

M I N U T E S
LEXINGTON COUNTY COUNCIL
MAY 26, 2009

Lexington County Council held its regular meeting on Tuesday, May 26, 2009 in Council Chambers, beginning at 4:30 p.m. Chairman Summers, presided.

Reverend Betty Franks, Chaplin with Lexington Medical Center, gave the invocation.

Chairman Summers asked for a moment of silence on behalf of Councilman Carrigg and his family in the passing of his mother, Mrs. Margaret Carrigg.

Mayor Charles Haggard of Pelion led the Pledge of Allegiance.

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

Not Present: John W. Carrigg, Jr. *

*Mr. Carrigg was absent due to the death of his mother.

Also attending: Katherine Hubbard, County Administrator; Joe Mergo, III, Deputy County Administrator; Larry Porth, Finance Director/Assistant County Administrator; John Fachtel, 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.

Smart Business Recycling Awards to Lexington Medical Center and Sun Printing Presented by South Carolina Department of Health and Environmental Control – Ms. Amanda St. John, Business Recycling Program Coordinator - Ms. St. John recognized Lexington Medical Center and Sun Printing for their outstanding waste reduction and recycling programs at the first S.C. Smart Business Recycling Program Awards luncheon on April 28. The awards luncheon was hosted by the S.C. Department of Health and Environmental Control.

Mae Belle Jeffcoat - Chairman Summers reported that Councilman Jeffcoat's mother, Mae Belle Jeffcoat, passed away on May 14.

Chairman's Report - Ms. Summers reported she attended a number of sessions of the City of Cayce's Charrette.

Council Members' Activities and/or Comments - Mr. Cullum reported he attended the City of Cayce's three-day Charrette, which is similar to a master plan, where they went through the city's whole land mass to help identify strengths and weaknesses.

Mr. Banning reported during the afternoon Economic Development Committee, the Committee reviewed three different projects that would have a \$30 million potential investment for Lexington County with

several hundred jobs.

Mr. Keisler reported he attended the USO Ribbon Cutting on May 18 for the Armed Force's Lounge at the Columbia Metropolitan Airport and thanked the Airport Commission for this facility. The Armed Force's Lounge will be used by the military and their families as they travel through the airport.

Administrator's Report - Ms. Hubbard recognized Mike Biediger, CEO of Lexington Medical, and congratulated him on Lexington Medical Center receiving another recycling award.

Tire Amnesty Day - May 2 - Ms. Hubbard reported during a seven-hour period, the County collected 8,790 tires, equivalent of 61.74 tons of tires, at the various collections stations and landfill.

Employee Recognition - Katherine Hubbard, County Administrator - Ms. Hubbard recognized Mike Moore, Building Official and Ladd Sutton, Building Inspector with Community Development and Ron Suber, Appraiser Supervisor and Dawn Risinger, Appraisal Clerk in the Assessor's Office for working together to resolve a title issue with a mobile home that the Pentecostal Holiness Church of West Columbia had received to be donated to a family in need. Rev. Ackerman praised these employees for going the "extra mile" in obtaining the title to the mobile home so it could be transferred in time for a dedication service that had already been set.

Mr. Keisler personally thanked the two departments for working together and said this was truly a "team effort."

Special Recognition - Ms. Summers recognized special guests, Rep. Kit Spires, Mayor Charles Haggard of Pelion, and Sheriff Metts.

Irmo High School Soccer Team - Mr. Cullum congratulated the Irmo High School Soccer Team on their success. Irmo is ranked #2 in the country. Kyle Hubbard, co-captain, is the son of Katherine Hubbard, County Administrator.

Presentation of Resolutions - 11th Judicial Circuit Law Enforcement Network Presented by Councilman Jim Kinard - Councilman Kinard presented a framed resolution to Lt. Jim Crawford in honor of the 11th Judicial Circuit Law Enforcement Network, along with the 15th Judicial Circuit Law Enforcement Network, for being recognized by the South Carolina Department of Public Safety as the Most Effective Law Enforcement Network in 2008.

Pelion Police Department Presented by Councilman Jim Kinard - Councilman Kinard presented a framed resolution to Chief Chris Garner in honor of the Pelion Police Department being recognized by the South Carolina Department of Public Safety as the 2008 Agency of the Year for DUI Enforcement by a Law Enforcement Agency employing less than ten officers.

On behalf of the House of Representatives, Rep. Kit Spires presented a framed resolution to Chief Chris Garner recognizing the Pelion Police Department for their outstanding achievements and service to the Pelion community.

Appointments - None.

Bids/Purchases/RFPs - A motion was made by Mr. Jeffcoat, seconded by Mr. Banning to approve the following Bids/Purchases/RFPs (Tabs R, S, & T).

