

M I N U T E S  
LEXINGTON COUNTY COUNCIL  
March 08, 2011

Lexington County Council held its regular scheduled meeting on Tuesday, March 08, 2011 in Council Chambers beginning at 4:30 p.m. Chairman Kinard presided.

Mr. Richard (Dick) Parkinson, USAF retired Chaplain, gave the invocation and led the Pledge of Allegiance.

Members attending:	James E. Kinard, Jr.	Frank J. Townsend, III
	George H. (Smokey) Davis	Debra B. Summers
	Bobby C. Keisler	Johnny W. Jeffcoat
	Kenneth Brad Matthews	William B. Banning, Sr.
	M. Todd Cullum	

Also attending: Katherine Hubbard, County Administrator; Joe Mergo, III, Deputy County Administrator; Larry Porth, Finance Director/Assistant County Administrator; John Fechtel, Director of Public Works/Assistant County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

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

**Lexington Chronicle** - Chairman Kinard welcomed Mr. Jerry Bellune, Editor of the Lexington County Chronicle, and Katie McCullough and Chris Rosa, Lexington High School interns.

**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.

Chairman Kinard recognized Mr. Dan Jones, president-elect of the Lexington County Health Services Board of Directors.

**Chairman's Report** - Chairman Kinard reported he and several members of Council and staff spent a day riding the CMRTA buses to gather additional information on bus ridership.

**Council Members' Activities and/or Comments** - Mr. Matthews congratulated Irmo High School for winning the 4-A State Basketball Championship. They beat Ridgeview High School 79-70.

**Employee Recognition - Katherine Hubbard, County Administrator** - Ms. Hubbard recognized Community Development staff. Ms. Hubbard said Mr. Mike Moore, Building Official, received an e-mail from Mr. Caneup, a local developer, praising staff for making the permit process an enjoyable experience. Mr. Caneup wrote getting permits through Lexington County is always a pleasure.

**Employee of the 4<sup>th</sup> Quarter**- Ms. Hubbard recognized Crystal Morehouse, Senior Administrative Assistant with Public Safety and Nathan Prouse, Apparatus Operator with Public Safety/Fire Service as

the nominees for the Employee of the 4<sup>th</sup> Quarter.

Mr. Hubbard presented a plaque to Mr. Prouse as the Employee of the Quarter and a Certificate of Excellence to Ms. Morehouse.

**Resolutions - Rhett Bickley and Cathy Novinger** - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve the resolutions.

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

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

**Appointments - Nancy K. Perry Children's Shelter - Marianne Poppacoda** - Mr. Matthews made a motion, seconded by Mr. Jeffcoat to appoint Ms. Poppacoda to the Nancy K. Perry Children's Shelter. Ms. Poppacoda replaced Mr. E. Garrett "Gary" Huddle.

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

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

**Health Services District Board - Richard N. Westbrook** - Mr. Matthews made a motion, seconded by Mr. Jeffcoat to appoint Mr. Richard Westbrook to the Health Services District Board of Directors. Mr. Westbrook replaces Mr. S. Lyman Whitehead.

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

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

**Joint Municipal Water and Sewer Commission - M. Todd Cullum** - Mr. Davis made a motion, seconded by Mr. Matthews to nominate Mr. Cullum as an alternate to the Joint Municipal Water and Sewer Commission. A resolution will be submitted to Council on March 22, 2011 for approval.

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

In Favor:	Mr. Kinard	Mr. Davis
	Mr. Matthews	Mr. Townsend

Ms. Summers	Mr. Keisler
Mr. Jeffcoat	Mr. Banning

Abstained: Mr. Cullum

**Health Services District Board - Heather W. Jackson** - Mr. Kinard made a motion, seconded by Mr. Cullum to reappoint Ms. Heather Jackson to the Health Services District Board of Directors.

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

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

**Bids/Purchases/RFPS** - Mr. Keisler made a motion, seconded by Mr. Townsend to approve the following two bids/purchases/RFPs (P&Q).

**Energy Management System Installation (Sole Source) - Building Services** - Staff recommended the purchase of an Energy Management System for the Lexington County libraries to the sole source provider, Control Management , Inc. This has been deemed a sole source as Control Management, Inc. is the only authorized distributor and installer for South Carolina of the NOVAR system that is currently in use. Total cost, including tax, is \$62,085.

**Four (4) 800 Mobile MHz Radios, (4) VHF Mobile Radios, and (4) Mobile Data Terminal Systems - Public Safety/EMS** - Staff recommended the purchase of four (4) 800 mobile MHz radios, four (4) VHF mobile radios, and four (4) mobile data terminal systems for Public Safety/EMS. The items will be purchased through SC State Contract Number DSIT.2009.01. Total cost, including tax, is \$75,378.

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

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

**Pelion Family Practice - Community Development** - A motion was made by Mr. Cullum, seconded by Mr. Davis to approve the Base Bid and Alternate 1 (dental area finishes) and Alternate 2 (upgrading HVAC units) for the Pelion Family Practice to the lowest responsive, responsible bidder, SYS Constructors, Inc for the amount of \$599,300. The County received twenty (20) bids.

