

**MINUTES
ORANGEBURG COUNTY COUNCIL
MAY 20, 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

Johnnie Wright, Sr., Chairman

MOMENT OF SILENCE

Moment of silence observed

APPROVAL OF MINUTES

Motion by Councilman Ravenell, seconded by Councilwoman Cooper-Smith, to approve minutes of May 6, 2013 with corrections, if any. Motion passed unanimously.

PUBLIC COMMENTS:

AGENDA ITEMS

NO COMMENTS

PUBLIC COMMENTS:

OTHER MATTERS

Ms. Bowman, residing on Penn Street, spoke requesting a speed trap in the area and a sign saying beware of children. Councilman Owens stated he would visit the area the following day and meet with Ms. Bowman about remedying the problem.

Mr. Jennings, a resident of Leraleigh Road addressed Council about the condition of the road and damages to his and other cars due to the condition of the road caused by water lines

intruding onto the road way. Petitions have been signed for the road to be paved, but nothing has been done. Sinkler Boone, Pubic Works Director, who was present, requested that Mr. Jennings and those with him, give him their names and addresses and he would be visiting the area this week to meet with them to see what the County can do to solve the problem caused by the DPU water lines. Councilman Wimberly, whose District covers Leriley Road, stated if the problem was not solved by the next Council meeting, for them to return to Council.

Chairman Wright opened the meeting, asking Harold Young, County Administrator, to give a briefing on item #1 of the agenda.

1. ORDINANCE – PUBLIC HEARING – THIRD AND FINAL READING

AN ORDINANCE AUTHORIZING ORANGEBURG COUNTY TO ENTER INTO A WASTEWATER AGREEMENT WITH THE DEPARTMENT OF PUBLIC UTILITIES, CITY OF ORANGEBURG REGARDING COUNTRY CLUB/DOVE POINT, SANITARY SEWER, PHASES 1B, 2, 3 AND 4, INCLUDING WITHOUT LIMITATION, LINES B THRU Z, LINE WW, PUMP STATION #3 AND ALL LINES IN OR ADJOINING MOORE ROAD, INCLUDING WITHOUT ADDITIONAL CONSIDERATION, TRANSFER OF THE EXCLUSIVE MANAGEMENT, CONTROL, TITLE AND OWNERSHIP OF THE WASTEWATER COLLECTION LINES TO THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OR ORANGEBURG

Chairman Wright asked Administrator Young to give a briefing on the ordinance to first time visitors, which was done. Following the briefing Chairman Wright opened the Public Hearing. No comments were received from the public and the Public Hearing was closed.

Motion by Councilman Clyde Livingston, seconded by Councilman Owens to approve third and final reading of the ordinance. Motion passed unanimously.

2. ORDINANCE – SECOND READING

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY AND MARS PETCARE US, INC. PERTAINING TO CERTAIN REAL PROPERTY OWNED BY ORANGEBURG COUNTY; AUTHORIZING THE SALE OF SUCH REAL PROPERTY BY THE COUNTY TO MARS PETCARE US, INC; AND OTHER MATTERS RELATING THERETO

Chairman Wright asked for a briefing. County Administrator Young indicated Mars Petcare needs property to expand their pet food manufacturing line. The three additional acres of County land will allow for an expansion and additional new jobs.

Motion by Councilman Heyward Livingston, seconded by Councilman Ravenell to approve second reading of the ordinance. Motion passed unanimously.

3. ORDINANCE – SECOND READING

AN ORDINANCE OF THE COUNTY COUNCIL OF ORANGEBURG COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED ORANGEBURG COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TAX MAP NUMBER 0174-12-01-001 FROM CG (COMMERCIAL GENERAL DISTRICT) TO BI (BUSINESS AND INDUSTRIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Chairman Wright asked for a briefing. Mr. Young stated on April 15, 2013 Council voted to accept the recommendations of the Planning Commission regarding the rezoning request which involves the necessary three readings.

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

4. ORDINANCE – FIRST READING (BY TITLE ONLY)

AN ORDINANCE TO PROVIDE APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014, FOR THE ORANGEBURG COUNTY BUDGET FOR ORDINARY COUNTY PURPOSES FOR WHICH THE COUNTY MAY LEVY A TAX; TO PROVIDE FOR THE LEVY OF TAXES ON ALL TAXABLE PERSONAL AND REAL ESTATE PROPERTIES IN ORANGEBURG COUNTY FOR ALL COUNTY PURPOSES, INCLUDING SUFFICIENT TAXES TO PAY THE PRINCIPAL AND INTEREST ON THE OUTSTANDING INDEBTEDNESS OF ORANGEBURG COUNTY MATURING DURING THE FISCAL YEAR TO PROVIDE FOR MATTERS RELATING TO ORANGEBURG COUNTY; AND TO PROVIDE FOR THE EXPENDITURE OF TAXES AND OTHER REVENUES COMING TO THE COUNTY DURING THE FISCAL YEAR

Motion by Councilman Wimberly, seconded by Councilman Ravenell to give first reading by title only. Motion passed unanimously.

