

M I N U T E S
L E X I N G T O N C O U N T Y C O U N C I L
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Lexington County Council held its regular meeting on Tuesday, November 9, 2010 in Council Chambers beginning at 4:30 p.m. Chairman Kinard presided.

Chaplain Dave DeDonato, a member of the Lexington County Public Safety Chaplaincy Program, gave the invocation. Robert Rucker led the Pledge of Allegiance.

Prior to the Pledge of Allegiance, Mr. Rucker announced on December 11, 2010 at 12:00 p.m. there will be a Laying of the Wreaths at all 350 national cemeteries and invited everyone to the Fort Jackson National Cemetery for the event.

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 Fechtel, Director of Public Works/Assistant County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Chairman's Report - Chairman Kinard reported he attended the following events: Midlands Technical College reception for elected officials, Alive @ 25 banquet, SCAC Revenue/Finance/Economic Development Steering Committee, and the Gaston Collard Festival.

Council Members' Activities and/or Comments - Mr. Derrick said, " after attending incoming Second District Councilmember, Frank Townsend's, press conference yesterday (November 8) and having the opportunity to speak to Mr. Townsend, I want all of you to join me in welcoming him to the Council. However, Mr. Townsend's campaign manager, Mr. Raddish made some comments yesterday that I couldn't pass up making a comment about. There was no opportunity at the press conference so I will have to take this opportunity, if you will allow me the priviledge.

Mr. Raddish accuses this Council of being "good ole boys and politicians" then accused the Council of violating some kind of solemn oath to only to elect our own as chairman of council. I believe the latter proves the first is not true. In light of this Council's unwavering commitment to quality of service and leadership, it is absurd to refer to this group as "good ole boys and politicians." Council's track record and reputation speaks for itself and, I believe, every member of this council are statesmen, and I have been honored to serve with each of you.

Second, Mr. Raddish also implied that the party abandoned his candidate after he filed for the council seat. I would argue that the party swept his candidate into office without any effort on his part and, in my opinion, the party offered more help than money, advice, manpower, or anything else could possibly buy. Mr. Townsend, you are here tonight, and I appreciate you being here, and I want to wish you good luck and thank you for offering to serve in this position. I trust you will enjoy serving as much as I have, and I want to publicly offer you, like I did yesterday, my assistance in any way that I can be of service along with my fellow council members. God bless you, God bless this council, this staff, and this county.”

Mr. Carrigg recognized Brad Matthews, newly elected Council representative for District 7, and welcomed his presence.

Administrator’s Report - Employee of the Quarter - 2nd Quarter - Ms. Hubbard recognized Public Safety/EMS paramedics Michael Beale and Glen Miller as nominees for the Employee of the Second Quarter.

Ms. Hubbard presented a plaque to Mr. Beale as the Employee of the Second Quarter and a Certificate of Excellence to Mr. Miller.

Shining Stars - 4th Quarter - Ms. Hubbard recognized Ronda Catron, Sharon Butler, and Rosie Cole, Auditor’s Office; Helene Dove and Jim McGee, Assessment and Equalization; and Jennifer Hendrix, Veterans Affairs as the winners of the fourth quarter for the Customer Service Shining Star Award and presented each recipient with an engraved acrylic “Shining Star. Also, some qualify for a free parking space for the quarter provided by several members of Council.

Employee Recognition - Katherine Hubbard, County Administrator - Get-Involved - Mr. Jim Schafer, Information Services Manager, provided information on the County’s new Get-Involved webpage on the County’s website at www.lex-co.com. The purpose of the Get-Involved site is to assist citizens who have questions on how they can get involved in the community. Also, it provides links to other sites where citizens can obtain additional information.

Mr. Banning asked that we include current Boards and Commissions members on this web page.

Master-in-Equity Judge, Jim Spence, gave a brief overview of the new Master-in-Equity’s website. Judge Spence said the new site contains general information on judicial foreclosure sales, terms of sales, foreclosure sale rosters as well as links and information for attorneys practicing in the Master-in-Equity court and citizens needing information and assistance regarding the foreclosure process.

