

MINUTES  
LEXINGTON COUNTY COUNCIL  
January 10, 2012

Lexington County Council held its meeting on Tuesday, January 10, 2012 in Council Chambers beginning at 4:30 p.m. Chairman Kinard presided.

Councilman Davis gave the invocation and Councilman Banning led the Pledge of Allegiance.

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

Also attending: Joe Mergo, III, Interim 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.

**2011 Perfect Attendance:** Chairman Kinard recognized the following members who attended all the regular scheduled Council meetings, Council Workshops, and Special Called meetings for 2011 and presented each with an engraved pen: Ms. Summers, Mr. Banning, and Mr. Jeffcoat.

Chairman Kinard thanked his fellow Council members for their support during his two years as chairman.

**Presentation of Appreciation** - Chairman Kinard presented to Mr. Banning an engraved pen set to commemorate his term as Vice-Chairman for 2010 and 2011. Likewise, Vice-Chairman Banning presented Mr. Kinard an engraved gavel to commemorate his term as Chairman for 2010 and 2011. .

**Election of Officers - Chairman** - Mr. Kinard opened the floor for the nomination of Chairman.

Mr. Davis nominated Mr. Banning, seconded by Mr. Cullum.

Mr. Kinard called for further nominations; no further nominations were made.

Vote on Chairman

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

Abstained:     Mr. Banning

**Vice-Chairman** - Mr. Kinard opened the floor for nomination for Vice Chairman.

Ms. Summers nominated Mr. Jeffcoat, seconded by Mr. Townsend.

Mr. Kinard called for further nominations; no further nominations were made.

Vote on Vice-Chairman

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

Abstained: Mr. Jeffcoat

Mr. Kinard turned over the gavel to Mr. Banning.

**Chairman's Report** - No report.

**Appointment of Parliamentarian** - Mr. Banning appointed Mr. Davis to continue to serve as Council's Parliamentarian.

**Presentation - Presentation of Awards to the 2011 Spare the Air Contest Winners - Public Works - Synithia Williams, Environmental Coordinator** - Ms. Synithia Williams, Lexington County Environmental Coordinator, noted this is the second year that Lexington County has partnered with SCDHEC and the Department of Education to sponsor the Spare the Air Calendar contest. The contest was open to all Lexington County Public, Private, and Homeschool students in the 5<sup>th</sup> through 7<sup>th</sup> grades. Two hundred posters were received from Lexington County. The top 12 entries were reproduced in a 2011 Spare the Air calendar. The grand prize winner is featured on the cover and the month of January and received a bike and helmet. The remaining winners received a "goodie" bag that was created by Sun Printing and the Giving Tree. In addition, each winner will receive a \$20 Wal-Mart gift card.

Ms. Synithia Williams, Lexington County Environmental Coordinator, presented the following 12 winners in the Spare the Air Calendar Contest: Freya Bairdsen, cover of the calendar and month of January and grand prize winner; Kendall Ridge, February; Tamirah Parks, March; Aliah Henry, April; Sa'Nia Perry, May; Tristan Keisler, June; Cindy Diaz, July; Kamryn Buchardt, August; Allie Paige Thornton, September; Lauren Connelly, October; Gracie Louk, November; and Avonlea Smith, December.

Ms. Williams thanked the following sponsors who helped make the contest a success: Lexington Medical Center and Shaw Industries for helping with the printing of the calendars; FSI Office Supplies who donated office supplies for all the teachers whose students made in into the calendar; Wal-Mart donated \$50 toward the cost of the bike, and Chick-fil-A donated a free ice cream to all those whose poster did not make it into the calendar.

**FY10-11 Audit Report - Mr. Ken Prince - Brittingham, Brown, Prince & Hancock, CPA, LLC** - Mr. Prince thanked Council for allowing his firm to serve again as the independent auditor and staff in assisting his firm during the audit process. Mr. Prince gave a brief overview of the audit.

