

MINUTES
LEXINGTON COUNTY COUNCIL
February 12, 2013

Lexington County Council held its regularly scheduled meeting on Tuesday, February 12, 2013 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

Ms. Summers gave the invocation. Miss Lillian "Lilly" Bradley, a retired major in the US Army Reserves and member of the Womens' Army Auxiliary Corps, 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, Chief Financial Officer; 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.

Chairman's Report - Mr. Banning reported he has been very busy the past couple of weeks with his mother, who has been sick but is doing much better. Mr. Banning indicated he attended the bond signing for the \$26 million bond.

Administrator's Report - Mr. Mergo reported the bonds sold for under 2% and as a result of refinancing existing bonds, the County was able to save approximately \$900,000.

On-Line Website - Mr. Mergo gave a brief update on the activity of the County's website since the County went "live." The Lexington County website received approximately 100,000 visits in the month of January. Of those, the Council video page received over 29,000 visits since going live two weeks ago. Of those 29,000 visits, over 12,000 were different individual visits to watch the Council video.

President's Day - February 18 - Mr. Mergo announced the County offices will be closed Monday, February 18 in observance of President's Day. Also, the 3rd Annual Employee/Family Golf outing will be Monday, February 18. This is not a county sponsored event; employees pay for the outing.

Lexington County Chief Financial Officer - Randy Poston - Mr. Mergo announced the hiring of Randy Poston as the County's new Chief Financial Officer.

Employee Recognition - Joe Mergo, County Administrator - Mr. Mergo recognized Johnny Waters, Commerical Building Inspector. Mr. Scott, Community Development Director, received a letter from Bobbit Design Build commending Mr. Waters for his professionalism, attention to detail, and assistance while working through all the incremental inspections that were required on the project.

Employee of the Fourth Quarter - Mr. Mergo recognized the following nominees for the Employee of the Fourth Quarter: Tracy Connors, Public Safety/EMS; JoLynn Hinz, Central Stores; Justin Ashley, Sheriff's Department; and Brian Fulmer, Public Safety/Fire Service.

Mr. Mergo presented a plaque to Ms. Hinz as the Employee of the Fourth Quarter and Certificates of Excellence to Ms. Connors, Mr. Ashley, and Mr. Fulmer.

Appointments - Boards and Commissions -Assessment Appeals Board - Sabrina Rogers - Mr. Keisler made a motion, seconded by Mr. Matthews to reappoint Ms. Rogers.

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

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

Stornwater Advisory Board - Rebecca Ann Connelly - Mr. Cullum made a motion, seconded by Mr. Keisler to appoint Ms. Connelly. Ms. Connelly replaces Ms. Sue Green.

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

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

Museum - Laura Howell - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to appoint Ms. Howell. Ms. Howell had previously resigned due to job change, but the vacancy had not been filled. Ms. Howell will continue the unexpired term.

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

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

Central Midlands Council of Government (COG) - Technical Committee - Wrenn Barrett - Mr. Cullum made a motion, seconded by Mr. Jeffcoat to appoint Wrenn Barrett. Mr. Barrett replaces Mr. John Fechtel.

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

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

Bids/Purchases/RFPs - Prior to taking action, Mr. Banning reported that **Tab E - EOC/ECC Furniture and Workstations** had been pulled and **Tab D - EOC/ECC Furniture and Consoles (Sole Source)** had been revised.

A motion was made by Mr. Kinard, seconded by Ms. Summers to approve Tabs C, Revised D, F, G, H, and I.

Auxiliary Building Renovation Shelving - Records Management - Staff recommended the purchase of shelving for the Auxiliary Building for Records Management from Carolina Furnishing and Design under GSA Contract Number GSA-29F-0224G. Total cost, including tax, is \$53,987.35.

