

M I N U T E S
LEXINGTON COUNTY COUNCIL
September 28, 2010

Lexington County Council held its regular meeting on Tuesday, September 28, 2010 in Council Chambers beginning at 4:30 p.m. Chairman Kinard presided.

Asst. Sheriff Keith Kirchner gave the invocation. Ira Clark Carney, SSG, U.S. Army Retired and Purple Heart recipient 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.

Special Recognition by Councilman Smokey Davis - Councilman Davis formally recognized and thanked Ms. Olivia Sinclair and Ms. Mildred L. Moore with the Lexington County Department of Social Services whom he observed to have exceptional professionalism standards and the ability to listen and communicate with citizens needing assistance.

Lexington High School Economic and Government Class - Mr. Kinard recognized students from Lexington High School attending as part of their economic and government class assignment.

Chairman's Report - Chairman Kinard reported he attended several Transportation Committee Meetings; represented County Council on the S.C. Association of Counties Revenue, Finance, and Economic Development Steering Committee; attended the Atlantic Southeast Airlines Grand Opening; and participated in the U.S. Marine Mud Run.

Council Members' Activities and/or Comments - Councilman Banning reported he attended the monthly Lexington Medical Center Board Meeting; attended several Transportation Committee Meetings; and represented County Council at the Regional Transportation Authority Board Meeting.

Councilwoman Summers reported she attended the Forum on Higher Education at Midlands Tec and the annual meeting of the Lexington 2 School District Coalition.

Administrator's Report - Tennis Shoe Recycling Event - The event will be held Friday, October 1 from 10:00 a.m. to 2:00 p.m. at the Summary Court Center (old courthouse).

Emergency Notifications - Ms. Hubbard reported the County has the ability to do mass notifications during an emergency event in the County. She said Lexington County businesses and residential telephone landlines have already been registered in the system and urged citizens to register their cell phone numbers, pager numbers, e-mail addresses through the Emergency Preparedness program home page on the County's website at www.lex-co.com

Employee Recognition - Katherine Hubbard, County Administrator - Ms. Hubbard recognized Deputy First Class Sam Owens. Ms. Hubbard said the Division of State Information Technology (DSIT) conducted a penetration test to determine the vulnerabilities of the County's Information Services network. When Deputy Owens became suspicious of the DSIT employee and his son walking with backpacks in the parking lot, he immediately approached them when they tried to enter the building and checked their identification before allowing them to visit the Information Technology Department. The DSIT employee said this is exactly what should have happened to protect the County's network.

Sergeant Scott McDermott was recognized for his article "Effective Supervision in a Progressive Department" that was published in the June issue of the *Corrections Today* magazine, the official publication of the American Correctional Association.

Ms. Hubbard recognized Gayle Packard in Community Development who was praised by two different citizens who e-mailed her boss commending Gayle for her excellent customer service skills and work ethics.

Regina Crawford with Public Safety/Communications was recognized for completing the SC State Certification Program at the Criminal Justice Academy. She now holds a Class 4 TCO (Telecommunications Operator) certification.

Lexington County EMS Explorers Program- Chief Brian Hood, EMS Coordinator, recognized Sitting Chief Caroline Hill, Secretary, Austin Pace; and Immediate Past Chief, Neil Price with Explorer's Post 32 who have successfully completed the National Registry First Responders exam. Chief Hood proudly announced they are the **only** National Registry First Responders affiliated with an Explorer's Post in South Carolina. He said Mr. Price, upon completion of his internships at Lexington Medical Center and the Lexington County EMS, has decided to go into medicine. Mr. Price is the only Explorer who has taken and passed the EMT Basic program and is now a part-time EMT with Lexington County EMS.

I-20 Traffic Accident - Chief Hood recognized the following individuals for their outstanding teamwork and professionalism during the severe traffic accident on I-20. Public Safety/Communications: Angie Gunter, Melissa Patrick, Sherry Woodward, Lewis Black, Kelly Olin, and Crystal Ramirez; Public Safety/Fire Service: Bobby Harmon, Chris Jackson, Ken Lorick, John Hendrix, Robert Risinger, Mike Hinson, Robert Sledge, Scott Redd, Michael Hendrix, Ian Beck, Andrew Nedwick, Todd Poole, Keith Mathias, Christopher Lange, Billy Hicks, Rusty Rivers, Todd Sharpe, and Jason Dukes. Public Safety/EMS - Mike Pegram, Harry Stokes, Kelsey Willis, Mike Schlegel, Michael Morales, Christina Johnson, Deborah Senecal, Wayne Alexander and Mark Goudelock.

