



**MINUTES
ORANGEBURG COUNTY COUNCIL
January 3, 2017
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
Jerrod Anderson, Deputy County Attorney
Connie N. Portee, Clerk to Council**

CALL TO ORDER

Harold M. Young, County Administrator

On the 3rd day of January 2017, Harold M. Young called to order a regular session meeting of the Orangeburg County Council at 5:33 p.m.

MOMENT OF SILENCE

Moment of silence observed

**ADMINISTRATION OF OATH OF OFFICE FOR COUNTY COUNCIL MEMBERS
ORANGEBURG COUNTY COUNCIL DISTRICTS #2, #3, #4, #5 AND OATH OF
OFFICE CLERK OF COURT WINNIFA B. CLARK, OATH OF OFFICE SHERIFF
LEROY RAVENELL, OATH OF OFFICE CORONER SAMUETTA MARSHALL**

Judge Derrick Dash swore Johnny Ravenell, Harry Wimberly, Heyward Livingston and Janie Cooper-Smith as Council Members for Orangeburg County Council District #2, #3, #4, and #5 respectively. Judge Derrick Dash swore Winnifa B. Clark in as Clerk of Court. Judge Derrick Dash swore Samuetta Marshall in as Orangeburg County Coroner.

Sheriff Leroy Ravenell was sworn in by First Circuit Judge Ed Dickson on, Friday, December 30, 2016.

ELECTION OF CHAIRMAN OF COUNTY COUNCIL

Councilman Harry Wimberly nominated Councilman Johnnie Wright as Chairman of County Council, seconded by Councilman Willie Owens. Motion Carried. (7-0-0).

Chairman Wright thanked council members for electing him to serve as the chairman.

ELECTION OF VICE CHAIRMAN OF COUNTY COUNCIL

Councilman Owens nominated Councilwoman Janie Cooper-Smith as Vice Chairman of County Council, seconded by Johnny Ravenell. (7-0-0).

Councilwoman Cooper-Smith thanked the citizens for reelecting her for District #5 and she thanked the council members for electing her as vice-chairman.

APPROVAL OF MINUTES

December 19, 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 Willie B. Owens seconded the motion. Motion carried. (7-0-0).

PUBLIC COMMENTS: AGENDA ITEMS NONE

PUBLIC COMMENTS: OTHER MATTERS

Willie Ulmer, James Ulmer, George Ulmer, Hue Knight, Albert McCullough, Gail Bickel, Stephen Braxton, Tommy Bozard, David Jones and other citizens of the Four Holes community all came before County Council to express their strong disapproval about a rehab center coming to their community.

Administrator Young advised the process of a project of a property has to come through the planning and development office. Administrator Young yielded to Richard Hall Deputy Administrator of Community Development.

Richard Hall advised this is a private company it has nothing to do with the State the name of this center is Waypoint Recovery Center. Richard Hall gave out an executive summary/strategic Plan of the Waypoint Recovery Center to the Four Hole Community. Summit BHC Cameron, LLC that was establish for this in January 2016. It is a fifty (50) acre parcel with four or five buildings, there will be thirty-five (35) beds, and it's a facility that is a rehab center for drug and alcohol abuse. They attend to have equine therapy, horses, and things of that nature. The County cannot guarantee any of this, the property is zone FA (Forest Agricultural), the name tends to confuse people it's doesn't mean it's just Forest Agricultural it takes in a wide array uses that when the zoning ordinance was adopted in 2008 was consider to be a compatible uses. A substance abuse facility which falls

under the title social assistance, is a permitted uses by right in that district. Sherry Baker is the executive director CEO of this facility, she is from Charleston, and they have an open and outpatient care facility in North Charleston that is where she currently operate out of right now. The process was they came in requested information on if this type of uses allowed in this zoning district from there they submitted plans and pulled a permit in the amount of two million dollars for renovations to the property. They will pursue licensing from the SC Department of Health and Environmental Control under Regulations 61-93 Standards for Licensing Facilities that Treat Individuals for Psychoactive Substance Abuse or Dependence. The facility will also pursue Joint Commission Accreditation within the first year of operation. This is the same accreditation that the dawn center has off of Cook Road. The County has no part in this facility and the State has no part in this facility. The only thing would be the State would have to issue a license for the facility.

