

M I N U T E S  
LEXINGTON COUNTY COUNCIL  
August 23, 2011

Lexington County Council held its regular meeting on Tuesday, August 23, 2011 in Council Chambers beginning at 4:30 p.m. Chairman Kinard presided.

Councilman Bill Banning gave the invocation. Colby Key and Reece Allen, team members of the Midland Dixie Youth Baseball League, 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  
                              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** - Council recognized members of the Midland Dixie Coaches Pitch (seven and eight-year-old) for their outstanding season winning the 2011 South Carolina Coaches Pitch Championship. They were also the World Series Runner-up Champions.

Also, Council recognized members of the Midlands Dixie Youth Minor All Star Team (nine and ten-year-old) for their outstanding season and placing in the top 10 out of 1200 Southeastern States and representing Lexington County so well in the World Series.

**Chairman's Report** - Mr. Kinard reported he as well as several members of Council attend the SCAC conference; met with the Midlands Convention Authority; and attended the Regional Sustainability meeting with Mayor Benjamin of the City of Columbia and Chairman Livingston of Richland County.

**Council Members' Activities and/or Comments** - Mr. Jeffcoat reported over 100 companies attended the Vendor Fair for Amazon.com that was held at Lexington Town Hall.

**Recognition of Elected Officials** - Mr. Cullum recognized Mayor Busby of the Town of Pine Ridge who was in attendance.

**Presentation of Resolution - Reagan Ryder Hendrix** - Councilmen Davis and Summers presented a framed resolution to Ms. Reagan Hendrix recognizing her for being elected as the 65<sup>th</sup> Governor of Palmetto Girls State at Presbyterian College on June 16, 2011.

**Administrator's Report - Ed Lundeen** - Rep. Mac Toole introduced Mr. Ed Lundeen, the new director of the Lexington County Veteran Affairs Office.

**Asst. Chief John Thivierge-** Ms. Hubbard introduced Asst. Chief Thivierge, the new Deputy EMS Coordinator.

**Employee Recognition - Katherine Hubbard, County Administrator - Employee of the 2<sup>nd</sup> Quarter 2011-** Ms. Hubbard recognized Huyen Diep, Library Assistant II with Library Services and Regina Crawford, P/S Communications Telecommunications Operator as nominees for the Employee of the Second Quarter.

Ms. Hubbard presented a plaque to Ms. Crawford as the Employee of the Second Quarter and a Certificate of Excellence to Ms. Diep.

Ms. Hubbard thanked Fire Service, Public Works, Animal Services, Coroner's Office, Solid Waste Management, EMS and others who helped with the accident involving a horse trailer and motorcycle incident on I-26.

**Birthday Recognition** - Mr. Kinard extended birthday wishes to Judge Gary Reinhart, Chief Magistrate of Magistrate Court Services, Charlie Compton, Director of Planning & GIS, and Councilman Brad Matthews.

Mr. Kinard reported Council felt the effects of the 5.8 magnitude earthquake in Virginia during the afternoon Committee Meetings.

**Resolutions - Chapin Fire Department, Lake Murray Fire District, and NAIFA - Midlands Life Insurance Awareness Month** - Mr. Banning made a motion, seconded by Mr. Keisler to approve all three resolutions.

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

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

**Appointments - Nancy K. Perry Children's Shelter - Mary L. Miller-** Mr. Keisler made a motion, seconded by Mr. Davis to appoint Ms. Miller. Ms. Miller replaces Ms. Carol Metts.

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

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

**Assessment Appeals Board - Beth Linhardt** - Mr. Jeffcoat made a motion, seconded by Mr. Townsend to reappoint Ms. Linhardt.

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

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

**Library - Ms. Mary Kerr** - Ms. Summers made a motion, seconded by Mr. Jeffcoat to reappoint Ms. Kerr.

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

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

**Nancy K. Perry Children's Shelter - Kimberly Thompson** - Mr. Jeffcoat made a motion, seconded by Mr. Banning to appoint Ms. Thompson. Ms. Thompson replaces Ms. Christine Westbrook.

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

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

**Bids/Purchases/RFPs** - Mr. Davis made a motion, seconded by Mr. Keisler to approve the following bids/purchases/RFPs (tabs V&W).

**Evinrude Marine Outboard Motors & Accessories - Sheriff's Department** - Staff recommended the purchase of two (2) Evinrude marine outboard motors and accessories from BRP US, Inc. through State Contract Number 08-S7661-A13648. Total cost, including tax, is \$28,560.38.

