

MINUTES  
LEXINGTON COUNTY COUNCIL  
June 15, 2010

Lexington County Council held its regular meeting on Tuesday, June 15, 2010 in Council Chambers beginning at 4:30 p.m. Chairman Kinard presided.

Reverend Donna Peele, Pastoral Care Director for Lexington Medical Center, gave the invocation. Retired Sergeant Major Price led the Pledge of Allegiance.

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

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.

**Chairman's Report** - Chairman Kinard reported he attended two area Crime Watch meetings.

**Council Members' Activities and/or Comments** - Ms. Summers reported she spoke at a forum at Palmetto Girls' State, which was held at Presbyterian College in Clinton, South Carolina.

**Administrator's Report - Regional Backhoe Rodeo** - Ms. Hubbard recognized Ricky Derrick, Scott Rawl, and Jamie Mack for their outstanding performance at the May 21 Regional Backhoe Rodeo. Ricky Derrick placed first, Scott Rawl placed second, and Jamie Mack placed fourth. Mr. Derrick will be representing the County in the Statewide Competition.

**2010 NACo Achievement Awards** - Ms. Hubbard proudly announced the County won two 2010 NACo Achievement Awards; Improving the Public Safety Response and Scenic Corridors and Open Space.

**Human Resource Coordinator - Katrina Lomax** - Ms. Hubbard introduced Ms. Lomax, the County's new Human Resource Coordinator.

**Resolution - James Randall Davis, Jr.** - Mr. Jeffcoat made a motion, seconded by Mr. Davis to approve the resolution.

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

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

**Resolution - JoDee Douda** - Ms. Summers made a motion, seconded by Mr. Cullum to approve the resolution.

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

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

**Appointments - Lexington County Health Services District - George Herbert Holland** - Mr. Jeffcoat made a motion, seconded by Mr. Keisler to appoint Mr. George Holland effective July 1, 2010. Mr. Holland replaces Thad Westbrook, Esq.

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

**Midlands Workforce Development - Myles Newman** - Mr. Derrick made a motion, seconded by Mr. Davis to appoint Mr. Myles Newman as the Adult Education Representative. Mr. Newman replaces Ms. Vicky Horne.

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

**Bids/Purchases/RFPs** - Mr. Keisler made a motion, seconded by Mr. Jeffcoat to approve the following Bids/Purchases/RFPs (Tabs J, K, L, M, N, O, and P).

**Replace 13 Overhead Bay Doors at the Fleet Services Building - Building Services** - Competitive bids were solicited and advertised to replace 13 overhead bay doors for Fleet Services. One (1) responsive bid was received. Staff recommended the award of the bid to Advance Door Systems, Inc. in the amount of \$31,915.

**Morgue Transportation Services - Coroner's Office** - Competitive bids were solicited for a term contract for morgue transportation services for the Coroner's Office. The term of the contract shall be for a period of one (1) year and may be extended on an annual basis that shall not exceed four (4) additional

one (1) year periods. Three (3) responsive bids were received. Staff recommended the award of the contract to two (2) vendors. Capital Transportation, LLC will act as the primary contractor, being the lowest responsible bidder meeting specifications, and Palmetto Mortuary Transport, Inc. as the secondary contractor, to be use as an alternate. The annual value of the contract is estimated to be \$71,000.

**Ambulances - Term Contract - Public Safety/EMS** - Competitive bids were solicited for a term contract for ambulances for Public Safety/Emergency Medical Services. The term of the contract shall be for a period of one (1) year with the option to extend the contract two (2) additional one (1) year periods if deemed to be in the best interest of the County. Three (3) responsive bids were received. Staff recommended the award of the bid to Taylor Made Ambulances as the lowest bidder meeting specifications. The annual value of the contact is estimated to be \$591,608.

**Construction of Lake Murray and Chapin Fire Stations - Public Safety/Fire Service** - Competitive bids were solicited for the construction of the Lake Murray and Chapin Fire Stations. Sixteen (16) bids were received. Staff recommended the award of the bid for both fire stations to M. B. Kahn Construction Co., Inc. in the amount of \$1,948,311 for the base bid and alternate 1.

**Dogwood Road Improvements - Public Works** - Competitive bids were solicited for improvements to Dogwood Road. The project consists of pavement construction of approximately .8 miles. Five (5) responsive bids were received. Staff recommended the award of the bid to Walter Hunter Construction in the amount of \$628,552.60 for the base bid and alternate 1.

**Audio/Video Systems - Sheriff's Department** - Staff recommended the purchase of an audio/video system for the squad room at the James R. Metts Law Enforcement Complex. The items will be purchased in accordance with State Contract Numbers 4400001184, 4400001212, 4400001976, and 4400001440. Total cost, including tax, is \$41,953.51.

**Two (2) Boats with Equipment and Installation - Sheriff's Department** - Staff recommended the purchase of two (2) boats with equipment for the Sheriff's Department from Carolina Composites, LLC under State Contract Number 06-57087-A12111. In addition, two (2) dive doors for \$6,000 will also be purchased through Carolina Composites, LLC as a sole source. Total cost, including tax, is \$80,138.44.

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

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

**Approval of Minutes - Meetings of May 11 and May 25, 2010** - Mr. Derrick made a motion, seconded by Mr. Cullum to approve the May 11 and May 25, 2010 minutes as submitted.

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

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

**Ordinances - Ordinance 10-3 An Ordinance to Authorize Installment Payment of Real Property Taxes Pursuant to South Carolina Code Section 12-45-75 - 3<sup>rd</sup> and Final Reading** - Mr. Keisler made a motion, seconded by Mr. Davis to approve third and final reading.