Presentation of Resolution - Thad Westbrook Presented by Councilman Jeffcoat - Councilman Jeffcoat presented a framed resolution to Mr. Thad Westbrook honoring him for his service on the Lexington Health Services District Board of Directors from May 2002 through June 2010.

Appointments - Board of Zoning Appeals - Wylie E. Mitchell, III (Ted) - Mr. Keisler made a motion, seconded by Mr. Jeffcoat to appoint Mr. Wylie Mitchell.

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	

Bid/Purchases/RFPs - Mr. Banning made a motion, seconded by Mr. Derrick to approve the following Bids/Purchases/RFPs (Tabs O-W).

Housing Rehabilitation of 235 Elizabeth Street - Community Development - Competitive bids were solicited for the housing rehabilitation of 235 Elizabeth Street in Batesburg, SC. The project consists of construction services for building code compliance, which includes plumbing, electrical, HVAC, lead paint abatement and other interior work. Five (5) responsive bids were received. Staff recommended the award of the project to Liberty Buildings, Inc. in the amount of \$32,596.

Toner Cartridges and Ribbons (New Cartridges) - Countywide - Competitive bids were solicited for a countywide term contract for new toner cartridges and ribbons. The term of the contract shall be for the initial period of one (1) year with the option to extend the contract for two (2) additional one (1) year periods. Two (2) responsive bids, three (3) non-responsive bids, and four (4) no bids were received. Staff recommended the award of the bid to Staples Contract & Commercial, Inc. The estimated annual value of the contract is \$115,686.90.

Waste Collection (Container Services) - County Facilities - Competitive bids were solicited for a countywide term contract for container services for waste collection. The term of the contract shall be for the initial period of three (3) years with the option to extend the contract for two (2) additional one (1) year periods. Five (5) responsive bids, one (1) non-responsive bid, and one (1) no bid were received. Staff recommended the award of the bid to Advanced Disposal Services of Columbia. The estimated annual value of the contract is \$43,225.08.

Taxiway "A" Realignment Project - Lexington County Airport at Pelion - Competitive bids were solicited for the Taxiway "A" Realignment Project at the Lexington County Airport at Pelion. Three (3) bids were received. Staff recommended the award of the bid to L-J, Inc. in the amount of \$387,842.75.

Three (3) Cardiac Monitors and Accessories (Partial Grant Funds) - Staff recommended the purchase of three (3) cardiac monitors and accessories for Public Safety/EMS from Bound Tree Medical through State Contract Number 07-S7497-A13094. Total cost, including tax, is \$64,810.10.

One (1) Aerial Platform Truck - Public Safety/Fire Service - Competitive bids were solicited for one (1) aerial platform truck to replace Engine 92 for Public Safety/Fire Service. The bid document was set up to provide additional pricing for optional equipment. Three (3) responsive bids were received. Staff recommended the award of the bid to KME Fire Apparatus dba Slagle Fire Equipment, which includes tax, options 1,2,3,4 (extended warranty for 5 years), and 6 for a total cost \$879,363.34. Fire Service elected not to exercise their choice for option 5 (training and per diem), option 7 (drop down/roll out trays), and option 8 (software and cable option).

Two (2) 4-WD SUVs with Accessories - Public Safety/Fire Service - Staff recommended the purchase of two (2) 4-WD SUVs with emergency equipment and installation for Public Safety/Fire Service. The vehicles will be purchased from Vic Bailey Ford through State Contract Number 44000001702. The emergency equipment and installation will be purchased from, low bidder, West Chatham Warning Devices and coordinated by Vic Bailey Ford. Total cost for the vehicles, equipment and installation is \$49,824.10.

Emergency Equipment for Vehicles - Sheriff's Department - Competitive bids were solicited for emergency equipment for vehicles for the Sheriff's Department. Five (5) bids were received. Staff recommended the award of the base bid items (less item #10) to Dana Safety Supply in the amount of \$65,287.33. West Chatham Warning Devices was awarded item #22B in the amount of \$3,177.90 and Dana Safety Supply was awarded items #21B in the amount of \$6118.05. Total cost is \$74,583.28.

One (1) Tire Grapppler (Replacement) - Solid Waste Management – Competitive bids were solicited for one tire grapppler for Solid Waste Management. Five (5) responsive bids and six (6) non-responsive bids were received. Staff recommended the award of the bid to ASC Construction Equipment in the amount of \$26,548.84.

