

**MINUTES  
ORANGEBURG COUNTY COUNCIL  
MAY 19, 2014  
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.  
Harry Wimberly  
Clyde Livingston  
Heyward H. Livingston  
Willie B. Owens  
Johnny Ravenell  
Janie Cooper-Smith**

**MEMBERS ABSENT:**

**OTHERS PRESENT:**

**Harold Young, County Administrator  
Megan Dangerfield, Clerk to Council  
D'Anne Haydel, County Attorney**

**CALL TO ORDER**

**Johnnie Wright, Sr., Chairman**

**MOMENT OF SILENCE**

**Moment of silence observed**

**APPROVAL OF MINUTES**

**May 5, 2014**

**Chairman Wright asked for a motion to approve the minutes. Councilwoman Cooper-Smith made a motion to approve the minutes, seconded by Councilman Wimberly. Motion carried.**

**PUBLIC COMMENTS:**

**AGENDA ITEMS**

**None**

**PUBLIC COMMENTS:**

**OTHER MATTERS**

**Ruth Harrison stated that she has property at 1837 Maxwell Street. When it rains the property is flooded and the water starts backing up, including the sink, tub and toilets. She has been to Court, to the Health Department and has had to replace the septic tank twice. She asked Council for some help to correct the problem. She said she has been told there was once a lake behind the property. Councilman Owens stated that he was working with her as the area is located in his district and has been given a petition that the residents have signed. Councilman Clyde Livingston suggested that someone check with Soil and Water Conservation about the history of the area.**

**Chairman Wright said that Council will follow Councilman Owens lead and try to help her find a solution to this issue.**

**Mr. Howard Williams stated there is a small ditch behind the property but it's owned by the railroad. Ms. Eartha Hubbard stated that she has property on Maxwell and while she is not affected by the current flooding, she can vouch for the other citizens' concerns and remembers a ditch previously being in place.**

- 1. A RESOLUTION TO CERTIFY A PETITION CALLING FOR A POPULAR REFERENDUM TO DETERMINE IF THE FOX RUN SPECIAL TAX DISTRICT SHALL BE CREATED TO PROVIDE FOR STREET LIGHTING WITHIN THE PROPOSED DISTRICT AND TO DIRECT THE ORANGEBURG COUNTY ELECTION COMMISSION TO HOLD AN ELECTION AND CERTIFY THE RESULTS OF THE ELECTION TO COUNTY COUNCIL.**

**Chairman Wright asked the County Administrator, Harold Young, to give a brief summary of the Resolution. Mr. Young stated that there had been a request by the Fox Run Neighborhood Association for a special purpose tax district to allow lighting improvement. He stated that the association had done everything they needed to do and had submitted the proper forms to successfully request the Referendum on the issue.**

**Councilwoman Cooper-Smith moved to approve the Resolution, seconded by Councilman Owens. Motion carried.**

- 2. ORDINANCE – FIRST READING (BY TITLE ONLY)**

**AN ORDINANCE TO PROVIDE APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, AND ENDING JUNE 30, 2015, 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**

**Councilman Ravenell moved to approve the Ordinance, first reading. Seconded by Councilman Heyward Livingston. Motion carried.**

- 3. ORDINANCE – FIRST READING (BY TITLE ONLY)**

**AN ORDINANCE TO PROVIDE FOR APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, AND ENDING JUNE 30, 2015, 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**

**Councilman Owens moved to approve the Ordinance, first reading. Seconded by Councilman Ravenell. Motion carried.**

**4. ORDINANCE- PUBLIC HEARING AND THIRD READING**

**ORDINANCE OF THE COUNTY COUNCIL OF ORANGEBURG COUNTY, SOUTH CAROLINA, APPROVING THE ISSUANCE OF NOT TO EXCEED NINETY MILLION DOLLARS PRINCIPAL AMOUNT (\$90,000,000) CAPITAL PROJECTS SALES AND USE TAX REVENUE BONDS (ORANGEBURG COUNTY, SOUTH CAROLINA, PROJECT), SERIES 2014, BY ORANGEBURG JOINT GOVERNMENTAL ACTION AUTHORITY; APPROVING THE FORM OF SAID BONDS; APPROVING THE FORM AND CONTENT OF THE TRUST AGREEMENT; APPROVING THE FORM AND CONTENT OF THE CAPITAL PROJECTS SALES AND USE TAX FACILITIES CONSTRUCTION AGREEMENT; APPROVING THE APPROPRIATION OF CAPITAL PROJECTS SALES AND USE TAX REVENUES FOR THE FISCAL YEAR THAT BEGAN ON JULY 1, 2013, AND OTHER MATTERS RELATED THERETO**

**Mr. Young stated that this was the third reading for the third installment of the Capital Projects Sales Tax which was put into use to make improvements across the County. He stated that this was not a new tax but just a continuation of the existing Capital Projects Sales Tax that was approved by the voters through referendums. He stated that the County had gone through the process of issuing bonds so that all projects could begin at the same time instead of waiting for the funds to come in.**

**No comments during the Public Hearing.**

**Councilman Owens moved to approve the Ordinance for third reading, seconded by Councilman Heyward Livingston. Motion carried.**

**5. ORDINANCE – PUBLIC HEARING AND SECOND READING**

**AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION BONDS OF ORANGEBURG COUNTY, SOUTH CAROLINA, IN AN AMOUNT NOT TO EXCEED \$5,500,000; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING THERETO; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.**

