



**MINUTES
ORANGEBURG COUNTY COUNCIL
November 16, 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.
Harry F. Wimberly
Heyward H. Livingston
Johnny Ravenell
Willie B. Owens
Janie Cooper-Smith
Clyde B. Livingston

MEMBERS ABSENT:

OTHERS PRESENT:

Harold Young, County Administrator
Lakesha Jefferies, Deputy County Attorney
Faith E Carter, Clerk to Council

CALL TO ORDER

Johnnie Wright, Sr. Chairman

On the 16th day of November, 2015, Chairman Wright called to order a regular session of the Orangeburg County Council at 5:34 pm.

MOMENT OF SILENCE

Moment of silence observed

PUBLIC COMMENTS:

AGENDA ITEMS

NONE

PUBLIC COMMENTS:

OTHER MATTERS

Saundra Ligon was recognized by Chairman Wright. Ms. Ligon took the podium and advised that she represents the South Carolina Human Affairs Commission (SCHAC). Ms. Ligon advised that she is here to ask Council to consider the development of a Community Relations Council in the County of Orangeburg. Ms. Ligon advised that the SCHAC was created in 1973 and since that time the agency has had the mission of eliminating discrimination in housing, public accommodation, and employment. Ms. Ligon advised that SCHAC has seventeen councils throughout the state of South Carolina. Ms. Ligon

advised that the Community Relations Councils have the purpose of creating harmony among all races and religions. Ms. Ligon advised that this program is at no cost to the County and the agency would ask that each council member appoint two people to the Community Relations Council from their respective districts. Ms. Ligon advised that training would be conducted by the agency. Ms. Ligon asked for any questions from the Council.

Chairman Wright recognized Vice-Chairwoman Cooper-Smith. Vice-Chairwoman Cooper-Smith asked about the criteria for appointing members to the Relations Council. Ms. Ligon advised that appointees to the Community Relations Council should be a resident of the County and be willing to work with others.

Chairman Wright recognized Councilman Owens. Councilman Owens advised that he thought this council was an excellent idea and thanked Ms. Ligon for the information.

Chairman Wright thanked Ms. Ligon for her comments.

Chairman Wright, hearing no additional comment, closed the floor for public comment at 5:39 pm.

1. RESOLUTION HONORING MRS. CONNIE SHADE, FORMER EXECUTIVE DIRECTOR OF THE LOWER SAVANNAH COUNCIL OF GOVERNMENTS (LSCOG)

Chairman Wright recognized Vice-Chairwoman Cooper-Smith. Councilwoman Cooper-Smith read the resolution in its entirety.

Chairman Wright recognized Mrs. Connie Shade. Mrs. Shade advised that she has enjoyed her relationship with the County and all the things that they have accomplished. Mrs. Shade advised that she is looking forward to retirement.

Chairman Wright asked for a motion on agenda item number one (1). Councilwoman Cooper-Smith motioned that agenda item number one (1) be approved. Councilman Harry Wimberly seconded the motioned. Motion carried. (7-0-0-0).

2. ORDINANCE THIRD READING

AN ORDINANCE ACCEPTING THE TRANSFER OF THE AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS IN THE TOWN OF BRANCHVILLE FROM THE BRANCHVILLE MUNICIPAL ELECTIONS COMMISSION TO THE ORANGEBURG COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS COMMISSION AND TO PRESCRIBE THE TERMS OF SUCH TRANSFER

Chairman Wright asked County Administrator Harold Young for an explanation. Administrator Young advised that state law allows for municipalities to conduct their own elections. Administrator Young advised that this ordinance is a request to transfer that authority to the County to conduct municipal elections in the Town of Branchville.

Chairman Wright asked for motion. Councilman Wimberly motioned that agenda item number two (2) be approved in third reading. Councilman Owens seconded the motion. Motion carried. (7-0-0-0).

3. PUBLIC HEARING AND ORDINANCE THIRD READING

AN ORDINANCE TO PROHIBIT THE SALE AND ON PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES IN COMMERCIAL ESTABLISHMENTS DURING CERTAIN HOURS

Chairman Wright opened the floor for public hearing on agenda item number three (3) at 5:49 pm.

