

MINUTES  
LEXINGTON COUNTY COUNCIL  
April 23, 2013

Lexington County Council held its regularly scheduled meeting on Tuesday, April 23, 2013 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

Councilman Kinard gave the invocation. Korean War veteran, Gerald W. Long 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 on the following events he, Council members, and/or staff attended: April 10 - meeting with Senator Setzler regarding the Flow Control bill, H.3290; received an update from staff on the Corley Mill/Hwy. 378 Project; April 11 - Columbia Community Relations Council annual meeting; 12,000 Year History Park Partnership meeting; April 13 - Green is Clean Lawnmower Exchange; April 16 - Greater Chapin Chamber of Commerce breakfast; SCAC Press Conference at the State House regarding Flow Control bill, H.3290; April 18 - SCDOT Commission meeting; Lexington County Unified Chief's meeting; April 19 - Library's Annual Staff In-Service Day; April 20 - Bark in the Park; and April 22 - SCANA visit.

**Council Members' Report/Comments** - Ms. Summers congratulated Mayor Elise Partin of Cayce and Ms. Barbara Willm, LMC Vice-President of Community Relations on being chosen as Women of Distinction by the Girl Scouts of South Carolina - Mountains to Midlands.

**Presentation - VFW Public Servant Awards - Hugh Gunter, Commander VFW Post 8738 (Lexington); and Rod Burne, Senior Vice Commander, VFW State Representative** - Post Cmdr. Gunter and Sr. Vice Commander Burne were on hand to present the following Public Servant Awards: Capt. David Dorroh received the Lexington County VFW Post and South Carolina Fire Fighter of the Year award, Detective Brian Travis received the Lexington County VFW Post and the South Carolina State and National Law Enforcement Officer of the Year award, and Sgt. Vito Cosola received the Lexington County VFW and the South Carolina State Emergency Medical Technician of the Year award.

**Presentation of Resolutions - Volunteer Arbitrators - 11<sup>th</sup> Judicial Circuit - Presented by Councilman Jeffcoat** - Councilman Jeffcoat presented a resolution to Ms. Kathryn Barton and Volunteer Arbitrators of the Lexington County Solicitor's Juvenile Arbitration Program recognizing the week of

April 21-27, 2013 as National Volunteer Week.

**Elizabeth L. Shockley Presented by Councilman Kinard** - Mr. Kinard presented a resolution to Ms. Elizabeth Shockley in recognition of her service to the Lexington County Health Services District, Inc. Board of Directors. Ms. Shockley served from March 2004 through March 2013.

**Billy R. Oswald Presented by Chairman Banning** - Chairman Banning presented a resolution to Mr. Billy Oswald in recognition of his service to the Lexington County Health Services District, Inc. Board of Directors. Mr. Oswald served from March 2004 through March 2013.

**J. Larry Stroud Presented by Chairman Banning** - Chairman Banning presented a resolution to Mr. Larry Stroud in recognition of his service to the Lexington County Health Services District, Inc. Board of Directors. Mr. Stroud served from March 2004 through March 2013.

**John J. Fechtel Presented by County Council** - Members of Council presented a resolution to Mr. John Fechtel in appreciation of his twenty-five years of services to Lexington County and its citizens.

**Administrator's Report - FY2013-2014 Recommended Budget** - Mr. Mergo presented the FY2013-2014 Administrator's recommended budget. The recommended General Fund budget is \$108,150,666 which is within the base revenue estimates. The County Ordinary is \$54,527,582; Law Enforcement is \$39,430,266; and County Fire Service is \$14,192,818. The Library is \$7,354,392; Solid Waste Management is \$10,897,389; and Indigent Care is \$1,086,209. This includes growth of 2.15 percent in County Ordinary and 2.47 percent in Law Enforcement and County Fire Service.

The estimated revenue for the Non-General Fund, which consists of Special Revenue, Enterprise Funds, and Internal Funds, is \$57,235,022 and the recommended budget is \$55,810,543. The difference of the two is to keep the County in compliance with the Governmental Accounting Standard Board with the County's post-employment (GASBY 45).

