

MINUTES
LEXINGTON COUNTY COUNCIL
APRIL 08, 2008

Lexington County Council held its regular meeting on Tuesday, April 08, 2008 in Council Chambers, beginning at 4:30 p.m. Mr. Derrick presided.

Reverend Betty Franks, Associate Chaplain at Lexington Medical Center and Outreach Pastor at Cross Roads Outreach Center, gave the Invocation. Ms. Flavia Sotelo, Senior and Student Body President at Brookland-Cayce High School led the Pledge.

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. M. Todd Cullum

Not Present: William B. Banning, Sr.*

*Mr. Banning was out due to surgery.

Also attending: Katherine Hubbard, County Administrator; Joe Mergo, III, Deputy County Administrator; Larry Porth, Finance 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.

Chairman's Report - Mr. Derrick reported Mr. Banning was absent as he recently had surgery for a torn rotator cuff.

Mr. Derrick congratulated Council members Jim Kinard, Smokey Davis, Debbie Summers, Bobby Keisler, and Johnny Jeffcoat who have no opposition in the upcoming elections.

Administrator's Report - Ms. Hubbard reported since last year the County's recycling rate has increased from 23.6 percent to 34.8 percent and the amount of material recycled per person per day has increased from 1.1 lbs. to 1.9 lbs.

Trashformation Awards - Ms. Mary Pat Baldauf, Recycling Coordinator, presented plaques to the winners in the Lexington County Library System "Go Green" trashformation recycled sculpture contest. The winners were: Most Creative - Lexington Main Library Youth Services, Most Likely to be Used by a Librarian - Cayce-West Columbia Branch Reference Department, and Most Humorous - Lexington Main Library Reference Department. Ms. Baldauf said the plaques were made from "recycled mother boards."

Ms. Hubbard announced that Ms. Baldauf will be on the WACH Fox morning show Wednesday, April 16 at 8:20 to highlight the County's "Go Green" trashformation recycled sculpture contest.

Midlands Chapter of the Blue Star Mothers - Ms. Hubbard announced that the Midlands Chapter of the Blue Star Mothers sent over 6,600 boxes of Girl Scout cookies to our troops overseas.

Amnesty Day, April 2 - Ms. Hubbard congratulated the Clerk of Court's Office and the Sherriff's Department for their successful Amnesty Day for child support payments and reported 85 people made arrangements to pay \$84,777 in court-ordered child support payments.

FY2008-09 Requested Budgets - Ms. Hubbard reported Council has been provided an electronic copy of the requested FY2008-09 budgets.

Certificate of Achievement for Excellence in Financial Reporting - Government Finance Officers Association - Ms. Hubbard proudly announced that the County received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the Comprehensive Annual Financial Report (CAFR) for the fiscal year that ended June 30, 2007. She said the Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting.

Employee Recognition - Katherine Hubbard, County Administrator - Shining Stars - Ms. Hubbard recognized Amy Hite, Treasurer's Office; Diane Hampton, Register of Deeds; Jennifer Hendrix and Barbara O'Connor, Veterans' Affairs Office; Bill Bruner, Public Safety/Communications; Vicki Merritt and Sydney Conley, Library Services; Barry Sowards, Glenn Davis, Melissa Ellisor, Terry Hall, Adam Clayton, Marty Longshore, Ted Xanthakis, and Brian Hinz with the Sheriff's Department as the winners of the second quarter for the Customer Service Shining Stars award. Each recipient received an engraved acrylic "Shining Star." Ms. Hampton and Ms. Ellisor were not present.

Ms. Hubbard recognized and congratulated the following Public Safety/Communications employees who completed the Emergency Medical Dispatcher Instruction certification course: Andrew Price, Kirsten Hill, Ashley Wardlaw, Trisha Yinger, Daniel Smith, Jana Peake, Craig Lindler, and Jennifer Leighton.

