

MINUTES
LEXINGTON COUNTY COUNCIL
MARCH 28, 2006

Lexington County Council held its regular meeting on Tuesday, March 28, 2006 in Council Chambers, beginning at 4:30 p.m. Mr. Cullum presided; Ms. Summers gave the invocation; Mr. Carrigg led the Pledge of Allegiance.

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 Fechtler, 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.

Lexington High School Government Class - Mr. Cullum recognized two students from Lexington High School attending as part of their government class.

Administrator Search Recommendation - Mr. Jeffcoat made a motion, seconded by Mr. Carrigg that Council make an offer to Ms. Katherine Doucett as the next County Administrator effective May 31, 2006 upon the retirement of Mr. Brooks.

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

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

Employee Recognition - Art Brooks, County Administrator - Mr. Brooks recognized and presented Certificates of Recognition provided by SCDHEC to Jay Shumpert, Sign Shop Technician and Sheri Armstrong, Stormwater Manager, Public Works for their work in creating the ozone forecast sign which will be displayed in front of the SCDHEC building on Bull Street. The sign will display information concerning the forecasted ground-level ozone levels for motorist passing by their

building.

Ms. Armstrong also received a thank you note from a citizen saying it was a pleasure to meet her face-to-face and have someone willing to look at their project objectively and for her professionalism.

Ms. Hilda Rivera, Custodial, Building Services was recognized for her outstanding job at the Lexington DSS office. She was noted for her professionalism, dedication, and willingness to do whatever is needed.

Shining Stars - Mr. Brooks recognized Missy Bundrick and Judy Johnson, Treasurer's Office; Amber Harmon, Auditor's Office; and Kaye Harmon, Central Stores as the winners of the quarter for the Customer Service Shining Stars award.

Mr. Brooks presented each recipient an engraved acrylic "Shining Star." In addition, Ms. Bundrick, Ms. Johnson, and Ms. Amber Harmon employees in the Administration Complex will receive a prime parking space at the Administration Building.

Special Recognition - Ray Disher, Manager, Building Services - Mr. Brooks recognized and congratulated Mr. Disher who will be retiring March 31, 2006. Mr. Brooks stated Mr. Disher has been the Building Services Manager for 24 years and expressed his appreciation for his dedication to Lexington County in ensuring the upkeep of the buildings and grounds.

Resolutions - Hubert E. Long, Jr., Proclaiming April as Fair Housing Month in Lexington County, Supporting the CDBG Program and Declaration of Community Development Week, and Western Weekend Rodeo and Festival - A motion was made by Mr. Derrick, seconded by Mr. Owens that the resolutions be adopted.

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

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

Appointments - Health Services District - Mr. Wade P. Keisler - A motion was made by Mr. Davis, seconded by Mr. Keisler to appoint Mr. Wade Keisler to the Health Services District Board of Directors. Mr. Keisler replaces Mr. Paul H. Clifton, Jr.

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

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Keisler	Mr. Kinard

Mr. Derrick	Ms. Summers
Mr. Jeffcoat	Mr. Carrigg
Mr. Owens	

Health Services District - Mr. William A. Kennedy - A motion was made by Mr. Carrigg, seconded by Mr. Jeffcoat to reappoint Mr. William Kennedy to the Health Services District Board of Directors.

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

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

Bids/Purchases/RFPs - Shoreline Connections/Cord Reels - Public Safety/Fire Service - Competitive sealed bids were solicited for the purchase of shoreline connections/cord reels for Public Safety/Fire Service. As fire trucks are increasingly outfitted with more and more equipment that is battery powered through the 12-volt charging system, which puts a strain on the fire trucks, the cord reels will allow for the addition of shoreline connections to be installed in the fire stations to support the charging systems on all first out trucks. Six (6) bids were received.

Staff recommended award to City Electric Supply as the low bidder meeting specifications. Total cost including tax is \$8,215.

A motion was made by Mr. Owens, seconded by Mr. Keisler to approve the bid.

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

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

Chairman's Report - Mr. Cullum reminded everyone that a retirement drop-in for Ray Disher will be Friday, March 31 from 1:00 p.m. - 3:00 p.m. at the Fire Training facility on Ball Park Road. He also said there were a number of items in the SCAC Friday Report that have an impact on the County and asked if anyone feels that Council need to get involved at the State level to please do so. Mr. Cullum reported he has spoken with Sheila Fulmer, Procurement Manager, about GovDeals. He reported Lexington has started using GovDeals to dispose of surplus vehicles and equipment and noted that Spartanburg and Charleston also use their services.

