



**MINUTES  
ORANGEBURG COUNTY COUNCIL  
August 7, 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:**

**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 7<sup>th</sup> day of August 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**

**June 19, 2017 (RS)  
June 27, 2017 (SS)  
July 12, 2017 (SS)**

**Chairman Wright asked for a motion on the minutes. Councilman Johnny Ravenell motioned that the minutes of the sessions of the Orangeburg County Council on the above dates be approved as written. Councilman Willie Owens seconded the motion. Motion carried. (6-0-0).**

**PUBLIC COMMENTS:**

**AGENDA ITEMS**

Chairman Wright advised the citizens to be civil during public comments of agenda items and to stay short on their public comments.

Joseph Rich owner of Sunshine Recycling came to address Council regarding the business license ordinance.

Chairman Wright advised Mr. Rich Council had already had public hearing concerning the business license ordinance and Council had listen to his concerns, if he had something short to bring before Council would accept it. Other than that, there had already been a public hearing concerning the business license. Council had allowed him to speak and they have been very fair. Chairman wanted to make sure it was clear to Joseph Rich.

Joseph Rich thanked everyone for the opportunity again to address a very important issue before Orangeburg County Council, the second reading of the business license ordinance. He took a moment to thank all the ones who voice their opinion and those who have work diligently to find what action can be taken to forgo the ill-conceived ordinance. Your time and your efforts are gratefully appreciated and further demonstrated the need for thoughtful dialog and actions as it relates to the Governance of our County. He think this issue has highlighted the need for consistency, a consistently evolving representative Government that is continually refreshed and reinvigorated by leaders that have a vested interest and commitment and to the principles of our governance. He was deeply troubled by what they found.

Chairman Wright advised Joseph Rich of the time.

Jospeh Rich advised Chairman Wright, he had already read that appreciate the interruption sir.

Pervasive ideology that County council members believe they are the Arbiters of success and failure and we the people are incapable of determining our Destiny without their omnipresent governance and when we rise up to question their misguided ambivalence we are met with contempt and disdain for our efforts as demonstrated just a little while ago. This business license is nothing but a naked attempt to further legitimize the overreach and oppressive policies of a County government that has lost its way in the abyss of socialism. Just look at the manner in which this County Council has gone about the implementation of this and so many more policies that have been dubbed for the greater good. They included the projected funds raised from this ordinance in the budget before they even had second reading of the business license ordinance, then after the public found out and objected to it vigorously they claim to have been working on this for ten (10) years but mysteriously not one word had been changed until after the second reading. He was sure that time spent at all of the Retreats discussing this ordinance over the years was money well spent as usual. So as the overwhelming disapproval of this ordinance begin to weigh in many different groups and individuals became exempt or no longer would be subject in part or in whole to the ordinance and the percentage of the tax levy was lowered to placate the various groups of individuals

now the obvious question presents itself what impact will all the political manipulations have on the dollar amount collected.

Chairman Wright advised Joseph Rich that Council had given him enough time.

Joseph Rich stated no sir you have not with anyone else here like to yield me their time.

Councilman Wimberly says I have had enough of you have called us communist socialist and everything else in the books.

Joseph Rich advised council members he had the floor.

Mr. Wimberly advised Joseph Rich he could be removed.

There were some more unintelligible arguing and audience speaking back and forth.

Joseph Rich says sir this is a public comment, it is within my rights to speak here I have not done anything that is not within rights to address this public body sir I have another page to read.

Chairman Wright advised him to go ahead and speak.