Curtis Nimmons was recognized by Chairman Wright. Mr. Nimmons took the podium and advised that he runs a business called Club Ambition in Neeses, S.C. Mr. Nimmons advised that his business has been open for three years. Mr. Nimmons advised that he has taken measures to curb violence at his business by hiring SLED qualified security companies of which he listed Delta Security of Barnwell, S.C. and Security Solutions of Columbia, S.C. Mr. Nimmons advised that since his business has been open he has been given awards for sponsoring different community events and works to give back to the community. Mr. Nimmons advised that his business is a family business. Mr. Nimmons advised that he strives to be compliant with the rules and regulations which govern his business. Mr. Nimmons advised that the businesses want to work with local law enforcement. Mr. Nimmons advised that his business feeds his family.

Chairman Wright recognized Councilman Ravenell. Councilman Ravenell asked Mr. Nimmons the hours that his club operates. Mr. Nimmons advised that the club operates from 10:00 pm to approximately 4:00 am. Mr. Nimmons advised that the club stops selling alcohol at 1:55 am and in the extra hours he sells soda, water, and whatever food items are left. Mr. Nimmons advised that he does allow licensed food sales in the parking lot and the DJ will continue until about 3:55 am.

Chairman Wright recognized Councilman Clyde Livingston. Councilman Livingston asked if Mr. Nimmons had any shooting incidents inside the club. Mr. Nimmons advised that he has not had any incidents inside the club however, he did have an incident across the street from the club with two individuals who may have been on their way to the club but just never got there.

Mr. Nimmons advised that he makes his patrons sign a document when entering the club that reminds them of how to conduct themselves while in the club. Mr. Nimmons read the document. Mr. Nimmons advised that only members over the age of 21 can consume alcohol in his establishment. Mr. Nimmons advised that his club also has a dress code. Mr. Nimmons advised that he holds the membership cards on file and the membership can be revoked at any time.

Chairman Wright recognized Councilman Clyde Livingston. Councilman C. Livingston asked if Mr. Nimmons has had any knife fights or altercations at his club. Mr. Nimmons advised that he has not had any knife fights. Mr. Nimmons advised that the only problems they have had are the occasional vehicle accidents which can occur in the parking lot.

Chairman Wright recognized Councilman Owens asked what the former name of the club was. Mr. Nimmons responded that the former name of the club was the Ponderosa.

Chairman Wright thanked Mr. Nimmons for his comments. Chairman Wright advised that Sheriff Leroy Ravenell had issued a statement for the Council and he asked Vice-Chairwoman Cooper-Smith to read the statement. Councilwoman Cooper-Smith read the statement from Sheriff Ravenell in its entirety.

Chairman Wright recognized Councilman Ravenell. Councilman Ravenell asked the county attorney present to read the existing state statute on the subject to explain that the ordinance does not supersede any state law. Deputy County Attorney Jefferies responded that the statutes are extensive and cumbersome, however, based on her research the time for the sale of beer, wine, and liquor drinks is 2:00 am. Attorney Jefferies advised that she has not reviewed anything that extends the time passed 2:00 am. Attorney Jefferies advised that this ordinance is patterned after an ordinance was passed by the City of Charleston in 2000. Attorney Jefferies advised that the City of Charleston ordinance was taken up on appeal to the South Carolina Supreme Court and ruled on. Attorney Jefferies advised that that ordinance was found to be constitutional in its face and constitutional in its application. Attorney Jefferies advised that the ordinance was also found not to have preempted state law. Attorney Jefferies advised that none of the statutes that she has reviewed have extended the time for on premise consumption of alcoholic beverages after 2:00 am which is why Mr. Nimmons stops serving alcohol at 1:55 am. Attorney Jefferies advised that Lt. Martin Journey with the Orangeburg County Sheriff's Office was present at the meeting and could advise the Council on specifics about how those state statutes are enforced.

Councilman Ravenell advised that the ordinance is not preempting any state law but it is giving law enforcement the ability to close the club by 2:30 am and have people exit the premise at that time. Attorney Jefferies advised that this was correct and that the statutes that govern beer, wine, and alcoholic beverage deal solely with the consumption of the beverage. Attorney Jefferies advised that those statutes do not deal with the hours of operation of the commercial establishments. Attorney Jefferies advised that this ordinance deals with the hours of operation for those establishments.

