

MINUTES  
LEXINGTON COUNTY COUNCIL  
April 9, 2013

Lexington County Council held its regularly scheduled meeting on Tuesday, April 9, 2013 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

Councilman Matthews gave the invocation. Rufus H. "Luke" Brannon, Army veteran of WWII, 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.

**Presentation - Lexington Richland Alcohol Drug & Abuse Council (LRADAC) Update - Ms. Deborah Francis, Esq., President & CEO** - Prior to Ms. Francis providing a brief update on LRADAC, she presented Council with a booklet that contained actual clients' stories. She said in the three years of the new Lexington facility, the impact has been huge. Clients appreciate the welcoming atmosphere and location has assisted LRADAC the ability to take referrals from their community partners. Also, Ms. Francis said plans are in the works to implement a family resource center this summer that will serve families who are in danger of losing their children because of addiction.

**Chairman's Report** - Mr. Banning reported on the following events he, Council members, and/or staff attended: Mar. 28 - Columbia Chamber eNews: SC Health Care Business update; Mar. 28 - CMCOG meeting and Sheriff's Department Annual "Cook-a-Pig" to support the Special Olympics in SC; Mar. 29 - retirement celebration for Mitchell Hall with Fleet Services; Apr. 3 - SCAC Board of Director Scholarship Selection Committee meeting and Apr. 5 - 32<sup>nd</sup> Annual Employee Service Awards Employee Banquet.

**Administrator's Report - 2012 Employee of the Year** - Mr. Mergo announced during the Employee Banquet Deputy Melissa Kelly was selected as the 2012 Employee of the Year.

Mr. Mergo proudly announced that Dee Bedenbaugh, Director of Library Services, celebrated her 40<sup>th</sup> year with the County.

**Citizens Emergency Response Team (CERT)** - Mr. Mergo said the CERT team continues to grow and reportedly there were over 39 members present at yesterday's CERT meeting. Also, they have 22 additional members who will begin training on May 30<sup>th</sup>. With the additional 22, the team will be

comprised of 97 members.

**Pine Ridge Town Council** - Mr. Mergo reported he presented Council’s strategic plan to the Pine Ridge Town Council on Apr. 4.

**Employee Recognition** - None.

**Resolutions - Peach Festival, Telecommunicators’ Week in Lexington County, and John J. Fechtel** - Ms. Summers 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	Ms. Summers
	Mr. Kinard	Mr. Townsend
	Mr. Collins	Mr. Keisler
	Mr. Jeffcoat	Mr. Matthews
	Mr. Cullum	

**Appointments - Children’s Shelter - Lt. Jeremy Vetter** - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to appoint Lt. Vetter.

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	

**Lexington County Health Services District - William G. Shockley** - Mr. Kinard made a motion, seconded by Mr. Townsend to appoint William Shockley.

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	

**Bids/Purchases/RFPs - Prior to Council taking action, Tab Y - Two Motorgraders (Replacements) - Public Works was delayed until after Executive Session** - A motion was made by Mr. Cullum, seconded by Mr. Keisler to approve Tabs W, X, Z, and 1.

**Term Contract for Elevator Service and Repairs at Six (6) County Locations - Building Services** - Bids were solicited for a term contract for elevator service and repairs at six county locations for Building Services. Four (4) responsive bids were received. Staff recommended the award of the contract to

Carolina Elevator Service. The estimated annual cost of the contract is \$25,176, including tax. The term of the contract is for the initial period of three (3) years 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.

**Dress Uniforms (Term Contract) - Public Safety/Fire Service** - Bids were solicited for a term contract for dress uniforms for Public Safety/Fire Service. One (1) responsive bid was received. Staff recommended the award to the sole responsive bidder, Wright-Johnson Uniforms. The estimated annual cost is \$71,778.81, including tax. The award of the contract is 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.

**Aggregate Hauling (Term Contract) - Solid Waste Management** - Bids were solicited for a term contract for aggregate hauling for Solid Waste Management. Three (3) responsive bids were received. Staff recommended the award of the contract to J.C. Wilkie Construction, Inc. The estimated annual cost of the contract is \$37,315.00, including tax. The term of the contract is 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.

