



**MINUTES
ORANGEBURG COUNTY COUNCIL
November 7, 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:

**Marion Lloyd, Senior Deputy Administrator
D'Anne Haydel, County Attorney
Connie N. Portee, Clerk to Council**

CALL TO ORDER

Johnnie Wright, Sr. Chairman

On the 7th day of November 2016, Chairman Wright called to order a regular session meeting of the Orangeburg County Council at 5:38 p.m.

MOMENT OF SILENCE

Moment of silence observed

APPROVAL OF MINUTES

October 17, 2016 (RS)

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

PUBLIC COMMENTS:

AGENDA ITEMS

NONE

PUBLIC COMMENTS:

OTHER MATTERS

NONE

1. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND PROJECT LEOPARD, REFLECTING THE EXPANSION OF AN EXISTING MANUFACTURING FACILITY IN ORANGEBURG COUNTY, SOUTH CAROLINA, PROVIDING FOR AN INCREASE TO THE MAGNITUDE OF THE SPECIAL SOURCE REVENUE CREDIT, EXTENDING THE REMAINING TERM OF THE SPECIAL SOURCE REVENUE CREDIT, AND PROVIDING OTHER INCENTIVES NECESSARY TO INDUCE PROJECT LEOPARD TO LOCATE IN THE COUNTY; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY TO EFFECT THE INTENT OF THIS ORDINANCE; AND OTHER RELATED MATTERS.

Chairman Wright yielded to Attorney Jerrod Anderson to give a brief summary of the ordinance. Attorney Jerrod Anderson advised this is a propose ordinance by title only to include an expansion under an existing fee-in-lieu with the County. The fee-in-lieu was signed in 2013, what they are asking is, they want to invest an additional \$69,000,000.00 in the company here in Orangeburg County, that would be \$29,000,000.00 in buildings, \$40,000,000.00 other-expenses. The prospect does want to maintain their confidentiality, they are wanting to move the Special Source Revenue Credit (SSRC) from 40% to 50% (SSRC) for 30 years and they will request that this expands be place in a Multi-County Industrial Park.

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 Heyward Livingston made the motion. The motion was seconded by Councilman Harry Wimberly. Motion carried. (7-0-0).

2. ORDINANCE FIRST READING

AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO THE FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA (THE "COUNTY") AND ALBEMARLE CORPORATION (NOW SI GROUP, INC.) DATED AS OF DECEMBER 17, 2012, TO PROVIDE FOR A REDUCTION TO THE MINIMUM CONTRACTUAL INVESTMENT REQUIREMENT SET FORTH THEREIN AND A REDUCTION TO THE SPECIAL SOURCE CREDIT INVESTMENT LEVEL; AND (2) OTHER MATTERS RELATING THERETO.

Chairman Wright yielded to Attorney Jerrod Anderson to give a brief summary of the ordinance. Attorney Jerrod Anderson advised this is a request from the SI group who were assigned there right when they brought out Albemarle locally, they want to move the promise \$65,000,000 investment to a minimum or similar to \$55,000,000. After they made adjustments, after the purchase they advised that presently under the existing fee they've invested 40.9 million but they don't see or they won't be able to reach that goal of \$65,000,000 after the assumption the fee-lieu that's why they are asking to move it back. Presently there is a SSRC (Special Source Revenue Credit) for the \$58,000,000 of the investment that was planned they have scaled that back from \$58,000,000 to \$55,000,000 SSRC (Special Source Revenue Credit) and that SSRC would be for thirty (30) years under the amendment.

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

Councilman Harry Wimberly asked Chairman Wright at the next reading could we have a print out of the difference between the \$65,000,000 and the \$55,000,000 what the revenue would be coming into the County, so we could compare and make some kind of adjustment?

Attorney Anderson advised, yes sir.

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

3. SETTING OF MILLAGE RATES FOR 2016 TAX YEAR AND CARRY FORWARDS

Chairman Wright yielded to Deputy Administrator Marion Lloyd to give a brief summary. Deputy Administrator Lloyd advised our staff met with the County Auditor and the County Treasurer in setting the Millage for 2016 Tax Year it's the recommendation of County Administration for as the following Millage change for various funds. The General Fund an increase of three 3.0 mills that's from 87.0 mills to 90.0 mills, there was no change in Capital Improvement, no change in Solid Waste, no change in Education, and two 2.0 mills increase in Debt Services from 9.0 mills to 11.0 mills. In the other funds the County Fire District no change, New Brookland Lighting District no change, Brookdale Lighting District no change, Whittaker Lighting District no change, Creekmoore Lighting District no change, Fox Run Lighting District no change, and Empire Estates Lighting District no change.