Revised EOC/ECC Furniture and Consoles (Sole Source) - 911 Communications Center - Staff recommended the purchase of the furniture and consoles for the 911 Communications Center from Watson Furniture Group. This was deemed a sole source in order to match the existing furniture currently used in 911. The total cost, including tax, is \$222,702.98.

EOC/ECC Inside Cabling - Information Services - Staff recommended the purchase of the inside cabling for the new EOC/ECC building for Information Services from the South Carolina Budget and Control Board through State Contract Number 5400002613. Total cost, including tax, is \$202,568.06.

One (1) Compost Grinder Attachment - Solid Waste Management - Bids were solicited for a compost grinder attachment for Solid Waste Management. Three (3) bids were received. Staff recommended the award of the bid to the lowest responsive, responsible bidder Hills Machinery Company. Total cost, including tax, is \$62,618.54.

One (1) Medical Shelter - Public Safety/EMS - Staff recommended the purchase of a medical shelter for Public Safety/EMS from Western Shelter Systems through GSA Contract Number GSA-07F-8700C. Total cost, including tax, is \$73,139.85.

San Storage (Sole Source) - 911 Communications Center - Staff recommended the purchase of a SAN storage for the 911 Communication Center. This has been deemed a sole source through VeriStor Systems, Inc. as they are the County's current SAN system, maintenance, and support vendor. Total cost, including tax, is \$93,477.34.

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

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

Approval of Minutes - Meeting of December 11, 2012 - Ms. Summers made a motion, seconded by Mr.

Townsend to approve the minutes as submitted.

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

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

Zoning Amendment - Zoning Map Amendment Application #M13-01 - 3506 Bush River Road - First Reading - Mr. Matthews made a motion, seconded by Ms. Summers to approve first reading.

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

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

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

13-092 - An appropriation transfer of \$81,814 to allow for Motorola to be able to integrate the radio consoles with the recording/logging system the County.

13-093 - An appropriation transfer of \$4,351 to adjust the account to match the quote for four (4) ECC console upgrades.

13-094 - An appropriation transfer of \$158,047 to clean up accounts and provide funding for DSIT wiring in the ECC/EOC building and the prox-card security system.

13-096 - An appropriation transfer of \$23,557 for the Docket Clerk position approved by Council for the Clerk of Court's office for five months.

13-097 - An appropriation transfer of \$62,081 into contingency. Five CDBG projects were completed under budget.

13-098 - A supplemental appropriation increase of \$36,125 to adjust the revenue and contingency to reflect the budget and actual amount Fire Service has received in equipment sales.

13-099 - An appropriation transfer of \$26,900 to establish accounts to perform due diligence prior to purchase adjacent land to the Chapin Technology Park.

Old Business/New Business - Docket Clerk ABT - In regard to the above ABT (13-096), Mr. Banning said there is a lawsuit and legislation pending to change this required mandated docket clerk. Therefore, would not be signing the ABT.

Mr. Mergo recommends that Council approve the ABT (13-096) as it only provides five months of funding. Then during the budget process, this will be part of discussions.

For the record, Mr. Collins said they (Supreme Court) have already declared it unconstitutional for the Solicitor to control the docket; you can't go back and create a new statute because it will be knocked down again.

Executive Session/Legal Briefing - Mr. Banning asked for a motion to go back into executive session to discuss a contractual 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. Collins
	Mr. Keisler	Mr. Matthews
	Mr. Cullum	

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 six contractual and one personnel matter. As a result of Executive Session, there was one motion to be to be considered.

Resolution 13-02 - Flow Control - Mr. Collins made a motion, seconded by Mr. Jeffcoat that Lexington County Council supports Resolution 13-02 expressing opposition to House Bill Number 3290 and Senate Bill Number 203 relating to flow control and request that both bills be pulled from further consideration by the SC Legislature.

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

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

Not Present: Mr. Keisler* Mr. Cullum**

Mr. Keisler left following executive session. Mr. Cullum left during discussion of Resolution R13-02.

