

**MINUTES**  
**LEXINGTON COUNTY COUNCIL**  
**MARCH 27, 2007**

Lexington County Council held its regular meeting on Tuesday, March 27, 2007 in Council Chambers, beginning at 4:30 p.m. Mr. Derrick presided.

Prior to the Invocation and Pledge of Allegiance, Vice-Chairman Summers said in Council's efforts to involve more citizens in County Government an invitation has been extended to area groups, organizations, and schools to deliver the invocation and lead the pledge of allegiance.

Reverend Betty A. Franks, Associate Chaplain at Lexington Medical Center and Outreach Pastor at Cross Roads Outreach Center, gave the Invocation. Mr. Chris Cox a senior at Airport High School, who has received many accolades in athletics and academics and has been accepted to the United States Military Academy at West Point, led the Pledge of Allegiance.

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

Also attending: Katherine Hubbard, County Administrator; Larry Porth, Finance 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.

**Employee Recognition - Katherine Hubbard, County Administrator** - Ms. Hubbard recognized the following employees in the Clerk of Court's Office, Lexington County Sheriff's Department Fugitive Task Force, and the Lexington County Sheriff's Department for their contribution to the Clerk of Court's Office and the Eleventh Judicial Circuit in "Operation Last Chance."

Clerk of Court's Office: Tammy Hughes, Accounting Manager; Carolyn Gillis, Document Imaging Clerk; Mary Kay Hatchell, DSS Coordinator; Kathy Brazell, DSS Coordinator; Sallie Benton, Wage Withholding Clerk; Lynne Sheppard, Clerical Assistant; Suzanne Moore, Private Case Manager; Deborah Chavis, Intern; Mandy Redding, Deputy Clerk; and Andrea Campbell, Chief Accounting Clerk.

Lexington County Sheriff's Department Fugitive Task Force: Henry Dukes, Sergeant; Barry Wright, Deputy; Steve LaRosa, Deputy; Paige Tucker, Criminal Investigator; and Tammy Taylor, Administrative Assistant.

Lexington County Sheriff's Department: Larry Ranney, Correctional Officer; Shephen Goldring, Reserve Deputy; Tom Robinson, Reserve Deputy; Kevin Ridenhour, Reserve Deputy; Stacey Gadson, Master Deputy; Kevin Blackmon, Master Deputy; Tim Wilkie, Reserve Deputy; Siller Anderson, Sergeant; and Daryl Rucker, Deputy.

On February 28, 2007, the Sheriff's Department in a joint effort with the Clerk of Court's Office conducted "Operation Last Chance" to provide 413 deadbeat parents with a final opportunity to turn themselves in on Family Court bench warrants that were issued in Lexington County.

During Operation Last Chance, the operation exceeded expectations with 38 percent of the deadbeat parents taken into custody and successfully collected \$87,058 in court-ordered child support payments.

**Lexington County Great Weight Challenge 2007** - Ms. Hubbard proudly announced that Lexington County won second place in the Greater Columbia Shrinkdown for the corporate challenge group by losing 713 ½ pounds. There were over 50 corporate challenge teams.

**Lexington High School Government Class and USC Policies and Politics Class** - Mr. Derrick recognized students from Lexington High School attending as part of their government class and a student from USC in the Policies and Politics class.

**Presentation of Resolutions - Mary Kay Hatchell Presented by Councilman Bobby Keisler** - Councilman Keisler presented a framed resolution to Mrs. Hatchell honoring her for her faith and courage in making the ultimate sacrifice when she donated a kidney to Mark Andrew Phillips.

**Lexington Conservation District Presented by Chairman Billy Derrick** - Chairman Derrick presented a framed resolution to Mr. Dwight Davis, Chairman, commissioners and staff, recognizing the district for being named the 2006 Outstanding Conservation District during the SC Association of Conservation Districts' annual conference.

**Resolutions - Proclaiming April as Fair Housing Month in Lexington County, National Telecommunicators' Week, National Active and Retired Federal Employees Association (NARFE), Lexington County Peach Festival, South Carolina Poultry Festival, and Community Development Block Grant Week** - Mr. Cullum made a motion, seconded by Mr. Banning to approve the resolutions.

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

**Appointments** - None.

**Bids/Purchases/RFPs** - A motion was made by Mr. Jeffcoat, seconded by Mr. Keisler that the following Bids/Purchases/RFPs (K, L, M, N, O, and P) be approved.

**Dehumidification System - Courthouse - Building Services** - Competitive bids were solicited for a dehumidification system for the basement of the old courthouse that houses the Records Management Division. The system is needed for records to be stored at proper humidity levels as required by the South Carolina Department of Archives and History.

