



**MINUTES
ORANGEBURG COUNTY COUNCIL
April 17, 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**

MEMBERS ABSENT:

Clyde B. Livingston

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 17th day of April 2017, 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

April 3, 2017

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. (6-0-0).

PUBLIC COMMENTS:

AGENDA ITEMS

NONE

PUBLIC COMMENTS:

OTHER MATTERS

Harvey Elwood came before County Council to publicly thank Mrs. Barbara Williams for appointing him as the representative of Orangeburg on the board of visitors for the Medical University of South Carolina and there was a notice in your Council packets he hoped they would consider the small amount for the upcoming event on June 3rd at the Orangeburg County Fair Grounds that would produce unity in our community and it is free to the public.

Bruce Wiles came before County Council to asked, had the traffic survey for Yonder Field been completed yet?

Administrator Young advised the County has a draft version they received, the County reached out to SCDOT after the County comments they should have the draft comments changed by Thursday of this week.

Bruce Wiles asked will the fencing be put up before her first concert.

Administrator Young advised the fencing should be completed by May 23rd.

Bruce Wiles wanted the citizens to know he had just come from the Public Works Committee meeting about Log Cabin Road, they are going to rock the road with gravel and right now tentatively it is propose that the taxes payers pay for it and it's only going to benefit Supper Sod and her. He did not understand why the tax payers should have any money go to that road for her or Jimmy Roquemore if it was benefiting the citizens he could understand but it took him years and years to get the County to get crushing run from the creek to Homestead road now that Yonder Field comes here the County is going to bend over backwards for her.

Pam McArthur asked County Council, where did they stand on the outside events ordinance and the noise ordinance? Will it be in place before her first concert on March 27th?

Chairman Wright advised the ordinance would not be in place before her first concert because Council did not state it would be in place before the first concert, it is still before the committee and we are working on it.

Pam McArthur asked, what recourse would the residence have for the nose and the gathering?

Administrator Young advised the County plans were to have another committee meeting to finalize and finish up by that time but we are recruiting some information from Live Nations the concert sponsors and the information would go towards what we present to Council for the ordinance. We just received the sound meter that we order to go along with the study to propose to Council. There will be additional meetings coming up on that ordinance and on the study. We will be putting together another public meeting after we received the traffic study because that is what we promised after we received the traffic study, we did get a preliminary copy but we had to give our comments to take back to the engineers so they could finalize it in order to give to SCDOT once we get that and the final copy if delivered on this Thursday then we should have the Public Meeting sometime next week.

Pam McArthur asked, had Council received anything back from DHEC or corps of engineers to know if she has complied with the wetlands?

Administrator Young advised the wetlands have been compiled with from the County stand point and anything else would have to be answered by the army corps of engineers.

Vice-Chairwoman Janie Cooper-Smith came before council and the citizens to share some information about the Lower Savannah Council of Government, the Lower Savannah Council of Governments work with and on behalf of local governments to develop, implement and administer plans, programs and projects in cooperation with local, state and national stakeholders, to improve the quality of life for residents in Aiken, Allendale, Bamberg, Barnwell, Calhoun and Orangeburg Counties. The information shared was about the Family Caregiver Support Program.

Chairman Wright closed the public comments session at 5:48 p.m. and began the first item on the agenda.

1. PRESENTATION BY DR. WILLIAM (BILL) MOLNAR, EXECUTIVE DIRECTOR OF LOWER SAVANNAH COUNCIL OF GOVERNMENTS (LSCOG)

Chairman Wright recognize Dr. William Molnar. Dr. Molnar gave Council an in depth update on projects awarded by community development block grant funding and economic development projects.

2. PRESENTATION FROM THE COMMUNITY OF CHARACTER PACK

Chairman Wright yielded to Mrs. Lovell Brothers, Chairwoman of the Community of Character Pack. The Community of Character Pack presented awards to Melvin Frazier for the month of January 2017 the character trait of Enthusiasm, Marion Lloyd for the month of February 2017 the character trait of Grit and Larry Kemmerlin for the month of March 2017 the character trait of Initiative.

