

MINUTES
LEXINGTON COUNTY COUNCIL
May 22, 2012

Lexington County Council held its meeting on Tuesday, May 22, 2012 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

Councilman Davis gave the invocation. WWII Veteran, George Shealy, 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 was at the State House when the Coroner's Office was recognized for receiving the International Association of Coroners and Medical Examiners Accreditation. In order to receive accreditation, the Coroner's Office was subjected to review of 130 standards including administration, forensic, investigations, and facility review. It should be noted that the Coroner's Office is the first coroner's office in South Carolina to achieve the accreditation.

Council Members' Report/Comments - Mr. Townsend reported he attended the Lexington County Soil and Water Conservation District Annual Banquet and announced that Councilman Cullum was awarded the Public Servant Award.

Presentation of Resolutions - Davis, Frawley, Anderson, McCauley, Ayer, Fisher & Smith LLC - 50th Anniversary Presented by County Council - County Council as a whole presented a framed resolution to the Davis Frawley Law Firm in recognition of their 50th year anniversary.

Emergency Medical Services Week Presented by Councilman Matthews - Councilman Matthews presented a framed resolution proclaiming May 20-26, 2012 as Emergency Medical Services Week to Chief Brian Hood and several members of his team.

Kathy Maness Presented by Councilwoman Summers - Councilwoman Summers presented a framed resolution to Ms. Maness, Town of Lexington Town Council, in recognition of her being elected President of the 2012 Women in Municipal Government (WIMG) Board of Directors.

National Public Works Week Presented by Councilman Cullum - Councilman Cullum presented a framed resolution proclaiming May 21-27, 2012 as National Public Works Week to John Fechtel, Director of Public Works, and several members of his team.

Administrator's Report - Law Enforcement Memorial Dedication - Mr. Mergo announced the Law Enforcement Memorial Dedication was a great event and encouraged those who have not visited the memorial to do so.

Memorial Day - Mr. Mergo announced the County's Administrative offices will be closed in observance of Memorial Day on Monday, May 28.

Employee Recognition - Joe Mergo, County Administrator - Mr. Mergo recognized Paramedic Allen Kenney and EMT Brittany Ramsey. Mr. Mergo said EMS received a letter from Ms. Tammy Garrick praising the care she received from both individuals when she encountered an asthma attack that turned into respiratory failure.

Also, Mr. Mergo recognized Nikki Rodgers, Communications Coordinator, and staff in Public Safety Communications for completing the reaccreditation process with the Commission of Accreditation for Law Enforcement Agencies (CALEA).

Resolutions - Hardee Expressway and 2012 Gilbert High School Varsity Baseball Team - Mr. Cullum made a motion, seconded by Mr. Kinard to approve the resolutions.

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

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

Chapin High School Naval ROTC - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve a resolution for the Chapin High School Naval ROTC.

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	

Chapin High School Tennis - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve a resolution for the Chapin High School Tennis.

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

Additional Chairman's Report - Mr. Banning said SCAC will be awarding a \$2,500 scholarship to five high school seniors and announced a Lexington County resident was chosen as one of the recipients. Mr. Banning said he would be visiting Airport High School on Friday, May 25 to present the award on behalf of SCAC.

Appointments - Children's Shelter - Robert Foster - Mr. Davis made a motion, seconded by Mr. Keisler to reappoint Mr. Foster.

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

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

Board of Zoning Appeals - Carl Sherwood - Mr. Cullum made a motion, seconded by Mr. Kinard to appoint Mr. Sherwood. Mr. Sherwood filled the vacancy of Mr. Marvin Smith.

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

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

Central Midlands Council of Governments (COG) - Earl McLeod - Ms. Summers made a motion, seconded by Mr. Davis to reappoint Mr. McLeod.

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

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

Bids/Purchases/RFPs - Mr. Jeffcoat made a motion, seconded by Mr. Keisler to approve the following bids/purchases/RFPs (Tabs N, O, P, & Q).