Chairman Wright recognized Councilman Clyde Livingston. Councilman C. Livingston directed his questions to Mr. Nimmons and advised that he received information that there had been an incident inside his club. Mr. Nimmons advised that the altercation took place across the street from the club and the patrons were on their way to the club but never made it on his premises.

Chairman Wright recognized Councilman Owens. Councilman Owens advised that he feels that the ordinance as written is realistic.

Chairman Wright recognized Mr. Nimmons. Mr. Nimmons advised that he understands what Attorney Jefferies was explaining about the serving of alcoholic beverages until 2:00 am. Mr. Nimmons advised that these regulations were explained to him when he received his liquor license. Mr. Nimmons advised that the question concerns the closing of the business. Mr. Nimmons advised that he has patrons who never drink and he does not drink. Mr. Nimmons advised that he would like to continue to operate his business during the prohibited hours to sell sodas, waters, etc. and provide good, clean, safe fun for his patrons without alcohol. Mr. Nimmons advised that he would like to continue to entertain his patrons to hour where his patrons can return home safely.

Chairman Wright recognized Vice-Chairwoman Cooper-Smith. Vice-Chairwoman Cooper-Smith applauded Mr. Nimmons for the work he had done and his continuing to do in his community. Councilwoman Cooper-Smith advised that she also applauds the Sheriff

for what he is trying to do for all of Orangeburg County. Councilwoman Cooper-Smith advised that many clubs have had problems after the 2:00 am closing hour. Councilwoman Cooper-Smith advised that there have been homicides and arguments have taken place. Councilwoman Cooper-Smith advised that the Council is trying to curb all of that and that is what this ordinance is about. Councilwoman Cooper-Smith advised that the Sheriff is looking out for the whole county not just the Neeses area.

Mr. Nimmons advised that as a club owner he would like work with the Sheriff's Office instead of having those hours taken away. Mr. Nimmons advised that he has a great working relationship with the Sheriff's Office and have made corrections when advised of a problem.

Chairman Wright thanked Mr. Nimmons for his comments and advised that the Council has the tough job of doing the best for the majority good.

Jerrod Hill was recognized by Chairman Wright. Mr. Hill advised that he was present for Auora Nightlife in the City of Orangeburg between Dodges and Arby's. Mr. Hill advised that he believes that the statistics that are used are wrong about the number of homicides. Mr. Hill advised that they have only had a few fights occasionally.

Chairman Wright recognized County Administrator Harold Young. Administrator Young advised that the ordinance only affects the unincorporated areas of the County and would not affect Mr. Hill's business as it is within the city limits of Orangeburg.

Chairman Wright advised the public that the ordinance only applies to the unincorporated areas of the County so any business that is within city or town limits are not affected by the ordinance.

Bernard Singleton of Charleston, S.C. was recognized by Chairman Wright. Mr. Singleton took the podium and advised that he works as a promoter for most of the club owners in Orangeburg. Mr. Singleton advised that if the hours at the clubs are cut then the fees for the entertainment and security will be less. Mr. Singleton advised that instead of closing the clubs early the Sheriff needs to patrol the areas of the clubs. Mr. Singleton advised he helps pay peoples bills with the money that comes into the club. Mr. Singleton advised that he has college students and parents with children who work for him. Mr. Singleton advised that Orangeburg his short on jobs for people. Mr. Singleton advised most of the people who come to the club just want to have a good time. Mr. Singleton advised that the media is creating a portrait of violence. Mr. Singleton advised that there are more murders that occur out by the Bojangles. Mr. Singleton advised that law enforcement needs to patrol after 2:00 am instead of sitting at the stores. Mr. Singleton advised that law enforcement needs to be responsive and not only come when they hear gunshots. Mr. Singleton advised that there are not many job opportunities in Orangeburg. Mr. Singleton advised that most of the businesses that are in Orangeburg are family businesses. Mr. Singleton advised that the Sheriff should have conversations with the owners about what can be done to make the clubs safer rather than just closing them early.

