

M I N U T E S
LEXINGTON COUNTY COUNCIL
April 26, 2011

Lexington County Council held its regular scheduled meeting on Tuesday, April 26, 2011 in Council Chambers beginning at 4:30 p.m. Chairman Kinard presided.

Reverend Dr. Bill Johnston, Associate Pastor of Senior Adult Ministries at Saxe Gotha Presbyterian Church, gave the invocation. Master Deputy Steve Corley and former US Navy Torpedoman's Mate, led the Pledge of Allegiance.

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

Not Present: George H. (Smokey) Davis *

*Mr. Davis was out-of-town for a family funeral.

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

Green Business Member Recognition - Solid Waste and Public Works Departments - Presented by Amanda St. John, Solid Waste Recycling Coordinator and Synithia Williams, Environmental Coordinator - The Green Business Certificates - Presented by Synithia Williams, Environmental Coordinator and Amanda St. John, Recycling Coordinator - Ms. Synithia Williams and Ms. Amanda St. John recognized the following new members into the County's Green Business Program and their certification area(s) and presented each with a Green Business certificate: PSC&C Property and Wildlife Management, LLC - Certified Member; Just Wanna Melt LLC - Certified Member; AWS Services, Inc. - Water Quality and Waste Reduction/Recycling; and McGregor Presbyterian Church - Certified Member. This brings the number of Green Business Membership to 47.

Habitat For Humanity ReStore Recognition - Solid Waste and Public Works Departments - Presented by Richard Chesley, Section Manager, DHEC's Office of Solid Waste Reduction and Recycling - Mr. Chesley presented Habitat for Humanity Restore with two awards - The Carolina Recycling Association Award and DHEC's Earth Day Award. The Carolina Recycling Association Award is for their outstanding business recycling program and DHEC's Earth Day Award is for their Restore Earth Program that is about recycling and reusing items that would otherwise be thrown in landfills.

Helping Hands and Hearts Award to the Solicitor's Office Community Juvenile Arbitration

Program from Home Works of America, Inc. - Presented by Hank Chardos, Executive Director - Mr. Chardos with Home Works of America, Inc. presented the Helping Hands and Hearts award to the Solicitor's Office Community Juvenile Arbitration Program in recognition and appreciation of their untiring love, dedication, and support to Home Works.

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

Chairman's Report - Chairman Kinard reported he and Ms. Hubbard met with Judge Reinhart regarding grant options for a Pre-trial Release program, reviewed the recommended FY2011-2012 General Fund budget with staff, and attended the 5th and 11th Circuit LEN meeting at SYSCO with several council members.

Katherine Hubbard, County Administrator - Presentation of the FY2011-2012 General Fund Recommended Budget - Ms. Hubbard asked Mr. Larry Porth, Finance Director and Assistant County Administrator, to give Council a brief recap of the FY2011-2012 General Fund Recommended Budget.

Prior to Mr. Porth's overview, a recommended Annual Budget Overview handout with pertinent information was distributed to Council.

Mr. Porth reported the recommended budget for the FY2011-2012 General Fund is \$98.4 million. The value of a mil county-wide is approximately \$1 million. The Preliminary Revenue Estimate is \$97.5 million without any adjustment for CPI or population for a difference of \$911,000. Mr. Porth noted that the recommended appropriations do not address many of the new programs requested by departments nor a salary wage adjustment.

2011 Energy Expo - Ms. Hubbard announced the 2011 Energy Expo is Friday, April 29, from 10:00 a.m. to 6:00 p.m. at Saluda Shoals.

South Carolina E-Cycles Day - The South Carolina E-Cycles Day is Saturday, April 30, from 8:00 a.m. to 2:00 p.m. at the new South Carolina State Farmer's Market.

Employee Recognition - Ms. Hubbard recognized Jack Maguire, Planning & GIS Manager, on receiving the South Carolina Arc User Network (SCARC) GIS Achievement Award. The SCARC GIS Achievement Award is in recognition of Mr. Maguire's significant contributions to the development and advancement of geographic information systems in South Carolina.

