

M I N U T E S
LEXINGTON COUNTY COUNCIL
January 08, 2013

Lexington County Council held its regularly scheduled meeting on Tuesday, January 08, 2013 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 went into Executive Session during the Committee of the Whole to discuss five contractual and one personnel matter. As a result of Executive Session, there were no motions to be considered.

Councilman Matthews gave the invocation. Mr. B. J. Klienrock, Retired from the USAF and Viet Nam veteran, led the Pledge of Allegiance.

Members attending:	William B. Banning, Sr.	James E. Kinard, Jr.
	Frank J. Townsend, III	M. Kent Collins
	Debra B. Summers	Bobby C. Keisler
	Johnny W. Jeffcoat	Kenneth Brad Matthews
	M. Todd Cullum	

Also attending: Joe Mergo, III, County Administrator; Randy Poston, Interim Finance Director; John Fechtel, Deputy 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.

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

Ms. Summers nominated Mr. Banning, seconded by Mr. Cullum.

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

Vote on Chairman

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

Abstained: Mr. Banning

Vice-Chairman - Mr. Banning opened the floor for nomination for Vice Chairman.

Mr. Kinard nominated Mr. Jeffcoat, seconded by Mr. Townsend.

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

Vote on Vice-Chairman

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

Abstained: Mr. Jeffcoat

Appointment of Parliamentarian - Mr. Banning appointed Mr. Cullum to serve as Parliamentarian.

Recognition of Guests - Chairman Banning recognized the following members of the Lexington County Delegation: Rep. Kenny Bingham, Rep. Rick Quinn, and Rep. Mack Toole.

2012 General Election Recap - Dean Crepes, Director of Voter Registration - Mr. Crepes gave a PowerPoint presentation recap of the 2012 November General Election and procedures in place for a successful election. Mr. Crepes said he has 500 – 700 poll workers, depending upon the elections, who go through training. In addition, he said he has specific training (practice ballots) for managers and chairmen to practice opening, closing and printing total tapes. Also, he conducts training for rovers, poll workers and technicians who are responsible for solving problems that are machine related in the precincts. Mr. Crepes said the County has 92 precincts; 33 of them are 1500 or less, 34 are between 1500 to 2000, 9 are between 2000 to 2200, and 16 are 2200 or larger. He said, as election officials, we will ask for it to be moved from 1500 to 2000 or 2200 statewide. He noted they can handle that many people in a precinct with the equipment. He said by increasing the numbers, it would help with the actual machine allocation. Mr. Crepes they are looking to adjust lines at 10 to 15 precincts and possibly relocating some. He said there is also talk about early voting. However, he does not know what the cost would be for early voting as there would be cost for poll workers, staffing, possible rent, etc.

Mr. Crepes said if the county were to buy additional equipment, it would be the Standard Audiotronic machine, which cost about \$2000 or less. However, for every new precinct created the cost would be about \$3,000 as it would require an audiovoter and a printer/compact.

Mr. Crepes said Election Systems and Software contracts with Print Elect of New Bern, N.C. to service our area. The original equipment was received in the summer of 2004. There are approximately 12,400 machines (Ivotronic/Audiotronic) statewide and noted that Print Elect does not have any new machines, only about 1,600 refurbished machines. He said the last update for the County was in 2008. Mr. Crepes said Print Elect feels comfortable that they can supply the County with what we need. However, he said it would be a major purchase (approximately 12,000 that we would have to purchase) to re-open the manufacturing line to make new machines. The individual cost would be about \$5,000 -\$6,000.

Mr. Crepes said the County's equipment is in good working order and he has supplies in house to do non-critical repair. If it is a critical repair, then it is sent back to Print Elect for repairs. Mr. Crepes did say in 2012 he had four precincts that experienced problems with closing their equipment so he had those precincts bring the machines to him to close to get the results off the machine. He said each precinct is required to pick up the equipment and return at night in case there is a problem.

Mr. Crepes said he will be conducting presentations on the new Voter ID law to any special interest group that would like for him to come and explain the process.

Mr. Kinard asked how many machines breakdown on a normal election cycle?

