

M I N U T E S
LEXINGTON COUNTY COUNCIL
February 28, 2012

Lexington County Council held its meeting on Tuesday, February 28, 2012 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

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

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

Not Present: Debra B. Summers*

*Ms. Summers was attending the funeral for Cindy Wilkerson, wife of former councilman, Jacob Wilkerson.

Also attending: Joe Mergo, III, Interim Deputy County Administrator; John Fachtel, Director of Public Works/Assistant 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.

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

Special Recognition - Mr. Banning recognized Mayor Halfacre, Mayor of Lexington; Chris Harmon, County Auditor; and Councilman McDougal, Lexington Town Council.

Chairman's Report - No report.

Presentation - 2011 Achievement Award by the S.C. Association of Counties - Human Resources - John Henderson, SCAC Risk Manager- Mr. Robert Benfield, SCAC Risk Manager, was on hand to present to Ed Salyer, Safety & Training Manager, the 2011 Outstanding Safety Achievement Award for Risk Management.

Administrator's Report - United Way of the Midlands - Mike Gray, Vice President of United Way, recognized the following departments who either contributed in excess of \$50 per person, experienced a 10% increase at least \$500 over last year, or had 100% participation in the 2011-2012 United Way Fundraising Campaign: Central Stores, Planning & GIS, Museum, Auditor, Clerk of Court, Administrator's Office, Community Development, Emergency Medical Services, Fire Service, Public Safety; Auditor's Office, Procurement, and Veterans Affairs.

Lexington County contributed \$30,915, which is a 16% increase, for the 2011-2012 United Way Fundraising Campaign.

In addition, Mr. Gray recognized the Irmo-Chapin Recreation Commission, Lexington County Recreation and Aging Commission, and the Columbia Metropolitan Airport who also participated.

Tug-a-FireTruck - Mr. Mergo announced the County held its first Tug-a-Fire Truck and raised over \$1,000 for United Way. The winner, Lexington County Recreation and Aging Commission, won the event pulling the fire truck 25 feet in .0750 seconds.

Requested General and Non-General Budgets for FY2012-2013 - Mr. Mergo informed Council that all FY2012-2013 budget requests have been submitted. Staff is preparing to formally present the budget to Council at the April 10th Council meeting.

Ribbon Cutting and Grand Opening of Myers Finlay Pet Adoption Center - Mr. Mergo announced the ribbon cutting and grand opening of the Myers Finlay Pet Adoption Center of Lexington and Richland Counties will be Wednesday, March 7 at 4:30 p.m. at the facility on Bower Parkway.

Resolution - Resolution No. 12-01 Expressing Opposition to House Bill #4721 and Senate Bill #514- The item was delayed for two weeks for further study.

Appointments - Assessment Appeals Board - Joel T. Merrill - Mr. Cullum made a motion, seconded by Mr. Davis to appoint Joel Merrill to the Assessment Appeals Board. Mr. Merrill replaces Ms. Paige Hicks.

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

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

Health Services District - Rene' Derrick - Mr. Davis made a motion, seconded by Mr. Kinard to reappoint Rene' Derrick.

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

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

Health Services District - Dr. Tripp Jones - Mr. Cullum made a motion, seconded by Mr. Kinard to reappoint Dr. Jones.

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

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

Health Services District - Allan R. Risinger - Mr. Townsend made a motion, seconded by Mr. Kinard to reappoint Mr. Risinger.

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

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

Bids/Purchases/RFPs - A motion was made by Mr. Davis, seconded Mr. Cullum to approve Tab L - Parking Lot Rehabilitation.

Parking Lot Rehabilitation - Public Works/Sheriff's Department/Library - Bids were solicited for rehabilitation of the parking lots for the Cayce/West Columbia Library and the Sheriff's Department. The project consists of full depth patching, new concrete curb installation, removal, and replacement of existing curb, 1.5" HMA overlay, and line painting. Four (4) responsive bids and three (3) "no bids" were received. Staff recommended the award of the bid to REA Contracting for Task One for the Cayce/West Columbia Library and Task Two for the Sheriff's Department. Total cost, including tax, is \$241,272.75.

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

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

Approval of Minutes - Meeting of January 10, 2012 - Mr. Jeffcoat made a motion, seconded by Mr. Davis to approve the minutes as submitted.

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

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

Zoning Amendment - Zoning Text Amendment #11-04 - Amendments to Buffering Restrictions - 3rd and Final Reading - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve third and final reading.

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

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

Opposed: Mr. Townsend

Amend Agenda to add Ordinance 12-02 - Property Maintenance Ordinance - 2nd Reading - Mr. Matthews made a motion, seconded by Mr. Keisler to amend the agenda to add second reading for Ordinance 12-02.

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

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

Ordinance 12-02 - Property Maintenance Ordinance - 2nd Reading- Mr. Matthews made a motion, seconded by Mr. Davis to approve second reading for discussion only.

Mr. Banning opened the meeting for discussion.

Mr. Davis stated that he had reservations with the ordinance as it is currently written.

Mr. Banning called for further discussion; none occurred.

In Favor: Mr. Matthews

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

Motion fails.

