



**MINUTES  
ORANGEBURG COUNTY COUNCIL  
August 15, 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.  
Johnny Ravenell  
Harry F. Wimberly  
Heyward H. Livingston  
Willie B. Owens  
Clyde B. Livingston**

**MEMBERS ABSENT:**

**Janie Cooper-Smith**

**OTHERS PRESENT:**

**Harold Young, County Administrator  
D'Anne Haydel, County Attorney  
Connie N. Portee, Clerk to Council  
Angel Howell, Executive Assistant**

**CALL TO ORDER**

**Johnnie Wright, Sr. Chairman**

**On the 15th day of August 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**

**July 18, 2016 (RS)**

**Chairman Wright asked for a motion on the minutes. Councilman Willie Owens 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. (6-0-0).**

**PUBLIC COMMENTS:**

**AGENDA ITEMS**

**NONE**

**PUBLIC COMMENTS:**

**OTHER MATTERS**

**NONE**

**1. APPOINTMENT OF CLERK TO COUNCIL**

Chairman Wright yielded to County Administrator Young to introduce our New Clerk to the public. County Administrator Young advised under the rules under the County Ordinance it is required that County Council have a Clerk to Council and County Council has gone through the process of selecting Ms. Connie Portee and it's up to Council to approve that and vote on your approval, as your Clerk.

Chairman Wright thanked County Administrator Young and entertained a motion to and second that we approved the appointment of Ms. Connie Portee as our Clerk to Council. Councilman Harry Wimberly made a motion and Councilman Willie Owens seconded the motion. Motion carried. (6-0-0).

**2. RESOLUTION TO PROVIDE AUTHORIZATION FOR AN INSTALLMENT PURCHASE PLAN OF FINANCE FOR CERTAIN CAPITAL PROJECTS IN THE COUNTY; AND OTHER RELATED MATTERS**

Chairman Wright yielded to County Administrator Young to give a brief summary of the resolution. County Administrator Young advised this is a resolution to help give authorization to be able to provide the installment purchase plan an option for finance for our capital projects that we have upcoming and this is needed so we can move forward in obtaining the funding such as the detention center and other capital projects throughout the County.

Chairman Wright asked the Council if they had any questions. Chairman Wright entertained a motion to be carried. Councilman Heyward Livingston made the motion and Councilman Willie B. Owens seconded the motion. Motion carried. (6-0-0).

**3. A RESOLUTION AUTHORIZING AN INCENTIVE AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA (THE "COUNTY") AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT PRINCE, ACTING FOR ITSELF, ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS (THE "COMPANY"), PURSUANT TO WHICH THE COUNTY SHALL COVENANT THE BENEFIT OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; AND OTHER MATTERS RELATING THERETO**

Chairman Wright yielded to Attorney Jerrod Anderson. Attorney Anderson advised what you have before you is an inductive resolution, the prospect wishes to remain confidential at this time. The prospect promises an investment of \$2.3 million in assets and capital investments and the creation of ten (10) new jobs. They wish to put this investment in a multi-county industrial park and they seek a Special Source Revenue Credit ("SSRC").

Chairman Wright asked the Council if they had any questions for Attorney Anderson. There were none. Chairman Wright entertained a motion to pass the resolution. Councilman Johnny Ravenell made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (6-0-0).

**4. ORDINANCE PUBLIC HEARING AND THIRD READING**

**AN ORDINANCE AMENDING SECTION 6.14 OF THE ORANGEBURG COUNTY CODE OF ORDINANCES TO PROVIDE FOR THE ADOPTION OF TECHNICAL CODES, BUILDING PERMIT RATES, DEMOLITION RATES, HOUSE/BUILDING MOVING RATES, AND TEMPORARY SIGNS, SEVERABILITY, AND EFFECTIVE DATE**

Chairman Wright yielded to Administrator Young to give a brief summary of the ordinance. Administrator Young advised this is the third (3) reading and the adoption of the international building codes, of which the state of South Carolina has adopted so therefore the County must also see fit, this also helps us with the administration side of being building administration through our Building Code office and what it does it updates our code sessions and keep us in line with the international building code as adopted by the State.

Chairman Wright thanked Administrator Young. Councilman Willie Owens asked are these building codes that were adopted by the State most recently two thousand sixteen (2016) or two thousand (2014)? Administrator Young yield to Richard Hall. Richard Hall advised the State started with these codes about a year and a half ago, these are the two thousand fifteen (2015) building codes it went into effect July 1, 2016 and it is Statewide.

Chairman Wright opened the floor for public hearing. There were no comments.

