENTICATION

This is the Bond described in the within mentioned Ordinance of Lexington County, South Carolina dated _____.

[NAME OF REGISTRAR],
as Registrar

By: _____

Date of Authentication: _____

EXHIBIT A – FORM OF BOND

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common

UNIF GIFT MIN ACT -

TEN ENT - as tenants by the
entireties

_____Custodian_____
(Cust) (Minor)

JT TEN - as joint tenants with right
of survivorship and not as
tenants in common

under Uniform Gifts to Minors
Act _____
(state)

Additional abbreviations may also be used though not in above list.

EXHIBIT A – FORM OF BOND

[FORM OF ASSIGNMENT]

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Transferee)

_____ the within bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

(Authorized Officer)

(Signature must be guaranteed by participant in the Securities Transfer Medallions Program (STAMP))

Notice: The signature to the assignment a must correspond with the name of the Agent registered owner as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.



**APPOINTMENTS
BOARDS & COMMISSIONS
September 25, 2012**

JIM KINARD

- **Children's Shelter** - Suzanne Hackett; term expired 06/30/12; not eligible for reappointment

DEBBIE SUMMERS

- **Accommodations Tax Board** - Jacquelyn McNeill; term expires 12/31/12; eligible for reappointment; *confirmed desire to serve another term*

BOBBY KEISLER

- **Assessment Appeals Board** - Sabrina Rogers; term expires 09/21/12; eligible for reappointment; *confirmed desire to serve another term*

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*

BRAD MATTHEWS

- **Accommodations Tax Board** - Kathy Rabune; term expires 12/31/12; eligible for reappointment; *confirmed desire to serve another term*
- **Accommodations Tax Board** - Randi Sullivan; term expires 12/31/12; eligible for reappointment; *confirmed desire to serve another term*
- **Accommodations Tax Board** - William Teague; term expires 12/31/12; not eligible for reappointment

BILL BANNING

- **Accommodations Tax Board** - Pat Johnson; term expires 12/31/12; eligible for reappointment; *confirmed desire to serve another term*
- **Accommodations Tax Board** - Robert Schaeffer; term expires 12/31/12; eligible for; *confirmed desire to serve another term* reappointment

TODD CULLUM

- **Accommodations Tax Board** - Kevin Reeley; term expires 12/31/12; eligible for reappointment; *confirmed desire to serve another term*
- **Assessment Appeals Board** - William Power; term expires 09/21/12; not eligible for reappointment
- **Museum** - Carol Metts; term expires 11/01/13; resigned effective 06/27/11

AT LARGE:

Building Codes Board of Appeals

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

River Alliance

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

Stormwater Advisory Board

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

**COUNTY OF LEXINGTON
PRE-TRIAL SERVICES**

***Evaluation Committee Report and Recommendation
Request for Proposals No. P13001-08/21/12S***

September 13, 2012

PURPOSE

The County of Lexington issued a Request for Proposal (RFP) to establish a contract with a consulting firm to provide Pre-Trial Services for the Magistrate's Office. We requested consulting services to assist in the development of a Pretrial Services Program that will consist of pretrial screening and evaluation, risk assessment and conditional release. There are currently no such programs of this type in the state of South Carolina and Lexington County intends to be the model for other counties across the state.

EVALUATION COMMITTEE

An evaluation committee was appointed by Joe G. Mergo, III, County Administrator, to evaluate and review the proposals and ultimately report its recommendation to County Council for their consideration. Committee members were Ed Lewis, Chief Court Administrator; Vicki Smith, Deputy Court Administrator; Mike Ujcich, Chief Information Officer; Kevin Jones, Detention Center Commander ; Chris Samellas, Assistant Solicitor; Judge Gary Reinhart, Chief Magistrate; and Angela M. Seymour, Procurement Officer .

SOLICITATION REQUIREMENTS

The required legal advertisements, soliciting sealed competitive proposals for professional services, were placed on the County's website, South Carolina Business Opportunities (SCBO), and the Demandstar website. Notification was also mailed to one (1) firm on a potential offeror list. The County received a proposal from one (1) responsive firm on August 21, 2012.