Ambulance Billing Services - Public Safety/EMS - Competitive bids were solicited for a term contract for ambulance billing services for Public Safety/EMS. The term of the contract shall be for a period of one (1) year and may be extended on an annual basis not to exceed four (4) additional one year periods. Fourteen (14) responsive bids were received. Staff recommended the award of the bid to Lowcountry Billing Services, as the lowest responsible bidder meeting the specifications. The estimated annual value of the contract is \$239,400.

Earthen Road Surfacing Program FY-09 - Public Works - Competitive bids were solicited for the FY-09 Earthen Road Surfacing Program. The project will consist of pavement construction of approximately 2.3 miles of Lexington County dirt roads. The proposed roads to be paved are: remaining portion of Glen Street, portions of Fox Trot Trail and Old Charleston Road, and all of Greenbriar Drive. Two (2) bids were received. Staff recommended the award of the bid to CBG, Inc. as the lowest bidder using the hot asphalt treatment in the amount of \$192,036.

Weapons Purchase and Disposal of Used and Confiscated Firearms - Sheriff's Department - Competitive bids were solicited for the purchase of weapons and the disposal of used and confiscated firearms for the Sheriff's Department. The Sheriff's Department is selling seized and confiscated firearms and old service weapons to a firearms dealer in order to acquire new service weapons for their officers. The intent of the process is to purchase new weapons without using appropriated funds in existing accounts, thereby saving money.

Three (3) bids were received. Bids were set up to allow vendors to bid on four (4) separate lots. Lot #1 included the purchase of all items less the trade-in offer. Lot #2 and Lot #3 were for the purchase of guns and holsters respectively. Lot #4 was for the sale of the used service and confiscated weapons. Staff recommended the award of Lot #2 to Craig's Firearm Supply Company as being one of the lowest responsible bidders for the weapons, Lot #3 to Lawmen's Safety Supply as being the only bidder for the holsters, and award Lot #4 to Dana Safety Supply dba Palmetto Distributors as being the highest offer for the sale of used service and confiscated weapons. Total cost, including sales option and tax, for a net positive gain of \$24.02 to the County. Lot #1 was not awarded as it was not advantageous to the County.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Approval of Minutes - Meeting of April 28, 2009 - Mr. Banning made a motion, seconded by Mr. Kinard to approve the April 28, 2009 minutes as submitted.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Solid Waste Processing Facility Amendment - Solid Waste/Processing Facility Application #SW09-01 - EarthCare Recycling, LLC - Final Reading - Mr. Jeffcoat requested to delay action on SW09-01 until the June 9th meeting.

Ordinances - Ordinance 09-04 - An Ordinance Approving the Lease of Real Estate from the County of Lexington to the Lexington/Richland Alcohol and Drug Abuse Council - 2nd Reading - Mr.

Jeffcoat made a motion, seconded by Mr. Davis to approve second reading of Ordinance 09-04 with the understanding that the parking for the purchase option needs to be modified as approved by the County attorney.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Ordinance 09-06 - An Ordinance to Amend the Lexington County Code of Ordinances, Chapter 14, Building and Building Regulations; by Adding a New Article Therein for the Purpose of Establishing Regulations and Requirements Related to Smoking in the Unincorporated Area of Lexington County - 2nd Reading - Ms. Summers reported as Chair, out of respect for the length of time Council has spent discussing the issue, will delay action on Ordinance 09-06 to the June 9th meeting to allow all Council members to be present. Second reading and public hearing will be scheduled for June 9.

Mr. Derrick asked what will be first - second reading or the public hearing.

Ms. Summer replied, public hearing first followed by second reading.

First Reading by Title of an Ordinance and/or a Resolution to Increase the Franchise Fee for Time Warner - Ms. Summers reported the item has been pulled from the agenda due to legal matters that Council needs to continue discussing.

Committee Reports - Planning & Administration, S. Davis, Chairman - Community Development Block Grant Recovery Funds Substantial Amendment - Mr. Davis reported during the afternoon Committee meeting, the Committee heard from staff on the Substantial Amendment to the 2008 Action Plan that is due to HUD by June 5. The County was allocated \$385,148 in Community Development Block Grant Recovery Program (CDBG-R) funds. The amendment to the 2008 Action Plan will be for infrastructure improvements, road paving and drainage installation, to unpaved roads for the following proposed roads and streets: Bitternut Road, First Creek Road, Ally Street and Holmes Street. In addition, up to 10% of funds may be used for administrative costs. The Committee voted in favor to recommend to full Council for approval.