Chairman Wright thanked Mr. Singleton for his comments.

Javon Davis was recognized by Chairman Wright. Mr. Davis advised that he is a student at Claflin University and works to promote college parties at the clubs. Mr. Davis advised that there is a great deal of focus on the negative aspects of the clubs. Mr. Davis advised that the clubs are engaging in positive events. Mr. Davis advised that his girlfriend passed away about two to three week ago. Mr. Davis advised that a club in Orangeburg hosted an event which donated money that allowed her to be buried. Mr. Davis advised that they would not

have been able to bury her without the money that was donated off of the event. Mr. Davis advised that these positive events do not get advertised in the paper. Mr. Davis advised the clubs provide regulation and security for the college parties instead of hosting house parties where underage drinking is likely to occur. Mr. Davis advised the college parties usually start around midnight or 1:00 am. Mr. Davis advised if the clubs start closing at 2:30 am then the students will party at a house where there will be underage drinking. Mr. Davis advised that there are fights at the house parties because there is no security to break up fights.

Danielle Taylor was recognized by Chairman Wright. Ms. Taylor advised that the clubs closing early would hinder many livelihoods. Ms. Taylor advised that the majority of the violence that is being discussed does not occur inside the clubs. Ms. Taylor advised that the violence occurs outside the club or prior to the patrons coming or as they leave. Ms. Taylor advised that the clubs are being held accountable for other people's behavior which is not always alcohol induced. Ms. Taylor advised that many patrons come in and do not drink at all. Ms. Taylor advised that she is a bartender so she knows this. Ms. Taylor advised that closing early cuts off money which provides for many of those present today. Ms. Taylor advised that jobs in Orangeburg are slim to none. Ms. Taylor advised that she holds a college degree and is bartending. Ms. Taylor advised that she is here to save jobs and entertainment. Ms. Taylor advised that people in Orangeburg County really have nothing to do but come out and party. Ms. Taylor advised that just as Mr. Davis spoke about, the club that she works has provided money countless times to families for funerals and hospital bills. Ms. Taylor advised that her son was murdered here and he was not a club patron. Ms. Taylor advised that he was not out partying and not a troublesome young man. Ms. Taylor advised that his death had nothing to do with nightlife, drug-life, or anything of the sort. Ms. Taylor advised that cutting the hours of the club pushes her closer to being evicted, not being able to provide for her children, and having to move somewhere else possibly because she cannot support herself. Ms. Taylor thanked the Council for their time.

Chairman Wright thanked Ms. Taylor for her comments.

Clarence Freeman was recognized by Chairman Wright. Mr. Freeman took the podium and advised that he is originally from New Jersey and moved to South Carolina in 1999. Mr. Freeman advised that he studied Business Management with a minor in Marketing at Benedict College. Mr. Freeman advised that two years ago he was homeless for a year. Mr. Freeman advised that working at clubs got him back on his feet. Mr. Freeman advised that it was not selling drugs or violence in streets that helped him recover. Mr. Freeman advised that taking away from the solution only adds to the problem. Mr. Freeman advised that there is not anything in Orangeburg County for anyone do to. Mr. Freeman advised that there is not a Chuckie Cheese for the kids or anywhere to take anybody for entertainment. Mr. Freeman advised that the only place for entertainment in the County are the clubs. Mr. Freeman advised that the clubs are a method of survival. Mr. Freeman advised that people are worried about having food in their homes. Mr. Freeman advised that sometimes it is necessary to look down to help a person up; not to look down to keep a person down.

Chairman Wright thanked Mr. Freeman for his comments. Chairman Wright asked for additional comments. Chairman Wright recognized Councilman Owens. Councilman Owens advised that this Council is not putting the blame of incidents like violence on the clubs. Councilman Owens advised that this only one means by which the Council is finding to clamp down and there are other means that are being reviewed. Councilman Owens advised that if it prohibits one person from being a homicide, it works.

Chairman Wright recognized Clarence Freeman. Mr. Freeman advised that there are many things that can be done to prohibit homicides that are not being done. Mr. Freeman advised that there are people who die at 2:00 or 3:00 in the afternoon. Mr. Freeman advised that there are people who die at school but schools are not going to be closed. Mr. Freeman advised that someone died at Roosevelt Gardens two or three days ago and they are not going to be closed.