Ms. Hubbard recognized Holly Hallman, Dale Tipper, and Chris Folsom with Animal Services. Ms. Hubbard said Mr. Chris Folsom, Animal Services Coordinator, received thank you letters from Misses Brandi and Donna Gullede for their quick response in apprehending two large dogs that were fighting in Brandi's yard.

Shining Stars - Ms. Hubbard recognized the following employees for their positive can-do attitude and helpful approach when interacting with others and presented each with an engrave acrylic "Shining Star." Tony Signorino, Charles Sharpe, Michael Hannon, Michael Smith, Chris Brewster, Nathan Prouse, Cody Redd, Kayla Brock, Max Seymour, Anthony Donofrio, Jeff Berry, and Nick Shealy with Public Safety Fire Service and Gloria Smith with Building Services.

Appointments - None.

Bids/Purchases/RFPs - Mr. Jeffcoat made a motion, seconded by Mr. Keisler to approve the following bids/purchases/RFPs (F-H).

EECBG - Administration and Auxiliary Building Perimeter Lighting - Building Services - Competitive bids were solicited for perimeter lighting for the County Administration Building and the Auxiliary Building through the Energy Efficiency and Conservation Block Grant for Building Services. Nine (9) responsive bids were received. Staff recommended the award of the bid to Asbill Electric Service, Inc. in the amount of \$248,836.

EECBG - 3rd Floor Chilled Water Air Handler - Building Services - Competitive bids were solicited for the 3rd floor chilled water air handler for Building Services. One (1) responsive bid was received. Staff recommended the award of the bid to W.O. Blackstone & Company, Inc. in the amount of \$38,350.

Fire Equipment - Public Safety/Fire Service - Competitive bids were solicited for fire equipment for Public Safety/Fire Service. Eight (8) responsive bids and two (2) alternate bids were received. Staff recommended making multiple awards to the following lowest bidders meeting specifications. Apex Pinnacle - \$365.29; Municipal Emergency Services, Inc. - \$6,293.75; Newton's Fire & Safety - \$16,370.25; Palmetto Lawn & Leisure, Inc. - \$22,534.20; Safe Industries - \$5,788.15; Jack L. Slagle Fire Equipment - \$1,393.03; and Wally's Fire & Safety Equipment - \$2,942.50. Total purchase including tax is \$55,687.17

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

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

Ordinances - Ordinance 11-02 - An Ordinance Approving the Conveyance of Real Estate From the County of Lexington to the Lexington County Health Services District - 3rd & Final Reading - Mr. Jeffcoat made a motion, seconded by Mr. Banning to approve third and final reading.

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

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

Ordinance 11-03 - An Ordinance Finding that the Irmo Fire District, South Carolina, May Issue a Not Exceeding \$3,000,000 General Obligation Bond and to Provide for the Publication of Notice of the Said Finding and Authorization - 2nd Reading - Mr. Jeffcoat made a motion, seconded by Mr. Matthews to approve second reading.

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

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

Ordinance 11-04 - An Ordinance Authorizing the (1) the Execution and Delivery of a Fee in Lieu of Tax and Incentive Agreement (the “Fee Agreement”) Between Lexington County, South Carolina (the “County) and Michelin North America, Inc., Acting for Itself and Any Affiliates and any Other Project Sponsors, (Collectively, the “Company”), in Connection With the Expansion of Facilities in the County (the “Project”); (2) the County to Covenant in Such Fee Agreement to Accept Certain Negotiated Fees in Lieu of Ad Valorem Taxes With Respect to the Project; (3) Special Source Credits in Connection With the Project; (4) the Benefits of a Multi-County Industrial or Business Park to be Made Available to the Company and the Project; and (5) Other Matters Relating Thereto - 2nd Reading - Mr. Keisler made a motion, seconded by Mr. Townsend to approve second reading.

