



**MINUTES
ORANGEBURG COUNTY COUNCIL
September 6, 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 (5:45 p.m.)**

MEMBERS ABSENT:

OTHERS PRESENT:

- Harold Young, County Administrator**
- D’Anne Haydel, County Attorney**
- Connie N. Portee, Clerk to Council**

CALL TO ORDER

Johnnie Wright, Sr. Chairman

On the 6th day of September 2016, Chairman Wright called to order a regular session meeting of the Orangeburg County Council at 5:33 p.m.

MOMENT OF SILENCE

Moment of silence observed

APPROVAL OF MINUTES

August 15, 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

Chairman Wright called for public comments on other matters.

Mrs. Barbara Johnson-Williams president of the Northwood Estates Neighborhood Association and Mr. Cecil Williams husband of Barbara Williams appeared before Council to voice concern about their sub-division sewer company, Midlands Utility. Mrs. Williams thank County Council for allowing them to speak. Mrs. Williams advised council that we have been in dialogue with the county, we have been in dialogue with the city, and with the sewer company about a problem and we feel we're just spinning on wheels. We also feel the high cost that we are paying for sewer is not comfortable to what others here are paying and elsewhere as well. We have been talking about this matter for ten (10) fifteen (15) or more years and seemly only get a promise and even some diversion and with no relief so therefore our sewer bill goes higher and higher. The sewer company has indicated to us that they are willing to work with this County but seemly this is gesture only, so we are here today to ask for your support.

Mr. Cecil Williams advised that he has been a life time resident of Orangeburg County. Northwood Estates is a community located on HWY 301 North, their property of composed of approximately of hundred (100) homes of which 99% African American, approximately 68% of the residence are of retirement age, on a fixed income, and an average of 2.6 persons per house. This concern is impacting the residence economically and health wise. With extraordinary patience for more than ten (10) years the Northwood Estates Association has tried to resolve the sewer issue, without any success. For two (2) years now, they have held meetings, they have conferred, sought advice, and lobbied, with City, County, Corporate, Entities, and Commissions who have been listening talking and promising, said wait or passed the buck each and everything, blaming someone else and promising change which never comes. I am only here tonight because we need your help, these methods we have tried before have not worked. Meanwhile our unity bills go on and on. A typical Midlands Unity bill for Northwood Estates would be from \$70 to \$80 per month, and Lord Help us because this month it rained. Doing research I found Northwood Estates has the 27th highest sewer rate in the South Eastern United States of America. Representatives that we have talk with from the City, DPU, County and others are aware that the underground sewer problems arise from an old and rapid delaying system that allows waste water and storm water to uncontrollably enter the system leaving residence with astronomical sewer cost and even though we live in the County we have three (3) separate bills. Mr. Williams advised if it is true that the sewage is coming up from the streets in Northwood Estates their drinking water maybe compromise and who knows what health problems we may have unknowingly. A tax paying citizens of Orangeburg County in Northwood Estates we have been historically neglected.

Chairman Wright yielded to Councilman Johnny Ravenell. Councilman Johnny Ravenell advised the Midlands Unity is a private own company and we have already started a process of working with you on the issue you are having, we had a private meeting with you two (2) weeks ago and we are already putting some funds into going in and finding out exactly where the buck of your sewer problems are, we finally got the approval to do that, when you look at your sewer problem you have, we did not realize you have infiltration into the sewer system which is causing the sewer rate to increase. Actually, when you talk about private gas, there is nothing the County can really do to step in and do to a private company and Midlands Unity's the regulator/regulatory system, DHEC is saying they are inbounds to the amount of infiltration that is seeping into your lines, so that is another obstacle that's tying our hands but yes we are trying to do somethings to help you. I don't know how much we

can do we may need to get with our County Attorney and do some more research. When you look at public verses private we are limited to some things that we can do, but once the results come back to tell us exactly what has to be done to repair that system and what we have seen already is the system is old and dilapidated but we are doing the very best at this point in time to help resolve your problem and we'll continue to do that as the County.

Councilwoman Cooper-Smith asked Mr. & Mrs. Williams how long have you been connected with Midlands sewer system?

Mrs. Williams responded over thirty (30) plus years. Mr. Williams advised there has never been a septic tank in our community.

Councilwoman Cooper-Smith asked have you compared what you are paying, to the country club area. The country club area was once in the area that I represented at one time but a lot of those residence were able to get sewer under DPU. Have you tried to pull out from Midlands to get connect to DPU only?

Mrs. Williams responded that is what we are working on now. Mr. Williams advised I believe in America we should be listed as PEOPLE but I believe if this was any other racial makeup in our neighborhood this would not exist as tax payers of this County that problem would not have been allowed.

Councilwoman Cooper-Smith asked, do you know of any other residence in Orangeburg County paying the same rates that you are paying?

Mr. Williams advised, No Ma'am.

Councilman Harry Wimberly asked, why are you paying Midlands and DPU, does Midlands collect and DPU treat?

County Administrator Young advised the just of the problem is that subdivision was built with a self-own sewer system to allow them the permits to build the homes. Midlands Utilities was in some combination the owner of that septic service, when the service started to malfunction DHEC stepped in and said Midlands had to do something, so Midlands in return did a sub-contract with DPU to treat the sewer, so you have the Midlands bill for collections of the sewer then you have DPU bill for the treatment of the sewer as well as their bill for administering cost for billing the residents for that, so that's why they've come up with such a huge bill.

Councilman Harry Wimberly asked, does DPU have a sewer line going in there tapping in?