Mr. Mergo reviewed the following dates for the Budget Worksession: April 30 - Department presentations on requests for additional staff; May 7 - Department presentations on requests for new programs; and May 14 - Outside and other agency requests.

**New Records Management Offices** - Mr. Mergo reported the Records Management Department has begun moving into their new facility at the Auxiliary Administration Building.

**Employee Recognition - Employee of the First Quarter** - Mr. Mergo recognized the following nominees for the Employee of the First Quarter: Andre Johnson, Sheriff's Department; Susan Neil, Community Development; Deborah Senecal, Public Safety/EMS; and Tracy Taylor, Public Safety/Fire Service.

Mr. Mergo presented an Employee of the Quarter certificate and a pen to Ms. Senecal as the Employee of the First Quarter and a pen to Messrs. Johnson and Taylor and Ms. Neil.

Mr. Mergo recognized Quentin Johnson, Sherri Jonas, Angie Gunter, and Deborah Raulerson with Public Safety/Communications; Charlie Mendedoht and Marion Wooten with Public Safety/Fire Service; and Eric Hollar and Craig Davis with Public Safety/EMS for their quick response and action when the resident's deck collapsed when personnel was transporting the critical patient to the waiting ambulance.

**Resolution - National Tourism Week** - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve the resolution.

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

**Appointments - Lexington County Health Services District - Jeffrey Salters** - Mr. Banning made a motion, seconded by Mr. Cullum to appoint Mr. Salters.

Prior to taking action, Mr. Banning introduced Mr. Salters.

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

**Bids/Purchases/RFPs** - A motion was made by Mr. Keisler, seconded by Mr. Townsend to approve Tabs O, P, Q, R, S, T, U, and V.

**Wastewater Engineering for Chapin Technology Park - Economic Development** - Staff recommended the Wastewater Engineering for the Chapin Technology Park to American Engineering Consultants, Inc. under Lexington County Contract Number PQ13001-08/01/12S. Cost, including tax, is \$349,000.

**Seventeen (17) ECC Computers - 911 Communications Center/EOC**- Staff recommended the purchase of 17 ECC computers for Public Safety from Dell through South Carolina Contract Number 5000008961. Total cost, including tax, is \$48,969.30.

**Mobile Data Terminals with Mounts - Public Safety/EMS** - Staff recommended the purchase of eight (8) mobile workstations with accessories, warranties, and installation/removal for Public Safety/EMS from Motorola, Inc. through South Carolina Contract Number 5000011320. Total cost, including tax, is \$45,473.02.

**2013 Asphalt Maintenance Program - Public Works** - Bids were advertised for improvements to the 2013 Asphalt Maintenance Program. The project consists of milling, full depth patching, and hot mix asphalt resurfacing of various Lexington County maintained roads. Four (4) responsive bids were received. Staff recommended the award of the bid to Sloan Construction Company as the lowest bidder for tasks (1) and (2) for a total, including tax, of \$688,898.70.

**4X4 Sports Utility Vehicle (SUV) with Winch - Public Works/Administration** - Staff recommended the purchase of a 4x4 Ford Explorer with a winch from Vic Bailey Ford through South Carolina Contract

Number 4400005811. Total cost, including tax, is \$26,207.

**Chariot Street Improvement Project - Public Works** - Bids were advertised for Chariot Street improvements. The project consists of providing all materials, equipment, and labor for grading, associated drainage improvements, and placing asphalt pavement to the unpaved road surface (1,200 linear feet) of a Lexington County maintained road. Five (5) bids were received. Staff recommended the award of the bid to R&T Grading, Inc. Total cost, including tax, is \$141,103.05.

**One (1) Utility Truck with Equipment and Accessories - Sheriff's Department** - Staff recommended the purchase of a Chevrolet Silverado 4-wheel drive with equipment and additional accessories for the Sheriff's Department. The vehicle will be purchased from Love Chevrolet through South Carolina State Contract Number 4400005821. The additional accessories will be purchased from the following vendors through the Lexington County procurement process: Lee Transport Equipment, Inc. - \$1,845.75; Dana Safety Supply - \$1,466.33; and West Chatham Warning Devices - \$575. Total cost, including tax, is \$41,669.08.

