



**MINUTES
ORANGEBURG COUNTY COUNCIL
SPECIAL SESSION**

**March 21, 2016
10:30 A.M.**



**ORANGEBURG COUNTY ADMINISTRATIVE CENTRE
1437 AMELIA STREET, SUITE 200
ORANGEBURG, SC 29115**

CONFERENCE ROOM 200A

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.
Janie Cooper-Smith
Harry F. Wimberly
Heyward H. Livingston
Johnny Ravenell
Willie B. Owens**

MEMBERS ABSENT:

Clyde B. Livingston

OTHERS PRESENT:

**Harold Young, County Administrator
D'Anne Haydel, County Attorney (arrived 1:55 pm)
Faith E Carter, Clerk to Council
Jerrod Anderson, Deputy County Attorney (departed 1:55 pm)
Marion Lloyd, Deputy County Administrator (departed 12:00)
Henry Summers, Public Services Deputy Administrator (arrived 1:55 pm)
John McLaughlin, County Engineer (departed 1:55 pm)
Stephanie McKune-Grant, Special Projects Administrator
Terry Cooke, Orangeburg County Development Commission Board
(departed 1:55 pm)
Anna Zacherl, Orangeburg County Library Director (departed 1:55 pm)**

PRESS:

**Princess Williams, Times and Democrat
Cindy O'Neil, Holly Hill Observer/Santee Stripper (departed 1:55 pm)**

CALL TO ORDER

Johnnie Wright, Sr. Chairman

On the 21st day of March, 2016, Chairman Wright called to order a special session of the Orangeburg County Council at 10:44 am.

MOMENT OF SILENCE

Moment of silence observed

APPROVAL OF MINUTES

March 7, 2016 (RS)

Chairman Wright recognized Vice-Chairwoman Cooper-Smith. Vice-Chairwoman Cooper-Smith advised that a correction is needed on page 3, section 3 under Resolution Honoring National Women’s History Month. Vice-Chairwoman Cooper-Smith advised that the word “man” needs to be changed to “men.” Clerk to make necessary corrections. Vice-Chairwoman motioned that the minutes be approved with the above corrections. Councilman Wimberly seconded the motion. Motion carried. (6-0-0-1).

PUBLIC COMMENTS: AGENDA ITEMS NONE

PUBLIC COMMENTS: OTHER MATTERS NONE

1. 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 TMS # 0338-07-03-006.00 FROM RG (RESIDENTIAL GENERAL DISTRICT) TO RC (RURAL COMMUNITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Chairman Wright asked County Administrator, Harold Young, for an explanation of agenda item number one (1). County Administrator Harold Young advised that this a request from Patricia Brown to have the property at 421 Catamount Road in Orangeburg County rezoned. Administrator Young advised that this would be a change from Residential General District to Rural Community District. Administrator Young advised that the property is an old service station that the property owners are looking into changing to a community center. Administrator Young advised that the Planning Commission has recommended that the ordinance be approved.

Chairman Wright advised that Council has heard the explanation of the County Administrator. Chairman Wright asked for questions. No questions. Chairman Wright asked for a motion on agenda item number one (1). Councilman Heyward Livingston motioned that agenda item number one (1) be approved in second reading. Councilwoman Cooper-Smith seconded the motion. Motion carried. (6-0-0-1).

2. AUTHORIZATION OF ORANGEBURG COUNTY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR COUNTY MAGISTRATE TO SERVE AS MUNICIPAL JUDGE FOR THE TOWN OF NORTH

Chairman Wright asked County Administrator Harold Young for an explanation. Administrator Young advised that all the municipalities with police jurisdiction within their town have to provide a court mechanism to adjudicate the tickets that are given out by the police department. Administrator Young advised that some towns choose to contract with the Magistrate's Office for a Magistrate to fill that role. Administrator Young advised that the Town of North is wanting to enter into an agreement to that effect. Administrator Young advised that Judge Williamson has been serving in that capacity but has advised that she no longer wishes to fulfill those duties. Administrator Young advised Judge Dash will be appointing a new Magistrate to fulfill that role once he has a meeting with the other Magistrates to decide who would like to fulfill those duties. Administrator Young advised that this agreement is in order with all the other municipal agreements in the County.