Mr. Davis made a motion, seconded by Mr. Banning to approve the Substantial Amendment to the 2008 Action Plan.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Justice, J. Kinard, Chairman - Paul Coverdell DNA Direct Grant Application Through US Department of Justice and the Paul Coverdell Crime Scene Investigation Direct Grant Application Through SC Department of Justice - Mr. Kinard reported the Committee reviewed staff's request to submit the above two grant applications and voted unanimously to recommend to full Council for approval.

Paul Coverdell DNA Direct Grant Application Through US Department of Justice - The grant in the amount of \$125,000 requires no County match. The requested funds will be used for operating expenses and equipment for a DNA lab.

Paul Coverdell Crime Scene Investigation Direct Grant Application Through US Department of Justice - The grant in the amount of \$123,437 requires no County match. The requested funds will be used to purchase equipment for the Crime Scene Investigative Unit.

Mr. Kinard made a motion, seconded by Mr. Jeffcoat to approve staff’s request to move forward with the submittal of both grant applications.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Health & Human Services, J. Jeffcoat, Chairman - Contract for Purchase of Property - Mr. Jeffcoat reported the Health and Human Services Committee met to review and consider a Contract of Sale for property located on Hwy. 378. The Committee voted unanimously to recommend to full Council for approval.

Mr. Jeffcoat made a motion, seconded by Mr. Banning to approve the Contract of Sale.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Airport, J. Carrigg, Jr., Chairman - Lexington County Airport at Pelion - Apron Rehabilitation Project - On behalf of Committee Chairman Carrigg, Mr. Kinard reported the Committee reviewed staff’s request to proceed with the bidding process for the apron rehabilitation project for the Lexington County Airport at Pelion. The project is part of the 2010-2014 Airport Capital Improvement Plan (CIP). The total estimated cost of the project is \$480,000. The match is 95% FAA and 5% County. The County will submit an application to South Carolina Division of Aeronautics for 2.5 % of the County’s 5% match. In addition, staff was asked to convey to the potential bidders that, if fund are not available, the County will not be moving forward with the project.

Mr. Kinard made a motion, seconded by Mr. Cullum to approve staff’s request to proceed with the bidding process.

Ms. Summers opened the meeting for discussion; no discussions occurred.

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

Opposed: Mr. Jeffcoat

Airport Runway and Taxiway Rejuvenation - Ms. Hubbard reported in the earlier afternoon Airport Committee, under Old/New Business, the Committee discussed an alternate cost savings measure for the pavement rejuvenation project and wanted to be certain Council had no objection moving forward with the project.

The estimated project cost is \$50,000 with a 75% match from South Carolina Division of Aeronautics (SCDOA) and a 25% match from the County. South Carolina Division of Aeronautics will pay the contractor 100% for the project and the County will reimburse SCDOA 25% of the total cost upon completion.

Council voiced no objection on moving forward with the project.

Budget Amendment Resolutions - The following BAR was distributed and signed:

09-080 - An appropriation transfer of \$7,000 from "C" funds and a supplemental appropriation increase of \$14,000 from the Transportation Enhancement Program and a \$7,000 supplemental appropriation increase from the Transportation Enhancement Program for the "Emergency Only" traffic signal on Lake Murray Boulevard at the North Lake Fire Station. These transactions are for the \$21,000 cost of the light that is equally shared by the County, Irmo Fire Department, and the private developer.

FY09-10 Budget Items - 2501 - Juvenile Arbitration - Mr. Rick Hubbard, Deputy Solicitor II, said as requested, I went back and spoke to Solicitor Myers and told him that the \$42,000 shortfall we have in Juvenile Arbitration could not be made up by County funds and that County Council has told me that there is no money. I have gotten with Solicitor Myers and we looked over our proposed budget and got with some of the other people that worked on our budget process. Solicitor Myers says in lieu of anything coming from the County, we will be in the position to probably laying someone off. We looked at our capital budget as well, which our requested budget this year was \$46,000 and it was cut to \$15,000 and we are fine. We understand it is a tight year, but it is going to be a personnel termination probably in order to come up with that kind of money. I cannot tell you what person that will be, obviously, on such short notice. I think it's going to take some time for us to actually go through and see how to do this because this is going to be very painful; somebody will be out of work. Once we get with Solicitor Myers and see who it is, I will be the one breaking that to them. So, we know July 1, we will be one less person, at least one less person.

Mr. Jeffcoat asked how many people work in Juvenile Arbitration.

