

M I N U T E S
LEXINGTON COUNTY COUNCIL
September 11, 2012

Lexington County Council held its meeting on Tuesday, September 11, 2012 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

Matters Requiring a Vote as a Result of Executive Session - During the Committee of the Whole, Council entered into Executive Session to discuss five legal and one personnel matters. There were no motions to be considered.

Chairman Banning gave the invocation. Joshua Turner with the Babcock Center sang the Star Spangle Banner and the Lexington County Vietnam Combat Group led the Pledge of Allegiance.

Members attending:	William B. Banning, Sr.	James E. Kinard, Jr.
	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, County Administrator; John Fechtel, Deputy 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 attended this morning's SCAC Board meeting to review what the Board needs to work on with the legislators in the coming year.

Special Recognition - Mr. Banning recognized Representative Todd Atwater.

Presentation of the Lexington County CAST (Community Action for a Safer Tomorrow) DUI Task Force presented by Ms. Caroline Humphries, Lexington County CAST Coordinator with LRADAC- Ms. Humphries gave a brief overview of the DUI Task Force. It is a five-year grant through the Department of Alcohol and Drug Abuse Services and Lexington County was one of 14 counties to receive funding to help reduce impaired driving and other traffic fatalities.

Presentation of Resolution - Presentation of First Purple Heart County Presented by Councilman Keisler - Councilman Keisler presented a framed resolution to Mr. James Miller, Department Commander for the Military Order of Purple Hearts of S.C. and Ed Lundeen, Director of Lexington County Veteran's Affairs, proclaiming Lexington County as the First Purple Heart County in South Carolina.

On behalf of the Patriot Members of the Department of S.C. Military Order of the Purple Heart, USA, Mr. Miller presented Council with the Military Order of the Purple Heart Special Recognition Award for their support honoring America's Combat Wounded Veterans and becoming SC's First Purple Heart County.

Mr. Miller presented Councilman Keisler a Purple Heart Challenge Coin which represents his leadership and integrity and presented each council member a Purple Heart lapel pin.

The Administrator's Report - Lexington County Solid Waste Management - Leslie Atkins, Director of Vocational Support for Babcock Center, presented Lexington County Solid Waste Management with the Employer of the Year Award.

Mr. Mergo announced there will be an electronic recycling event on Saturday, September 15 at the Rocky Creek Elementary School on Calks Ferry Road.

Also, the Lexington Main Library will celebrate its 100-year celebration on Sunday, September 23 from 3p.m. - 6p.m.

Employee Recognition - Mr. Mergo recognized Charlie Compton, Jack Maguire, Valerie Gray, and Ralph Ford with Planning & GIS. Mr. Mergo said Shawn Graham, Deputy Solicitor, sent an e-mail to Mr. Compton thanking him and his staff for their assistance with a murder case by providing maps that were used to explain to the jury the use of a cell phone that was linked to a murder.

Resolutions - None.

Appointments - None.

Bids/Purchases/RFPs - Mr. Davis made a motion, seconded by Mr. Cullum to approve the following bids/purchases/RFPs (Tabs H-O).

Fleet Vehicle Replacements for Library and Motor Pool - Fleet Services - Staff recommended the purchase of replacement vehicles for Library Services and Motor Pool from Benson Chrysler through State Contract Number 4400002991. Total cost, including tax, is \$72,232.

Request for Approval to Utilize the Request for Proposal Qualifications Process for Bulk Delivery of Unleaded Gasoline and Diesel for Fleet Services - Fleet Services - Staff requested the use of the Request for Proposal Qualifications (RFPQ) process to seek qualifications from potential respondents for the acquisition of a contract for bulk delivery of unleaded gasoline and diesel for Fleet Services. 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.

One (1) Wireless Access Point (Replacement) - Information Services - Staff recommended the purchase of one (1) Wireless Access Point for Information Services from Data Network Solutions through State Contract WSCA Number SC400002812. Total cost, including applicable tax, is \$75,215.73.

HDPE Smooth Type S Pipe - Term Contract - Public Works - Bids were solicited for a term contract for HDPE Smooth Type S Pipe for Public Works. The term of the contract will 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. Four (4) responsive bids were received. Staff recommended the award of the bid to Fortiline, Inc. The annual estimated yearly cost of the contract is \$41,815.60.

