

MINUTES
LEXINGTON COUNTY COUNCIL
APRIL 25, 2006

Lexington County Council held its regular meeting on Tuesday, April 25, 2006 in Council Chambers, beginning at 4:30 p.m. Mr. Cullum presided; Ms. Summers gave the invocation and Master Tristian Dale Harmon, son of Amber Harmon, employee in the Auditor's office and grandson of Donna Harris, employee in the Procurement office led the Pledge of Allegiance. Tristian is a student at Gilbert Primary School and is six (6) years old.

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

Also attending: Art Brooks, County Administrator; Larry Porth; Finance Director/Deputy County Administrator; Katherine Doucett, Personnel Director/Deputy County Administrator; John Fechtel, Director of Public Works/Deputy 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.

Special Recognition - Mr. Cullum stated that his daughter, Addy Harmon Cullum, is six (6) years old today and wished her happy birthday. He noted that Mr. Brooks celebrated his birthday on April 19 and wished him a belated happy birthday.

Employee Recognition - Art Brooks, County Administrator - Mr. Brooks recognized Darlene Peters, Senior Cashier, Treasurer's Office, for assisting a citizen in obtaining a decal from the DMV. The citizen indicated that Darlene has the most pleasing personality and that she is an outstanding employee.

Randy Munsch, Information Services, was recognized for being named Employee of the Year for 2005. Mr. Brooks thanked Randy for his service to the County, that Randy was an employee when he was employed by the County and Randy would still be with the County when he leaves. Mr. Brooks stated that Randy has done a great job for the County and the Information Services Department and when the County experienced a software problem with the computer aided mass appraisal system, he created a system to keep the Assessor's office running while recovery was going on. His hard work and dedication made it possible to proceed with reassessment. Randy's work in consolidating programs and adding enhancements to the magistrates' systems greatly reduced customer complaints.

Presentation of Resolution - Councilman Smokey Davis - Councilman Davis presented a framed resolution to Mr. Paul F. Clifton, Jr. for his service on the Lexington County Health Services District Board of Directors.

Resolution - Regie and Brenda Price - A motion was made by Ms. Summers and seconded by Mr. Derrick that the resolution be adopted.

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

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

Appointments - Lexington County Health Services District Board of Directors - A motion was made by Mr. Jeffcoat and seconded by Mr. Keisler to reappoint Dr. J. D. Whitehead as the at-large appointee.

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

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

Central Midlands COG - Mr. Cullum noted that Mr. Brooks' appointment to the COG would expire in June and did not think he would want to continue serving after his retirement on May 31, 2006.

Former Board Members - Mr. Derrick asked that staff send letters to commission/board members when they are replaced. Mr. Cullum stated that it was probably an oversight that he knew some board members he had replaced had received letters.

Children's Shelter Board - Ms. Summers stated that Council needed to give serious consideration to the vacancies on the Children's Shelter Board; that the vacancies had been there for some time and it was her understanding that the Board has tried to meet but has been unable to do so.

Mr. Cullum stated that some of the criteria may need to be changed for the boards and commissions.

Accommodations Tax Advisory Board - Mr. Cullum stated that the County's Accommodations Tax Advisory Board must have another appointee representing the lodging industry or the County

may be in jeopardy of losing some funds. Mr. Carrigg indicated that he knew an individual in the lodging industry who had expressed an interest in serving on the Advisory Board and asked who would have to be replaced.

Mr. Owens responded Mr. Truett.

Mr. Cullum stated that the County received a letter from the State that the composition of the board is lacking one person from the lodging industry and Council would have to abide by the law until it was changed; he did not want to risk a reduction in the funds received.

Bids/Purchases/RFPs - A motion was made by Mr. Keisler and seconded by Mr. Owens that the following Bids/Purchases/RFPs (Tabs L, M, N) be approved.