**Public Safety Uniforms - Term Contract - EMS, Fire Service, Sheriff's Department** - Bids were solicited for a term contract for EMS, Fire Service and Sheriff's Department uniforms. The term of the contract shall be for the initial period of one (1) year with the option to extend the contract for four (4) additional one (1) year periods, if deemed in the best interest of the County. Four (4) bids and one (1) alternate bid were received. Staff recommended to make multiple awards to the following vendors: Wright Johnston (items numbers 1-5, 7 & 8, 10-16); Safe Industries (item numbers 6 & 9); Designlab, Inc. (item numbers 17-22); and Designlab, Inc. – Alternate Bid (item numbers 23-31). Total cost, including tax, is \$95,400.

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

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

**Approval of Minutes - Meeting of June 28, 2011** - Ms. Summers made a motion, seconded by Mr. Keisler to approve the minutes as submitted.

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

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

**Solid Waste/Processing Facility Application #11-01 - Final Reading** - Mr. Keisler made a motion to deny, seconded by Mr. Cullum.

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

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

Opposed:        Mr. Townsend

Abstained:     Mr. Banning

**Zoning Amendment - Zoning Map Amendment M11-02 - Crocket Rd. - 3<sup>rd</sup> & Final Reading** - Mr. Davis made a motion, seconded by Mr. Cullum to approve.

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

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

Opposed:        Mr. Jeffcoat

**Ordinances - Ordinance 11-10 - An Ordinance to Provide for Reappointment and Re-establishment of Nine Defined Single-Member Election Districts in the Election of Lexington County Council Members - 2<sup>nd</sup> Reading** - Mr. Cullum made a motion, seconded by Mr. Jeffcoat to approve second reading of the County Council redistricting plan (Ordinance 11-10) as amended since our first reading and as shown by the revision made as of August 12 and additional changes that have been made as of

August 22 that are presented to the Council today (August 23).

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	

**Ordinance 11-14 - An Ordinance to Approve the Conveyance of Property from the County of Lexington to Eau Claire Cooperative Health Centers - 3<sup>rd</sup> and Final Reading** - Mr. Cullum made a motion, seconded by Mr. Townsend to approve third and final reading.

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	

**Committee Reports - Justice, S. Davis, Chairman - Donation of Replacement SWAT Vehicle** - Mr. Davis reported the Justice Committee met earlier during the day to consider the donation of a 2004 Lenco Bearcar armored vehicle (previously owned by SLED) from the Lexington County Sheriff's Foundation to the Sheriff's Department to replace their SWAT vehicle. The Committee voted in favor to recommend to full Council for approval.

Mr. Davis made a motion, seconded by Mr. Keisler to accept a vehicle from the Lexington County Sheriff's Foundation to replace the SWAT vehicle.

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

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

**Health & Human Services, J. Jeffcoat, Chairman - Request for Temporary Part-time Administrative Assistant** - Mr. Jeffcoat reported the Health & Human Services Committee met to consider a request from Chief Brad Cox for a temporary part-time administrative assistant for Fire Service. The requested amount for the part-time assistant is \$15,405 and will come from their budget. The Committee voted in favor to recommend to full Council for approval.

Mr. Jeffcoat made a motion, seconded by Mr. Keisler to approve the temporary part-time administrative assistant.

Mr. Kinard opened the meeting for discussion.

Mr. Cullum noted for the record, this would be no increase in their budget.

Mr. Kinard called for further discussion; none occurred.

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

**2008 Citizens Corp (CERT) Grant Award** - In addition, Mr. Jeffcoat reported the Committee also considered the acceptance of the 2008 Citizen Corp Grant award. The grant in the amount of \$5,500 requires no County match and will be used to help support the CERT program. The Committee voted in favor to recommend to full Council for approval.

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

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	

**Airport, T. Cullum, Chairman - FAA Grant Offer for Airport Layout Plan and 10 Unit T-Hangar Design/Bid Only Award** - Mr. Cullum reported the Airport Committee met earlier in the day to consider the acceptance of the \$150,000 award from the FAA. The award is for the Update Airport Master Plan and Airport Layout Plan and Construct 10-Unit T-Hangar, Phase I - (Design and Bid only). The grant requires 5% match that will be split equally (2.5 %) between Lexington County and the S.C. Department of Aeronautics. The Committee voted in favor to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Townsend to approve acceptance of the grant award.