Ms. Hubbard recognized the following employees of the Clerk of Court's office who had received letters commending them for their assistance either with child support, conducting tours, speaking engagements, etc.- Ana Marin, Translator; Carolyn Gillis and Lynne Sheppard, Family Court; Tammy Hughes, Accounting; Suzanne Moore, Executive Assistant to the Clerk; and Nancy Powell, Supervisor of Administration.

Presentation of Resolutions - Dr. Gariane P. Gunter Presented by Chairman Billy Derrick - Chairman Derrick presented a framed resolution to Dr. Gunter in recognition of her being named Mrs. South Carolina 2008.

Stevan Lionel Amick - Presented by Councilman Johnny Jeffcoat - Councilman Jeffcoat represented a framed resolution to Mr. Amick for his service on the Lexington County Board of Zoning Appeals. Mr. Amick served from July 1997 through December 2007.

Resolutions – 2008 Fair Housing Month, W. Fremont Huggins, Lexington County Peach Festival, Relay for Life, and South Carolina Poultry Festival - A motion was made by Mr. Keisler, seconded by Mr. Kinard to approve the five resolutions.

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

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

Appointments - Health Services District - Vasa W. Cate, M.D. - Mr. Davis made a motion, seconded by Mr. Jeffcoat to reappoint Dr. Vasa Cate to the Health Service District Board of Directors.

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

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

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

Fourteen (14) Digital Cameras and Accessories - Sheriff's Department - Bids were solicited for 14 digital cameras and accessories for the Sheriff's Department. The cameras and accessories are through the COPS Methamphetamine Initiative grant. Three (3) bids were received. Staff recommended the award of the bid to One Call as the low bidder meeting specifications. Total cost, including tax, is \$6,333.18.

Forty-six (46) Digital Cameras and Accessories - Sheriff's Department - Competitive bids were solicited for 46 digital cameras and accessories for the Sheriff's Department. The cameras and accessories are through the Violence Against Women Act. Three (3) bids were received. Staff recommended the award of the bid to National Graphic Supply as the low bidder meeting specifications. Total cost, including tax, is \$7,715.77.

Fourteen (14) Laptops and Accessories - Sheriff's Department - Staff recommended the purchase of 14 laptops and accessories for the Sheriff's Department directly from the manufacturer, Dell, through State Contract Number A63307. Total cost, including tax, is \$58,506.79

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

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

Approval of Minutes - Meeting of December 11, 2007 as amended - Mr. Cullum made a motion, seconded by Mr. Keisler to approve the amended December 11, 2007 minutes as submitted.

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

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

Zoning Amendment - Zoning Map Amendment M08-02 - (Zoning Street Classification) - 225 feet of Phillip Drive Beginning at the Intersection of Princeton Road - Announcement of 1st Reading - Mr. Derrick announced that Zoning Map Amendment M08-02 was withdrawn.

Ordinances - Ordinance 08-01 - An Ordinance Amending the Lexington County Building Code Ordinance - 3rd and Final Reading - Mr. Cullum made a motion, seconded by Ms. Summers to approve third and final reading of Ordinance 08-01.

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

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

Ordinance 08-07 - An Ordinance Authorizing the Issuance, Sale and Delivery of Refunding and Improvement General Obligation Bonds of Lexington County, South Carolina; Fixing the Form and Details of the Bonds; Authorizing the County Administrator and Finance Director to Determine Certain Matters Relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the Proceeds Thereof, and Other Matters Relating Thereto - 3rd and Final Reading - Prior to action of Ordinance 08-07, Chairman Derrick noted the ordinance is for the refinancing of some library bonds that will be used by the Library Board to construct the Gaston Library.

Mr. Cullum made a motion, seconded by Ms. Summers to approve third and final reading of Ordinance 08-07.

Mr. Derrick opened the meeting for discussion.

Mr. Davis commented that this would not be a tax increase but a savings at the current tax rate.

Mr. Derrick asked for further discussion on the motion; none occurred.

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

Committee Reports - Planning & Administration, J. Jeffcoat, Chairman - 2009 Pictometry Flight - Mr. Jeffcoat reported the Planning and Administration Committee convened on Tuesday, March 25, 2008 to review the proposed 2009 Pictometry Flight program. The following is the March 25 Committee Report.

