

M I N U T E S
LEXINGTON COUNTY COUNCIL
April 10, 2012

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

Matters Requiring a Vote as a Result of Executive Session - Mr. Banning reported Council discussed four contractual and two legal matters while in Executive Session during the afternoon Committee of the Whole meeting and there were no motions to be considered

Reverend Alvin Shrum, pastor of Cedar Grove Lutheran Church in Leesville and retired Army Major gave the invocation and 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	Debra B. Summers
	Bobby C. Keisler	Kenneth Brad Matthews
	M. Todd Cullum	

Also attending: Joe Mergo, III, County Administrator; John Fechtel, 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.

Chairman's Report - Mr. Banning reported he and several members of Council traveled to Greenville this morning to attend the Michelin announcement. Michelin announced they will invest \$200 million and add 225 jobs in Lexington County.

Mr. Banning recognized David Kerr, Director of Public Safety, on receiving the Purple Heart during a ceremony at Fort Jackson.

Council Members' Report/Comments - Mr. Matthews reported he attended the Quail Valley Homeowners' Association annual meeting last week.

Mr. Townsend reported he and Mr. Banning attended the roll out of Harvest Hope Food Bank's new Mobile Food Pantry in Batesburg/Leesville. The Mobile Food Pantry is a refrigerated truck that was purchased through the County's Community Development Block Grant program.

Mr. Banning reported he received a call from Ms. Lou Kennedy, President and CEO of Nephron Pharmaceuticals, to let him know that her company is trying to do all their business locally, but the low bidder was out-of-state.

Presentation - Public Servant Awards - VFW Firefighter of the Year and VFW Law Enforcement

Officer of the Year Presented by Hugh Gunter, Post Cmdr. VFW Post 8738; Helen Nubert, Post Quarter Master VFW Post 8738; and Augustus Singleton, Dept. Sr. Vice Cmdr.- Post Cmdr. Gunter, Dept. Sr. Vice Cmdr. Singleton, and Sr. Vice Post Cmdr. Boling were on hand to present the following awards to Volunteer Firefighter Marc Metzger and Sgt. David Amick by the Veterans of Foreign Wars, Department of South Carolina. Mr. Metzger received the “Public Servant Firefighter of the Year” award and Sgt. Amick received the “Public Servant Law Enforcement of the Year” award.

Administrator’s Report - Recycling - Mr. Mergo reported Lexington County has exceeded the state recycling goal of 35% with a 36.4% recycling rate. He said more than 80,000 tons of material was recycled last year by Lexington residents, businesses, and schools which resulted in a \$2.5 million savings. Also, more than 118,000 gallons of used motor oil was collected, which was more than any other county in South Carolina. In addition, the amount of municipal solid waste disposed also decreased by 2,000 tons helping the County reach its disposal rate of 2.9 lbs. per person per day. The state’s goal was 3.5.

General and Non-General Fund Requests for FY2012-2013 Presented to Council - Before providing the FY2012-2013 General and Non-General Fund request to Council, Mr. Mergo brought to light a couple of programs that the County is required to collect for the state so the public will have a better understanding of issues facing the County as we talk about the budget.

Lexington County Tax Bill - Medical Indigent Assistance Program - Mr. Mergo said on each Lexington County Tax bill there is a line titled *Indigent Care* under the County General Fund that is legislatively mandated that requires Lexington County to collect and remit back to the State for the Medical Indigent Assistance Program (SC Code of Laws §44-6-146).

Also, there is a section of law called Title XIX (Medicaid), which requires \$13 million be set aside for Medicaid services and in the state legislature there is a ratio of how that money is collected. He said money is collected based on property value and personal income that equates to about \$.50 per capita, which comes off the top of the local government fund before it is ever sent to the County. This equates to about \$130,000 that we also remit back to the local government fund, which has been cut by over 29%. However, the \$.50 per capita has not been cut by the same percentage that the local government fund was cut by.

Mr. Davis asked how the \$130,000 reduces the amount that has already been cut. What is the percentage?

Mr. Mergo replied that he had not reviewed the entire state statute but would do so and provide that information.

Mr. Keisler said he understood that 71% of the taxes collected go back to the schools and asked if that is correct.

Mr. Mergo replied in Lexington County we have both the local penny sales options; the one that the State assesses and the one we have for Special Legislation for Lexington County. If you are a 4% legal residence, you get a tax credit for both of those pennies. Because both of those pennies go to those individuals who get 4% legal residences, it drastically reduces the percentage that goes to the “school tax bill.” If you look at what the taxes would be without those two penny sales taxes, then you would be correct in what you are stating. And that is correct for 6 % property, or 10 % property, or whatever the case may be.

Employee Recognition - Mr. Mergo recognized Public Safety/Fire Service for partnering with the SC Army National Guard (SCANG) based in Eastover to provide a two-week joint-training for the 264th and 268th Engineering Detachments (firefighters). The 264th and 268th Engineering Detachments were scheduled to go to College Park, Texas for training, but it had been cancelled.

General and Non-General Fund Requests for FY2012-2013 Presented to Council - Prior to Mr. Porth's overview, an Annual Budget Overview handout with pertinent information and a recap of the requested budget was distributed to Council.

