

**MINUTES
ORANGEBURG COUNTY COUNCIL
SEPTEMBER 4, 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-Smith
Clyde B. Livingston
Heyward H. Livingston
Willie B. Owens
Johnny Ravenell
Harry F. Wimberly**

MEMBERS ABSENT:

OTHERS PRESENT:

**Harold M. Young, 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

**PUBLIC COMMENTS – AGENDA
PUBLIC COMMENTS – OTHER ITEMS**

**NO COMMENTS
NO COMMENTS**

1. ORDINANCE – PUBLIC HEARING – THIRD AND FINAL READING

**AN ORDINANCE AUTHORIZING ORANGEBURG COUNTY TO
POSTPONE REASSESSMENT**

Chairman Wright opened the Public Hearing. No comments were received from the people in attendance relative to postponing reassessment. Chairman Wright closed the Public Hearing.

County Administrator Young, at the request of Chairman Wright, restated the purpose of postponing reassessment is due to new state laws relative to reassessment, and the need for training County staff that are certified in equalizing housing issues, for the best and most accurate reassessment.

Prior to the vote for final reading being taken Councilman Wimberly requested of Chairman Wright a proposed motion, seconded by Councilman Ravenell, as follows: Item #4 Ordinance – First Reading GO Bond to Item 9C, Executive Session, Executive Session on item 9B, and come back out , and 9A, economic development, 9B contractual matter, 9C Refinancing of bond. Executive session will last no longer than 20 minutes. The motion passed unanimously.

Motion by Councilman Owens, seconded by Councilman Heyward Livingston, to approve third and final reading of the ordinance to postpone reassessment for a year. Motion passed unanimously.

2. ORDINANCE – FIRST READING

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF A NOT EXCEEDING SIX MILLION SEVEN HUNDRED FORTY-ONE THOUSAND DOLLARS (\$6,741,000) SEWER SYSTEM IMPROVEMENT REVENUE BOND, SERIES A2012 (GOODBYS CREEK REGIONAL WASTEWATER TREATMENT PLANT AND THE SANDERS POINTE FARM EFFLUENT LAND APPLICATION SITE) OF ORANGEBURG COUNTY, SOUTH CAROLINA; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO

Administrator Young at the behest of Chairman Wright explained it is necessary to issue a revenue bond to provide interim financing for the Goodbys Creek Regional Wastewater Treatment Plant. Additionally, the funds will also cover the construction of the Sanders Pointe Farm Effluent Land Application Site. The bonds issued are not to exceed \$6,741,000 and the proceeds are to provide payment for the construction of the projects outlined in the ordinance.

Motion to approve first reading of the ordinance made by Councilwoman Cooper-Smith, seconded by Councilman Owens. Motion passed unanimously.

3. ORDINANCE – FIRST READING

AN ORDINANCE OF THE COUNTY COUNCIL OF ORANGEBURG COUNTY AUTHORIZING A LINE TRANSFER AND WATER DELIVERY AGREEMENT (301 LINE EAST SEGMENT) BETWEEN THE TOWN OF SANTEE, SOUTH CAROLINA AND ORANGEBURG COUNTY, SOUTH CAROLINA; AUTHORIZING THE EXECUTION AND DELIVERY OF THE AFOREMENTIONED AGREEMENT; AND OTHER MATTERS RELATING THERETO

Administrator Young stated the purpose of this ordinance is to allow Santee to serve customers located along a portion of the 301 pipeline that extends from Santee to a location west of the intersection of Highway 301 and South Carolina Route 47. Through agreement Orangeburg

County and Santee have agreed to transfer to Santee ownership of that portion of the 301 pipeline which comprises approximately 45,041 feet, the 301 pipeline east segment. In exchange for the transfer of ownership of the 301 pipeline east segment to Santee, Santee has agreed to operate and maintain the 301 pipeline east segment so that it can deliver to the County potable water capacity from the Lake Marion Water Agency.

Motion made by Councilman Ravenell, seconded by Councilman Owens, to approve first reading of the ordinance. Motion passed unanimously.

4. ITEM 4, BY UNANIMOUS APPROVAL OF COUNCIL, WAS MOVED TO EXECUTIVE SESSION.

5. AN OFFICIAL ACTION OF THE ORANGEBURG COUNTY COUNCIL ADOPTING A STATEMENT OF INTENT REGARDING TRANSFORMHEALTHRx CORRECTIONAL HEALTH SERVICES AGREEMENT

Administrator Young explained this issue is notice of the County's intent to adopt a correctional health agreement to help bring down cost of medical services in the Detention Center. An agreement with TransformhealthRx would be able to provide more cost effective service as an outside provider, save money due to their buying capacity, as well as their ability to provide on-site service versus the County system now of transporting inmates out of the facility to various medical and dental offices. The service was vetted through the Law Enforcement Advisory Commission Advisory Board, following Procurement guidelines, and it is Mr. Young's recommendation to approve the agreement to bring down medical costs. The County has paid \$364,000 for medical costs. There would be substantial savings in forming a partnership with the company.

In the discussion that followed, County Attorney Haydel pointed out that the LEC Advisory Commission worked in conjunction with the Orangeburg County Procurement Department for more than six months in following procedures in soliciting bidders. The processes began long before the County decided to become sole operator of the Detention Center. It is before Council in an abundance of caution, for the company to make certain whom they will be working with. The consensus of opinion appeared to be to have the company make a presentation before Council at the next Council meeting.