County Administrator Young advised they have a master meter connection with Midlands Utility system line to be able to service that community.

Councilman Harry Wimberly advised sounds like they have more of a legal suit.

Councilwoman Cooper-Smith advised that's what I am thinking, sounds like a legal suit.

Councilman Willie Owens asked I am trying to recall Eastwood Acres had a similar problem, how did we resolve Eastwood Acres problem?

County Administrator Young advised we were able to get CDBG grants to deal with that situation but as Councilman Johnny Ravenell stated those grants are income base, which the area did not qualify.

Councilwoman Cooper-Smith advised I can attest to that, I am familiar with what you are talking about.

Attorney D'Anne Haydel advised another issue on that was Eastwood Acres somebody bought the type of field in a delinquent tax sale that made that person go into bankruptcy so they were willing to cut a deal with DHEC and some other folks to move the service and ownership to a public entity opposed to a private entity but it took a bankruptcy to do that.

Councilman Willie Owens advised that Mr. Williams has a compelling case and I think the County should move expeditiously to do something quickly as possible. I think the original company is responsible and if it requires the County to sue this original company to settle this in terms of the City and the original company we need to do it.

Attorney D'Anne Haydel advised, the County don't have any legal standing. As Councilman Ravenell explained this is complicated by having a private party who always owned and served, so we would have to get their agreement to get certain things and there has been many negotiations that Councilman Ravenell has been involved with on that front but none involve force.

Councilman Willie Owens asked, could we discard the private party and pull a line out to Eastwood Acre?

Attorney D'Anne Haydel yielded to John E. McLauchlin County Engineer.

John E. McLauchlin advised the line is already out there, the connection that DPU got now, the study that Councilman Ravenell agree to I know took a lot of time to develop. This is going to be a very intensive evaluation that entire system, the collection system, the taps, the pump stations, and the main line that DPU use. Once we get those problems address, then we have to look at correcting that problem, once the problem is corrected then we can look at someone like a DPU to take over the system.

Councilman Willie Owens asked, do we have a timeline on that?

John E. McLauchlin advised the study is a three (3) month study.

County Administrator Young advised we have already sign the agreement to allow the company study the pipes to see where the infiltration points are to first be able to solve that problem but at the end of the day, that does so a tremendous amount of commitment from the Councilman from his district to go that far to help with the situation because it's typically these are seen as issues between a Homeowners Association and that company, but as a public unity we can only do so much with public funds to be able to remedy the problem. It's going to take some collaboration with DPU and the City to solve that problem and we have encourage them to also have this type of dialogue with the City and DPU.

Councilman Johnny Ravenell advised Midlands Utility are willing to give up the system for zero dollars, actually they don't want it themselves, however DHEC says they can't give it away without having an owner to go to, in other words somebody has to accept it and DPU, they don't want it because it's a dilapidated system and you know as well as I do DPU is not into rebuilding or restoring systems at their cost and Lord knows for the last years Mr. and Mrs. Williams I've been doing everything that I can to help with this situation and every time we look at things you run up against a brick wall and you can't force people, what can

you do. If anybody can tell me what can we do to solve this problem, I think it would be solve tomorrow but there is no out, without getting a costly ticket.

Mr. Williams advised I have a suggestion, can I go back into my community tonight and tell an eighty-five (85) year old man who has a fix income that there is going to be an cessation to the amount DPU is taking, would you help us to ask DPU can there be an cessation to the fees in the meanwhile, while we're looking for a solution.

Councilman Johnny Ravenell advised we have been constantly in touch with DPU, with all of the parties we feel can do something to help. It's not that we are not doing what we are supposed to do, we are trying to do everything that we can to try to give you some assistance out there within our legal bounds.

Attorney D'Anne Haydel advised Councilman Ravenell could not, because that is making a legal commitment to something we don't own. We don't own and we are not part of billing and we don't receive any of the money. Until this three (3) month study is over, no one knows if it's a \$100,000 animal, or a \$100 million animal, or somewhere in between. Even if the County is willing to take an active part in this, we have no idea how big the problem is and it appears to be quite daunting.

Councilman Johnny Ravenell advised I've been to your residence several times, I've been to your Homeowners meetings and you know as well as I do attend with Mr. McLaughlin is that Capital Pennies three (3) that we put X number of dollars in there to try to aid and assist you with that but when we found out that it's a private system, we cannot put County funds into a private entity and do anything per say. I will close with this, we are doing everything that we can, if there is anything you see we can be doing within our right and stay legal we'll trying to do it. That's all I can say.

Mr. Williams advised fair enough.

Councilwoman Cooper-Smith advised there are concern times when Councilman hands are tied and we can't do nothing but Administrator, Councilman Ravenell mention that it's dilapidated, well if the lines are dilapidated that is a catastrophe right there, why hasn't DHEC sent somebody out, you mention deaths, could these deaths have be associated with the water, why hasn't somebody out to do testing?

County Administrator Young advised they are on City water so that would not affect their water quality but that is actually between them and Midlands, DHEC has been meeting with Midlands and has sent them charges and the hold aspect of them connecting to the DPU system was as a result of DHEC getting on that Utility about doing something different with the sewer that they have out there, now what we talking about now is the issue is the service lines, the service line in some of this area are dilapidated that's the reason why DPU won't take it over because anybody who take that system over will have to bring it up to DHEC standards.

Councilwoman Cooper-Smith advised I understand what you are saying but Mr. Williams showed us some pictures where there are problems in the streets, so if there are problems in the streets that's a health problem.

