

**MINUTES**  
**LEXINGTON COUNTY COUNCIL**  
**MAY 24, 2005**

Lexington County Council held its regular meeting on Tuesday, May 24, 2005 in Council Chambers, beginning at 4:30 p.m. Chairman Rucker presided; Chairman Rucker gave the invocation; Miss Addie Cullum (daughter of Councilman Todd Cullum) led the Pledge of Allegiance.

Members attending:   Bruce E. Rucker                      William C. Billy Derrick  
                          George H. Smokey Davis        Debra B. Summers  
                          Bobby C. Keisler                Johnny W. Jeffcoat  
                          John W. Carrigg, Jr.            Joseph W. Owens  
                          M. Todd Cullum

Also attending: Art Brooks, County Administrator; Larry Porth; Finance Director/Assistant County Administrator; Katherine Doucett, Personnel Director/Assistant County Administrator; John Fechtel, Director of Public Works/Assistant County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

**Executive Order** - Chairman Rucker stated he was making it an executive order that anybody who has a child or a group such as the Boys Scout, Girls Scout, etc. that would like to lead the Pledge of Allegiance for County Council to make arrangements with the Clerk to Council.

**Employee Recognition - Art Brooks, County Administrator** - Mr. Brooks stated that Lexington County was recently awarded the 2005 Palmetto Pillar Award of Technology from the Information Technology Council of the Greater Columbia Chamber of Commerce. The County won the award for the on-line tax payment and property search features on the County's web site. Contributing to the success of this project were System Analyst II, Rick VanSant; System Analyst II, Marlon Buff; System Analyst II, Mike Berrian; IS Director, Jim Schafer; and Jim Miller, Web Developer. Midlands TEC nominated the County for the award.

Public Works Director/Assistant Administrator John Fechtel was recognized at the annual Recognition Banquet of the Lexington County Soil and Water Conservation District for his leadership and service to all citizens of Lexington County.

Chandelle Autry, Mobile Home Clerk, Assessor's Office; Community Development staff George Dickenson, Building Inspector; Marty Taylor, Chief Building Inspector; Barbara Padgett, Customer Service Clerk; and Ladd Sutton, Building Inspector; and George Hughes, GIS Technician, Planning

and GIS were recognized for their assistance to a citizen in solving her mobile home dilemmas.

Sheriff James Metts; Joe Mergo, Solid Waste Management Director; John Fechtel, Director of Public Works/Assistant Administrator; Public Works staff Doug Padgett, Assistant Superintendent; Jeff Goegeline, Assistant Crew Chief, Special Projects; Doug Shealy and Paul Abrams, Special Projects Crew Team; Animal Control staff Chris Folsom, Manager; Doug Reed, Animal Control Officer; Sheriff's Department staff Captain John Allard, Chief Keith Kirchner, Major George Brothers, Deputy Brandon Poole, Reserve Deputy Gerald Baker, Reserve Deputy Worth Rogers; and Dr. Greg Brown and Jonathan Miller, Sunset Animal Clinic, were all recognized for their assistance in capturing and returning "Bully" the buffalo back to his home in Red Bank. The buffalo escaped on May 6 and evaded being captured for over 24 hours.

**Presentation of Resolutions - Bryson Malone Summers Presented by Councilman Smokey Davis** - Councilman Davis presented a framed resolution to Eagle Scout Bryson Summers, son of Councilwoman Debbie Summers, for successfully meeting the requirements to earn the honor of Eagle Scout.

**William A. Byrd Presented by Councilman Johnny Jeffcoat** - Councilman Jeffcoat presented a framed resolution to Mr. William Byrd recognizing him for volunteering his time, talents, and expertise to the County as he assisted in conducting research and evaluating proposals offered by various telecommunicators to ensure that all Lexington County residents would receive quality service at the most economical cost.

**Resolutions - Kids Kamp 2005, Michael B. McGee, and Bruce E. Rucker** - A motion was made by Mr. Jeffcoat and seconded by Mr. Cullum to approve the resolutions.

Mr. Rucker opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Rucker	Mr. Jeffcoat
	Mr. Cullum	Mr. Derrick
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Carrigg
	Mr. Owens	

**Appointments - Board of Zoning Appeals - Mr. Michael J. A. Reed** - A motion was made by Mr. Derrick, seconded by Mr. Cullum to appoint Mr. Michael Reed to the Board of Zoning Appeals. Mr. Reed replaces Mr. Ronnie Garner.