5. ORDINANCE – FIRST READING (BY TITLE ONLY)

AN ORDINANCE TO PROVIDE FOR APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014, FOR ORANGEBURG-

CALHOUN TECHNICAL COLLEGE, THE ORANGEBURG COUNTY DISABILITIES AND SPECIAL NEEDS BOARD, THE VOCATIONAL REHABILITATION WORKSHOP, AND FOR OTHER PUBLIC AND SPECIAL EDUCATION; TO PROVIDE FOR THE LEVY OF TAXES AND OTHER REVENUES COMING TO THE COUNTY DURING THE FISCAL YEAR FOR SUCH PURPOSES

Motion by Councilwoman Cooper-Smith, seconded by Councilman Owens, for first reading approval by title only. Motion passed unanimously.

6. ORDINANCE – FIRST READING (BY TITLE ONLY)

AN ORDINANCE AUTHORIZING RECOVERY OF RESPONSE COSTS ASSOCIATED WITH RESPONDING TO UNUSUAL EMERGENCY INCIDENTS

Chairman Wright asked for a briefing from the Administrator. Mr. Young stated the County Attorney in collaboration with the Orangeburg County Fire Commission and Emergency Services, met and drafted a potential ordinance to file claims with insurance companies to recover some costs related to fighting unusual emergency incidents and, and outlining reimbursement to each Fire Department for actual costs.

Motion by Councilman Wimberly, seconded by Councilman Heyward Livingston for first reading approval by title only. Motion passed unanimously.

7. DETENTION CENTER: MENTAL HEALTH SERVICES

A. CONTRACT FOR PROVISION OF MENTAL HEALTH SERVICES FOR INMATES BETWEEN CORRECTIONAL BEHAVIORAL HEALTH AND ORANGEBURG COUNTY

B. FIRST AMENDMENT TO CONTRACT BETWEEN TRANSFORMHEALTHRX AND ORANGEBURG COUNTY REGARDING MENTAL HEALTH SERVICES FOR INMATES

Chairman Wright requested a briefing from Mr. Young. Mr. Young stated the County needs to amend the medical services contract with Transform Health to allow the amount allocated for mental health in the contract to be used to procure the services of a mental health doctor who will provide an additional level of service to the inmates and a better quality of care. The amendment causes no changes in the current amount of the medical services budget. Inmates will be seen in the facility by a doctor qualified to write prescriptions.

Motion by Councilman Owens, seconded by Councilman Heyward Livingston to approve both amendments to the Transformhealthrx contract. Motion passed unanimously.

8. APPOINTMENTS – BOARDS, COMMITTEES AND COMMISSIONS

No appointments were made.

9. PROCUREMENT DEPARTMENT – ACCEPTANCE OF BIDS

Chairman Wright requested Mr. Young go over each bid as proposed for Council approval.

- 1. LANDSCAPING – Mr. Young indicated Procurement procedures were followed in soliciting bids from local merchants with the input of the Orangeburg County Public Works Department. The successful bidder was determined to be Johnson’s Lawn Care, Rowesville, S.C. in the amount of \$38,617.50.**

Motion by Councilwoman Cooper-Smith, seconded by Councilman Clyde Livingston to approve the bid submitted by Johnson’s Lawn Care in the amount of \$38,617.50. Motion passed unanimously.

- 2. BROADBAND – Mr. Young stated the County recently solicited bids for the Ethernet Services for the Orangeburg County Broadband Project, following the bid specifications for posting, review and approval by Mr. William Metts. Following Procurement Code preferences the successful bidders have been determined to be Spirit Communications of Columbia, S.C, in the amount of \$2,500 per month for a 1 year term. The second low bidder is Palmetto Rural Telephone Cooperative, Walterboro, S.C. in the amount of \$2,953.19 per month for a 1 year service agreement. The recommendation to Council is to enter into a combined service agreement with both low bidders for a monthly total fee of \$5,453.19 to provide service redundancy.**

Motion by Councilman Wimberly, seconded by Councilman Ravenell, to award the combined bid to the two lowest bidders for a total of \$5,453.19 per month. Motion passed unanimously.

- 3. VEHICLES – Mr. Young stated three SUVs for the Sheriff’s Department to replace high mileage and costly K-9 and Tactical services units was required. Using the application of local preference points as provided under the Orangeburg County Procurement Code, the successful bidder for the SUVs was determined to be Loves Chevy, Columbia, S.C. in the amount of \$78,462. The vehicle expense**

was anticipated during the FY 2013 budget process and the required funds are available for the purchase.

Motion by Councilman Ravenell, seconded by Councilman Owens to approve the purchase of the three SUVs from Loves Chevy, Columbia, S.C., in the amount of \$78,462. Motion passed unanimously.

10. VOTE FOR EXECUTIVE SESSION

(1) S.C. CODE SECTION 30-4-70(a)(2) RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATED TO A PENDING LEGAL CLAIM AND/OR THE SETTLEMENT OF LEGAL CLAIMS REGARDING THE FOLLOWING FAIR LABOR STANDARDS ACT CASE: MORRIS AIKEN, ET AL V. ORANGEBURG COUNTY, CALHOUN COUNTY, AND THE ORANGEBURG-CALHOUN DETENTION CENTER, 5:12-CV-01362-TLW (UNITED STATES DISTRICT COURT)

(2) ECONOMIC DEVELOPMENT

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

Prior to adjournment, Councilman Owens stated crime in Orangeburg County is still of primary concern as evidenced by the headlines in the TIMES AND DEMOCRAT every day. Mr. Singleton has relinquished his position in working with the crime initiative, but Dr. Samuel B. Glover will be heading up the program in the future.

Meeting adjourned.

Jacqueline P. Turner, Clerk

Johnnie Wright, Sr., Chairman