**Caron Traction and Contour Pin-On-Caps - Sole Source - Solid Waste Management** - Staff recommended the purchase for the removal and replacement of caron traction and contour pin-on-caps from the sole source provider, Caron Compactor Company, for Solid Waste Management. This has been deemed a sole source as they are the only vendor capable of providing the replacements. Total cost, including tax, is \$27,024.38.

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

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

Abstained: Mr. Townsend \*

\*Mr. Townsend abstained as J.C. Wilkie Construction, LLC does business with his company (abstention form attached).

**Approval of Minutes - March 12, 2013** - Mr. Cullum made a motion, seconded by Ms. Summers to approve the minutes of March 12, 2013 as submitted.

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

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

**Ordinance 13-01 - An Ordinance to Amend Ordinance 95-12 as Amended by Subsequent Ordinances Relating to the Joint County Industrial Park of Lexington & Newberry Counties so as to Enlarge the Park so as to Include the Lexington County Technology Park Property (Chapin Technology Park) - 2<sup>nd</sup> Reading** - Mr. Kinard made a motion, seconded by Mr. Cullum to approve second reading.

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. Jeffcoat  
                      Mr. Matthews

**Ordinance - Ordinance 13-02 – An Ordinance to Amend Ordinance 12-08 Authorizing the Conveyance of 8.90 Acres, More or Less, to the Town of Lexington - 2<sup>nd</sup> Reading**- Mr. Keisler made a motion, seconded by Mr. Kinard to approve second reading.

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

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

**Committee Reports - Economic Development, J. Jeffcoat, Chairman - Ordinance 13-04 - Ordinance Approving the Conveyance of Real Estate from the County of Lexington to Broad River-Friarsgate, LLC - 1<sup>st</sup> Reading** - Mr. Jeffcoat reported during the earlier committee meeting, the Economic Development Committee voted unanimously to send to full Council for approval of first reading .

Mr. Jeffcoat 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. Jeffcoat  
                      Ms. Summers                Mr. Kinard  
                      Mr. Townsend                Mr. Collins  
                      Mr. Keisler                  Mr. Matthews  
                      Mr. Cullum

**Proposal for Conceptual Design of Industrial Park Boulevard by Chao and Associates** - This item required no action as the requested amount is within the Administrator's authorization.

**Planning & Administration, D. Summers, Chairman - Zoning Map Amendment #M13-01 - 3506 Bush River Road, Columbia - 2<sup>nd</sup> Reading** - Ms. Summers reported Zoning Map Amendment M13-01 is being delayed.

**CDBG Program - Pelion Family Practice Expansion** - Ms. Summers reported the Planning and Administration Committee convened on Tuesday, March 26, 2013 to review staff's request for the CDBG Program - Pelion Family Practice Expansion. Following is the Committee Report:

Mr. Ronald Scott, Community Development Director, presented a request for approval to award \$100,000 of CDBG funds from the CDBG contingency account for expansion of the Pelion Family Practice. If approved, the funds are planned to be used by the Eau Claire Cooperative Health Centers, Inc. to expand the current facility by 750 square feet to accommodate the growing needs of the Pelion community. Eau Claire Cooperative Health Centers, Inc. has agreed to repay the county 100 percent of the award. Currently, there is \$171,838 in the CDBG contingency.

The Planning & Administration Committee voted to recommend full Council to approve staff's request.

Ms. Summers made a motion, seconded by Mr. Cullum to approve funding for the Pelion Family Practice Expansion.

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

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

**Library Services and Technology Act (LSTA) Grant Application** - Ms. Summers reported the Planning and Administration Committee convened on Tuesday, March 26, 2013 to review staff's request to apply for the Library Services and Technology Act (LSTA) Grant. Following is the Committee Report:

Mrs. Dee Bedenbaugh, Library Services Director, presented a request to apply for the Library Services and Technology Act (LSTA) Grant. The grant amount is \$529 with a 69 percent in-kind match. If approved, the funds are planned for a Community Baby Shower at the Lexington Main Library for new or expecting parents. The event will provide an opportunity to share information regarding Library Services, Lexington County First Steps Parents as Teachers Programs, Lexington School District One's Parenting Center, and its Teen Parenting Program.

The Planning & Administration Committee voted unanimously to recommend full Council to approve staff's request.