Mr. Kinard opened the meeting for discussion.

Mr. Davis asked County Treasurer, Jim Eckstrom, if the program can be implemented without additional staff.

Mr. Eckstrom confirmed that to be true.

Mr. Derrick also confirmed that there would be no additional cost to implement. He said it was foolish to allow installation payments for property tax when banks could be utilized and the individual could have access to their money.

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

Opposed:        Mr. Kinard                      Mr. Derrick

**Ordinance 10-04 - An Ordinance Adopting an Annual Budget for Fiscal Year 2010-11 - 3<sup>rd</sup> and Final Reading** - Mr. Davis made a motion, seconded by Mr. Cullum to approve third and final reading.

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

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

**Committee Reports - Public Works, B. Derrick, Chairman - 319 Grant TMDL Implementation at Hollow Creek Watershed Grant Award** – On behalf of Mr. Derrick, Mr. Carrigg reported the Public Works Committee met to consider acceptance of the 319 Grant TMDL Implementation at Hollow Creek Watershed grant award. The grant in the amount of \$344,800 requires a 40 percent (\$229,938) in-kind and cash match. The grant will be used to improve the water quality in the Hollow Creek Watershed.

Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to approve the acceptance of the grant award.

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

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

Abstained: Mr. Derrick \*

\*Mr. Derrick abstained because of some contractual matters and owns lands within the watershed. Abstention form attached.

**Solid Waste, D. Summers, Chairman - Proposed Rates - Wood Mulch Sales** - Ms. Summers reported during the afternoon Solid Waste Committee meeting, the Committee considered staff’s proposed rates for the sale of wood mulch. The proposed charges are designed to cover the County’s cost for contracted processing. The price for mulch is as follows: pick –up truck or small trailer load (approximately 700 lbs. for (2) 1.4 cubic yard backhoe buckets) - \$10 per load. Commercial/Municipal Vehicle Load (any size truck) - \$20 per ton. The Committee voted in favor to recommend to full Council for approval.

Ms. Summers made a motion, seconded by Mr. Banning to approve staff’s recommended proposed rates.

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

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

**Committee of the Whole, J. Kinard, Chairman - Fundraising Activity Guidelines as Established by the Fire Service Leadership Team** - Mr. Kinard reported the Committee met on Tuesday, May 25, 2010, to review the proposed Fundraising Activity Guidelines as Established by the Fire Service Leadership Team. Following is the Committee Report:

William Shockley, Fire Service Leadership Team Facilitator and David Fulmer, Assistant Chief, presented the proposed Fundraising Activity Guidelines. These were adopted by the Leadership Team on April 15, 2010 for immediate implementation. Judge Shockley highlighted three of the main areas the Leadership Team revised in the guidelines; 1) prohibit the use of professional fundraising firms, 2) each fire station is individually responsible for the audit of all fundraising monies, and 3) any equipment purchased must be compatible with County standard equipment.

The Committee asked whether fundraisers were also for families in need and not just for the benefit of the fire stations. Judge Shockley replied that it has always been their primary goal and stations usually keep certain items for families in need.

Part-time and full-time employees cannot serve in leadership roles for the fundraising campaigns. Campaigns will be handled by unpaid volunteers only.

The Committee of the Whole voted unanimously to recommend that full Council approve the proposed Fundraising Activity Guidelines.

Mr. Kinard made a motion, seconded by Mr. Banning to approve the proposed Fundraising Activity Guidelines.

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

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

**Resolution in Support of the Emergency Planning for the VC Summer Nuclear Plan and Proposed Expansion** - Mr. Kinard reported the Committee reviewed the resolution in support for the VC Summer Nuclear Plan and Proposed expansion and voted in favor to recommend to full Council for approval.

Mr. Jeffcoat made a motion, seconded by Mr. Banning to approve.

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

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

**Budget Amendment Resolutions** - The following Bar was distributed and signed:

10-126 - A supplemental appropriation increase of \$25,860 from the sale of used and confiscated firearms.

10-127 - An appropriation transfer of \$45,000 and a supplemental appropriation increase of \$389,800 to set up the budget for the 319 TMDL Implementation at Hollow Creek Watershed grant award and transfer the required match from the General Fund.

10-128 - A supplemental appropriation increase in the amount of \$235,565 for reimbursement from the Budget and Control Board for expenditures made from October 1 to December 31, 2009 for upgrades Public Safety/ Communications made toward the Phase 2 part of the enhanced 911 service.

10-129 - A supplemental appropriation increase of \$839 from a donation received from WHY in the Road for fire prevention.

10-130 - An appropriation transfer of \$11,356 and a supplemental appropriation increase of \$9,462 to cover additional unforeseen expenses to meet OSHA regulation in the CSI lab renovations.

**Executive Session/Legal Briefing** - During the afternoon Committee of the Whole meeting, Council entered into Executive Session to discuss two contractual and seven legal matters.

**Matters Requiring a Vote as a Result of Executive Session** - At the conclusion of Executive Session, there were no motions to be considered.

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

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

James E. Kinard, Jr.  
Chairman

**ABSTENTION FROM VOTING AND DELIBERATING**

I am hereby asking the Chairman to excuse me from voting and deliberating on the matter of HOLLON CREEK WATER SHED GRANT AWARD because of a potential conflict of interest because of the following:

I OWN LAND WITHIN THE WATER SHED.

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I am furnishing this statement to the Chairman and I request that this statement be printed in the Minutes of this meeting.

  
Signature

Date: 6/15/10