Chairman Wright congratulated all the winners and thanked the Community of Character PACK.

3. ORDINANCE THIRD 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# 0072-00-03-006.000 FROM FA (FOREST & AGRICULTURAL) TO CG (COMMERCIAL GENERAL); AND PROVIDING FOR SERVERABILITY AND AN EFFECTIVE DATE

Chairman Wright yielded to Administrator Young to give a brief summary. Administrator Young advised on February 8, 2017, the planning commission met to consider this request to rezone the property at 909 Middle Way Rd in Neeses, SC from FA (Forest and Agricultural) to CG (Commercial General). The property is already in use as a commercial property as a farm equipment and tractor trailer repair shop as the requested zoning reflects what is currently there. The Planning Commission voted unanimously to recommend approval of the request.

Chairman Wright entertained a motion to pass the ordinance for third and final reading. Councilman Harry Wimberly made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (6-0-0).

4. ORDINANCE THIRD 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# 0258-00-04-003.000 FROM FA (FOREST & AGRICULTURAL) TO CG (COMMERCIAL GENERAL); AND PROVIDING FOR SERVERABILITY AND AN EFFECTIVE DATE

Chairman Wright yielded to Administrator Young to give a brief summary. Administrator Young advised on February 8, 2017 the planning commission met to consider this request to rezone the property at 2423 Homestead Rd in Bowman, SC from FA (Forest and Agricultural) to CG (Commercial General). The property is already in use as a commercial property and is next to the County fire station and other Business Industrial zoned property as the requested zoning reflects what is currently there. The Planning Commission voted unanimously to recommend approval of the request.

Chairman Wright entertained a motion to pass the ordinance for third and final reading. Councilman Johnny Ravenell made the motion. The motion was seconded by Councilman Harry Wimberly. Motion carried. (6-0-0).

5. ORDINANCE THIRD READING

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE CREDIT AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND LABON TECHNICAL FIBER, INC. PROVIDING FOR A PAYMENT OF A SPECIAL SOURCE REVENUE CREDIT AND OTHER MATTERS RELATED THERETO

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary. Attorney Anderson advised the ordinance is an expansion for Labon Technical Fiber, Inc. Agenda item (5) is an ordinance for an infrastructure agreement and agenda item (6) is the ordinance requesting to place this expansion in a multi county industrial park. The company has promised a minimum of \$2,100,000.00 investment, that is with \$930,000.00 in building and \$1,170,000.00 in machinery and equipment. With a minimum creation of twenty-three (23) new jobs. The SSRC (Special Source Revenue Credit) would be for thirty (30) years with the year first three (3) years being at 43% and thirty-one (31) through forty (40) years the SSRC (Special Source Revenue Credit) would be for 25%.

Chairman Wright entertained a motion to pass the ordinance for third and final reading. Councilman Willie Owens made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (6-0-0).

6. ORDINANCE THIRD READING

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK DATED MAY 17, 2010, SO AS TO INCLUDE ADDITIONAL PROPERTY IN ORANGEBURG COUNTY (LABON TECHNICAL FIBER, INC.) AS PART OF THE JOINT COUNTY INDUSTRIAL PARK, AND OTHER MATTERS RELATED THERETO

Chairman Wright entertained a motion to pass the ordinance for third and final reading. Councilman Willie Owens made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (6-0-0).

7. ORDINANCE SECOND READING

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND [PROJECT HALO] TO PROVIDE FOR THE PAYMENT OF A FEE-IN-LIEU OF TAXES; AUTHORIZING CERTAIN INFRASTRUCTURE CREDITS; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT FOR CERTAIN REAL PROPERTY; 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, they promise to invest over the minimum that is required by the act, the promise of new jobs, they are also seeking a least agreement which is agenda item (8) and it relates to agenda item (7).

Chairman Wright entertained a motion to approved second reading. Councilman Harry Wimberly made the motion. The motion was seconded by Vice-Chairwoman Cooper-Smith. Motion carried. (6-0-0).