Mr. Porth reported the total requested General Fund budget is \$115,696,721. Of that, \$108,302,195 is for existing programs and \$7,394,526 is for new programs. In addition, there are several Special Revenue Funds, Grants, Economic Development, Accommodations Tax, Enterprises Funds, etc. that total \$61,518,950.

Mr. Porth reported in the Annual Budget Overview handout it reflects that one mill generated in Lexington County generates a little over \$1million. There is a CPI Adjustment of 3.16% and, with the new numbers just received, the Population Adjustment is 1.39% for a total of 4.55% that is statutorily allowed.

The FY2012-13 General Fund Operations Base Revenue Estimate of \$101,755,368 in comparison to the Requested Appropriations of \$115,696,721 reflects a \$13,941,353 difference.

Also, there are additional requests from the Millage Agencies (Lexington County Mental Health, Lexington County Recreation & Aging Commission, Irmo Chapin Recreation Commission, Midlands Technical College, Riverbanks Zoological Park & Botanical Garden, and Irmo Fire District).

Mr. Matthews asked when Council could expect to be able to review the requested budgets.

Mr. Porth replied that the requested budgets could be found on the County's website and staff is still working on the recommended budget.

Mr. Banning asked when Council could expect the recommended budget.

Mr. Mergo said staff is working diligently to have the recommended budget ready to be presented to Council at the May 8th meeting and plans to have first reading of the budget on April 24.

Mr. Matthews asked the amount of the FY2011-2012 requested budgets.

Mr. Porth replied the FY2011-2012 requested General Fund budget was \$112, 220,843 and approved at \$102,382,648.

Mr. Matthews asked for the estimated base revenue.

Mr. Porth replied the base revenue estimate before any indexing is \$101,755,368.

Resolutions - Communicators' Week - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve the resolution.

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

Not Present: Mr. Cullum

*Mr. Cullum left during the FY2012-13 budget discussions to attend a prior commitment.

Industry Appreciation Week - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve the resolution.

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

Not Present: Mr. Cullum

Appointments - Boards and Commissions - None.

Bids/Purchases/RFPs - A motion was made by Mr. Jeffcoat, seconded Ms. Summers to approve the Landscape and Turf Erosions Supplies term contract for Solid Waste Management.

Landscape and Turf Erosion Supplies - Term Contract - Solid Waste Management - Competitive bids were solicited for a term contract for landscape and turf erosion supplies for Solid Waste Management. The term of the contract will be for the initial period of one (1) year with the option to extend the contract for two (2) additional one (1) year periods, if deemed to be in the best interest of the County. Four (4) responsive bids were received. Staff recommended making multiple awards to the following lowest bidders meeting specifications: Delta Landscape - Items 3, 8, 9, 13, 15 ,and 16 and Pennington Seed - Items 1, 2, 4, 5, 6, 7, 10, 11, 12, and 14. The annual contract is estimated at \$186,113.66.

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

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

Not Present: Mr. Cullum

Ordinances - Ordinance 12-04 - An Ordinance Adopting a Supplemental Appropriation to not

Exceed Five Hundred Twenty Thousand (\$520,000) Dollars for Fiscal Year 2011-2012 for Narrow Banding - 3rd and Final Reading - Mr. Jeffcoat made a motion, seconded by Ms. Summers to approve third and final reading.

Mr. Banning opened the meeting for discussion.

Mr. Matthews said he does not like the position that the County finds itself in but does not see any other option.

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

Not Present: Mr. Cullum

Ordinance 11-22 - An Ordinance Adopting Supplemental Appropriation to not Exceed Eight Million (\$8,000,000) Dollars - 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. Townsend
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Matthews

Not Present: Mr. Cullum

Committee Report - Economic Development, J. Jeffcoat, Chairman - Resolution 12-02 - Resolution Identifying a Project Known as Project Console to Qualify for FILOT Agreement, Special Source Revenue Credit and Other Matters Related Thereto - Mr. Jeffcoat reported during the afternoon Economic Development Committee meeting, the Committee voted in favor to recommend to full Council for approval.

Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve.

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

Not Present: Mr. Cullum

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

12-097 - An appropriation transfer of \$245,920 and a supplemental appropriation increase of \$145,256 as the result of Public Works pulling a \$145,253.76 Contractor Performance Bond in order to complete work needed in multiple subdivisions within the County.

12-099 - An appropriation transfer of \$3,128 in Animals Services for the new Animal Service Coordinator.

12-100 - A supplemental appropriation decrease in the amount of \$1,599,097 and a supplemental appropriation increase in the amount of \$7,778,325 to complete the widening of the Saxe Gotha Industrial Road from 12th Street to Old Wire Road and the purchase of property for the Chapin Technology Park.

12-101 - An appropriation transfer of \$520,000 and a supplemental appropriation increase of \$520,000 to budget for the narrow banding – Ordinance 12-04.

12-102 - A supplemental appropriation increase of \$80,758 to budget the revenue received by the Solicitor's Office as part of a Broker Disclosure Lawsuit.

12-103 - An appropriation transfer of \$453,048 and a supplemental appropriation increase of \$51,952 to budget for two projects in the Saxe Gotha Industrial Park. A road with a cul-de-sac for Project Carolina and to mitigate wetlands on Parcel 3 of the park.

Old/New Business - None.

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

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

Not Present: Mr. Cullum

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William B. Banning, Sr.
Chairman