Five (5) bids were received. Staff recommended that the award be made to Columbia Cooling and Heating as the lowest responsive bidder. Total cost including tax is \$71,419.

**Request for Qualifications - GIS Software Consultant Services - Planning and GIS** - The County solicited resumes from qualified firms to provide GIS software Consultant Services with specific expertise in GIS consulting services, to include assistance with upgrades, database management, troubleshooting and software development, implementing versions(s) upgrades, migrating to new hardware, and software/database performance tuning for various County departments.

Resumes were received from nine (9) firms and contractors were evaluated on a pre-qualification basis. The committee recommended awarding contracts to the following qualified contractors deemed responsive and qualified to perform the criteria as outlined in the Request for Qualifications : Axiom Corporation, Coordinate Solutions, Inc., Smart Data Strategies, Bradshaw Consulting Services, Inc., GeoNorth, LLC, and Wilbur Smith Associates

**Cardiac Monitors - Public Safety/EMS** - Bids were solicited for cardiac monitors for Public Safety/EMS to replace current monitors onboard each ambulance that have reached their useful lifespan. The monitors also have defibrillation capability, which provides lifesaving shocks in case of cardiac arrest. The bid included, as an option, a trade-in of 12 Philips Heartstart 3-lead cardiac monitors with pulse oximetry and pacing.

Two (2) bids and two (2) no bids were received. Staff recommended that the award be made to Southeastern Emergency Equipment as being the lowest responsible bidder meeting specifications. Total cost including the trade-in option and tax is \$284,126.28.

**Training Manikin - Public Safety/EMS** - Competitive bids were solicited for a training manikin for Public Safety/EMS. Currently the training division relies on a "loaner" from the Batesburg Rescue Squad to perform scenario-based training for the County's paramedics and EMT's. The manikin is a vital tool in EMS for providing proper education and training.

Five (5) bids and two (2) bids were received. Staff recommended that the award be made to Southeastern Emergency Equipment as being the lowest responsible bidder meeting specifications. Total cost including tax is \$13,124.44.

**Full Service K-9's and Equipment - Sheriff's Department** - Competitive bids were solicited for the purchase of full service K-9's and equipment for the Sheriff's Department. The purchase will enhance their K-9 program by increasing the effectiveness and efficiency of investigation and recovery as they relate to drugs, explosive devices, and violent suspects.

Three (3) bids for two (2) full service K-9's and three (3) bids for the vehicle insert equipment were received. One (1) of the full service canines is a German Shepherd partially trained and is considered unique to the procurement process, making it a sole source from Cross Creek. In addition, Omni Distribution has been deemed a sole source for the explosive materials as they are the only distributor east of the Mississippi River that handles explosives needed to train the dogs. Also, because the explosive materials cannot be shipped, the Sheriff's Office will be required to pick up the materials.

The cost of two (2) full service K-9's is \$20,625.40 and the cost of one (1) partially trained K-9 is \$4,028 including tax and travel expense. The cost of the equipment is \$6,856.94 including tax and travel expense. Total cost is \$31,510.34.

**Replacement Emergency Equipment - Sheriff's Department** - The Sheriff's Department submitted a requisition for the purchase of replacement emergency equipment to replace existing emergency lighting on their fleet of 261 vehicles on an as needed basis. Staff recommended the purchase from Palmetto Distributors through State Contract Number 04-S6457-A10614. Total cost including tax is \$24,780.15.

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

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

**Chairman's Report** - None.

**Community Emergency Response Team Training** - Mr. Kinard reported he graduated from the Community Emergency Response Team Training (CERT) program on Saturday, March 17. He said CERT is based on the civil defense system so people in the community can be first on a scene to assist before EMS, Fire Service, or the Sheriff's Department arrives.

**Administrator's Report – My 9-1-1** - Ms. Hubbard updated Council on the My 9-1-1 program and reported 49 additional participants have registered in the County's My 9-1-1 program for a total of 1,365.

**Revised Outdoor Burning Ordinance Brochure** - Ms. Hubbard provided Council a revised Outdoor Burning Ordinance brochure. She said when a Code Enforcement Officer or a member of Fire Service arrive on a scene where there is an open burning situation that is not in compliance with the ordinance, they will leave the brochure and check what was not in compliance as a

method of trying to educate the public about the ordinance.

