

M I N U T E S
LEXINGTON COUNTY COUNCIL
September 13, 2011

Lexington County Council held its regular meeting on Tuesday, September 13, 2011 in Council Chambers beginning at 4:30 p.m. Chairman Kinard presided.

Mr. Bruce Rucker, Director of Public Safety/Homeland Security, gave the invocation. The Pledge of Allegiance was led by the 2011-01 Fire Service Recruit Graduates.

Mr. Banning announced in addition to Mr. Rucker retiring at the end of the month, Mike Rawl, Public Safety/Training Officer is also retiring.

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

Not Present: Frank J. Townsend, III*

*Mr. Townsend was absent due to a family emergency.

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.

Chairman's Report - Mr. Kinard reported he attend a meeting in Pelion regarding a DHEC issue and participated in the Chapin Labor Day Parade with several Council members.

Council Members' Activities and/or Comments - Mr. Banning reported he and Councilman Summers attended the West Columbia 911 Memorial Ceremony in the morning and later that afternoon he and several council members attended the South Carolina Midlands First Responders Memorial Ceremony at the Columbia Metropolitan Convention Center. In addition, he spent most of this morning at the South Carolina Association of Counties attending the Intergovernmental Subcommittee meeting.

Mr. Jeffcoat said the Chapin Labor Day Parade was a great event and reported six council members participated in the parade. He said council members individually contributed funds to lease a float and will be participating in five local parades. The next parade will be the Okra Strut.

Presentation of Resolutions - Carol R. Metts - Presented by Councilmen Bobby Keisler and Todd Cullum - Councilmen Keisler and Cullum presented a framed resolution to Mrs. Carol Metts in recognition of her honorable service to the Lexington County Museum Commission and the Nancy K. Perry Children's Shelter Board of Trustees. Mrs. Metts served on the Lexington County Museum Commission from February 23, 2003 to June 28, 2011 and the Nancy K. Perry Children's Shelter from

February 14, 2006 to June 30, 2011.

S. Lyman Whitehead Presented by Councilman Brad Matthews - Councilmen Matthews and Jeffcoat presented a framed resolution to Mr. Whitehead in recognition of his honorable service to the Lexington County Health Service District Board of Directors. Mr. Whitehead served from March 2005 through March 2011.

Administrator's Report - Pelion Family Practice (Eau Claire Cooperative Health Center) - Ms. Hubbard announced the grand opening of the Pelion Family Practice will be Friday, September 30 at 11:00 a.m.

Employee Recognition - Katherine Hubbard, County Administrator - Ms. Hubbard recognized Michael Bollinger, Public Works Heavy Equipment Operator. Ms. Hubbard proudly announced that Mr. Bollinger placed third in the State Backhoe Rodeo.

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." Capt. Sheila Busby, Public Safety/Fire Service; Regina Crawford, Melissa Patrick, Nicholas Thompson, Kimberly Womble, Johnson Snell, and Angie Nicholas, Telecommunications Operators with Public Safety/Communications and Connie Jo Molen, Tax Clerk in the Auditor's Office.

2011-01 Fire Service Recruit Graduates - Ms. Hubbard introduced the following 2011-01 Fire Service Recruit graduates: John Cottrell, Brent Addy, Allan Farley, Delorme Arant, Kwan Blount-Hill, Jacob Harlow, Jeremy Lewis, Kyle Markey, Kyle Michelin, Kyle Miller, Nicholas Shelton, David Shook, Casey Strock, and Trevor Wyndham.

Appointments - Planning Commission - Andrew "Andy" White - Mr. Davis made a motion, seconded by Mr. Jeffcoat to reappoint Mr. White.

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

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

Planning Commission - David Laird - Mr. Matthews made a motion, seconded by Mr. Jeffcoat to reappoint Mr. Laird.

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

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

Library Board - Michelle Mabry - Mr. Keisler made a motion, seconded by Mr. Matthews to reappoint Ms. Mabry.

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

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

Building Codes Board of Appeals - Ernie Magaro - Ms. Summers made a motion, seconded by Mr. Banning to reappoint Mr. Magaro. Mr. Magaro represents the Building Industry.