Motion by Councilman Owens, seconded by Councilman Wimberly, to have the company make a presentation before Council at the meeting of September 17, 2012. Motion passed unanimously.

6. AN OFFICIAL ACTION OF THE ORANGEBURG COUNTY COUNCIL AUTHORIZING ORANGEBURG COUNTY (1) TO JOIN OR FILE A PARTICULAR LAWSUIT AND (2) TO ENTER INTO A CONTRACT TO ENGAGE LEGAL COUNSEL TO PROVIDE REPRESENTATION IN SAME

County Administrator Young deferred to Attorney Haydel in this matter. Attorney Haydel explained a class action lawsuit is being brought in South Carolina against the Federal National Mortgage Association for failure to pay real estate transfer fees to South Carolina counties. The Official Action would allow Orangeburg County to become a part of this class action suit, and use the legal expertise of the Kyle Michel law firm. The amount each county might be eligible to receive is not known, but each county can be compensated for three years of back fees not received.

Motion to approve the Official Action Lawsuit made by Councilman Wimberly, seconded by Councilman Owens. Motion passed unanimously.

7. ACCEPTANCE OF BIDS -

(1) Country Club and Dove Point Sanitary Sewer Phase I - Administrator Young stated a proposal was issued to install 1161 feet of PVC sewer and nine manholes in the Country Club and Dove Pointe areas. Ten bidders attended the pre-bid meeting, with a total of four responding. The low bidder was MJL, Inc., Myrtle Beach, S.C, in the amount of \$317,513.50. The recommendation is to accept the low bidder. Councilman Clyde Livingston clarified the County is not supplying sewer to the Country Club which has its own system. This is being done to help taxpaying citizens who live around the area of the Country Club and have been waiting for an opportunity to get service. The Club has been helpful in getting around and under the golf course to do this as inexpensively as possible. DPU is involved because the sewage has to go through their pump station. The city is providing part of the cost to upgrade the pump station.

Motion to accept the low bid submitted by MJL, Inc., of Myrtle Beach, S.C, in the amount of \$317,513.50 made by Councilman Clyde Livingston, seconded by Councilman Owens. Motion passed unanimously.

(2) Replacement And Installation of Carpet-Administrative Centre - Administrator Young stated a request for proposal was issued to replace carpet in various locations within the County Administration Building due to the age and condition of the carpet. Eight vendors were present at the walk through required, with two responding. The low bid was submitted by Bonitz Flooring, Columbia, S.C. in the amount of \$40,019.00. The low bid submitted is being recommended for acceptance.

Motion made by Councilman Heyward Livingston, seconded by Councilwoman Cooper-Smith to accept the low bid of \$40,019.00 submitted by Bonitz Flooring, Columbia, S.C. Motion passed unanimously.

(3) On-Call Water And Wastewater Construction – Administrator Young stated a request for qualifications was issued to provide “on call” services for the Orangeburg County water and wastewater utilities. The contractors would be used to provide repairs and maintenance to lines installed by the County for USDA projects to be implemented as they are constructed and after they are constructed. The two low bids received were Palmetto Site Prep, Orangeburg, S.C., in the amount of \$244,082.00, and GH Smith, Columbia, S.C. in the amount of \$258,915.00. Two companies were needed as it is an on call service and if one company is not available to take care of the problem, the second company would be called to fix the problem.

Motion made by Councilman Clyde Livingston, seconded by Councilman Owens, to accept the low bids submitted by Palmetto Site Prep, Orangeburg, S.C, in the amount of \$244,082.00 and GH Smith, Columbia, S.C, in the amount of \$258,915.00. Motion passed unanimously.

8. TAX AND TOURISM ADVISORY COMMITTEE RECOMMENDATIONS

Administrator Young stated the Orangeburg County Tax & Tourism Advisory Committee met August 28, 2012 for their regular quarterly meeting, and have made a recommendation for funding two requests, the Santee Cooper Country and the Town of Ellore.

The Santee Cooper Country request of \$20,000 is to increase their print advertising and attend more shows by co-opting with several other regional programs. The Town of Ellore is requesting \$6,000 to help offset the cost of marketing, promotion and advertising, especially two billboards located on I-95 to draw tourist to the town. The Advisory Committee is recommending these two requests be approved by Council.

Motion made by Councilman Wimberly, seconded by Councilman Clyde Livingston to accept the recommendation of the Advisory Committee in the amount of \$26,000.00. Motion passed unanimously.

VOTE FOR EXECUTIVE SESSION – Motion by Councilwoman Cooper-Smith, seconded by Councilman Ravenell, to adjourn for an executive session to discuss the issuance of general obligation bonds and general obligation refunding bonds. The executive session is to be limited to 20 minutes, after which Council will reconvene. Motion passed unanimously.

Council reconvened to indicate no decisions were made and no action will be taken at this time. Issue to be discussed at another meeting.

VOTE FOR EXECUTIVE SESSION - ECONOMIC DEVELOPMENT AND CONTRACTUAL AGREEMENT – Motion made by Councilman Owens, seconded by Councilwoman Cooper-Smith to adjourn. Motion passed unanimously.

VOTE FOR ADJOURNMENT

**Motion made to adjourn by Councilwoman Cooper-Smith, seconded by Councilman Owens.
Motion passed unanimously.**

Meeting adjourned.

Jacqueline P. Turner, Clerk

Johnnie Wright, Sr., Chairman