Mr. Crepes replied that they did not have any to breakdown fully because he had rovers who were out taking care of any problems. However, he said they did have six broken machines that were not issued. He said if we have a machine in the precinct that doesn't work when the rover comes around, that rover will try to get the machine up and running.

Mr. Kinard replied, so you have spare parts or you cannibalize the machines that don't work?

Mr. Crepes replied that he has spare parts that he has purchased over the years and if one needs a battery the rovers are able to replace it. He said the only time a machine will need a battery is if the battery is bad because the machines will basically run without the battery once the machine is plugged up.

Mr. Kinard asked what happens if we end up with less machines than we need on Election Day and we can't get anymore machines.

Mr. Crepes said to call his office because they always have backup in reserve and can send them out if needed.

Mr. Jeffcoat asked how many machines does the County have in reserve.

Mr. Crepes replied, eight.

Mr. Cullum asked if there are any precincts that do not have the required number of machines.

Mr. Crepes said if you go on the ratio of 1 per 250 based on the actual number of registered voters, then probably all of them are short one or two at the time. But, he tries to look at the machines and estimate what is needed. Mr. Crepes said he and a staff member actually sit down to come up with a recommendation of the number of machines. Then he presents that information to the commissioners for their feedback.

Mr. Cullum said there were 33 precincts with 1500 or less and understood Mr. Crepes to say he was going to advocate to increase the size to 2000.

Mr. Crepes replied, yes, we can handle that. Based on what we did with elections on Election Day, we can handle 2,000 possibly 2,200 voters comfortably.

With that said, Mr. Cullum asked if the County needs new/refurbished machines.

Mr. Crepes said it would be based on what they will be ordered to do from the State. If the State were to say we need to bring ourselves up to specs, than it would need about 30 new machines, which will cost about \$60,000 to \$70,000.

Mr. Cullum asked if that had already been established. Haven't they already told you, you need a machine per 250?

Mr. Crepes said the State Law says you need one for 250, but at the same time they said - or based on what the county feels they need to run a successful election.

Mr. Cullum asked if we are going to do what the state says or are we going to do what we think?

Mr. Crepes replied then he would need \$60,000. He said State Law does advocate one per 250 but he also look at fact that we never have 100% turnout at the precincts; we have about 75%. He said he will look at that and take into consideration the absentee, which there is no law that addresses what we do for absentee for machine wise, and then they will come up with what they feel will be in the precinct on that day. It is a lot of work and thinking into it.

With that being said, we are going to try and increase the size of the precincts up to 2,000, because not this last cycle but the cycle before, we actually divided some precincts because they had in excess of 2,500. So we are trying to get to that number.

Mr. Crepes said there are about 10 to 15 precincts that he will be discussing with the commissioners and council about whether to split them or redraw some lines, etc. In one precinct for example, Faith Church is a large precinct, but he feels that moving it from the church to a bigger location with more parking and more accessibility and three or four more machines we will be okay.

Mr. Cullum asked if there is any possibility of any consolidation at this point. Can you take some of the very small ones and consolidate them?

Mr. Crepes replied they can look at that and see if the delegation says that is feasible and if they don't mind doing that, then he does not have a problem with that as well. He said some of them in West Columbia are very small; 2,500 per precinct.

Mr. Cullum asked with the acquisition of 30 machines how likely is that? Knowing that they are not manufactured anymore; how would we get 30 machines?

Mr. Crepes replied that currently the company, Elections System and Software, has about 1,500 to 1,600 machines available to us. If we need to purchase some, they will be able to supply us with what we need.

Mr. Jeffcoat replied if he understood correctly, the equipment is 10 years old.

Mr. Crepes said the equipment was received in 2004, so going on nine years old.

Mr. Jeffcoat asked for the lifespan of each machine.

Mr. Crepes replied, when it dies. They expect it to last 12 to 14 years. It also depends on how well you keep your equipment up. We continue to plug our machines up and clean and test them and keep them in good working order. If there is any question about a machine, then we don't put them out.

Mr. Jeffcoat asked about the last update in 2008.

Mr. Crepes said it was when the internal batteries were replaced and the software was updated.