Councilman Harry Wimberly asked to clarify anyone that has started a procedure prior to the day of passing the new ordinance will be grandfathered into the new system? Richard Hall advised, yes, anyone that has started work or has submitted an application will still be under the two thousand and twelve (2012) codes. Councilman Harry Wimberly advised as of Tuesday, August 16, 2016 will start the new rules. Richard Hall confirm, yes sir.

Councilman Johnny Ravenell asked is this the new code with pricing and etc, is there a big difference between the old dollar figures number than the current one? Richard Hall advised they did not go up on the current building permit rates. We were under the old two thousand and twelve (2012) building codes and this is the two thousand and fifteen (2015). The actual cost for a permit none of that has changed. Councilman Johnny Ravenell asked so what's the difference between the old codes and the new codes. Richard Hall advised it's just a matter of the codes advancing different building products, the different types of material that are available, improvements in like safety materials, it's hard to give a summary of all the changes.

Councilman Johnny Ravenell asked if somebody already started a project, rather it be a lengthy project, they're still going to be in compliance. Richard Hall confirm, yes it doesn't matter, once their permit is issued as long as they keep on working, however long it takes them to do it and once you finish a house you don't have to update your house per every code. Your house is built and inspected on the code that was in effect when it was done, you don't have to change your house every time the code changes.

Administrator Young advised for the public sake, the wind zone requirements says apart of the code is set by the State and those did change for the Eastern region of our County.

Richard Hall confirm, yes I-95 East, the Eastern most part of the County is consider to be in a winded region, the building codes are a little different there. They are a little stricter on how your house is held down to the ground, the number of nails in your shingles we are working right now to try and get a local engineer to draw up some paperwork to give out to the local builders to help them understand the changes in the code.

Councilman Johnny Ravenell asked, say for example one of the major cost to an homeowner is the roofing rather it be metal, shingles, or what the case maybe, are you saying across I-95, East and West there has to be a difference in the quality of material? Richard Hall advised the material itself will be the same, generally it's an additional nail in each shingle its difference in the roofing, the bigger difference is not going to be in the shingle on the roofing it's going to be in the bolts that hold the house down to the foundation. It's an additional strapping that goes from the foundation to the roof to make sure the roof doesn't separate from the foundation.

Chairman Wright entertained a motion for third reading. Councilman Willie Owens made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (6-0-0).

#### 5. ORDINANCE THIRD READING

**AN 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 as a part of doing the projects that we are doing there are some upfront cost that we have to bare as far as design work is concern, the general obligation bond for this in particular will give us the funding to do the design work so we can go out to bid on these projects and then know how much we have to borrow in the greater assessment of what we need.

Chairman Wright asked the Council if they had any questions. Councilman Willie Owens asked, does this included Capital Penny Sale Tax Projects? Administrator Young advised, no not this particular ordinance, this is just the upfront design for the technology upgrade and the detention center project. Councilman Clyde Livingston asked, what is the interest

rate we are targeting? Administrator Young yield to Attorney Sidney J. Evering, II we really don't know right now because of the market but hopefully it will be two (2) % or three (3) %.

Chairman Wright entertained a motion to pass third reading. Councilman Clyde Livingston made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (6-0-0).

**6. RESOLUTION BY PLANNING COMMISSION**

**THE CONSIDERATION OF A REQUEST FROM AHMAD MUHAMMAD TO REZONE PROPERTY AT 2775 ROWESVILLE ROAD, ORANGEBURG SC TAX MAP #0184-00-01-046.000 FROM BI (BUSINESS AND INDUSTRIAL) TO CG (COMMERCIAL GENERAL) TO ALLOW FOR OPERATION OF AN AUTO SALES BUSINESS**

Chairman Wright yielded to Administrator Young to give a brief summary of the resolution. Administrator Young advised the Planning Commission met on July 13<sup>th</sup>, 2016 to discuss this matter, they have consider a request from Mr. Ahmad Muhammad to rezone property at 2775 Rowesville Road, Orangeburg SC from business industrial to commercial general to allow for the operation of an auto sale business, the property was formally rezone from CG (commercial general) but rezoned by a prior property owner. There were no people present, that spoke against it now the Planning Commission has brought it to your attention to recommend approval for this change.

Chairman Wright asked the Council if they had any questions. Councilman Willie Owens asked, what is presently located there now? Councilman Harry Wimberly advised it's vacant, it was a junkyard at one time. Administrator Young confirm it is vacant. Councilman Willie Owens asked, has it been cleared? Administrator Young confirm it has been cleared.

Chairman Wright entertained a motion to be carried. Councilman Harry Wimberly made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (6-0-0).