Chairman Wright closed the floor for public hearing at 6:25 pm. Chairman Wright asked for a motion on agenda item number three. Councilman Owens motioned that agenda item number three (3) be approved. Councilman Wimberly seconded the motion. Motion carried. [6-1(C. Livingston)-0-0].

4. ORDINANCE FIRST READING

AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY FROM THE COUNTY OF ORANGEBURG TO WEATHERS FARMS, INC.

Chairman Wright asked County Administrator Harold Young for an explanation. Administrator Young advised that this ordinance would allow Weathers Farms, Inc. to purchase 11.9 non-wetland acres from the County to put in place a center pivot. Chairman Wright asked the Council for questions.

Chairman Wright recognized Councilman Ravenell. Councilman Ravenell inquired about the sale price of the property. County Administrator Harold Young responded that the sale price will be \$6,500 per acre. Councilman Ravenell advised that this is land that the County purchased from them and is selling it back to them at the same price.

Councilman Ravenell motioned that agenda item number four (4) be approved. Councilman Wimberly seconded the motion. Motion carried. (7-0-0-0).

5. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND AMONG ORANGEBURG COUNTY, SOUTH CAROLINA (THE "COUNTY"), SIGMATEX CARBON TEXTILE SOLUTIONS INC. ("SIGMATEX") AND PIEDMONT COMPANIES, INC. ("PIEDMONT"), EACH ACTING FOR ITSELF, ONE OR MORE AFFILIATES AND/OR OTHER PROJECT SPONSORS, WHEREBY THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF *AD VALOREM* TAXES WITH RESPECT TO THE ESTABLISHMENT AND/OR EXPANSION OF CERTAIN FACILITIES IN THE COUNTY (COLLECTIVELY, THE "PROJECT"); (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO SIGMATEX, PIEDMONT, AND THE PROJECT; (3) CERTAIN SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH THE PROJECT; AND (4) OTHER MATTERS RELATING THERETO.

Chairman Wright asked for an explanation from County Administrator Harold Young. Administrator Young yielded to the Attorney for Economic Development, Deputy County Attorney Jerrod Anderson. Attorney Anderson advised that agenda items five, six, and nine (5, 6, and 9) are related. Attorney Anderson advised that agenda item number nine (9) deals with the approval of a fee-in-lieu. Attorney Anderson advised that the prospect is Sigmatex Carbon Textiles who plan to invest a minimum of \$6.5 million dollars mostly in the construction of a building. Attorney Anderson advised that they have not delineated where that \$6.5 million will be distributed in terms of machinery and equipment. Attorney Anderson advised that they have promised a minimum of 50 new jobs and desire to place the expansion in a multi-county industrial park which is the essence of agenda item number six (6). Attorney Anderson advised that Council's approval is required to place the expansion in a multi-county industrial park. Attorney Anderson advised that agenda item number nine (9) is a resolution to nail down the incentives. Attorney Anderson advised that the company would like the ordinances to be completed by the end of the calendar year in order to meet the company's fiscal year. Attorney Anderson advised that this is why these ordinances are before Council by title only.

Chairman Wright recognized Councilman Ravenell. Councilman Ravenell advised that Sigmatex has already employed ten (10) people and they are working already. Attorney Anderson advised that this is the information he has received.

Chairman Wright recognized Darrell Booker with the Orangeburg County Development Commission. Mr. Booker advised Council that the company was so pleased with the individuals that were hired that they flew them out to California for training.

Chairman Wright recognized Councilman Owens. Councilman Owens inquired about the wages that are being paid. Darrell Booker of the Orangeburg County Development Commission responded that the wages will be \$15 per hour and up.

Chairman Wright asked for a motion. Councilman Owens motioned that agenda items five, six, and nine (5, 6, and 9) be approved in first reading by title only. Councilwoman Cooper-Smith seconded the motion. Motion carried. (7-0-0-0).

