

M I N U T E S
LEXINGTON COUNTY COUNCIL
January 14, 2014

Lexington County Council held its regularly scheduled meeting on Tuesday, January 14, 2014 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

Councilman Kinard provided the invocation. Damon Gooch, US Army Retired, 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	M. Todd Cullum

Not Present: Kenneth Brad Matthews*

*Mr. Matthews was not present due to family illness.

Also attending: Joe Mergo, III, County Administrator; Chris Folsom, Deputy 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.

Moment of Silence - Chairman Banning asked for a moment of silence for former council members J. W. Hendrix, formerly represented District 8; and David James, formerly represented District 9, who recently passed away.

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

Ms. Summers nominated Mr. Jeffcoat, seconded by Mr. Kinard.

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

Chairman Banning called for the vote.

Vote on Chairman

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

Abstained: Mr. Jeffcoat

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

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

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

Chairman Banning called for the vote.

Vote on Vice-Chairman

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

Abstained: Mr. Cullum

Chairman Banning turned the gavel over to newly elected Chairman Jeffcoat.

Presentation of Appreciation - On behalf of the members of Council, the Clerk to Council presented an engraved gavel to outgoing Chairman Banning and presented an engraved floating pen set to outgoing Vice Chairman Jeffcoat for their dedication and service for the past two years.

Appointment of Parliamentarian - Chairman Jeffcoat delayed the appointment of a Parliamentarian to a later date.

Recognition of Guests - Chairman Jeffcoat recognized SCDOT Commissioner John Hardee, who was briefly here but had to leave, and Mayor Steve McDougall, Town of Lexington.

Presentation - Edventure Update - Catherine Horne, President/CEO - Ms. Horne announced Edventure just turned ten. Ms. Horne provided a Power Point presentation and information on their first ten years. She said with over 2 million visitors, it has positioned Edventure as one of the leading visitor attractions as well as one of the leading educational institutions in the state. She said Edventure is nearing its completion of the Next Generation Master Plan and was awarded the 2011 National Medal for Museum Service from Institute of Museum and Library Sciences. Over the last ten years, Edventure has had an economic impact of \$150 million.

Ms. Horne said they are moving forward with Spark Your Ingenuity that will focus on early childhood, increasing the accessibility for families who receive EBT/WIC and/or Medicaid benefits (reducing fees from \$11.50 to \$1 per person), a new program relating to Hispanic & Latino Community Engagement, and STEM (Science Technology, Engineering, and Math) programs.

Executive Session/Legal Briefing - Former Chairman Banning reported during the Committee of the Whole, Council discussed four contractual matters with no votes to be considered.

Chairman's Report- Former Chairman Banning reported on the following events he attended: Dec. 17 - lunch meeting with the newly elected mayors; Jan. 9 - attended former Councilman David James' funeral; and today, Jan. 14, attended the COG- Regional Aging and Disability Advisory Committee.

Former Chairman Banning reported Councilman Matthews was not present due to his wife being ill.

Presentation of Resolution - Resolution Presented to Corporal Kyle Carpenter by Councilman Townsend - Councilman Townsend presented a resolution to Corporal Carpenter in appreciation for his service, courage and the sacrifice he made to protect a fellow Marine during the Afghanistan war.

Administrator's Report - Martin Luther Day, January 20, 2014 - Mr. Mergo announced the County Administrative Offices will be closed Monday, January 20th in observance of Martin Luther King Day.

Introduction of New Public Works Engineer - Mr. Wrenn Barrett, Director of Public Works, introduced Mr. Jeff McNesby, Public Works' new County Engineer.

Mr. Mergo recognized Ms. Lori Adler, Director of Human Resources, on becoming a Certified Compensation Professional.

Comprehensive Annual Financial Report - Warren Counts, Jr., CPA - Brittingham Group - Mr. Counts thanked Council for allowing his firm to serve again as the independent auditor, and staff for assisting his firm during the audit process. Mr. Counts provided a brief overview of the audit.