Ordinance 11-19 - Ordinance Authorizing (1) Fee-in-Lieu Between Lex Cty & Nephron Pharm., (2) Negotiated Fees in Lieu of Ad Valorem Taxes, (3) SSC, (4) Multi-Cty Park, (5) Transfer & Conveyance of Property, & (6) Other Matters - 3rd and Final Reading- Mr. Cullum made a motion, seconded by Mr. Jeffcoat to approve third and final reading.

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

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

Committee Reports - Planning & Administration, D. Summers, Chairman - FY2012-13 CDBG Program and HOME - In the absence of Ms. Summers, Mr. Davis reported the Planning & Administration Committee convened on Tuesday, February 14, 2012 to review the FY 2012-13 CDBG Program and HOME Program.

Mr. Ron Scott, Community Development Director, presented recommendations for the FY 2012-13 Community Development Block Grant (CDBG) Program and the HOME Investment Partnership Program along with a PowerPoint overview of both programs. Mr. Scott said that over the last 12 years both programs have brought in an estimated \$20 million used for infrastructure, road paving, water and sewer lines, and more. The United States Department of Housing and Urban Development (HUD) has notified the County of its allocation for FY 2012-13 at \$1,352,807 for the CDBG Program and \$440,547 for the HOME Program available after July 1, 2012. Mr. Scott outlined the FY 2012-13 projects proposed for both programs. CDBG Project proposals are estimated at \$1,129,214 and HOME Project proposals are estimated at \$580,493. Staff recommends Council's approval of the proposed CDBG and HOME projects and administrative budgets in order to proceed with the Annual Action Plan due to HUD by May 15, 2012.

The Planning & Administration Committee voted unanimously to recommend to full Council to approve staff's recommendations.

Mr. Davis made a motion, seconded by Mr. Jeffcoat to approve staff's recommendations.

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

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

Public Works & Solid Waste Management, T. Cullum, Chairman - Columbia Avenue Project RFQ for Engineer - Mr. Cullum reported the Public Works Committee met on Tuesday, February 14, 2012, to discuss the RFQ for Columbia Avenue Project engineer.

Mr. John Fechtel, Director of Public Works, reported that the County has applied to SCDOT to be the Local Public Agency (LPA) where the County can administer all or portions of the S-48 Columbia Avenue project. He said the County should know within the next 30-45 days if the County is qualified as the LPA for the project. Mr. Fechtel said a RFQ needs to be put out for the project engineering, which is a large part of the application. Staff recommends authorization from Council for a RFQ once SCDOT approves Lexington County as the LPA for the Columbia Avenue project.

The Public Works Committee voted unanimously in favor to recommend to Council to approve authorization for staff to proceed with a RFQ for an engineer if SCDOT gives the County the clearance for designation as the LPA for the Columbia Avenue project.

Mr. Cullum made a motion, seconded by Mr. Jeffcoat to proceed with the RFQ for the Columbia Avenue (S48 –Chapin) project.

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

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

Old/New Business - 12-Mile Creek Watershed Water Quality Improvement Grant Application - As an item of new business, Mr. Cullum reported earlier today the Public Works and Solid Waste Management Committee considered the 12-Mile Creek Watershed Water Quality Improvement Grant application. The grant application in the amount of \$249,409 requires a county match of 40 percent. SC Department of Health & Environmental will contribute 60 and the County will match with a 40% in-kind contribution plus an additional \$25,000 from Stormwater Department's Professional Services account.

The Committee voted unanimously in favor to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Kinard to approve staff's request to submit the grant application with SCDHEC with a \$25,000 match. (The \$25,000 will come from Stormwater Department's Professional Services account. This is in addition to the 40% in-kind match that is required).

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

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

Justice, S. Davis, Chairman - DUI Prosecution Program Grant Application - Mr. Davis reported the Justice Committee met to consider a DUI Prosecution Program grant application for the Solicitor's Office. The application request of \$78,000 is for the 3rd year of funding and requires no County match. The Committee voted unanimously in favor to recommend to full Council for approval.

Mr. Davis made a motion, seconded by Mr. Townsend to approve staff request to move forward with the grant application.

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

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

Health & Human Services, B. Matthews, Chairman - Communications Narrow Banding - The item was delay to the next meeting.

Budget Amendment Resolution - The following BARs were distributed and signed:

12-092 - An appropriation transfer of \$40,419 to cover the cost of the repaving project at the Sheriff's Department.

12-093 - An appropriation transfer of \$48,917 for the Urban Entitlement Community Development Block Grant in the Annual Action Plan for FY11-12 to HUD. This is to adjust the budget with the Annual Action Plan.

12-094 - An appropriation transfer of \$28,630 from the County to CMRTA for the remainder of this fiscal year. The total estimated contributions from County, West Columbia, Springdale, and Lexington Medical Center is \$117,461.46 for FY11-12.

Matters Requiring a Vote as a Result of Executive Session - Batesburg-Leesville Rescue Squad Contract - Mr. Kinard made a motion, seconded by Mr. Matthews to discontinue the contract with the Batesburg-Leesville Rescue Squad that was dated July 28, 1986 effective in 30 days and return any assets to the County.

Mr. Banning opened the meeting for discussion.

Mr. Davis asked if the motion included returning assets that belong to the County.

Mr. Kinard, replied, returning whatever assets there are.

Mr. Banning called for further discussion; none occurred.

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

Opposed: Mr. Townsend

Old/New Business - None.

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

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