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

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

Midlands Authority for Conventions, Sports & Tourism - Robert Livingston - Mr. Banning made a motion, seconded by Mr. Davis to reappoint Mr. Livingston.

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

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

Motion to Amend the Agenda - Mr. Davis made a motion, seconded by Mr. Cullum to amend the agenda to add Fleet Vehicle Replacement and Accessories - Sheriff's Department to Bids/Purchases/RFPs.

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

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

Not Present: Mr. Jeffcoat *

*Mr. Jeffcoat was not present at the time the vote was taken.

Bids/Purchases/RFPs - Mr. Davis made a motion, seconded by Mr. Cullum to approve the following bids/purchases/RFPs (Tabs N-X) plus the Fleet Vehicle Replacement and Accessories for the Sheriff's Department.

ADA Compliant Automatic Door/Storefront at Irmo & Lexington Libraries - Library Services - Bids were solicited for ADA Compliant Automatic Door/Storefront at the Irmo and Lexington Libraries. One (1) responsive bid was received. Staff recommended the award to Pyramid Contracting, LLC in the

amount of \$58,534.

Request for Approval to Utilize the Request for Qualifications Process for Rehabilitation Inspections and Construction Management Services - Community Development - Staff requested the use of the Request for Qualification (RFQ) process to seek qualifications for an Inspector to provide specification writing and construction management service for the Minor Home Rehabilitation Program, the Homeowner Rehabilitation Program and the Homeownership Assistance Program. Due to the scope of the project, it is not practical or advantageous to write a comprehensive set of specifications that may limit resources or restrict competition. A review panel will be responsible for reviewing and evaluating proposals based upon specific evaluation factors.

Self-Contained Breathing Apparatus and Accessories (Sole Source) - Public Safety/Fire Service - Staff recommended the purchase of self-contained breathing apparatus and accessories from the sole source provider, Newton Fire & Safety, Inc. This has been deemed a sole source as Newton Fire & Safety, Inc. is the sole distributor authorized to see MSA SCBA to the Municipal Fire Department market for Lexington County. Total cost, including tax, is \$32,961.35

Fox Branch Road Improvements Project - Public Works - Bids were solicited for improvements to Fox Branch Road. The project consists of providing all materials, equipment, and labor for grading, drainage, and paving approximately 3,700 LF of unpaved Lexington County maintained road. Nine (9) responsive bids were received. Staff recommended the award of the project to Cherokee, Inc. Total cost, including tax, is \$454,637.93.

Windy Wood Road Improvement Project Engineering Fees (C-Funds) - Public Works - Staff recommended to procure engineering services from Mead & Hunt for the design of Windy Wood Road in Pelion under Lexington County Contract Number PQ10009-09/15/10S. Cost, including tax, is \$96,890

Computer Hardware Maintenance for Balloting Machines (Sole Source) - Registration and Elections - Staff recommended the purchase of the software and maintenance agreement for the balloting and coding machines for Registration and Elections from the sole source provider, Election Systems and Software. This has been deemed a sole source as they are the sole vendor capable of providing this service for the machines. Total cost, including tax, \$55,593.65.

One (1) Boat with Equipment and Installation - Sheriff's Department - Staff recommended the purchase of a boat with miscellaneous installed equipment for the Sheriff's Department under State Contract Number 4400003828. Total cost, including tax, is \$44,262.11.

Detention Center Resinous Flooring Replacement - Sheriff's Department - Bids were solicited for the replacement of the resinous floor at the Detention Center at the Sheriff's Department. One (1) responsive bid was received. Staff recommended the award of the bid to Pyramid Contracting, LLC in the amount of \$53,350.

One (1) Landfill Compactor (Replacement) - Solid Waste Management - Competitive bids were solicited for one landfill compactor for Solid Waste Management. Five (5) bids were received. Of those, three (3) were no bids and one (1) bid violated the solicitation's "No Contact Policy." Staff recommended the award of the bid to Blanchard Machinery. Total cost, including equipment, options with trade-in, total maintenance and repair (six year/8,000 hour) contract and tax is \$684,757.64.