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	

Planning & Administration, J. Carrigg, Jr., Chairman - Library Services Technology Act Grant Award - Mr. Carrigg reported during the Planning & Administration Committee meeting, the Committee met to consider the acceptance of the Library Services Technology Act Grant award. The grant in the amount of \$793.56 will be used toward the expenses for a Library Services staff member to attend the American Library Association annual conference. There is no County match. The Committee voted unanimously in favor to recommend to full Council for approval.

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

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

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

Justice, S. Davis, Chairman - Mr. Davis reported the Committee met to consider acceptance of the following grant awards (Tab D, E, F, G, & H) and voted unanimously in favor to recommend to full Council for approval.

Mr. Davis made a motion, seconded by Mr. Keisler to approve acceptance of the following grant awards.

FY10 Justice Assistance Grant (JAG) Program Award - The grant award in the amount of \$59,555 requires no County match. The funding will be distributed among the Sheriff's Department, Magistrate Court Services, and Sistercare.

11th Judicial Circuit Law Enforcement Network Grant Award -The grant award in the amount of \$26,000 requires no County match.

Paul Coverdell Forensic Science Improvement Grant Award - The actual application was submitted for \$31,850; however, the award received is for \$32,850. There is no County match required.

Violence Against Women Act Grant Award - The grant award in the amount of \$115,000 requires a 25 percent in-kind match. The in-kind match will come from the salary of an individual on the Criminal Domestic Violence team that is paid by the Sheriff's Department General Fund.

White Collar Crime Unit Grant Award - Sheriff's Department - The grant award in the amount of \$111,483 requires a 5 percent County match which will come from the Sheriff's FY10/11 budget.

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

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

Public Works, B. Derrick, Chairman - Anti-Idling Policy - Mr. Derrick reported the Public Works Committee met on Tuesday, August 24, 2010, to review the proposed Anti-Idling Policy. Following is the Committee Report:

Ms. Synithia Williams presented staff recommendations for a proposed Anti-Idling Policy for the County's fleet vehicles and equipment to prohibit unnecessary idling. This is part of an initiative of the Lexington County Green Team effort to be proactive in lowering the ground level ozone standard. Ms. Williams reported the County's fleet has 261 medium and heavy-duty diesel vehicles and 406 automobiles and light-duty vehicles. Approximately 0.5 gallons of fuel is wasted per hour as a vehicle idles and, if the County's fleet vehicles were to idle for five minutes a day, it would waste approximately 7,225 gallons of gas a year including unnecessary wear and tear. The proposed policy recommends not allowing a County vehicle or equipment to idle for a period not to exceed ten minutes of non use. The following shall not apply to the policy: Public Safety vehicles, airport support equipment, vehicles being serviced or repaired, operation of auxiliary equipment through intended use of the vehicle, public education or display purposes, idling to provide necessary heating or cooling of vehicle during extreme weather conditions if there is no accessible temperature-controlled area within a reasonable distance. The Committee asked about keeping records to track results. Ms. Williams replied a Sustainable Department Checklist has been presented to all departments that include reducing fuel consumption by five percent and part of the fuel reduction would be through enforcement of the Anti-Idling Policy. A base line from the previous fiscal year will be established and used to compare the numbers at the end of this year to see if departments met their goals. The Committee asked to amend the proposed policy items "f" and "g" to clarify that if an employee is not going to be in a vehicle when outside temperatures are less than 40° or more than 80° the vehicle should be turned off and does not apply to policy items listed for a, b, c, d, or e.

The Public Works Committee voted unanimously in favor to recommend that full Council approve staff's recommendations for the proposed Anti-Idling Policy as amended with clarification that if an employee is not going to be in a vehicle when outside temperatures are less than 40° or more than 80° the vehicle should be turned off and does not apply to policy items listed for a, b, c, d, or e.

Mr. Derrick made a motion, seconded by Mr. Cullum to adopt the Anti-idling Policy as amended.

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	

FY2010-11 Municipal "C" Fund Requests - Mr. Derrick reported as well that the Public Works met on Tuesday, August 24, 2010, to review the FY2010-11 Municipal "C" Fund Requests. Following is the Committee Report.

Mr. Fechtel presented the following requests from municipalities for "C" Funds: Railroad Avenue in Pelion at \$7,500, Henry Street in Batesburg-Leesville at \$7,000, Lexington Avenue in Irmo at \$28,000, and Washington Street in Gilbert at \$7,500. Staff recommends funding the projects as outlined for a total of \$50,000. Mr. Fechtel reported that if any of the prior projects listed drop out for any reason, staff will return to Council with recommendations.