Mr. Charlie Compton, Director of Planning and GIS, presented information on the 2009 Pictometry Flight program. He reported that Lexington County has an opportunity to save money on the next flight if the County signs an agreement before the end of March. Currently, Pictometry is being utilized successfully by many of the County departments to assist with various day-to-day operations from addressing to court trials and has experienced numerous incidents where Pictometry has made a difference. Mr. Compton presented a summary of the first ten months outlining the departments using Pictometry and the many ways it is benefiting those departments.

Mr. Compton highlighted three important points:

1. Lexington County has been chosen as one of the “beta test” sites for Pictometry’s new web-based product called, Pictometry Simplicity Online (PSOL), utilizing the internet and eliminating the need to install software on every PC and reducing the need to store large files of images

on PC's. The test period will be free to use for three or four months, after that it will be based on the number of users.

Pricing may be paid monthly or all at once:

50 users - \$680 per month

Add \$8 per month for each additional user

100 users = \$1,080 per month X 12 months = \$12,960

2. The company is willing to give discounts to those customers who are willing to share with them what they are considering for the coming years. The County has the opportunity to save approximately \$150,000 on the next flight if the County signs an agreement before the end of March outlining our intentions. Mr. Compton said the offer has now been extended to six years and the agreement will not obligate the County financially in any way, because it will be contingent upon the final budget adoption. Planning and GIS is also pursuing a 25% grant from the United States Geological Service which could mean as much as \$85,000 depending on the coverage option selected.

3. Two maps, Expansion Option #1 and Expansion Option #2, were presented showing a graphic display of neighborhood coverage. Expansion Option #1 map, with costs shown in chart below, expands the neighbor coverage countywide. Based on the enormous success of the program by the County, staff recommends flying the entire County at that neighborhood level for the 2009 Flight.

Number of Community Sectors	Number of Neighborhood Sectors	Cost of the Flight	15% Additional Costs for Mosaics, USGS requirements, etc.	Total Cost	Per Year Cost
840	331	168,771	25,316	\$194,087	\$97,044
405	435	177,765	26,665	\$204,430	\$102,215
0	840	294,000	44,100	\$338,100	\$169,050

Lexington County has approximately 840 total sectors. The top line is the coverage with the current imagery.

Mr. Compton clarified that since it is not an obligation to Council, the County Administrator is allowed to sign the agreement.

The Planning and Administration Committee voted to recommend that full Council approve staff's recommendation to move forward with the proposed 2009 Pictometry Flight program with the County Administrator signing the agreement.

Mr. Jeffcoat made a motion, seconded by Mr. Cullum to move forward with the proposed 2009 Pictometry Flight program.

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

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

FY 2008-09 Projects - HOME Investments Partnerships (HOME) Program - Mr. Jeffcoat reported the Planning & Administration Committee convened on Tuesday, March 25, 2008 to review the FY 2008-09 Projects – HOME Investments Partnerships (HOME) Program. The following is the March 25 Committee Report.

Mr. Ronald Scott, Community Development Director, presented the projects identified to be funded through the County’s FY 2008-09 HOME Program allocations. As part of the requirements for the HOME Investment Partnerships Program (HOME), the county must identify HOME projects and present them to HUD in its annual Action Plan, along with projects to be funded through the Community Development Block Grant Program (CDBG). The County must also advertise the Action Plan for a 30-day public comment period and conduct a public hearing.

Mr. Scott presented the following which have been identified as the proposed HOME projects:

- Community Housing Development Organizations (CHDO) - \$200,000
- Homeownership Assistance Program - \$150,090
- Housing Rehabilitation Program - \$200,000
- New Construction - \$100,000
- Housing Counseling and Education - \$30,000

Staff requested County Council’s approval of the proposed projects in order to proceed with finalizing the annual Action Plan, which is due to HUD by May 15, 2008.

The Planning & Administration Committee voted to recommend that full Council approve staff’s recommendation for the proposed Action Plan for the FY 2008-09 Projects – HOME Investments Partnerships (HOME) Program.

Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve the projects for the HOME Investment Partnerships program.

Mr. Derrick opened the meeting for discussion.

Mr. Davis stated he thought this Community Development Block Grant (CDBG) program was a different program.

Ms. Hubbard said the HOME program is part of the Housing Urban Development entitlement program but this particular item has to do with the action plan that goes along with the HOME program.

For clarification, Mr. Ron Scott, Director of Community Development, said at the March 25 committee meeting, staff brought forward the projects that will be undertaken through the HOME program (which is the above Committee Report) and during today’s committee meeting the 2009-09 CDBG and HOME Annual Action Plan encompasses both the HOME and the CDBG program that will be brought forward on April 22 for Council’s consideration.

Mr. Derrick called for further discussion on the motion; none occurred.

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

Wellness Program - Mr. Jeffcoat reported the Planning & Administration Committee convened on Tuesday, March 25, 2008 to review the proposed Wellness Program submitted by the Human Resources Department. The following is the March 25 Committee Report.

Ms. Lori Adler, Human Resources Director, presented an update on how the County has participated in the healthcare movement and developed a wellness program. She reported that in the last 18 months, the HR department has launched a number of wellness initiatives beginning with the 12-Days of Health and Fitness, Great Weight Challenge, Walking Challenge, weekly weigh-ins, formed a Wellness Committee, health risk appraisals with annual Health Screenings, and the Heart Walk. She indicated that the HR Department is placing a greater emphasis on educating employees to make positive changes to improve their health in order to reduce healthcare costs.

The staff recommended a proposed pilot fitness program that would be an activity based program as well as an education training program. Mr. Ed Salyer, Risk Manager, reported on health care statistics on why the County should fund a fitness program based on health assessments done on County employees. The statistics also included healthcare and workers' compensation claims. It was indicated that the employee participating in the program will see an estimated savings of approximately \$200-\$400 a year in healthcare costs. Ms. Adler requested that the proposed pilot program "Boot Camp" be funded for the remainder of this fiscal year at a cost of \$4,000. She stated the requested \$4,000 would be used to cover the cost for an instructor and the funds would come from FY2007-08 Workers Compensation Fund (6710-999900-529903).

The Planning and Administration Committee voted to recommend that full Council approve the \$4,000 and staff's recommendation for the proposed Boot Camp fitness program.

Mr. Jeffcoat made a motion, seconded by Davis to approve the proposed pilot Boot Camp fitness program.

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

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

Health & Human Services, J. Carrigg, Jr., Chairman - Memorandum of Understanding for Public/Private Pet Services - Mr. Carrigg reported the Committee met during the afternoon to consider entering into a Memorandum of Understanding for public/private pet services between Lexington County and Richland County. The committee voted unanimous to recommend to full Council for approval.

Mr. Carrigg made a motion, seconded by Ms. Summers to approve the Memorandum of Understanding for public/private pet services between Lexington County and Richland County.

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

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

Public Works, D. Summers, Chairman - Partial Legal Closure of Hookdale Road - Ms. Summers reported the Committee met during the afternoon to consider a request for the partial legal closure of Hookdale Road (TMS# 005631-01-002). The property owner, H.G. Hudson, has petitioned the court for the partial legal closure. The purpose of the closure is to remove the road from the property, which is maintained by the County. During the Committee meeting, Mr. John Fechtel, Director of Public Works, said there are no legal costs to the County for this action. He also asked that the approval of the request be contingent upon the approval by the Town of Springdale.

Ms. Summers made a motion, seconded by Mr. Cullum to approve the partial legal closure of Hookdale Road.

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

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

Taylor Road Railroad Crossing - Ms. Summers reported the Public Works Committee met on Tuesday, March 25, 2008, to discuss the proposed Taylor Road railroad crossing. The following is the March 25 Committee Report.