**Harold Young stated that in 2003 the County issued a General Obligation Bond Series 2003A and the interest rates on those bonds were between 3 and 4%. The total aggregate principal of the outstanding 2003A Bonds is \$4,825,000. With the refinancing, it's estimated that the County will pay 2.6% interest on its general obligation refunding bond and will save approximately \$394,762.**

**No comments during the Public Hearing.**

**Councilwoman Cooper-Smith moved to approve the Ordinance for second reading, seconded by Councilman Owens. Motion carried.**

#### **6. ORDINANCE – THIRD AND FINAL READING**

**AN ORDINANCE AMENDING CHAPTER 9 OF THE ORANGEBURG COUNTY CODE OF ORDINANCES TO PROVIDE FOR ENFORCEMENT AND ADMINISTRATIVE PROCEDURES OF THE COMMUNITY DEVELOPMENT CODE, AMENDING ALL PARTS OF CHAPTER NINE IN CONFLICT, PROVIDING FOR A PENALTY, PROVIDING FOR SEVERABILITY.**

**Chairman Wright asked Harold Young to give a brief summary. Mr. Young stated that this was a change in section 302.4 of the Ordinance that addresses overgrown parcels in excess of twelve inches within two hundred feet of a developed, platted subdivision or a residential structure except in agricultural, naturalized or garden use areas. This change is recommended by the Planning Department to use for code enforcement and development.**

**Councilman Owens expressed his enthusiasm for updating this ordinance. Councilman Heyward Livingston moved to approve the Ordinance for third and final reading, seconded by Councilman Wimberly. Motion carried.**

#### **7. ORDINANCE – THIRD READING FOR REZONING**

- **FROM RC (RURAL COMMUNITY) TO CG (COMMERCIAL GENERAL)**
  - **TAX MAP#0301-00-06-001.000 CNR FIVE CHOP & ANTIOCH RD**

**Harold Young stated that the Planning Commission met on April 9, 2014 to consider the request to allow a billboard. One adjacent property owner, Jerome McDermott, was in opposition of the rezoning. There was no other opposition and there is an existing billboard about 200 feet from the property. Mr. Young stated that the Planning Commission voted unanimously to approve the request.**

**Councilman Wimberly again expressed concerns about rezoning a parcel to CG for a billboard and then having something else that fell in that category be put in place instead. He asked if anyone had done some research on the matter like he requested. Planning Director Richard Hall stated that Attorney Jeffries had looked into the matter and State Law does not allow Council to rezone the parcel for a particular purpose. Mr. Hall also stated that the only reason a specific purpose was given in the recommendation was that the Commission was often asked why the owner had requested the parcel to be rezoned. Each request that comes in goes through a five step process including evaluating how the request matches the comprehensive plan, if that area is a growth area, and if it's a high traffic area. Councilman Wimberly stated that he wasn't opposed to this particular request but was only using this example to point out a concern. Councilman Ravenell stated that he understood the concern but as the property is located in his district he would hate to see this request become the example and not be allowed. Mr. Hall stated that a ten year review was coming up for the comprehensive plan and larger scale areas could be evaluated as a preventative measure to help address Councilman Wimberly's concerns.**

**Councilman Ravenell moved to approve the ordinance for third reading, seconded by Councilman Wimberly. Motion carried.**

**8. PROCUREMENT**

- 1. REQUESTS FOR BID FY14-0501, SANTEE RECREATION COMPLEX**
- 2. REQUEST FOR PROPOSAL FY14-0414 INMATE TRUST FUND ACCOUNTING AND/OR COMMISSARY SERVICES**

Mr. Young stated the project engineers, LS3P, for the Santee Recreation Complex prepared documents, plans, and specifications for the bid package. It was advertised in the Times and Democrat, SCBO, and posted on the County website. There was a mandatory pre-bid conference held on April 16, 2014. The County received five bids from prime contractors and the low bid was from H.G. Reynolds Company out of Aiken, SC for \$5,268,000. Funding for this project is budgeted into the Capital Sales Tax between the Town of Santee and the County of Orangeburg.

Councilman Ravenell moved to approve the request for the Santee Recreation Complex to the low bidder, seconded by Councilman Heyward Livingston. Motion carried.

In regards to the second request for proposal, Mr. Young stated the proposal was advertised and requires the qualified vendor to provide inmate trust fund accounting and commissary services. The county received five proposals and the low bidder was the current vendor, McDaniel's Group out of Jesup, GA. They are offering a net commission rate of 40% which is 10% higher than what the County receives now.

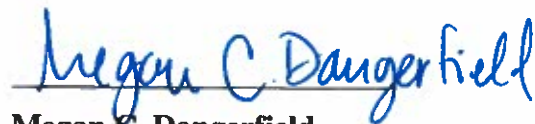
After a long discussion regarding the 40% commission, the price of items, and where that money goes, Council decided they would like to see the complete proposal (including price lists).

Councilman Owens moved to carry the issue to the next Council meeting, seconded by Councilwoman Cooper-Smith. Motion carried.

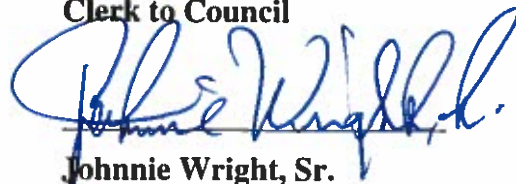
**9. VOTE FOR ADJOURNMENT**

Councilwoman Cooper-Smith moved to adjourn, seconded by Councilman Ravenell. Motion carried.

**10. ADJOURNMENT**



Megan C. Dangerfield  
Clerk to Council



Johnnie Wright, Sr.  
Chairman, County Council