6. ORDINANCE FIRST READING BY TITLE ONLY

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 LOCATED IN ORANGEBURG COUNTY, SOUTH CAROLINA NOW OR TO BE HEREAFTER OWNED AND/OR OPERATED BY SIGMATEX CARBON TEXTILE SOLUTIONS INC., PIEDMONT COMPANIES, INC., AND/OR ONE OR MORE COMPANIES RELATED THERETO; AND AUTHORIZING OTHER RELATED MATTERS.

Chairman Wright asked for an explanation from County Administrator Harold Young. Administrator Young yielded to the Attorney for Economic Development, Deputy County Attorney Jerrod Anderson. Attorney Anderson advised that agenda items five, six, and nine (5, 6, and 9) are related. Attorney Anderson advised that agenda item number nine (9) deals with the approval of a fee-in-lieu. Attorney Anderson advised that the prospect is

Sigmatex Carbon Textiles who plan to invest a minimum of \$6.5 million dollars mostly in the construction of a building. Attorney Anderson advised that they have not delineated where that \$6.5 million will be distributed in terms of machinery and equipment. Attorney Anderson advised that they have promised a minimum of 50 new jobs and desire to place the expansion in a multi-county industrial park which is the essence of agenda item number six (6). Attorney Anderson advised that Council's approval is required to place the expansion in a multi-county industrial park. Attorney Anderson advised that agenda item number nine (9) is a resolution to nail down the incentives. Attorney Anderson advised that the company would like the ordinances to be completed by the end of the calendar year in order to meet the company's fiscal year. Attorney Anderson advised that this is why these ordinances are before Council by title only.

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Chairman Wright recognized Councilman Owens. Councilman Owens inquired about the wages that are being paid. Darrell Booker of the Orangeburg County Development Commission responded that the wages will be \$15 per hour and up.

Chairman Wright asked for a motion. Councilman Owens motioned that agenda items five, six, and nine (5, 6, and 9) be approved in first reading by title only. Councilwoman Cooper-Smith seconded the motion. Motion carried. (7-0-0-0).

7. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO BUY AND SELL REAL ESTATE BY AND BETWEEN ORANGEBURG COUNTY AND JAMISON CONSULTANTS PERTAINING TO CERTAIN REAL PROPERTY OWNED BY ORANGEBURG COUNTY; AUTHORIZING THE SALE OF SUCH REAL PROPERTY BY THE COUNTY TO JAMISON CONSULTANTS; AND OTHER MATTERS RELATING THERETO

Chairman Wright asked County Administrator Harold Young for an explanation. Administrator Young advised that during a capital project meeting it came to the attention of the County that it owned property that was not being utilized. Administrator Young advised that agenda item number seven (7) is an ordinance to accept on offer that was made on a piece of real property that is owned by the County in the Holly Hill area.

Chairman Wright recognized Councilman Wimberly. Councilman Wimberly advised that this is surplus property that Jamison Consultants want to purchase. Administrator Young advised that this is correct. Administrator Young advised that this is the old DHEC building. Councilman Wimberly asked if the property and the price will be named at second reading. Administrator Young advised that this is correct.

Chairman Wright recognized Councilman Clyde Livingston. Councilman C. Livingston inquired as to why it was not named at first reading. Administrator Young advised that the County had a potential swap set up with Family Health Services and because of the cash offer Family Health Services may wish to counter offer.

Chairman Wright recognized Councilman Owens. Councilman Owens inquired if accepting this offer would place the property back on the tax roll. Administrator Young respond that it would place the property back on the tax roll.

Chairman Wright asked for a motion on agenda item seven (7). Councilman Owens motioned that agenda item number seven (7) be approved in first reading by title only. Councilman Ravenell seconded the motion. Motion carried. (7-0-0-0).

8. RESOLUTION

INDUCEMENT RESOLUTION PROVIDING FOR A FEE IN LIEU OF TAX AGREEMENT BETWEEN ORANGEBURG COUNTY AND PROJECT SATYR

Chairman Wright asked for an explanation from County Administrator Harold Young. Administrator Young yielded to the Attorney for Economic Development, Deputy County Attorney Jerrod Anderson. Attorney Anderson advised that the prospect wishes to remain confidential at this time and this resolution deals with the construction of a solar farm with a minimum investment of \$50 million dollars. Attorney Anderson advised that given the nature of a solar farm there is no promise of new jobs. Attorney Anderson advised that the farm is run by equipment and machinery.

