

M I N U T E S
L E X I N G T O N C O U N T Y C O U N C I L
J u n e 2 5 , 2 0 1 3

Lexington County Council held its regularly scheduled meeting on Tuesday, June 25, 2013 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

Councilman Townsend gave the invocation. Retired Army Major General Robert J. St. Onge, Jr., 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
	Kenneth Brad Matthews	M. Todd Cullum

Absent: Johnny W. Jeffcoat*

*Mr. Jeffcoat was ill and unable to attend the meeting.

Also attending: Joe Mergo, III, County Administrator; Randy Poston, Chief Financial Officer; 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 - Chairman Banning reported he and Mr. Jeffcoat attended the reception for Hank Aaron on June 12 at the Blowfish Baseball game. June 13th attended a meeting with SCDOT regarding Corley Mill Road.

Council Members' Reports/Comments - Ms. Summers reported she had the opportunity to participate on a panel at Palmetto Girls' State at Presbyterian College.

Mr. Cullum reported he participated in the M.D.A. Lexington 2013 Lock Up (May) to help raise money and awareness for M.D.A. He said they were able to meet their goal of \$40,000.

Presentations - American Lung Association in SC - 2013 Fight for Air Climb Columbia - Highest Firefighter Fundraising Award Presented to Lexington County Fire Service by Ms. Melissa Goforth, Area Manager - Ms. Goforth proudly recognized the Lexington County Fire Service Challenge Team for raising approximately \$5,000 for the American Lung Association, led by Team Captain Chris Ballington. In addition, Mr. Ballington was the highest individual fundraiser raising approximately \$2,500. Ms. Goforth presented the 2013 Big Axe trophy to the Challenge Team.

American Lung Association in SC Special Recognition to Shannon Nord, Lexington County Supporter, Presented by Melissa Goforth, Area Manager - Ms. Goforth recognized Ms. Shannon Nord, a Lexington County resident, who won the Overall Fastest Female award with a time of 3 minutes and 33 seconds. In addition, Ms. Nord won the Oxygen Ball: Midlands Dancing with the Stars by

training, performing, and raising approximately \$15,000 for the American Lung Association.

Administrator's Report - Joe Mergo, County Administrator - Mr. Mergo reported 20 County employees spent their lunch hour this past week serving lunch at the Transitions Homeless Shelter.

Independence Day - Mr. Mergo announced the County's offices will be closed Thursday, July 4 in observance of Independence Day. Also, there will be no garbage collection that day.

Employee Recognition - Mr. Mergo recognized EMS Assistant Chief John Thievierge. Chief Thievierge, who was off duty, quickly rescued a young child who was drowning and administered CPR saving the child's young life.

Appointments - Nancy K. Perry Children's Shelter - Marianne Papacoda - Mr. Matthews made a motion, seconded by Mr. Kinard to reappoint Ms. Papacoda.

Chairman Banning called for the vote.

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

Nancy K. Perry Children's Shelter - Ronald Lockhart - Mr. Townsend made a motion, seconded by Mr. Cullum to reappoint Mr. Lockhart.

Chairman Banning called for the vote.

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

Building Codes Board of Appeals - Plumbing Sector - Billy Derrick - Ms. Summers made a motion, seconded by Mr. Kinard to appoint Mr. Derrick to represent the Plumbing Sector on the Building Codes Board of Appeals. Mr. Derrick replaces Mr. Ashton Shuler.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Bids/Purchases/RFPs - Chairman Banning asked that action be delayed following the Committee Reports.

Approval of Minutes - Special Called Meeting of May 21, 2013 - Ms. Summers made a motion, seconded by Mr. Kinard to approve the May 21, 2013 minutes.

Chairman Banning called for the vote.

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

Meeting of May 28, 2013 - Mr. Matthews made a motion, seconded by Ms. Summers to approve the May 28, 2013 minutes.

Chairman Banning called for the vote.

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

Committee Reports - Justice, J. Kinard, Jr., Chairman - Drug Parcel Interdiction Unit Grant Award - Mr. Kinard reported the Justice Committee met to consider acceptance of the Drug Parcel Interdiction Unit grant award. The award in the amount of \$73,266 requires a 10% match. The match is in the Sheriff's Department's next year's budget. The Committee voted in favor for approval.