County Administrator Young advised that's what this testing we agree to help with, is a smoke test and camera test to be able to determine where those actual leaks are and to identify them first and then put a cost to them so that the problem can be solve. That's the

major part of it, finding out where all the leaks are. Those are two visible ones, but there are plenty other ones you may not know about, service lines my get cut off on lots that are over grown or individuals break a line here or there in there yard and never fix it, so there's a lot of potential for leaks but that's calculated by storm water infiltration so whenever we have infiltration into the system, you paying for not only the waste but the storm water as well.

Councilman Clyde Livingston asked the water that goes to the homes in this subdivision it's all metered?

County Administrator advised yes, sir that is correct.

Councilman Clyde Livingston asked and they are also metering everything that goes into the sewer system?

County Administrator Young advised yes, it's a master meter between DPU and Midlands, and that's how Midlands takes their portion of what they have to pay DPU and calculates that part on their bill, then DPU is also billing them for treatment of the waste as well as administrative cost of billing them for sewer.

Councilman Clyde Livingston asked, so you could determine how much excess is going into the sewer operation both Midlands and City DPU?

County Administrator Young advised if you were to take each individual houses water and add them up and then take what Midlands is being charge for collection at that master meter you could take the difference and find out how much or the difference in infiltration but the key is where and that's the missing piece to the puzzle even if you know how much infiltration it is, to be able to stop it you got to know where.

Councilman Clyde Livingston asked it seems to me that infiltration of rain water should not be as expensive to treat as pure sewage?

County Administrator Young yield to Utilities Director John McLauchlin.

John McLauchlin advised the system don't know the difference once it gets to the treatment plant it doesn't break down water and sewage all of it is being treated as sewage.

Councilman Clyde Livingston asked you treat it with a chemical right? It would seem to me that when you treating something that is diluted it shouldn't cost as much as it's costing.

John McLauchlin advised it all comes in and collects in one big basin then it runs into the treatment process.

Councilman Clyde Livingston asked, does it cost as much to per gallon to treat dilute sewage as it would to treat pure sewage?

John McLauchlin advised yes, sir it does. It's all enter mangle and it all has to go through the same chemical process each time. That can't be broken out particularly at one subdivision over other subdivisions

Councilman Clyde Livingston asked they can't or they won't?

John McLauchlin advised they can't because it all runs into one big basin.

Councilman Clyde Livingston asked what does it actually cost DPU to treat sewer?

Councilman Harry Wimberly advised they not going to tell you that?

County Administrator Young advised you could ask pacifically on that instance because they do a master meter with Midlands, you could tell actually what Midlands pays to DPU for servicing that neighborhood. If anybody more app to solve this problem not saying this as a push off to these citizens here because we are aware they pay taxes and we do provide a lot more services then just utilities but at the end of the day, DPU is directly tied to this situation and if anybody can do anything in the short term immediately it would be DPU and not us because they already have a contractual arrangement with Midlands, they can choose to lower the cost of what they do, they can make a deal with them knowing there is a problem with infiltration to bill them less, it definitely up to them, but as for us, the reason why we are even at the table is to make right of the taxes they do pay to us as citizens of Orangeburg County and that's why we're even at the table trying to help solve the problem because we not contractually a line with any of this stuff that goes on out there, we don't provide their electricity, we don't provide their gas, we don't provide their water, all those are provided by DPU we don't provide their sewer, contractually they are tied to DPU and Midlands not Orangeburg County.

Councilman Clyde Livingston advised somebody probably needs to view the cost accounting system DPU is using and how they are allocating cost because there are errors and things that have been in existing for years.

Mr. Williams advise if he goes away from his house for a month and not use any utilities when he returns his bill would still be \$70 or \$80 a month. So we are not metered that way. Sure our bill from the City would show a decrease but the sewer bill will be the same.

County Administrator Young advised it is based upon a commodity charge on their base rate which allows them so many gallons of sewer per customer base rate some people are paying more than the \$70.00 because over a certain amount the commodity charge applies, so some residence are paying \$100.00 in some cases.

Councilman Clyde Livingston advised there seem to be a flaw in that when you charging somebody for something they don't get.

Councilman Willie Owens advised one last statement, I would not pay both entities for sewer, either I would pay Midlands or DPU I'm not obligated to pay both of them. One is going to have to go lacking. Now is DPU going to do it, I would pay DPU. If Midlands going to do it, I'll pay Midlands, you are paying too many people.

Councilman Clyde Livingston asked what happens if they don't pay Midlands?

Mrs. Williams advised they would be disconnected.

John McLaughlin advised they have a contract with Midlands.

Councilwoman Cooper-Smith advised they won't get sewer usage.

Chairman Wright thanked Mr. & Mrs. Williams for coming in and advised if there is anything that Council and our Administration can do to help, we will. I hope that you take the same cry to the City and I hope they will have some consideration.

Chairman Wright yielded for other comments.

My name is Gene Craft and I am an electrical contractor and I am here for another reason but seating here listening to this, I don't understand why they can't base there sewage bill

on their water usage with DPU and it seems to me that this rain water leaking into the system is Midlands problem not there problem. Midlands should be paying for that and not these people.

Councilman Johnny Ravenell advised understand and the Williams know this when you look at the Regulatory Commission they been there with those same complaints and a certain amount of infiltration is allowed to go into the system and DHEC is saying they are not succeeding the allowed amount that's why they are paying so much.

Gene Craft stated it doesn't seem fair to me.

