

**PUBLIC WORKS & SOLID WASTE MANAGEMENT
COMMITTEE MINUTES
OCTOBER 9, 2012**

The Public Works & Solid Waste Management Committee met on Tuesday, October 9, 2012 in the Committee Room, located on the second floor of the Administration Building beginning at 2:20 p.m. Mr. Cullum, Committee Chairman, presided.

Members Attending:

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| M. Todd Cullum, Chairman | James E. Kinard, Jr., V Chairman |
| Bobby C. Keisler | K. Brad Matthews |

Absent: Johnny W. Jeffcoat

Also attending: Joe Mergo, III, County Administrator; John Fechtel, Deputy County Administrator; Larry Porth, Finance Director/Assistant 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.

Kittal Road Closing - Public Works - Randy Edwards, P.E., County Engineer - Item postponed until next meeting.

Chapter 7 - Agreements, Bonds, and Warranties - Public Works - Sheri Armstrong, Stormwater Manager - Mr. Fechtel presented the final revised copy of Chapter 7 - Agreements, Bonds, and Warranties of the Land Development Manual. The South Carolina Home Builder's Association (HBA) has met with staff and approved the final copy. Mr. Fechtel reported that Section 7.2.1 Financial Assurance is the only item being reserved while staff researches options for the two year warranty period for completed projects.

A motion was made by Mr. Kinard, seconded by Mr. Matthews to recommend to full Council to approve staff's recommendations for Chapter 7.

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| In Favor: | Mr. Cullum | Mr. Kinard |
| | Mr. Matthews | Mr. Keisler |
| | Mr. Banning | |

Absent: Mr. Jeffcoat

Ordinance 12-13 - Ordinance Extending the Residential Solid Waste Franchise Contracts - 1st Reading - Solid Waste Management - Dave Eger, Director - Mr. Eger presented Ordinance 12-13 for 1st Reading. The ordinance submitted extends Solid Waste Franchise contracts for Advanced Disposal and Earth Waste for an additional five years in

the seven franchise areas. Mr. Eger read the provision as follows: if Lexington County Council approves mandatory curbside collection service within all or a portion of the contracted area during the term of the contract, the County will first attempt to negotiate for continued service with the current service provider. If the County and the current service provider are not able to reach an agreement for mandatory service and costs of those services, the County may procure collection services within the area or a portion of the contracted area from other service providers and this contract for all that or that portion of the area will terminate with no further liabilities for service by the service provider or payment by the customers. Mr. Banning asked if this means the County would negotiate with the current provider so we could not go to another provider. Mr. Eger responded that we would negotiate with the current provider giving them an opportunity to provide mandatory service in their area and if we are not able to come to an agreement then we would go forward to procure service outside. The Committee discussed if the County went to mandatory curb service why should they negotiate with current service providers rather than placing out to bid for new providers without interruption of service. The County Attorney, Jeff Anderson, has reviewed the contract documents.

A motion was made by Mr. Kinard, seconded by Mr. Keisler to recommend to full Council to approve staff's recommendations for 1st Reading of Ordinance 12-13.

In Favor: Mr. Cullum Mr. Kinard
 Mr. Keisler Mr. Matthews
 Mr. Banning

Absent: Mr. Jeffcoat

Old Business - New Road/Corley Mill/Riverchase Monthly Update - Mr. Banning reported that he and Mr. Jeffcoat met with the property owners and waiting to hear back from them.

Old Business - Flooding Issues/Kinley Creek Criteria - Mr. Matthews asked how the grant application process was going for the Kinley Creek project. Mr. Fechtel reported that the application was underway and the County has until December but it should be sent out by the end of the month.

Old Business - LPA Process Update - Mr. Matthews asked about the LPA Process. Mr. Fechtel reported that it was very close. Additional information was requested for submission and Mr. Edwards has been handling.

Old Business - Green is Good List of Lexington & Richland County Businesses - Mr. Mergo reported that Council should have received an email from the Clerk to Council regarding the Green is Good list of Lexington/Richland County businesses and requested to remove this from the pending old business list.

Old Business/New Business - Stormwater Utility Fee Update; Pine Glen Alternate Exit (Emergency Access Road Cost); Nursery Road Project Update; List of Outstanding Bonds, etc; State Dirt Roads - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to the Clerk

M. Todd Cullum
Chairman

Diana W. Burnett
Clerk