**Code Enforcement Update** - Ms. Hubbard reported that, if approved, two Code Enforcement Officers in the Irmo-Fire District area as well as two additional officers in Fire Service will be authorized to issue citations on the Outdoor Burning Ordinance. Also, if approved, Joe Mergo, Director of Solid Waste and Chris Folsom, Animal Service Coordinator will also be authorized to issue citations. In addition, all the deputies in the Sheriff's Department are currently completing their orientation on the Open Burning Ordinance so they, too, can issue citations and all of the Fire Service paid and volunteer staff have been commissioned to issue warnings. Also, during the April 10<sup>th</sup> meeting, the Fire Service Leadership Team will provide more detail of their deployment plans for Code Enforcement Officers in Fire Service.

On Friday, March 31 from 8-12:00 p.m., the County will have a burn compliance inspection to educate citizens about the Outdoor Burning Ordinance.

**Smart Growth Conference** - Ms. Hubbard and Charlie Compton, Director of Planning & GIS attended the Smart Growth Conference in Charleston on March 26, 2007.

**Approval of Minutes - Meeting of February 27, 2007** - A motion was made by Mr. Jeffcoat, seconded by Mr. Kinard to approve the minutes of February 27, 2007 as submitted.

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

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

**Committee Reports - Planning & Administration, J. Jeffcoat, Chairman - Zoning Map Amendment M07-01 - West Side of Charter Oak Road, Lexington, SC - 2<sup>nd</sup> Reading** - Mr. Jeffcoat reported the Committee met during the afternoon Planning & Administration Committee to discuss and consider Zoning Map Amendment M07-01.

The Committee recommended that action be delayed until April 10, 2007.

**Invitation to Participate in CDBG Program and Intergovernmental Cooperative Agreement With the Town of Summit** - Mr. Jeffcoat reported the Committee met to consider the Invitation to Participate in the CDBG Program and Intergovernmental Cooperative Agreement with the Town of Summit.

A motion was made by Mr. Jeffcoat, seconded by Mr. Keisler to approve the Invitation to Participate in the CDBG Program and the Intergovernmental Agreement with the Town of Summit.

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

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

**FY 2007-08 Community Development Block Grant (CDBG) Program (Goals 1,3) - Mr. Jeffcoat** reported that the Planning and Administration Committee met to review and discuss the proposed eligible projects for Community Development Block grant funding that was recommended by the CDBG Advisory Committee and Community Development staff.

The FY 2007-08 Recommended Projects are as follows: Boiling Springs Road Water Project - \$400,00 to provide public water service to residents along Boiling Springs Road from Pond Branch Road to Highway 6.; Minor Home Repair Program - \$150,000 to provide funds for minor repairs to homes owned by low and moderate income elderly, disabled and veterans; Emergency Shelter II - \$26,736 to provide funds to purchase a van for a domestic violence agency serving Lexington County battered women and their children; State Street Streetscape Phase II - \$130,476 to continue the State Street streetscaping begun in 2001. This phase will include replacing substandard sidewalks/curb/gutter, installing landscaping and lighting, and upgrading substandard water main along State Street from Lexington Avenue to Poplar Street.; and Triangle City Parking Improvements - \$203,250 to continue streetscaping for the Triangle City area of West Columbia. This phase will include resurfacing two existing parking lots on 12<sup>th</sup> Street.

A motion was made by Mr. Jeffcoat, seconded by Mr. Banning to approve the recommended projects for the FY2007-08 Community Development Block Grant Program.

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

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

**Zoning Amendment - Zoning Map Amendment M07-02 - 5429 Bush River Road, Columbia, SC - Announcement of First Reading** - Mr. Derrick announced first reading of Zoning Map Amendment M07-02.

**Justice, B. Banning, Chairman - Highway Safety DUI Enforcement Grant Application** - Mr. Banning reported the Justice Committee convened on Tuesday, March 13, 2007 to discuss the Highway Safety DUI Enforcement grant request from the Sheriff's Department.

Colonel Allan Paavel, on behalf of Sheriff James Metts, requested authorization to apply for the Highway Safety DUI Enforcement grant through the Department of Public Safety for the Sheriff's Department. He stated that the grant is for the amount of \$997,360 with a 90/10% local match for the first year, a 75/25% for the second year, and a 50/50% for the third year. The first year local match is \$99,736. The grant must be applied for annually.

Colonel Paavel reported that this grant will be used to create a Driving Under the Influence Traffic Enforcement Unit in Lexington County. The ultimate goal is to combine resources to effect a positive change in the collision, injury and arrest rate of traffic and DUI violations. The unit will consist of nine officers and nine fully equipped vehicles as well as operation and capital expenses needed for the creation of the unit. This will afford the citizens of Lexington County and the surrounding areas the effective discovery, documentation, and judicial prosecution. Colonel Paavel states that the local matches for the first, second and third years will be allocated through the Sheriff's Departmental budget.