Video Surveillance Camera System and Installation (Sole Source) - Solid Waste Management - Staff

recommended the purchase of five (5) video surveillance camera systems for various collection sites for Solid Waste Management from Lowman Communications, Inc. Currently, Lowman Communications, Inc. has an active contract for the collection and recycling centers. Total cost, including tax, is \$27,370.

Motorola Portable Radios - Various Departments - Staff recommended the purchase of twenty-one (21) Motorola XTS 2500 Model II, sixteen (16) Motorola XTS 1500 Model II portable radios and accessories for various departments from Motorola, Inc. through State Contract Number DSIT.2009.01. Total cost, including tax, is \$88,770.14.

Fleet Vehicle Replacement and Accessories - Sheriff's Department - Staff recommended the purchase of a fleet vehicle replacement including any emergency equipment/installation and accessories for the Sheriff's Department from the appropriate State Contract or low bidder (Love Chevrolet - \$23,510) and the equipment and accessories through the appropriate vendor - Dana Safety Supply (\$3,248.31) and Solar Solutions (\$300). Total cost, including tax, is \$27,058.31

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

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

Not Present: Mr. Jeffcoat*

*Mr. Jeffcoat was not present at the time the vote was taken.

Approval of Minutes - Meetings of July 26 and August 15, 2011 - Mr. Banning made a motion, seconded by Ms. Summers to approve the minutes as submitted.

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

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

Not Present: Mr. Jeffcoat*

*Mr. Jeffcoat was not present when the vote was taken.

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 - 3rd and Final Reading - Mr. Banning made a motion, seconded by Mr. Keisler to approve third and final reading.

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

In Favor: Mr. Kinard Mr. Banning
 Mr. Keisler Mr. Davis

Ms. Summers Mr. Matthews
Mr. Cullum

Not Present: Mr. Jeffcoat*

*Mr. Jeffcoat was not present when the vote was taken.

Committee Reports - Planning & Administration, J. Jeffcoat, Chairman - Library Lottery Funds Award - On behalf of Chairman Jeffcoat, Vice-Chairman Davis reported the Committee voted in favor to recommend to full Council to approve the acceptance of the Library Lottery funds award. The award in the amount of \$32,252 will be used to purchase (10) AWE Earley Literacy Stations for the following libraries: Gaston, Gilbert, Chapin, Pelion, South Congaree, Cayce-West Columbia, Irmo, Batesburg/Leesville, and Swansea. There is no County match required.

Mr. Davis made a motion, seconded by Mr. Matthews to approve the acceptance of the Library Lottery Funds award.

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

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

Not Present: Mr. Jeffcoat*

*Mr. Jeffcoat was not present when the vote was taken.

Justice, S. Davis, Chairman - FY11 Justice Assistance Grant (JAG) Program Award - The Justice Committee followed by full Council approved the JAG application submittal request on June 28, 2011. The grant award of \$48,972 will be split between Magistrate Court Services (\$5,877), Sheriff's Department (\$37,708), and Sistercare (\$5,387).

Mr. Davis made a motion, seconded by Ms. Summers to accept the JAG program award.

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

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

Not Present: Mr. Jeffcoat*

*Mr. Jeffcoat was not present when the vote was taken.

Health & Human Services, J. Jeffcoat, Chairman - 2011 Local Emergency Management Performance Grant (LEMPG) Supplemental Award - The Health & Human Services Committee followed by full Council approved the LEMPG Supplemental application submittal request on July 26,

2011. The supplemental award is \$35,650 for a revised 2011 Local Emergency Management Performance grant of \$64,597. The additional funds will be used to purchase a satellite phone, color scanner, and vehicle and operation expenses for the coordinator's vehicle. The total grant received requires a 50 percent in-kind match.

Ms. Summers made a motion, seconded by Mr. Davis to approve acceptance of the LEMPG Supplemental grant award.

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

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

Not Present: Mr. Jeffcoat*

*Mr. Jeffcoat was not present when the vote was taken.