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

In Favor:	Mr. Kinard	Mr. Cullum
	Mr. Davis	Mr. Townsend
	Ms. Summers	Mr. Keisler

Mr. Jeffcoat                      Mr. Matthews

Abstained:      Mr. Banning

**Approval of Minutes - Meetings of December 23, 2010 and February 08, 2011** - Mr. Cullum made a motion, seconded by Ms. Summers to approve the December 23, 2010 and February 08, 2011 minutes as submitted.

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

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

**Ordinance - Ordinance 11-01 - Ordinance to Amend Section 2-132, Term Limits, Under Article IV Entitled Boards, Commissions and Committees, of the Lexington County Code of Ordinance - 2<sup>nd</sup> Reading** - Mr. Jeffcoat made a motion, seconded by Mr. Townsend to approve second reading of Ordinance 11-01.

Mr. Kinard opened the meeting for discussion.

For the record, Mr. Keisler asked if a person can serve on another board after he/she had completed their three term limit without having a year of non-service.

Mr. Kinard replied, yes. But, it would have to be a different board.

Mr. Kinard called for further discussions; none occurred.

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

**Committee Reports - Planning & Administration, J. Jeffcoat, Chairman – FY2011-12 CDBG Program and FY2011-12 HOME Program**- Mr. Jeffcoat reported the Planning & Administration Committee convened on Tuesday, February 8, 2011 to review the proposed FY2011-12 CDBG and HOME Annual Programs. Following is the Committee Report:

Mr. Ronald Scott, Community Development Director, reported 25 requests were reviewed and evaluated by the Grants Programs Division staff and the Grants Programs Advisory Committee. Staff presented a summary of the funding recommendations for nine CDBG projects totaling \$1,353,745 and three HOME projects totaling \$571,033 (see attached lists). For FY 2010-11, the County received \$1,630,118 for CDBG and \$634,481 for the HOME Programs in federal funds. If approved, these proposed projects will be listed in the Annual Action Plan which is due to United States Department of Housing and Urban Development (HUD) by May 15, 2011 and will be considered approved for the purposes of the County's

FY2011-12 budget.

The Planning & Administration Committee voted to recommend that full Council approve staff's recommendations for the proposed FY2011-12 CDBG and HOME Annual Programs for submittal to the United States Department of Housing and Urban Development (HUD).

Mr. Jeffcoat made a motion, seconded by Mr. Davis to approve the FY2011-12 CDBG Program and the FY2011-12 HOME Program.

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

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

**Public Works, T. Cullum, Chairman - 2011 SCDOT Enhancement Grant Application** - Mr. Cullum reported the Public Works Committee met during the afternoon to review with staff the 2011 SCDOT enhancement Grant application request for the Bush River Road Sidewalk Enhancement project near St. Andrews Road. The estimated cost for the project is \$234,000. However, staff recommended applying for the maximum allowed, which is \$241,666 (60 % Federal \$145,000 and 40% County \$96,666). The Committee voted unanimously in favor to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Matthews to approve the 2011 SCDOT Enhancement Grant application.

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

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

**Twenty-five Percent (25%) "C" Fund Requirement/AC Bouknight Road Paving** - In addition, the committee also discussed the Twenty-five percent "C" Fund Requirement match that the County is required to expend on the SCDOT road maintenance system. The Committee voted unanimously in favor to approve staff's recommendation to remit \$1,080,000 to SCDOT toward the A.C. Bouknight Road paving project. The estimated cost for the project is \$2,233,080.

Mr. Cullum made a motion, seconded by Mr. Jeffcoat to approve the expenditure of \$1,080,000 for the A.C. Bouknight Road paving project.

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

In Favor:	Mr. Kinard	Mr. Cullum
	Mr. Jeffcoat	Mr. Townsend

Mr. Davis	Ms. Summers
Mr. Keisler	Mr. Matthews
Mr. Banning	

**Solid Waste, D. Summers, Chairman - Coca-Cola and Keep America Beautiful Recycle Bin Grant Application** - Ms. Summers reported the Solid Waste Committee met to consider a grant application for Solid Waste Management. The grant application for \$1,000 requires no County match. If awarded, the funds will be used to purchase bins for special events in the County for the collection and recycling of beverage containers.

Ms. Summers made a motion, seconded by Mr. Cullum to approve staff's request to submit the grant application.

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

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

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

11-088 - A supplemental appropriation increase of \$550,000 in the Workers Compensation Insurance Fund to cover claims for the remainder of the fiscal year.

11-089 - A supplemental appropriation increase of \$395 for Public Safety/Fire Service. Fred's Store donated the money to be used by Fire Service to purchase smoke detectors for Lexington County residents.

**Old Business/New Business - Caterpillar Contract** - As an item of new business, Mr. Banning made a motion, seconded by Mr. Townsend to approve the contract with Caterpillar where Caterpillar will allow the County to test a piece of equipment at no cost to the County subject to our County Attorney's review of the final agreement. This equipment will be used at the Solid Waste Management landfill.

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

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

**Executive Session/Legal Briefing** - Mr. Kinard reported Council concluded executive session consisting of one contractual and eight legal matters during the afternoon Committee of the Whole meeting.

**Matters Requiring a Vote as a Result of Executive Session** - As a result of Executive Session a motion under old/new business was considered for the Caterpillar Contract.

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

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

James E. Kinard, Jr.  
Chairman