



**MINUTES
ORANGEBURG COUNTY COUNCIL
December 21, 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

MEMBERS ABSENT:
Clyde B. Livingston

OTHERS PRESENT:

Marion Lloyd, Deputy County Administrator
Jerrod Anderson, Deputy County Attorney
Faith E Carter, Clerk to Council

CALL TO ORDER

Johnnie Wright, Sr. Chairman

On the 21st day of December, 2015, Chairman Wright called to order a regular session of the Orangeburg County Council at 5:33 pm.

MOMENT OF SILENCE

Moment of silence observed

PUBLIC COMMENTS:

AGENDA ITEMS

NONE

PUBLIC COMMENTS:

OTHER MATTERS

NONE

1. ORDINANCE THIRD READING

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

Chairman Wright asked Marion Lloyd, Deputy County Administrator, for an explanation. Administrator Lloyd advised that this is a portion of a larger tract of land that was decided

to the County by Weathers Farms, Inc. and they are requesting that this portion be deeded back to them.

Chairman Wright asked for questions from Council. No questions. Councilman Wimberly motioned that agenda item number one (1) be approved in third reading. Councilman Ravenell seconded the motion. Motion carried. (6-0-0-1).

2. ORDINANCE THIRD READING

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 Deputy County Attorney Jerrod Anderson. Attorney Anderson advised that Sigmatex Carbon Textiles is a company that focuses on carbon textile manufacturing. Attorney Anderson advised that Sigmatex plans on investing \$6.5 million in construction and equipment. Attorney Anderson advised that Sigmatex intends to provide 50 new jobs and place the expansion in a joint multi-county industrial park with Dorchester County, South Carolina. Attorney Anderson advised that agenda item number two (2) will approve the Fee-In-Lieu of Tax Agreement and agenda item number three (3) will approve the expansion in the joint multi-county industrial park with Dorchester County, South Carolina.

Chairman Wright asked for a motion on agenda items two (2) and three (3). Vice-Chairwoman Cooper-Smith motioned that agenda items two (2) and three (3) be approved in third reading. Councilman Owens seconded the motion. Motion carried. (6-0-0-1).

3. ORDINANCE THIRD 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 LOCATED IN ORANGEBURG COUNTY, SOUTH CAROLINA

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 Deputy County Attorney Jerrod Anderson. Attorney Anderson advised that Sigmatex Carbon Textiles is a company that focuses on carbon textile manufacturing. Attorney Anderson advised that Sigmatex plans on investing \$6.5 million in construction and equipment. Attorney Anderson advised that Sigmatex intends to provide 50 new jobs and place the expansion in a joint multi-county industrial park with Dorchester County, South Carolina. Attorney Anderson advised that agenda item number two (2) will approve the Fee-In-Lieu of Tax Agreement and agenda item number three (3) will approve the expansion in the joint multi-county industrial park with Dorchester County, South Carolina.

Chairman Wright asked for a motion on agenda items two (2) and three (3). Vice-Chairwoman Cooper-Smith motioned that agenda items two (2) and three (3) be approved in third reading. Councilman Owens seconded the motion. Motion carried. (6-0-0-1).

4. ORDINANCE PUBLIC HEARING AND THIRD READING

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 Deputy County Attorney Jerrod Anderson for an explanation of agenda item number four (4). Attorney Anderson advised that agenda item number (4) deals with the sale of surplus county property in Holly Hill.

Chairman Wright opened the floor for public hearing on agenda item number (4). No person came forward to comment on agenda item number four (4). Hearing no comment, Chairman Wright closed the floor for public hearing.

Chairman Wright asked for a motion on agenda item number (4). Councilman Ravenell motioned that agenda item number four (4) be approved in third reading. Councilman Heyward Livingston seconded the motion. Motion carried. (6-0-0-1).

5. ORDINANCE PUBLIC HEARING AND THIRD READING

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND THE OKONITE COMPANY, INC. WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN

PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE CREDITS; AND OTHER MATTERS RELATED THERETO.

Chairman Wright opened the floor for public hearing on agenda items five and six (5,6). No person came forward to comment on agenda items five and six (5,6). Hearing no comment, Chairman Wright closed the floor for public hearing on agenda items five and six (5,6).

Chairman Wright asked for a motion on agenda items five and six (5,6). Councilman Heyward Livingston motioned that agenda items five and six (5,6) be approved in third reading. Councilman Owens seconded the motion. Motion carried. (6-0-0-1).