Mr. Rucker opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Rucker	Mr. Derrick
	Mr. Cullum	Mr. Davis
	Ms. Summers	Mr. Keisler

Mr. Jeffcoat                      Mr. Carrigg  
Mr. Owens

**Assessment Appeals Board - Ms. Linda S. Ham** - A motion was made by Ms. Summers, seconded by Mr. Jeffcoat to appoint Ms. Linda Ham to the Assessment Appeals Board. Ms. Ham replaces Mr. Allen Wooten.

Mr. Rucker opened the meeting for discussion, no discussion occurred.

In Favor:            Mr. Rucker                      Ms. Summers  
                         Mr. Jeffcoat                      Mr. Derrick  
                         Mr. Davis                        Mr. Keisler  
                         Mr. Carrigg                      Mr. Owens  
                         Mr. Cullum

**Lexington/Richland Alcohol & Drug Abuse Council - Mr. Steve Hatchell** - A motion was made by Mr. Carrigg, seconded by Mr. Cullum to appoint Mr. Steve Hatchell to the Lexington/Richland Alcohol & Drug Abuse Council. Mr. Hatchell replaces Mr. William Rawl, Jr.

Mr. Rucker opened the meeting for discussion; no discussion occurred.

In Favor:            Mr. Rucker                      Mr. Carrigg  
                         Mr. Cullum                        Mr. Derrick  
                         Mr. Davis                        Ms. Summers  
                         Mr. Keisler                       Mr. Jeffcoat  
                         Mr. Owens

**Bids/Purchases/RFPs** - Mr. Davis made a motion, seconded by Mr. Cullum that the following bids/purchases/RFPs be approved.

**Trash Can Liners - Term Contract - Central Stores** - Competitive bids were solicited and advertised for a term contract for trash can liners for Central Stores. Fifteen (15) bids were received. Staff recommended that the award be made to Central Poly Corporation as the lowest bidder meeting specifications. Estimated annual value of the contract is \$31,471.40 including sales tax. Staff also recommended that the term contract be awarded for an initial period of one (1) year with the option to extend the contract for two (2) additional one (1) year periods if deemed to be in the best interest of the County.

**Fire Hose and Fire Fighting Equipment - Public Safety/Fire Service** - Competitive bids were solicited and advertised for fire hose and fire fighting equipment for Public Safety/Fire Service. Bidders were allowed to submit bids on one or a multiple of items depending on the products they could provide. Replacing needed fire fighting equipment and worn fire hose will allow Fire Service to continue toward equipping all fire apparatus to meet the Insurance Service Office (ISO) and National Fire Protection Association (NFPA) standards.

Eleven (11) bids were received. Staff recommended multiple awards to the lowest responsible bidders meeting specifications for a total cost of \$40,765.86 including sales tax - Wally's Fire & Safety Equipment Incorporated \$1,341.96; Charlotte Equipment Sales Incorporation \$4,356.60; C. W. Williams & Company Incorporated \$8,140.80; Anderson Fire & Safety Equipment \$4,446.70; FireSafe Associates \$17,279.99; Municipal Emergency Services \$3,545.90; Slagle's Fire & Equipment & Supply Company Incorporated \$1,653.91.

**Foam Trailer - Public Safety/Fire Service** - Competitive bids were solicited for the purchase of a foam trailer for Public Safety/Fire Service. Four (4) bids and one (1) no bid were received. Grant procedures have been approved by the South Carolina Department of Public Safety. The equipment will be used throughout the County to mitigate the effects of a hazardous material spill resulting from a commercial accident or terrorism event. Staff recommended award to Slagle Fire Equipment as the low bidder meeting specifications. Total cost of the system is \$37,719.65 including sales tax.