1. PRESENTATION BY SALLIE BACHMAN, CHIEF OF SPECIAL PROGRAM OF HOPE HEALTH, INC.

Chairman Wright recognized Sallie Bachman. Sallie Bachman advised she was here with Shawn Maxwell who works in our Community Relations Department. We work with Hope Health which is a federally qualified health center or community health center which is operated out of Florence and the community health centers serves the coastal region of South Carolina and we also have offices in Orangeburg and Aiken and our Orangeburg and Aiken offices serve different medical issues such as Hepatitis C or sexual health issues, personal health issues so those two areas are separate from our community health centers. I wanted to come before you tonight on behalf of Hope Health to share with you on a project that we have been working on for the past year. We had received a planning grant from the Movember Foundation and the Prevention Institute. I don't know if you ever heard of the Movember Foundation but they support the No Shave Mustache in order to bring attention to men's health issues. One of the health issues that they focus on is Mental Health for men and boys and the topic of Suicide as it relates to men and boys. So the Movember Foundation had a million dollars to spend within the United States they partner with the Prevention Institute in Oakland California and out of that million dollars Hope Health was awarded one hundred and thirty thousand dollars (\$130,000) over this last year to do some planning and some research. We focus on five (5) counties and one of those counties was Orangeburg. Out of this planning grant were some focus groups and some interviews. The focus population were minority men and boys and veterans. We did focus groups with veterans, Latino boys, Latino men, and with minority boys. We utilize partnership with South Carolina Thrive because they focus on veterans also with Pozos which our Latino specialist up at the University of South Carolina we work with the Boys and Girls Club and we also worked with Latino studies out of the University of South Carolina. So we just wanted to know, what are some of the things that influence mental health and mental wellness for men and boys? Then we needed to come back to the counties and share what we found. We were able to complete fifteen (15) focus groups and thirteen (13) interviews. The interviews were held with people like us, stakeholders, leaders within local agencies and they were lawyers, medical people, teachers, coaches, because we wanted to hear from them what are some issues they see effect minority men and boys. Some of the questions we asked the young boys and men within the focus groups. Where do you go when you are sad? What makes you happy? What are somethings that makes it hard for you to be happy? We wanted them to use their own words from their view, from their family back ground or what influences their sense of this is who I am and how I express myself. Some of the questions for professional were: What are some of the things you believe influence minority boys, men, and veterans to experience serious mental health issues such as depression or thoughts of suicide? What can service providers

like us do to help minority boys, men, and veterans live healthier and more balance lifes and what message do you believe minority boys need to hear to become mature balance and healthier men? This is just a summary: influencer of mental health and emotional wellness for boys, peer pressure, gangs and drugs, social media and TV, the lack of presence in the home from caring parents or whoever the care taker is, domestic violence, abuse, and trauma. Maybe there is nothing to do, like access to sports or community events. For men some of the feedback we got was: alcohol and drugs were a big influencer for them that since of what am I going to do with my life and that there isn't much for them in the community. When you go to work and come home where are you going to go, where are you going to find your strength and use your talent. For veterans some of the feedback we got from them was the since of loneliness, how do you connect again to the people around you when your life seem so different, there is no structure to life and what do you do when the service is so poor with veteran services and how do you improve that. From Latino boys we learn that they are taught to be the man of the house at such an early age because the man of the house may be out making a living or may had to relocate in order to provide better for the family and for Latino men a detachment from family, from roots, and from culture it has been very difficult for Latino men to have a since of this is my heritage, substance abuse, how do you seek mental health, how do you admit to someone that I am really struggling as a man and especially in the Latino community. So part of what I need to report to you as County Council and as Community Representatives and to our funders is what do we need. We need men to mentor young boys, parents need to be empowered and taught how to be good role models, do not let internet or social media teach our kids parents need to spend time with their kids, encourage education and employment, seek spiritual guidance and influence from the church and try to help veterans find a way to trust people one person at a time, transportation, parent classes, behavioral health services, and support groups. Some of the challenges that we face are how do you break down the barriers, how do you get good programs and not lose the funding, how do you sustain them, how do you get community support for the programs that are already exciting and how do you change people's belief on how they think about their lifes. We wanted you to know these things, within Hope Health what when have been encourage to do from our funders is to look at the priorities, look at the work that's been done and strategize on things because you can't attack it all at once.

Councilwoman Cooper-Smith asked, do you have an office here in Orangeburg?

Sallie Bachman advised yes we are currently located off of Joe S Jeffords Hwy.

Councilwoman Cooper-Smith asked, you stated you help the boys and girls club was it chosen because the survey you took or you know about it before hand?

Sallie Bachman advised when we received the grant our partners into the Boys and Girls Club around the table. The Boys and Girls Club has an influences within the boys that I would never have from a Hope Health perspective so we asked them to come to the table.

Councilman Willie Owens asked, was your interaction with groups positive?

Sallie Bachman advised yes because our partnership worked so well and it wasn't just one agency trying to make the change.

Councilman Heyward Livingston asked, some of the veterans you interviewed from a Mental Health stand point how did they rate the VA, for as being taking care of?

Sallie Bachman advised what we heard a lot was I cannot get my needs met. When it came down to asking questions about their emotions they didn't want to be asked about PTSD they get that way too much, they wanted to know how can I have a relationship, how can I give back, how can I feel purposeful, so apart from there lack of trust with the VA we have found they really want to use who they are and give back and a lot of times they want to give back to other veterans.

Chairman Wright thank Sallie Bachman for her presentation.

2. RESOLUTION HONORING ORANGEBURG-CALHOUN-ALLENDALE-BAMBERG COMMUNITY ACTION AGENCY, INC. FIFTIETH YEAR

Chairman Wright read the Resolution in its entirety. Chairman Wright entertained a motion. Councilwoman Cooper-Smith moved to approve the Resolution, seconded by Councilman Clyde Livingston. Motion carried.