**7. ORDINANCE FIRST 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 # 0184-00-01-046.000 FROM BI (BUSINESS AND INDUSTRIAL DISTRICT) TO CG (COMMERCIAL GENERAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

Chairman Wright entertained a motion for first reading. Councilman Harry Wimberly made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (6-0-0).

**8. WESTERN ORANGEBURG COUNTY INDUSTRIAL PARK ROAD AND WATER LINE CONSTRUCTION**

Chairman Wright yielded to Administrator Young give a summary on this situation. Administrator Young yielded to the County Attorney D'Anne Haydel. Attorney D'Anne Haydel advised pending before council is the procurement of road way and water improvement for the Western Orangeburg County Industrial Park. The procurement was place out for bids, there were nine (9) vendors that attended the pre bid conference but only four (4) vendors that submitted bids. The bids were evaluated by the following people: the consulting engineer which was from Alliance Engineering, our County Engineer John McLaughlin, and Procurement Director Jannella Shuler. They evaluation group found two (2) issues; the first one is, all four (4) bids were in access of the project budget, one (1) just slightly and three (3) in access of a hundred thousand dollars (\$100,000) over the budget. The second is two (2) of the four (4) bids were incomplete, including the low bid and they were missing some County forms that we generally require and those bidders that did not submit the forms, informed the County that do to a wording on an addendum they understood they did not have to turn those forms in. So base on those two (2) problems the consulting engineer has decline to make a recommendation for an award among these submitted bids. So after discussing the situation with me the County Engineer and the Procurement Director believe it's in the County's best interest to cancel the invitation to bid and then there are two (2) suggested options on how legally you can go forward afterward. So that's the first recommendation.

Chairman Wright entertained a motion to cancel all bids. Councilman Heyward Livingston motion to cancel all bids at this time and to give the Administrator the power to negotiate with the lowest bidder. Now the lowest bidder was a hundred and seven thousand (\$107,000) and this man has a proven track record, he has been proven roads for the County for five (5) or six (6) years and he's a low bidder. What I am interested in, is saving much money as we can, because our money is limited to what we have to go up on that Braxton end. The motion was seconded by Councilman Clyde Livingston.

D'Anne Haydel confirm the first part of the motion is to fill out the bids, the second part is to exempt this particular procurement from the procurement code and allowing the administrative staff to work with the low bidder to try and bring this in on our normal contract terms.

Councilman Heyward Livingston asked if council needed to make two motion. Attorney D'Anne Haydel advised one motion was fine.

Motion carried. (6-0-0).

**9. PUBLIC WORKS SOFTWARE PURCHASE APPROVAL**

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised the Public Works department in effort to better service you and serve the roads far as maintenance and records has looked at several software systems to be able to capture the

information they need to capture to process roads and what they have done, they have gone through a search and they have also included the IT department to make sure what they chose would function with everything else we had. We came back with two (2) proposals that were recommended: Dude Solutions and Cardiograph. Due Solutions is the cheaper alternative but it has what we need to be able to do the road inventory and to keep up with that, they are also being use by Horry County, Sumter County and Orangeburg School District 3, 4, and 5. It helps with the maintenance and inventory of the roads, it does scheduling digitize recommendations and track the inventory that are consumables which helps us with our audit purposes. So it's a recommendation from the Public Works department to purchase the Dude Solutions at thirty four thousand one hundred eighty four and fifty-two cents. (\$34,184.52)

Chairman Wright asked the Council if they had any questions. Councilman Harry Wimberly asked, is this for one (1) year? Sinkler Boone confirm the \$34,182.52 is for one (1) year and \$22,000.00 the second year. Councilman Harry Wimberly asked Sinkler Boone what would it do? Sinkler Boone advised this system will track our roads and bridges maintenance, our roads and bridges construction activities, it will keep up with our materials, it will provide some continuity between other divisions of Public Works and between maintenance shops, the Landfill, Animal Control, and Building and Grounds.

Councilman Willie Owens asked how many years can it be used for projects? Sinkler Boone advised however many years the County want it to be used, this program was also used by our IT department and between the two bids, IT recommended this program over the other.

Councilman Harry Wimberly asked, would it speed up Animal Control. Administrator Young advised it would help in the complaint status of it but we have some other things coming that would speed that up because we've been working on it. Councilman Harry Wimberly advised, it need some improving. Administrator Young responded, yes sir we realize that.