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

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

Opposed:	Mr. Keisler	Mr. Jeffcoat
----------	-------------	--------------

**Solid Waste, D. Summers, Chairman - Coca Cola's Recycle and Win! Program** - Ms. Summers asked that the item be postponed until the next meeting to allow the County Attorney time to review the agreement.

**Proposed Electronic Waste Recycling Program** - Ms. Summers said the Committee met during the afternoon to consider an Electronic Waste Recycling Program for the County. The proposed budget to provide this service is approximately \$93,071 (included is a one-time purchase of \$35,050 for the storage building). The Committee voted in favor to recommend to full Council for approval.

Ms. Summers made a motion, seconded by Mr. Davis to approve moving forward with the proposed electronic waste recycling program.

Mr. Kinard opened the meeting for discussion.

Mr. Cullum reiterated this is a state mandated program, correct?

Ms. Summers replied, correct.

Mr. Kinard called for further discussion; none occurred.

In Favor:	Ms. Summers	Mr. Davis
	Mr. Townsend	Mr. Jeffcoat
	Mr. Cullum	

Opposed:	Mr. Kinard	Mr. Keisler
	Mr. Matthews	Mr. Banning

Motion passes 5-4.

**Briefing - Edmund C&D Landfill Stabilization Project** - Ms. Summers reported the Committee also received a briefing from staff on the stabilization of soil erosion at the Edmund C&D landfill. The Committee voted in favor to recommend to full Council to approve staff's recommendation to move forward to close down two areas at the landfill. Funds for this project have been set aside. (Staff recommendation included the engineering cost of \$157,600 for survey, cover depth verification, preparation of plans and specifications, bid preparation and construction monitoring and final closure approval of Cell I - Lifts 1 & 2 with DHEC and \$555,000 (Cell 1 - Lift 1 & 2 (\$380,000) and Cell II stabilization (\$175,000) for construction costs associated with the stabilization of Cells 1 & 2. Once the Engineering services are complete, staff will bring back procurement recommendation to be awarded to the company to complete the project.)

Ms. Summers made a motion, seconded by Mr. Davis to approve staff's recommendation to allow the project to move forward to close down the two areas at the landfill. Funds have been aside.

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

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

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

12-044 - A supplemental appropriation increase of \$110,000 for the donation of a 2004 Lenco Bearcat armored vehicle to the Sheriff's Office from Lexington County Sheriff's Foundation.

12-045 - An appropriation transfer of \$15,405 to convert a part-time firefighter position into a part-time administrative assistant position.

12-046 - A supplemental appropriation increase of \$41,743 for additional services over and above the original contract that Project Pet is paying for.

12-047 - An appropriation transfer of \$157,600 to allow for Engineering Service related to the Edmund C&D Landfill Stabilization Project.

12-048 - A supplemental appropriation increase of \$5,500 received from the Citizens Corp/CERT Program grant award.

12-005 - A supplemental appropriation increase of \$8,155,013 to appropriate carryover funds for capital and operating items for County Ordinary - \$4,678,034; Fire Service - \$2,606,336; and Law Enforcement - \$870,643.

12-008 - A supplemental appropriation increase in the amount of \$214,951 to appropriate carryover funds for Library Services.

12-004 - A supplemental appropriation increase in the amount of \$1,381,849 to appropriate carryover funds for Solid Waste Management.

12-006 - A supplemental appropriation increase in the amount of \$1,433,146 to appropriate carryover funds for Airport Capital Projects.

12-009 - A supplemental appropriation increase in the amount of \$8,658,207 to appropriate carryover funds for Schedule "C" Funds, road improvement private contributions, the alternative road paving program, and the stormwater improvements at Hollow Creek.

12-002 - A supplemental appropriation increase in the amount of \$3,237,138 to appropriate carryover funds for County Council's special revenues.

12-001 - A supplemental appropriation increase in the amount of \$3,206,241 to appropriate carryover funds for federal grants.

12-003 - A supplemental appropriation increase in the amount of \$6,225,779 to appropriate carryover funds for state supplements and special revenue funds.

12-007 - A supplemental appropriation increase of \$206,222 to appropriate carryover funds for capital items for the Dispatch/Records Management Project and a supplemental appropriation increase of \$1,186 to appropriate the interest earned.

12-010 - A supplemental appropriation increase of \$1,392,272 to appropriate carryover funds for capital items for the Energy Efficiency & Conservation program.