3. 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 yielded to Administrator Young give a summary. Administrator Young advised the submission from planning commission met in July to discuss the issue and to consider a request from Mr. Ahmad Muhammad to rezone property at 2275 Rowesville Road. What he had requested was to change from BI (Business and Industrial District) to CG (Commercial General District) to allow for an operation of auto sales business, the property was formally zone as CG but it was rezone by per property owner and at that particular meeting there wasn't anyone present to speak against it and the commission voted to recommend approval for the request as well as Council on the first reading so this is the second reading of that project.

Chairman Wright thanked County Administrator Young.

Councilman Harry Wimberly asked, being in my district, Richard, when you say automotive sales this is not a junk yard?

Richard Hall advised no sir.

Councilman Harry Wimberly asked, are there really any specifications where they can't establish a junk yard there?

Richard Hall advised I'll have to get back with you on rather a junk yard is allowed to be establish in CG (Commercial General District) or not.

Councilman Harry Wimberly advised there was one out there and it got closed up, we don't need another one.

Richard Hall advised they did not express interest in a junk yard but an auto sales business, I have to get back with you on are junk yards allowed in CG (Commercial General District).

Councilman Harry Wimberly advised you need to find out if its auto sales or auto salvage.

Richard Hall advised he asked for auto sales but I will have to see if auto salvage is permitted.

Chairman Wright asked Councilman Harry Wimberly was he okay with the second reading. Councilman Harry Wimberly advised he reckoned. Councilman Clyde Livingston made motion to carry this reading over. Councilman Harry Wimberly second the motion until we get an answer from planning on what is allowed. Motion carried.

4. 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 A COMPANY IDENTIFIED AS PROJECT MAGNOLIA, OR ONE OR MORE COMPANIES RELATED THERETO; AND AUTHORIZING OTHER RELATED MATTERS

Chairman Wright yielded to Administrator Young to give a brief summary, Administrator Young yielded to Attorney Jerrod Anderson.

Attorney Jerrod Anderson advised you have two (2) projects that are going before you this ordinance that was just read is associated to Project Magnolia. This ordinance deals with including an expansion on a new construction on a multi county industrial park that's number four (4). Item number nine (9) deals with the resolution for the approval of inducement resolution that's associated with this transaction, item ten (10) deals with the ordinance to approve the fee-in-lieu of tax and that's all associated with the Magnolia Project. In this project the prospect wants to remain confidential at this time but they have promise a minimum of forty-six point two million dollars (\$46,200.00) in equipment. The prospect is in the business of Solar Power. They are seeking a FILOT for a 30 year term with a promise of a SSRE (Special Source Revenue Credit) they have not commented to any new jobs because most of the equipment is automated when you dealing with Solar Panel. They wish to place this expansion or new construction in a Multi County Industrial Park.

Chairman Wright advised you have heard the explanation for items number four (4) and item number nine (9) and ten (10). Councilman Heyward Livingston asked are you going to take all three (3) in one (1) vote. Chairman Wright advised yes, I am going to read items nine (9) and ten (10) and we can take them all in one (1) vote.

Chairman Wright ask Council if they had any questions.

Councilman Johnny Ravenell asked what benefit is it to the citizens of Orangeburg County, there are not jobs been created so how is the County going to benefit?

Attorney Jerrod Anderson advised to be specific the prospect did not commit to any jobs but they did state this, they stated that while there will be some constructive jobs associated with the building of the facility long term employer related to the actually operation of the facility will be minimum. In my eyes that's not committing to any jobs but there is a constructor of a projected tax perk because SSRC (Special Source Revenue Credits) has a \$67,000 as a fee in the thirty (30) years so there will be some income form of a fee for tax purposes that would benefit the County.

Councilman Johnny Ravenell advised that's what I want to hear for the benefit of the citizens of Orangeburg County. So the benefit will be the tax, even though they are not creating any new jobs.

Councilman Heyward Livingston asked, so it would be a \$70,000 tax bill verses a \$500.00 tax bill? That's the only difference.

Attorney Jerrod Anderson advised I believe so because of what's being develop and where it is.

Chairman Wright entertained a motion. Councilman Heyward Livingston made the motion. The motion was seconded by Councilwoman Janie Cooper-Smith. Motion carried.

5. RESOLUTION BY PLANNING COMMISSION

THE CONSIDERATION OF A REQUEST FROM JAMES PEDERSEN TO REZONE THE PROPERTY ADJACENT TO PODIUM PLACE S/D OFF CANNON BRIDGE ROAD, ORANGEBURG SC, TAX MAP #0155-10-01-004.00 FROM FA (FOREST & AGRICULTURE) DISTRICT TO RC RURAL COMMUNITY) DISTRICT TO DEVELOP A SUBDIVISION.

Chairman Wright yielded to Administrator Young to give a brief summary. Administrator Young advised the planning commission rule on it to rejected it based upon the wishes of the citizens that were in attendance to that meeting but then they gave the property owner a recommendation of a category that would be allowable that would help solve the problem, so now I yield to the planning director to give more explanation on that.

Richard Hall advised the request was made to rezone the property from FA (Forest Agricultural District) to RC (Rural Community District) to allow a subdivision to be develop we had four (4) property owners seek a list of petitions to speak out against the RC (Rural Community District) because the RC (Rural Community District) zoning would allow for a mobile home park to be done and the neighborhood was extremely opposed to that. What the planning commission did recommend was that the zoning be change from FA (Forest Agricultural District) to RG (Residential General) which would allow for a subdivision and mobile homes on individual lots but not a mobile home park as in a rental of individual

mobile homes. That was presented to the property owner, we haven't heard anything to say that he is against that and that is agreeable to the neighborhood around it.