Chairman Wright thanked Deputy Administrator Marion Lloyd, Chairman Wright asked the Council if they had any questions?

Councilman Clyde B. Livingston asked, what is causing the increase in the millage rate for Debt Service?

Deputy Administrator Marion Lloyd advised, that is related to the construction of the Detention Center to basically fund the Debt Service for the detention center. Discussed in a prior meeting that in 2018 we would have additional debt service to come off the books so

that bond would be paid off. It's roughly two or three mills on that particular bond but to carry us to 2018 it's been recommended that we do 2.0 mills to carry the Debt Service on the borrowing of the construction of the Detention Center.

Councilman Clyde B. Livingston advised, if we're going to borrow the money we will need at least a year really eighteen (18) months before we have to start paying it back and we haven't even broken ground on the Detention Center yet.

Deputy Administrator Marion Lloyd advised, no but as far as hiring the architects, the designing and the planning of the Detention Center there will be funding for that part, we would love to go into construction but it's going to be right at the next fiscal year. We are looking at going into construction in June of 2017.

Councilman Harry Wimberly advised, did we discuss in that meeting once the other bond get paid off that we could come back and introduce this.

Deputy Administrator Marion Lloyd advised, yes that was my understanding yes.

Councilman Clyde B. Livingston advised, he understood but he didn't want to build up a fund balance in that particular year what it amounts to is a tax increase to the tax payers.

Councilman Heyward Livingston advised, he understood it that in 2018 one bond will be paid off and that should be able to reduce this back over.

Councilman Clyde B. Livingston advised, if we absolutely have to have it through that period then he had no problem with it but the other effect is we will end up increasing the fund balance in the Debt Service Fund and he is not comfortable with that.

Councilman Willie B. Owens advised, he would rather have it then not need it because it's difficult to go back to the voters to get it if you don't have it. He don't think it would hurt us just to have it.

Councilman Clyde B. Livingston advised, well if we start raising taxes that could hurt.

Councilman Willie B. Owens advised, it's not our intention to raise taxes, just for the sake of raising it but for the sake of covering Debt Service for some of the items you really need.

Vice Chairwoman Janie Cooper-Smith advised, she agreed with Councilman Owens and all this has been discuss at our budget hearing and we did not increase the millage without knowing the reason for the increase in additional millage but she agreed it is better to have it and not need it because if we need it later we can't get it. We are going to be in enough debt with new facilities being added.

Councilman Harry Wimberly advised, if we get by with it this year we may have to go to 4.0 mills next year to catch up. The reason he is in favor of is because in two years we can take it back off. Council understands that it's up to us to make sure it comes off.

Councilman Johnny Ravenell advised, as the Deputy Administrator has said the preliminaries has to be done and during the course of a year we don't want to start on a

project and not have the money to pay for it in the next fiscal year. It is better to have it and not need it rather need it and not have it.

Deputy Administrator advised, another thing that was discussed in the construction to speed it up was instead of waiting six months for the total design package to be completed and then bid out for construction what we were looking at for as the site design getting that certified and getting that done contracting that part out early on probably within three months so while they are doing the site work we can continue the designing and programing of the building itself, this way you can speed up the construction project if you let the site work out early on but you would have to have that part designed early on and get the site work done before you complete the entire design project.

Councilman Clyde B. Livingston asked, what kind of balance do we have in the Debt Service Fund?

Deputy Administrator advised, he could not answer that question but he could get the information for Mr. Livingston.

Councilman Clyde B. Livingston asked, what is the fund balance in the Capital Improvement?

Vice Chairwoman Janie Cooper-Smith advised, we been fighting this every year, every year there is an increase we been fighting it.

Councilman Clyde B. Livingston advised, if we got a millage the bottom line is we just increase the fund balance, it's good to have a good fund balance but we talking about in the Capital Improvements and Debt Services, not talking the General Fund. Councilman Clyde B. Livingston advised, he doesn't want to tax the people unless it's just absolutely necessary.

Deputy Administrator advised, in most cases when we look at the setting of the millage we do look at the fund balance because if we do have a balance there that could offset the millage the would be the first approach we would take on it, not being able to tell you the exact numbers but that was consider during the process when we met with the auditor and treasurer for as establishing those millage rates.