Veterans’ Day - Ms. Hubbard announced the County’s administrative offices will be closed on Thursday, November 11 in observance of Veteran’s Day.

Rain Garden Workshop - Ms. Hubbard announced a Rain Garden Workshop will be held at the Lexington Town Hall on Wednesday, November 10.

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

Resolutions - William C. “Billy” Derrick, John W. Carrigg, Jr. and Batesburg-Leesville Panther

Matching Band - Mr. Banning made a motion, seconded by Mr. Jeffcoat to approve the resolutions.

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

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

Appointments - None.

Bid/Purchases/RFPs - Prior to taking action, Chairman Kinard announced that Tab L (Physicals for Public Safety Employees -Public Safety) has been deleted from this agenda.

Mr. Cullum made a motion, seconded by Mr. Keisler to approve staff’s recommendations on the following Bids/Purchases/RFPs (Tabs M, N, and O).

Asphalt Roller - Public Works - Competitive bids were solicited for one (1) 4-6 ton asphalt roller for Public Works. Five (5) bids were received. Staff recommended the award of the bid to the lowest responsive bidder, Arrow Equipment, LLC. Total cost, including tax, is \$44,143.

Service of 150 MIFI Aircards - Sheriff’s Department- Staff recommended the purchase of 150 MIFI aircards for the Sheriff’s Department from Verizon through State Contract Number CI02004.02.06. Total cost, including fees and tax for the remainder of this fiscal year (November through June, 30, 2011) is \$49,200

Contract to Furnish Rental of Containers and Disposal Services for 11 Collection and Recycling Centers and the Edmund Landfill - Competitive bids were solicited for a term contract to furnish rental of containers and disposal services for household waste, construction/demolition, and yard debris for the County’s 11 collection and recycling centers and the Edmund Landfill. Four (4) responsive bids and one (1) no bid were received. Even though Waste Pro was the lowest bidder, they were determined to be non-responsive due to their lack of experience in providing service to multiple collections stations as well as insufficient equipment. Therefore, staff recommended the award of the contract to Waste Management of SC as the lowest responsive bidder meeting the specifications. Yearly estimated value of the contract is \$1,118,000.

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

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

Window Replacements for the Lexington County Summary Court Center - Mr. Jeffcoat made a motion, seconded by Mr. Davis to approve the low bidder, Lindler Construction, for the replacement of the windows in the old courthouse

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	

Employee Gift Cards - Ms. Summers made a motion, seconded by Mr. Jeffcoat to award the Employee Christmas gift certificate bid to the low bidder, Piggly Wiggly.

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

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

Approval of Minutes - Meeting of October 12, 2010 - Mr. Banning made a motion, seconded by Ms. Summers to approve the October 12, 2010 minutes as submitted.

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

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

Zoning Amendment - Zoning Text Amendment T10-02 - Comprehensive Administrative Update - 3rd and Final Reading - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve an amended second reading as amended by the Committee of the Whole on Zoning Text Amendment T10-02. The Committee of the Whole voted unanimously in favor to recommend to full Council amending Zoning Text Amendment T10-02 to add boat docks as an allowed use on RL6 street classification for second reading.

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

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

Ordinance - Ordinance 10-01 - An Ordinance Authorizing the Execution of a Fee Agreement Between Lexington County and ABMA, LLC; Joint Park Designation, and Matters Related Thereto - 2nd Reading - Mr. Banning made a motion, seconded by Ms. Summers to approve second

reading of Ordinance 10-01.

Mr. Kinard opened the meeting for discussion.

Mr. Banning said ABMA is Akebono Brake Manufacturing of America that will create 280 jobs.

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

Committee Reports - Planning & Administration, J. Carrigg, Jr., Chairman - Homelessness Prevention and Rapid Re-housing Program (HPRP) - Amendment to the Lexington Interfaith Community Services (LICS) Subrecipient Agreement - On behalf of Mr. Carrigg, Mr. Derrick reported the Planning & Administration Committee met earlier in the day to consider staff's request to amend the subrecipient agreement with Lexington Interfaith Community Services (LICS). The Committee voted in favor to recommend to full Council to move \$20,000 from SC Applesed Legal Justice Center and reallocate to LICS. SC Applesed Legal Justice Center was deemed ineligible for HPRP funding by HUD.