Chairman Wright inquired if the County will see tax benefit from the solar farm. Attorney Anderson advised that this is correct. Attorney Anderson advised that the farm will be assessed at 6.0%.

Chairman Wright recognized Councilman Ravenell. Councilman Ravenell inquired about the time frame of the agreement. Attorney Anderson advised that the agreement would be for twenty (20) years.

Chairman Wright recognized Councilman Clyde Livingston. Councilman C. Livingston inquired about the life expectancy of the farm. Darrell Booker, Orangeburg County Development Commission, advised that the life expectancy of the solar farm is approximately twenty (20) years. Councilman C. Livingston asked about assurances from the company that after twenty (20) year period has expired. Darrell Booker advised that the company generally agrees to return the property to its original condition to the best of their ability prior to leaving. Mr. Booker advised that Council could, in the future, consider this as the subject of an ordinance.

Chairman Wright recognized Councilman Heyward Livingston. Councilman H. Livingston advised that the clean-up is an issue to be worked out between the land owner and the company. Attorney Anderson advised that in a lease situation that would be correct.

Chairman Wright recognized Councilman Wimberly. Councilman Wimberly asked why the County was giving a fee-in-lieu. Attorney Anderson advised that it was the potential for investment in the County as well as the company's intention to sell the energy locally. Councilman Wimberly inquired if there was any clause in the event that the company did not stay for twenty (20) years. Attorney Anderson advised that those details can be ironed out in the Fee Agreement.

Chairman Wright asked for a motion on agenda item number agenda item number eight (8). Councilman Wimberly motioned that agenda item number eight (8) be approved. Councilman Heyward Livingston seconded the motion. Motion carried. (7-0-0-0).

9. RESOLUTION

A RESOLUTION AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA (THE "COUNTY"), SIGMATEX CARBON TEXTILE SOLUTIONS INC. ("SIGMATEX"), AND PIEDMONT COMPANIES, INC. ("PIEDMONT"), EACH ACTING FOR ITSELF, ONE OR MORE AFFILIATES AND/OR OTHER PROJECT SPONSORS, PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT THE ESTABLISHMENT AND/OR EXPANSION OF CERTAIN FACILITIES IN THE COUNTY (COLLECTIVELY, THE "PROJECT"); (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO PIEDMONT, SIGMATEX, AND THE PROJECT; (3) CERTAIN SPECIAL SOURCE REVENUE CREDITS IN CONNCECTION WITH THE PROJECT; AND (4) OTHER MATTERS RELATING THERETO.

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Chairman Wright recognized Councilman Owens. Councilman Owens inquired about the wages that are being paid. Darrell Booker of the Orangeburg County Development Commission responded that the wages will be \$15 per hour and up.

Chairman Wright asked for a motion. Councilman Owens motioned that agenda items five, six, and nine (5, 6, and 9) be approved in first reading by title only. Councilwoman Cooper-Smith seconded the motion. Motion carried. (7-0-0-0).

10. VOTE FOR EXECUTIVE SESSION

Councilman Owens motioned that the Council move into executive session to discuss economic development. Councilman Ravenell seconded the motion. Motion carried. (7-0-0-0).

11. EXECUTIVE SESSION

S.C. CODE 30-4-70(a)(2)(PROPOSED CONTRACTUAL ARRANGEMENTS) AND (5)(PROPOSED LOCATION/EXPANSION OF INDUSTRIES WITHIN THE COUNTY)

A) ECONOMIC DEVELOPMENT


12. VOTE FOR ADJOURNMENT

Chairman Wright asked for a motion that the Council stand adjourned. Councilman Heyward Livingston motioned that the November 16, 2015 regular session of the Orangeburg County Council stand adjourned. Councilman Owens seconded the motion. Motion carried. (7-0-0-0).

Chairman Wright thanked the public for attending the meeting.

13. ADJOURNMENT


Faith E Carter
Clerk to Council


Johnnie Wright, Sr.
Chairman
Orangeburg County Council