**Fire Station Renovations - Hollow Creek, Boiling Springs, Fairview and Gilbert - Gilbert Portion Only - Public Safety/Fire Service** - Invitations for bids were solicited from 23 qualified contractors for Fire Station renovations for Hollow Creek, Boiling Springs, Fairview and Gilbert. It was recommended and approved by County Council on February 22, 2005 that the bids for Boiling Springs, Fairview and Hollow Creek Fire Stations be accepted and awarded. The Gilbert Station was not approved at that time upon the request of the Town of Gilbert and the Gilbert Fire Station in order to obtain pricing for brick veneer on the exterior walls of the bay area of the station which would better match the town's street scape. The Gilbert Fire District was in the process of deeding a parcel of land to the County adjacent to the existing property. The Town of Gilbert and the Fire Department will be contributing \$7,500.00 towards the project. With the completion of these items, it is recommended that the project proceed which includes all equipment, materials and labor necessary for the renovation of the existing two-bay garage and the new construction of a 40' x 40' steel frame two-bay addition at the Gilbert Fire Station which includes site preparation and grading.

One (1) bid and five (5) no bids were received. Staff recommended that the balance of the contract be awarded to MAR Construction Company, Incorporated as being the lowest responsive bidder. Total cost including applicable sales tax is \$144,325.00.

**Light Kits - Public Safety/Fire Service** - Competitive bids were solicited for the purchase of light kits for Public Safety/Fire Service. Four (4) bids were received. Grant procedures have been approved by the South Carolina Department of Public Safety.

This equipment will be used to provide the COBRA team and other emergency response agencies within the County with sufficient light to conduct operations during periods of limited visibility. Two (2) kits are required to ensure that a sufficient area is illuminated or to allow for simultaneous operations in two locations.

Staff recommended award of the bid to the lowest bidder meeting specifications, Maddux Supply for a total cost of \$17,850.40 including sales tax.

**Ruggedized Laptop Notebook Computers - State Homeland Security Grant - Public Safety/Fire Service** - Public Safety/Fire Service submitted a requisition for the purchase of two (2) Hewlett Packard ruggedized laptop notebook computers. The purchase will be made directly from Hewlett Packard through South Carolina State Contract #05-S6656-A11230. The equipment is being funded through the State Homeland Security Grant Program and requires no County funds. Grant procedures have been approved by the South Carolina State Law Enforcement Division (SLED). Total cost including sales tax is \$9,031.20.

**170lb Gas Clothes Dryers - Sheriff's Department** - Competitive bids were solicited for the installation of two (2) 170lb gas clothes dryers for the Sheriff's Department. Two (2) bids and one (1) no bid were received. Staff recommended award of the bid to ICLM Systems, LLC as the low bidder meeting specifications. Total cost including equipment, installation, labor and optional fire detection and suppression system and sales tax is \$14,904.32.

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

Grant procedures have been approved by the South Carolina Department of Public Safety. Cost of the software and licenses is \$5,255.80 including sales tax.

**Computers, Docking Stations, Software, Flat Panel Television Monitors and Power Point Projectors (CCTV Hardware) - Law Enforcement Terrorism Prevention Program/Homeland Security - Sheriff's Department** - The Sheriff's Department submitted requisitions for six (6) Hewlett Packard computers and docking stations, six (6) Microsoft Office Professional licenses, two (2) flat panel television monitors, and two (2) power point projectors. The computers and docking stations will be purchased directly from Hewlett Packard through South Carolina State Contract #05-S6656-A11230. Microsoft Office Professional licenses will be purchased from Software House International through South Carolina State Contract #01-S4072-A7243. The flat panel television monitors will be purchased from the low bidder Southern Computer Warehouse. Power Point projectors will be purchased from Clark Powell Associates through South Carolina State Contract #03-S5324-A9000.

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

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

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

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

The purchase has been deemed a sole source procurement through Plastocon Incorporated since the carts must be compatible with the existing food trays that are manufactured by Plastocon Incorporated. Cost including applicable sales tax is \$16,938.80.

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

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

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

**Panasonic Toughbook Laptops and Accessories - Sheriff's Department -**

Bids were advertised and solicited for fifteen (15) Panasonic Toughbook laptops and accessories for the Sheriff's Department. The laptop computers will be provided to road deputies to electronically submit incident, supplemental and investigative reports to the Sheriff's Department records management data base. The laptop car mounts are required for officer safety so that the laptops will be locked in a stable position. Four (4) bids and two (2) no bids were received.