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

Chairman Banning called for the vote:

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

Health & Human Services, B. Matthews, Chairman - Appointment of Code Enforcement Officer - Mr. Matthews reported during the Health & Human Services Committee, the Committee approved staff's recommendation to appoint Mr. Ryan Hoover as a Code Enforcement Officer.

Mr. Matthews made a motion, seconded by Mr. Keisler to approve the appointment of Mr. Hoover.

Chairman Banning called for the vote.

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

Midlands Regional Medical Assistance Team (RMAT) Grant Amendment - Also, the Committee discussed the RMAT grant. EMS was originally granted \$25,000. However, this is an additional award of \$71,670 for a total award of \$96,670. The Committee unanimously approved recommending to full Council to accept the additional funds. This is a 100% grant.

Mr. Matthews made a motion, seconded by Mr. Cullum to accept the additional funds.

Chairman Banning called for the vote.

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

2013 Local Emergency Management Performance Grant (LEMPG) Application - In addition, the Committee received a request from staff seeking approval to apply for the 2013 LEMPG. The grant will require a 50% in-kind match, which will come from the salaries of the Emergency Management staff. The Committee unanimously approved to recommend to full Council for approval.

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

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Airport, F. Townsend, III, Chairman - T-Hangar, Taxilanes, and Fence Relocation Project for Lexington County Airport at Pelion - On behalf of Chairman Townsend, Vice-Chairman Kinard, reported the Committee met to review a request to expend \$45,904 for Professional Services between Lexington County and Michael Baker Corporation for design and bid documents to complete Phase II for the T-Hangar, Taxilanes, and Fence Relocation Project at the Pelion Airport. The County's portion is 5% (\$ 2,295.20). However, the County will front the \$45,904 but will be reimbursed 90% from FAA and 5% from the State Aeronautics.

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

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Chairman Banning convened the County Transportation Committee.

County Transportation Committee (CTC), B. Banning, Sr., Chairman - Check Request for SCDOT Expenditure Requirement - Mr. Cullum reported during the afternoon Public Works Committee, the Committee voted unanimously to recommend to the CTC the approval of the following two check requests totaling \$1,549,673.13 to meet the 25% "C" Fund match requirement for the state highway system: \$1,200,000 for the A.C. Bouknight Road paving project and \$349,673.13 for SCDOT resurfacing, etc. Staff will be assembling a priority list for the resurfacing projects.

Mr. Cullum made a motion, second by Mr. Keisler to approve.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Chairman Banning adjourned the CTC and reconvened the County Council meeting.

Bids/Purchases, RFPs - Mr. Kinard made a motion, seconded by Ms. Summers to approve Tabs K, L, & M.

Conversion of School Bus to an Ambulance Bus - Public Safety/EMS - Bids were solicited to convert a school bus to an ambulance bus for Public Safety/EMS. At the time the item was submitted for the agenda, the bids had not been received. It was noted that the award will be made to the lowest responsive responsible bidder in the amount not to exceed \$41,500. (For the minutes, the bid was awarded to Tony's RV Parts & Services Inc. for the amount of \$70,182.68. Council was briefed during the Health & Human Service Committee meeting of the increase and a BAR (13-139) was signed by Council).

One (1) Articulating Off Road Dump Truck (Addition) - Solid Waste Management - Bids were solicited in March 2013 for an articulating off-road dump truck for Solid Waste Management to include a bid for an optional second truck to be purchased in fiscal year 2014. Staff recommended the award for the additional truck to ASC Construction Equipment for the total amount, including option 1 of a "Fire Suppression System" and taxes, of \$351,697.73. It was decided not to exercise the purchase of the bid option for the "Auto Lubrication System." The first year cost of the Total Maintenance and Repair (TM&R) contract will be \$10,296.60 (the cost of the TM&R for the 5 year/7,500 hour contract is \$51,483). Total cost including equipment, option 1, the first year TM&R contract, and sales tax is \$361,994.33.