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

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

Ordinance 11-05 - An Ordinance Adopting an Annual Budget for Fiscal Year 2011-12 - 1st Reading - Mr. Banning made a motion, seconded by Mr. Cullum to approve first reading.

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

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

Committee Reports - Economic Development, B. Banning, Sr., Chairman - Ordinance 11-06 - An Ordinance Authorizing (1) the Execution and Delivery of a Fee in Lieu of Tax and Incentive Agreement (the “Fee Agreement”) Between Lexington County, South Carolina (the “County”) and Interstate Container Columbia LLC - 1st Reading - Mr. Banning reported during the Economic Development Committee meeting, the Committee reviewed Ordinance 11-06 and voted in favor to recommend to full Council for approval.

Mr. Banning made a motion, seconded by Mr. Cullum to amend the ordinance/fee agreement to include the state required minimum 30 jobs and approve first reading.

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

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

Ordinance 11-07 - An Ordinance to Amend Ordinance No 95-12 as Amended by Subsequent Ordinances Relating to the Joint County Industrial Park of Lexington and Calhoun Counties so as to Enlarge the Park (Interstate Container Columbia LLC) - 1st Reading - Also, Mr. Banning reported the Committee voted in favor to recommend to full Council for approval.

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

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

Health & Human Services, J. Jeffcoat, Chairman - NEH Preservation Assistant Grant for Smaller Institutions Grants Application - Mr. Jeffcoat reported the Health and Human Services Committee met on Tuesday, April 12, 2011, to review the request from the Lexington County Museum for the National Endowment for the Humanities (NEH) Preservation Assistance Grants for Smaller Institutions grant application. Following is the Committee Report:

Mr. J.R. Fennell, Museum Director, presented a request to apply for the NEH Preservation Assistance Grants for Smaller Institutions Grant in the amount of \$4,597. There is no County match required. The grant funds would be used to purchase environmental monitoring equipment and storage materials to protect the museum's artifact collection. The equipment is required in order to get accredited by the American Association of Museums, a goal of the Museum Commission. The grant application is due May 3, 2011.

The Health and Human Services Committee voted unanimously to recommend that full Council approve staff's request to apply for the grant.

Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve staff' 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. Jeffcoat
	Mr. Cullum	Mr. Townsend
	Ms. Summers	Mr. Keisler
	Mr. Matthews	Mr. Banning

Budget Amendment Resolutions - None.

Executive Session/Legal Briefing - Mr. Kinard reported Council discussed four contractual matters during the afternoon Committee of the Whole meeting but needed to go back into Executive Session to complete discussions on four legal matters.

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

In Favor	Mr. Kinard	Mr. Banning
	Ms. Summers	Mr. Townsend
	Mr. Keisler	Mr. Jeffcoat

Mr. Matthews

Mr. Cullum

Reconvene - Mr. Kinard reconvened the County Council meeting.

6:00 P.M. - Public Hearing - Council members present: Kinard, Townsend, Keisler, Jeffcoat, Matthews, Cullum and Banning. Ms. Summers left prior to the public hearing.

Prior to opening the public hearing, Mr. Kinard reviewed the guidelines for public hearings.

Zoning Text Amendment T11-01- Sign Amendments - Mr. Kinard opened the public hearing for Zoning Text Amendment T11-01.

Mr. Kinard announced no one signed up in favor or in opposition to Zoning Text Amendment T11-01; therefore, closed the public hearing.

Old Business/New Business - Memorandum of Understanding (MOU) with Tentium Development, LLC- As an item of new business, Mr. Banning made a motion, seconded by Mr. Jeffcoat to approve the MOU that was discussed during the Economic Development Committee. The Committee voted to recommend to full Council for approval.

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

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

Not Present: Ms. Summers

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

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

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

Not Present: Ms. Summers

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

James E. Kinard, Jr.
Chairman