Mr. Jeffcoat said he hears that we are assuming that we have five or six more years left on these machines, correct.

Mr. Crepes replied, yes, sir; I feel comfortable that we can go through two more general elections with no issues.

Mr. Jeffcoat asked if the company has 1500 to 1600 machines left for the state or United States?

Mr. Crepes said there are several states that use the machines like we do – South Carolina, North Carolina, and one other state. North Carolina has the same machine but they added some things to theirs like the paper trail. Elections Systems and Software said if we needed that many machines, they would be able to supply us. They would be updated and functioning.

Mr. Cullum asked of the 648 machines, which we purchased 20, who purchased them?

Mr. Crepes replied the Federal Government provided grant money to the state for the original purchase in 2002 and 2003.

Mr. Banning replied, so they were purchased by the State.

Mr. Crepes replied, through a grant provided by the Federal Government, they were purchased by the State. He added everyone in the state has the same type of equipment and unit to program.

Mr. Banning asked if we had to replace or purchase new machines that it would be on the responsibility of the County, correct.

Mr. Crepes replied, yes, as of this moment. Currently, he has \$2.1 or \$2.2 million of equipment in his budget so to bring to light that one of these days we are going to have to replace them. Who is going to fund it is the question. Right now, it looks like the County, unless the State will have some money that they can allocate for it.

Mr. Mergo asked Mr. Crepes to expand on the issue regarding the changing of one's address on their driver's license because the assumption is that it automatically changes their voter's registration, and we have learned that is not the case.

Mr. Crepes said if there is a problem we have with Voters Registration, it is through the DMV. If someone goes to DMV to change their license, etc. they are supposed to print a form and sign it and send the form to us in order for us to register them or update their voter's registration. A lot of times we have a problem getting that form sent to us. The big problem is when they (voter) go to the DMV on-line service to change their address, they think they are automatically updated; but that is not the case. It is a misunderstanding that the public has. Mr. Crepes said you physically have to sign the form to do that. However, his office has an on-line voter's registration, but you have to have a record with the DMV, and they can pull the signature from that and his office can print the application.

Mr. Mergo said of the 1,600 machines that are in reserve, that amounts to a little less than 13% of the total amount of machines currently allocated throughout the State of South Carolina, correct? Also, we currently realize that there is one county that we know of that does not have the total number of machines that they are required to have, but there are 44 other counties plus us (Lexington). So of those 1,600 machines, how many of those do we even know (the State know) are needed right now that would deplete that 1,600 that those counties need to be in compliance, as we are, and then we could then assess the percentages that we have in reserve should we have an increase in population. Do we know what that

number really is, of how many are needed right now to how many are in reserve?

Mr. Crepes replied that they do not have an accurate number but could get with the State to see if he can come up with a number. But, for us (County), it would be about 30 machines. If he were to guess, it would be 700 to 800 machines to bring everybody up to specs.

Midlands Workforce Development Board's WorkKeys Award to Lexington County Fire Service - Reggie Murphy, Chairman - Lexington County Fire Services was recognized for receiving an award from the Midlands Workforce Development Board for their outstanding use of Assessments for Talent Management and their strong partnership with them.

Chairman's Report - Mr. Banning reported the Oath of Office ceremony was held on Tuesday, January 3rd and was well attended. Also, he attended an Economic Development announcement at the State House where it was announced that Time Warner will be adding 644 new jobs.

Administrator's Report - On behalf of Council and Administration, Mr. Mergo expressed condolences to Registrar Debbie Gunter, on the loss of her grandson. Mr. Mergo congratulated Fire Services on its latest fire recruits' graduation.

Public Works Director, Wrenn Barrett - Mr. Mergo formally introduced Mr. Wrenn Barrett, the new Public Works Director.

FY13-14 Budget Timeline - Mr. Mergo reviewed the timeline for the FY13-14 Budget.

FY11-12 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 for 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, the firm issued a Compliance and Internal Control and reported no findings and questioned costs and no material weaknesses.