Request for Approval to Utilize the Competitive Sealed Proposal Process for Tax and Billing System - Treasurer/Auditor - Staff requested the use of the Request for Proposals (RFP) process to seek competitive proposals from qualified respondents for a tax and billing system for the Treasurer and Auditor's Office. Due to the scope of the project, it is not practical or advantageous to prepare a comprehensive set of specifications that may limit resources or restrict completion. A review panel will

be responsible for reviewing and evaluation proposals based upon specific evaluation factors.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Budget Amendment Resolutions - The following BARs were signed:

13-138 - An appropriation transfer and a supplemental appropriation increase of \$236,934 in order to transfer the remaining balance in the DSS and Fire Service Station Construction Fund out to allow the fund to be closed.

13-139 - A supplemental appropriation increase of \$71,670 for Fire Service EMS. EMS received an additional \$71,670 from the Midlands Regional Medical Assistance Team (RMAT) grant.

13-140 - A supplemental appropriation increase in the amount of \$2,000 to the HOME Ownership Assistance Program through HUD. Two individuals received the \$5,000 assistance but there is a stipulation that the owners must reside in the residence for 5 years, if not, will have to repay the loan. This is the repayment of that loan.

13-141 - A supplemental appropriation increase in the amount of \$15,000. Public Works received a private contribution to put toward the cost of the Park Road and Old Cherokee realignment.

13-142 - An appropriation transfer of \$100,000 for the expansion of the Pelion Family Practice for Eau Claire Cooperative Health Center (ECCHC). County Council approved a \$100,000 loan to Eau Claire Cooperative Health Center (ECCHC) for the expansion and ECCHC will repay the loan at 100%.

14-021 - A supplemental appropriation decrease of \$895 for the Sheriff's Department. The award received from the Drug Parcel Interdiction Unit grant was less than what was approved in the FY13-14 budget. This transaction is to adjust the budget to match the grant award.

14-022 - A supplemental appropriation increase of \$101,823 received from HUD for the FY13-14 CDBG Program. This transaction is to adjust the budget to match the grant award.

14-023 - A supplemental appropriation increase of \$35,118 received from HUD for the F13-14 HOME Program. This transaction is to adjust the budget to match the grant award.

Old Business/New Business - Public Works Committee - Kettle Court Road Closing - Mr. Cullum reported earlier in the Public Works Committee, the Committee voted unanimously to send to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Kinard that Council go on record as not objecting to the

closing of Kettle Court if the property owner brings a road closing petition through our court system to effectively close the road.

Chairman Banning opened the floor for discussion; no discussion occurred.

Chairman Banning called for the vote.

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

Executive Session - During the afternoon Committee of the Whole meeting, Council went into Executive Session to discuss seven contractual and one personnel matter but was unable to complete. Therefore, Council will need to re-enter Executive Session to discuss two contractual matters. Chairman Banning asked for a motion to go into Executive Session.

Ms. Summers made a motion, seconded by Mr. Townsend to go into Executive Session.

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

Matters Requiring a Vote as a Result of Executive Session - Chairman Banning reported Council discussed seven contractual and one personnel matter and there were no motions to be considered.

6:00 P.M. - Public Hearing - FY 13 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Application - Members present: Banning, Kinard, Townsend, Summers, Keisler, Matthews, and Cullum. - Col. Paavel provided information regarding the grant application. He said the Sheriff’s Department applies annually for the JAG through the Byrne Memorial funds. This grant is being split between Magistrate Court Services to purchase needed equipment, SisterCare to assist with providing counseling services for domestic violence victims, and the Sheriff’s Department to purchase needed equipment.

Chairman Banning opened the public hearing. Chairman Banning announced no one signed up in favor or in opposition. Therefore, Chairman Banning closed the public hearing.

FY 13 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Application - Mr. Kinard made a motion, seconded by Mr. Townsend to approve staff’s request to submit the grant application. The application is in the amount of \$39,080 and requires no County match.

Chairman Banning called for the vote.

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

Not Present: Mr. Collins

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

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

Not Present: Mr. Collins

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William B. Banning, Sr.
Chairman