Mr. Hubbard replied, in Juvenile Arbitration there are two full-time and one part-time employees. Katherine, of course is full-time. She has had a part-time position since the interception of the program, so that is 26 years. We added one full-time position 13 years ago. Whether we cut someone in that department, obviously we are doing our best to save Juvenile Arbitration and they pretty much run on a shoestring for the business that is generated that come to them. So we are looking at all areas of our staff and who is going to get the ax. I don't know, but it looks like someone in our office will have to find another job come July 1.

Mr. Kinard said two weeks ago when we were discussing this issue, Council approved a Victims Advocate for the Worthless Check Unit and asked if those funds could be used for Juvenile Arbitration instead.

Mr. Hubbard replied, we absolutely need that, as well, for that program. That program, as you know, is not County funded; it is a self-sustaining program. It does not sustain our office; it sustains itself. And obviously, a tremendous benefit for the taxpayers of this community. Seven-hundred thousand at least to the County, with over \$4 million has been collected in five years. And with the economic downturn, we are getting a lot more business and a lot more small businesses are saying, these people, even with your

help Solicitor, are not paying, now we are going to court. That's where we need that help. Again, I know we talked about restrictions on the funding, which I'm certainly not an expert on, I'm a prosecutor. But, there are some cobwebs there when you get into the details of that law.

Mr. Davis asked if he anticipates personnel cuts from the State as well.

Mr. Hubbard replied, yes sir. Right now Solicitor Myers, as I told you earlier, basically put me on notice that I may be sitting down with more than one person. And as I spoke with Mr. Derrick earlier, what we have tried to do is cut back by attrition. We lost our DUI Prosecutor in Transfer Court. Right now we are not going to replace him. That is not a County-funded position, it was State, but we lost the funding for that so what I have done is spread his work among four prosecutors, which added to their workload. We are going to be losing one of our Victim Advocates. We are not going to replace him; we can't replace him. Again, that is not a County position; that's State. We are not going to be able to fund him. We've got several attorneys that, if this downturn hits us like we are thinking, we may be losing attorneys. We are going to do whatever we can not to, obviously sir, but I have been put on notice that I may be talking to more than one person.

Mr. Davis said, Council shares your pain and we appreciate your keeping the Juvenile Arbitration program alive, even though it will take some pain to do that as it does do a good job.

Mr. Jeffcoat replied, that is one of the most important programs you have.

Mr. Hubbard replied, I would rank it up as the most important. When we keep those young kids out of trouble at an early age, my job as an adult prosecutor is made a lot easier. Of all the arbitration programs in the state, this is the most successful. We've gotten calls as recently as this past week from Florida and a while back from Georgia from people wanting to come and watch and look at our program to see how we run it. It is really run by volunteers and started by people in our community. The justice system as a whole would be better if you had more programs like this. If this Council were to ask me in Family Court how could you save money if we didn't have this program, I would say that is the first thing I would do because this year we will probably divert over 600 young kids out of the criminal justice process and into this program, thereby ensuring that they won't come back. They will go on to become productive people. I think that is what we are all here for.

Ms. Hubbard asked for clarification that Council is looking for a reduction in the Solicitor's General Fund budget that would provide enough funding to balance the Community Juvenile Arbitration pending shortfall and is leaving it up to staff to work with the Solicitor to make the corresponding adjustment prior to third reading.

Ms. Summers replied, correct.

Mr. Derrick asked Mr. Hubbard if he had a recommendation from which particular account that adjustment will be come from.

Mr. Hubbard replied, obviously right now it would be premature. I would hate to say it out here and then cause a panic in my office. That is the main reason that I'm hesitant.

Mr. Derrick made a motion, second by Mr. Jeffcoat to adjust one of the Solicitor's other accounts appropriately to balance the Community Juvenile Arbitration account.

Ms. Summers opened the meeting for discussion.

Mr. Jeffcoat replied, we need to save this program, if possible, and will follow the issue closely as it is a vital program.

Ms. Summers said she had attended one of the Community Juvenile Arbitration ceremonies and said it is a very motivating program and knowing the contributions that it makes to our community has full confidence that staff can work to keep the program.

Ms. Summers called for further discussion; none occurred.

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

Irmo Fire District - Chief Sonefeld said several years back when the Finance Department was looking at a way for county agencies to be not so reactive but either proactive, or at least stay in the main stream, the CPI and Growth indices were something that would let us keep pace to what we've got now. We're not asking for more, just to maintain what we have at this point. That has worked really well, at least for the public safety division. I have not had to come to you for anything outside our normal budget requirements other than a new station, new staffing, which would be a separate item. And when I found out this time that CPI and Growth may not be considered in the budget, in a budget like ours, it is going to mean a reduction in service for the people we serve, and I am not looking forward to that. We just displaced four families over the holidays, and I'm sure if I asked them would less be better for you next time, probably no would be the answer. It is not a huge millage increase, it is under one mil. I think it is an acceptable amount to place on our taxpayers for what they are getting in return on their insurance dollar, and I would hate to see the savings that they have now start slipping away just because we were not a little more proactive than reactive.