Councilman Clyde B. Livingston advised the Four Holes Community should join forces with the general public, Orangeburg County, and with the people who are going to develop the property, to help solve the problem.

Chairman Wright advised the Four Holes Community to write their questions and concerns down so the County Administrator could address and answer them at a later date.

Councilman Willie Owens advised it was his district and he was with his people but they needed to follow standard procedure.

Administrator Young advised to find out what the DEHC certification are for this type of facility, if they have requested the application or has it already been given if not what public input is available then a decision can be made for as Council once to provide input but we can also give that input to the citizens and if it's a permitted use we cannot just deny someone permitted. Although Council has the power to change those uses but there is a process that goes along with it.

Councilman Willie Owens advised Chairman Wright that he strongly suggest follow the suggestion of the County Administrator.

Councilman Harry Wimberly made a motion to follow standard procedure to get the zoning changed to conditional.

Chairman Wright entertained a second motion. The motion was seconded by Vice-Chairwoman Janie Cooper-Smith. Motion carried. (7-0-0).

Chairman Wright closed the public comments at 6:31 p.m. and began the first item on the agenda.

1. ORDINANCE SECOND READING

AN ORDINANCE OF THE COUNTY COUNCIL OF ORANGEBURG COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF THE UNINCORPORATED ORANGEBURG COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS #0127-00-03-004.000 FROM RC (RURAL COMMUNITY)

DISTRICT TO CG (COMMERCIAL GENERAL); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Chairman Wright yielded to Administrator Young. Administrator Young advised this was the three reading for this property from rural community to commercial general, he yielded to the planning director Mr. Richard Hall. Mr. Hall advised as Mr. Young stated this ordinance is for third reading to rezone the property on 301 from RC (Rural Community) to CG (Commercial General) to open a boat dealership.

Chairman Wright entertained a motion to third and final reading. Councilman Willie Owens made the motion. The motion was seconded by Councilman Clyde Livingston. Motion carried. (7-0-0).

2. ORDINANCE SECOND READING

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 PALMETTO PLAINS, 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, 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 THE COMPANY PREVIOUSLY IDENTIFIED AS PROJECT PALMETTO PLAINS, OR ONE OR MORE COMPANIES RELATED THERETO; AND OTHER RELATED MATTERS.

Chairman Wright yielded to Attorney Jerrod Anderson to give a brief summary. Attorney Anderson advised the prospect seeks to approve a fee agreement and also place the expansion in a multi-county industrial park with Dorchester County they have pledged a minimum of \$85,500.00 in mostly solar panels and related equipment with no new jobs. The placement of this expansion would be outside the town of Bowman off of highway 210, they are seeking an SSRC (Special Source Revenue Credits) for thirty (30) years that would maintain an annual fee payments of \$200,000.

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

3. ORDINANCE SECOND READING

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 A COMPANY KNOWN TO THE COUNTY AS PROJECT OMEGA, 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 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 PROJECT OMEGA, OR ONE OR MORE COMPANIES RELATED THERETO; AND OTHER RELATED MATTERS.

Chairman Wright yielded to Attorney Jerrod Anderson to give a brief summary of the ordinance. Attorney Jerrod Anderson advised the prospect wishes to remain anonymous, but they are a company that has been established in the community for some time, they are seeking to expanded their operations with a minimum investment of \$7,041,000.00, in land and building they are planning to invest a minimum of approximate \$614,000.00 and in machinery and equipment approximate \$6,500,000.00, they have also promise a minimum of twenty-eight (28) new jobs. They are seeking a SSRC (Special Source Revenue Credits) for ten (10) years for 20%.

Chairman Wright entertained a motion to approved second reading. Vice-Chairwoman Cooper-Smith made the motion. The motion was seconded by Councilman Willie B. Owens. Motion carried. (7-0-0).

4. PRESENTATION OF FINANCIAL AUDIT

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young yielded to the financial auditor Charlotte Allen. Ms. Charlotte Allen presented Council with a financial audit report packet. Charlotte Allen thanked Council for the opportunity to render this serves to the County and she thanked the finance department staff. Charlotte Allen advised Council of the different audit findings.

Councilman Willie Owens made a motion to publicly commend our County Administrator and his staff for the excellent job that they've done with the County finances. Chairman Wright entertained a second motion to publicly commend the Administrator and his staff for doing an excellent job with keeping the County finances under control. The motion was seconded by Councilman Heyward Livingston. Motion carried. (7-0-0).

