



**MINUTES
ORANGEBURG COUNTY COUNCIL
July 18, 2016
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.
Janie Cooper-Smith
Johnny Ravenell
Harry F. Wimberly
Heyward H. Livingston
Willie B. Owens
Clyde B. Livingston**

MEMBERS ABSENT:

OTHERS PRESENT:

**Harold Young, County Administrator
D'Anne Haydel, County Attorney
Angel Howell, Interim Clerk to Council
Lillian Watson, Temporary Clerk to Council**

CALL TO ORDER

Johnnie Wright, Sr. Chairman

On the 18th day of July 2016, Chairman Wright called to order a regular session meeting of the Orangeburg County Council at 5:30 pm.

MOMENT OF SILENCE

Moment of silence observed

APPROVAL OF MINUTES

**June 20, 2016 (RS)
June 20, 2016 (SS)
June 6, 2016 (SS)
June 30, 2016 (SS)**

Chairman Wright asked for a motion on the minutes. Vice-Chairwoman Cooper-Smith motioned that the minutes of the sessions of the Orangeburg County Council on the above dates be approved as written. Councilman Johnny Ravenell seconded the motion. Motion carried. (7-0-0).

PUBLIC COMMENTS:

AGENDA ITEMS

NONE

PUBLIC COMMENTS:

OTHER MATTERS

NONE

1. PROCLAMATION HONORING MT. PISGAH BAPTIST CHURCH

Chairman Wright yielded to Councilman Willie B. Owens. Councilman Owens read the proclamation and then yielded to Chairman Wright. Chairman Wright thanked Councilman Willie Owens and entertained a motion to be carried to pass the proclamation. Councilman Clyde Livingston made the motion. Vice- Chair Councilwoman Cooper- Smith seconded the motion. Motion carried. (7-0-0).

2. PRESENTATION BY MIKE O'CAIN-OPERATION CLEAN SWEEP

Chairman Wright yielded to Mr. Mike O' Cain. Mr. O' Cain, with O' Cain Construction, introduced himself to the Council and the community. In two thousand fourteen (2014), South Carolina was voted the number one (1) most littered state in the United States of America. Orangeburg County is the largest county in the state of South Carolina. Approximately five (5) months ago, Mr. O' Cain and a few others formed a committee called "Operation Clean Sweep." The purpose of this committee is to attempt to clean up all the roads in Orangeburg County On Saturday, October 15, 2016. Mr. O' Cain advised within the five (5) months the committee has received one hundred percent (100%) commitment from the South Carolina Department of Transportation and the South Carolina Department of Corrections. They have agreed to assist with picking up eighty three (83) miles of interstate twenty six (26) and interstate ninety five (95). Mr. O' Cain advised his committee doing research on the roads in Orangeburg County and labeling them according to how much litter is on the roads. Mr. O' Cain advised needing approximately seven thousand five hundred (7,500) volunteers to accomplish this project in one (1) day. The central meeting points will be the fire stations around Orangeburg County. Mr. O' Cain advised all volunteers need to register on the website. Pickup will began approximately at seven thirty (7:30) on October 15th. Each group will consist of approximately four to six (4-6) individuals. The County and DOT are responsible for picking up the bagged litter and transporting them to the landfill. Mr. O' Cain advised he wanted to get County Council on board with this operation. Mr. O' Cain advised with three thousand five hundred (3,500) volunteers approximately sixty five thousand dollars (\$65,000) will need to be raised. As of this time only twenty five thousand dollars (\$25,000) have been raised. Mr. O' Cain is asking Orangeburg County to take up the slack if the organization falls short on funding. This event will be a rain or shine event. Mr. O' Cain advised the operation having commitment from Hickory Springs Bottle for ten thousand bottles of water (10,000). Mr. O' Cain is also asking that all dump fees be waived for this event. Mr. O' Cain asked were there any questions.

