

M I N U T E S
LEXINGTON COUNTY COUNCIL
December 09, 2008

Lexington County Council held its regular meeting on Tuesday, December 09, 2008 in Council Chambers beginning at 4:30 p.m. Mr. Derrick presided.

Matters Requiring a Vote as a Result of Executive Session – Prior to opening the meeting, Mr. Derrick stated Council had entered into Executive Session following the Committee of the Whole meeting earlier during the day and reported there were no motions to be consider at this time. Mr. Derrick noted that Council would need to go back into Executive Session during the evening to continue discussion of legal and contract matters.

Reverend David Day, pastor of the Trinity United Methodist Church in West Columbia, gave the invocation. Ms. Shellie Davis, a fifth grade student at King Academy, 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; 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.

CMC of SC Award Recognition - Presented by Dave Eger, Director - Solid Waste Management - Mr. Eger recognized CMC of SC who received the 2008 Best Large Recycling Business award from the SC Department of Commerce and the State Recycling Market Development Advisory Committee. CMC of SC recycles approximately 700,000 tons of scrap metal a year.

Carolina/Clemson Recycling Challenge - Presented by Dave Eger, Director - Solid Waste Management - Mr. Eger reported that Carolina was the winner of the 2008 Carolina/Clemson Office Paper Recycling Challenge - "Battle of the Bin" that was held November 16-22 at the County's 12 recycling centers. During the challenge, over 5,000 lbs. of office paper was recycled. As part of the "Battle of the Bin" there were drawings for many prizes, including a year's free curbside garbage and recycling service from Southland Sanitation and Earth Waste,

Inc.

DHEC 2008 Spare the Air Awards Recognition - Presented by Myra Reece, DHEC Bureau Chief of Air Quality - Myra Reece recognized County Council and Fire Service, Ms. Synithia Williams, and the Lexington Medical Center who received awards during the 2008 Spare the Air Awards presented by SCDHEC Bureau of Air Quality on November 19th.

County Council and Fire Service received the Outstanding Community Air Quality Improvement Campaign award; Ms. Synithia Williams, Lexington County Environmental Coordinator, received the Outstanding Air Quality Individual Professional of the Year award; and Lexington Medical Center received the Outstanding Air Quality Business Professional of the Year award.

Recognition for Lexington County Obtaining Class 8 for Community Rating System (CRS) Program - Presented by Lisa Jones, DNR State Coordinator of Flood Mitigation Program - Ms. Jones presented the National Flood Insurance Program Community Rating System award to Chris Stone, Floodplain Manager, on behalf of the County obtaining a Class 8 rating. As a result of this achievement, flood insurance policy holders in the county will see a savings of up to 10 percent on flood insurance.

Chairman's Report - Mr. Derrick reported that he attended the South Carolina Association of County's Legislative Conference December 4-5 that was held in Charleston and shared three items of interest - (1) the State is considering a statewide property tax millage for school funding, (2) retail sales at the end of September were 3.3 percent higher than this time last year, (indicating that the shortfall in revenue could be the result of the tax exemption on food), and (3) Senator Elect of Beaufort County is introducing enabling legislation to allow Home Rule to actually exist.

Administrator's Report - FY07/08 Audit Report - Mr. Ken Prince - Brittingham, Brown, Prince & Hancock, CPA, LLC - Mr. Prince thanked Council for allowing his firm to serve again as the independent auditor for the County and thanked staff in assisting his firm during the audit process. He said his firm issued the audit report with no qualifications, which is the best you can get.

Mr. Prince stated the financial statements were prepared by the County's Finance staff and that Brittingham, Brown, Prince & Hancock, CPA, LLC audited and expressed an opinion on the fairness of their presentation. In addition, a report was issued on compliance and internal controls, which there were two significant deficiencies – 08-1 and 08-2. Also, a report was issued on compliance requirements for major federal programs under A133- Single Audits, which there was one - 08-3

Mr. Prince stated that the County's assets exceeded its liabilities at June 30, 2008 by about \$220,000,000 and about \$75,000,000 of that, the unrestricted portion, is available to meet the

County's ongoing obligations (more detailed information on Page 47 of the CAFR 6-30-08).

The County's total net assets increased almost \$26,000,000 with \$23,000,000 of the increase resulting from governmental activities and about \$3,000,000 from business-type activities (more detailed information on page 47 of the CAFR 6-30-08).