Mr. Counts stated the financial statements were prepared by the County's Finance staff and that Brittingham Group was able to issue an opinion with no qualifications. The County's net position at June 30, 2013 was \$301 million, an increase of approximately \$17 million. Of which, approximately \$14 million was from governmental activities and \$2.9 million from business type activities, leaving approximately \$136 million unrestricted and available to meet the County's ongoing obligations.

The County's governmental funds had an ending fund balance of approximately \$127 million, an increase of approximately \$20 million over the previous fiscal year. Of this, approximately \$71 million remains as unassigned.

The General Fund had an ending fund balance of approximately \$75 million, an increase of approximately \$9 million from last fiscal year. The ending fund balance was approximately 77 percent of the previous year's General Fund expenditures and transfers out for the year.

The General Fund revenues were about \$200,000 under budget and expenditures were less than final budget appropriations by approximately \$19 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 \$55 million, which was well below the legal debt limit of \$88 million.

Also, the firm issued a Report on Compliance and Internal Controls and reported no findings or questioned costs and no material weaknesses were noted.

Mr. Mergo said he was recently made aware that a Quasi Government Body recently came out and made a statement that "their party, believes that in order to allow the people of Lexington County to monitor the manner in which County Council spends the "people's money" the Council should immediately create an on-line interactive spending registry; they should put each invoice and check on line for all of us to see. This is the only way that "We the People" can monitor the spending habits of our County Council. This

action by the Council should be taken immediately to allow the people of the County to view how the Council spends OUR money.”

Mr. Mergo said he could not agree more; back in 2003 you couldn't either. And to be sure that everybody is aware that the County is being transparent, Mr. Mergo walked through the steps on the County's website where the information can be found. The County's budget documents are located under the Finance Department where you can find the Budget Documents, Financial Reports, and Financial Transparency Reports from 2003 to current.

January 28, 2014 Council Meeting - Possible Reschedule of the January 28, 2014 Council Meeting - Chairman Jeffcoat announced that Lexington County Legislative Night has been scheduled for the same night that County Council meets. Therefore, the January 28th Council meeting will be reschedule to the Monday before, January 27.

Resolution - EMS - Mr. Kinard made a motion, seconded by Ms. Summers to approve the resolution.

Chairman Jeffcoat called for the vote.

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

Appointments - Boards & Commissions - Accommodations Tax Board - Ryan Dukes - In the absence of Mr. Matthews, Mr. Banning made a motion, seconded by Mr. Cullum to appoint Mr. Dukes. Mr. Dukes filled the vacancy formerly held by Mr. Bill Teague.

Chairman Jeffcoat called for the vote.

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

Bids/Purchases/RFPs - Mr. Banning made a motion, seconded by Mr. Townsend to approve the following bids/purchases/RFPs (Tabs R-1):

Lighting Retrofit for Cayce-West Columbia Library - Lexington County Public Library System - Competitive bids were solicited for a lighting retrofit project at the Cayce-West Columbia Library. Six (6) bids were received. Staff recommended the award of the bid to MFP Electric Inc. for the amount of \$49,810.

Request for Approval to Utilize the Competitive Sealed Proposal Process for Probate Court Software System - Probate Court - Staff requested the use of the Request for Proposals (RFP) process in order to seek competitive proposals from potential qualified respondents for a Probate Court Software System. 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 competition. A review panel will be responsible for reviewing and evaluating proposals based upon specific evaluation factors.

Fire Stations - Sectional Bay Door Replacement Project - Public Safety/Fire Services - Competitive bids were solicited for sectional bay door replacements at the Lexington, South Congaree, and Oak Grove Fire Stations. Two (2) bids were received. Staff recommended the award of the bid to Advanced Door Systems, Inc. for the amount of \$52,100.

Engineering Design Services for Bush River Road Sidewalk Project - Public Works - Staff recommended the purchase for engineering design services for the Bush River Road Sidewalk Project from URS Corporation under County Contract Number PQ13001-08/01/12S. Total cost, including tax, is \$64,700.