Mr. Jeffcoat made a motion, seconded by Mr. Banning to approve a .91 mil for the Irmo Fire District.

Ms. Summers opened the meeting for discussion.

Mr. Banning asked if Council knew Mr. Carrigg's position on this request.

Mr. Jeffcoat replied that Mr. Carrigg would support the request.

Ms. Summers called for further discussion; none occurred.

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

Tied vote; motion fails.

Ms. Hubbard asked to return to the earlier discussions during the budget worksession regarding the Victims' Bill of Rights to provide additional clarification. Ms. Hubbard noted in the worksheets provided to Council it showed the difference between appropriations and revenues in this fund for the upcoming fiscal year to be \$14,275. There is a projected deficit in this fund for this fiscal year that takes the total projected difference between the revenues and estimates to \$23,924, which is the number Col. Paavel provided you earlier. Ms. Hubbard said she is concerned about making sure that we establish the total amount the Sheriff's Department is willing to transfer to this fund in order to make it whole. The total amount that the Sheriff's Department is willing to transfer is up \$23,924 with the understanding that if the projected fund balance is better this year and next year's projected fund balance is better, the Sheriff's

Department is just covering what is necessary to make the fund whole and no more. She said this was the arrangement that staff had with the Sheriff's Department going into the worksession.

Mr. Davis replied that was his understanding and the revenue source would be speeding tickets, correct?

Col. Paavel replied, yes.

Prior to going to Executive Session/Legal Briefing, Ms. Hubbard asked if Council had any amendments to the FY2009-10 Recommended General and Non-General Budgets prior to the public hearing.

Irmo Fire District - Mr. Jeffcoat stated it is unfair to Mr. Carrigg to vote down the Irmo Fire District request in his absence.

Motion to Reconsider - Mr. Derrick made a motion to reconsider the Irmo Fire District request, seconded by Mr. Kinard.

Ms. Summers opened the meeting discussion; no discussion occurred.

Motion to Reconsider

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

Irmo Fire District - Mr. Jeffcoat made a motion, seconded by Mr. Banning to approve a .91 mil for the Irmo Fire District.

Ms. Summers opened the meeting for discussion.

Mr. Derrick said he did not anticipate the result of the original motion, but since Mr. Jeffcoat is inclined to vote for a tax increase on his constituents, he did not mind supporting it, but was trying to be consistent in his vote. Mr. Derrick said our fire district could also use an increase but, being the tough economic times, he is not willing to raise taxes to do it for the rest of the County. But said if Mr. Jeffcoat is willing to put it on his constituents, he is willing to support it.

Mr. Jeffcoat replied that he is willing to give his constituents better service and, by that, they would have to pay less than a mill, and appreciated Mr. Derrick's support.

Mr. Cullum replied that he also felt the same as Mr. Derrick and, to be consistent, could not raise taxes on the rest of the citizens of this county but understands Mr. Jeffcoat's position.

Ms. Summers called for further discussion; none occurred.

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

Opposed: Mr. Cullum

Executive Session/Legal Briefing - A motion was made by Mr. Banning, seconded by Mr. Kinard to go into Executive Session to discuss one remaining legal matter. During the earlier Committee of the Whole, Council discussed one personnel matter and two contractual matters with no motions to be considered.

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

6:00 P.M. - Public Hearings - Prior to opening the public hearings, Ms. Summers reviewed the guidelines for public hearings. She stated that the purpose of the public hearings is to obtain comments from proponents and opponents regarding specific subject matter. She asked that each speaker provide their name and mailing address and that comments be limited to three (3) minutes. Ms. Summers asked that if there was anyone present who had signed up to speak but chose not to speak, but wanted to concur with what has been said, it was acceptable to indicate concurrence. Also, Ms. Summers said there will be no disruptions including cheering, clapping, head counts, etc.

Application of the Recovery Act: Justice Assistance Grant (JAG) Program - Ms. Summers reported the Application of the Recovery Act: Justice Assistance Grant (JAG) Program was inadvertently left off the agenda, but had properly been published and met the requirements to move forward with the public hearing this evening.

Ms. Summers opened the public hearing for the Application of the Recovery Act: Justice Assistance Grant (JAG) Program.

Ms. Summers stated no one had signed up in favor or opposition and, therefore, closed the public hearing.

Ordinance 09-05 - An Ordinance Adopting an Annual Budget for Fiscal Year 2009-10 - Ms. Summers opened the public hearing for those in favor of Ordinance 09-05.