**One (1) Articulating Off-Road Dump Truck (Addition) - Solid Waste Management** - Bids were advertised for an articulating off-road dump truck for Solid Waste Management. One (1) bid, one (1) non-responsive bid, and (1) no bid were received. Staff recommended the award of the bid, including Option 1 of a "Fire Suppression System" to ASC Construction Equipment. In addition, the first fiscal year of the Total Maintenance and Repair (TM&R) contract is \$10,296.60. Total cost for the dump truck, option 1, and TM&R is \$361,994.33.

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

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

**Ordinance(s) - 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) - 3<sup>rd</sup> & Final Reading** - Mr. Jeffcoat made a motion, seconded by Ms. Summers to approve third and final reading.

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

**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 - 3<sup>rd</sup> & Final Reading** - Mr. Townsend made a motion, seconded by Mr. Kinard to approve third and final reading.

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

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

**Ordinance 13-03 - An Ordinance Authorizing the Lease of the Courthouse Plaza to the Town of Lexington for Special Events - 2<sup>nd</sup> Reading** - Ms. Summers 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                      Ms. Summers  
                      Mr. Cullum                         Mr. Kinard  
                      Mr. Townsend                     Mr. Collins  
                      Mr. Keisler                        Mr. Jeffcoat  
                      Mr. Matthews

**Ordinance 13-05 - Ordinance Adopting an Annual Budget for Fiscal Year 2013-2014 - 1<sup>st</sup> Reading** (\*The millages listed are a starting point based upon the 2012-2013 millages) - Mr. Cullum 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. Cullum  
                      Ms. Summers                     Mr. Kinard  
                      Mr. Townsend                     Mr. Collins  
                      Mr. Keisler                        Mr. Jeffcoat  
                      Mr. Matthews

**Committee Reports - Justice, J. Kinard, Jr., Chairman - FY 2013 Bulletproof Vest Application** - Mr. Kinard reported the Justice Committee met on Tuesday, April 9, 2013, to review the Sheriff's Department's request to apply for the FY 2013 Bulletproof Vest Program Grant. Following is the Committee Report:

Colonel Allen Paavel, Sheriff's Department, presented a request to apply for the Bulletproof Vest Program Grant in the amount of \$8,000. There is a fifty percent County match. If approved, the funds will be used to purchase 26 replacement vests for the Sheriff's Department. (The Sheriff's Department has budgeted \$16,000 in the FY2014 Requested Budget for bulletproof vest replacements.)

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

Mr. Kinard made a motion, seconded Mr. Jeffcoat to approve staff's request

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

**FY 2013 State Criminal Alien Assistance Program (SCAAP) Application** - Also, the Justice Committee met on Tuesday, April 9, 2013, to review the Sheriff's Department's request to apply for the FY 2013 State Criminal Alien Assistance Program (SCAAP) Grant. Following is the Committee Report:

Colonel Allen Paavel, Sheriff's Department, presented a request to apply for the SCAAP Grant. The program is a 100 percent grant that will offset the expense of housing criminal aliens for at least four consecutive days in the Lexington County Detention Center. There is no County match required. If approved, Justice Benefits, Inc. will receive 22 percent of the funds awarded for services provided and the remaining funds will go toward jail personnel's salaries.

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

Mr. Kinard made a motion, seconded by Mr. Townsend to approve staff's request.

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

**Public Works & Solid Waste Management, T. Cullum, Chairman - Solid Waste Management Grant Application** - Mr. Cullum reported during the afternoon Committee meeting, the Committee reviewed the request from staff to apply for the Solid Waste Management grant. The application in the amount of \$37,398 does not require a County match. If awarded, the funds will be used to assist in covering a portion of the contractor costs associated with recycling e-waste. Committee voted unanimously to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Townsend to approve staff's request.