Chairman Wright asked for questions. Chairman Wright recognized Councilman Owens. Councilman Owens inquired what occurs if the town wishes to hire its own municipal judge. Administrator Young advised that is possible however, it would have to be approved by the court system. Councilman Owens advised that there are a set of standards that people must meet in order to be appointed as a judge. Administrator Young stated that is correct.

Chairman Wright asked for a motion on agenda item number two (2). Councilman Heyward Livingston motioned that agenda item number two (2) be approved. Councilman Owens seconded the motion. Motion carried. (6-0-0-1).

3. APPOINTMENT OF CODE ENFORCEMENT OFFICERS

Chairman Wright asked for County Administrator Harold Young for an explanation. Administrator Young advised that under the law Code Enforcement Officers are allowed to be used to adjudicate the codes of the County which, you, as Council prepare. Administrator Young advised that the appointment must come from County Council. Administrator Young advised that the following Animal Control Officers need to be appointed: Trisha M. Milhouse, Brandy M. Smith, Kayla H. Ford, and Devon Gilmore.

Chairman Wright advised that Council has heard the explanation of the Administrator Young. Chairman Wright asked for questions. Chairman Wright recognized Councilman Wimberly. Councilman Wimberly inquired if any of the officers are new personnel. Administrator Young advised that Kayla Ford and Devon Gilmore are new employees.

Chairman Wright recognized Councilman Ravenell. Councilman Ravenell inquired about the amount of training that the officers have received. Administrator Young advised that they have been to training however, in the future the County is going to make Animal Control the same a Litter Control by sending them to the training academy to become Class III officers.

Chairman Wright recognized Councilwoman Cooper-Smith. Councilwoman Cooper-Smith inquired if these are full-time positions. Administrator Young advised that is correct. Administrator Young advised that these are Animal Control Officers not Litter Control Officers.

Chairman Wright recognized Councilman Owens. Councilman Owens inquired about the total number of Animal Control Officers in the County. Administrator Young advised that the County currently employees six Animal Control Officers.

Chairman Wright recognized Councilman Heyward Livingston. Administrator Young advised that this is correct. Administrator Young advised that the addition of officers had been some time ago and these are replacements for those positions. Administrator Young advised that Animal Control receives just as many calls as Litter Control.

Chairman Wright recognized Councilman Owens. Councilman Owens advised if the County could get with the Magistrates Office about individuals who are assigned litter violation performing community service by cleaning up litter. Administrator Young advised that is possible but it is up to Magistrate how an individual is sentenced.

Chairman Wright recognized Councilwoman Cooper-Smith. Councilwoman Cooper-Smith advised that littering is a misdemeanor. Councilwoman Cooper-Smith asked why the Magistrate would hold off sentencing someone to community service. Administrator Young advised that individual sentences are up to the Magistrate. Councilwoman Cooper-Smith advised that she understood this but the law was passed in the General Assembly. Councilwoman Cooper-Smith advised that Representative Cobb-Hunter sponsored it. Administrator Young advised that the law gives the Magistrate the option of community service but it is not a mandatory sentence. Councilwoman Cooper-Smith advised that if people who litter are going to get a tap on the hand and a \$500 fine is reduced to \$50 then they are going to continue to litter. Councilwoman Cooper-Smith advised that it would make a big difference if persons who litter were instructed to pick-up litter or pay the \$500 fine. Councilwoman Cooper-Smith advised that Council needs to work with the Magistrates because it makes it seem like it is not a big deal to litter. Councilwoman Cooper-Smith advised that they are not being strict enough.