In Favor:

James Goudelock, 2224 Windsor Road, Cayce, SC 29033 - Left prior to the public hearing.

James Jeffcoat, 321 Weeping Cherry Lane, Columbia, SC 29212 - Left prior to the public hearing.

Thomas Kleckley, 822 Corley Mill Road, Lexington, SC 29072 - Left prior to the public hearing.

Christopher Lykes, 810 Huckabee Mill Road, Swansea, SC 29160 - Left prior to the public hearing.

Carol Yarborough, 1615 Augusta Road, West Columbia, SC 29169 - I am the executive director for the Dickerson Center for Children. We are on Augusta Road in West Columbia. I wanted to come and say while I understand that you did everything you could for the budget, and we are supporting you, we wanted you to be aware that the impact for the Dickerson Center will be is that children won't be served and the cost to us in our ability to help the criminal justice system. We appreciate the opportunity to let you know more about that in the form and letter we received today, and we will be doing that. I just wanted to come and say it is really, really important to us to have you know about the Dickerson Center and the impact that this will have for the children in Lexington County. We are a child advocacy center; we work to ascertain help of the criminal justice system if there has been physical and sexual abuse for children and about 65 percent of our services last year were to Lexington County residents. When we are not able to see children, they end up in the emergency room and it is a further cost to the County. If we can't get them help, then they have more trouble getting better, so that is a further cost to the County. We appreciate all you did to fund us all these years and we will certainly provide any information that you need and will be in touch for the future.

Mollie Taylor, 2640 Pine Lake Drive, West Columbia, SC 29169 - I am just a citizen of Lexington County. I also serve on the board for the Dickerson Center. I see a lot of familiar faces and want you to

know upfront that we appreciate what you do for Lexington County. We would appreciate it more if you could do a little more for the Dickerson Center for Children. I served on the Dickerson Center Board for a number of years. I worked with children's issues for the majority of my adult career, both in practicing law with my husband and serving on the Juvenile Parole Board. I have seen firsthand the impact of child abuse; child abuse that a lot of people want to say, that doesn't happen, no one could do that to a child. Well, they do. And it is like agencies like the Dickerson Center for Children that bring the services to these children and these families that are so needed in Lexington County and, I believe, the statistics for the center is they served over 200 children from Lexington County alone in the past year. Again, I have seen firsthand the impact of child abuse. I have seen the impact on the agencies who have to handle other than the Dickerson Center, DJJ, DSS. All of these and the law enforcement agencies are all impacted when one center cannot serve the population that needs to be served. I invite each one of you to visit the Dickerson Center at 1615 August Road, West Columbia and see firsthand for yourself what we have there; what we do for our children. Thank you and I invite you to visit us.

In Opposition:

Rebecca A. Dickson, Chapin, SC 29036 - I spent the day here today to listen to everything that was being said. I have been a volunteer juvenile arbitrator for the last year and a half. I personally have dealt with over 90 juveniles through that program. I am here today as a taxpayer and a resident of the County. I find it very hard to believe that the funding did not come from you, our County Council, as the source. I read the article in the paper that referred to a rainy-day fund and know from serving on a board of education at one period of time in my life, that there is sometimes funding that is available that you hesitate to touch because you hesitate to have the loss for future things. But, I believe that this arbitration program should be a program taught across the United States. We have lived in four states; I taught at a juvenile prison in the State of Arkansas; I worked with the 11-18 year old serious offender males. This arbitration program provides an opportunity to keep those children that make a one-time mistake out of the criminal justice system and as a taxpayer, we are either going to pay now, which I gladly do out of my own pocket. I drive from Chapin to pick up the cases that I accept and drive home, all the expense for printing, copying, and mailing, and cell phone, which is a long distance number because I don't want to be easily tracked at my home. I take on all that expense out of pocket because of the value of this program. I know that there are sometimes funding that you hate to tap into, I know that, and I personally, my husband would agree, am a tightwad. So, I implore that, while you are willing to accept that money out of the Solicitor's office, which would mean the loss of a position, I would ask that you relook to see if there is not some type of interest on that rainy-day fund that's out there that could be tapped into for the remaining money for the juvenile arbitration program. I hope that we as Lexington County can be an example for the United States. This is a program that I will work very hard to see transformed into other states in the country. Thank you for your time.