At June 30, 2008, the County's governmental fund balance sheet reported a combined ending fund balance of approximately \$91,000,000, an increase of about \$7,000,000 from last year. Of this amount, approximately \$88,000,000 remains in various funds of the County as unreserved fund balance (more detailed information on page 47 of the CAFR 6-30-08).

The General Fund reported a fund balance of approximately \$53,000,000, an increase from last year of about \$3,400,000. This ending fund balance equates to approximately 62.22% of General Fund expenditures and transfers out for the year (more detailed information on page 47 of the CAFR 6-30-08).

The General Fund reported excess revenue of \$2,000,000 over budget and expenditures that were approximately \$12,000,000 under the appropriations (more detailed information on page 47 of the CAFR 6-30-08).

Mr. Prince said the firm found that the County was fiscally responsible and budgetarily conscientious.

Mr. Prince reviewed the following deficiencies:

08-1 – Office of the Clerk to Court – Fines, Fees and Assessments – Mr. Prince said the process used to appropriate funds between the County and State was not operating properly. The issue has been addressed and proper controls are being implemented.

08-2 – Assessor Office – Legal Residence Refunds – Mr. Prince said the process used to grant refunds for legal residence status was not operating properly. He said both the Assessor and the Auditor must sign off on all changes for grant refunds for legal residences. The issue has been addressed and proper controls are being put in place.

Mr. Prince said the only compliance finding was in a program under the Federal Improvement Act – 08-3 Airport Improvement Program CDFR# 20.106. It was discovered that the FAA required quarterly performance reports were not being submitted on a timely basis, and on some cases had not been submitted as of the day of the audit. The issue has been addressed and internal controls are being implemented to fully monitor all compliance requirements.

Mr. Prince said there has been a shift in what is reported in financial statements in the past few years. He said in the past these items would have been reported under Reportable Conditions, but

with the change, they are now reported as Significant Deficiencies. Significant Deficiencies are a lot lower level that can be reached very quickly. It is a condition where it is more than a remote possibility that something might be in there to cause a misstatement that would be more than clearly inconsequential. He said it does not take much to reach that level, so, we may have items being reported now that may not have been reported in the past.

Mr. Davis asked if there were any deficiencies from last year's audit that were corrected for this year.

Mr. Prince replied that there were no deficiencies last year. However, we did have some deficiencies the year before, but they were all corrected.

Mr. Davis asked if his firm follows the deficiencies to be sure they have been corrected.

Mr. Prince replied, yes. He said they are the first thing on the audit list to be sure that they have been rectified in the current year.

Mr. Jeffcoat asked if any of the deficiencies items would be a cost to the taxpayers or are they an administrative type deficiency.

Mr. Prince replied that it is a possibility with the compliance finding (08-3 Airport Improvement Program CDFFA# 20.106) . He said if the FAA wanted to they could come back and ask to be reimbursed, but did not see that happening from his conversations with the FAA.

Mr. Prince did say with the Clerk of Court's office, the State owes the County more money than the County owes, but does not know the realization we would get since it spans a number of years. He said it could be a small amount, but it would be an immaterial amount.

Mr. Banning asked if Council would receive an electronic copy of the report.

Mr. Porth replied, yes; both paper and electronic.

Commission on Accreditation for Law Enforcement Agencies (CALEA) - Ms. Hubbard recognized Lieutenant (Ret.) Cynthia Armour of the Rhode Island State Police and Deputy Chief (Ret.) Richard Haake, Dupage County Forest Preserve District who are reviewing the County's Communication's Center for accreditation.

Christmas Holidays - Ms. Hubbard announced that the County's administrative offices will be closed Wednesday, Thursday and Friday, December 24, 25, and 26 in observance of Christmas.

Employee Recognition - Katherine Hubbard, County Administrator - Employee of the Third Quarter 2008 - Nominees for the 3rd Quarter were: Tracy Connors, Sr. Paramedic with

Public Safety/EMS and Colleen Long, Traffic Court Administrator, of Magistrate Court Services.

Ms. Hubbard announced that the Employee Committee selected Ms. Connors as the Employee of the 3rd Quarter. A Certificate of Excellence was presented to Ms. Long.

Employee Recognition - Ms. Hubbard recognized Tom Harmalik, Collection and Recycling Center Coordinator, in Solid Waste Management. Ms. Hubbard said she received a letter praising staff's friendliness and helpfulness at the Recycling Center on River Chase Drive.