Ms. Summers made a motion, seconded by Mr. Cullum to approve the request to submit the grant application.

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

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

**Justice, J. Kinard, Jr., Chairman - Violence Against Women Act Grant Application** - Mr. Kinard reported the Justice Committee convened on Tuesday, March 26, 2013 to review the Sheriff's Department request to apply for the Violence Against Women Act (VAWA) Grant. Following is the Committee Report:

Colonel Allen Paavel, Sheriff's Department, presented a request to apply for the Violence Against Women Act (VAWA) Grant in the amount of \$156,197. The grant is funded at 100 percent with an in-kind match of 25 percent at \$52,066 which will come from a Criminal Domestic Violence (CDV) staff salary. If approved, the funds will be used for the salary of a CDV Investigator, Program Coordinator and operations costs. This is the seventh consecutive year of VAWA funding.

The Justice Committee voted unanimously in favor to recommend full Council to approve staff's request to apply for the VAWA grant.

Mr. Kinard made a motion, seconded by Mr. Jeffcoat 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. Kinard
	Mr. Jeffcoat	Mr. Townsend
	Mr. Collins	Ms. Summers
	Mr. Keisler	Mr. Matthews
	Mr. Cullum	

**Health & Human Services, B. Matthews, Chairman - Pawmetto Lifeline Agreement with Lexington/Richland Counties** - Mr. Matthews reported the Health and Human Services Committee convened on Tuesday, March 26, 2013 to review the draft Pawmetto Lifeline agreement with Lexington/Richland Counties. Following is the Committee Report:

Mr. Billy Derrenbacher, Animal Services Coordinator, presented a draft agreement from Pawmetto Lifeline. In addition to the contractual agreement between Lexington and Richland Counties and Pawmetto Lifeline, the subsidy agreement outlines specific programs and/or events to be held by Pawmetto Lifeline. Animal Services representatives from both counties have reviewed and found it meets the current contractual obligations. The Committee discussed Section #4. Spray/Neuter Services to include Lexington County for free vouchers. Although the original agreement supersedes this supplemental agreement staff was asked to include Lexington County in Section #4 Spray/Neuter Services. This supplement agreement expands the educational aspects of the original agreement.

The Health and Human Services Committee voted to recommend that full Council to approve staff's recommendations for the supplemental Pawmetto Lifeline Agreement with Lexington/Richland Counties, which will include Lexington County in Section #4 Spray/Neuter Services.

Mr. Matthews made a motion, seconded by Mr. Townsend to approve staff's recommendation for the supplemental Pawmetto Lifeline Agreement with Lexington/Richland Counties, which will include Lexington County in Section #4 Spray/Neuter Services.

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

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

Mr. Banning convened the CTC (**County Transportation Committee**).

**County Transportation Committee - Ball Park Road Turn Lane Improvements for Solid Waste Collection Facility** - Mr. Cullum reported during the afternoon Public Works and Solid Waste Committee, the Committee received a briefing from staff. The anticipated cost is \$110,000 that will be funded through "C" funds. The Committee voted unanimously to recommend to the CTC for approval.

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

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

**Old Bush River Road Turn Lane Improvements for Solid Waste Department Collection Facility** - Also, the Committee received a briefing from staff on the cost of the project. The anticipated cost is \$105,000 that will be funded through "C" funds. The Committee voted unanimously to recommend to the CTC for approval.

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

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

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

**Columbiana Drive (County Council District 7) Resurfacing Contract/Partnering with City of Columbia** - Mr. Cullum reported the Public Works/Solid Waste Management Committee convened on Tuesday, March 26, 2013 to review information presented for the Columbiana Drive (County Council District 7) Resurfacing Contract/Partnering with City of Columbia. Following is the Committee Report:

Mr. Wrenn Barrett, Public Works Director, presented a letter from the City of Columbia requesting to partner with the County in repairing/resurfacing a portion of Columbiana Drive. The Richland County Transportation Committee (CTC) has approved \$860,000 for the project with the County's portion ranging from \$38,000 to \$43,000, depending on the final costs. Staff recommends partnering with the City and approving up to \$43,000 of C-Funds for the County's portion of the project with approval from the County Transportation Committee (CTC). Currently there is \$913,000 in the C Funds Road Resurfacing account (2700-121300-530001).