John Oxner, 160 Holley Ferry Road, Leesville, SC 29070 - I am the lead agent for the Clemson Extension Service in Lexington County. I come before you to ask you to look back at the Lexington County Clemson Cooperative Extension budget. The Extension Service was founded by Frank Lever, a Lexington County person back years and years ago, and it was a cooperative agreement between federal, state, and county funding. We still keep that now as our space and we appreciate that. But, we were fully expecting some kind of budget cut, but not a 100 percent budget cut. It's a whole lot harder to deal with a 100 percent cut than it would be a 25 or 50 percent cut. But, what we are going to be losing is the peoples' voice in that Extension office. About ten years ago, the Council felt very willing and needed to have someone in our office because Clemson went away from home horticulture or gardening and that is vegetable or flower gardening, whichever it may be, to help residents to get their questions answered and get unbiased information. And with the cut in our budget this year, it will put that back into either going to the web or getting information from wherever and won't be great information a lot of times. Those two people we have right now with that funding serve as a one full-time equivalent, and they are very, very good. They service from 4,500 – 5,000 people a year, and we feel it would very helpful if you would relook at the Clemson Extension budget and, hopefully, be able to come up with some kind of funding for us.

Carrie Dalton, 213 Barefoot Drive, Lexington, SC 29073 - I'm a long time, life resident of Lexington County. I am here on a personal note. I was born and raised on a vegetable farm here in Lexington County. So the zero budget for the Lexington County Clemson Cooperative Extension really hits home with us when we see this zero budget. It is hurting your farm community, as well as your homeowner community. We also have a roadside market and garden center where we send numerous customers to get information from Clemson Extension. Not having this resource is going to devastate a lot of homeowners. We sell vegetable plants, annuals, perennials, etc. I am here to tell you now that the County has increased their gardening in their backyards. Our vegetable plant sales have doubled this year. It has increased each year, but this year it is booming. These folks don't know what they are doing; they need Clemson Extension to help answer their questions and grow their vegetables. Other things that they are doing are soil samples. Like I said, we have a vegetable farm and we depend on Clemson Extension to help us get our soil to their correct Ph and get all of our things correct so we can have that nice quality product that you like to buy on the shelves. If we can't get our soil samples done, we are going to have a guessing game of what we need to add to our soils to get everything correct. Homeowners also use this. Few statistics for you – Over 1,000 farmers use soil samples each year and almost 1,200 homeowners use the soil samples each year. So that is a lot of folks out there that are depending on them to get their yards looking nicely. Also, pesticides applications all goes through Clemson Extension. You have a lot of agriculture here in Lexington. A lot of farms depend on using these pesticides and you want them trained correctly when applying these applications and Clemson Extension helps gets them trained so they will know what pesticides to use and how to apply them correctly. Weed and insect identification – this also goes back to the farm community and your homeowner community. They depend on them to identify weeds in their yards and insects so we can control these. I am here again to ask you to please look at the zero dollar budget you have for Clemson Extension. It hits home for me on the farm and as a business owner. But, as a homeowner, I like to have a nice yard. I like to have a fresh tomato, and I also have problems and have to call them and want to know what is happening. So, I ask you to please reconsider the zero budget.

Catherine Porth, 341 Caroline Springs Drive, Lexington, SC 29072 - I was born and raised in Lexington, and I live on a farm and I farm. Clemson Extension is very vital to us, the vegetable crop programs they have and the pesticides applicators. We have 376 pesticides applicators in the county. The soil samples are very vital to us; getting those samples in to have a good crop for everybody. The Ag. Scientist assistant at the office, she does good at giving education information to people who call and walk in. If you can relook at the budget and give us something to help out, we would really appreciate it because it affects everybody in the County, not just farmers.

Jim Young, 118 North Wonder Drive, Leesville, SC 29070 - I operate H.L. Shealy Company, a farm and garden center in Gilbert. I just want to underscore what has already been said about the need for this position because there are a lot folks moving into the country who used to live in a condominium or in an apartment in town and really don't have a clue about how to use pesticides or how to plant a garden. Just the other day I had a guy say that his seeds must not be any good because they are not coming up. I asked, why? It was corn seed. He said it just won't come up. I asked, how deep are you planting it? He said, about that deep. Folks really don't know and they really need help and guidance. If you think about it, a few years ago Lexington County, maybe 25 to 30 years ago, was mostly rural and you had one farm family residing on 25 or 30 acres of land. Today, that same land houses 35 to 40 houses on that particular land so you have that many more people. For no other reason than from the environmental standpoint, this should be funded because a lot of folks are using pesticides and have no clue and don't know what they are doing with them and need that help. We are trying to go green in our country. We have finally realized that the environment is really important, and we are trying to do what we can to protect our environment. It is a great movement afoot right now to do that and this could be a part of it. Part of the budget is very small and the percentage of the total budget is almost infinitesimal. I plead with you to fund it, please.