Chairman Wright yielded to Vice- Chair Cooper- Smith. Vice- Chair Cooper- Smith commended Mr. O' Cain and asked was this a one-time event? Mr. O' Cain stated as of right now it is, however pending review of how this event goes this year it may turn

into an annual event. Vice- Chair Councilwoman asked have Mr. O' Cain communicated with Palmetto Pride. Mr. O' Cain advised Palmetto Pride is this organization's top sponsor, donating ten thousand dollars (\$10,000). The Orangeburg County Living Initiative is also assisting this organization behind the scene. Mr. O' Cain advised this event will not cure the problem, but an attempt to make the citizens aware of the problem. Mr. O' Cain advised Calhoun County has inquired about this event as well. Vice- Chair Councilwoman unofficially declared Mr. O' Cain the "Clean up Ambassador of Orangeburg County." Councilman Ravenell, Councilman Owens, and Councilman Clyde Livingston applaud and commended Mr. O' Cain for his hard work and dedication to start up this event. Councilman Ravenell advised the fine for littering is a minimum and thinks the Magistrate needs to increase the fines and not reduce these fines. The citizens of Orangeburg County needs to be held accountable. The website to register is www.cleanupsc.org. Mr. O' Cain is asking all volunteers to please register on the website. Vice- Chair Councilwoman Cooper-Smith asked is there a program in place in Orangeburg County where individuals who litter participate in community service by cleaning up the roads. Administrator Young advised that he is not sure, but pick-ups on the interstate have been one of their main focuses.

Councilman Harry Wimberly made a motion for County Council to endorse and partner with the Operation Clean Sweep Project and put the information on the County website. Councilman Willie Owens seconded the motion. Motion carried.

(7-0-0).

3. ORDINANCE PUBLIC HEARING AND THIRD READING

TO LEVY AND IMPOSE A ONE PERCENT SALES AND USE TAX, SUBJECT TO A REFERENDUM IN ORANGEBURG COUNTY PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT, SOUTH CAROLINA CODE ANNOTATED SECTION 4-10-300, ET SEQ.; TO DEFINE THE SPECIFIC PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF THE TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR THE IMPOSITION AND COLLECTION OF THE TAX AND THE MAXIMUM AMOUNT OF NET PROCEEDS TO BE RAISED BY THE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM AND TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTION IN THE REFERENDUM; TO PROVIDE CONDITIONS PRECEDENT TO THE IMPOSITION OF THE TAX AND CONDITIONS OR RESTRICTIONS ON THE USE OF THE TAX REVENUE; TO ESTABLISH THE PURPOSES AND PROJECTS FOR WHICH THE NET PROCEEDS OF THE TAX ARE TO BE EXPENDED; TO PROVIDE FOR THE CONDUCT OF THE REFERENDUM BY THE ORANGEBURG COUNTY VOTER REGISTRATION AND ELECTION COMMISSION; TO PROVIDE FOR THE PAYMENT OF THE TAX; TO PROVIDE FOR THE ISSUANCE OF BONDS, IN ONE OR MORE

SERIES, TAX-EXEMPT OR TAXABLE, IN AN AMOUNT NOT TO EXCEED THE AGGREGATE OF \$74,261,000; AUTHORIZING THE COUNTY ADMINISTRATOR TO PRESCRIBE THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND PLEDGE OF REVENUES RELATED TO THE BONDS; PROVIDING OTHERWISE FOR THE DISPOSITION OF THE PROCEEDS OF THE BONDS; PROVIDING FOR BORROWING IN ANTICIPATION OF THE ISSUANCE OF THE BONDS; PROVIDING FOR THE DISPOSITION OF PROPERTY RELATED TO THE BONDS; AND OTHER RELATED MATTERS

Chairman Wright opened the floor for public hearing. There were no comments. Chairman Wright entertained a motion for third reading. Councilman Willie Owens made the motion. The motion was seconded by Councilman Harry Wimberly. Motion carried. (7-0-0).

4. ORDINANCE PUBLIC HEARING AND THIRD READING

AN ORDINANCE CALLING FOR A REFERENDUM AND BALLOT QUESTION IN REGARD TO BEER AND WINE SALES FOR CONSUMPTION-ON-PREMISES SALES AND TO ALLOW THE SALE OF BEER AND WINE AT PERMITTED OFF-PREMISES LOCATIONS WITHOUT REGARD TO DAYS OR HOURS OF SALES

Chairman Wright opened the floor for public hearing. There were many citizens giving their opinions in reference to this ordinance. Minister Butler, Pastor Thomas Brookshire, Mr. Paul Roseland, and Mr. Jerry Hall were all in disapproval of putting this referendum on the ballot for the citizens to vote on in November. Some of the reasons being the increased crime rate, and a loss of respect to God. Mr. Vernon Stephens, Mr. Tony De La Hoya, Mr. Kevin DeBarr, Mr. Baby Ray Larkin, and Mr. Kent Whitefield were all in favor of this ordinance. Some reasons being citizens having a right to vote and bringing more tax revenue, restaurants, and jobs into the County.