The County's net assets were \$284 million, an increase of approximately \$14 million. Of which, approximately \$10 million was from governmental activities and \$4 million from business type activities, leaving approximately \$121 million unrestricted and available to meet the County's ongoing obligations.

The County's governmental funds had an ending fund balance of approximately \$106 million, an increase of approximately \$2.5 million over the previous fiscal year. Of this, approximately \$62 million remains as unassigned.

The General Fund had an ending fund balance of approximately \$66 million, an increase of approximately \$829,000 from last fiscal year. The ending fund balance was approximately 67 percent of the previous year's General Fund expenditures and transfers out for the year.

The General Fund revenues were about \$1 million under 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 \$38 million, which was well below the legal debt limit of \$87 million.

Mr. Matthews asked Mr. Prince to explain for the public what it means when he said approximately \$62 million remains as unassigned.

Mr. Prince replied that is the Fund Balance portion that has not been restricted for grants and not tied into invested capital assets and related cash. It is not cash.

Mr. Matthews replied that was what he was trying to point out; that it is not cash.

Employee Recognition - Joe Mergo, III, County Administrator - Employee Committee New Officers - Mr. Mergo introduced the new Employee Committee Officers. Angela Seymour, Chairman; Jo Lynn Hinz, Vice Chairman; Carlie Woods, Secretary; and Stacy Veldman, Treasurer.

Mr. Mergo recognized the Public Works Department employees who raised over \$500 for the family of Nicholas Johnson, a SCDOT employee, who was tragically killed while working.

Resolution - Sheriff James R. Metts - Mr. Jeffcoat made a motion, seconded by Mr. Keisler to approve the resolution.

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

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

Appointments - Boards and Commissions - Midlands Transitions Housing - Tonnya Kennedy - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to appoint Ms. Tonnya Kennedy. Ms. Kennedy replaces Ms. Carol Addy.

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

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

Central Midlands Council of Government (COG) - Mr. George H. (Smokey) Davis and Ms. Debbie Summers - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to appoint Mr. Smokey Davis to the Citizen position and Ms. Summers to the Governmental position.

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

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

Central Midlands Council of Government (COG) - Mr. Bill Banning and Mr. Todd Cullum - Mr. Jeffcoat made a motion, seconded by Mr. Matthews to reappoint Mr. Banning and Mr. Cullum.

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

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

Central Midlands Council of Government (COG) - Mr. Johnny Jeffcoat - Mr. Kinard made a motion, seconded by Mr. Cullum to reappoint Mr. Jeffcoat.

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

In Favor: Mr. Banning Mr. Kinard
 Mr. Cullum Mr. Townsend
 Mr. Collins Ms. Summers
 Mr. Keisler Mr. Matthew

Abstained: Mr. Jeffcoat

Central Midlands Council of Government (COG) - Mr. Frank Townsend - Mr. Matthews made a motion, seconded by Mr. Kinard to appoint Mr. Townsend. Mr. Townsend replaces Mr. Jim Kinard.

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

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

Bids/Purchases/RFPs - A motion was made by Mr. Kinard, seconded by Mr. Townsend to approve bid Q - One (1) Transport Vehicle with Equipment (Addition) - Sheriff's Department.

Staff recommended the purchase of one unmarked Chevrolet van including any emergency equipment/installation and accessories for the Sheriff's Department. The vehicle will be purchased from Love Chevrolet through State Contract Number 4400005818 and the accessories will be purchased from Dana Safety Supply and West Chatham Warning Devices in accordance with the Lexington County Procurement policy. Total cost, including tax is \$47,322.46.

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

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

Approval of Minutes - Meeting of November 13, 2012 - Ms. Summers made a motion, seconded by Mr. Jeffcoat to approve the November 13, 2012 minutes as submitted.

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

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

Abstained: Mr. Collins

Ordinances - Ordinance 12-14 - Ordinance Approving the Conveyance of Real Estate From the County of Lexington to the South Carolina Department of Transportation - 3rd and Final Reading - Mr. Cullum made a motion, seconded by Mr. Townsend to approve third and final reading.

Mr. Banning called for discussion; no discussion occurred.