5. PROCUREMENT

a. FY17-1216 CONSTRUCTION REPAIR OF 2 (TWO) PIERS – INDIAN BLUFF RECREATIONAL FACILITY, VANCE, S.C.

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised this is a request for proposal FY17-1216 two (2) piers at the Indian Bluff Recreational Facility in Vance, advertisement was placed in the T&D and SCBO newspapers. The county solicited for a general licensed contractor in the State of South Carolina. Site visits were recommended, we had a total of four (4) responses that were due back on December 12, 2016 at 2:30 p.m. and it is the recommendation of the staff to recommend the low bidder Henley's Construction of Cheraw, SC in the amount of \$97,000.00. This is due to the damage that was done to Indian Bluff during the Hurricane Matthew, we had to have meetings with FEMA as well as the Army Corps of Engineers about how we go about replacing the piers and doing the work, most of the money will be reimburse back by FEMA once they approve the work that was done. With this bid and with Council approve we should be able to get started to get Indian Bluff back together hopefully in time for the spring and summer fishing season.

Vice-Chairwoman Cooper-Smith asked, have they said how much yet?

Administrator Young advised, it depends on our overall classification approval we get from FEMA and it's usually in the rage of 75% to 80%.

Councilman Johnny Ravenell asked, was any part of the damages covered by insurance.

Administrator Young advised, no, because under the State Insurance Reserve Fund they would only cover anything that was adjacent to the property and these were docks that were out in the water.

Councilman Harry Wimberly asked, what kind of lease do we have with Santee Cooper?

Administrator Young advised, we've been approve for a longer lease then the one (1) year, we have a twenty-five (25) year lease now.

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

Councilman Johnny Ravenell asked, are they doing any advance repairs are or they repairing it back to normal status.

Administrator Young advised, the request was to put it back the way it existed, which in the terms we could only put back what the Army Corps of Engineers would only allow us to do and they would only allow us to put the straight dock back out there and you don't want to do anything different because the pilons that hold up the pier are the only things that are left and those are able to be attached to again and we did anything different it would drive up the cost.

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

6. APPOINTMENTS

1) APPOINTMENT OF A LITTER CONTROL OFFICER FOR THE ORANGEBURG COUNTY LITTER CONTROL DEPARTMENT

Chairman Wright yielded to Administrator Young. Administrator Young advised we would like to present to you Antonio Williams as an appointment for Code Enforcement Officer in the Orangeburg County Litter Control Department.

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

Vice-Chairwoman Cooper-Smith asked, how many Litter Control Officer's do we have now?

Richard Hall advised, we have three full time employees and three part-time employees and we are in the process of trying to hire one more full time employee.

Councilman Johnny Ravenell asked, what area will you be working in or will you be moving around the County?

Richard Hall advised, they are not assigned to any particular areas.

Chairman Wright entertained a motion for the approval the litter control officer appointment. Councilman Willie Owens made the motion. The motion was seconded by Councilman Clyde Livingston. Motion carried. (7-0-0).

7. 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).

8. EXECUTIVE SESSION

- a. CONTRACTUAL MATTERS FOR TRMC**
- b. ECONOMIC DEVELOPMENT UPDATE**

9. VOTE FOR ADJOURNMENT

Chairman Wright asked Council if they had any comments before he asked for a vote for adjournment.

Vice Chairwoman Cooper-Smith advised this is the week of the coon hunters, so our hotels and our restaurants will be bombarded by coon hunters from all over the country and if you see one in an outfit tell them "Welcome to Orangeburg, and come back next year!"


Councilman Johnny Ravenell thanked the citizens of Orangeburg County for re-electing him back as councilman of District Two (2).

Councilman Heyward Livingston thanked the citizens of Orangeburg County for re-electing him back a councilman of District Four (4).

Chairman Wright entertained a motion for adjournment. Councilman Clyde B. Livingston motioned that the regular session of the Orangeburg County Council of January 3, 2017 stand adjourned. Councilman Willie Owens seconded the motion. Motion carried. (7-0-

0).

10. ADJOURNMENT


Johnnie Wright, Sr.
Chairman
Orangeburg County Council


Clerk to Council
Orangeburg County Council