Carpet and Flooring Products - Term Contract - Building Services - A Request for Qualifications (RFQ) process was solicited for furnishing and installing carpet and other flooring products on an “on-call” basis for the County. The term of the contract shall be for a term of one (1) year with two (2) one year extensions. The Committee recommended having contracts with the following five companies: Bonitz Flooring Group, Total Flooring, McWaters, Coleman Flooring Company, and Rucker Floor Service.

Countywide Copiers - Proposals were solicited from three (3) selected vendors on the South Carolina “Cost per Copy” State Contract Number 5400000968. The term of the contract will 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 to be in the best interest of the County. Staff recommended the award of the contract to the Pollock Company as the lowest bidder meeting the County’s requirements.

New 911 EOC/ECC Facility - Administration - Bids were solicited for the new 911 EOC/ECC facility. Eight (8) bids were received. Staff recommended the award of the project to Mashburn Construction in the amount of \$7,752,397.

VHF Simulcast Narrowbanded Communications System - Public Safety/Fire Service - Staff recommended the purchase of a VHF Simulcast Narrowbanded Communications System for Public Safety/Fire Service from Motorola Communications, Inc. through SC State Contract Number 5000011320. Total cost, including tax, is \$380,495.

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

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

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

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

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

Ordinance - Ordinance 12-05 - Authorizing the Execution and Delivery of a FILOT by Lexington County and AVTEC to Provide for a Incentive, to Include the Inclusion of the Company in a Multi-County Park, Granting of Certain Special Source Revenue Credits (SSRC’s) & Other Matters Related Thereto - 2nd Reading - Mr. Jeffcoat made a motion, seconded by Ms. Summers to approve second reading.

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

Prior to the vote, Mr. Banning announced the ribbon cutting will be tomorrow (May 23) at 10:00 a.m. at Lexington Town Hall.

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

Committee Reports - Public Works & Solid Waste Management, T. Cullum, Chairman - Fence Relocation at Pelion Airport - Mr. Cullum reported the Airport Committee met on Tuesday, May 8, 2012, to discuss the fence relocation at the Pelion Airport. Following is the Committee Report:

Mr. Jim Starling, Public Works Engineering Associate III, presented a request by the Federal Aviation Administration (FAA) to relocate approximately 2,500 linear foot of fence based on a safety issue associated with Federal Aviation Regulation (FAR) Part 77 which restricts vertical obstructions from penetrating into navigable airspace. The Pelion Airport has 6,500 linear foot of fence affected by this regulation. The estimated cost of the fence removal is \$47,000. Mr. Starling reported there is a FAA grant balance of approximately \$45,000 available for the County to utilize for the project. The County would be required to fund the project at 100 percent and be reimbursed by FAA at 95 percent with the possibility of the South Carolina Aeronautics Commission funding 2.5 percent. The County's final cost would be \$1,000. Staff is requesting Council approval to move forward with a contract to relocate approximately 2,250 foot of fence utilizing the FAA grant balance of \$45,000. The funding is available in the Taxiway "A" Realignment account (5801-580020-5AA426) which has an unencumbered balance of \$54,994.

The Airport Committee majority voted in favor, with one opposed, to recommend Council to approve staff's recommendation for moving forward with the fence relocation project at the Pelion Airport.

Mr. Cullum made a motion, seconded by Ms. Summers to approve.

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

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

West Columbia Enhancement Grant Match Program - Also, Mr. Cullum reported the Public Works and Solid Waste Management Committee met on Tuesday, May 8, 2012, to discuss the West Columbia Enhancement Grant match request. Following is the Committee Report.

Mr. Jim Starling, Public Works Engineering Associate III, presented a request from the City of West Columbia for local match funds for a SCDOT Enhancement Grant. The City was approved for the Highway 1 Street Lighting Project (FPA #34-11) totaling \$543,750 that requires a 20 percent local match. SCDOT provided 80 percent at \$435,000 and the City provided 20 percent at \$108,750 which they

submitted to SCDOT. The City of West Columbia is now submitting a request for reimbursement from the County for their local match portion. Mr. Starling reported funding was available in the "C" Fund Special Projects account.