Grant procedures have been approved by the South Carolina Department of Public Safety. Staff recommended purchase of the laptops through Computer Service Partners, Incorporated - \$59,577.30; the auto power adapter to CS Business Supply - \$779.10; all other accessories to Software House International - \$3,962.99 (DVD-ROM/CD RW), \$1,960.47 (Locking Cradle for CF-29 Laptops), \$532.76 (Tilt/Swivel Hinge), \$812.97 (Swing Arm), \$1,159.00 (Passenger Side Base Mount), as being the lowest responsible bidders. Total purchase including shipping and sales tax is \$68,784.59.

**Waste Tire Services - Solid Waste Management** - Bids were solicited and advertised for a term contract for Waste Tire Services for Solid Waste Management. Two (2) bids were received. Staff recommended the award be made to U. S. Tire Recycling as the lowest bidder meeting specifications. Cost of the service is based on estimated quantities to be disposed of for a period of one (1) year. Annual estimated value of the contract is \$32,800.00 including sales tax. Initial term of the contract is for one (1) year with the option to extend for four (4) additional one (1) year periods if deemed to be in the best interest of the County.

Mr. Rucker opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Rucker *	Mr. Davis
	Mr. Cullum	Mr. Derrick
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

\* Later during the meeting, Mr. Rucker retracted his vote and stated he had intended to abstain due to a possible conflict of interest.

**Delayed Item - Ordinance 05-02 - An Ordinance Adopting a Supplemental Appropriation for Fiscal Year 2004-2005 - 3<sup>rd</sup> and Final Reading** - Mr. Davis made a motion, seconded by Mr. Owens that Ordinance 05-02 be postponed until after the budget is finalized.

For clarification, Mr. Rucker asked Mr. Anderson, County attorney, if Council postpones Ordinance 05-02 would the process have to start over.

Mr. Anderson replied that if Council denied third reading then you would have to start over.

Mr. Derrick stated the motion was out of order because the ordinance was tabled at the May 24<sup>th</sup> meeting and a motion would be needed to remove it from the table.

Mr. Owens replied it was just postponed. He said we discussed tabling but .....

Mr. Rucker stated the motion by Mr. Davis on May 24 was to delay.

Mr. Rucker stated he was asking for clarification if it (Ordinance 05-02) could be delayed again because he was told that if it was not brought up today, then the process would have to start over. Therefore, a motion was not necessary as Ordinance 05-02 remains delayed.

Mr. Davis withdrew his motion; Mr. Owens withdrew his second.

Mr. Davis stated he wanted to make sure that the County's budget was finalized prior to moving forward with Ordinance 05-02.

Mr. Owens reminded Council that Ordinance 05-02 is a \$9 million dollar expenditure and the Committee of the Whole has voted to recommend to full Council to loan \$1.2 million to Solid Waste; therefore, Council will have to make some adjustments.

**Chairman's Report** - None.

**Administrator's Report** - Mr. Brooks announced that Major John Allard, Public Information Officer for the Sheriff's Department will also assume those duties for Public Safety.

**Approval of Minutes - Meetings of April 26 and May 03, 2005** - A motion was made by Mr. Cullum, seconded by Ms. Summers to approve the minutes of April 26 and May 03, 2005 as submitted.

Mr. Rucker opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Rucker	Mr. Cullum
	Ms. Summers	Mr. Derrick
	Mr. Davis	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

**Zoning Amendments - Zoning Text Amendment T05-03 - Vested Rights - Proposed Changes to Article 12, Administration, of the Lexington County Zoning Ordinance - 2<sup>nd</sup> Reading** - A motion was made by Mr. Cullum and seconded by Mr. Keisler that Zoning Text Amendment T05-03 receive second reading.

Mr. Rucker opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Rucker	Mr. Cullum
	Mr. Keisler	Mr. Derrick
	Mr. Davis	Ms. Summers
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

**Ordinances - Ordinance 05-03 - Vested Rights - Proposed Changes to Section 3, Procedures, of the Lexington County Subdivision Regulations - 2<sup>nd</sup> Reading** - A motion was made by Mr. Davis and seconded by Mr. Cullum that Ordinance 05-03 receive second reading.

Mr. Rucker opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Rucker	Mr. Davis
	Mr. Cullum	Mr. Derrick
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg

Mr. Owens

**Ordinance 05-04 - FY 2005-06 General and Non-General Fund Budgets - 2<sup>nd</sup> Reading** - A motion was made by Mr. Cullum and seconded by Mr. Owens that Ordinance 05-04 receive second reading.