Councilman Harry Wimberly asked so we are voting on from FA (Forest Agricultural District) to RG (Residential General).

Richard Hall advised yes sir there was a type o in your agenda, which was my fault, it's supposed to say RG (Residential General) and not RC (Rural Community District).

Councilman Harry Wimberly asked you can't put a mobile home park?

Richard Hall advised yes sir.

Councilman Heyward Livingston asked, but you can put one mobile on a lot?

Richard Hall advised yes sir just a lot, you could develop a subdivision with 100 lots and put mobile homes, they would be under individual ownership of one mobile home.

Councilman Clyde Livingston asked, where is this located?

Richard Hall advised off the Cannon Bridge Road.

Chairman Wright entertained a motion to accept the resolution and ordinance first reading. Councilman Clyde Livingston made the motion to pass the resolution five (5) and the ordinance item six (6). The motion was seconded by Councilman Harry Wimberly. Motion carried.

6. 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 #0155-10-01-004.000 FROM FA (FOREST & AGRICULTURAL DISTRICT) TO RC RURAL COMMUNITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Chairman Wright entertained a motion for accept the resolution and ordinance first reading. Councilman Clyde Livingston made the motion to pass the resolution five (5) and the ordinance item six (6). The motion was seconded by Councilman Harry Wimberly. Motion carried.

7. RESOLUTION

IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE SOUTH CAROLINA CODE, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY A COMPANY KNOWN TO THE COUNTY AS PROJECT PEONY, ITS AFFILIATES AND RELATED ENTITIES, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH ORANGEBURG COUNTY, SOUTH CAROLINA; PROVIDING FOR OTHER RELATED ECONOMIC DEVELOPMENT INCENTIVES, INCLUDING SPECIAL SOURCE REVENUE CREDITS; AND OTHER MATTERS RELATED THERETO.

Chairman Wright yielded to Attorney Jerrod Anderson advised this is a separate project, a new project, a new prospect it's still dealing with Solar Power. In this project we are dealing with an investment of four two point nine million dollars of investment over five years, it's the same SSRC (Special Source Revenue Credits) arrangement, whereby they will pay a certain fee in and \$76,000 for thirty (30) years, also there is no commitment in offering jobs, again the prospect stated while there will be some constructive jobs associated with the building of the facility long term employer related to the actually operation of the facility will be minimum.

Councilman Clyde Livingston asked, is this very similar to the earlier resolution?

Attorney Jerrod Anderson advised it is but it's a little bit more commitment as to capital investment and it's in a new location.

Councilman Clyde Livingston asked, what part of the county is it in?

Attorney Jerrod Anderson advised, Western

Councilman Clyde Livingston asked is it the same group as the first one?

Attorney Jerrod Anderson advised, it is the same group but different entity.

Chairman Wright entertained a motion to pass the resolution by Project Peony and item eight (8) ordinance first reading by title only and also item eleven (11) be carried. Councilman Heyward Livingston made the motion. The motion was seconded by Councilman Clyde Livingston. Motion carried.

8. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT, BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND PROJECT PEONY, AS SPONSOR, AND ONE OR MORE SPONSOR AFFILIATES TO PROVIDE FOR A FEE-IN-LIEU OF AD VALOREM

**TAXES INCENTIVE AND CERTAIN SPECIAL SOURCE REVENUE CREDITS;
TO PROVIDE FOR ONE OR MORE SPONSOR AFFILIATES; AND OTHER
RELATED MATTERS.**

Chairman Wright entertained a motion to pass the resolution by Project Peony and item eight (8) ordinance first reading by title only and also item eleven (11) be carried. Councilman Heyward Livingston made the motion. The motion was seconded by Councilman Clyde Livingston. Motion carried.

9. RESOLUTION

**IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12,
CHAPTER 44 OF THE SOUTH CAROLINA CODE, SO AS TO ALLOW
INVESTMENT EXPENDITURES INCURRED BY A COMPANY KNOWN TO THE
COUNTY AS PROJECT MAGNOLIA, ITS AFFILIATES AND RELATED
ENTITIES, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF
TAXES ARRANGEMENT WITH ORANGEBURG COUNTY, SOUTH CAROLINA;
PROVIDING FOR OTHER RELATED ECONOMIC DEVELOPMENT
INCENTIVES, INCLUDING SPECIAL SOURCE REVENUE CREDITS; AND
OTHER MATTERS RELATED THERETO.**

Chairman Wright entertained a motion. Councilman Heyward Livingston made the motion. The motion was seconded by Councilwoman Janie Cooper. Motion carried.

10. ORDINANCE FIRST READING BY TITLE ONLY

**AN ORDINANCE AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF
THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE
EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES
AGREEMENT, BY AND BETWEEN ORANGEBURG COUNTY, SOUTH
CAROLINA AND PROJECT MAGNOLIA, AS SPONSOR, AND ONE OR MORE
SPONSOR AFFILIATES TO PROVIDE FOR A FEE-IN-LIEU OF AD VALOREM
TAXES INCENTIVE AND CERTAIN SPECIAL SOURCE REVENUE CREDITS;
TO PROVIDE FOR ONE OR MORE SPONSOR AFFILIATES; AND OTHER
RELATED MATTERS.**

Chairman Wright entertained a motion. Councilman Heyward Livingston made the motion. The motion was seconded by Councilwoman Janie Cooper-Smith. Motion carried.