Joseph Rich stated thank you so much he appreciate it Mr. Chairman now the obvious question presents itself what impact will all the political manipulations have on the dollar amount collected giving the pool of potential taxpayers has shrunk along with the percentage of tax collected the answer is we don't really know because we don't have any way of knowing how much we are going to collect before the changes to the ordinance and we certainly don't know now. Sounds like we have heard this song before. We are going to have to pass it to find out what's in it. That's the kind of government we are relegated to, so not only are we going to have to pass it to find out what's in it we are going to have to give one of the most socialistic County Council's in South Carolina history a blank check to rectify any and all real or perceived budget shortfalls in the foreseeable future. The ability to raise taxes on a whim without so much as a by-your-leave from the people this council is supposedly serving and to add insult to injury they are going to Grant themselves a brand new regulatory arm that can and will affect current and future economic development in our County. All the while passing this ordinance without a single vote being cast by We the People.

We have heard from various groups and individuals by public comment in Council, phone, email text, social media and many letters to the editor, on opposition of this ordinance that have all made compelling arguments as to why this ordinance is bad for Orangeburg County. He had have yet to hear compelling comments from the very people who seem determined to pass this ordinance. He was truly astonished we have come to such an ostentatious occasion without the utterance of your Majesty's to go with it. The abject ignorance and outright

arrogance demonstrated by this Council in the past ten (10) years defies all reason. The sheer magnitude of your perceived benevolence will beggar us all while stripping the Common Man of the belief that through his own hard work, dedication, commitment, perseverance and generosity he can better himself and those around him. If you vote yes for this ordinance you need to resign, resign from the people you are no longer worthy to serve. You have failed to uphold the values by which this nation has become Second To None, you have allowed your hearts to become twisted with your own self-importance and misguided benevolence. You have forgotten why the people have asked you to serve and you have forgotten what it means to serve. I hang my head in shame tonight as many others in this room should. We have allowed the pathetic excuse for County government to exist, through our action we have brought upon ourselves the prospect of ruination and despair. This is not the beginning of bad ideas and failed politics, it is a continuation. We have stood idly by while bureaucrats and politicians have conspired to squander the potential of one of the most diverse and most strategically located counties in this great state of South Carolina. No more. No more will I listen to their platitudes and excuses that we have done all we can do, we have tried our best. I am here to tell you tonight you haven't done enough and apparently your best isn't good enough. Orangeburg County deserves better, we deserve better. We have some of the most talented businessmen and women the state has to offer, it is time for us to stand up and serve the people in an additional capacity as representatives of the people. If you're not willing to serve then serve those who are and let's return the power back to where it belongs, with the people. Our government was designed to offer equal opportunity to all people, not to offer equal outcomes. Thank you Mr. Chairman.

Laura Sterling from Beaufort County came before County Council to share her opinion about the Orangeburg County Business License.

Jim Pratt came before Council to express his opposition for the business license.

Chairman Wright closed public comments of agenda items at 5:45 p.m.

**PUBLIC COMMENTS:                    OTHER MATTERS**

Jim McClain from North asked County Council was there a comparison done between rehabbing the old DSS building verse the new DSS building and the new Orangeburg County Jail?

Administrator Young advised Jim McClain yes there was a comparison.

Jim McClain asked, will the tax payers have to pay more taxes to fund the DSS Building and the new Orangeburg County Jail?

Administrator Young advised Jim McClain no the tax payer would not have to pay more taxes because part of the funds were coming from the Capital Penny Sales Taxes and the other part is coming from the Capital Improvement Fund.

Pam McAruthur came before Council about Yonder Field she wanted to know if there was a traffic plan in place with DOT and other concerns about Yonder Field.

Chairman Wright closed the public comments at 5:54 p.m. and began the first item on the agenda.

## 1. ORDINANCE SECOND READING

### AN ORDINANCE ENACTING A BUSINESS LICENSE

Chairman Wright read the ordinance in its entirety.