Mr. Prince stated the financial statements were prepared by the County's Finance staff and that Brittingham, Brown, Prince & Hancock, CPA, LLC was able to issue an opinion with no qualifications. Also, his firm presented a Compliance and Internal Control and reported no findings and questioned costs and no material weaknesses.

During the year, the County's net assets were \$269 million, an increase of approximately \$14 million. Of this, approximately \$12 million was from governmental activities and \$2 million from business type activities leaving approximately \$118 million unrestricted and available to meet the County's ongoing obligations.

The County's governmental funds had an ending fund balance of approximately \$104 million, an increase of approximately \$4 million over the previous fiscal year. Of this, approximately \$62.6 million remains as unassigned.

The General Fund had an ending fund balance of approximately \$65 million, an increase of approximately \$5.5 million from last fiscal year. The ending fund balance was approximately 70 percent of General Fund expenditures and transfers out for the year.

The General Fund revenues were approximately \$1.1 million over budget and expenditures were less than final budget appropriations by approximately \$12 million, which demonstrates that the County is both fiscally responsible and budgetarily conscious.

At the end of the fiscal year, the County had a total bonded debt outstanding of approximately \$40.4 million, which was well below the legal debt limit of \$83 million.

Mr. Davis asked Mr. Prince if he calculates the school districts debts in the County's audit since they are fiscally autonomous.

Mr. Prince responded the financial statements are prepared by the County's staff, which he audits, but there is a lot of additional information and statistical tables, etc. that may provide that information.

Mr. Porth, Finance Director, said the CAFR contains a schedule of Direct and Overlapping debt that lists the school district's debt [Table 15, Page 327, June 30, 2011 CAFR].

Mr. Davis asked whether the school districts are calculated in the County's debt, which Mr. Porth responded that it was not.

Mr. Matthews asked how Council can direct the general public to see a copy of the report and when it will be available.

Mr. Mergo said the report will be on-line (Wednesday, January 11) and copies of the report will be sent to all the County's public libraries.

Mr. Cullum asked if the \$40 million in bonded debt is the entire County - Sheriff's Department, Public Safety/Fire Services, Library, etc.

Mr. Prince responded, yes, the entire county; but not the hospital since it is a separate entity.

**Chairman's Report** - No report.

**Employee Recognition - Joe Mergo, III, Interim County Administrator - Martin Luther King, Jr. Holiday** - Mr. Mergo reminded everyone that the County's offices will be closed Monday, January 16 in observance of Martin Luther King Jr. holiday. The Lexington County convenience stations and curbside collection in the unincorporated areas will continue their normal schedule.

**E-Waste Recycling** - Mr. Mergo announced that an electronic waste (e-waste) recycling event will be held on Saturday, January 14 from 10:00 a.m. - 2:00 p.m. at the Lexington County Auxiliary Administration Building. This event is available to all Lexington County residents at no charge.

**Employee of the 3<sup>rd</sup> Quarter 2011** - Mr. Mergo recognized Nicholas Burt and Amiee Lutz with the Sheriff's Department as the nominees for the Employee of the 3<sup>rd</sup> Quarter.

Mr. Mergo presented a plaque to Ms. Lutz as the Employee of the Quarter and a Certificate of Excellence was presented to Mr. Burt.

**Resolution - Melisha Shumpert** - Mr. Keisler made a motion, seconded by Mr. Cullum to approve the resolution.

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

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

**Appointments** - None.

**Bids/Purchases/RFPs** - A motion was made by Mr. Jeffcoat, seconded by Mr. Kinard to approve the following Bids/Purchases/RFPs (Tabs H, I, and J).

**HeartStart MRX ALS Monitors - Public Safety/EMS** - Competitive bids were solicited for the purchase of three (3) HeartStart MRX ALS monitors for Public Safety/EMS. Two (2) bids and one (1) no bid were received. Staff recommended the award of the bid to Bound Tree Medical, LLC for a bid amount of \$65,542.84.