11. 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 A COMPANY IDENTIFIED AS PROJECT PEONY, OR ONE OR MORE COMPANIES RELATED THERETO; AND AUTHORIZING OTHER RELATED MATTERS

Chairman Wright entertained a motion to pass the resolution by Project Peony and item eight (8) ordinance first reading by title only and also item eleven (11) be carried. Councilman Heyward Livingston made the motion. The motion was seconded by Councilman Clyde Livingston. Motion carried.

12. OFFICIAL ACTION

AN OFFICIAL ACTION OF THE ORANGEBURG COUNTY COUNCIL AUTHORIZING FOR THE COUNTY TO ENTER INTO A CONTRACT REGARDING DESIGN OF A DEPARTMENT OF SOCIAL SERVICES BUILDING AND RESERVATION OF SITE WITH PIEDMONT COMPANIES, INC

Chairman Wright yielded to County Administrator Young to give a summary. County Administrator Young advised we have been working with the Piedmont Company trying to develop a New DSS facility for Orangeburg County and doing so Council has certain stipulations that they wanted to see in a contract to authorize us start working on this project our County Attorney has worked with the Attorney from Piedmont and what they have come up with is what you have requested and this agreement that's a part of your packet that would be the action that we needed to enter into a contract to start the design process of the Department of Social Services building and Reservation of site with Piedmont Company.

Chairman Wright yielded to the County Attorney. Attorney D'Anne Haydel advised that this item was down for Executive Session because there were two (2) new points that have been brought up. Councilman Clyde Livingston motion to accept the contract with the language we discuss in Executive Session and the motion was seconded by Councilman Heyward Livingston. Motion carried.

13. UPDATE FROM THE PUBLIC WORKS COMMITTEE

Chairman Wright yielded to Councilman Ravenell. Councilman Ravenell advised we met at 4:30 p.m., and this is the recommendation from the public works committee is to close Docket Street and removal of the present Docket Street and relocate it. That's the recommendation.

Councilman Johnny Ravenell made the motion and the motion was seconded by Councilman Heyward Livingston. Motion carried.

14. UPDATE FROM THE PUBLIC HEALTH AND SAFETY COMMITTEE

There was no update.

15. PROCUREMENT

a. RECOMMENDATION FOR FY16-0726 REQUEST FOR QUALIFICATIONS – PROFESSIONAL ARCHITECTURAL SERVICES ORANGEBURG COUNTY NEW DETENTION CENTER

Chairman Wright yielded to County Administrator Young to give a summary. County Administrator Young advised the County is in the process of building a New County Detention Center as a process we have to secure an architect to design the facility. A Request for Qualifications was advertised in the T&D and SCBO and the qualification statements were due on July 26, 2016. We received a total of five (5) statements, after reviewing the documentation the evaluation committee selected the top three and included was a presentation today by the top scoring architect of Moseley Architects of Columbia. The recommendation of the committee to recommend for your approval Moseley Architects of Columbia, SC.

Councilman Harry Wimberly made the motion and Councilman Clyde Livingston seconded the motion. Motion carried.

b. RECOMMENDATION REQUEST FOR PROPOSAL FY17-0818 PROJECT 601 ACCESS ROAD

Chairman Wright yielded to County Administrator Young to give a summary. On behalf of the "C" Fund Program a request for the Project 601 Access Road proposal was advertised in the Times and Democrat and SCBO and there was no pre-bidding and the project was to install a new road way system to include complete grading, complete storm drainage system, final grade, install the curb and gutter, install asphalt base, paving, and striping for the Project 601 on HWY 601. The proposals were due August 18th and we received the following proposals: O'Cain Construction of Orangeburg, SC \$878,760.00 and Richard Construction of Columbia, SC \$1,671,920.00. After the review of proposals the highest ranked vendor was O'Cain Construction and it is the recommendation of the Public Service Director and the Project Consultant that we award the project and to be funded through the "C" Fund Program to O'Cain Construction in the amount of \$878,760.00.

Chairman Wright entertained a motion to be carried. Councilman Willie Owens made a motion and Councilwoman Cooper-Smith seconded the motion. Motion carried.

c. REQUEST FOR PROPOSAL FY16-0714 ORANGEBURG COUNTY COUNTYWIDE TELEPHONE & DATA NETWORKS SYSTEMS REPLACEMENT & CABLE INFRASTRUCTURE

Chairman Wright yielded to County Administrator Young to give a summary. County Administrator Young advised we did a request for proposal for the Orangeburg County Countywide Telephone & Data Networks Systems Replacement & Cable Infrastructure. The County of Orangeburg solicited these proposals. The new telephone system will replace the existing AT&T Centrex telephone system with a new state of the art VOIP telephone system

capable of supporting the County's current and future needs. With the installation of the system, the cable infrastructure will be upgraded at the following locations: Administration Building, Courthouse, Sheriff's Office, EMS Building. The base RFP included in the telephone system, data network electronics, infrastructure cable, and public switched network services. Other options were included. The County received proposals for the following five (5) vendors. The selected recommended vendor for this project is Vertical in the amount of \$690,862.98, this was the recommendation from our consultant that we are using Elert & Associates as an overview of our overall infrastructure upgrade of all our IT component and networking services.

Chairman Wright asked the Council if they had any questions. Councilman Ravenell asked, how would this effect our present carrier?

