

**MINUTES
ORANGEBURG COUNTY COUNCIL
FEBRUARY 21, 2012
5:30 P.M.**

Pursuant to the Freedom of Information Act, the news media was notified and notice was posted on the bulletin board 24 hours prior to the meeting.

MEMBERS PRESENT:

**Johnnie Wright, Sr., Chairman
Janie Cooper, Vice Chairman
Clyde B. Livingston
Heyward H. Livingston
Willie B. Owens
Johnny Ravenell
Harry F. Wimberly**

MEMBERS ABSENT:

OTHERS PRESENT:

**Bill Clark, County Administrator
D'Anne Haydel, County Attorney
Jacqueline P. Turner, Clerk to Council**

CALL TO ORDER

Johnnie Wright, Sr., Chairman

MOMENT OF SILENCE

Moment of silence observed

APPROVAL OF MINUTES

Chairman Wright called for a motion and second for approval of minutes of February 6, 2012. Councilwoman Cooper stated she had a correction to be made to the minutes on page two, last sentence of the first paragraph, mid way the sentence, beginning with the word following, Councilwoman Cooper stated it should read, "Councilman Owens made a suggestion."

Chairman Wright called for a motion on the minutes with the noted correction. Councilman Clyde Livingston made the motion to approve the minutes as corrected, seconded by Councilwoman Cooper. Motion carried.

Chairman Wright stated he would like to amend the agenda. Councilman Clyde Livingston made a motion to amend the agenda to correct item 2 the Resolution, to a Public Hearing instead and add item 3C, a Legal Briefing Concerning The Resolution Supporting The Series 2012 Revenue Bonds To Be Issued By The South Carolina Jobs-Economic Development Authority For The Regional Medical Center of Orangeburg And Calhoun Counties. Motion

seconded by Councilman Wimberly. Chairman Wright repeated the motion as made, to hold a Public Hearing on a resolution received from TRMC and add item 3C, A Legal Briefing, to the Executive Session matter. Motion carried

PUBLIC COMMENTS: AGENDA MATTERS

Chairman Wright called for public comments on agenda items, with the exception of item 2, the Public Hearing on the Resolution. Comments relative to item 2 should be held until the Public Hearing is opened. No public comments were made.

PUBLIC COMMENTS: OTHER MATTERS

Mr. Abe Salama, spoke and distributed a handout relating to a headline in the TIMES AND DEMOCRAT about the South Carolina Department of Transportation preparing to make changes at Hwy 301 and Russell Street so the two meet at a 90-degree angle, costing taxpayers one million dollars. A less costly alternative, in his opinion, with a savings of one million dollars, would be to close the last block of Russell Street. He has made this recommendation to Orangeburg City Council and is asking County Council for a resolution splitting the one million dollar cost half and half, saving taxpayers one million dollars. He has taken his concerns to City Council. He is also forming a group to be called Citizens Against Public Waste, that Council will be hearing from shortly. They will be watching for public waste to be brought before the city, county and state.

Councilman Clyde Livingston thanked Mr. Salama for coming and advising Council and he realized Mr. Salama is using the County's public forum to get his message out because he does not think the City of Orangeburg is going to give him an opportunity to address them in public. Councilman Owens indicated the proposal makes sense. If it makes sense, Mr. Salama stated he would like Council to make a resolution acknowledging the mutual sense and attend the planned meeting. Councilman Wimberly indicated the TIMES AND DEMOCRAT would carry it. Chairman Wright thanked Mr. Salama for bringing this matter to the attention of Council.

1. ORDINANCE – FIRST READING (BY TITLE ONLY)

AN ORDINANCE TRANSFERRING INTEREST IN REAL PROPERTY FROM THE COUNTY OF ORANGEBURG TO LAKE MARION WATER AGENCY

Chairman Wright asked Bill Clark, County Administrator, to summarize this matter. Mr. Clark stated the Lake Marion Water Agency, in cooperation with the U.S. Army Corps of Engineers, has contracted with the County to construct wastewater collection lines along U.S. Highway 301 from the Santee area to the Orangeburg County Goodby's Wastewater Treatment Plant at the Matthews Industrial Park. To facilitate placement of needed wastewater pumping station, the County is being asked to transfer approximately 2.2 acres of property it owns to the Lake Marion Regional Water Agency. The property is located adjacent to an existing Solid Waste Collection Site on U.S. 301 near the Town of Santee. Special parcels are Tract A, Tract B, and Tract C on the map provided to Council. Attorney Jerrod Anderson is representing the County

in this matter and he is requesting first reading on the ordinance. Final documents will be presented to Council prior to second reading.

Motion by Councilman Ravenell, seconded by Councilman Owens to approve the ordinance for first reading by title only. Motion carried.

2. PUBLIC HEARING ON RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS HOSPITAL REVENUE BONDS (THE REGIONAL MEDICAL CENTER OF ORANGEBURG AND CALHOUN COUNTIES) SERIES 2012, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$25,000,000 AND AUTHORIZING A PLEDGE OF REVENUES OF THE REGIONAL MEDICAL CENTER OF ORANGEBURG AND CALHOUN COUNTIES IN CONNECTION HEREWITH

Public Hearing opened by Chairman Wright. Tom Dandridge, Executive Director, TRMC, appeared before Council stating TRMC was asking for Council's approval of resolution of support authorizing the financing of a \$25,000,000 revenue bond issue for capital improvements to TRMC and other matters.