Mr. Derrick made a motion, seconded by Mr. Davis to reallocate \$20,000 from SC Applesed Legal Justice Center to Lexington Interfaith Community Services (LICS).

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	

Library Request - Mr. Carrigg reported the Planning & Administration Committee convened on Tuesday, October 26, 2010 to review a request from Library Services. Following is the Committee Report:

Mr. Dan MacNeill, Library Services Director, presented a request to change the hours of a position at the main library in the Library's Technical Services from a 30-hour workweek to a 40-hour workweek. He said the current employee has notified him of her plans to retire at the end of January 2011. Mr. MacNeill reported the 30-hour position was grandfathered in when the library became a full County department in July 1996 and it has been his plan to move this position up to a 40-hour position to assist with the increased workload and backlog. He said based on salary increases during the 25-year tenure of the current employee, the present salary is higher at 30-hours per week (\$37,908) than a new entry level employee would receive at 40-hours per week (\$36,474). The County would see a decrease in the library budget by \$1,434.

The Planning & Administration Committee voted unanimously in favor to recommend that full Council approve the Library's request to change the hours of a position in the Library's Technical Services from a 30-hour workweek to a 40-hour workweek for a budget savings of \$1,434 in January 2011.

Mr. Carrigg made a motion, seconded by Mr. Jeffcoat to approve the request to change the hours of a position in the Library's Technical Services from a 30-hour workweek to a 40-hour workweek for a budget savings of \$1,434.

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	

Public Works, B. Derrick, Chairman - Roadside Memorial Signs - Mr. Derrick reported the Public Works Committee met on Tuesday, October 26, 2010, to review Public Works' proposed Roadside Memorial Signs guidelines. Following is the Committee Report:

Mr. John Fechtel, Public Works Director, presented a draft guideline for the County of Lexington Roadside Memorial Signs for County maintained roads. The South Carolina Department of Transportation (SCDOT) currently has a roadside memorial sign policy for state maintained roads. The sign would serve two purposes; 1) alert drivers to "Drive Safely" and, 2) family members would have an opportunity to place a roadside memorial sign to honor a family member or members lost at that location. Mr. Fechtel reported that the application process would require a copy of the accident report in order to determine the nature of the accident in order to not memorialize anyone involved in criminal activity, i.e., felony DUI. Public Works would be responsible for the sign and at the end of two years the sign would be given to the family member who placed the request. Staff recommends a \$175 fee to cover the costs for a two-year period; this is based on materials, labor to install the sign, and maintenance. SCDOT's fee is \$250. The Committee discussed concerns with the length of time the memorial would be displayed, the fee, and if the applicant can reapply after the two-year period.

The Public Works Committee voted unanimously in favor to recommend that full Council approve staff's recommendation to mirror SCDOT's roadside memorial signs guidelines, including the \$250, with the amendment to allow individuals, if they desire, to reapply at the end of each two-year period to continue the signs.

Mr. Derrick made a motion, seconded by Mr. Jeffcoat to approve the proposed Roadside Memorial Signs guidelines to go into effect.

Mr. Kinard opened the meeting for discussion.

Mr. Banning asked for clarification if we are following the state guidelines.

Mr. John Fechtel, Director of Public Works, stated the only exception is that the applicant can reapply after the two-year period at the current fee of \$250.00. Other than that, it is strictly to SCDOT guidelines.

Mr. Kinard called for further discussion; none occurred.

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

School District 5 of Lexington and Richland Counties - "C" Fund Request - Mr. Derrick reported the Committee met to discuss a request for assistance with the rehabilitation of Fork Avenue from School District 5. The Committee voted in favor to recommend to full Council to approve \$40,000 toward the cost of the repairs. Funds will come from "C" funds school projects account.