Councilman Harry Wimberly advised the citizens of Orangeburg County that Council had sat quietly during the last two (2) Council meetings and had taken a lot of slandering and the citizens have forgotten about all the good things Council have done for this County. It's been stated Council have a lot of self-interest but a lot of citizens have a lot of self-interest. Councilman Wimberly stated he was born and raised here in Orangeburg all his life. He owns a business all his life and everything he accomplished he accomplished by working. He took the position to run for County Council because agricultural was not represented on County Council at all and he has tried to represent agricultural to the fullest. He has taken everything Council has done into consideration and he apologized if he had insulted anyone because it was not his intent but he gets insulted when people call you a socialist, when he know member of Council have had on a uniform and fought for this Country to help make it a free Country. We are far from it, we are Americans and we have put this County forward for the last twenty (20) years like it has never grown before. Had it not been for penny sale taxes, it saved the County. Every year during the County work sessions, we look at services for the people of Orangeburg County and the County (Emergency Medical Services) EMS service is slack. It took five (5) to six (6) years to get an (Emergency Medical Services) EMS station built in Roseville to service the Cannon Bridge Road, Branchville, and Cattle Creek area. It took four (4) to five (5) years to get one built in Bowman off of I-26. There are seven (7) stations over this County and we only have enough people to run four (4) of them. Where he lives it is an hour away from the hospital. Council looked at it and it would take four (4) mills with tax money to raise taxes in this County to get (Emergency Medical Services) EMS funded to 100% to get their salary up to be competitive with other Counties. Councilman Wimberly advised he did not want to see another tax increase and the rest of Council did not want to see another tax increase. Council had talked about business license since 2008 for the last nine (9) years, so Councilman Wimberly suggested the business license tax. He ask any business man that employees ten (10) or twelve (12) people that lives thirty (30) miles out of Orangeburg and an hour from the hospital if you had any accident at your place of business which is more important a little business tax license or getting that person to a hospital in a timely fashion that may save their life and your business won't have the face a death or law suit, which is the cheapest. When you talk about raising property taxes it affects the business owner, every person who own a house, and own a vehicle but it does not affect the many, many big industries in Orangeburg that has a Fee-In-Lieu because that fee is set for twenty years but with a business license they will have to pay. He has not heard from any big businesses opposing having to pay a business license because they want the service and the money is going for a purpose to service the people of Orangeburg County. If the County

do not fund seven (7) (Emergency Medical Services) EMS stations twenty-four (24) hours a day seven (7) days a week then we failed. This is the purpose of the business license, for the public health in this County and getting them to a hospital in a timely fashion. Councilman Wimberly advised the citizens he would have to buy two business license and it does not bother him but it does bother him if anyone in his family get into an accident and he has to wait an hour to get them to a hospital.

Councilman Willie Owens thanked the citizens for coming but advised them he hate what they bring when they come, the citizens bring false facts, false information, things that have never been, the citizens brought here and he despise it without a doubt and he did not mine letting the citizens know. He believes this County is better than it was when he was born in 1938 but it has changed since 1938 but some minds have not changed. A closed mind is hard to deal with it doesn't let anything in and it doesn't give anything out but what is already in there and that he despise. Everyone who called him if they needed his phone number he tried his best to call them back. He spoke with a man who was telling him his story, the man talked about his granddaddy who has now three-hundred (300) acres of land and he told the man if his granddaddy had three-hundred (300) acres he never would have been able to borrow even \$50.00 from the bank, he know that. He told the man one thing he had that the man did not have, he had never been black and they is a part of everybody in here. You have fail to change, a man that change against his will is of the same opinion still. If you can remember a story out of California a man who wrote "Black Like Me" he didn't believe it, he decided he was going to ride through the South, it's not only in the South it's all over and after he came back his conclusion was "before I be a black man I will commit suicide and die."

Some of the citizens left the Council meeting.

Chairman Wright advised Councilman Willie Owens to let's move on.

Councilman Willie Owens advised this is the problem we don't want to communicate.