Request for Approval to Utilize the Competitive Sealed Proposal Process for the Lexington County Detention Center Camera Project - Sheriff's Department- Staff requested to utilize the Request for

Proposals (RFP) process to seek competitive proposals from potential qualified respondents for the acquisition of a camera project for the Lexington County Detention Center. 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.

Electronic Equipment Recycling - Solid Waste Management - Staff recommended the service for electronic equipment recycling for Solid Waste Management be contracted from CRS Holding of America, LLC through State Contract Number 4400001018. The estimated annual cost, including applicable tax, is \$33,600.

Granular Flocculant 06 -Term Contract - Solid Waste Management - Bids were solicited for a term contract for Granular Flocculant 06 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. Three (3) responsive bids were received. Staff recommended the award of the bid to Carolina Fresh Farms. The annual estimated yearly cost of the contract is \$51,272.69.

Safe-T-Tank 500 Gallon Waste Gas/Oil Mixture Tank - Sole Source - Solid Waste Management - Staff recommended the purchase and installation of Safe-T-Tank 500 Gallon Waste Gas/Oil mixture tanks for the Pelion, Riverchase, and Sandhills Collection and Recycling Centers from the sole source provider, Southeastern Environmental & Waste Equipment. This has been deemed a sole source as they are the only regional vendor representing Safe-T-Tanks that are currently being used at all the collection and recycling centers. The cost, including applicable tax, is \$30,664.10.

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

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

Committee Reports - Planning & Administration, D. Summers, Chairman - CDBG Minor Home Repair Program Request for Reallocation of Funds - Ms. Summers reported the Planning and Administration Committee convened on Tuesday, August 28, 2012 to review staff's request to reallocate funds for the Community Development Block Grant (CDBG) Minor Home Repair Program. Following is the Committee Report:

Mr. Ronald Scott, Community Development Director, presented a request to amend the FY2011-12 HUD Annual Action Plan to reallocate \$200,000 from CDBG Program contingency funds to the Minor Home Repair Program. He said CDGB projects were completed under budget last year. Mr. Scott reported there is a long waiting list of low-to-moderate income citizens for the Minor Home Repair Program and majority of the applicants are senior citizens. The reallocated funds would provide assistance to approximately 30 additional qualified homeowners for minor home repairs.

The Planning & Administration Committee voted unanimously to recommend full Council to approve staff's request to amend the FY2011-12 HUD Annual Action Plan by reallocating \$200,000 for the Minor

Home Repair Program.

Ms. Summers made a motion, seconded by Mr. Cullum to approve staff's request to amend the FY2011-12 HUD Annual Action Plan by reallocating \$200,000 for the Minor Home Repair Program.

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

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

FY2012-13 Home Investment Partnership Program - Also, the Planning and Administration Committee convened on Tuesday, August 28, 2012 to review staff's request to amend the FY 2012-13 Home Investment Partnership Program. Following is the Committee Report:

Mr. Ronald Scott, Community Development Director, presented a request to amend the FY2012-13 HUD Annual Action Plan for the Homeownership Assistance Program to reallocate \$647,167 to implement the Acquisition and Rehabilitation Program. The program was originally designed to provide homeownership assistance through down payment assistance and mortgage financing. He said after meeting with HUD they concluded the best course of action would be to pursue an Acquisition and Rehabilitation Program that would rehab and resale property to optimize the program income. The new program would allow a developer or CHDO to apply for funds to acquire and rehab blighted property to be sold to low-to-moderate income citizens then the proceeds, minus the developer's fees, would be returned to the County and reused in the program thereby creating a perpetual fund. Mr. Scott said the proceeds would decrease federal funds allocated for such services and allow the County to sustain the program. (The original amount allocated for the Homeownership Assistance Program was \$647,167 (\$424,167 HOME fund plus \$150,000 CDBG funds plus \$100,000 HOME Fund Balance).

The Planning & Administration Committee voted, four in favor with one opposed, to recommend full Council approve staff's request to amend the FY2012-13 HUD Annual Action Plan to implement the Acquisition and Rehabilitation Program.

Ms. Summers made a motion, seconded by Mr. Davis to approve staff's request to amend the FY2012-13 HUD Annual Action Plan to implement the Acquisition and Rehabilitation Program.