Councilman Johnny Ravenell asked, Deputy Administrator could you explain something for me, the Lighting District there was a question at one time about Northwood Estate creating a Lighting District there what determines that, the amount of homes the amount of lights determine that number?

Deputy Administrator advised, it's a combination of the total assess value that in that Lighting District and the cost to install all the lights in that particular District, so in most cases the larger the tax base or larger the assessment, then that would probably result in a lower millage rate.

Councilman Johnny Ravenell asked, in the Northwood Estate area what would they have to do?

Deputy Administrator advised, we have a process in place with Mr. Hall, if a community wanted to establish a lighting district, there is a process with filling out an application and with that we will define that area that needs to be a Lighting District once we define that area then we can define the assess value for that area. That information is taken to DPU and they will determine a budget for what it would cost to establish the lights, we give all that information to the auditor and he computes the millage rate for that particular lighting district.

Councilman Johnny Ravenell asked, so the home owners association would fill out the application?

Deputy Administrator advised, they could just contact me or Mr. Hall and we would guide them through the process.

Vice Chairwoman Janie Cooper-Smith asked Deputy Administrator, was Empire Estates near Northwood Estates?

Deputy Administrator advised, yes it is.

Vice Chairwoman Janie Cooper-Smith asked, when you have two neighborhoods that closes is there a possibility they could combine the light district to make the residence pay less because you have more people?

Deputy Administrator advised, that is difficult because we have to make sure how each one of them were established, was it done through an ordinance or petition for the voters to vote on, so that is something we could look into but it has a lot to do with how those districts were established.

Chairman Wright asked, the Council if they had any more questions?

Chairman Wright entertained a show of hands of all in favor of passing the setting of the millage rates for 2016 tax year and carry forward: Chairman Wright, Vice-Chairwoman Cooper-Smith, Councilman Ravenell, Councilman Heyward Livingston, Councilman Harry Wimberly, and Councilman Willie Owens.

Chairman Wright entertained those opposed: Councilman Clyde B. Livingston.

Chairman Wright entertained a motion to pass setting of the millage rates. Vice Chairwoman Janie Cooper-Smith made the motion. The motion was seconded by Councilman Willie B. Owens. Motion carried. (6-0-0).

4. FISCAL YEAR 2017 CARRY FORWARD

Chairman Wright read the summary of the accounts and their associated balances that need authorization from County Council to be carried forward from the Fiscal Year 2016 Budget. The following accounts were established for projects that were authorized in the FY2016

year but will have completion dates that occur during the FY2017 budget year. Project Materials and Supplies \$381,579.86, Parking Lots \$77,511.00, Law Complex \$17,724.00, Sheriff's Office \$63,000.00, DSS Building \$55,000.00, and Technology Improvement \$238,000.00.

Chairman Wright entertained a motion to pass the fiscal year 2017 carry forward. Councilman Willie B. Owens made the motion. The motion was seconded by Councilman Clyde B Livingston. Motion carried. (7-0-0).

5. GIS-ESRI LICENSE RENEWAL

Chairman Wright yielded to Deputy Administrator Marion Lloyd to give a brief summary. Deputy Administrator Lloyd advised this is a renewal quote for the software that runs our GIS database which is ESRI software, this is an annual renewal and it's before Council because the amount exceeds the amount authorization of the County Administrator and the funds are budgeted in the general fund in the GIS department account.

Councilman Willie B. Owens asked, about how much?

Deputy Administrator advised, about \$50,000.00.

Councilman Willie B. Owens asked, have there been any major criticism about this GIS system?

Deputy Administrator advised we have gotten a lot of comments on the upgrade on the new web pages for as the map tools and everything.

Chairman Wright asked so it was positive feedback?

Deputy Administrator advised, yes sir positive feedback.

Councilman Ravenell advised, the GIS system is another way of making people more aware of what they are doing and if people sometimes know they are being watched, they have a tendency to perform more better, it's a good thing and a great investment.

Councilman Willie B. Owens asked, is there any other current competitors competing for this business?

Deputy Administrator advised, our software is utilized not just on GIS but it's used in Emergency Services also, so what we have to do is find a product that's out there that fits the needs of our organization to say there is no one else that could do this, sure, but to do the satisfaction of the County. This area of software is the standard software that's basically used in the industry so by not having this particular software it's difficult to run other software when it comes down to Emergency Services and Fire Services so in other words it interface more with our other departments than any other software out there.