Vice-Chairwoman Cooper-Smith advised the citizens she apologize if she had offended anyone but when you are called every degrading adjective there is how can, anyone not express some kind of facial dissatisfaction to what is being said. You are not considering the 90% of what we have done. You are only considering the 2% that we have not done, that is a big difference. When Council talked about the alcohol and beer sales years ago which would increase the revenue for some business owners in here none of you came forth to say don't pass it. When Council talked about the Sunday blue-law, opening the stores up earlier on Sundays, she does not remember seeing any of the citizens in here tonight to say no we don't want that but when Council need a business license tax because the state of South Carolina has cut back local funding and this was the only thing Council could do, and this is the outcry. Out of all the businesses in Orangeburg this is a very small percentage to those people who own businesses. The other business owners are saying (Emergency Medical Services) EMS and the Deputy Sheriff need it, they understand but it is always going to be a few who are going to be dissatisfied with everything Council does and the know it, that's

politics. Yes, we work for you but we don't only work for you but we work for everybody in this County.

Councilman Johnny Ravenell advised it made him feel bad being a Councilman after hearing everything that had been said he know Council has tried to do the very best that they can and now at this time it seems as though Council is not doing but it is okay and it will be alright.

Councilman Heyward Livingston advised he would not be supporting the business license not because of the crowds that have come here opposing it but he never had been in support of a business license. He advised he did not feel it would raise enough revenue to do what Council need it to do and he believe it is a possibility could affect the industries that want to come into the County, he hope not but the main reason he is not supporting the business license is because the people in his district did not want it and they let him know they did not want it within the last 60 days so he will not be supporting it. He take no pleasure in voting against Council we are normally united but this is one, he has a different opinion.

Chairman Wright advised it was not easy sitting where he was and he was very sorry that emotions got the way they had. We all are supposed to be grown and we should try to be civil as we can, you can't put fault on one side because it works both ways. It would have been better presented if citizens had just presented their differences. He can understand citizens presenting their differences but when citizens began calling Council names, telling them they are inadequate, telling them you don't know what you are doing, etc he could see that would get to people nerves. Council has made a lot of tough decisions and nobody makes all the right decisions but Council has always tried to do the best for the majority of the people and in this democracy Council will never be able to do what everybody wants.

Chairman Wright entertained a motion to pass the ordinance for second reading. From a show of hands for the business license: Chairman Johnnie Wright, Vice-Chairwoman Janie Cooper-Smith, Councilman Johnny Ravenell, Councilman Willie Owens and Councilman Harry Wimberly. Those opposed Councilman Heyward Livingston. Motion carried. (5-0-1).

## **2. ORDINANCE FIRST 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 AN AMENDMENT TO A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT, BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND PALMETTO PLAINS SOLAR PROJECT, LLC, AS SPONSOR, AND ONE OR MORE SPONSOR AFFILIATES AND 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 PALMETTO PLAINS SOLAR PROJECT, LLC, OR ONE OR MORE COMPANIES RELATED THERETO**

Chairman Wright read the ordinance in its entirety.

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary Attorney Anderson advised this was an ordinance by Palmetto Plains Solar Project, LLC. On January 17, 2017 the County partnered in a Fee-In-Lieu of tax agreement and all they are seeking to do is put this expansion in a multi county industrial park.

Chairman Wright asked Council for questions.

Councilman Wimberly asked, was everything including in this first reading?

Attorney Anderson advised yes.

Attorney Evering advised they had increase the number of acreage from their original request back in January.

Councilman Johnny Ravenell asked, about the number of acreage had been increased.

Attorney Anderson advised there were issues with wetlands so they required more acreage to stay out of those wetlands.

Councilman Johnny Ravenell asked, what was the number of acreage?

Attorney Evering advised it has now been increase between seven (7) and nine (9) hundred acres total.

Councilman Heyward Livingston asked, what would be the reason to move it to a multi industrial park?

Attorney Anderson advised there are tax implications.

Councilman Harry Wimberly asked, was there a new Fee-In-Lieu?

Attorney Anderson advised the Fee-In-Lieu was establish in January.

Greg Robinson advised the capital investment would stay the same.