Due to a technical error, there is no digital recording by which minutes are transcribed for the public hearing. However, you may visit the County's website at www.lex-co.sc.gov and view the On-Demand video.

6:00 P.M. - Public Hearing - The Palms at Rocky Point Phase II - Council members present were: Mr. Banning, Mr. Jeffcoat, Mr. Kinard, Mr. Townsend*, Mr. Collins, Ms. Summers, and Mr. Matthews.

Mr. Banning opened the public hearing.

Mr. Walt McPherson, Zoning Administrator, provided a PowerPoint presentation

In Favor:

Walt Smith, 2109 Bayberry Court, Columbia, SC 29206 - Spoke on behalf of the following individuals who signed up in favor:

- Tommy Stallings, 254 Berry Tree, Columbia, SC 29223**
- John Cantwell, 172 Rose Lake Drive, Lexington, SC 29072**
- Aaron Roe, 510 Turkey Pointe Circle, Columbia, SC**
- Juanita Wright, 130 Haywain Drive, Chapin, SC 29036**
- Ben Wright, 130 Haywain Drive, Chapin, SC 29036**

There being no one else to speak in favor, Mr. Banning closed that portion of the public hearing.

Mr. Banning opened the public hearing to those in opposition.

Opposition:

- Kim Stutts, 213 Rocky Point Dr., Columbia, SC 29212**
- Robert Gunning, 156 Rocky Point Dr., Columbia, SC 29212**
- Bill and Patty Davis, 239 Rocky Point Dr., Columbia, SC 29212**
- Carol Plexico, 234 Rocky Point Dr., Columbia, SC 29212**
- Leigh Pound, 217 Rocky Point Dr., Columbia, SC 29212**
- Jini Belcher, 111 Royal Palm Blvd., Columbia, SC 29212**
- Ben Plexico, 234 Rocky Point Dr., Columbia, SC 29212**
- Susan Wilkes, 312 Silver Palm Dr., Columbia, SC 29212**
- Ed Bailey, 209 Rocky Point Dr., Columbia, SC 29212** - Opposed.
- Sandi Priestino, 224 Rocky Point Rd., Columbia, SC 29212**
- Ray Priestino, 224 Rocky Point Rd., Columbia, SC 29212**
- Brando Stutts, 213 Rocky Point Dr., Columbia, SC 29212**
- John Welch, 303 Dryden Ln., Columbia, SC 29212**
- Kim Gallagher, 114 Royal Palm Blvd., Columbia, SC 29212**
- Gerry Gallagher, 114 Royal Palm Blvd., Columbia, SC 29212** - Agree with previous.
- Dean Miles, 231 Rocky Point Dr., Columbia, SC 29212** - Have nothing further to add.
- Allen Wise, 205 Rocky Point Dr., Columbia, SC 29212**

A Petition with 40 signatures in opposition to the zoning change was provided to the Clerk to Council (attached).

There being no one else to speak in opposition, Mr. Banning closed the public hearing.

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

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

Not Present:	Mr. Townsend***	Mr. Keisler
	Mr. Cullum	

***Mr. Townsend had an emergency and left during the public hearing.

PETITION

Resident and/or Property Owner of Rocky Point Drive Neighborhood Change of Zoning Classification

I oppose the zoning classification of the Palms at Rocky Point II from D (Development) to R3 (High Density Residential)