Mr. Walter Goldsmith, Financial Consultant for TRMC spoke, outlining TRMC's analysis and reasoning for the request; after extensive analysis on whether to use cash on hand to pay for the projects or to borrow the funds, it was decided the best course would be for TRMC to borrow the money. Factors in support of the decision are the interest rate environment now at historic low levels and the uncertainty that surrounds the hospital health care sector currently with Obamacare and health care reform, and the competitive environment. It is important for TRMC to preserve their cash. Having cash is crucial in uncertain economic times.

Mr. Danny Covington spoke, indicating he feels TRMC should use cash to help fund the estimated \$18.7 million in planned capital projects for hospital improvements. He felt TRMC could survive if they did not have a loan, but if they had a loan it might not, the loan has negatives attached to it, and some information was not provided to Council.

Chairman Wright thanked those who addressed Council at the Public Hearing on the TRMC Resolution. Public Hearing closed.

3. ACCEPTANCE OF PROPOSAL – FIXED-BASE NETWORK ADVANCED METERING INFRASTRUCTURE (AMI) SYSTEM

Chairman Wright asked Bill Clark to summarize this item. Mr. Clark stated the County recently solicited proposals for the acquisition of a fixed-base network advanced metering system as part of the County's Phase I water project. The proposal was opened on January 26, 2012 in conjunction with Alliance Consulting Engineers, Consulting Engineers on this project with the County. The recommendation of Alliance is to accept the proposal from Ferguson Waterworks in the amount of \$299, 213.46. The proposal from Ferguson Waterworks is not the lowest cost

proposal; the engineer recommendations is based upon the specifications of the equipment being offered and lower lifetime cost associated with the remote meter reading capability. The Advanced Metering Infrastructure System will allow the County to read individual water meters from a remote location which will result in lower operational costs for the County's water system. The funds for the purchase of the system will come from the USDA water system grant previously accepted by County Council.

Motion by Councilman Owens, seconded by Councilman Wimberly, to approve recommendation of Alliance Engineering in the amount of \$299,213.46 from Ferguson Waterworks . Motion carried.

**4. ACCEPTANCE OF BID – CONSTRUCTION OF FABRICATED SHELTERS
(BROADBAND PROJECT)**

Chairman Wright requested Bill Clark give a summary on this item. Mr. Clark stated the County solicited bids for the construction of seven fabricated shelters to house telecommunications equipment for the Broadband Project. The solicitation and evaluation of the bids received were done under the supervision of W. Metts Engineering Company, Inc., consulting engineer to the County. Bids were opened January 30, 2012 with a total of five vendors responding. It is the recommendation of the consulting engineer, based on his evaluations of the bids received, the bid submitted by VFP Inc., Salem, Va., in the amount of \$357,244.00 be accepted. Funding for the project at 75% will come from the USDA Broadband Grant, and 25% from Capital Projects Sales Tax III.

Motion by Councilwoman Cooper, seconded by Councilman Ravenell, to accept the low bid submitted by VFP Inc., Salem, Va., in the amount of \$357,244.00 for the seven fabricated shelters. Motion carried.

**5. REQUEST FOR EXEMPTION FROM PROCUREMENT CODE – BROADBAND
PROJECT**

Chairman Wright asked Bill Clark to summarize this item. Mr. Clark stated the broadband project engineer, W. Meets Engineering Company, Inc. is requesting County Council authorize an exemption for them from the County's Procurement Code as it relates to future purchases of broadband fiber cable material. In December 2011, County Council gave their approval to a bid from Power and Telephone Supply for the initial purchase of fiber cable material. Only two bidders responded to the initial invitation to bid. The other bidder, KGB Logistics was unable to offer a delivery of material of less than 47 weeks , and were eliminated from consideration. The engineer believes it will be in the best interest of the County to negotiate with Power and Telephone Supply to become the supplier of fiber cable material for the anticipated quantity of material needed to complete the construction of the project rather than to solicit multiple bids for the various phases of the project.

The County Attorney through an e-mail provided to Council cites the applicable section of the County's Procurement Code which would authorize County Council to exempt this procurement activity if it agrees that it serves the best interest of the County.

Motion by Councilman Wimberly, seconded by Councilman Ravenell, authorizing the broadband project engineer, W. Metts Engineering Company, Inc. be exempt from the County's Procurement Code as it relates to future purchases of broadband fiber cable material. Motion carried.

Motion by Councilman Owens, seconded by Councilman Wimberly for adjournment for an executive session to discuss (A) a Revolving Loan Program, (B) Broadband Project and (C) a legal briefing regarding The Regional Medical Center. Motion carried.

Motion for adjournment made by Councilman Wimberly, seconded by Councilwoman Cooper. Motion carried.

Meeting adjourned.

Jacqueline P. Turner, Clerk

Johnnie Wright, Sr., Chairman