Also, Ms. Hubbard said she received an e-mail from Beth Carrigg, Clerk of Court, praising Building Services for the impeccable job they are doing in constructing office space within the Clerk of Court's office at the Judicial Center.

Leigh Ann Lunsford, Administrative Assistant for the Diversion Programs in the Solicitor's Office, was recognized for her work with the Prosecution Commission in matching the Alcohol Education program with the National Highway Safety Council's "Alive at 25" program. In addition, Ms. Lunsford received a Leadership Award Certificate presented by the National Highway Safety Council for her dedication and support of the "Alive at 25" program.

Resolution - Recycling - Mr. Banning made a motion, seconded by Mr. Kinard to approve the proposed resolution.

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

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

Not Present: Ms. Summers *

*Ms. Summers left early to attend the funeral of her stepfather, Frank Stiglbauer.

Presentation of Certificate - Sandra Burdett Presented by Councilman Johnny Jeffcoat - Mr. Jeffcoat presented a framed certificate to Ms. Burdett recognizing her for her service on the Lexington County Museum Commission. Ms. Burdett served from October 28, 2006 - December 4, 2007.

Lexington and Irmo High School Government and Economics Classes - Mr. Derrick recognized students from Lexington and Irmo High Schools who were in attendance as part of their government and economic classes.

Appointments - None.

Bids/Purchases/RFPs - A motion was made by Mr. Cullum, seconded by Mr. Keisler to approve the following Bids/Purchases/RFPs (Tabs Y - 2):

Two (2) 1500 GPM Pumpers and One (1) 750 GPM Tanker - Public Safety/Fire Service - Competitive bids were solicited and advertised for (2) 1500 GPM pumpers and (1) 750 GPM tanker for Public Safety/Fire Service. The bid document was set up to provide pricing for pumper equipment as an option. Four (4) bids and one (1) no bid were received. Staff recommended the award of the bid to KME Fire Apparatus d/b/a Slagle Fire Equipment. Total cost, including tax, is \$953,613.80.

X26 Tasers with Accessories - Sheriff's Department - Staff recommended the purchase of 223 X26 tasers with accessories for the Sheriff's Department from the sole source provider, Lawmen's Safety Supply. This has been deemed a sole source as they are the sole distributor for South Carolina. Total cost, including tax, is \$240,985.71.

Solid Tires with Rim & Rubber Wear Pads for Heavy Equipment - Term Contract - Solid Waste Management - Competitive bids were solicited and advertised for a term contract for solid tires with rim and rubber wear pads for Solid Waste Management. The award of the contract will be for the 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. Only one (1) bid was received. Staff recommended the award of the bid to SETCO Solid Tires, Inc. Total cost, including tax, is \$79,052.99.

One (1) III Phase Power Compactor (Grant Funds) - Solid Waste Management - Staff recommended the purchase of a III Phase Power compactor for Solid Waste Management from the sole source provider, Amick Equipment Company, as they are the local distributor of the Wastequip Accurate Compactor Model 645 XHD-7 in the southeast region. Total cost, including tax, is \$36,775.16.

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

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

Not Present: Ms. Summers

Approval of Minutes - Meeting of October 28, 2008 - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve the October 28, 2008 minutes as submitted.

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

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

Not Present: Ms. Summers

Zoning Amendment - Zoning Text Amendment T08-12 - (Article 12 - Administration, Chapter 3 - Amendments, Section 123.13 - Public Hearing) - 1st Reading - Mr. Kinard made a motion, seconded by Mr. Cullum to approve first reading.

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

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

Not Present: Ms. Summers

Ordinances - Ordinance 08-14 - An Ordinance Amending the Lexington County Stormwater Management Ordinance 06-10 for the Creation of the Stormwater Advisory Board - 3rd & Final Reading - A motion was made by Mr. Banning, seconded by Mr. Kinard to approve third and final reading.

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

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

Not Present: Ms. Summers

Ordinance 08-18 - An Ordinance Amending Section 46-1 of the Lexington County Ordinance in Regards to Disposal of County-owned Real Property - 2nd Reading - A motion was made by Mr. Banning, seconded by Mr. Davis to approve second reading.