County Attorney Lakeisha Jeffries advised the referendum will allow the voters to vote on the question whether or not alcohol and liquor by the drinks can be sold at places such as restaurants. The restaurants in Orangeburg County would be given the option to purchase the permit to allow the sale of liquor on their premises.

Councilman Harry Wimberly advised many years ago the Orangeburg County Council passed the blue law. Councilman Wimberly advised putting this referendum on the ballot will be a stumbling block for Orangeburg County. This will cause increased crime, accidents, and even death advised Councilman Wimberly.

Vice- Chairwoman Cooper- Smith advised she is for voting in favor of the referendum because not being able to buy alcohol beverages on Sunday will not keep a person from going to work intoxicated on Monday. It is up to the individual. Alcohol does not kill. The individuals using alcohol kill. Vice- Chair Councilwoman Cooper- Smith is in favor of giving the citizens a choice to vote on the referendum.

Chairman Willie B. Owens advised prohibition did not stop individuals from consuming alcohol. He is in favor of the citizens of Orangeburg County voting on this referendum.

Councilman Heyward Livingston advised if this referendum gets to the ballot box he will vote against it, however he believes in giving the citizens a chance to vote on it themselves.

Councilman Johnny Ravenell advised he will vote against it as well, however he will give the citizens a right to vote on it.

Chairman Wright thanked everyone for their comments and closed the public hearing portion of this agenda item. Chairman Wright entertained a motion for third reading. Vice- Chairwoman Cooper- Smith made the motion. Councilman Willie Owens seconded the motion. Motion carried. (6-1-0).

5. ORDINANCE PUBLIC HEARING AND THIRD 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 COMPANY FOR NOW KNOWN AS PROJECT CHIPS; THE APPLICATION OF A SPECIAL SOURCE REVENUE CREDIT TO FEE-IN-LIEU OF TAX PAYMENTS; AND MATTERS RELATING THERETO

Chairman Wright asked County Attorney Jerrod Anderson did items five (5) and six (6) go together. County Attorney Jerrod Anderson advised they are related. Chairman Wright yielded to Attorney Jerrod Anderson. Attorney Anderson advised the first ordinance deals with the approval of a fee agreement between the County and Carolina Chips. Carolina Chips have promised a minimum investment of thirty two point six (32.6) million. They are also promising a minimum of fifteen (15) jobs. Carolina Chips is asking for the fee agreement to last a thirty year term. The second ordinance deals with placing this investment in a multicounty industrial park.

Chairman Wright asked the Council if they had any questions for Attorney Anderson. There were none. Chairman Wright opened the floor for public hearing. There were no comments or questions from the public.

Chairman Wright entertained a motion to be carried. Councilman Harry Wimberly made the motion to approve third reading for items five (5) and six (6) on the agenda. Councilman Willie B. Owens seconded the motion. Motion carried. (7-0-0).

6. ORDINANCE PUBLIC HEARING AND 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 NOW OR TO BE HEREAFTER OWNED AND/OR OPERATED BY A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT CHIPS, LOCATED IN ORANGEBURG COUNTY, SOUTH CAROLINA; AND AUTHORIZING OTHER RELATED MATTERS

Chairman Wright asked County Attorney Jerrod Anderson did items five (5) and six (6) go together. County Attorney Jerrod Anderson advised they are related. Chairman Wright yielded to Attorney Jerrod Anderson. Attorney Anderson advised the first ordinance deals with the approval of a fee agreement between the County and Carolina Chips. Carolina Chips have promised a minimum investment of thirty two point six (32.6) million. They are also promising a minimum of fifteen (15) jobs. Carolina Chips is asking for the fee agreement to last a thirty year term. The second ordinance deals with placing this investment in a multicounty industrial park.

Chairman Wright asked the Council if they had any questions for Attorney Anderson. There were none. Chairman Wright opened the floor for public hearing. There were no comments or questions from the public.