County Administrator Young advised they actually put in the old Centrex system that we have now. So that entire system will be upgraded by going VOIP we would still have to deal with AT&T but we would use the broadband aspect of what we can provide by our on broadband capabilities we have now. So we didn't need all of the components that we are traditionally getting from AT&T because we can provide some of those ourselves.

Councilman Ravenell asked, so that would help us dollar wise.

County Administrator Young advised it will increase the amount of money that we would be spending, the cabling and infrastructure is actually all the cabling that goes to the data jacks in every office throughout the entire building and location were with have to have a computer station, so that's a major upgrade of all the wiring closet, components, pulling of wires, pulling in new different still of updated equipment that would allow up to use a voice over internet protocol for a lot of the telephone systems we have now. The old telephone system we have now is a two part system were one part is here and another part is in another location. That make us vulnerable when we have power outages or other electrical instances. I yield to Deputy Administrator Marion Lloyd he has been the point person on this project.

Councilman Harry Wimberly asked, this ties our phone system into the broadband internet?

County Administrator Young advised, yes sir well it will, not the telephone service but the background of it. We have to have broadband access to do certain things and what this does is change out all the wiring and the infrastructure to be able to connect us to our own internet as well as use a voice system that is allowable.

Councilman Harry Wimberly asked, we are a county building right now that does not have a fiber optic cable running to it? This system will it tied back into somewhere that does have cabling to get on the internet.

County Administrator Young advised, yes sir.

Councilman Harry Wimberly asked, it's connecting all the County structures to the internet program?

County Administrator Young advised it's changing from an old cable like system to a computerized system, which use different cables and networks to be able to manage. Right now to change a phone number you have to go into a closet to make the change but with the voice system you can take one phone into any other office and still use that same number.

Chairman Wright entertained a motion to be carried. Councilman Willie Owens made the motion. Councilman Clyde Livingston seconded the motion. Motion carried.

16. RECOMMEDATION FROM TAX & TOURISM COMMITTEE

Councilwoman Cooper-Smith advised she had a question or concern the Tax & Tourism Advisory Committee always does a good job but my question is the last one on the page, has this much been requested in the past?

County Administrator Young advised no ma'am this is an increase to what they have requested due to the cost going up with the show they have to pay WIS and other TV contracts that goes along with that but in all honest with the full intent of the Tax & Tourism monies is to generate the ability to use whatever promotes, bring peoples to hotels, stay and use restaurants and South Carolina State University homecoming is the biggest provider of funds to that fund.

Councilwoman Cooper-Smith advised, it's the second biggest the Coonfest is the first. I'm just asking because what he has fill out and based upon the request and result expected most of those items or all of those items are also the recipient of City residents so I'm asking, as far as you know does the City participate in the funding of the Buddy Pough Show and all these that are requested or just the County?

County Administrator Young advised, not for the specific of the show itself but I do know they do help with some of the outreach. Now specifically by doing that allows up us commercial viability because as the sponsor Orangeburg County gets title sponsorship on WIS when those show are run as well as plays of several County run commercials on the jumbotron during football games and homecoming and any types promotional pamphlets that are put together for the citizens, I tell you now Youth Day is just one example where you have just about every section of the State of South Carolina shows up on Youth Day with children and that information is given out about University and a lot of them make their decision about where they go to college really impact us by them becoming students to sustain money in Orangeburg County.

Councilwoman Cooper-Smith advised, I understand that I don't have no qualms with this except, I don't think the County should be the solely responsible for the funding when the City is going to benefit as well. I have no qualms with this, this is good publicity, this is a big plus for our economic development but everybody gets a piece of the pie so everybody should be putting something in that pie.

County Administrator Young advised, DPU and the City also sponsors but not specifically for the show because they require title sponsorship for that and when you get the title sponsorship that's what allows you the commercial viability on that show when it's actually

being put on and it's put on every Sunday after a home games so that pretty much gives us however many other weeks they have football games rather its home are away, title sponsorship on WIS TV and a national syndicate program for as sports are concern with print media, video media, and TV media. It's a good advertisement for the dollar.

Chairman Wright entertained a motion to pass the recommendation of the Tax & Tourism Advisory Committee. Councilman Clyde Livingston made the motion. Councilman Willie B. Owens seconded the motion. Motion carried.

17. 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)**

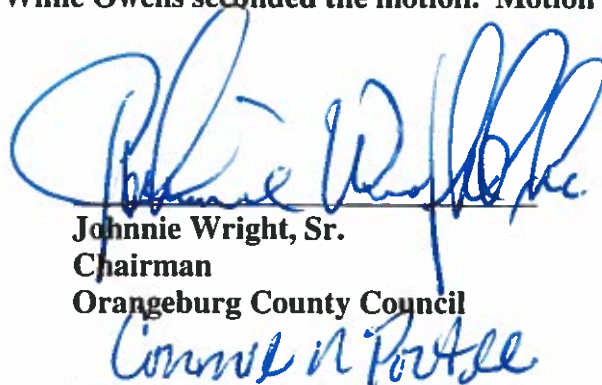
- b. **ECONOMIC DEVELOPMENT UPDATE**

- 1. **PROJECT PEONY**
- 2. **PROJECT MAGNOLIA**
- 3. **PROJECT FALCON**
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)

18. VOTE FOR ADJOURNMENT

Chairman Wright entertained a motion for adjournment. Councilwoman Janie Cooper-Smith motioned that the regular session of the Orangeburg County Council of September 6, 2016 stand adjourned. Councilman Willie Owens seconded the motion. Motion carried.

19. ADJOURNMENT



Johnnie Wright, Sr.
Chairman
Orangeburg County Council



Clerk to Council
Orangeburg County Council