6. ORDINANCE PUBLIC HEARING AND THIRD READING

AN ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK BY AND BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA, AND ORANGEBURG COUNTY, SOUTH CAROLINA, PROVIDING FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK SO AS TO INCLUDE PROPERTY OF THE OKONITE COMPANY INC. AND OTHER MATTERS RELATED THERETO

Chairman Wright opened the floor for public hearing on agenda items five and six (5,6). No person came forward to comment on agenda items five and six (5,6). Hearing no comment, Chairman Wright closed the floor for public hearing on agenda items five and six (5,6).

Chairman Wright asked for a motion on agenda items five and six (5,6). Councilman Heyward Livingston motioned that agenda items five and six (5,6) be approved in third reading. Councilman Owens seconded the motion. Motion carried. (6-0-0-1).

7. PRESENTATION OF PLANNING COMMISSION RESOLUTION

Chairman Wright recognized Deputy County Administrator Marion Lloyd. Administrator Lloyd advised the Planning Commission met on December 9, 2015 to discuss changes to the zoning ordinance in order to set rules and regulations to govern outdoor recreation and event centers within the Forest Agricultural (FA) districts. Administrator Lloyd advised that this is currently being done in the commercial districts. Administrator Lloyd advised that this activity is compatible with the zoning plan and desirable within the rural community. Administrator Lloyd advised that this amendment would allow this activity in the rural areas while still protecting the environment. Administrator Lloyd advised that this is the recommendation of the Planning Commission.

Chairman Wright recognized Councilman Owens. Councilman Owens asked if this was the request filed by Walter Curry. Deputy Administrator Lloyd responded that Mr. Curry made his request to the Planning Commission.

Chairman Wright asked for a motion on agenda item number seven (7). Vice-Chairwoman Cooper-Smith motioned that the Council accept the recommendation of the Planning Commission. Councilman Owens seconded the motion. Motion carried. (6-0-0-1).

8. ORDINANCE FIRST READING

AN ORDINANCE AMENDING THE ORANGEBURG COUNTY ZONING ORDINANCE TO PROVIDE REGULATIONS GOVERNING OUTDOOR RECREATION AND EVENT CENTERS

Chairman Wright explained that this ordinance follows the recommendation of the Planning Commission in agenda item number seven (7). Chairman Wright asked for a motion. Vice-Chairwoman Cooper-Smith motioned that agenda item number eight (8) be approved in first reading. Councilman Owens seconded the motion. Motion carried. (6-0-0-1).

9. 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") AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT LEOPARD, ACTING FOR ITSELF, ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS (THE "COMPANY"), PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE ESTABLISHMENT OF CERTAIN FACILITIES IN THE COUNTY (COLLECTIVELY, THE "PROJECT"); AND OTHER MATTERS RELATING THERETO.

Chairman Wright asked for an explanation from Deputy County Attorney Jerrod Anderson. Attorney Anderson advised that the prospect wishes to remain confidential at this time. Attorney Anderson advised that the prospect is looking to make a minimum investment of \$29 million in an undeclared category with the promise of a minimum of a 25 jobs. Attorney Anderson advised that agenda item number nine (9) only approves the inducement resolution at this time. Attorney Anderson advised that there will be a subsequent fee ordinance and a multi-county industrial park ordinance for this project.

Chairman Wright recognized Councilman Owens. Councilman Owens asked if the prospect was presently doing business in Dorchester County. Attorney Anderson advised that the prospect was not but was doing business in Orangeburg County. Attorney Anderson advised that Dorchester County is involved because of the placement of the prospect in the multi-county industrial park with Dorchester County, South Carolina.

Chairman Wright asked for additional questions. No questions. Chairman Wright asked for motion on agenda item number nine (9). Councilman Heyward Livingston motioned that agenda item number nine (9) be approved. Councilman Ravenell seconded the motion. Motion carried. (6-0-0-1).

**10. ORANGEBURG COUNTY COUNCIL PUBLIC WORKS COMMITTEE
REPORT AND RECOMMENDATIONS**

Chairman Wright yielded to the Chairman of the Public Works Committee, Councilman Ravenell. Committee Chairman Ravenell advised that the Orangeburg County Council Public Works Committee met today (December 21, 2015) at 4:00 pm. Chairman Ravenell advised that there were two items on the committee agenda. Chairman Ravenell advised that agenda item number one (1) was an abandon maintenance request for a portion of Nassau Road. Chairman Ravenell advised that it is the Public Works Committee recommendation is that the Council agree to abandon maintenance on the portion of Nassau Road that is not scheduled to be paved.