Chairman Wright entertained a motion to be carried. Councilman Harry Wimberly made the motion to approve third reading for items five (5) and six (6) on the agenda. Councilman Willie B. Owens seconded the motion. Motion carried. (7-0-0).

7. ORDINANCE PUBLIC HEARING AND SECOND READING

ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, TAX-EXEMPT OR TAXABLE, TO BE USED TO FUND INFORMATION TECHNOLOGY IMPROVEMENTS AND A DETENTION CENTER PROJECT, OR TO FUND THE INSTALLMENT

PURCHASE OF UNDIVIDED PORTIONS THEREOF; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS OF THE BONDS; PROVIDING FOR BORROWING IN ANTICIPATION OF THE ISSUANCE OF THE BONDS; PROVIDING FOR THE DISPOSITION OF PROPERTY RELATED TO THE BONDS; AND OTHER RELATED MATTERS

Chairman Wright yielded to Administrator Young to give a brief summary of the ordinance. Administrator Young advised it is necessary for Orangeburg County to take on the task of building a new detention center as well as acquiring the new information technology systems that are required to run the facility. This ordinance provides issuance of bonds to borrow the monies needed to complete this task. The State's standards recommends the facility be upgraded.

Chairman Wright asked Council if there were any questions. There were none.

Chairman Wright opened the floor for public hearing. A male citizen asked what will happen to the current building after the building of the new facility. Administrator Young advised part of the building, the detention center side, will be demolished and the other part is the sheriff's office. Councilman Harry Wimberly asked how old the building is. Deputy Administrator Lloyd advised the building is more than thirty five (35) years old, closer to fifty (50).

Chairman Wright entertained a motion to pass second reading. Councilman Willie Owens made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (7-0-0).

8. PROCUREMENT-APPROVAL OF PROPOSAL FOR TAX BILLING AND COLLECTION SOFTWARE

Chairman Wright yielded to Administrator Young. Administrator Young advised the County is in need of a new tax billing and software system. The County is requiring a new "state of the art" revenue billing and collections system. Administrator Young advised he has spoken with the county's treasurers, county's auditors, delinquent tax department, tax assessors, IT department, and administration to come up with and evaluate a proposal that was presented. There were seven (7) vendors on the proposal. Out of the seven (7), Administrator Young is recommending QS/1 out of Spartanburg, South Carolina. The lower bid from Edmunds & Associates was rejected because their program does not offer what the County is looking for.

Chairman Wright asked is QS/1 a familiar company. Deputy Administrator Lloyd advised thirty (30) out of forty six (46) counties throughout the state are using this

particular program. Chairman Wright asked if there were any questions. There were none.

Chairman Wright entertained a motion to approve the procurement as summarized. Councilman Heyward Livingston made the motion. Councilman Willie Owens seconded the motion. The motion was carried. (7-0-0).

9. BOARD APPOINTMENT

**A. THE REGIONAL MEDICAL CENTER BOARD OF TRUSTEES
(DISTRICT 6)**

Chairman Wright yielded to District six (6) Council person, Councilman Clyde Livingston. Councilman Clyde Livingston made a motion to make Dr. Nassri the appointee for District Six (6) Regional Medical Center Board of Trustees. Councilman Harry Wimberly seconded the motion. Motion carried. (7-0-0)

10. UPDATE FROM THE PUBLIC WORKS COMMITTEE

Chairman Wright yielded to Councilman Johnny Ravenell. Councilman Ravenell advised the Public Works Committee met prior to the Council meeting. Councilman Ravenell is asking the Administrator and the Public Works Department to bring forth the findings of the ordinances and policies that are in place in reference to a citizen wanting to add Cobb Road to the County's system. After researching these policies Councilman Ravenell made a motion that the Public Works Committee will report back to Council. The motion was seconded by Councilman Heyward Livingston. Motion carried. (7-0-0).

Councilman Johnny Ravenell gave an update of Signet Road as well. A property owner wanted to close the road. Based on County's policies they could not close the road, but relocating the road was an option. Public Works went out to inspect the road after the gentleman relocated the road and Public Works approved it. The Public Works Department brought it forth to the Public Works Committee, who approved as well. Councilman Ravenell advised this was his motion. Councilman Heyward Livingston seconded the motion. Motion carried. (7-0-0).