EMS Protective Clothing & Accessories - Public Safety/EMS - Bids were solicited for the purchase of EMS protective clothing and accessories for Public Safety/EMS. The clothing will be used by EMS personnel on scenes where vehicle extrication equipment and/or rescues will be performed as required by OSHA 1910.1030. The grant procedures have been approved by the South Carolina Law Enforcement Division.

Ten (10) bids and five (5) no bids were received. Staff recommended multiple awards to the following lowest bidders meeting specifications: Safe Industries - \$8,193.64; C.W. Williams - \$4,587.68; and Nafeco of SC - \$2,358.50. The total cost including tax is \$15,139.82.

Glock 9 MM Semi-Automatic Guns - Sheriff's Department - Staff recommended the purchase of twenty-four (24) Glock Model 26, 9MM semi-automatic guns for the Sheriff's Department. Each handgun will be equipped with a Glock night sight, two (2) magazines, and a five (5) pound trigger pull and will be used as a backup weapon in case the primary gun cannot be used. The guns will be purchased from Lawmen's Safety Supply through State Contract Number 05-S6726-A11237. Total cost including tax is \$10,404.96.

Motorola Radios and Accessories - Sheriff's Department - Staff recommended the purchase of four (4) Motorola radios and accessories for the Sheriff's Department. The radios will be for the reserve officer program. The radios and accessories will be purchased directly from the manufacturer, Motorola, through State Contract Number OIR2002.07. Total cost including tax is \$19,265.75.

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

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

Chairman's Report - Mr. Cullum reported that he attended the Eleventh Circuit Law Enforcement Network meeting on Wednesday along with Mr. Keisler, Ms. Summers, Mr. Kinard and Mr. Owens. Friday evening Mr. Cullum stated that he attended the Three Rivers Festival.

Mr. Cullum recognized students from Lexington High School who were attending as part of their government class.

Council Members' Reports - Mr. Owens stated that he also attended the Three Rivers Festival.

Mr. Derrick stated that he and Ms. Doucett were privileged to present the Citizens Awards to two employees of Mid-Carolina Co-Op at their annual meeting at which some 3,000 members attended. Congressman Wilson was also in attendance with a delegation from the Republic of Georgia, some eight or ten people, who were studying local, state, and federal government in the United States. Congressman Wilson served as host to the Georgia delegation. Mr. Derrick stated that he had the opportunity to meet the delegation, attend a Chamber dinner Thursday night and the co-op meeting Friday night. He stated that the Georgia delegation was most appreciative of the hospitality extended to them by Lexington County.

Ms. Summers reported that during the past few months she has had the opportunity to attend a methamphetamine awareness task force group comprised of Richland and Lexington counties and numerous organizations which are coming together to educate students and children in daycare centers. She indicated that the meetings were open to all Council members and that she could see good things occurring as a result of this group.

Summer Meeting Schedule - A motion was made by Mr. Jeffcoat and seconded by Mr. Davis that Council meet on July 25, August 22, and September 26, 2006.

Mr. Cullum opened the meeting for discussion.

Ms. Summers noted that in the event Council needed to meet the Chairman would call a meeting.

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

Administrator's Report - Presentation of FY 2006-2007 Recommended General Fund and Non-General Fund Budgets - Finance - Larry Porth, Director - Mr. Brooks stated that the only report he had was to ask Mr. Porth to present to Council the recommended budget for FY 06-07. He expressed his appreciation to Mr. Porth and the Finance staff and all departments that provided their requests and the recommendations that were developed; it is never an easy task, but the Finance Department in working with the departments has developed the best they could within the expected revenues. Mr. Brooks added that notification has been received that the Finance Department will

receive the Certificate of Excellence in Governmental Accounting and the audit was very good. He stated that the County has an outstanding Finance Department led by Mr. Porth.

Prior to the afternoon Council meeting, the FY2006-07 recommended general fund and non-general fund budgets were presented to Council. Mr. Porth distributed a summary of the recommended general fund and non-general fund budgets to Council.

Mr. Owens asked how much of the \$10 million that was blasted all over the front page is contained in the recommended budget?