**Wood Moor on Wescott Drainage Pipe Replacement Phase II (Bond Funds) - Public Works** - Competitive bids were solicited for Phase II improvements for drainage pipe replacement in the Wood Moor Wescott Subdivision. The project consists of supplying materials, equipment, and labor to effectively replace existing drainage pipes under Lexington County maintained roads. Ten (10) bids were received. Staff recommended the award of the project to Martin & Son Contracting, Inc. for a total of \$109,360.

**Purchase of Twenty (20) Toughbook Laptops and Accessories - Public Safety/EMS and Sheriff's Department** - Staff recommended the purchase of twenty (20) toughbook laptops and accessories for

Public Safety/EMS and Sheriff's Department. The items will be purchased through State Contract Number WSCA #SC5000010881/B27172. Total cost, including tax, is \$88,489.99.

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

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

**Zoning Amendment - Zoning Map Amendment M11-05, The Palms at Rocky Point Phase II, TMS#'s 001850-02-001 thru 025,001850-02-027 - 1<sup>st</sup> Reading** - Mr. Kinard made a motion, seconded by Mr. Davis to approve first reading.

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

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

**Ordinances - Ordinance 11-22 - An Ordinance Adopting Supplemental Appropriation to Not Exceed Eight Million (\$8,000,000) Dollars - 2<sup>nd</sup> Reading** - Prior to Council taking action, Mr. Banning announced this is an ordinance to set aside money for purchasing property that would be for an Economic Development site in the County. He noted that the contracts are currently in confidential stages.

Mr. Jeffcoat made a motion, seconded by Ms. Summers to approve second reading.

Mr. Banning opened the meeting for discussion.

Mr. Matthews said this is not only for the purchase but for improvements as well.

Mr. Banning responded, correct; the entire project. This is for purchase and improvements for which the County will not be borrowing any money as this is money that has been accumulated in Economic Development accounts.

Mr. Davis inquired about the public hearing.

Mr. Banning said there will be a public hearing and we will give full disclosure, hopefully, at that point, as all the contract work will be done.

Mr. Banning called for further discussion; none occurred.

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

Mr. Keisler                      Mr. Matthews  
Mr. Cullum

**Ordinance 12-1 - Amendments to the Lexington County Landscape and Open Space Ordinance - 1<sup>st</sup> Reading** - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve first reading.

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

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

**Budget Amendment Resolution** - The following BAR was distributed and signed:

12-082- A supplemental appropriation increase of \$337,375 received from Mid-Carolina Electric Co-op (\$300,000); Central Electric Power Cooperative (\$16,750); and Edisto Electric Cooperative (\$20,625) under the SC Rural Development Act of 1996.

**Special Recognition** - Mr. Banning recognized Mayor Randy Halfacre of Lexington.

**Old Business/New Business - 800 MHz Radio Talk Group Sharing - SCDOT** - As an item of new business, staff asked Council to consider taking action on the 800 MHz Radio Talk Group Sharing - SCDOT- that was discussed earlier in the day in the Public Works Committee. The Group Sharing would allow staff the ability to communicate in a more direct channel with Richland County and SCDOT.

Mr. Cullum made a motion, seconded by Mr. Matthews to give staff the approval to establish a channel with SCDOT and Richland County.

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

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

Mr. Jeffcoat thanked Mr. Kinard for the fine job he did as Chairman and the many sacrifices that he had to make to carry out the duties of chairman.

**Executive Session/Legal Briefing** - Mr. Banning reported Council went into Executive Session during the earlier Committee of the Whole meeting to discuss two legal matters but needed to go back into Executive Session for two contractual matters.

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

In Favor:            Mr. Banning                      Ms. Summers

|              |              |
|--------------|--------------|
| Mr. Townsend | Mr. Kinard   |
| Mr. Davis    | Mr. Keisler  |
| Mr. Jeffcoat | Mr. Matthews |
| Mr. Cullum   |              |

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

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

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

William B. Banning, Sr.  
Chairman