Chairman Wright entertained a motion for approval of GIS-ESRI license renewal. Councilman Willie B. Owens made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (7-0-0).

6. SANTEE WATEREE RTA RENEWAL

Chairman Wright yielded to Deputy Administrator Marion Lloyd to give a brief summary. Deputy Administrator Lloyd advised this is a renewal that we have with Santee Wateree RTA, it's an annual renewal of the transportation system in order to request funding back from the federal government from the grant assistance that we received so we are actually contracted through Santee Wateree RTA to provide those services.

Chairman Wright asked, the Council if they had any questions?

Chairman Wright entertained a motion for the approval of the Santee Wateree RTA renewal. Vice Chairwoman Janie Cooper-Smith made the motion. The motion was seconded by Councilman Willie B. Owens. Motion carried. (7-0-0).

7. UPDATE FROM FINANCE COMMITTEE

Chairman Wright yielded to Vice Chairwoman Janie Cooper-Smith for update. Vice Chairwoman Janie Cooper-Smith advised the meeting was very informative the committee members are Chairman Wright, Councilman Ravenell, and myself. We discuss two types, the first were the requirements for the IRS and the Security of Change Commission the requirements they place on post insurance compliance. Policies are being prepare by County Council's approval. Secondly, we discuss the progress of the financial schedule for the new construction of the County Detention Center. No action was taken, it was just an informative meeting.

Chairman Wright thanked Vice-Chairwoman Cooper-Smith and asked the Council if they had any questions?

8. PROCUREMENT

a. RECOMMENDATION FOR A SURREY SEVERE WEATHER TRAINING TRAILER

Chairman Wright yielded to Deputy Administrator Marion Lloyd. Deputy Administrator Marion Lloyd advised this trailer will be used as an outreach mechanism to teach the community about fire safety and severe weather hazards. The cost of this trailer is \$53,019.21. \$43,019.21 will be paid by grant \$10,000.00 is being match by Orangeburg County and this is a joint effort between Emergency Services and the County Fire District.

Chairman Wright asked, the Council if they had any questions?

Chairman Wright entertained a motion for the approval of the surrency severe weather training trailer. Councilman Willie B. Owens made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (7-0-0).

9. VOTE FOR EXECUTIVE SESSION

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

10. EXECUTIVE SESSION (IF NEEDED)

a. ECONOMIC DEVELOPMENT UPDATE.

Chairman Wright asked were there any questions or concerns before he motion for adjournment?

Vice Chairwoman Cooper-Smith advised there was a public notice for debris removal and she read the notice in its entirety. Vice Chairwoman Cooper-Smith advised this notice is for County roads only, if you live on a State road this notice does not apply.

Vice Chairwoman Cooper-Smith asked, was there any we the citizens could find out when public works would be in their area?

Deputy Administrator Marion Lloyd yielded to Henry Summers.

Henry Summers advised not at this moment we have not decided what areas which is why Public Works gave the 60 days because we didn't want the citizens to look for Public Works on a particular day and we don't show up.

Vice Chairwoman Cooper-Smith asked how would they know to start having there debris placed in the right-of-way for removal?

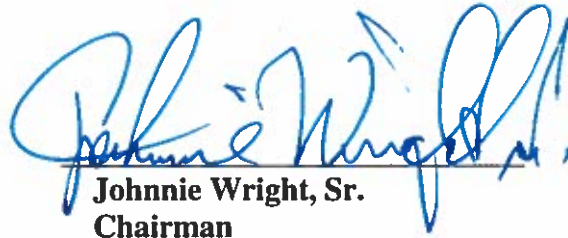
Henry Summers advised the citizens can start today November 7th putting their debris out from Hurricane Matthew for removal so when public works come in their area they will pick up the debris.

Councilman Harry Wimberly advised on Tuesday, November 15th at 6:30 p.m. there will be a ribbon cutting ceremony at the Orangeburg County Branchville Sports Complex.

11. VOTE FOR ADJOURNMENT

Chairman Wright entertained a motion for adjournment. Vice Chairwoman Cooper-Smith motioned that the regular session of the Orangeburg County Council of November 7, 2016 stand adjourned. Councilman Willie Owens seconded the motion. Motion carried. (7-0-0).

12. ADJOURNMENT

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

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

A handwritten signature in blue ink, appearing to read "Connie A. Reese", written over a horizontal line.

**Connie A. Reese
Clerk to Council
Orangeburg County Council**