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

In Favor: Mr. Derrick Mr. Banning

Mr. Davis	Mr. Kinard
Mr. Keisler	Mr. Jeffcoat
Mr. Carrigg	Mr. Cullum

Not Present: Ms. Summers

Ordinance 08-19 - An Ordinance to Amend Ordinance No. 95-12, as Amended by Subsequent Ordinances Relating to the Joint County Industrial Park of Lexington and Calhoun Counties so as to Enlarge the Park to Add Certain Property and Amendment to Agreement for Development of Joint County Industrial Park (CMC) - 1st Reading - Mr. Cullum made a motion, seconded by Mr. Davis to approve first reading.

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

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

Not Present: Ms. Summers

Committee Reports - Planning & Administration, J. Jeffcoat, Chairman - Neighborhood Stabilization Program (NSB) - Mr. Jeffcoat reported the Planning and Administration Committee met during the afternoon and discussed the Neighborhood Stabilization Program. The program was established to provide emergency assistance to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities. The Committee voted in favor to recommend to full Council for approval.

Mr. Jeffcoat made a motion, seconded by Mr. Davis to approve the request to move forward with the grant request for funding.

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

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

Not Present: Ms. Summers

Zoning Map Amendment M08-07 - White Water Drive, Portion of Rocky Ramp Drive, and Launch Court - 2nd Reading - Mr. Jeffcoat reported the Committee met earlier in the day to consider second reading of Zoning Map Amendment M08-07. The Committee voted in favor to recommend to full Council for approval.

Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve second reading.

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

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

Not Present: Ms. Summers

Zoning Map Amendment M08-08 - Three Oak Lane and Water Oak Trail - 2nd Reading -

Mr. Jeffcoat reported the Committee also discussed Zoning Map Amendment M08-08. The Committee voted in favor to recommend to full Council for approval.

Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve second reading.

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

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

Not Present: Ms. Summers

Zoning Map Amendment M08-10 - Parcels between Lin creek Drive and Lake Murray Boulevard - 2nd Reading – Also, discussed during the Committee was Zoning Map Amendment M08-10. The Committee voted in favor to recommend to full Council for approval contingent on getting the road resolved prior to third and final reading.

Mr. Jeffcoat made a motion, seconded by Mr. Davis to approve second reading contingent on getting the road resolved prior to third and final reading.

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

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

Not Present: Ms. Summers

Justice, B. Banning, Sr., Chairman - 11th Circuit Law Enforcement Network (LEN) Grant Award – Mr. Banning reported the Justice Committee met to consider the acceptance of the 11th

Law Enforcement Network Grant award. The grant award in the amount of \$24,000 requires no County Match. The purpose of the grant is to provide equipment for the traffic enforcement units within the 11th Circuit. The Sheriff's Office (host agency) will receive \$6,000 and the LEN Traffic Support Team will receive \$18,000. The Committee voted in favor to recommend to full Council for approval.

Mr. Banning made a motion, seconded by Mr. Jeffcoat to approve acceptance of the \$24,000 grant award.

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

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

Not Present: Ms. Summers

Courthouse Security Grant Application - Mr. Banning reported the Committee also met to consider staff's request to submit the Courthouse Security Grant application. The grant in the amount of \$233,150 requires a 25% County match of \$58,287. The purpose of the grant is to enhance the security at the Judicial Center. The match will be included in the Sheriff's Department FY09/10 budget. The Committee voted in favor to recommend to full Council for approval.

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

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

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

Not Present: Ms. Summers

Crime Scene Investigative Unit Grant Application - Also, discussed during the Justice Committee was the request to submit the Crime Scene Investigative Unit Grant application. The grant in the amount of \$171,888 requires a County match of \$42,972. This request is for the third year of funding for two CSI officers and operational costs. The match will be included in the Sheriff's Department FY09/10 budget. The Committee voted in favor to recommend to full

Council for approval.

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

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

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

Not Present: Ms. Summers

School Resource Officers Grant Application - Also, discussed was the request to submit the School Resource Officers Grant application. The grant in the amount of \$251,375 requires a County of \$62,844. The purpose of the grant is to fund a school officer for the following middle schools: Carolina Springs, Batesburg-Leesville, and Sandhills. The match will be included in the Sheriff's Department FY09/10 budget. The Committee voted in favor to recommend to full Council for approval.