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

**3. ORDINANCE FIRST READING**

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO AN EXISTING FEE AGREEMENT BY AND AMONG ORANGEBURG COUNTY, SOUTH CAROLINA, SPRINGFIELD SOLAR, LLC, AS SPONSOR, AND SPRINGFIELD SOLAR PROPERTIES, LLC, AS SPONSOR AFFILIATE**

Chairman Wright read the ordinance in its entirety.



Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary Attorney Anderson advised there is a present Fee-In-Lieu with this company but do to price change in material and the bundling of other projects decreasing price per unit, they are seeking to move their promise of a minimum capital investment from \$10 million to \$9 million.

Chairman Wright asked Council for questions.

Councilman Wimberly asked, how would this affect the Fee-In-Lieu?

Gregg Robinson advised it would not affect the Fee-In-Lieu because it is performance based.

Councilman Wimberly advised solar farms are the big thing right now and they are popping up everywhere. They put a lot of investment into the County but it don't bring in any jobs. Fee-In-Lieu are supposed to bring investment and jobs, these solar farms take away jobs. He suggested Council to take a closer look at the amount of the investment and no jobs because it bothered him. Every acre of productive farm land that comes out of production and put a solar farm on it, does not give work, does not create a gross revenue for this County. He is not saying it should be done but we need to make sure we are looking out for the people in Orangeburg County.

Councilman Johnny Ravenell advised for future reference he understand what Councilman Wimberly stated but he would like to see the dollar amount after the project is complete. The tax base changes on the property so when it comes out of agriculture and go into commercial he wants to see the dollar amount. He knows it is not creating jobs but comparing the acreage to the dollars and figures it's going to generate.

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

#### **4. RESOLUTION BY PLANNING COMMISSION**

**THE CONSIDERATION OF A REQUEST FROM DONALD E. JONES AND BEVERLY JONES, TO REZONE THE PROPERTY AT 7255 OLD NUMBER SIX HIGHWAY, ELLOREE, SC TAX MAP #0286-00-05-014.000 FROM FA (FOREST AND AGRICULTURE) DISTRICT TO CG (COMMERCIAL GENERAL) FOR A CAR LOT**

Chairman Wright yielded to Administrator Young to give a brief summary. Administrator Young advised the planning commission met on July 12, 2017, for the consideration of a request from Donald E. Jones and Beverly Jones, to rezone the property at 7255 Old Number Six Highway, Elloree, SC Tax Map #0286-00-05-014.000 from FA (Forest and Agriculture) District to CG (Commercial General). There was no opposition to the request and the planning commission voted to recommend approval.

Chairman Wright entertained a motion to accept the recommendation from the planning commission. Councilman Harry Wimberly made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (6-0-0).

**5. 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 # 0286-00-05-014.000 FROM FA (FOREST & AGRICULTURAL DISTRICT) TO CG (COMMERCIAL GENERAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

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

**6. RESOLUTION BY PLANNING COMMISSION**

**THE CONSIDERATION OF A REQUEST FROM STEVE AND GAIL BOLT TO REZONE THE PROPERTY AT NORTH ROAD, ORANGEBURG SC, TAX MAP #0142-08-05-015.000 FROM FA (FOREST & AGRICULTURAL) DISTRICT TO CG (COMMERCIAL GENERAL) FOR THE PURPOSE TO SELL BOATS**

Chairman Wright yielded to Administrator Young to give a brief summary. Administrator Young advised the planning commission met on May 10, 2017, to discuss a rezoning of property next to 3365 North road from FA (Forest and Agriculture) District to CG (Commercial General) for the stated purpose of opening a boat sales business. This property was presented to the planning commission previously but was pulled at the request of the property owner after opposition from the neighboring churches to give them time to talk to the churches. The property is identified in the comprehensive plan as a convenience service and convenience retail stores and personal service outlets in proximity to residential areas and to facilitate orderly growth for areas in transition. There are two churches in close proximity to this property, one next door and one across from the property. Members from both Mt. Calvary Baptist and Orangeburg Baptist Tabernacle were present to voice opposition to the request. The area is in the four lane area of North Rd. County staff are in support of the request as the area is an identified as indicated in the comprehensive plan growth area. After discussion by the commission a motion was made to recommend approval

of the request which was seconded but was voted four (4) against two (2). The vote was the four (4) to two (2) to recommend disapproval to Council. This project is in line with the comprehensive plan it has been looked at as a growth area.