Mr. Rucker opened the meeting for discussion.

Mr. Davis asked if there were to be a suggested change to Ordinance 05-04 would it require an additional meeting or vote?

Mr. Rucker asked, if you decide to do something on third reading?

Mr. Davis replied, if we want to make an amendment, right.

Mr. Jeffcoat replied, if Council wants to make changes, it has to be done prior to the third reading.

Mr. Davis replied, if we vote for this tonight, it would require an additional meeting.

Mr. Carrigg replied, to make changes to the recommendations.

Mr. Carrigg asked if the motion encompasses all the committees' recommendations.

Mr. Cullum replied, correct; what we went over today in the Committee of the Whole.

Mr. Carrigg replied that Council will have to have a special meeting prior to the third reading if changes are to be made.

In Favor:	Mr. Rucker	Mr. Cullum
	Mr. Owens	Mr. Derrick
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

**Ordinance 05-05 - Amendment to the Solid Waste Ordinance - 2<sup>nd</sup> Reading** - A motion was made by Mr. Jeffcoat and seconded by Mr. Davis to table Ordinance 05-05.

In Favor:	Mr. Rucker	Mr. Jeffcoat
	Mr. Davis	Mr. Derrick
	Ms. Summers	Mr. Keisler
	Mr. Carrigg	Mr. Owens
	Mr. Cullum	

Mr. Davis asked that Ordinance 05-05 be placed in committee for the meeting scheduled on June

14 for further discussion.

Mr. Rucker stated that Ordinance 05-05 would be placed in the Public Works committee.

**Committee Reports - Airport, T. Cullum, Chairman - Fuel Farm and Runway Maintenance -**

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

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

This report was furnished for information only.

**Committee of the Whole, B. Rucker, Chairman - Woodrow Street and Railroad Crossing Project Update - Public Works -**

Mr. Rucker stated the Committee of the Whole met during the afternoon to discuss the Woodrow Street and Railroad Crossing project. He said the original estimated cost for the project was \$300,000 with funds being shared equally among County "C" Funds, SCDOT RISE Match, and the Irmo Land Company. Since the original estimate, the new estimated cost is \$417,199 leaving a shortfall of \$117,198.99. Mr. Rucker said this would require an additional \$39,066.33 from all parties.

Mr. Owens made a motion, seconded by Mr. Cullum to approve an additional \$39,066.33 from the County "C" Funds for the project.

Mr. Rucker opened the meeting for discussion, no discussion occurred.

In Favor:	Mr. Rucker	Mr. Owens
	Mr. Cullum	Mr. Derrick
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

**Budget Amendment Resolutions -** The following BAR was distributed and executed.

A supplemental appropriation increase of \$15,859 received from Waste Management Inc. for a previous agreement to provide concrete pads and compactors. The collection station at Ball Park Road will be completed with the funds.

**Introduction of Miles and Nancy Cullum -** Councilman Cullum recognized his parents, Mr. and Mrs. Miles Cullum residents of West Columbia.

**OLD BUSINESS/NEW BUSINESS - Impact Fees** - Mr. Derrick stated Council had requested a report on Impact Fees and have yet to receive the information.

Mr. Brooks reported the Planning Commission met and has made a recommendation. He said the recommendation will be presented during the Planning and Administration committee meeting scheduled for June 14.

**Comments from Mr. Rucker** - Mr. Rucker stated this will be his last meeting as Chairman and member of County Council. He said it has been a long four-terms but a most enjoyable one. He said it was most enjoyable because of the many friendships he has established. Mr. Rucker expressed his appreciation to Council and staff for their support and assistance through the years.

Messrs. Cullum and Owens thanked Mr. Rucker for his service and wished him well in his new position.

**Executive Session/Legal Briefing** - Council moved into Executive Session to receive the legal briefing and to discuss contractual matters.

Mr. Rucker reconvened the meeting in open session.

**Bids/Purchases/RFPs** - Mr. Rucker stated for the record that he should not have voted for the bids/purchases/RFPs due to a possible conflict of interest and retracted his vote and asked that it reflect that he abstained.

