

MINUTES
ORANGEBURG COUNTY COUNCIL
FEBRUARY 17, 2015
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 Chairwoman
Clyde B. Livingston
Heyward H. Livingston
Willie B. Owens
Johnny Ravenell
Harry F. Wimberly

MEMBERS ABSENT:

OTHERS PRESENT:

Harold M. Young, County Administrator
Angel Howell, Interim Clerk to Council
D' Anne Haydel, County Attorney

CALL TO ORDER

Johnnie Wright, Sr., Chairman

MOMENT OF SILENCE

A moment of silence was observed

APPROVAL OF MINUTES

February 2, 2015

A motion was made by Councilwoman Janie Cooper-Smith to approve the minutes and it was seconded by Councilman Johnny Ravenell. Motion carried. Vote: 7-0-0

PUBLIC COMMENTS: AGENDA ITEMS -NONE

PUBLIC COMMENTS: OTHER MATTERS

Douglas Jennings came before County Council regarding a noise ordinance for the County. He stated that where he lives is near a night club that plays loud music from 12:00 midnight until 6:00 in the morning. He said it is located at the end of Ellis Avenue. He wanted to know if anything can be done. Councilman Owens asked if he reported to the Sheriff. Mr. Douglas stated that he didn't but others have. Mr. Douglas stated that they would turn it (music) down for a little bit. Chairman Wright stated that the club is in Councilwoman Janie Cooper-Smith's district and that she will follow-up. Councilwoman Janie Cooper-Smith directed Mr. Douglas to leave his contact information with the Clerk.

Calvin Boatwright addressed County Council about a club in the Neeses area. Mr. Boatwright complained about the noise and the shootings. He said there was one death in 2014 and two shootings with injuries in 2013. Mr. Boatwright also stated there were 71 reports of this club to the Sheriff's

Office. He said he wanted to bring the reports, but it would have cost him \$350.00, because they were 71 reports. He said one night his mom was sick and the EMS could not get to his mom, because patrons of the club parked in their driveway. He said when he when call law enforcement, he is told there is nothing they can do. Mr. Boatwright stated that two weeks ago patrons were parked in the driveway and he called back to the Sheriff's Office. Mr. Boatwright said his family members own the building, but it is being rented out to the club owners.

Councilman Wimberly made a motion to amend the agenda adding 4B, seconded by Councilwoman Cooper-Smith. Motion Carried. 7-0-0

1. RESOLUTION AUTHORIZING ORANGEBURG COUNTY TO SETTLE THE CASE CAPTIONED ORANGEBURG COUNTY V. JOHN W. WILLIAMSON, III AND KATHRYN J. WILLIAMSON, CASE NO. 2009-CP-38-0139.

Chairman Wright asked County Administrator Harold Young for a brief summary. Mr. Young stated that this is an ongoing process. Mr. Young yielded the floor to County Attorney, D'Anne Haydel, for more information. Mrs. Haydel stated this case is about just compensation to be decided by a judicial department. The parties have come to an agreement concerning just compensation and as a result, the County formally agrees to settle it on stated terms. The amount of the settlement if accepted, is \$75,000 and has to do with Nest Boat Landing. Councilman Wimberly asked if this settlement occurs, will the County own the property, and Mrs. Haydel answered yes.

Chairman Wright asked for a motion. Councilman Heyward Livingston made a motion to accept and pass the resolution, seconded by Councilman Wimberly. Motion Carried. 7-0-0

2. ORDINANCE THIRD 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 #0143-20-04-004.000 FROM RG (RESIDENTIAL GENERAL) TO CG (COMMERCIAL GENERAL)

Chairman Wright asked County Administrator Harold Young for a brief summary. Mr. Young stated that this is in reference to the Planning Commission's approval for a request from Mr. James Gunthry to rezone 743 North Road from residential to commercial general.

Chairman Wright asked for a motion. A motion was made by Councilman Clyde Livingston to pass the ordinance on third reading, seconded by Councilwoman Cooper-Smith. Motion Carried. 7-0-0

3. ORDINANCE PUBLIC HEARING AND SECOND READING

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK DATED MAY 17, 2010, SO AS TO INCLUDE ADDITIONAL PROPERTY IN ORANGEBURG COUNTY (WALKER EMULSIONS (USA) INC.) AS PART OF THE

**JOINT COUNTY INDUSTRIAL PARK, AND OTHER MATTERS RELATED
THERE TO ORDINANCE PUBLIC HEARING AND SECOND READING**

Chairman Wright asked County Administrator Harold Young to give a brief summary. Mr. Young stated that this is an update to an agreement that was for multi jurisdictional industrial park. Mr. Young yielded the floor to Attorney Jarred Anderson. Mr. Anderson stated this ordinance was ratified in November 2014 and Walker Emulsions wants to include an expansion.

Chairman Wright asked for a motion. Councilwoman Cooper-Smith made a motion to pass the ordinance for second reading, seconded by Councilman Wimberly. Motion Carried. 7-0-0

4. ORDINANCE PUBLIC HEARING AND SECOND READING

**AN ORDINANCE AMENDING THE WASTEWATER RATES FOR THE WEST OF
THE EDISTO WASTEWATER SYSTEM**

Chairman Wright asked County Administrator Harold Young to give a brief summary. Mr. Young stated that this is necessary to move forward on the process with the city and county meetings. It was found that it is within the best interest to transfer the system of the West Edisto to the City and with that rates needs to be similar to the City of Orangeburg. Chairman Wright opened the floor for public hearing. There were no comments.