The committee voted to recommend to full Council to approve the Sheriff's request to move forward with the Highway Safety DUI Enforcement grant application.

Mr. Banning made a motion, seconded by Mr. Keisler to approve staff's request to move forward with the grant application.

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

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

**Health & Human Services, J. Carrigg, Jr. Chairman - Code Enforcement Officer Designations for Fire Service, Irmo Fire District and Animal Services (Goals 2) - Mr. Carrigg reported the Health & Human Services Committee met to consider the appointments of Glenn Williams, Rusty (Thomas) Rivers, Jr., Chief Mike Sonefeld, and Jeff Allen as Code Enforcement Officers.**

Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to approve the appointment of Glenn Williams, Rusty (Thomas) Rivers, Jr., employees of Lexington County Fire Service and Chief Mike Sonefeld and Jeff Allen from the Irmo Fire District as long as they are employed with Lexington County and the Irmo Fire District respectively.

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

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

Mr. Cullum

**Animal Services - Code Enforcement Officers** - Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to approve the removal of John McGee and James Hill as Code Enforcement Officers and to appoint Brett Banhero as a Code Enforcement Officer for Animal Services as long as he is employed with Lexington County.

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

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

**Public Works, D. Summers, Chairman - SCDOT 07-08 Match Program (Goals 1,2,3)** - Ms. Summers reported the Public Works Committee met to discuss and consider SCDOT's list of proposed roads #20 through #39 to be resurfaced in the SCDOT 07-08 Match Program. It is noted that #20 is reflected as zero cost to the County as SCDOT will fund this particular project. The total combined funding for resurfacing is \$848,000 with a local match of \$424,000.

Ms. Summers made a motion, seconded by Mr. Carrigg to participate in the SCDOT 07-08 Match Program. The County's local match will be \$424,000.

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

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

**Executive Session/Legal Briefing** - Mr. Derrick stated Executive Session will consist of a legal briefing on two lawsuits, a contractual matter involving a court matter, a contractual matter involving the sale of real property, a contractual matter involving an Economic Development matter, and contractual matter involving a Solid Waste Collection station.

Mr. Jeffcoat made a motion, seconded by Mr. Kinard to enter into Executive Session to discuss contractual and legal matters.

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

Mr. Derrick reconvened the meeting in open session and said he would not be reporting out of Executive Session at this time as Council would have to re-enter Executive Session following the public hearing and would report out following the conclusion of Executive Session.

**6:00 P.M. - Public Hearing - Ordinance 07-02 - An Ordinance to Approve a Contract to Sell Approximately 70 Acres of Real Property in the Saxe Gotha Park** - Mr. Derrick opened the Public Hearing. Mr. Derrick stated no one had signed up to speak in opposition or in favor of Ordinance 07-02.

Mr. Derrick closed the public hearing.

**Ordinance - Ordinance 07-02 - An Ordinance to Approve a Contract to Sell Approximately 70 Acres of Real Property in the Saxe Gotha Park - Third and Final Reading** - Mr. Banning announced that third and final reading of Ordinance 07-02 would be delayed until the next meeting (4/10/07).

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

07-073 - A supplemental appropriation increase in the amount of \$50,000 to appropriate funds for a turning lane to be constructed at Stock Building Components.

07-074 - An appropriation transfer of \$93,397 and a supplemental appropriation increase in the amount of \$85,534 to appropriate interest funds that have accrued in the library construction account. Also to transfer funds from other construction lines within the fund to cover the amount needed for the construction of the Gilbert-Summit library branch.

07-075 - A supplemental appropriation increase in the amount of \$700 to appropriate extra funds awarded to the County for the 2007 hurricane workshop.

**Executive Session/Legal Briefing** - Mr. Derrick stated Council will need to go back into Executive Session to continue discussing contractual and legal matters

Mr. Banning made a motion, seconded by Mr. Davis to enter into Executive Session.

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

Mr. Derrick reconvened the meeting in open session.

**Matters Requiring a Vote as a Result of Executive Session** - Mr. Derrick stated Council received the contractual and legal matters and reported one motion was to be considered.

**ADA Lawsuit** - Mr. Davis made a motion, seconded by Mr. Kinard that County Council approve

the proposed settlement of the ADA lawsuit in regards to the plaintiff's claims and in regard to the cross claim by the County against the contractor.

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

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

Not Present: Mr. Banning \*

\* Mr. Banning left immediately following Executive Session.

**Old Business/New Business** - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

William C. Derrick  
Chairman