Chairman Wright recognized Councilman Wimberly. Councilman Wimberly advised that it would be good to discuss this issue during the budget process this fiscal year. Councilman Owens advised that the County pays the Magistrates. Chairman Wright advised that Litter has been a great concern at recent community meetings. Chairman Wright advised that he and Vice-Chairwoman Cooper-Smith attended a community function in Eutawville where this was a concern. Chairman Wright advised that Council passed the Ordinance to increase the fine but it is not being follow through on. Chairman Wright advised that the fines are being decreased.

Chairman Wright asked for a motion on agenda item number three (3). Councilwoman Cooper-Smith motioned that agenda item number three (3) approved and the officers be appointed. Councilman Owens seconded the motion. Motion carried. (6-0-0-1).

4. DISCUSSION OF COUNTY COUNCIL DISTRICT PRIORITIES

Councilman Wimberly motioned to amend the agenda make agenda item number four (4) agenda item seven-b (7B). Councilman Heyward Livingston seconded the motion. Motion carried. (6-0-0-1).

5. DISCUSSION OF ORANGEBURG COUNTY OPERATIONAL AND CAPITAL NEEDS

Chairman Wright yielded to County Administrator Harold Young. Administrator Young advised that he has been asked why Council is having a special session. Administrator

Young advised that any time a quorum of Council is present for a meeting to discuss county business then it is required that the meeting be a publicly advertised session. Administrator Young advised that the members of Council are working men and women who sacrifice a great deal of their time to serve on the Council so having the special session on the same day as regular session prevents the Council from having to make an additional trip especially as we are headed into a holiday weekend.

Administrator Young advised that are a number of county priorities are to be discussed at this meeting. Administrator Young advised that the first to be discussed to is the construction of a new county jail. Administrator Young advised that the County is under pressure from state as far as the jail is concerned. Administrator Young advised that PREA (Prison Rape Elimination Act) requires inmates be separated from one another based on specific criteria such as age (adults, juveniles, youthful offenders). Administrator Young advised that if Council wished for additional information then they can research PREA. Administrator Young advised that the current jail facility is thirty-five years old and the operational cost, due to the facility's age, is not cost effective. Administrator Young advised that, in conjunction with a financial advisor, the overall cost of building a new facility will allow the County to save money which could be rolled back into the debt service of the County. Administrator Young advised that in the last special session the Council agreed that the best place for the facility is on Ellis Ave and the County already owns property suitable for this venture. Administrator Young advised that this is a major priority of the County.

Vice-Chairwoman Cooper-Smith inquired about the old jail facility. Administrator Young advised that the old facility will be torn down in a recyclable fashion.

After some discussion, Councilman Wimberly motioned that the County Administrator be instructed to proceed with a Request for Proposals (RFP) for architecture and engineering services in order to construct a new county jail facility. Councilman Owens seconded the motion. Motion carried. (6-0-0-1).

Administrator Young advised that the next item is the Department of Social Service Building (DSS). Administrator Young advised that the County has requested that the Legislative Delegation try to help with the funding of the building. Administrator Young advised that the delegation has advised that they will try to put something in the state budget but they cannot guarantee that it will pass. Administrator Young advised that part of solving the problem with the DSS Building is that a series of meetings are necessary with the Council on Aging and Senior Catering because it needs to be decided if it is cost effective for those three agencies to be housed together.

After some discussion, Councilman Owens motioned that the County Administrator be instructed to locate a new structure for the Department of Social Services (DSS), Council on Aging, and Senior Catering Services. Councilman Ravenell seconded the motion. Motion carried. (6-0-0-1).

After some additional discussion, Councilman Heyward Livingston motioned that the County Administrator be instructed to draft a letter to Governor Nikki Haley and Lieutenant Governor Henry McMaster requesting funds for the Department of Social Services (DSS) building which currently includes the Council on Aging. Councilman Owens seconded the motion. Motion carried. (6-0-0-1).