Ms. Katherine Hubbard, County Administration, reported that the City of Cayce has received CSX Transportation's construction agreement for the proposed Taylor Road railroad crossing. The total estimated cost for the project is \$364,371. The County contribution for this project has been estimated at one-third of the estimated cost (\$121,457). The City of Cayce and the developer would each be responsible for one-third of the cost. It was also noted that this is a contractual matter between CSX and the City of Cayce.

Mr. John Fechtel, Public Works Director, has confirmed that there are sufficient funds in the "C" fund for the one-third contribution and asked for sufficient time to review the cost estimate.

The Public Works Committee voted unanimously to recommend that full Council approve funding one-third of the estimated cost (\$121,457) associated with the Taylor Road railroad crossing project.

Ms. Summers made a motion, seconded by Mr. Cullum to approve funding one-third of the estimated cost (\$121,457) associated with the Taylor Road railroad crossing project.

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

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

Legal Closing of Mallet Circle - Ms. Summers reported the Public Works Committee met on Tuesday, March 25, 2008, to discuss the legal closure of Mallet Circle. The following is the March 25 Committee Report.

Mr. John Fechtel, Public Works Director, reported that the Public Works Department received a letter from Mr. Michael Shealy requesting the legal closure of Mallet Circle (approximately 2,181 feet) and to

extend Elk Road (approximately 380 feet) to Two Notch Road. Mallet Circle has two dangerous “Y” intersections on Two Notch Road and by extending Elk Road it would result in a safer “T” intersection with Two Notch Road.

Mr. Shealy has agreed to pay all the legal costs associated with the closing and provide the County with a 50 foot right-of-way for the extension of Elk Road. Staff also noted that Mr. Shealy would bring the road closure action. Public Works would provide the necessary resources for the road relocation and include approximately \$1,000 in concrete pipe. Staff recommends approval of Mr. Shealy’s request due to the safety issues and a net reduction of about 1,701 linear feet of the County maintained dirt road.

The Public Works Committee voted unanimously to recommend that full Council approve staff’s recommendation of the legal closure of Mallet Circle and that Mr. Shealy be responsible for all legal costs associated with the road closure.

Ms. Summers made a motion, seconded by Mr. Cullum to approve the legal closure of Mallet Circle with Mr. Shealy being responsible for all legal costs associated with the road closure and the Public Works Department will provide the necessary resources for the road relocation and include approximately \$1,000 in concrete pipe.

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

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

Executive Session/Legal Briefing - Mr. Derrick stated Executive Session will consist of four contractual matters and one legal matter.

Mr. Jeffcoat made a motion, seconded by Ms. Summers to enter into Executive Session.

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

Matters Requiring a Vote as a Result of Executive Session - Mr. Derrick reconvened the meeting in open session and reported Council discussed the legal and contractual matters during the Executive Session and indicated there were no motions to be considered.

Public Hearings - Ordinance 08-04 - An Ordinance Approving the Transfer of 3.42 Acres from the County of Lexington to Do-it-Best - Mr. Derrick opened the public hearing and stated no one had signed up to speak in favor or in opposition to Ordinance 08-04.

Mr. Derrick closed the public hearing.

Ordinance 08-05 - An Ordinance Authorizing the Execution and Delivery of a Fee Agreement Dated as of _____, 2008 by and Between Lexington County, South Carolina and Shaw Industries Group, Inc. Providing for a Payment of a Fee in Lieu of Taxes - Mr. Derrick opened the public hearing and stated no one had signed up to speak in favor or in opposition to Ordinance 08-05.

Mr. Derrick closed the public hearing.

Ordinance 08-06 - An Ordinance to Amend that Certain Agreement for the Development of a Joint Industrial and Business Park Between Lexington County and Calhoun County Dated to be Effective on or About December 11, 1995 to add Shaw Tract - Mr. Derrick opened the public hearing and stated no one had signed up to speak in favor or in opposition to Ordinance 08-06.

Mr. Derrick closed the public hearing.

Budget Amendment Resolutions - None.

Old Business/New Business - None.

Motion to adjourn - Mr. Kinard made a motion, seconded by Ms. Summers to adjourn.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William C. Derrick
Chairman