Administrator's Report - Mr. Brooks reminded Council of the Employee Banquet, Friday, April 7, 7:00 p.m. The banquet will take place at the Radisson Hotel which is located at I-20 and Bush River Road.

Budget and Control Board Competitive Grants - Mr. Brooks stated that the County became aware of available State Grant funds on Monday, March 27 that must be applied for by April 10. He stated the grants total \$9.3 million statewide. There are four criteria: Health and environmental - \$2,800,000; Travel and tourism - \$3,056,727; Economic development - \$500,000 and other purposes as approved by the Committee - \$3,000,000. All grants are one-time awards, with no specific time frame for the expenditure of the funds. The grants require no matching funds.

Staff requested permission to apply for funds for the Pictometry project through the Travel and tourism category and through the Economic development category for possible infrastructure.

Mr. Davis made a motion, seconded by Mr. Owens that staff proceed with the grant applications.

Mr. Cullum opened the meeting for discussion.

Mr. Derrick asked if NPDS - Phase II would qualify under the Health and environmental category, and if so, apply for those funds as well.

Mr. Brooks replied that staff would investigate that possibility.

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

Committee Reports - Justice, S. Davis, Chairman - Homeland Security Preparedness Technical Assistance Cooperative Agreement - Mr. Davis reported his committee met during the afternoon to discuss the Sheriff's Department request to apply for a Homeland Security Preparedness Technical Assistance Cooperative Agreement.

The agreement will allow different disciplines of Law Enforcement, Fire Service, and EMS to better coordinate response by sharing intelligence data, location of vehicle units, and dispatching communication between the disciplines. The funds (\$2,606,071) will be used to purchase 112 Automated Vehicle Locators (AVL) units and accessories for the Sheriff's Department and 72 AVL units for Fire Service. The agreement is for a 24-month period that begins October 1, 2006 and is 100 percent funded.

Mr. Davis made a motion, seconded by Mr. Keisler authorizing staff to proceed with the Agreement application.

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

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

Mr. Davis reported his committee met and discussed several grants during the afternoon meeting. Mr. Davis made a motion, seconded by Mr. Keisler to approve staff's request to submit the following (Tab K, L, & M) grant applications.

Bulletproof Vest Partnership Program - This grant is a 50/50 grant to purchase 76 armored vests for officers. The total cost of the vests is \$41,200. The 50 percent match of \$20,600 is appropriated in the Sheriff's Department FY2006-07 submitted budget request.

State Criminal Alien Assistance Program - This grant is a 100 percent reimbursement grant to provide assistance funds for the housing of alien prisoners for at least four consecutive days in the Lexington County Detention Center.

Justice Assistance Grant (JAG) - The Edward Byrne Memorial Justice Assistance Grant (JAG) is a \$42,481 grant that can be used for technical assistance, training, equipment, supplies, contractual support, and information systems for criminal justice. This is a 100 percent grant.

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

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

Ordinance 05-15 - An Ordinance Governing False Alarms - 3rd and Final Reading - Mr. Davis reported as the result of the public hearing on Tuesday, February 14, Ordinance 05-15 was referred back to the Justice Committee.

During the public hearing, Mr. Eddie Weaver, owner of Weaver Systems, asked that Council consider additions, changes, or deletions that he and the Alarm Association feel are needed. He asked that he, Chief Rucker, and Major Tate meet to discuss the ordinance.

As a result of that meeting, several changes were made and presented to the Committee on Tuesday, March 14, 2006.

After brief discussion of the changes, the Committee voted to recommend that Ordinance 05-15 be

amended to delete *Life alert alarm systems* under **Section 2: Definitions** and to move forward with third and final reading.

A motion was made by Mr. Davis and seconded by Mr. Derrick that the Committee Report be adopted and that Ordinance 05-15 be given third and final reading.

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

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

Opposed: Mr. Jeffcoat

Public Works, B. Derrick, Chairman - Annual DHEC Used Oil Grant, FY2007 Solid Waste Reduction Grant, and FY2007 Solid Waste Tire and Automobile Dismantler Grant - Mr. Derrick reported the Public Works Committee convened on Tuesday, March 14, 2006 to discuss three grant requests from Solid Waste Management.

Mr. Joe Mergo, Director, Solid Waste Management, had requested authorization to apply for the annual DHEC Used Oil grant, the FY2007 Solid Waste Reduction grant, and the FY2007 Solid Waste Tire and Automobile Dismantler grant.