Chairman Wright asked for a motion. A motion was made by Councilman Owens to approve second reading, seconded by Councilman Ravenell. Motion Carried. 7-0-0

4-B. ORDINANCE FIRST READING BY TITLE ONLY

**AN ORDINANCE AUTHORIZING RECOMMITMENT TO THE WORKFORCE
INVESTMENT ACT UNDER WIOA LOWER SAVANNAH**

Chairman Wright yielded the floor to Mr. Jarred Anderson. Mr. Anderson stated that a new legislation has been signed into law, to go into effect July 1, and part of that process is a local area designation, thus council members have to recommit.

Chairman Wright asked for a motion. Councilman Ravenell made a motion to approve the ordinance by title only, seconded by Councilman Owens. Motion Carried. 7-0-0

5. ORDINANCE FIRST READING

**AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 12, CHAPTER 44 AND
TITLE 4, CHAPTERS 1 AND 29 OF THE CODE OF LAWS OF SOUTH
CAROLINA, 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE
AGREEMENT BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND
PROJECT SAMBA; THE APPLICATION OF A SPECIAL SOURCE REVENUE
CREDIT TO FEE-IN-LIEU OF TAX PAYMENTS; AND MATTERS RELATING
THERE TO PROCUREMENT**

Chairman Wright asked County Administrator Harold Young to give a brief summary. Mr. Young stated that a company that locates within your area has the ability to request if they meet certain criteria for a fee in lieu agreement. Mr. Young yielded the floor to Mr. Jarred Anderson.

Mr. Anderson stated that Item #6 is related to this item. This ordinance states there is a promise of \$7.7 million dollars, approximately \$5 million in building/regular planning improvements and \$3 million in machinery and equipment. There is also a promise of a minimum of 14 new jobs as a result of this expansion. The company is seeking a fee of 6 % for a 30-year term.

Chairman Wright asked for a motion. Councilman Owens made a motion to approve first reading of this ordinance, seconded by Councilman Heyward Livingston. Motion Carried. 7-0-0.

6. ORDINANCE FIRST READING

AN ORDINANCE TO AMEND THE EXISTING AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND DORCHESTER COUNTY, SOUTH CAROLINA TO ENLARGE THE BOUNDARIES OF THE INDUSTRIAL PARK TO INCLUDE CERTAIN PROPERTY NOW OR TO BE HEREAFTER OWNED AND/OR OPERATED BY A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT SAMBA, LOCATED IN ORANGEBURG COUNTY, SOUTH CAROLINA; AND AUTHORIZING OTHER RELATED MATTERS

Chairman Wright stated that this item was explained in Item #5.

Chairman Wright asked for a motion. Councilman Ravenell made a motion to approve the ordinance for first reading, seconded by Councilman Owens. Motion Carried.7-0-0

7. PROCUREMENT

1) FY15-0213 REQUEST FOR PROPOSAL-BROADBAND FTTP EQUIPMENT

Chairman Wright asked County Administrator Harold Young to give a summary. Mr. Young stated that the request was prepared and advertised in the Times and Democrat and posted on the County Website, noting the deadline of February 13, 2015. The results were a proposal by Kellex who has been the provider for fiber throughout the majority of the project. The recommendation was reviewed and approved by the broadband engineer, Metts Engineering, and it is with this recommendation that the awarding of the contract to Kellex.

Chairman Wright asked for a motion. Councilman Wimberly made a motion to accept the proposal as explained, seconded by Councilwoman Cooper-Smith. Motion Carried. 7-0-0

2) REQUEST FOR APPROVAL OF STATE CONTRACT PURCHASE OF VEHICLES

Chairman Wright asked County Administrator Harold Young for a brief summary. Mr. Young stated that it is two vehicles being requested for purchase that are on state contract, but because of the price, County Council must approve the request. Councilman Heyward Livingston asked if these vehicles serve as a replacement and Mr. Young answered yes. Councilman Owens asked what type vehicles and Mr. Young answered a SVU and a pickup truck.

Chairman Wright asked for a motion. Councilman Owens made a motion to approve the request for the purchase of the vehicles as stated, seconded by Councilman Ravenell. Motion Carried. 7-0-0

8. APPOINTMENTS

1) ORANGEBURG COUNTY AMBULANCE COMMITTEE

All districts forwarded their appointments.

2) ORANGEBURG COUNTY FIRE SERVICES

All districts forwarded their appointments.

9. PARKS, RECREATION, & AGRICULTURE COMMITTEE UPDATE

Chairman Wright yielded the floor to Councilwoman Cooper-Smith. Councilwoman Cooper-Smith stated the parks, recreation, and agriculture committee met on February 17, 2015, with attorney Lakeshia Jeffries, Animal Control Director Les Porter and Director of Public Works, Sinkler Boone. Unfortunately the agenda was not completed, but will be carried forward.

10. VOTE FOR EXECUTIVE SESSION

Chairman Wright asked for a motion. Councilman Owens made a motion to go into executive session, seconded by Councilman Ravenell. Motion Carried. 7-0-0

County Administrator Harold Young noted the selfless acts of departments like the forestry commission, public works, and fire services with an astray fire in Bowman on February 14, 2015. Councilman Ravenell thanked Mr. Young for keeping him up to date and informing him so that he could come out and support. Councilman Owens thanked Mr. Young for his leadership. Councilman Wimberly recognized Mr. John Perry for his hard work on the Planning Commission.

11. EXECUTIVE SESSION

1) ECONOMIC DEVELOPMENT UPDATE

2) CONTRACT NEGOTIATIONS

12. VOTE FOR ADJOURNMENT

Chairman Wright asked for a motion. Councilwoman Cooper-Smith made a motion to adjourn, seconded by Councilman Owens. Motion Carried. 7-0-0

13. ADJOURNMENT

Meeting adjourned.

Angel Howell
Interim Clerk to County Council

Joannie Wright, Sr.
Chairman
Orangeburg Count Council
District 1