Prior to the public hearings, Chairman Rucker read the guidelines for participation.

**6:00 P.M. - Public Hearings - Justice Assistance Grant (JAG)** - The purpose of the hearing is for the distribution of the Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$72, 611. The following is the recommended distribution: Magistrate Court Services - \$8,714; Law Enforcement - \$55,910; and Non-Departmental - \$7,987.

Mr. Rucker opened the public hearing.

No comments, in favor or against, were received.

Mr. Rucker closed the public hearing.

**Ordinance 05-03 - Vested Rights - Proposed Changes to Section 3, Procedures, of the Lexington County Subdivision Regulations** - This is an ordinance amending the Lexington County subdivision regulations with respect to the vesting of project approvals as outline in Act 287 of 2004 by the General Assembly of South Carolina.

Mr. Rucker opened the public hearing.

No comments, in favor or against, were received.

Mr. Rucker closed the public hearing.

**Zoning Text Amendment T05-03 - Vested Rights - Proposed Changes to Article 12, Administration, of the Lexington County Zoning Ordinance** - This zoning text amendment is to amend the Lexington County Zoning Ordinance with respect to the vesting of project approvals as outlined in Act 287 of 2004 by the General Assembly of South Carolina.

Mr. Rucker opened the public hearing.

No comments, in favor or against, were received.

Mr. Rucker closed the public hearing.

**Ordinance 05-05 - Amendment to the Solid Waste Ordinance** - This is an ordinance amending the Lexington County Solid Waste Ordinance to address additional definitions and regulations for recycling/processing centers, mining operations, and land clearing debris landfills.

Mr. Rucker opened the public hearing.

No comments, in favor or against, were received.

Mr. Rucker closed the public hearing.

**Zoning Text Amendment T05-04 - Recycling Centers** - This zoning text amendment is to amend the Lexington County Zoning Ordinance to address additional definitions and regulations for recycling/processing centers, mining operations, and landfills.

Mr. Rucker opened the public hearing.

No comments, in favor or against, were received.

Mr. Rucker closed the public hearing.

**Ordinance 05-04 - FY 2005-06 General and Non-General Fund Budgets.**

Mr. Rucker opened the public hearing.

Mr. Rucker announced that no one signed up in opposition of the FY 2005-06 budget.

Mr. Rucker opened the meeting for comments from those in favor.

**Mr. James Thompson, 140 Cannon Trail, Lexington, SC 29073** - Good afternoon. My name is

James Thompson, President of Dixie Youth Baseball. This is in support of the Recreation Bond Issuance for the Recreation Commission for improvements here in Lexington County. I am here to represent a significant number of parents, coaches, friends and over 900 kids that participate in our league, right here in Lexington alone.

While Jay Crisicione did not ask or insist that I come, I have spoken with Smokey Davis and Jake Knotts several times and they all know our feelings. He is well aware for our request for additional funds to make the improvements here in Lexington County for our kids to participate; keep the kids off the streets and give them organized activities. While being involved with youth sports for a long time including the 1990 World Series, which our group brought here, we continue to lose revenue here in Lexington County. We continue to lose money from local businesses due to the lack of sufficient facilities to hold these tournaments here in Lexington County and keep this program moving forward. In 1995 sources estimated, World Series alone, brought a minimum of \$750,000 impact to the local economy. Our 40 plus year-old complex on Ball Park Road alone, on any given Saturday, we have about 35 to 37 games going on. We see a significant amount of construction in progress and we constantly promote Lexington County as the place we want to live and raise our kids; it has a great school district and lake access. Yet we linger in bolstering up the recreation facilities here in Lexington County. This park has had minimal improvements since 1990 when I became involved in Dixie Youth Baseball and is currently in need of a major face lift in improvements if we are to continue teaching our kids sportsmanship, the spirit of competition, and the fun game of baseball.

I understand this is part of the proposal for the bond issuance and we strongly urge you to support these kids of your constituents and move forward in approving the funds for the Recreation Commission for Lexington County.

I have a group behind me that is in support of this also and I thank you for your time.

Mr. Davis stated he was told that the bond issuance is different from the budget process but said the body of the whole approved first reading which will be brought before Council at a later date. \*

\* The bond issuance is a totally separate issue even though Council gave first reading. The bond issuance will require a bond attorney and three readings.