Mr. Mergo stated the annual DHEC Used Oil grant (\$34,835) is for the proper disposal of used oil; the FY2007 Solid Waste Reduction grant (\$63,000) will be used to purchase two (2) power compactor units, power poles, and concrete pads to increase cardboard recycling capabilities; and the FY2007 Solid Waste Tire and Automobile Dismantler grant (\$61,582) is for the proper disposal of waste tires. He said the three grants are 100 percent State funded and contain no sunset clauses or personnel.

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

Mr. Derrick made a motion, seconded by Mr. Jeffcoat to approve staff's request to move forward with the grant applications.

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

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

Mr. Owens

Economic Development, J. Jeffcoat, Chairman - Approval of Contract for Property Purchase (Tentative) - Economic Development - This was deferred.

Project Elizabeth - Adoption of the Second Inducement Resolution Between Lexington County and Project Elizabeth - Mr. Davis made a motion, seconded by Mr. Derrick to approve the adoption of the Second Inducement Resolution between SCE&G and Lexington County for a recruiting investment in excess of \$35 million in Lexington County. The resolution includes a fixed millage rate of 317.863 for a period of 20 years, a fee-in-lieu assessment ratio of 6% for a period of 20 years, and a 20 percent annual special source revenue credit for 10 years and place the project in an existing multi-county industrial park between Lexington and Calhoun County.

Mr. Cullum opened the meeting for discussion.

Mr. Carrigg stated he was certainly not anti-Economic Development nor anti-SCE&G and agrees that SCE&G is a great corporate company, but cannot support the resolution as he feels the agreement is “a little too much.”

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

Opposed: Mr. Kinard Mr. Carrigg

Ordinance 06-01 - Authorizing the Execution and Delivery of a Fee Agreement Between Lexington County and Project Elizabeth - 1st Reading - Deferred.

Adoption of Agreement Concerning the Distribution of Fee-in-Lieu of Taxes - Deferred.

Ordinance 06-02 - Amendment to Amend Ordinance 95-12 and to Approve the Amendment of Joint County Industrial Park with Calhoun County - 1st Reading - Deferred.

Old Business/New Business - Homelessness Resolution - Mr. Owens reported during his committee meeting, the committee had voted to recommend that Council adopt the Resolution as prepared by Jeff Anderson, County attorney, recognizing homelessness in the Midlands.

Mr. Owens made a motion, seconded by Mr. Derrick that the resolution be adopted.

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

In Favor: Mr. Cullum Mr. Owens

Mr. Derrick	Mr. Kinard
Mr. Davis	Ms. Summers
Mr. Keisler	Mr. Jeffcoat
Mr. Carrigg	

Worthless Check Unit Agreement - Mr. Davis reported during his committee meeting, the committee discussed the Worthless Check Unit Agreement between the County and the Solicitor's Office. He reported the agreement was executed by Solicitor Myers on March 23, 2006. The agreement is effective March 1, 2006 through June 30, 2006.

Mr. Davis made a motion, seconded by Mr. Jeffcoat to accept the executed Worthless Check Unit Agreement by Solicitor Myers.

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

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

Low Impact Development Incentive - Mr. Derrick asked permission to allow Mr. Fechtel, Director of Public Works, to develop an incentive so developers could perhaps get a one-half price permit on a one-time basis in order to use the new technology and present the information at the Public Works committee on April 11.

Mr. Cullum asked staff to present its recommendation to the April 11th Public Works Committee for consideration.

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

A supplemental appropriation increase in the amount of \$305,867 to appropriate funds received from the State for implementation of Wireless Phase II.

A supplemental appropriation increase in the amount of \$1,050 to appropriate donated funds for the purchase of approximately 20 electronic storage devices and 20 laptop screen protectors for EMS.

A supplemental appropriation increase in the amount of \$9,985 to appropriate Help America Vote Act grant funds for the purchase of curbside "vote here" signs and for renovations to the Sharpe's Hill precinct to make it accessible for disabled citizens.

Executive Session/Legal Briefing - Mr. Owens made a motion, seconded by Ms. Summers to enter into Executive Session to discuss contractual and legal matters.

Mr. Cullum stated Executive Session will consist of three contractual matters - miscellaneous property issues, a property contract, and an Economic Development project; two legal matters - one is contractual in nature and to receive legal advice on two different matters.

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

Mr. Cullum reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Mr. Cullum reported Council received the legal briefing and discussed contractual matters and reported no motions were to be considered.

County Administrator Position - Mr. Cullum reported that Ms. Doucett has accepted the offer as County Administrator. Her annual salary will be \$110,000 and a vehicle allowance equal to that of the current administrator.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

M. Todd Cullum
Chairman