

**MINUTES
ORANGEBURG COUNTY COUNCIL
JANUARY 7, 2013
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, Vice Chairman
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

Harold M. Young, County Administrator

MOMENT OF SILENCE

Moment of silence observed

APPROVAL OF MINUTES

County Administrator Young stated Council members from Council Districts 2, 3, 4, and 5 who were re-elected would be sworn into office by Judge Peggy Doremus. Judge Doremus administered the oath of office to Council members Johnny Ravenell, Harry F. Wimberly, Heyward H. Livingston and Janie Cooper-Smith.

The oath of office was administered by Judge Doremus to Clerk of Court Winnifa B. Clark also re-elected to office.

Administrator Young presided over the election of Chairman of County Council. Motion by Councilwoman Cooper-Smith, seconded by Councilman Clyde B. Livingston, to nominate Councilman Johnnie Wright, Sr., Chairman of County Council. Motion passed unanimously.

Chairman Wright presided over the election of Vice Chairman for County Council. Motion by Councilman Owens, seconded by Councilman Ravenell, to nominate Councilwoman Cooper-Smith for Vice Chairman of County Council. Motion passed unanimously.

Chairman Wright thanked the Administrator and Judge Doremus for their services in providing the oath of offices, and congratulated the four re-elected Council members and Clerk to Court Clark on their re-elections.

Chairman Wright then called the meeting to order, requesting approval of minutes of the County Council meeting of December 17, 2012. Motion by Councilwoman Cooper-Smith, seconded by Councilman Owens, to approve minutes of December 17, 2013 with corrections, if any. Motion passed unanimously.

PUBLIC COMMENTS AGENDA ITEMS NO COMMENTS MADE

PUBLIC COMMENTS OTHER MATTERS NO COMMENTS MADE

1. APPROVAL OF FY 2013 BUDGET CALENDAR

Chairman Wright requested a summary of the FY 2013 budget calendar from Administrator Young. Mr. Young explained Council must approve the budget process which begins January 31, 2013 and concludes July 1, 2013.

Motion to approve FY 2013 budget calendar made by Councilman Ravenell, seconded by Councilman Heyward Livingston. Motion passed unanimously.

**2. REPORT FROM ORANGEBURG COUNTY ADMINISTRATIVE COMMITTEE,
 COUNCILMAN WIMBERLY, CHAIRMAN**

Chairman Wright yielded to Councilman Wimberly, as Chairman of the Orangeburg County Administrative Committee to report on their meeting. Councilman Wimberly announced the Committee met, but the decision was made to carry over the discussion to another meeting.

3. APPOINTMENT TO ORANGEBURG COUNTY GRIEVANCE COMMITTEE

Chairman Wright stated no decision was made with regard to an appointment to the Orangeburg County Grievance Committee.

**4. PROCUREMENT DEPARTMENT (1) RAIL EXTENSION PROJECT STEEL AND (2)
 BROADBAND**

Chairman Wright asked Administrator Young to summarize the two issues. Mr. Young stated a request for #1 Rail Extension Project Steel #1119-0038 1000LF Rail Spur is to serve Project Steel, which is to construct a rail spur for the Universal Trade Solution and Fraley & Schilling Inc. plant in the former Jacobs Applied Engineering building on Charleston Highway. Council has obtained an encroachment permit from the S.C. Department of Transportation for the project. Orangeburg County will be responsible for construction and maintenance of the project which will be funded entirely through the state, and a grant from the S.C. Department of Commerce.

The rail spur is one of the incentives Orangeburg County provided UTS to locate in Orangeburg. The company plans to bring in 100 jobs and invest \$10 million over the next five years. The County has purchased approximately six acres of land for the construction of the spur to the Norfolk Southern Railroad line for \$100,000.

The low bid has been submitted by Shane's Railwork, Inc., Darlington, S.C. in the amount of \$541,416.50. The contract has submitted all required documents, bonding and workmen's compensation. Funding sources will be provided by the Orangeburg County Development Director.

Motion by Councilman Owens, seconded by Councilman Wimberly, to approve the low bid submitted by Shane's Railwork Inc. in the amount of \$541,416.50. Motion passed unanimously.

2. *Fiber Distribution Systems FY 13-0103 – Ethan Beeks, W. Metts Engineering Co. Inc., is recommending County Council accept the low bid submitted by Madison Group, Inc., Bartlett, Tn., in the amount of \$239,932.52, for the installation of fiber distribution equipment in the Rowesville area, that will provide high speed internet to rural residents. The contract will be an RUS 773 project for the purchase and physical installation of the equipment. The equipment is needed to terminate the outside plant fibers in the 7 remote building located over a 278 square mile area covering roughly 25 percent of the county, including Rowesville, Branchville and Bowman. Approximately \$14 million of the funding will come from a U.S. Department of Agriculture Rural Development grant, with the remainder being supplied by the County's Capital Projects Sales Tax fund.*

Motion by Councilman Wimberly, seconded by Councilman Ravenell, to approve the low bid recommended by W. Metts Engineering in the amount of \$239,932.52. Motion passed unanimously.

5. **VOTE FOR EXECUTIVE SESSION (1) ECONOMIC DEVELOPMENT, (2) S.C. CODE SECTION 30-4-70(a)(2) RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING LEGAL CLAIM AND/OR SETTLEMENT OF LEGAL CLAIMS REGARDING THE FOLLOWING CASES: THE ESTATE OF LARRY WILLIAMS, 2010-ES-39-00526 (PENDING IN PROBATE COURT); ORANGEBURG COUNTY V. IVADELLA WALTERS, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF LARRY DALTON WILLIAMS; AND THE SOUTH CAROLINA FEDERAL CREDIT UNION, 2012-CP-38-667 (PENDING IN CIRCUIT COURT) AND JOHN AND KATHRYN WILLIAMSON V. ORANGEBURG COUNTY, 2007-CP-38-1424**


Motion by Councilwoman Cooper-Smith, seconded by Councilman Owens to adjourn for the above executive session as enumerated. Motion passed unanimously.


6. **EXECUTIVE SESSION**

7. **VOTE FOR ADJOURNMENT**

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

Meeting adjourned.


Jacqueline P. Turner, Clerk


Johnnie Wright, Sr., Chairman