Mr. Banning made a motion, seconded by Mr. Keisler to approve staff's request to move forward with the submittal of 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	Mr. Jeffcoat
	Mr. Carrigg	Mr. Cullum

Not Present: Ms. Summers

11th Circuit Public Defender Administering County Request - Mr. Banning reported the Justice Committee met on Tuesday, November 18, 2008, to review the Eleventh Circuit Public Defender's request to appoint Lexington County as their administering county.

Mr. Robert Madsen, Circuit Public Defender, presented a request that Lexington County be appointed as the administering county for the Eleventh Circuit Public Defender's Office. He said that under state statute it requires that each one of the circuit public defenders have an administering county. It requires that the public defender have an agreement with the administering county to administer indigent defense funds distributed from the State and the

counties within the circuit. In addition, all employees of the circuit public defender's office would be employees of the administering county, with the exception of him (Mr. Madsen) and his administrative assistance who are state employees. Currently, funding is provided from the following counties: Lexington (\$286,500), Saluda (\$8,000), McCormick (\$18,000), and Edgefield (\$15,200), and state funds which are based on a per capita basis as shown on the 2008-09 budget sheet presented.

The agreement does not require Lexington County to expend any additional money to be the administering county and that the County would be reimbursed any additional money beyond what it is already contributing.

Mr. Madsen said per the statute there would be additional expense to the counties, (Lexington, Saluda, Edgefield and McCormick), which doesn't have anything to do with who is the administering county. However, under the statute, based on population of pro rata share, each county will provide appropriate offices, utilities, expenses, and materials necessary to equip, maintain and furnish the office or offices of the Circuit.

The Justice Committee voted unanimously to recommend that full Council approve the Public Defender's request that Lexington County be appointed as the administering county for the Eleventh Circuit Public Defender's Office subject to working out a final agreement with the County Attorney.

Mr. Banning made a motion, seconded by Mr. Cullum to approve the request to bring the 11th Circuit Public Defender's Office administration into the County subject to working out the final agreement with the County Attorney.

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

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

Not Present: Ms. Summers

Health & Human Services, J. Carrigg, Jr. Chairman - Appointment of Code Enforcement Officer for Animal Services - Mr. Carrigg reported the Health and Human Services Committee met during the afternoon to consider staff's request to appoint George D. Reed as a Lexington County Code Enforcement Officer. The Committee voted in favor to recommend to full Council for approval.

Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to appoint George D. Reed as a Lexington

County Code Enforcement Officer.

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

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

Not Present: Ms. Summers

FY09 DHEC EMS Grant-in-Aid Award - Also, discussed during the Committee meeting was the request to accept the FY09 DHEC EMS Grant-in-Aid award in the amount of \$40,042.18, which requires a 5.5 percent County match of \$2,330.50. The award was reduced by \$1,892 due to State budget cuts.

Mr. Carrigg made a motion, seconded by Mr. Kinard to approve the acceptance of the FY09 DHEC EMS Grant-in-Aid award.

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

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

Not Present: Ms. Summers

Public Works, D. Summers, Chairman - Ground Level Ozone Non-Attainment Boundary Recommendations - On behalf of Ms. Summers, Committee Vice-Chairman Cullum, reported that the Public Works Committee met to hear staff's comments on the recommended non-attainment boundary area (the non-attainment boundary will follow the 2000 COATS area excluding the areas in Southwest Kershaw County and Northwest Calhoun County) and review the proposed comment letter to be submitted to DHEC. The Committee voted in favor to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Kinard to approve the non-attainment boundary recommendations, as recommended by staff, and approve the submittal of the proposed comment letter to DHEC.

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

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

Not Present: Ms. Summers

Nominees for Stormwater Advisory Board - Also, discussed during the Public Works Committee was the nominees for the Stormwater Advisory Board. The Committee voted in favor to accept staff's recommendation of Exhibit "B" as amended. The amendment deleted Sue Green under Environmental Consultants and added Jim Lewis.

Mr. Cullum made a motion, seconded by Mr. Kinard to approve staff's recommendation of Exhibit "B" as amended for the Stormwater Advisory Board.

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

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

Not Present: Ms. Summers

SCDOT Snow and Ice Removal Contract - Mr. Cullum reported the Committee voted in favor to recommend to Council for approval contingent on approval by the County attorney and staff's review of labor rates and authorize the County Administrator to sign the appropriate documentation once it has been finalized.

Mr. Cullum made a motion, seconded by Mr. Banning to approve the contract contingent upon the approval of the County attorney and review of the rates.