Mr. Derrick made a motion, seconded by Mr. Jeffcoat to approve \$40,000 from "C" funds school projects account for the Fork Avenue rehabilitation.

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

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

SCDOT Andre Bauer Interchange Sign Request - The Committee voted in favor during the afternoon Public Works Committee to recommend to full Council the approval of up to \$500 for the naming of the I-77 and I-26 Interchange to the "Andre Bauer Interchange."

Mr. Derrick made a motion, seconded by Mr. Banning to approve the expenditure.

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

PalmettoPride Community Pride Grant Application - Mr. Derrick reported during the afternoon Public Works Committee, the Committee also considered staff's request to be allowed to submit a PalmettoPride Community Pride grant application. The application in the amount of \$5,563 requires no County match. If awarded, the funds will be used to purchase 2,500 pet waste bag dispensers and 12 pet waste composters. The Committee voted in favor to recommend to full Council for approval.

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

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

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

Solid Waste, D. Summers, Chairman - PalmettoPride Community Pride Grant Application - Ms. Summers reported the Committee met to consider staff's request to submit a PalmettoPride Community Pride grant application. The application in the amount of \$8,000 requires no County match. If awarded, the funds will be used to purchase recycling containers and tarps. The Committee voted in favor to recommend to full Council for approval.

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

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

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

11-001A - A supplemental appropriation increase of \$5,394 in the Bufferzone Protection Plan grant and a supplemental appropriation increase of \$12,671 in the Explosive Ordinance Disposal Enhancement grant for the Sheriff's Department.

11-060 - An appropriation transfer of \$37,908 to change the hours of a position in the Library's Technical Services from a 30-hour work week to a 40-hour work week.

11-066 - An appropriation transfer of \$641 and a supplemental appropriation increase of \$641 for the Citizens Corp Grant to cover the negative fund balance.

11-067 - An appropriation transfer of \$20,000 to reallocate \$20,000 from SC Appleseed Legal Justice Center to Lexington Interfaith Community Services (LICS) as HUD deemed SC Applesend Legal Justice Center ineligible for HPRP funding.

Public Works, B. Derrick, Chairman - Goldstone Drive Bridge Repair- Mr. Derrick reported during the afternoon, the Public Works Committee received information regarding the rehabilitation of the Goldstone Drive bridge. The Committee voted in favor to recommend to full Council to allow staff to move forward with the LPA Group for engineering study of up to \$141,000 from "C" Funds for either a bridge or road replacement.

Mr. Derrick made a motion, seconded by Mr. Banning to contract with the LPA Group for engineering study of up to \$141,000 from "C" Funds for either a bridge or road replacement.

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

Recess - Mr. Kinard recessed the County Council meeting until the Public Hearing at 6:00 p.m.

Reconvene - Mr. Kinard reconvened the County Council meeting.

6:00 P.M. - Public Hearing - Council members present: Councilman Kinard, Derrick, Davis, Carrigg and Banning.

Ordinance 10-01 - An Ordinance Authorizing the Execution of a Fee Agreement Between Lexington County and ABMA, LLC; Joint Park Designation, and Matters Related Thereto - Prior to opening the public hearing, Mr. Kinard advised those present of the rules for speaking at a public hearing.

Mr. Kinard opened the public hearing.

Mr. Kinard stated no one signed up to speak in favor or opposition of Ordinance 10-01; therefore, closed the public hearing.

Executive Session - Mr. Kinard reported during the Committee of the Whole, Council discussed one personnel, six contractual, and four legal matters.

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.

Old Business/New Business - None

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

In Favor: Mr. Kinard Mr. Derrick
 Mr. Davis Mr. Carrigg
 Mr. Banning

*Not Present: Ms. Summers Mr. Keisler
 Mr. Jeffcoat Mr. Cullum

*Ms. Summers and Messrs. Keisler, Jeffcoat, and Cullum left prior to the public hearing to attend the City of Cayce ceremonies.

There being no further business, the meeting was adjourned.

Respectfully submitted,
Diana W. Burnett
Clerk

James E. Kinard, Jr.
Chairman