The Public Works Committee voted unanimously in favor to recommend that full Council approve staff's recommendations for the FY2010-11 Municipal "C" Fund Requests.

Mr. Derrick made a motion, seconded by Mr. Banning to approve the FY2010-11 Municipal "C" Fund requests.

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

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

Central Electric Power - Power Line Equipment - Mr. Derrick reported the Committee reviewed the Easement Agreement request from Central Electric Power Cooperative, Inc. to install a transmission line over the Batesburg-Leesville Industrial site (TMS# 006000-10-014). Central Electric Power Cooperative, Inc. will pay the County \$29,600 for the easement. The Committee voted unanimously in favor to recommend to full Council for approval contingent upon the County Attorney's approval.

Mr. Derrick made a motion, seconded by Mr. Banning to approve the Central Electric Power Cooperative, Inc. Easement Agreement.

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

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

Lake Murray Fire Station “C” Fund Request - Mr. Derrick reported the Committee also discussed using “C” Funds to pave the first 300 feet of Fire Tower Road at the new Lake Murray Fire Station. The cost is \$37,700. The Committee voted in favor to recommend to full Council for approval.

Mr. Derrick made a motion, seconded by Mr. Davis to approve using \$37,700 from “C” Funds to pave the first 300 feet of Fire Tower Road.

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

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

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

10-135 - A supplemental appropriation increase of \$70,342 from Fund 6710 to satisfy old pending worker’s compensation claims.

10-136 - A supplemental appropriation increase of \$116,193 to establish the budget for a number of donated and confiscated items.

11-040 - An appropriation transfer of \$250,000 as the result of the amendment to the Community Development 2008 Action Plan on August 24 to modify the CDBG-R Substantial Amendment.

11-041 - An appropriation transfer of \$863 and a supplemental appropriation increase of \$863 to cover the final payment to the agency doing the evaluation, as required by the grant, on the impact the COPS Office to Combat Methamphetamine grant had on the meth problem in Lexington County.

11-042 - An appropriation transfer of \$5,440 to cover the cost to hire two temporary personnel to assist Registration & Elections during the upcoming election.

11-043 - A supplemental appropriation increase of \$700 donated by Lexington Medical Center to print posters for an Air Quality Poster contest for Stormwater Management.

11-044 - A supplemental appropriation increase of \$63,141 from the FY11 State Stabilization funds received from the State Library for Library Services. This is part of the American Recovery and Reinvestment Act.

11-045 - A supplemental appropriation increase of \$110 donated by the Lake Murray Power Squadron to Public Safety/EMS for conducting a CPR training class.

11-046 - A supplemental appropriation increase of \$794 received from the State Library for the Library Services and Technology Act (LSTA) grant award.

11-047 - A supplemental appropriation increase of \$59,555 received from FY2010 Justice Assistance Grant (JAG) award. The award is split between Magistrate Court Services, Sheriff's Department, and Sistercare.

11-048 - A supplemental appropriation increase of \$26,000 received from the annual Law Enforcement Network Grant award for the Sheriff's Department.

11-050 - A supplemental appropriation increase of \$115,000 received from the Violence Against Women Act Grant award for the Sheriff's Department.

11-051 - An appropriation transfer of \$6,175 and a supplemental appropriation decrease of \$123,488 to adjust the budget to match the grant award received from the White Collar Crime Unit Grant award for the Sheriff's Department.

11-052 - A supplemental appropriation increase of \$324,851 received from the City of Columbia from the Tourism Development fee surplus.

11-053 - An appropriation transfer of \$5,000 from Economic Development to the River Alliance to assist them with the cost of the Congaree Creek 12,000 Year History Park workshop.

11-054 - An appropriation transfer of \$10,000 from Economic Development to the Columbia Metropolitan Airport to assist them with the match required for the Small Community Air Service Development Program grant they are applying for.

11-049 - A supplemental appropriation increase of \$32,850 to establish a budget to match the award received from the Paul Coverdell Forensic Science Improvement grant for the Sheriff's Department.

Old Business/New Business - None.

Executive Session /Legal Briefing - During the afternoon Committee of the Whole meeting, Council entered into Executive Session to discuss five contractual and four legal matters but needed to re-enter Executive Session to continue discussions on one contractual and four legal matters.

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

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

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

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

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

There being no further business, the meeting was adjourned.

Respectfully submitted,
Diana W. Burnett
Clerk

James E. Kinard, Jr.
Chairman