Mr. Porth responded that a budget is being presented that balances with revenue estimates so none of it.

Mr. Porth stated that the recommended budget has been posted on the website.

The General Fund budget totals \$75,711,440; the Non-General Fund totals \$41,882,000. Mr. Porth also presented an annual budget overview which contains some information discussed at the last Council meeting. It includes the assessed value numbers that are available for the current year, and proposals for next year and answers the question "what's the value of a mill." The document shows the number of mills levied in the current year and the proposal for next year with the CPI index, and also contains a proposal to move certain millages between departments or funds based upon some moves that are proposed in the recommended budget. For example, there is a funding shift for the payment of the recruiter position which was approved this year, and there is also a shift in the personnel for the JET team; those types of changes are included in the document. Also included is fund balance information - what is the audited fund balance for the General Fund, Library, Solid Waste, Indigent Care, etc., as of July 1, 2005 and what it is expected to be for June 30, 2006. There are several presentations showing the revenue projections, compared not only to the budget that was approved originally for the current fiscal year, but also the amended budget. There are presentations that show revenues and appropriations compared to the last five or six years of actual revenues and expenditures. There is a revised recommendation page which is the millage agencies, some of which are making requests that are greater than last year. Council does not approve their line item budgets so there is no recommended budget, but Mr. Porth advised that if they want to ask for more than they received in previous years that they come and make a presentation to Council. Four out of the six agencies will probably need to address Council about some specific request. Staff's recommendation would be the same as that of General Fund; to fund existing functions at whatever the new revised cost would be. The budget policies were provided and as indicated by Mr. Porth, have been in the budget document for a number of years, and reiterate some of the administrative policies such as: the Administrator's ability to move money between line items; discusses all full and part-time positions being approved by Council; administrative policies concerning Finance, Personnel, Information Services, as far as coordinating with those internal service departments; discusses the proposed pay package which is included in the recommended budget at 3.4 percent adjustment which is roughly the cost of living, however, no one is automatically given the cost of living but that together with a merit factor is added together and is based upon an employee's evaluation. Also included in the information was a draft of the ordinance for the FY 06-07 budget. Sheets containing

all the positions specifically requested (most of which were not recommended in the proposed budget) were provided to Council. This information was provided in order to show the number of positions requested and what the costs would be.

Mr. Derrick asked the percentage of employees who received the merit increase last year; what he was looking for is to see if it was just automatic.

Mr. Porth asked Mr. Derrick if he was asking for the number of employees who received anything at all or what the amount of the increase was?

Mr. Derrick stated what the percentage of increase was.

Mr. Porth stated that there was no distinction between merit and cost of living; it was a unified increase, but what they try to do is

Mr. Derrick asked why it was called merit if it was really cost of living.

Mr. Porth stated that it was recognizing that the salary increase, if it only included cost of living every year, then no one would ever really get a raise; a good performer would not be rewarded above a mediocre performer.

Mr. Derrick stated that he was trying to distinguish between those two - is there a difference?

Mr. Porth stated there is an evaluation that grades several different factors on a scale of one to five, three being meets expectations, so if someone gets below a 2.6, which is slightly below meets expectations, they would get a zero. That's an employee who really is not doing what is expected, it may be someone who needs to be coached, it might be a new hire, etc., and they could be put on probation and hopefully remediated, but they would not be getting a pay increase. If someone gets a 4.75, they must be an expert in their field and they would get the maximum increase which might be five percent of the mid-point of that range, that is how the calculation is done. Mr. Porth stated they would expect a bell curve that most people would gravitate toward the middle and the bell curve is probably skewed probably to the top end, but if you have good employees is that really skewed or is that just representative of good employees.

Mr. Derrick stated that he was not going to make a decision based on that but he would like to know what the bell curve looks like.

Mr. Porth stated the whole process would be suspect if everyone received a 4.75.

Mr. Derrick stated that it would also be interesting to see it by department.