EVALUATION PROCESS

On August 22, 2012 the Evaluation Committee began its evaluation process. Copies of the submittals were distributed to each committee member for their individual evaluation. The committee met again on September 5, 2012 for detailed discussions of their individual evaluation of the proposals and respective scoring of each criteria factor. Each proposal under consideration was evaluated and scored on four (4) specific criteria areas as indicated in the RFP. The factors listed in the order of their relative importance were as follows: (1) Proposal content and its responsiveness to the RFP; (2) Overall qualifications of the consultant; (3) Sustainability and success of previously implemented Pretrial Services Programs or programs similar to the one proposed; and (4) References from government entities that the consultants have worked with in the past to develop a program similar in nature and scope. The evaluation committee's review, based upon the quality of the responses to the request for qualifications, the County entered into negotiations with Pretrial Justice Institute on September 10, 2012.

After the evaluation committee was in agreement that it had obtained, reviewed, and analyzed all information and documentation presented and collected in the evaluation process, the final evaluation was completed by the committee on September 13, 2012.

PROPOSED COST

The total cost to the County of Lexington for these services is estimated at \$34,822.00. There is a balance of \$35,000.00 in account number 2487-142000-520300.

RECOMMENDATION

The committee hereby submits and recommends for Council consideration and approval to award a contract with Pretrial Justice Institute. We further recommend that this proposal be placed on County Council agenda for their next scheduled meeting on September 25, 2012.

Angela M. Seymour
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: September 12, 2012

TO: Joe G. Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **Agilent GC/MS System or Equal (Grant Funds)**
B13006-08/29/12S
Sheriff's Department

Competitive bids were solicited and advertised for an Agilent Gas Chromatograph/Mass Selective System or Equal. We received one (1) responsive bid on August 29, 2012 (see attached Bid Tabulation).

The bid was evaluated by Nandalyn Heaitley, Sheriff's Department and Angela M. Seymour, Procurement Officer. It is our recommendation to award this solicitation to Agilent Technologies for a total amount, including all applicable taxes, of \$90,644.61. Funding has been approved and will be reimbursed by South Carolina Department of Public Safety from grant number 1GS09211.

County funds are appropriated in the following account:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>	<u>Requisition Amount</u>
2442-151200-5AD224	(1) Gas Chromatograph / Gas Mass Spec	\$105,400.00	\$90,644.61

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 September 25, 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

County of Lexington

Bid Tabulation

BID # : B13006-08/29/12S

AGILENT GC/MS SYSTEM OR EQUAL

Item	Qty	U/M	Description	Agilent Technologies	
				Unit Total	Total Cost
1	1	EA	Agilent GC/MS System or equal in accordance in this solicitation's specifications.	\$ 83,032.35	\$ 83,032.35
2	1	EA	On-site application training in according to the solicitation's specifications.	\$ 1,800.00	\$ 1,800.00
			Subtotal		\$ 84,832.35
			Taxes		\$ 5,812.26
			Total		\$ 90,644.61

Bids Received: August 29, 2012 @ 3:00 PM E.S.T.

Angela M. Seymour
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: September 12, 2012

TO: Joe G. Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

**SUBJECT: Eighteen (18) 800 MHz Radios with Accessories
Sheriff's Department**

We have received three (3) purchase requisitions from the Sheriff's Department for the purchase of eighteen (18) 800 MHz radios with accessories, ten (10) of which are replacements. These radios will be purchased from SC State Contract # 500011320 from Motorola.

Captain Lee Marshall, Sheriff's Department has reviewed and recommended this purchase. The total cost, including applicable sales tax, is \$90,131.91.

Funds are appropriated in the following accounts:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>	<u>Requisition Amount</u>
2633-151200-5AD239	(1) 800 MHz Radio with Accessories	\$5,400.00	\$5,007.33
1000-151200-5AD174	(7) 800 MHz Radios with Accessories	\$37,800.00	\$35,051.30
1000-151200-5AD173	(10) 800 MHz Radios with Accessories - Replacements	\$54,000.00	\$50,073.28

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 September 25, 2012.