Chairman Wright entertained a motion. Councilman Harry Wimberly made a motion to send the request back before the Planning Commission for them to take another look at it and send it back to Council with further recommendation. Councilman Harry Wimberly made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (6-0-0).

## **7. RESOLUTION AND PUBLIC HEARING**

**A RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS HOSPITAL REVENUE REFUNDING BONDS (THE REGIONAL MEDICAL CENTER OF ORANGEBURG AND CALHOUN COUNTIES) SERIES 2017, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$33,000,000 AND AUTHORIZING A PLEDGE OF REVENUES OF THE REGIONAL MEDICAL CENTER OF ORANGEBURG AND CALHOUN COUNTIES IN CONNECTION HEREWITH**

Chairman Wright read the resolution in its entirety.

Chairman Wright open the floor for public comments.

Representative on behalf of the hospital advised the purpose of the public hearing and resolution is to ask for Council support in the hospital's refinancing of two (2) bond issues. One bond is 6.9 million dollars and has a variable rate that would be fix under this refinancing and the other bond issue of 24 million dollars that would also become fixed. When you add the two together there is a savings of \$126,000.00.

Chairman Wright asked Council for questions.

Councilman Heyward Livingston asked, if the hospital wanted to refinance at a lower interest rate?

Representative from the hospital advised yes because one of the bonds is at a 1.98 interest rate but it is a variable rate now and it would go up to 2.44 %. The other bond issue is at 3.58 today and it would go down to 2.82% so the net would be a lower cost to the hospital and it would be fix rate. The hospital would not be subject to an increase in rate.

Councilman Johnny Ravenell asked, what would be the dollar amount that is going down?

Representative from the hospital advised, in total annual lower payments \$100,000 dollars per year, this is how much the hospital will save.

Councilman Heyward Livingston asked, were the life of bonds twenty (20) years?

Representative from the hospital advised, the smaller bond has two (2) years left and larger bond issue has nineteen (19) years left.

Councilman Willie Owens asked, about the health of the hospital?

Representative from the hospital advised it was good, the hospital rating was affirmed.

Chairman Wright closed public hearing at 6:52 p.m.

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

8. A RESOLUTION ADOPTING A CONTINUING DISCLOSURE POLICY TO ENSURE THE COUNTY MAINTAINS ADEQUATE PROCEDURES FOR GATHERING, ANALYZING AND DISCLOSING ALL INFORMATION PURSUANT TO RULE 15c2-12 UNDER THE SECURITIES EXCHANGE ACT OF 1934; AND OTHER RELATED MATTERS

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised this was a policy that was put in place to allow the County to disclose controls and procedures to adequately deal with the financial portion of the County. This is required under the Municipal Securities Rulemaking Board (MSRB) and it put the County in compliance with bond regulations.

Chairman Wright asked, was this something that the County does regularly or once a year? Administrator Young advised this is an ongoing thing because it is several different things the County has to do in order to stay in compliance being a part of that bond to report any changes and anything that happens within the County in order to be in compliance.

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

9. A RESOLUTION (1) APPROVING AN AMENDMENT TO 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 (A) ENLARGE THE BOUNDARIES OF THE INDUSTRIAL PARK TO INCLUDE, TO THE EXTENT NOT ALREADY INCLUDED, CERTAIN PROPERTY LOCATED IN DORCHESTER COUNTY, SOUTH CAROLINA NOW OR TO BE HEREAFTER OWNED AND/OR OPERATED BY JAMES HARDIE BUILDING PRODUCTS, INC. AND (B) PROVIDE FOR AN EXTENDED TERM FOR INCLUSION OF SUCH PROPERTY IN THE PARK; AND (2) AUTHORIZING OTHER RELATED MATTERS

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary Attorney Anderson advised this project will be located in Dorchester County pursuant to Orangeburg County Multi County Industrial Park agreement with Dorchester County. Any entrance in the park when it is not physical located within the County must to be approve by resolution.