**Mr. Al Beard, 211 Ashley Oaks Drive, Lexington, SC 29072** - Since this has to be read again, I'm kind of wondering if I should even just wait as I do not want to waste Council's time. But, basically I support Mr. Thompson pretty much the same.

Mr. Davis advised Messrs. Thompson and Beard that they would be notified of the public hearing.

Mr. Rucker closed the public hearing.

**Executive Session/Legal Briefing** - A motion was made by Mr. Owens seconded by Ms. Summers to go into Executive Session to continue the legal briefing and discuss contractual matters.

In Favor:      Mr. Rucker              Mr. Owens  
                 Ms. Summers          Mr. Derrick  
                 Mr. Davis                Mr. Keisler  
                 Mr. Jeffcoat             Mr. Carrigg  
                 Mr. Cullum

Mr. Rucker reconvened the meeting in open session.

**Matters Requiring a Vote as a Result of Executive Session** - Mr. Rucker reported Council received the legal briefing and discussed contractual matters and indicated several motions were to be considered.

**Solid Waste Franchise Agreement** - Mr. Owens made a motion, seconded by Mr. Keisler that the County's Solid Waste department staff be allowed to move forward with the franchise agreement subject to the approval of the County attorney.

Mr. Rucker opened the meeting for discussion; no discussion occurred.

In Favor:      Mr. Rucker              Mr. Owens  
                 Mr. Keisler              Mr. Derrick  
                 Mr. Davis                Ms. Summers  
                 Mr. Jeffcoat             Mr. Carrigg  
                 Mr. Cullum

**Lexington County Airport at Pelion Hangar Lease** - A motion was made by Mr. Cullum, seconded by Mr. Owens to approve the final hangar lease agreement for the Lexington County Airport at Pelion.

Mr. Rucker opened the meeting for discussion; no discussion occurred.

In Favor:      Mr. Rucker              Mr. Cullum  
                 Mr. Owens                Mr. Derrick  
                 Mr. Davis                Ms. Summers  
                 Mr. Keisler              Mr. Jeffcoat  
                 Mr. Carrigg

**Clerk of Court - Bank Account/ATM** - Mr. Davis made a motion, seconded by Mr. Cullum that Lexington County Council go on record that we (Council) do not approve of the actions of the Lexington County Clerk of Court in the actions to change the bank accounts that had been part of our County-wide banking agreement. Included in this motion, is the fact that Lexington County Council go on record that the Clerk of Court not install any ATM banking machines in the Lexington County Judicial Center. Included in this motion is a request that the Lexington County Clerk of Court use the procurement system of Lexington County on all purchases and contracts.

Mr. Rucker opened the meeting for discussion; no discussion occurred.

In Favor:      Mr. Rucker                      Mr. Davis  
                    Mr. Cullum                      Mr. Derrick  
                    Ms. Summers                      Mr. Keisler  
                    Mr. Owens

Abstaining:    Mr. Jeffcoat                      Mr. Carrigg

**Clerk of Court - Budget Amendment** - Mr. Derrick made a motion, seconded by Mr. Davis to amend the County's general fund budget to reduce Fund Number 141100 by \$240,000 and add to Fund Number 101100 a line item contingency fund for \$240,000.

Mr. Rucker opened the meeting for discussion.

Mr. Jeffcoat asked, what is that?

Mr. Derrick replied that is reducing the Clerk of Court's budget by \$240,000 and transferring the funds into County Council's budget as a contingency line item.

Mr. Rucker called for further discussion; none occurred.

In Favor:      Mr. Rucker                      Mr. Derrick  
                    Mr. Davis                      Ms. Summers  
                    Mr. Keisler                      Mr. Owens  
                    Mr. Cullum

Opposed:      Mr. Carrigg

Abstaining:    Mr. Jeffcoat

**Special Meeting and Public Hearing for Millage Consideration for Midlands Tec and Indigent Care** - Mr. Rucker announced that a special meeting and public hearing for millage consideration for Midlands Technical College and Indigent Care Fund will be scheduled for Tuesday, June 14 beginning at 7:00 p.m. However, he noted if changes were in order, the Vice Chairman can elect to meet on Monday, June 13.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

Bruce E. Rucker  
Chairman