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

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: September 14, 2012

TO: Joe Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

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

We are in receipt of several requisitions for the purchase of thirty-two (32) fleet vehicle replacements and additions including any emergency equipment/installation and accessories for the Sheriff's Department. The vehicles are being purchased from Love Chevrolet through South Carolina state contract numbers 4400002993 and 4400004322. All vehicles will require the purchase and installation of emergency equipment and accessories. The accessories will be purchased from Dana Safety Supply through South Carolina State Contract number 440001051 and the Lexington County procurement process from West Chatham Warning Devices. 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 \$857,903.74. It is recommended that the awards be made to multiple vendors as follows:

Love Chevrolet	\$811,757.00
Dana Safety Supply	\$32,374.77
West Chatham Warning Devices	\$13,771.97

After the signing of the Budget Amendment Resolution on September 25, 2012, funds will be appropriated in the following accounts:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>	<u>Requisition Amount</u>
1000-151200-5AD364	(19) Marked Utility Vehicles With Equipment	\$570,000.00	\$491,946.90
1000-151200-5AD365	(4) Marked Sedan Vehicles With Equipment	\$120,000.00	\$116,241.09
1000-151200-5AD366	(2) Unmarked Utility Vehicles With Equipment	\$60,000.00	\$53,197.58

1000-151200-5AD367	(4) Marked Utility Vehicles With Equipment	\$120,000.00	\$112,675.04
1000-151200-5AD368	(1) Marked Utility Vehicle With Equipment	\$31,500.00	\$28,622.17
1000-151200-5AD369	(1) Marked Utility Vehicle With Equipment	\$30,000.00	\$28,622.17
1000-151200-5AD370	(1) Unmarked Utility Vehicle With Equipment	\$31,500.00	\$26,598.79

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 September 25, 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)	Requisition Number	Dana Safety Supply (State Contract)	Requisition Number	West Chatham (Low Vendor)	Total
1000-151200-5AD364	\$ 480,472.00	13-196	\$ 3,854.25	13-196-1	\$ 1,883.20	
1000-151200-5AD364		13-201	\$ 3,854.25	13-201-1	\$ 1,883.20	\$491,946.90
1000-151200-5AD365	\$ 104,488.00	13-198	\$ 8,376.17	13-198-1	\$ 3,376.92	\$116,241.09
1000-151200-5AD366	\$ 50,046.00	13-194	\$ 3,151.58	N/A	N/A	\$ 53,197.58
1000-151200-5AD367	\$ 101,152.00	13-197	\$ 7,708.49	13-197-1	\$ 3,814.55	\$112,675.04
2633-151200-5AD368	\$ 25,288.00	13-199	\$ 1,927.12	13-199-1	\$ 1,407.05	\$ 28,622.17
2633-151200-5AD369	\$ 25,288.00	13-200	\$ 1,927.12	13-200-1	\$ 1,407.05	\$ 28,622.17
2632-151200-5AD370	\$ 25,023.00	13-195	\$ 1,575.79	N/A	N/A	\$ 26,598.79
TOTALS	\$ 811,757.00		\$ 32,374.77		\$ 13,771.97	\$857,903.74

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM
(O) 803- 785-8166
(F) 803- 785-2240

DATE: September 14, 2012

TO: Joe G. Mergo, III
County Administrator

THRU: Jeffrey A. Hyde
Procurement Manager

FROM: Jo Marie Brown
Procurement Officer

**SUBJECT: Request for Approval to Utilize the Competitive Sealed Proposal Process
for a LiveScan Sex Offender Portable Unit
Sheriff's Department**

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 LiveScan Sex Offender Portable Unit for the Lexington County Sheriff's Department. The Procurement Office in coordination with the Sheriff's Department 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 September 25, 2012.

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

ORDINANCE 12-11

**AN ORDINANCE TO AMEND ARTICLE III, DIVISION 2,
SECTIONS 34-92 (POWERS, DUTIES, AND AUTHORITY OF LEXINGTON
COUNTY HEALTH SERVICES DISTRICT) OF THE LEXINGTON COUNTY
CODE**

BE IT ORDAINED BY THE COUNTY COUNCIL OF LEXINGTON COUNTY,
SOUTH CAROLINA AS FOLLOWS:

Section 34-92. "Powers, duties, and authority" shall be amended as follows:

(a) The Board shall have the powers, duties, and authority of a governing board of a regional health services district as set forth in S.C.Code 1976, § 44-7-2010 et seq. and shall operate and manage the Lexington County Hospital and the district's other related health care facilities. The Board shall be authorized to do all things necessary or convenient to provide and maintain adequate hospital facilities for Lexington County, including, and without limiting in any way the generality of this section, the authority to extend the services and to establish and maintain facilities of the district outside ~~the~~ Lexington County in counties contiguous to Lexington County and in Kershaw County and Sumter County, upon such terms and conditions as the Board may prescribe, preference always being given to citizens of Lexington County to the extent permitted by law or regulation. The Board shall notify the Lexington County Council prior to extending services and maintaining facilities outside of Lexington County.