There is a minimum capital investment of 15.6 million dollars with a promise of 100 jobs, but it will be located in Dorchester County.

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

## 10. UPDATE FROM PUBLIC WORKS COMMITTEE

Chairman Wright yielded to the Chairman of the Public Works Committee Councilman Johnny Ravenell to give his report. Councilman Ravenell advised that the Public Works Committee met at 4:30 p.m. to discuss abandoning maintenance on a portion of Ripple Road. The landowner wasn't present for the meeting but the recommendation coming from the Public Works Committee was to grant the request to abandon maintenance on a portion of Ripple Road on the land owner's property and to provide limited maintenance on Beachwood road as needed. Councilman Ravenell advised the recommendation was in a form of a motion.

Chairman Wright entertained a motion to accept the report and recommendation from the Public Works Committee to abandon maintenance on a portion of Ripple Road. Councilman Johnny Ravenell made the motion. The motion was seconded by Councilman Harry Wimberly. Motion carried. (6-0-0).

## 11. PROCUREMENT

### a. FY17-0622 REQUEST FOR BID – VOTERS REGISTRATION OFFICE RENOVATIONS AND ADDITION

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised this is a request for FY17-0622 was prepared for the new renovations and addition for the new location of the Voter Registration Office. The Voter Registration office currently in the Administrative Center will move to this location after the renovations. The bid was advertised in SCBO and the T&D newspaper. There were thirteen (13) contractors that requested plans and specifications, of those thirteen (13) contractors' five (5) contractors submitted a bid. The recommendation to accept the lowest bidder Lyn-Rich Contracting Co. of Columbia, SC in the amount of \$397,731.00.

Chairman Wright entertained a motion to approve the recommendation for the FY17-0622 for the lowest bidder for the renovations. Councilman Willie Owens made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (6-0-0).

### b. FY17-0606 REQUEST FOR BID - EDISTO RIVER DEBRIS REMOVAL

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised this is a request for FY17-0606 Edisto River Debris Removal. The bid was prepared in coordination with Consultant, Herbert Gilliam's and Associates. The Debris Removal of the Edisto River- Phase 1. The work includes removal of the trees, limbs, and underbrush from the Edisto River from Shillings Bridge Boat landing to Glover Street Boat Landing. The bids were advertised in SCBO and the T&D newspaper. There were six (6) contractors who submitted a bids. The funding for this project was appropriate through the Legislative Delegation Water Recreational Resources Fund. This is Phase 1 of the project. The recommendation is for the lowest responsive bid for Santee Modular Homes of Santee, SC in the amount of \$42,300.00.

Attorney Haydel advised Council about their concerns in the difference of the bid amounts if these were proposals and if there were a problem then the Administrator would automatically be able to negotiate with the vendor. The County does not have that ability with bids. If there should become a problem with this bid Council could do an award to that vendor with a contingency they cannot complete the project, you could go with the second lowest bidder. So it does not have to come back before Council.

Councilman Harry Wimberly advised to give the vendor the opportunity and if the vendor cannot do it, let it come back to Council.

Chairman Wright entertained a motion to approve the recommendation for the FY17-0606 for the lowest bidder. Councilman Harry Wimberly made the motion. The motion was seconded by Vice-Chairwoman Janie Cooper-Smith. Motion carried. (6-0-0).