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. Matthews
	Mr. Cullum	

Justice, S. Davis, Chairman - Incident Management Team Grant Application - Mr. Davis reported during the afternoon meeting of the Justice Committee, the Committee reviewed staff's request to apply for the Incident Management Team Grant. The application in the amount of \$50,000 requires no County

match. If approved, funds will be used to purchase a box truck with a lift gate. The Committee voted unanimously to recommend to full Council for approval.

Mr. Davis made a motion, seconded by Mr. Townsend to approve staff's request to apply for the grant.

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

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

State Homeland Security Grant Application - Also, Mr. Davis reported the Committee reviewed staff's request to apply for the State Homeland Security Grant. The application in the amount of \$39,224 requires no County match. If approved, funds will be used to purchase two inflatable boats with accessories. The Committee voted unanimously to recommend to full Council for approval.

Mr. Davis made a motion, seconded by Ms. Summers to approve staff's request to apply for the grant.

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

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

Health & Human Services, B. Matthews, Chairman - Lexington Medical Center Practice Update - Mr. Matthews reported The Health and Human Services Committee convened on Tuesday, August 28, 2012 to review the request presented by the Lexington County Health Services District to review and amend Ordinance 07-14. Following is the Committee Report:

Mr. Dan E. Jones, Chairman of the Lexington County Health Services District Board of Directors, presented a request to amend Ordinance 07-14 - An Ordinance to Amend Article III, Division 2, Section 34-92 (Powers, Duties, and Authority of Lexington County Health Services District) of the Lexington County Code to allow the hospital the authority to expand facilities outside the County area and counties contiguous to Lexington County to include Kershaw and Sumter counties. The Committee requested that any new facilities obtained by the hospital be brought before Council not for approval but for information only and requested that under the terms and conditions that it contain the words "citizens of **Lexington** County."

The Committee voted unanimously to recommend that full Council approve the hospital's request to amend Ordinance 07-14.

Mr. Matthews made a motion, seconded by Mr. Davis to amend Ordinance 07-14.

Mr. Banning opened the meeting for discussion.

Mr. Cullum asked if the new ordinance has the amended language as it pertains to services to the citizens of "Lexington" County.

Mr. Banning replied, yes.

Mr. Banning called for further discussion; none occurred.

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

Narrowbanding Grant Application - Mr. Matthews reported the Committee also reviewed staff's request to apply for the Narrowbanding grant. The application in the amount of \$39,456 requires no County match. If approved, funds will be used to cover the annual maintenance for the towers and fiber optic for a year. The Committee voted unanimously to recommend to full Council for approval.

Mr. Matthews made a motion, seconded by Mr. Davis to approve staff's request to apply for the grant.

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

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

Ordinances - Ordinance 12-10 - Ordinance Finding that the Richland/Lexington Riverbanks Parks District May Issue not Exceeding \$32,000,000 G.O. Bonds, Authorize the Issue of Such Bonds and to Provide for the Publication of Notice of the said Findings and Authorization - 3rd and Final Reading - Mr. Davis made a motion, seconded by Mr. Cullum to approve third and final reading.

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

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

Ordinance 12-11 - An Ordinance to Amend Article III, Division 2, Sections 34-92 (Powers, Duties, and Authority of Lexington County Health Services District) of the Lexington County Code - 1st Reading - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve first 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
 Mr. Cullum

Ordinance 12-09 - Ordinance Authorizing an Amendment to the Agreement for Development of a Joint County Park Between Newberry County & Lexington County Dated 7-28-98 to Add F.G. Wilson - 3rd and Final Reading - Mr. Jeffcoat made a motion, seconded by Mr. Townsend to approve third and final reading.

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

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

Ordinance 12-1 - An Ordinance Amending the Lexington County Landscape and Open Space Ordinance - 3rd and Final Reading - Mr. Davis made a motion, seconded by Ms. Summers to approve third and final reading.

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

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

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

13-040 A supplemental appropriation increase of \$208 for the additional funds received from SCE&G Support Funds for Emergency Preparedness.

Old Business/New Business - None.

Executive Session - Mr. Banning announced that Council completed Executive Session and there were no motions to be considered.

Adjournment - Mr. Matthews made a motion, seconded by Ms. Summers to adjourn the meeting.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William B. Banning, Sr.
Chairman