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

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

**Solid Waste Used Oil Grant Application** - Also, the Committee reviewed the request to apply for the Solid Waste Used Oil grant. The application in the amount of \$16,850 does not require a County match.

If awarded, the funds will be used to purchase two farmer oil tank conversion kits, 20 boxes of oil bottle bags, publicity and public education, and training for staff. The Committee voted unanimously to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Ms. Summers to approve staff's request to make application for the grant.

Mr. Banning opened the meeting 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

**Waste Tire Grant Application** - In addition, the Committee reviewed the request to apply for the Solid Waste Tire grant. The application in the amount of \$3,750 requires no County match. If awarded, the funds will be used to promote proper tire disposal/recycling and training for staff. The Committee voted unanimously to recommend to full Council for approval.

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

**Committee of the Whole, B. Banning, Sr., Chairman - Resolution R13-03 - Creation of a Commission** - Mr. Banning reported the Committee of the Whole met and discussed Resolution R13-03, which is the creation of a commission for the Capital Project Sales Tax (Penny). Resolution R13-03 only starts the process to consider putting the Capital Project Sales Tax on the November 2014 ballot for voter consideration. The Committee voted unanimously in favor for approval.

Mr. Jeffcoat made a motion, seconded by Ms. Summers to approve the resolution.

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

Chairman Banning convened the County Transportation Committee.

**County Transportation, B. Banning, Sr., Chairman - FY 12 & 13 Municipal "C" Fund Request** - During the Public Works and Solid Waste Committee, the Committee received information on several

municipal requests for “C” Funds and staff’s recommendation. Staff recommended the following: Town of Irmo; sidewalk repairs - St. Andrews & Thames Valley and a portion of Woodrow Street in the amount of \$15,000; Town of Pine Ridge; sidewalk repairs - Pine Ridge Drive & Fish Hatchery Road in the amount of \$15,000; Town of South Congaree; Shumpert St. paving in the amount of \$30,000; Town of Springdale; Lonely St. and Lakewood Dr. paving in the amount of \$30,000; and the Town of Gilbert – sidewalk extension – Rikard Circle in the amount of \$10,000. The Public Works and Solid Waste Committee voted unanimously to recommend to the County Transportation Committee (CTC) for their approval.

Mr. Keisler made a motion, seconded by Mr. Kinard to approve the FY12 & 13 Municipal “C” Fund requests.

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

Mr. Banning reconvened the meeting in General Session.

**Budget Amendment Resolutions** - The following BARs were signed:

13-120 - An appropriation transfer of \$6,536 to bring in a replacement for training in Emergency Management prior to support staff retiring on June 30, 2013.

13-121 - An appropriation transfer of \$136,346 and a supplemental appropriation increase of \$136,346. During the original design, only the basic data and phone lines were identified on the communication plans. This transaction is for the additional conduit and boxes, data and phone lines, projection screens, audio and visual equipment, technology, and appliances for the training center.

13-122 - An appropriation transfer of \$33,117 to install LED lighting around the Cayce West Columbia Branch Library for security.

**Old Business/New Business** - None.

Mr. Banning adjourned the meeting until the 6:00 p.m. public hearing.

Mr. Banning reconvened the meeting in General Session.

**6:00 P.M. - Public Hearing - Council members present: Banning, Kinard, Collins, Summers, Keisler, Jeffcoat, Matthews and Cullum. Mr. Townsend left following executive session.**

**Ordinance 13-03 - Ordinance Authorizing the Lease of the Courthouse Plaza to the Town of Lexington for Special Events** - Mr. Banning opened the public hearing.

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

**Executive Session** - During the afternoon meeting of the Committee of the Whole, Council went into

Executive Session to discuss five (5) contractual matters.

**Matters Requiring a Vote as a Result of Executive Session** - As a result of Executive Session, there were no motions to be considered.

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

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

Absent: Mr. Townsend

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett  
Clerk

William B. Banning, Sr.  
Chairman