Engineering Design Services for Archers Lane Road Sidewalk Project - Public Works - Staff recommended the purchase for engineering design services for the Archers Lane Road Sidewalk Project from URS Corporation under County Contract Number PQ13001-08/01/12S. Total cost, including tax, is \$53,900.

Twenty-One (21) Desktop Computers and Fifty-Seven (57) Laptop Computers with Accessories - Sheriff's Department - Staff recommended the purchase of 21 desktop/personal computers and 57 laptops with accessories for the Sheriff's Department from Dell through State Contract Number 5000008961-WN27ACA. Total cost, including tax, is \$99,920.72.

Phase III Parking Lot Improvements at the Edmund Landfill - Solid Waste Management - Competitive bids were solicited for parking lot improvements at the Edmund Landfill. Three (3) bids were received. Staff recommended the award of the bid to Charlie Price Paving Company, Inc. for the total amount of \$92,485.

Exhaust Fan Replacements at Edmund Landfill - Solid Waste Management - Competitive bids were solicited for the replacement of four (4) exhaust fans at the Edmund Landfill. Three (3) bids were received. Staff recommended the award of the bid to Carolina Supply & Services for the total amount of \$29,840.

Asphalt/Concrete Replacement at Collection and Recycling Centers - Solid Waste Management - Competitive bids were solicited for the replacement of asphalt and concrete at the Pelion, Summit and Hollow Creek Collection and Recycling Centers. Four (4) bids were received. Staff recommended the award of the contract to Core Construction Company, Inc. for the total amount of \$40,471.

Utility Pole Relocation (Sole Source) - Public Works - Staff recommended the relocation of utility poles on 2.4 miles of Windy Wood Road. This is a "sole source" from Mid-Carolina Electric Cooperative as they are the owners and have established rights to the existing poles. Total cost is \$26,948.32.

Chairman Jeffcoat called for the vote.

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

Approval of Minutes - Meeting of November 12, 2013 - Mr. Kinard made a motion, seconded by Ms.

Summers to approve.

Chairman Jeffcoat called for the vote.

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

Ordinance(s) - Ordinance 13-10 - Ordinance to Amend Ordinance No. 95-12 as Amended by Subsequent Ordinances Relating to the Joint County Industrial Park of Lexington and Calhoun Counties so as to Enlarge the Park (Devro, Inc) - 2nd Reading - Mr. Cullum made a motion, seconded by Mr. Banning to approve second reading.

Chairman Jeffcoat called for the vote.

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

Committee Reports - Planning & Administration, D. Summers, Chairman - Building Permitting and Inspection for the Town of South Congraee (Goal 1) - Ms. Summers reported the Committee met to discuss and consider the request by the Town of South Congaree for the County to perform building permitting and inspection for the Town. The Committee voted in favor to recommend to full Council for approval.

Ms. Summers made a motion, seconded by Mr. Keisler to allow the County Administrator and the County Attorney to proceed with the creating and executing an intergovernmental agreement with the Town of South Congaree for building permitting and inspection services within the municipal boundaries of the Town.

Chairman Jeffcoat called for the vote.

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

Community Development Block Grant Program - Acquisition and Rehabilitation Program (Goal 1) - Also, the Committee discussed staff's request to allocate \$45,000 of FY2013-14 CDBG contingency funds to the Acquisition and Rehabilitation Program. The Committee vote unanimously to recommend to full Council for approval.

Ms. Summers made a motion, seconded by Mr. Kinard to allocate \$45,000 in CDBG program contingency funds to the Acquisition and Rehabilitation Program.

Chairman Jeffcoat called for the vote.

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

Zoning Text Amendment T13-04 - 1st Reading (Goal 2) - Also, The Committee discussed Zoning Text Amendment T13-04. The Committee voted unanimously to approve first reading as recommended by the Planning Commission as presented to the Committee.

Ms. Summers made a motion, seconded by Mr. Townsend to approve first reading to Zoning Text Amendment T13-04 and invoke the pending ordinance doctrine with respect to this amendment. (This is concerning the application of regulations in Article 8 for Mining Operations.

Chairman Jeffcoat called for the vote.

