



**MINUTES
ORANGEBURG COUNTY COUNCIL
September 19, 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
Connie N. Portee, Clerk to Council**

CALL TO ORDER

Johnnie Wright, Sr. Chairman

On the 19th day of September 2016, Chairman Wright called to order a regular session meeting of the Orangeburg County Council at 5:32 p.m.

MOMENT OF SILENCE

Moment of silence observed

APPROVAL OF MINUTES

September 6, 2016 (RS)

Chairman Wright asked for a motion on the minutes. Vice-Chairwoman Janie 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. RESOLUTION HONORING THE REVEREND DOCTOR JAMES HERBERT NELSON II

Chairman Wright yielded to Vice-Chairwoman Cooper-Smith. Vice-Chairwoman Cooper-Smith advised there were members from the St. Luke Presbyterian Church present, she asked all the members and councilman to join her on the floor as she read and presented the resolution to the St. Luke Presbyterian Church members.

Chairman Wright entertained a motion to pass the resolution. Councilman Harry Wimberly made a motion and Councilman Willie Owens seconded the motion. Motion carried. (7-0-0).

2. RESOLUTION HONORING WILLIE MAE OWENS-ROSS 100TH BIRTHDAY

Chairman Wright yielded to Councilman Harry Wimberly. Councilman Harry Wimberly asked all the members of Mrs. Owens-Ross family and councilman to join him on the floor as he read and presented the resolution to Mrs. Willie Mae Owens-Ross.

Chairman Wright entertained a motion to pass the resolution. Councilwoman Cooper-Smith made the motion and Councilman Willie B. Owens seconded the motion. Motion carried. (7-0-0).

3. ORDINANCE SECOND READING

AN ORDINANCE OF THE COUNTY COUNCIL OF ORANGEBURG COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED ORANGEBURG COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 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 to give a summary. Administrator Young advised the submission from the planning commission met on July 13, 2016 to discuss the consideration of request from property at 2275 Rowesville Road, to be change from BI (Business and Industrial District) to CG (Commercial General District) to allow for an auto sales business, the property was formally zone as CG (Commercial General District) but it was rezone by the prior property owner. There was nobody present to speak against it and the commission voted for it and Council approved for the first reading and it's being presented to you for second reading.

Chairman Wright asked the Council if they had any questions. There were none. Chairman Wright entertained a motion to pass second reading. Councilman Willie Owens made the motion. The motion was seconded by Councilman Clyde B. Livingston. Motion carried. (7-0-0).

4. ORDINANCE SECOND READING

AN ORDINANCE OF THE COUNTY COUNCIL OF ORANGEBURG COUNTY< SOUTH CAROLINA AMENDING THE ZONING MAP OF UNINCORPORATED ORANGEBURG COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS #0155-10-01-004.000 FROM FA (FOREST & AGRICULTURAL DISTRICT) TO RG RURAL GENERAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Chairman Wright advised there was a letter from the property owner. Chairman Wright yielded to Administrator Young to give a brief summary. Administrator Young yielded to the Planning Director, the Director of Community Development Mr. Richard Hall.

Richard Hall advised this is the same ordinance that was presented last time, the letter that you have is actually from the property owner, he doesn't like the designation of the planning commission to go to RG (Residential General District) he wanted to keep it RC (Rural Community) so he could do a mobile home park but that is something the neighborhood spoke out quite highly against. The property owner just wanted to let it be known that he felt he should get RC (Rural Community) and not RG (Residential General District).

Chairman Wright advised by reading the letter I thought that is what he was trying to say but I wanted it to be clarified.

Councilman Harry Wimberly asked, what did the planning commission give him?

Richard Hall advised the planning commission recommendation was RG (Residential General District).

Councilman Harry Wimberly asked, but he wants RC (Rural Community)?

Richard Hall advised, yes sir. He wanted the opportunity to be able to put in a mobile home park.

Councilman Harry Wimberly asked, and the citizens complaining, they were here last meeting they wanted RG (Residential General)?

Richard Hall advised, yes sir. We had over seventy-five (75) written petition and there were about ten (10) people that showed up that wanted RG (Residential General) not RC (Rural Community) which is what was presented before Council at the last meeting.

Councilman Clyde B. Livingston asked, what was it originally?

Richard Hall advised it was FA (Forest & Agriculture), the reason he ask for RC (Rural Community) is because there are some RC (Rural Community) that were zone that way around it and he felt like he should be like the people around it. The people that have their property zone RC (Rural Community) didn't know it was zone RC (Rural Community) when zoning was establish in 2008 and they had deed restrictions on all of their property that said one unit per lot so they were opposed against a mobile home park. They don't mine mobile homes, a lot of them live in mobile homes but they want people to have to have an individual lot to have their own mobile home instead of a mobile home park.

Councilman Clyde B. Livingston asked, how many residence building homes are in that neighborhood?

Richard Hall advised, there are quite a number of homes in the surrounding area, it's a well-developed area, it's a large mix of houses and mobile homes it's not really a trailer park in the area and that's what they were speaking out against.

Councilman Harry Wimberly advised Councilman Clyde B. Livingston if the property owner doesn't like the zoning to RG (Residential General) put it back the way it was FA (Forest Agricultural). He can take what the Community wants are he can leave it like it is.