Administrator Young advised that the next item is an overall maintenance plan that the County has for separate buildings such as the Administrative Centre. Administrator Young advised there are projects that need to be completed at the Courthouse and other operational facilities. Administrator Young advised that these projects will be completely outlined in the upcoming budget process. Administrator Young advised that the County has, in the past, on the last penny put in monies to help with upkeep and operational costs. Administrator Young advised that the Administrative Centre is in need of a new roof and there are leaks at the Courthouse. Administrator Young advised that he would like the Council to keep these items in mind as specifics are discussed later in the budget season.

Administrator Young advised that the next item from a quality of life standpoint is the library. Administrator Young advised that there have been several scenarios proposed in regard to the library, however, the City of Orangeburg has approved giving monies toward the library. Administrator Young advised that there is close to \$900,000 allocated under the third penny for the library itself. Administrator Young advised that the City of Orangeburg is willing to partner with the County and give monies toward the new facility should the facility be located in the downtown area.

After some discussion, the Council made no motion in regard to the library and referred further discussion of the library facility to the next Joint City/County Council Meeting.

Administrator Young advised that the next item for discussion is the equipment in the Public Works and Building/Ground Departments. Administrator Young passed out material related to the equipment. Administrator Young advised that CAT is now part of state contract which may give the County some additional opportunities. Administrator Young advised that the SC Association of Counties has put together a procurement alliance which means that some equipment has been pre-procured. Administrator Young yielded to Henry Summers, Public Services Deputy Administrator. Mr. Summers advised he has been working with a representative from Blanchard Machinery. Mr. Summers referred Council to the brochure and advised that this would be one of the new machines that they would be looking at which is a New Holland. Mr. Summers advised that the department has Challengers which are very expensive to maintain as they are made in Britain and it is difficult to get parts for them. Mr. Summers advised that last year they were allowed to demonstrate the machine that the Council is looking at. Mr. Summers advised that this machine is less expensive and it is easier to get parts for it. Mr. Summers advised that they are looking at trying to get rid of all the paving equipment. Mr. Summers advised that the paving machine is ten years old or better, the rolls, etc. Mr. Summers advised that they have some out with a competitive motor grater that is a little bit smaller than the current grader that the County currently has right now. Mr. Summers advised he did not believe that the County was currently part of the procurement alliance.

Administrator Young advised that the County can participate through the SC Association of Counties. Administrator Young advised that the bulk of these decision will be made on the capital side during budget discussions however, it is a capital priority for the County.

After some discussion, Councilman Wimberly motioned that the hiring of a new paving crew and the discussion of incomplete road projects be referred to the Public Works Committee for discussion and that the Committee should A) create a three month action plan for completing those projects as well as hiring a crew and B) to create a six month implementation plan. Councilwoman Cooper-Smith seconded the motion. Motion carried. (6-0-0-1).

Chairman Wright recognized Mr. Gregg Robinson, Orangeburg County Economic Development Director to update the Council on the capital infrastructure requests that have been made. Director Robinson advised that they had a Legislative Delegation meeting this morning. Director Robinson advised that the Senator asked them to prioritize road repairs under the lens of which would provide the most jobs. Director Robinson advised that Joe Jeffords widening project is number one priority. Director Robinson advised that in order to widen that road to five lanes is roughly \$3.6 million; if it was widen to three lanes it would be roughly \$2.5 million. Director Robinson advised that Joe Jeffords needs widening between Hwy 301 and Hwy 21 because those are both four lanes roads which is our weak link to the south side of Hwy 21. Director Robinson advised that this is where the majority of the industrial base is and where the megasites are including broadband being located in that area; 90 million gallons of water, 6 million gallons of sewer, the airport..all located within that area. Director Robinson advised that the second priority is Industrial Boulevard at Exit 145 for widening and resurfacing of that state road. Director Robinson advised that roughly \$670,000 is an estimate and the Senator was putting that forward as a top priority for us to look at because the County owns the 100 acres at Exit 145 which is a level four certified site. Director Robinson advised that the site also has Norfolk Southern Rail. Director Robinson advised that another priority is South Patio Parkway. Director Robinson advised that South Patio Parkway is a state road and an extension of that parkway to include rail related sites. Director Robinson asked for questions.