8. ORDINANCE SECOND READING

AN ORDINANCE APPROVING THE ACQUISITION OF CERTAIN PROPERTY LOCATED IN ORANGEBURG COUNTY; AND OTHER MATTERS RELATED HERETO

Chairman Wright entertained a motion to approved second reading. Councilman Harry Wimberly made the motion. The motion was seconded by Vice-Chairwoman Cooper-Smith. Motion carried. (6-0-0).

9. PRESENTATION OF PLANNING COMMISSION RESOLUTION

THE CONSIDERATION OF A REQUEST FROM JAMES & DONNA BECK TO REZONE THE PROPERTY AT 7656 OLD NUMBER SIX HIGHWAY, SANTEE, SC, TAX MAP# 0302-00-07008.000 FROM FA (FOREST & AGRICULTURE) DISTRICT TO CG (COMMERCIAL GENERAL)

Chairman Wright yielded to Administrator Young to give a brief summary. Administrator Young advised on March 8, 2017 the planning commission met to consider this request from James and Donna Beck to rezone the property at 7656 Old Number Six Hwy, Santee SC from FA (Forest and Agricultural) to CG (Commercial General). The property is currently an auto repair shop and is adjacent to the cement plant as the property and adjacent property are already commercial uses and there was no opposition to the request. The Planning Commission voted unanimously to recommend approval of the request.

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

10. ORDINANCE FIRST READING BY TITLE ONLY

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# 0302-00-07008.00 FROM FA (FOREST & AGRICULTURE) TO CG (COMMERCIAL GENERAL); AND PROVIDING FOR SERVERABILITY AND AN EFFECTIVE DATE

Chairman Wright entertained a motion to pass the ordinance for first reading by title only. Councilman Willie Owens made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (6-0-0).

11. A RESOLUTION CONSENTING TO THE PARTICIPATION AND ADDITION OF A SPONSOR AFFILIATE TO THAT CERTAIN FEE AGREEMENT BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA, AND HUSVARNA CONSUMER OUTDOOR PRODUCTS N.A., INC. DATED AS OF JANUARY 1, 2011; AND OTHER RELATED MATTERS

Chairman Wright read the resolution in its entirety. Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary. Attorney Anderson advised Husvarna is seeking the approval to add a sponsor affiliate under their fee agreement.

Chairman Wright entertained a motion to pass the resolution. Councilman Willie Owens made the motion. The motion was seconded by Councilman Harry Wimberly. Motion carried. (6-0-0).

12. UPDATE FROM PUBLIC WORKS COMMITTEE

Chairman Wright yielded to the Chairman of the Public Works Committee Councilman Johnny Ravenell to give an update. Councilman Ravenell advised that the Public Works Committee met at 4:00 p.m. today. There were two items on the agenda Log Cabin road and a discussion about the convenience sites. According to the Public Works director the road has been rerouted, the gravel being put on the road has not been finalized by County Council so it is up for discussion. The speed and curve signs have been put up on Log Cabin road. There is a problem with the convenience site with citizens bringing in bins on trailers and dumping them every day. Apparently they are picking up from homes and bring it to the convenience sites when they should be taking it to the landfill. We want the public to be aware the purpose of the convenience sites are for the home owners of the County and not for businesses to pick up from homes for a fee. The committee is going to meet with Council as a whole to come up with some guidelines to enforce. No action was taken.

13. PROCUREMENT

a. APPROVAL (STATE CONTRACT PURCHASE) SHERIFF DEPARTMENT

Chairman Wright entertained a motion to approve the purchase of six (6) Motorola radios for the Sheriff Department. Councilman Harry Wimberly made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (6-0-0).

b. REQUEST FOR PROPOSAL FY17-0321 DESIGN-BUILD ROAD CONSTRUCTION (C-FUND PAVING PROGRAM)

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised FY17-0321 Design-Build Road Construction for C-Funds proposal consist of 9.24 miles of road in various locations. The design-build concept is to design, construct, manage and provide all construction administration. Orangeburg County will require the right-of-ways, assist with utility relocations, place asphalt pavement upon fine graded base and place fine graded base and place final roadway signing, raised pavement markings and stop bars. Eight (8) contractors attended the pre-bid, proposals were due March 21, 2017. Only one (1) vendor submitted a proposal it was evaluated by the Public Services Director and staff. Palmetto Sitework Services, LLC of Orangeburg, SC 29116 in the amount of \$2,769,828.60 for (9.24 miles). This is the recommendation of the staff, if Council awards this proposal to said contractor that the County Administrator or his designee shall proceed to negotiate on price, on matter affecting the scope of the work, so long as the changes are within the general scope of the request for proposal. Section 5-304-10 of the procurement code.