Councilman Johnny Ravenell asked do we already have the tracking system in place and there is a big significance between the two (2) what do you think made that happen? Administrator Young advised Dude Solutions program is a web base program which most solutions are going to and that makes a difference because you don't have to buy the server because its cloud base, so what it does it saves you an upfront cost from having to buy additional hardware and makes it cheaper in the short term and because it's web base it's scalable and you don't have to go back and upgrade services. By it being web base you have the ability to access it on different platforms outside the office instead of being stuck to the main frame.

Councilman Heyward Livingston asked does all our programs we use cost that much? Administrator Young advised some cost much more, we've been lucky with a couple of solutions that I know we use for code enforcement and blue prints which has dealt with all of our building codes, we have been very fortunate it's a good product that's very reasonable but most of these products like HTE and some of these larger products that deal with

different things like the financial systems, the tax systems, some of those can run up into the half million dollar range for those products. Dude Solutions is a reasonable cost for what it does.

Councilman Harry Wimberly asked, you said that all the school districts in the County use them? Administrator Young advised yes sir, they use it with their bus inventory, keeping up with the roads, similar things we will be doing with it as well.

Chairman Wright entertained a motion to approve the recommendation for Public Works software. Councilman Clyde Livingston motion. The motion was seconded by Councilman Harry Wimberly. Motion carried. (6-0-0).

#### **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 advised there were two (2) items on the agenda the first being the relocation of Ott/Classic Road. We granted the wishes of the relocation of the roads because it better serve the people of the County, that the recommendation from the Public Works Committee. Councilman Harry Wimberly motion for approval. The motion was seconded by Councilman Clyde Livingston. Motion carried. (6-0-0).

Councilman Johnny Ravenell yield to Councilman Harry Wimberly to give a recommendation on the second item. Councilman Harry Wimberly advised to bring Cobb Road into Access on County maintenance. The road meets the criteria, which for an Access Road you must have a medium fifty (50) feet but this road has sixty-six (66) feet of right away and must have two (2) are more residence living on the road, it's a half mile long. It meets all the criteria to be accepted as Access Maintenance and in doing so, it is the motion that we accept it into Access and that the Landowner move any corner markers on the property from the center road to the thirty-three (33) feet from outside edge and any attempt for subdivision must go through planning. The motion was seconded by Councilman Heyward Livingston. Motion carried. (6-0-0).

#### **11. VOTE FOR EXECUTIVE SESSION**

Chairman Wright read the items for executive session and entertained a motion. Councilman Willie Owens made the motion. Councilman Johnny Ravenell seconded the motion. Motion carried. (6-0-0).

#### **12. EXECUTIVE SESSION**

- a. 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. ECONOMIC DEVELOPMENT UPDATE**

**1. PROJECT HELIOS**

**2. PROJECT PRINCE**

**3. PROJECT OSPREY**

**4. ONE ORANGEBURG COUNTY INITIATIVE**

**LEGAL BASIS - 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)**

**13. VOTE FOR ADJOURNMENT**

**Chairman Wright asked Council and community members did anyone have any comments.**

**Councilman Johnny Ravenell advised two (2) comments, the first comment, when we talk about ordinance and we look at road maintenance, Access roads, etc. I would like it to be noted in the record that we have our staff to clean up how we accept these roads, the dos and the don'ts, it goes back to the year 198-something, preexisting roads, etc. I would like to have an update on that so we will know exactly what we are doing, when it comes down to these roads, especially Public Works.**

**Councilman Johnny Ravenell second comment, the County project Operation Clean Sweep. Councilman Johnny Ravenell yield to Gregg Robinson to elaborate. Gregg Robinson advised on October 15<sup>th</sup>, 2016 is Operation Clean Sweep, Mr. O' Cain is trying to do a County wide one day clean up. There is a website where you can go register to volunteer. The website to register is [www.cleanupsc.org](http://www.cleanupsc.org). Councilman Johnny Ravenell encourage the community to participate in this project because our County looks bad, it looks trashy and that's sad to say.**


**Attorney D'Anne Haydel added this is a major project to be coordinated by volunteers, so it's not just visiting the website for information they really need people to reserve a space by signing up to participate, so the County can count on them to be there to assist. Administrator Young advised that the Litter Control office is working with this group as well, so it is a coordinated effort between Litter Control and the private citizens. This is a coordinated effort to get everyone to buy in to cleaning the community so we can have a better look when we go out to try to sale ourselves.**

Chairman Wright entertained a motion for adjournment. Councilman Willie Owens motioned that the regular session of the Orangeburg County Council of August 15, 2016 stand adjourned. Councilman Ravenell seconded the motion. Motion carried. (6-0-0).

14. ADJOURNMENT



Johnnie Wright, Sr.  
Chairman  
Orangeburg County Council



Connie A. Porter  
Clerk to Council  
Orangeburg County Council