The Public Works/Solid Waste Management Committee voted unanimously to recommend to the CTC Committee to approve staff's recommendations.

Mr. Cullum made a motion, seconded by Mr. Matthews to partner with the City of Columbia on a reimbursement basis (the County's portion ranges from \$38,000 to \$43,000).

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

**Meeting of January 22, 2013** - Ms. Summers made a motion, seconded by Mr. Kinard to approve the January 22, 2013 minutes as submitted.

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

**Meeting of March 12, 2013** - Ms. Summers made a motion, seconded by Mr. Cullum to approve the March 12, 2013 minutes as submitted.

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

**Budget Amendment Resolutions - The following BAR was signed:**

**13-084** - A supplemental appropriation increase of \$135,000 to record the sale of the easement on Columbia Avenue in Lexington to SCDOT.

**Old Business/New Business - Zoning Text Amendment T13-02** - As an item of new business, Mr. Matthews said the reason that Council postponed taking action on Zoning Map Amendment M13-01 is because we want to allow adding food services as a permitted activity in the C1 neighborhood commercial district. Currently, there are very small pieces of property that still have C1 in Lexington County and this will allow people in C1 to put in a restaurant, but would not allow, if that restaurant does not succeed for whatever reason, the worries of what will come with a C2 property classification.

Mr. Matthews made a motion to give first reading to Zoning Text Amendment T13-02 adding **food services** as a permitted activity in the C1 neighborhood commercial district, seconded by Ms. Summers.

Mr. Banning opened the meeting for discussion.

Mr. Cullum replied this recommendation came from staff.

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

**Executive Session** - Mr. Banning reported Council will need to go back into Executive Session to continue discussions on a couple of contractual matters and Tab Y - Two Motorgraders.

**Matters Requiring a Vote as a Result of Executive Session** - Mr. Banning reported Council discussed five contractual and one personnel matter and discussed bid Tab Y - Two Motorgraders (Replacements) and have one motion to be considered.

Mr. Keisler made a motion, seconded by Mr. Kinard to approve Tab Y - Two Motorgraders (Replacements) for Public Works.

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

Absent:           Mr. Cullum\*

Mr. Cullum left during Executive Session for a prior commitment.

**Agreement to Facilitate Development** - Mr. Jeffcoat made a motion that we approve the Agreement to Facilitate Development of the Chapin Technology Park, contingent on final approval of the legal aspects of the agreement by our County Attorney and approval by our Economic Development Director and County Administrator as to the substantive terms of the agreement, seconded by Mr. Kinard.

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

Absent:           Mr. Cullum

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

**Ordinance 13-01 - An Ordinance to Amend Ordinance 95-12 As Amended by Subsequent Ordinances Relating to the Joint County Industrial Park of Lexington & Newberry Counties so as to Enlarge the Park so s to Include the Lexington County Technology Park Property** - Mr. Banning opened the public hearing.

Mr. Banning reported no one signed up in favor or against; therefore, closed the public hearing.

**Ordinance 13-02 - An Ordinance to Amend Ordinance 12-08 Authorizing the Conveyance of 8.90 Acres, More or Less, to the Town of Lexington** - Mr. Banning opened the public hearing.

Mr. Banning reported no one signed up in favor or against; therefore, closed the public hearing.

**Motion to Adjourn** - Mr. Matthews made a motion, seconded by Mr. Keisler to adjourn.

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

Absent: Mr. Cullum

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

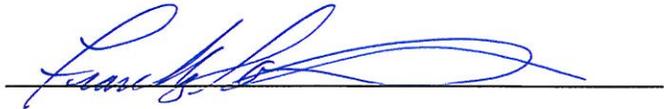
William B. Banning, Sr.  
Chairman

**ABSTENTION FROM VOTING AND DELIBERATING**

I am hereby asking the Chairman to excuse me from voting and deliberating on the matter of Bids/Purchases/RFPs - Items #W, X, Z & 1 because of a potential conflict of interest because of the following:

Bid from J.C. Wilkie Construction, LLC  
who is a customer.

I am furnishing this statement to the Chairman and I request that this statement be printed in the Minutes of this meeting.



Date: Apr 9, 2013