Committee Chairman, Councilman Ravenell, motioned that the Council only abandon maintenance on the requested portion of road once the scheduled paving is completed on the other portion of the road. Councilman Wimberly, Committee Member, seconded the motion. Motion carried. (6-0-0-1).

Committee Chairman Ravenell advised that the second item on the committee agenda was an abandon maintenance request for Underbrush Court. Chairman Ravenell advised that there is a party interested in purchasing the property on either side of the road all the way to the end of the road. Chairman Ravenell advised that the Public Works Committee recommendation is that the Council agree to abandon maintenance on the requested section of Underbrush Court once the sale of property is completed. Chairman Ravenell advised that the potential buyer has requested a letter in writing that this is the County intention prior to purchasing the property.

Chairman Wright recognized Councilman Owens. Councilman Owens asked if the potential buyer is requesting that the County discontinue maintenance. Committee Chairman Ravenell responded that this was correct.

Chairman Wright recognized Committee Chairman Ravenell. Chairman Ravenell motioned that the County abandon maintenance on the requested portion of Underbrush Court once the sale of the property is completed and that the County send the potential buyer a letter stating that it is the County's intention to abandon maintenance once the sale is completed. Councilman Heyward Livingston, Committee Member, seconded the motion. Motion carried. (6-0-0-1).

11. ACCEPTANCE OF BIDS

A) FY16-1217 ORANGEBURG-BRANCHVILLE SPORTS COMPLEX

Chairman Wright asked for an explanation from Deputy Administrator Marion Lloyd. Administrator Lloyd advised that request for proposals for the Orangeburg-Branchville Sport Complex, FY16-1217, was prepared and advertised in the TandD and SCBO newspapers. Administrator Lloyd advised that the mandatory pre-bid was held on December 9, 2015 at 2:00 pm. Administrator Lloyd advised that proposals were due on December 17, 2015 and five general contractors submitted proposals for consideration. Administrator Lloyd advised that it is the recommendation of the Evaluation Committee that the bid be awarded to H.G. Reynolds of Aiken, S.C. as the highest ranked vendor.

Chairman Wright advised that the Council has heard the summary of the Deputy Administrator and Chairman Wright yielded to the Councilman from that district. Councilman Wimberly.

Councilman Wimberly advised that the base bid does not show a complete ball field. Councilman Wimberly advised that to complete the ball field brings the total amount to approximately \$2.5 million which is over the budgeted amount for this project. Councilman Wimberly advised that he hopes to have a field to play in by this coming spring.

Councilman Wimberly motioned that the Council reject all of the RFPs (request for proposal) and refer the project back to the County Administrator. Vice-Chairwoman Cooper-Smith seconded the motion. Motion carried. (6-0-0-1).

12. VOTE FOR EXECUTIVE SESSION

Councilman Wimberly motioned that the Council move into executive session to discuss economic development. Vice-Chairwoman Cooper-Smith seconded the motion. Motion carried. (6-0-0-1).

13. 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

14. VOTE FOR ADJOURNMENT

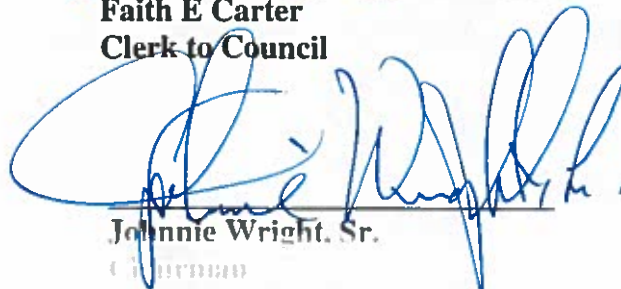
Chairman Wright asked for a motion that the Council stand adjourned. Vice-Chairwoman Cooper-Smith motioned that the December 21, 2015 regular session of the Orangeburg County Council stand adjourned. Councilman Heyward Livingston seconded the motion. Motion carried. (6-0-0-1).

Chairman Wright thanked the public for attending the meeting and wished everyone a Merry Christmas.

15. ADJOURNMENT



Faith E Carter
Clerk to Council



Johnnie Wright, Sr.
Chairman
Orangeburg County Council