Mr. Cullum asked if the cutoff date for appeals to the recommended budget was Wednesday, April 26 and asked what was there in the way of appeals. Was there enough activity that the Committee

of the Whole would have to meet on May 2.

Ms. Burnett responded there were about seven in hand, however, departments had been contacted and it appears there will be about 23.

After discussion, it was the consensus that a Committee of the Whole budget worksession be held on May 2, 2006, 1:00 p.m. Mr. Cullum indicated that the session would probably run until 5:00 p.m. to 6:00 p.m.

Zoning Amendment - Zoning Map Amendment M06-03 - 2211 Lake Murray Blvd., Columbia, SC 29212 - TMS# 002697-01-013 - Announcement of 1st Reading - Mr. Cullum announced first reading of Zoning Map Amendment M06-03.

Ordinances - Ordinance 06-01 - Authorizing the Execution and Delivery of a Fee Agreement Between Lexington County and SCE&G - 2nd Reading - A motion was made by Mr. Davis and seconded by Mr. Derrick that Ordinance 06-01 receive second reading.

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

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Kinard	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Owens	
Opposed:	Mr. Carrigg	
Abstaining:	Mr. Cullum*	

*Mr. Cullum abstained since his spouse is employed by SCE&G.

Ordinance 06-02 - Amendment to Amend Ordinance 95-12 and to Approve the Amendment of Joint County Industrial Park with Calhoun County - 2nd Reading - A motion was made by Mr. Owens and seconded by Mr. Derrick that Ordinance 06-02 receive second reading.

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

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

*Mr. Cullum abstained since his spouse is employed by SCE&G.

Ordinance 06-03 - FY2006-07 General and Non-General Fund Budgets - 1st Reading by Title -

A motion was made by Mr. Davis and seconded by Mr. Owens that Ordinance 06-03 receive first reading by title.

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

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

Committee Reports - Health & Human Services, J. Carrigg, Jr., Chairman - Contract for Property Purchase - The Health and Human Services Committee discussed the Contract for Property Purchase during the afternoon. Mr. Carrigg stated that the Committee voted to recommend that Council proceed with executing the Contract subject to any revisions the County Attorney has to the Contract. The land would be used for the construction of a fire station.

A motion was made by Mr. Carrigg and seconded by Mr. Owens that the Committee Report be approved.

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

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

Airport, T. Cullum, Chairman - Lexington County Airport at Pelion - Hangar Leases - Mr. Cullum presented the report stating that the Airport Committee met on Tuesday, April 11, 2006 to discuss a proposal from Ms. Katherine Doucett, Human Resources Director and Assistant County Administrator to increase the lease rate for t-hangars at the Lexington County Airport at Pelion.

Ms. Doucett stated the current lease for a 42' by 33' t-hangar is \$125/month and the lease of the 36' by 44' hangar is \$150/month. She said with the pending addition of the 24-hour/day fuel service at the County's airport in May 2006, she is recommending that the 42' by 33' t-hangars be increased from \$125/mo to \$150/month and that the 36' by 44' hangar be increased from \$150/month to \$175/month. The new lease rates would take effect on 7/1/06.

The committee voted to recommend to full Council to approve increasing the lease rates on the 42' by 33' t-hangars to \$150/month and the 36' by 44' hangar to \$175/month effective 7/1/06.

A motion was made by Mr. Jeffcoat and seconded by Mr. Derrick that the Committee Report be

adopted.

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

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

South Carolina Department of Commerce - Division of Aeronautics Grant Request - Mr. Cullum reported that the Airport Committee convened on Tuesday, April 11, 2006 to consider a grant request from Ms. Katherine Doucett, Human Resources Director and Assistant County Administrator.

Ms. Doucett had requested authorization to apply for a grant from the South Carolina Department of Commerce /Division of Aeronautics for grass overseeding and fertilization in safety areas that border the runway and taxiway areas at the Lexington County Airport at Pelion.

Ms. Doucett stated the grant (\$16,335) is a 75/25 percent grant with the County's portion being \$4,084.00. If the grant is approved, a budget amendment resolution will be issued to transfer funds from Fund 2000 - Economic Development.