Chairman Wright advised that the group did not think they could reach the \$4 million mark on the first project, however, they agreed that they might have a chance to do the second.

Director Robinson advised that the second project has a more reasonable expectation as far as expense that would lead to job creation.

Councilman Wimberly inquired if a three lane road would suffice on Joe Jeffords. Director Robinson advised that it is currently a two lane road so the widening project would create a turn lane. Director Robinson advised that his opinion is that the road need to go to five lanes.

Councilman Ravenell inquired about acquiring right of way. Director Robinson advised that the County would not need any new right of way.

Vice-Chairwoman Cooper-Smith advised that this project has already been submitted to the Lower Savannah Council of Governments (LSCOG) because it is on their list. Director Robinson advised that this is part of one-time delegation monies aimed at road improvements.

Director Robinson advised an initiative is the Gateway Project to the colleges at Exit 145. Director Robinson advised that this would enhance the exit with decorative amenities considering that it has sixty thousand cars a day. Director Robinson advised that this ties in the property that the County owns at Exit 145 by trying to enhance those lighting. Director Robinson advised that the City of Orangeburg and DPU are willing to come to the table as far as being willing to adapt a design, scope, and scale from the exit to downtown. Director Robinson advised that it would bridge the gap from the interchange to downtown. Director Robinson advised that this is what Walterboro recently did as well as Chester County and of course York County with Dave Lowes Boulevard. Director Robinson advised that those are all examples of what we were using in our cost estimates. Director Robinson advised

that the cost estimates are \$1.1 million. Director Robinson advised that Senator Matthews and Senator Hutto felt that they could assist in some way.

Director Robinson advised that the smaller initiative is the One Orangeburg County Initiative. Director Robinson advised that Senator Matthews and Senator Hutto were to get with the Delegation and get back with us about a one-time funding mechanism for \$100,000 for the operation of the One Orangeburg County Initiative which is designed to address five major issues of improvement: bringing the county and the city together on issues, K-16 enhanced educational initiatives, retail, commercial, and new housing opportunities, and gateway opportunities on I-26 and I-95. Director Robinson advised that the One Orangeburg County Initiative is a one-time funding initiative to work with public and private sector folks for us leverage that funding.

Councilman Wimberly inquired about the enhancement zones. Director Robinson advised that economic development was looking into taking enhancement zones county-wide. Councilman Wimberly advised that the County should follow-up on these zones. Director Robinson advised that Orangeburg County and Clarendon County will be presenting in front of the House Finance Committee to discuss the Port Enhancement Zone.

Motion was made to go into Executive Session. Please see agenda item number ten-a (10A).

6. DISCUSSION OF CAPITAL PROJECT SALES TAX ROUND IV

Council returned to special session at 1:24 pm. Chairman Wright declared recess at 1:24 pm. The Council returned to special session at 1:55 pm. Administrator Young advised that the purpose of this discussion is to describe ballot items that Council is interested in putting forward on the referendum.

Administrator Young advised that the Special Projects Administrator has met with each member on the project status of the current projects.

After some discussion, Chairman Wright recognized County Attorney D'Anne Haydel. Attorney Haydel requested that the Council go into Executive Session to discuss a possible hospital project being placed on the ballot. Councilman Heyward Livingston motioned that the Council entered into Executive Session to discuss the project mentioned by Attorney Haydel. Councilman Ravenell seconded the motion. Motion carried. (6-0-0-1). Council entered Executive Session at 2:17 pm and returned at 2:53 pm.