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

Abstained: Mr. Collins

Ordinance 12-15 - Authorizing the Irmo Chpain Recreation Commission of the Irmo Chapin Recreation District to Issue General Obligation Bonds in the Principal Amount Not Exceeding \$18,000,000 - 3rd and Final Reading - Mr. Matthews 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. Matthews
	Mr. Jeffcoat	Mr. Kinard
	Mr. Townsend	Ms. Summers
	Mr. Keisler	Mr. Cullum

Abstained: Mr. Collins

Committee Reports - Planning & Administration, D. Summers, Chairman - New Position Request Grant Project Manager On behalf of Chairman Summers, Vice-Chairman Kinard said the request is for a Grade 18 - Grant Project Manager to coordinate the Title 6 requirements for the County (offices who receive Title 6 federal funds) and provide project management for HUD-funded public facility and infrastructure projects. The cost of the position will be funded one-half from the General Fund and one-half from Community Development Block Grant (CDBG) funds. The Committee voted unanimously to recommend to full Council for approval.

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

Mr. Banning opened the meeting for discussion.

For the record, Mr. Cullum said the new position request is required by the Federal Government if we are going to continue to receive federal funds. The new Project Grant Manager will be responsible for monitoring those funds.

Mr. Banning called for further discussion; none occurred.

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

Public Works & Solid Waste Management, T. Cullum, Chairman - Columbia Avenue (S-48 Chapin) - LPA Agreement - The item was delayed to the January 22, 2013 meeting.

DHEC Waste Tire Grant Award - Mr. Cullum reported the award in the amount of \$33,750 requires no County match. The Committee unanimously voted to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Matthews to approve acceptance of the award.

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

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

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

13-078 - An appropriation transfer of \$30,000 and a supplemental appropriation decrease of \$46,200 to adjust the budget to match the award received from DHEC for the Waste Tire Recycling grant.

13-077 - A supplemental appropriation increase of \$232.00. Fire Services received a donation from Fred's Department Store to purchase fire prevention supplies for residents of Lexington County.

13-079 - A supplemental appropriation increase of \$480,715 under the Rural Development Act Fund. The County received UTC funds from Berkeley Electric Cooperative (\$42,857.14); Edisto Electric Cooperative (\$16,285.71); Central Electric Power Cooperative (\$21,571.43); and Mid-Carolina Electric Cooperative (\$400,000) for the Chapin Technology Park Fund to cover any allowable expenditures.

13-080 - An appropriation transfer of \$160,000; a supplemental appropriation increase of \$160,000; and a supplemental appropriation increase of \$160,000 in the Saxe Gotha Industrial Park Fund. Palmetto Net and Spirit Communications awarded the County a \$160,000 grant under the Rural Development Act to be used toward the 12th Street Extension Widening project. These funds will be transferred to the Saxe Gotha Industrial Park to cover any allowable expenditures.

13-081 - An appropriation transfer of \$126,280 from the Tourism Development Fee Surplus to appropriate \$100,000 to EdVenture Children's Museum and \$26,280 to the Columbia Metro Convention/Visitors Bureau as directed by County Council for working out the on-line ticketing.

13-082 - A supplemental appropriation increase of \$19,447 to budget for the New York relief effort to cover the salary of two paramedics and operating costs.

13-083 - An appropriation transfer of \$88,041 in the Inmate Services. After the winning vendor evaluated the current system, it was advised to replace the entire security system with a system with new technology and less moving parts.

13-085 - An appropriation transfer and increase of \$15,558 to budget for the new Title VI/Grants Project Manager position.

13-086 - A supplemental appropriation increase of \$117,398 to adjust the Employee Insurance Fund budget to pick up the Employee's portion of the voluntary Life Insurance premiums. This is a zero net effect on the County budget.

Live-Stream Video - Mr. Banning asked for an update on the Live Stream Video.

Mr. Lynn Sturkie said the County will be live on January 22.

Old Business/New Business - None.

Motion to Adjourn - Ms. Summers made a motion, seconded by Mr. Townsend to adjourn.

In Favor:	Mr. Banning	Ms. Summers
	Mr. Townsend	Mr. Kinard
	Mr. Collins	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