The committee voted to recommend to full Council to approve staff's request to move forward with the grant application.

A motion was made by Mr. Owens and seconded by Mr. Derrick that the Committee Report be approved.

Mr. Cullum opened the meeting for discussion.

Mr. Kinard stated that he visited the property last week and it did need to be reseeded in order to maintain the facility.

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

New Business/Old Business - Public Works, B. Derrick, Chairman - SCDOT Match 2006 - Mr. Derrick stated that the Public Works Committee met during the afternoon and voted to recommend that Council approve Option One - remove roads from the existing contract so as not to exceed the total "C" funds previously committed. Mr. Derrick indicated that the reason for bringing this matter

forward is that SCDOT has to know Council's decision by April 28.

A motion was made by Mr. Derrick and seconded by Mr. Keisler to approve Option One.

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

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

Economic Development, J. Jeffcoat, Chairman - Brad's Electric, Inc. - Fire Hydrant - Mr. Jeffcoat reported that the Economic Development Committee met during the afternoon and Mr. Owens presented information on a small business which had expanded and had been informed that a fire hydrant would have to be installed. Mr. Jeffcoat stated that it has been the policy to participate in the cost of the fire hydrant by paying for the material and the business owner paying for the labor. Mr. Jeffcoat stated that the Committee voted to recommend that Council approve the request submitted by Mr. Owens to reimburse Brad's Electric, Inc. in the amount of \$2,650.00 for material cost.

A motion was made by Mr. Jeffcoat and seconded by Mr. Owens that the Committee Report be approved.

Mr. Cullum stated that the funds would be allocated from the small business account in the Economic Development Fund.

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

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

Justice Committee, S. Davis, Chairman - SC Court Case Management System - Mr. Davis stated that during the Justice Committee meeting earlier in the day, the Committee voted to recommend that Council commit to participate in the system countywide for a budgeted expenditure of approximately \$137,000 for FY 06-07. He stated that a commitment had to be made by May 15, 2006 and that this item be made a part of the budget process for FY 06-07.

A motion was made by Mr. Davis and seconded by Mr. Jeffcoat that \$137,000 for the SC Court Case Management System be made a part of the budget process for FY 2006/07.

Mr. Cullum opened the meeting for discussion.

Mr. Davis stated that he did have a question as to who would be in charge of the system and would have that resolved before finalization of the budget.

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

Budget Amendment Resolutions - The following BAR's were distributed and signed:

Appropriation transfer/Supplemental appropriation in the amount of \$4,084.00 as the matching funds for the South Carolina Department of Commerce/Division of Aeronautics Grant and to appropriate grant funds into the Grass Overseeding and Fertilization Account.

Appropriation transfer to appropriate funds for the Loxreen land purchase to be appropriated as follows - land purchase \$2,000,000; wetlands delineation \$7,500; phase one environmental \$6,000; closing costs \$20,000; total \$2,033,500.

Appropriation transfer to appropriate additional funds in the amount of \$34,500.00 for Project Unity. To date \$110,000 has been appropriated. \$14,500 for preliminary analysis (phase one, soil, road/water/sewer/drainage design, etc.); \$20,000 legal fees; total \$34,500.00. Grand total of \$164,500.00.

OLD BUSINESS/NEW BUSINESS - None.

Executive Session/Legal Briefing - Mr. Cullum stated Executive Session will consist of one contractual matter, a personnel matter, two legal matters, and a property contract.

A motion was made Mr. Kinard and seconded by Mr. Owens that Council go into executive session to discuss the issues outlined above.

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

*Mr. Carrigg stated that he did not vote because he was not going to attend the executive session in order to honor a prior commitment.

Mr. Cullum reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Mr. Cullum reported Council discussed a contractual matter, a personnel matter, two legal matters, and a property contract. No motions were to be considered as a result of executive session.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

M. Todd Cullum
Chairman