Chairman Wright entertained a motion to approve the request for design-build road construction. Councilman Harry Wimberly made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (6-0-0).

c. REQUEST FOR PROPOSAL FY17-0215 OUTDOOR WARNING SYSTEMS – EMERGENCY SERVICES

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised a request for proposal FY17-0215 was prepared for the Office of Emergency Service for Outdoor Warning Systems for the Indian Bluff Recreational Facility an Outdoor Warning System has the ability to receive warnings from the National Weather Service via Weather radio and rebroadcast the warning on a local outdoor warning device capable of being heard across the entire facility. The Office of Emergency Services pursued a grant after the 2014 Ice Storm to secure this equipment. A grant was awarded to the county for \$38,539. The County advertised (SCBO/T&D newspapers) and solicited proposals. Two proposals were received. It is the recommendation of the Emergency Services Director, Billy Staley, and staff to accept the proposal of ATI System for \$43,398.50. The grant awarded amount (\$38,539.00) and the proposal amount (\$43,398.50) difference of (\$4,859.50) will be requested for reimbursement from the Office of State of S.C Emergency Management.

Chairman Wright entertained a motion to approve the purchase for emergency outdoor warning systems. Vice-Chairwoman Janie Cooper-Smith made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (6-0-0).

d. REQUEST FOR PROPOSAL FY17-0322 GENERATOR INSTALLATION (24 SITES) HMGP GRANT

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised a request for proposal FY17-0322 was a joint effort between the County Office of Emergency Services and the Orangeburg County Fire District. A grant was pursued after the 2014 Ice Storm to purchased and install generators at 24 of the Fire Stations within the County. The grant was awarded to the county for \$160,000.00. The Generators and Transfer Switches were purchase under another solicitation and this solicitation is for installation only. There were seven proposals received and it is the recommendation of the Emergency Services Director, Billy Staley, and staff to accept the proposal of DNB Electric of W. Columbia, S. C. for \$46,574.20.

Chairman Wright entertained a motion to approve the purchase for replacement vehicles. Councilman Heyward Livingston made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (6-0-0).

14. VOTE FOR EXECUTIVE SESSION

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

15. EXECUTIVE SESSION

a. ECONOMIC DEVELOPMENT UPDATE

1. PROJECT HALO

2. PROJECT COLUMBUS

S.C. CODE §30-4-70(A)(5) (DISCUSSION OF MATTERS RELATING TO THE PROPOSED LOCATION, EXPANSION, OR THE PROVISION OF SERVICES ENCOURAGING LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY THE PUBLIC BODY)

3. MONUMENT EXHIBITS

S.C. CODE §30-4-70(A)(5) (DISCUSSION OF MATTERS RELATING TO THE PROPOSED LOCATION, EXPANSION, OR THE PROVISION OF SERVICES ENCOURAGING LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY THE PUBLIC BODY)

b. CONTRACTUAL MATTERS

LEGAL BASIS - FOIA EXEMPTION S.C. CODE 30-4 70(a)(2)(DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL AGREEMENT)

16. VOTE FOR ADJOURNMENT

Chairman Wright entertained a motion for adjournment. Vice-Chairwoman Janie Cooper-Smith motioned that the regular session of the Orangeburg County Council of April 3, 2017 stand adjourned. Councilman Johnny Ravenell seconded the motion. Motion carried. (6-0-0).

17. ADJOURNMENT

Meeting adjourned at 7:36 p.m.



Johnnie Wright, Sr.
Chairman
Orangeburg County Council



Connie N. Portee
Clerk to Council
Orangeburg County Council