7. PRESENTATION FROM PIEDMONT COMPANIES INC.

Chairman Wright recognized Administrator Young. Administrator Young introduced Andrew Silver, Willie Hefner, and Gary Faulknerbury from Piedmont Companies, Inc. Administrator Young advised that Piedmont is a Development Company and they are here to discuss the Library and the Department of Social Services Building.

Chairman Wright recognized Andrew Silver. Mr. Silver gave a presentation in regards to the construction and leasing of a building.

Chairman Wright thanked Mr. Silver for his presentation to the Council. Administrator Young thanked Mr. Hefner and Piedmont Companies Inc. for their commitment to Orangeburg County.

7-B. COUNCIL DISTRICT PRIORITIES

Chairman Wright recognized Administrator Young. Administrator Young advised that he is requesting that each district provide its priority for the coming year. Each council district present provided their district priorities.

8. ADMINISTRATOR'S CONTRACT

FOIA EXEMPTION S.C. CODE §30-4-70(a)(1)(DISCUSSION OF EMPLOYMENT OF AN EMPLOYEE) AND (2)(DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS)

Councilman Heyward Livingston motioned that the Council enter into Executive Session to discuss agenda item number eight (8). Councilman Ravenell seconded the motion. Motion carried. (6-0-0-1). The Council entered into Executive Session at 4:15 pm and returned to special session at 5:01 pm.

Chairman Wright asked for a motion on agenda item number eight (8). Councilman Owens motioned that agenda item number eight (8) be approved. Councilman Ravenell seconded the motion. Motion carried. (6-0-0-1).

9. VOTE FOR EXECUTIVE SESSION

Councilman Owens motioned that the Council move into Executive Session to discuss agenda item ten-a (10A). Councilman Ravenell seconded the motion. Motion carried. (6-0-0-1). Council entered Executive Session at 12:59 am and returned at 1:24 pm.

10. EXECUTIVE SESSION

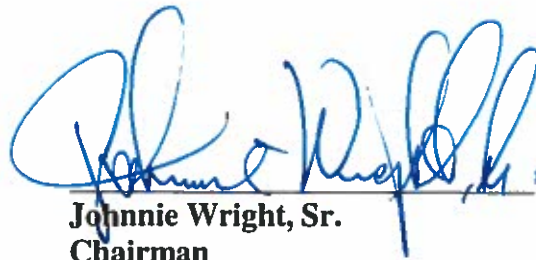
**A) ECONOMIC DEVELOPMENT UPDATE ON PROJECT LEOPARD, PROJECT BULLDOG, AND PROJECT CHIP
FOIA EXEMPTION S.C. CODE §30-4-70(a)(2)(DISCUSSION OF NEGOTIATION INCIDENT TO PROPOSED CONTRACTUAL NEGOTIATIONS) AND S.C. CODE §30-4-70(a)(5)(DISCUSSION OF MATTERS RELATING TO THE PROPOSED LOCATION, EXPANSION, OR THE PROVISION OF SERVICES ENCOURAGING LOCATION OR EXPANSION IN INDUSTRIES OR OTHER BUSINESSES IN ORANGEBURG COUNTY)**

11. VOTE FOR ADJOURNMENT

Chairman Wright asked for a motion for adjournment. Councilman Owens motioned that the special session of the Orangeburg County Council of March 21, 2016 be adjourned. Councilman Heyward Livingston seconded the motion. Motioned carried. (6-0-0-1).

12. ADJOURNMENT

Meeting adjourned at 5:34 pm.

A handwritten signature in blue ink, appearing to read "Johnnie Wright, Sr.", written over a horizontal line.

**Johnnie Wright, Sr.
Chairman
Orangeburg County Council**

A handwritten signature in blue ink, appearing to read "Faith E Carter", written over a horizontal line.

**Faith E Carter
Clerk to Council
Orangeburg County Council**