Appointment of Code Enforcement Officer - Ms. Summers reported the Committee also considered the appointment of Nicholas R. Thompson as a Code Enforcement Officer. The Committee voted in favor to recommend to full Council for approval.

Ms. Summer made a motion, seconded by Mr. Matthews to approve the appointment of Mr. Nicholas Thompson as a Code Enforcement Officer.

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

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

Not Present: Mr. Jeffcoat*

*Mr. Jeffcoat was not present when the vote was taken.

Public Works, T. Cullum, Chairman - "C" Fund Request - Chapin Area- Mr. Cullum reported the Public Works Committee met on Tuesday, August 23, 2011, to review a "C" Fund request from the Public Works' Department for a proposed road in the Chapin area. Following is the Committee Report:

Mr. John Fechtel, Public Works Director, presented a "C" Fund request for a proposed road connecting Amick's Ferry Road at Zion Church Road to Lexington Avenue in Chapin. He reported that Council had previously approved partial funding for a public/private partnership with a church for a connector road but could not obtain all the right-of-way necessary from Amick's Ferry to Lexington Avenue. The County has been approached by several developers to assist with a connector road at Amick's Ferry Road at Zion Church Road to Lexington Avenue. The new road would assist with the local traffic congestion off of Chapin Road. The estimated cost is \$480,000 for approximately 0.25 miles. Mr. Fechtel reported if the project is approved, the County would approve the design by the developers and then bid out the

project on behalf of the County. Staff recommends approving \$150,000 from the "C" Fund Classified Account (2700-121300-539900) with the developers paying the difference of any cost over \$150,000. The new road would be a County maintained road.

The Public Works Committee voted unanimously in favor to recommend full Council to approve staff's request for \$150,000 from "C" Funds and the developers to be responsible for any cost over \$150,000.

Mr. Cullum made a motion, seconded by Mr. Jeffcoat to approve \$150,000 toward the construction of the road and that the private/developer partnership be required to pay the balance.

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

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

Solid Waste, D. Summers, Chairman - Storage Building - Edmund Electronic Waste Recycling -

Ms. Summers reported during the afternoon Committee meeting, the Committee discussed staff's request to purchase a storage building at the Edmund Landfill for electronic waste recycling. The Committee voted in favor to recommend to full Council for approval. The estimated cost for the building, signs and Equipment is \$35,050.

Ms. Summers made a motion, seconded by Mr. Davis to approve the purchase of a storage building at the Edmund Landfill for electronic waste recycling.

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

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

Opposed:	Mr. Keisler	Mr. Cullum
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Matters Requiring a Vote as a Result of Executive Session - Coca-Cola Win Program Agreement -

Following Executive Session, the Committee of the Whole voted in favor to recommend to full Council for approval.

Ms. Summers made a motion, seconded by Mr. Jeffcoat to approve the Coca-Cola Win Program Agreement.

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

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

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

12-049 - An appropriation transfer of \$35,050 from Contingency into Solid Waste/Recycling to budget for the Electronic Waste Recycling building.

12-052 - A supplemental appropriation increase of \$32,252 received from the Education Lottery Funds for Library Services.

12-053 - A supplemental appropriation increase of \$48,972 received from the FY2011 Justice Assistance Grant (JAG) program grant award. The award is split between Magistrate Court Services, Sheriff's Department, and Sistercare.

12-054 - A supplemental appropriation increase of \$35,650 received from the 2011 Local Emergency Management Performance Grant (LEMPG) award for Public Safety/Emergency Management.

12-055 - A supplemental appropriation increase of a \$1,000 donation from Lexington Medical Center for the printing of Spare the Air Calendars for Stormwater Management's Spare the Air Calendar contest.

12-056 - A supplemental appropriation increase of a \$250 donation from Shaw Industries Group, Inc. to help sponsor Stormwater Management's Spare the Air Calendar contest.

12-058 - An appropriation transfer of \$975 and an appropriation transfer of \$76 to cover the additional funds needed to purchase a canine vehicle insert to transport EOD Canine for the Sheriff's Department

Old Business/New Business - None.

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

In Favor:	Mr. Kinard	Mr. Banning
	Ms. Summers	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