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

Public Works & Solid Waste Management, T. Cullum, Chairman - PalmettoPride Community Pride Grant Award - Mr. Cullum reported the Committee met to discuss the acceptance of the PalmettoPride Community Pride Grant award. The award in the amount of \$8,000 requires no County match. The funds will be used to purchase indigenous and/or drought-resistant perennials for the new Lexington County Sheriff's Department Training Center and the Sandhills Collection and Recycling Center. Also, purchase additional recycling containers at the parks and sports complexes. The Committee voted to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Kinard to accept the award.

Chairman Jeffcoat called for the vote.

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

Joint Municipal Water and Sewer Commission - Interim Director - Chairman Jeffcoat recognized Jay Nicholson, the Interim Director for the Joint Municipal Water and Sewer Commission.

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

14-077 - An appropriation transfer of \$590,000 for Public Works. Instead of purchasing two (2) new motorgraders, Fleet Services contacted Blanchard Machinery about rebuilding two (2) existing motorgraders. The saving from rebuilding the motorgraders will be used to allow for the purchase of a rubber tire excavator/mover.

14-085- A supplemental appropriation (existing funds) increase of \$346,167 for Economic Development. The County received UTC funds from Mid-Carolina Electric Co-op (\$300,000), Berkeley Electric Co-op (\$33,333.33), and Central Electric Power Co-op (\$12,833.33) to help cover the cost of infrastructure in the Industrial Parks.

14-086 - A supplemental appropriation (existing funds) increase of \$5,101 for Registration and Elections. The County received reimbursements from the City of Columbia General Election, City of Columbia Strong Mayor Election, and Special Election for House 93.

14-087 - An appropriation transfer of \$68,500 for Solid Waste Management to cover the costs of legal services related to the proposed 378 landfill.

14-088 - A supplemental appropriation (existing funds) increase of \$8,586 for Fire Service. The South Carolina Counties Workman Compensation Trust (SCCWCT) performed a worker's Compensation Audit on the County's FY2012-13 Volunteer First Responders payroll and, as a result, has recalculated the premium based on their payroll audit. After recalculating the County's premium, SCCWCT refunded the County for the overpayment.

14-089 - A supplemental appropriation increase of \$63,810 for 911 Communications. The County received a CMRS 911 reimbursement check for capital expenditures related to the new ECC/COC project.

14-090 - A supplemental appropriation (existing funds) increase of \$31,375 for the Sheriff's Department. At the Dec. 10th Council meeting, Council approved a bid to sell used and confiscated firearms. With the proceeds from the sale, the Sheriff's Department will use the funds to purchase holsters and ammunition.

14-091 - A supplemental appropriation (existing funds) increase of \$1,870 for Fire Service. Fire Service received four donations to be used to purchase Fire Prevention Supplies from the following: Fred's Department Store (\$250); Dixie Pipeline Company (\$1,500); and Lexington County Residents (\$120 and \$20).

14-092 - An appropriation transfer of \$111,278 for Fire Service to cover the amount needed to complete the renovations at the Oak Grove Fire Station.

14-093 - An appropriation transfer of \$45,000 for Community Development Block Grant to fund the purchase and rehabilitation of single-family housing units to be done by a CDBG subrecipient.

14-094 - A supplemental appropriation (existing funds) increase of \$8,000 for Solid Waste Management to budget for the PalmettoPride Grant award received.

Recess (5:40) - Chairman Jeffcoat recessed the Council meeting until the 6:00 p.m. public hearing.

Chairman Jeffcoat reconvened the Council meeting.

6:00 P.M. - Public Hearing - Ordinance 13-10 - Ordinance to Amend Ordinance No. 95-12 as Amended by Subsequent Ordinances Relating to the Joint County Industrial Park of Lexington and Calhoun Counties so as to Enlarge the Park (Devro, Inc.) - Members present: Jeffcoat, Cullum,

Kinard, Collins, Summers, Keisler, and Banning. Councilman Townsend left prior to the public hearing.

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

Old Business/New Business - None.

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

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

Not Present: Mr. Townsend

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

Johnny W. Jeffcoat
Chairman