12-011 - A supplemental appropriation increase of \$500,000 to appropriate carryover funds for capital items for the West Region Service Center and a supplemental appropriation increase of \$1,682 to appropriate the interest earned.

12-012 - A supplemental appropriation increase of \$42,150 to appropriate carryover funds for capital items for the Judicial Center Fountain project and a supplemental appropriation increase of \$114 to appropriate the interest earned.

12-013 - A supplemental appropriation increase in the amount of \$4,750,136 to appropriate carryover funds for capital items for the EOC/911 Communication Center and a supplemental appropriation increase of \$5,612 to appropriate the interest earned.

12-014 - A supplemental appropriation increase in the amount of \$2,424,231 to appropriate carryover funds for capital items for the Animal Services Project (Project Pet) and a supplemental increase of \$13,892 to appropriate the interest earned.

12-015 - A supplemental appropriation increase in the amount of \$46,962 to appropriate carryover funds for capital items for EMS Healthcare Delivery Systems and a supplemental appropriation increase of \$210 to appropriate the interest earned.

12-016 - A supplemental appropriation increase in the amount of \$21,405 to appropriate carryover funds for capital items for the CAMA and ROD Systems Development and a supplemental appropriation increase of \$146 to appropriate the interest earned.

12-017 - A supplemental appropriation increase in the amount of \$1,659 to appropriate carryover funds for capital items for the Lexington Bar Association and a supplemental appropriation increase of \$6 to appropriate the interest earned.

12-018 - A supplemental appropriation increase in the amount of \$2,610,510 to carryover capital items for the Saxe Gotha Industrial Park II and a supplemental appropriation increase of \$4,397 to appropriate the interest earned.

12-019 - A supplemental appropriation increase in the amount of \$297,741 to appropriate carryover funds for capital items for the DSS and Fire Station Construction and a supplemental appropriation increase of \$17,897 to appropriate the interest earned.

12-020 - A supplemental appropriation increase in the amount of \$3,004,512 to carryover capital items for the Saxe Gotha Industrial Park and a supplemental appropriation increase of \$11,744 to appropriate the interest earned.

**Lake Murray and Chapin Fire Stations Open House and Uncoupling Ceremony** - Ms. Hubbard announced that the Chapin Fire Station will hold their open house and ribbon-cutting ceremony at 3:00 p.m. on Sunday, September 18 and Lake Murray Fire Station on Sunday, September 25 at 3:00 p.m.

**Matters Requiring a Vote as a Result of Executive Session** - As the result of Executive Session, there were two motions to be considered.

**CMRTA** - Ms. Summers made a motion, seconded by Mr. Townsend to direct staff to make the monthly

payments to the CMRTA based on the previous contract of those monthly amounts (\$8,400) up to three months.

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

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

Opposed:	Mr. Keisler	Mr. Matthews
----------	-------------	--------------

**RFP Process for Banking Services** - Mr. Jeffcoat made a motion, seconded by Mr. Matthews to approve the use of the RFP process for banking services for all departments in the County.

Mr. Kinard opened the meeting for discussion.

Mr. Kinard said once the RFP process is complete then it will be presented to Council for consideration.

Mr. Kinard called for further discussion; none occurred.

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

**Old Business/New Business - Proposed Electronic Waste Recycling Program** - Under Old Business, Mr. Townsend asked for reconsideration of Tab O - Proposed Electronic Waste Recycling Program, of which he previously voted in favor.

Mr. Kinard opened the meeting for discussion.

Mr. Kinard said this is a mandate by the State.

Mr. Cullum said staff noted there was a 41 percent increase in the number of deliveries since last year and asked what are we going to do? If we are not going to do it, how are we going to collect the electronic waste?

Mr. Banning said currently we have the state system that collects them free every two months and asked why we would want to pay for additional service until we are forced to. We need to quit letting the state “cram” stuff down our throat.

Mr. Davis said the reason he supports the program is because of the citizen concern and demand and because the people from Batesburg/Leesville have a long ride to the landfill.

Mr. Kinard called for further discussion; none occurred.

**Vote on Reconsideration:**

Favor:            Mr. Davis                      Ms. Summers

Opposed:        Mr. Kinard                      Mr. Townsend  
                     Mr. Keisler                      Mr. Jeffcoat  
                     Mr. Matthews                    Mr. Banning  
                     Mr. Cullum

**Old Business/New Business** - None.

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

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

James E. Kinard, Jr.  
Chairman