Richard Hall advised, correct and he has been notified that the zoning is going to RG (Residential General), it will be rezone to RG (Residential General) if you agree to that and if he doesn't like that he can rezone it back to FA (Forest Agricultural).

Councilman Johnny Ravenell asked, a lot is consist of what percentage of an acre?

Richard Hall advised, in RG (Residential General) a lot it could be about a quarter of an acre, either 75,000 square feet or 10,000 square feet.

Councilman Johnny Ravenell asked, so in other words three (3) or four (4) mobile homes could go on one acre?

Richard Hall advised, yes split up yes.

Chairman Wright entertained a motion to pass second reading. Councilman Clyde B. Livingston made the motion. The motion was seconded by Councilman Harry Wimberly. Motion carried. (7-0-0).

5. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE AUTHORIZING ORANGEBURG COUNTY TO GRANT AN ENCROACHMENT EASEMENT TO SOUTH CAROLINA PUBLIC SERVICE AUTHORITY REGARDING TMS# 0171-00-07-004.000, A PARCEL OF REAL PROPERTY UPON WHICH A RAIL SPUR IS TO BE CONSTRUCTED

Chairman Wright yielded to Administrator Young to give a brief summary of the ordinance. Administrator Young yielded to Attorney Jerrod Anderson. Attorney Anderson advised the ordinance seeking to approve an easement agreement with SC Housing Authority or Santee Cooper this agreement is necessary for the construction of a rail spur that's associated with Project Samba. Property was transferred in the name of Orangeburg County with expectations of the proposed rail spur being built, there is an easement agreement sent by Santee Cooper who is requiring us to enter an agreement before they give us permission to proceed with the construction of the rail spur.

Chairman Wright thanked Attorney Anderson. Chairman Wright asked the Council if they had any questions.

Chairman Wright entertained a motion to pass first reading by title only. Councilman Willie Owens made the motion. The motion was seconded by Councilman Clyde Livingston. Motion carried. (7-0-0).

6. PROCUREMENT

a. TSC VIDEO EQUIPMENT

Chairman Wright yielded to Administrator Young to give a brief summary. Administrator Young advised this procurement is coming before you as a part of an addition to our current video surveillance system to be included into the system is the Courthouse, right now because of some issues that we are having we are doing upgrades to the Courthouse as well as the parking area within the Courthouse and this is also one other piece of upgrading the surveillance piece of the Courthouse as well this TSC (Technology Solutions of Charleston) bid ties into the system that we have now that is similar to the Jail, the Administration Complex, and other places we have been using video surveillance for protection. This is our recommendation that we go with this estimate for the simple fact that it is a system that we already have in place and this would be an expansion of that system.

Councilman Harry Wimberly asked, where would the observer be with this system?

Chairman Wright asked, the Council if they had any questions for Administrator Young.

Administrator Young advised, there are several locations and for security purposes I choose not to disclose them.

Chairman Wright entertained a motion to accept the procurement recommendation. Councilman Heyward Livingston made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (7-0-0).

7. VOTE FOR EXECUTIVE SESSION

Chairman Wright read the items for executive session and entertained a motion. Vice Chairwoman Cooper-Smith made the motion. Councilman Heyward Livingston seconded the motion. Motion carried. (7-0-0).

8. EXECUTIVE SESSION

- a. **LEGAL BRIEFING REGARDING SOUTH CAROLINA DEPARTMENT OF REVENUE PROPOSED REGULATION 117-338 "LOCAL TRANSPORTATION SALES AND USE TAX-ELIGIBLE COSTS" LEGAL BASIS - FOIA EXEMPTION S.C. CODE 30-4- 70(a)(2) (RECEIPT OF LEGAL ADVICE FOR MATTER COVERED BY THE ATTOTNEY-CLIENT PRIVILEGE)**

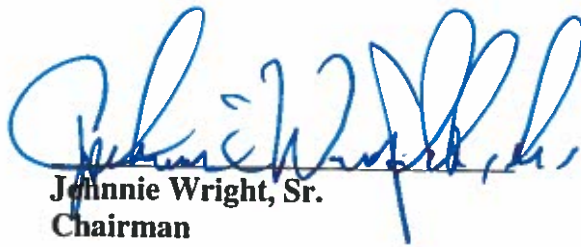
9. VOTE FOR ADJOURNMENT

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

Administrator Young advised, he wanted to give an update on the flood that we had last week. For the sake of press and to the public, we dealt with the issues we had with the flood. The three (3) buildings that sustain damage during that time where the Law Complex on Ellis Avenue, the Library, and a little bit in the Courthouse. We had the Courthouse and the Law Complex remediated that next day, the Library as you know sustain more substantial amount of damage but as of 12:00 p.m. today we were reopened. The Library sustain over an inch in a half of rain inside the facility that cause for dehumidification and clean up, so we appreciate the citizens being patient with us and as you know and you are a where that we have committed as a Council to build a New Library.

Chairman Wright entertained a motion for adjournment. Councilman Johnny Ravenell motioned that the regular session of the Orangeburg County Council of September 19, 2016 stand adjourned. Councilman Harry Wimberly seconded the motion. Motion carried. (7-0-0).

10. ADJOURNMENT



Johnnie Wright, Sr.
Chairman
Orangeburg County Council



Connie N. Poole
Clerk to Council
Orangeburg County Council