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

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

Not Present: Ms. Summers

Budget Amendment Resolutions - The following BARs were distributed and signed:

09-006 - A supplemental appropriation increase of \$7,321 for Fund 2530 to appropriate the carryover funds to pay the utilities at Bundrick Island and a supplemental appropriation increase of \$30,808 to appropriate carryover program income funds from the Multi-Narcotics Task Force Fund (Fund 2436).

09-051 – A supplemental appropriation increase in the amount of \$24,000 to establish the budget for the 11th Circuit Law Enforcement Network (LEN) Grant award.

09-052 - An appropriation transfer of \$40 and a supplemental appropriation decrease of \$9,988 to adjust the FY09 DHEC Grant-in-Aid budget to match the award amount.

09-053 - A supplemental appropriation increase in the amount of \$12,485 to budget the 2007 Supplemental Local Planning Grant (SLPG) award.

Old Business/New Business -1995 Post Employment Health Insurance Plan (Clarification) -

Ms. Hubbard said at the October 28th meeting, County Council adopted some changes to the 1995 Post Employment Health Insurance Plan and asked that Council, for clarification, take action on the Eligibility for Years of Service and Eligibility for the County 1995 Insurance Plan.

Eligibility - Years of Services - As long as an employee had 20 years of consecutive service at anytime in their employment with the County, they would qualify to enter into this program, if they meet all the other eligibility requirements before June 30, 2009.

Mr. Banning made a motion, seconded by Mr. Davis to approve the Eligibility for Years of Service requirement for eligible participants in the 1995 Plan.

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

Not Present: Ms. Summers

Eligibility – Insurance Coverage - County 1995 Insurance Plan - If a retiree in the 1995 Plan chooses to be covered under another plan, they will not be eligible to be covered by the County’s plan and will not be eligible to come back to the County plan. (If a retiree who is participating in the County’s post employment plan becomes eligible for another plan, the retiree may remain enrolled in the County’s plan until such time as the retiree’s eligibility in the 1995 plan terminates, such as when the retiree becomes eligible for Medicare, or the retiree chooses to be covered under another plan. To participate in the 1995 Plan, an employee must meet eligibility requirements before June 30, 2009.)

Ms. Hubbard said the Ad hoc Committee shared with the Committee of the Whole that the intention would be to accelerate the adjustment in the retiree's premium as a result of making that change and should be presented to Council in January.

Mr. Banning made a motion, seconded by Mr. Kinard to approve the Eligibility of the insurance coverage for the County 1995 Insurance Plan.

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

Not Present: Ms. Summers

Mr. Jeffcoat wanted everyone that is affected by the changes of the County's 1995 Plan to understand that this is only for individuals that will be retiring or have retired by June 30, 2009. However, he said Council would be discussing some changes on the other benefits as well. He said it is the desire of Council for the County employees to know that we are not the "enemy," but are doing everything we can possibly do to make sure that retirees have benefits. This is extremely serious, and we have counties within the State of South Carolina right now that do not know what they are going to do because they are broke because of the many changes in the health benefits. He asked when you hear rumors to make sure that you get the true story and call the County Administrator or the Human Resources Director to have them discuss it with you so that you understand what is happening. He said it is essential that we make changes; if we don't, you may not have any benefits. It is not that we don't care; we do care. We just want to be sure that you have the very best program that we can possibly provide. Be assured that we are taking this extremely serious and want you to be able to depend on a solid program once we make the changes. We will try to make it as painless as possible, but it's not going to be painless. There will be some pain, but, hopefully, not severe to most everybody here.

Ms. Hubbard thanked Councilman Jeffcoat for his comments, and said she failed to point out that the plan is for staff to meet with any of the retirees who are currently participating in the 1995 Plan and anyone who may be eligible for the 1995 Plan toward the end of January once staff has had an opportunity to review the forecast for premiums in order to answer questions that may arise. As soon as the details have been worked out with the Ad hoc Committee and the Committee of the Whole for the Post Employment Health Insurance Benefits after July 1, 2009, staff we begin scheduling meeting with those employees as well.

Executive Session/Legal Briefing - A motion was made by Mr. Davis, seconded by Mr. Kinard to continue discussion on legal and a contract matter.

Not Present: Ms. Summers Mr. Carrigg*
 Mr. Cullum*

*Messrs. Carrigg and Cullum were not present when the vote was taken.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William C. Derrick
Chairman