Ms. Summers stated no one else had signed up in opposition and closed the public hearing.

Annual Budget for Fiscal Year 2009-10 - Committee of the Whole - Recap of Recommended General and Non-General Budgets - Ms. Summers reported Council received a recap earlier of the General and Non-General funds and heard from different departments asking for reconsideration of changes to their budget.

Consideration of Changes to Ordinance 09-05 - An Ordinance Adopting an Annual Budget for Fiscal Year 2009-10 - Ms. Summers said when Council considers second reading, it will be made encompassing the changes that were approved by Council today.

Ordinance 09-05 - An Ordinance Adopting an Annual Budget for Fiscal Year 2009-10 - 2nd Reading - Mr. Cullum made a motion, seconded by Mr. Davis to approve second reading of Ordinance 09-05 adopting an annual budget for FY2009-10 with the appropriate changes for the Irmo Fire District that was voted on today.

Ms. Summers opened the meeting for discussion.

Mr. Jeffcoat said there is a lot of pride on this Council that we are not increasing taxes this year. We have a public safety and, in my opinion, there is nothing we can do here on this Council that equals the importance of public safety for the citizens of the County. We heard about the Juvenile Arbitration programs, and we heard about Clemson Extension. I know voting for CPI is something that is not going to happen this year, but I want to go on record saying that I support voting for CPI on this budget. I think, not only this coming year but the following years, we are going to see some change in the quality of life in Lexington County because we're doing away with the Clemson Extension Service and some of the other things. We heard about the ambulances in mid-year where we are going to be worried about if they are going to be stocked properly. We then came back and said we will have Ms. Hubbard take care of that because she has some money we can tap. We put aside some of the vehicle replacements. Next year it isn't going to be any easier. Matter-of-fact, it is going to be harder next year to do CPI as I think they are projecting a flat CPI next year, which will make things even worse. Then we are looking at reassessment and that is going to be though. Sometimes we are put here to make tough decisions, sometimes not real popular decisions. I know there is a certain percentage of the population that is real thrilled that there is not going to be an adjustment, which CPI is keeping things right where they are. It is really not an increase; it is just saying we need to stay where we are. The Dickerson Center we heard about from tonight, what an excellent program that is and for us to turn our heads on that. I would like to see that some of these requests that we heard from tonight and earlier in the day that we do look at those. We are going to pay a price. I don't know what price it might be, but I think it is going to be the quality of life in Lexington County if we continue as we are. In my opinion, is not a good.

Mr. Keisler said he agrees with Mr. Jeffcoat. I don't care to have a tax increase, but I agree that Clemson Extension have been good us, and we have young farmers who depend on them, and we are kicking them out. I don't think it's fair to them, the County, the Sheriff's Department, Fire Service, and Public Safety. Mr. Jeffcoat is right. If we don't pay for it now, we will pay for it later. I would rather pay a little this time and next time then pay a big amount. I think a lot of people will get upset when they get that big amount. I have talked with a lot of people in my district and they would rather pay a small amount along as we go.

Ms. Summers called for further discussion; none occurred.

In Favor:	Ms. Summers	Mr. Cullum
	Mr. Davis	Mr. Kinard
	Mr. Derrick	

Opposed: Mr. Keisler Mr. Jeffcoat
 Mr. Banning

Ms. Summers said it is good to hear from all the organizations and will keep those in our minds and if, in anyway, we can go back to assisting any group that has given to this County, services to the people, I guarantee that we will do whatever we can to see that happen. But, right now there are too many unknowns.

Old Business/New Business - Inmate Commissary Fiduciary Services - Mr. Davis made a motion, seconded by Mr. Derrick to award the Inmate Commissary Fiduciary Services to McDaniel Supply Company that was recommended by the RFP Committee to provide these services.

Ms. Summers opened the meeting for discussion; no discussion occurred.

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

Executive Session/Legal Briefing- Ms. Summers reported Council will need to return to Executive Session to continue discussing one contractual matter.

Mr. Davis made a motion, seconded by Mr. Kinard to go into Executive Session.

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

Matters Requiring a Vote as a Result of Executive Session - Ms. Summers reported Council discussed the contractual matter and indicated there were no motions to be considered.

Motion to Adjourn - Mr. Derrick made a motion, seconded by Mr. Kinard to adjourn.

In Favor: Ms. Summers Mr. Derrick
 Mr. Kinard Mr. Davis
 Mr. Cullum

Not Present: Mr. Keisler * Mr. Jeffcoat *
 Mr. Banning *

*Messrs. Keisler, Banning, and Jeffcoat were not present when the vote was taken.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

Debra B. Summers
Chairman