- 1) [Signature]
Signature
234 Rocky Point Dr. H. Ben Pexico Jr
Name/Address
- 2) [Signature]
Signature
Cara Collier Pexico / 234 Rocky Pt Dr
Name/Address
- 3) Elda L. Bailey
Signature
238 Rocky Point Dr.
Name/Address Elda Bailey
- 4) [Signature]
Signature
212 Rocky Point
Name/Address Henry Yelton
- 5) [Signature]
Signature
239 Rocky Point Dr.
Name/Address Bill Davis
- 6) [Signature]
Signature
239 Rocky Point Dr.
Name/Address Patty Davis
- 7) [Signature]
Signature
235 ROCKY POINT DRIVE
Name/Address Bob Clark
- 8) [Signature]
Signature
231 Rocky Point
Name/Address Lily Miles
- 9) [Signature]
Signature
231 Rocky Pt. Dr.
Name/Address Dean Miles
- 10) [Signature]
Signature
Mark C. Shirley
Name/Address
- 11) [Signature]
Signature
231 Rocky Pt. Rd.
Name/Address John Miles
- 12) [Signature]
Signature
Michael C. Oute
Name/Address
204 Destin Road
Columbia, S.C 29212

PETITION

Resident and/or Property Owner of Rocky Point Drive Neighborhood Change of Zoning Classification

I oppose the zoning classification of the Palms at Rocky Point II from D (Development) to R3 (High Density Residential)

13) Tom & Jane Regley
Signature Tom & Jane Regley
208 Destin Rd
Name/Address

14) [Signature]
Signature 333 Brentland Ct
Fathi Mohamed Col. SC
Name/Address

15) Jim & Cherie Johns
Signature 305 Brentland Ct Colo.
Name/Address

16) Barbara Beam
Signature Barbara Beam, 325 Brentland Ct, Columbia SC
Name/Address

17) John C Perkins
Signature 301 Brentland Ct.
Name/Address

18) [Signature]
Signature 401 Sage Palm Dr. Col.
Name/Address

19) [Signature]
Signature 308 Brentland Ct
Name/Address

20) Virginia Belcher
Signature 111 Royal Palm Blvd., Colo, SC 29812
Name/Address

21) [Signature]
Signature 370 Brentland Ct
Name/Address

22) Susan Wilkes
Signature Susan Wilkes 312 Silver Palm Dr
Name/Address Colo SC 29812

23) Robert Sanford
Signature 332 Brentland Court
Name/Address

24) Kim Gallagher
Signature Kim Gallagher
Name/Address 114 Royal Palm Blvd, Colo, SC 29812

PETITION

Resident and/or Property Owner of Rocky Point Drive Neighborhood Change of Zoning Classification

I oppose the zoning classification of the Palms at Rocky Point II from D (Development) to R3 (High Density Residential)

25) [Signature]
Signature
Edward Bailey 205 Rocky Point
Name/Address

26) [Signature]
Signature
KLING 236 Pt So
Name/Address

27) [Signature]
Signature
Brandon Stutts 213 Rocky Pt. Dr.
Name/Address

28) [Signature]
Signature
229 Rocky Pt. Dr.
Name/Address

29) [Signature]
Signature
Kimberly M. Stutts 213 Rocky Point Drive
Name/Address

30) [Signature]
Signature
Radley West 224 Rocky Point Dr.
Name/Address

31) [Signature]
Signature
Kimon Priestino 224 Rocky Point Road
Name/Address

32) [Signature]
Signature
Leigh B. Pound 217 Rocky Pt
Name/Address

33) [Signature]
Signature
Sandra L. Priestino 224 Rocky Point Rd.
Name/Address

34) [Signature]
Signature
Kit Pound 217 Rocky Pt.
Name/Address

35) [Signature]
Signature
Reginald Belcher 111 Royal Palm (Palms at Rocky Point)
Name/Address

36) [Signature]
Signature
Travis Hilary 238 Rocky point Dr.
Name/Address

37) [Signature]
Signature
228 Rocky Pt Dr
Name/Address

38 Robert Gunning
SIGNATURE

Robert Gunning 156 Rocky Point Dr.
NAME ADDRESS

39 Dan Robb, JR

508

225 Palm Lake Drive Columbia, SC 29212

ADDRESS

40 Charles E. Cook, Jr

Prem Lace Drive, Columbia, SC 29212

ADDRESS

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William B. Banning, Sr.
Chairman