This ordinance shall be effective upon date of approval.

Enacted this ____ day of _____, 2012.

Chairman, Lexington County Council

Attest:

Diana Burnett, Clerk

First Reading: _____

Second Reading: _____

Public Hearing: _____

Third and Final Reading: _____

Filed w/Clerk of Court: _____



COMMITTEE REPORT

RE: Chariot Street

DATE: September 14, 2012

COMMITTEE: Public Works & Solid Waste Management

MAJORITY REPORT: Yes

The Public Works Committee met on Monday, September 10, 2012, to consider the paving of Chariot Street.

Mr. Randy Edwards presented information for the paving of Chariot Street. He reported that the County's cost to pave the dirt road is estimated at \$123,000. Mr. Edward pointed out these facts: 1) Riley's Drug Store has relocated to the corner of Highway 1 and Chariot, 2) Lexington Recreation Commission has requested paving due the high traffic accessing the soccer complex on Duffie Road; 3) The Jim Hudson car dealership does not use the road due to the dust created; 4) Average Daily Traffic count is currently 400. Staff recommends paving the road due to the high volume of traffic on Chariot Street using funds from the Economic Development portion of the C-Fund Program. (Funds would be transferred to a new account from the Unclassified account 2700-121301-539900 which has an available balance of \$122,850.)

The Public Works Committee voted in favor, with one opposed (Mr. Kinard), to recommend to the Lexington County Transportation Committee (CTC) to approve the paving of Chariot Street using funds from the Economic Development portion of the C-Fund Program for \$123,000.



COMMITTEE REPORT

RE: Frye Road

DATE: September 14, 2012

COMMITTEE: Public Works & Solid Waste Management

MAJORITY REPORT: Yes

The Public Works Committee met on Monday, September 10, 2012, to consider the paving of Frye Road.

Mr. Randy Edwards presented information for the paving of Frye Road. He reported that the County's cost to pave the dirt road is estimated at \$96,000. Sox and Sons Construction has provided an estimate of \$75,000 for paving at a 25 percent savings for the remaining portion of Frye Road. All residents have agreed to provide right-of-way and storm drainage easement as required. Staff recommends funding through the C-Fund Program Unclassified account 2700-121300-539900 which has an available balance of \$181,495.

The Public Works Committee voted in favor, with two opposed (Mr. Kinard and Mr. Keisler), to recommend to the Lexington County Transportation Committee (CTC) to approve the paving of Frye Road by Sox and Sons Construction not to exceed the estimated \$75,000 and must go through Lexington School District One, Sox and Sons and County Procurement.



COMMITTEE REPORT

RE: West Columbia and Cayce C-Fund Request

DATE: September 14, 2012

COMMITTEE: Public Works & Solid Waste Management

MAJORITY REPORT: Yes

The Public Works Committee met on Tuesday, September 11, 2012, to consider West Columbia and Cayce C-Fund requests.

Mr. Jim Starling presented C-Fund requests from the City of West Columbia and the City of Cayce. The City of West Columbia is requesting \$40,000 in matching funds for their Triangle City Streetscape and Beautification Enhancement Grant Project which is estimated at a total cost of \$543,750. West Columbia had previously received \$45,920 in matching funds from the County, leaving a balance of \$40,000.

The City of Cayce is requesting \$25,000 for repairs and upgrades for two existing wooden/brick stairways at the Guignard Park. Funds for both are available in the C-Fund Special Projects - Unclassified Account 2700-1213-539900. (The account has an unencumbered amount of \$180,933.)

The Public Works Committee voted unanimously in favor to recommend to the Lexington County Transportation Committee (CTC) for approval of both C-Fund requests for the City of West Columbia and the City of Cayce.

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 by quit-claim deed 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 by deed as recorded in Book 12856, at page 184).

The conveyance shall contain a restriction that the property shall be used solely as a Pet Park and related activities and that the right to use the wetlands located on the subject property for wetlands mitigation purposes shall be reserved for use by the County of Lexington. The conveyance shall also be subject to easement and restrictions of record and any governmental statute, ordinance, and regulations.

2. The 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, Sr.
Chairman, Lexington County Council

ATTEST:

Diana W. Burnett, Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

Filed W/Clerk of Court: _____.

TRACT "A"