The Committee voted unanimously in favor to recommend to Council to approve the City of West Columbia's request for the 20 percent local match of \$108,750 for the Highway 1 Street Lighting Project.

Mr. Cullum made a motion, seconded by Mr. Matthews to approve the match funds.

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

Avtec - Mr. Banning recognized Mr. Michael Branning, President and CEO of Avtec.

Health & Human Services, B. Matthews, Chairman - 2012 Local Emergency Management Performance Grant (LEMPG) Application - Mr. Matthews reported the Health & Human Services met during the afternoon to receive a request from Mr. Tom Collins, Emergency Manager, to submit the 2012 Local Emergency Management Performance Grant application. The grant application in the amount of \$65,021 requires a 50% match. The match will be an in-kind match from salaries. If approved, the funds will be used to purchase one (1) vehicle mount weather station, seven (7) Hazmat suits, five (5) I-pad and accessories, furniture for the new EOC Center, one scrolling marquee sign, twenty (20) 800 MHz batteries, and one (1) satellite phone. The Committee voted unanimously to recommend to full Council for consideration.

Mr. Matthews made a motion, seconded Mr. Cullum to approve the submittal of the application.

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

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

Citizens Corp Grant (FY09 Reverted Funds) Award - In addition, Mr. Matthews reported the Committee was asked to consider accepting the Citizen Corp Grant award. The award in the amount of \$12,926 required no County match and will be used to purchase equipment and supplies for the CERT program. The Committee voted unanimously to recommend to full Council for approval.

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

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

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

Mr. Townsend	Mr. Davis
Mr. Keisler	Mr. Jeffcoat
Mr. Cullum	

Narrowbanding - Mr. Mergo said the bids came in less than what was expected. Although \$520,000 was allocated for the project, there are still other costs involved and once those costs have been accessed he will share the savings with Council.

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

12-112 - An appropriation transfer of \$516,035 and a supplemental appropriation increase of \$185,073 into the Workers Compensation Trust Fund to cover additional expenses.

12-111 - A supplemental appropriation increase of \$12,926 for funds received through the Citizens Corp Grant (FY09 Reverted Funds) Award.

Executive Session - Mr. Banning announced that Council needed to go back into Executive Session to discuss a personnel matter.

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

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

Matters Requiring a Vote as a Result of Executive Session - Reporting out of Executive Session, Mr. Banning reported Council had a brief meeting on a personnel issue and there was no motion to be considered.

6:00 P.M. - Public Hearings - Council members present: Kinard, Townsend, Davis, Summers, Keisler, Jeffcoat, Matthews, Cullum and Banning.

Ordinance 12-05 - Authorizing the Execution and Delivery of a FILOT by Lexington County and AVTEC to Provide for a Incentive, to Include the Inclusion of the Company in a Multi-County Park, Granting of Certain Special Source Revenue Credits (SSRC's) & Other Matters Related Thereto.

Mr. Banning opened the public hearing.

Mr. Ray Jones, attorney representing Avtec, provided a brief overview. Mr. Jones said this is a tremendous opportunity for the company and the County. It is a \$7 million investment with 35 jobs.

Mr. Banning reported no one signed up to speak in favor or in opposition to Ordinance 12-05. Therefore, Mr. Banning closed the public hearing.

FY12 JAG Application - Mr. Banning opened the public hearing.

Mr. Banning reported no one signed up to speak in favor or in opposition to the FY12 JAG application. Therefore, Mr. Banning closed the public hearing.

Ordinance 12-06 - An Ordinance Adopting an Annual Budget for Fiscal Year 2012-2013 - Mr. Banning opened the public hearing.

Mr. Banning reported no one signed up to speak in favor or in opposition to Ordinance 12-06. Therefore, Mr. Banning closed the public hearing.

Old/New Business - None.

Adjourn - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to adjourn the meeting.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William B. Banning, Sr.
Chairman