11. UPDATE FROM THE PUBLIC HEALTH AND SAFETY COMMITTEE

Chairman Wright yielded to Councilman Willie Owens. Councilman Owens advised the Public Health and Safety Committee met prior to the Council meeting to discuss the possibility of forming a Human Relation Council. Councilman Owens advised the committee asked Attorney Haydel to develop a proposed audience and call other counties to see what and how they are doing in reference to this new Council. Councilman Owens advised the Public Health and Safety Committee is waiting on

Attorney Haydel to bring back the information required in form of a motion. The motion was seconded by Councilman Clyde Livingston. Motion carried. (7-0-0).

Councilman Ravenell asked Councilman Owens to give the citizens an example of a Human Relation Council. Councilman Owens advised this type of Council is designed to bring people of different races in the County together, it is also a proactive way of County Officials and community representatives discussing what looks like is coming to be a bad situation.

12. VOTE FOR EXECUTIVE SESSION

Chairman Wright read the items for executive session and entertained a motion. Councilman Ravenell made the motion. Councilman Owens seconded the motion. Motion carried. (7-0-0).

Chairman Wright asked Council and community members did anyone have any questions. There were none. Chairman Wright entertained a motion for adjournment.

13. EXECUTIVE SESSION

- a. **ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, TAX-EXEMPT OR TAXABLE, TO BE USED TO FUND INFORMATION TECHNOLOGY IMPROVEMENTS AND A DETENTION CENTER PROJECT, OR TO FUND THE INSTALLMENT PURCHASE OF UNDIVIDED PORTIONS THEREOF; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS OF THE BONDS; PROVIDING FOR BORROWING IN ANTICIPATION OF THE ISSUANCE OF THE BONDS; PROVIDING FOR THE DISPOSITION OF PROPERTY RELATED TO THE BONDS; AND OTHER RELATED MATTERS LEGAL BASIS - FOIA EXEMPTION S.C. CODE 30-4-70(a)(2)(DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL AGREEMENT AND RECEIPT OF LEGAL ADVICE)**
- b. **A PROPOSED CONTRACT BETWEEN ORANGEBURG COUNTY AND PIEDMONT COMPANIES, INC. REGARDING BUILDING DESIGN, CONSTRUCTION, LEASE AND PURCHASE LEGAL BASIS - FOIA EXEMPTION S.C. CODE 30-4-70(a)(2)(DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL AGREEMENT)**
- c. **CLERK TO COUNTY COUNCIL SERVICES**

**LEGAL BASIS-FOIA EXEMPTION S.C. CODE 30-4-70(A)(1)
(DISCUSSION OF APPOINTMENT AND EMPLOYMENT OF A PERSON
TO THE POSITION OF CLERK TO COUNTY COUNCIL)**

d. ECONOMIC DEVELOPMENT UPDATE

1. PROJECT ROSE

2. PROJECT HYDRO

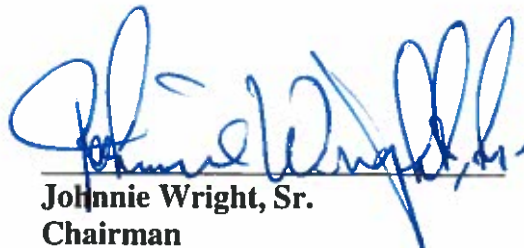
**FOIA EXEMPTION S.C. CODE 30-4-70(A)(2)(DISCUSSION OF
NEGOTIATION INCIDENT TO PROPOSED CONTRACTUAL
NEGOTIATIONS) AND S.C. CODE 30-40-70(A)(5) (DISCUSSION OF
MATTERS RELATING TO THE ENCOURAGING LOCATION OR
EXPANSION IN INDUSTRIES OR OTHER BUSINESSES IN
ORANGEBURG COUNTY)**

14. VOTE FOR ADJOURNMENT

Chairman Wright asked Council and community members did anyone have any questions. There were none. Chairman Wright entertained a motion for adjournment.

Vice- Chair Councilwoman Cooper-Smith made the motion. Councilman Ravenell seconded the motion. Motion carried. (7-0-0).

15. ADJOURNMENT



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



**Interim Clerk to Council
Orangeburg County Council**