**c. FY17-0630 REQUEST FOR BID - UNIFORM RENTAL SERVICES**

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised this is a request for FY17-0630 Uniform Rental Service. The County currently provide uniform rental services for the Public Services (Building and Grounds), Public Works (Road & Bridges & Vehicle Maintenance) and the Sheriff Department (Administrative Division). In the attempt to lower the cost of these uniforms, the County decide to rebid this service. The bids were advertised in SCBO and the T&D newspaper. There were a total of two (2) bids, one was from CINTAS, of Columbia SC \$47,715.00 per year and the other was Unifirst, of Sumter SC \$36,048.00 per year. After review of the bids, the lowest responsive vendor is UNIFIRST Corporation.

Chairman Wright entertained a motion to approve the recommendation for the FY17-0630 uniform rental service. Councilman Willie Owens made the motion. The motion was seconded by Vice-Chairwoman Janie Cooper-Smith. Motion carried. (6-0-0).

**12. PRESENTATION OF FINANCIAL AUDIT**

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young yielded to the financial auditor Charlotte Allen. 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.

Chairman Wright asked, Charlotte Allen was everything in the County running the way that it should be running?

Charlotte Allen advised the 2016 year was very stable very similar in its operations to the previous year 2015 she see no cause for alarm in any of the County financial status. Orangeburg County as well as every other County and Municipality from the aftermath of the economic down turn that has made the State pull back on how much money that they give to these various entities and everywhere she has gone, it is a struggle for those entities to find ways to cope.

Councilman Willie Owens publicly commend our County Administrator and the County finances department for their hard work. Chairman Wright also publicly commend the County employees and Charlotte Allen for their hard work.

### 13. VOTE FOR EXECUTIVE SESSION

Chairman Wright read the item for executive session and entertained a motion. Vice-Chairwoman Janie Cooper-Smith made the motion. Councilman Johnny Ravenell seconded the motion. Motion carried. (6-0-0).

### 14. EXECUTIVE SESSION

- 1) CONTRACTUAL MATTERS TRMC LEGAL BASIS - FOIA EXEMPTION S.C. CODE 30-4 70(a)(2)(DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL AGREEMENT)
- 2) LEGAL BRIEFING. EXEMPTION §30-4-70(a)(2)(RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING CLAIM)
  - a. AMICK, BLAKE D. AND ADELE I. v. COUNTY OF ORANGEBURG, SOUTH CAROLINA, 2016-CP-38-00550
  - b. AMICK, BLAKE, et al v. THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION; COUNTY OF ORANGEBURG, SOUTH CAROLINA; SCOTT WOODLANDS, LLC; JIMMY L. BEHLING; ROGER LEE; CAROLYN LEE; JOSEPH M. REED; W. MILLER DAVIS FAMILY LIMITED PATNERSHIP; RUFUS T. BROWN, JR.; NAOMI WALKER-JOHNSON; HELEN STILL WILLIAMS; WILLIE C. WALKER; ROSA LEE BROWN; RUTH MCMICHAEL; ERNEST SUTTON; LARRY BLOOME; ANTHONY SMITH; LOUISE SMITH; KEVIN SMITH; MARK S. SHORTEN; LYNN S.

**EVANS A/K/A LYNN SCARBOROUGH; PHILIP L. INGLIS; MICHAEL H. INGLIS; DELCIE C. INGLIS; HEIRS AT LAW OR DEVISEES OF RALPH B. INGLIS AND ALL OTHER PERSONS ENTITLED TO CLAIM THROUGH HIM; ANY UNKNOWN HEIRS OR DEVISEES OF THE ABOVE-NAMED DEFENDANTS, AND IF ANY OF THE SAME BE DECEASED, ANY AND ALL PERSONS ENTITLED TO CLAIM UNDER OR THROUGH THEM, AND ALSO ALL OTHER PERSONS UNKNOWN CLAIMING ANY RIGHT, TITLE, INTEREST OR LIEN UPON THE REAL ESTATE DESCRIBED HEREIN; ANY UNKNOWN ADULTS BEING A CLASS DESIGNATED AS JOHN DOE, AND ANY UNKNOWN INFANTS OR PERSONS UNDER DISABILITY OR PERSONS IN THE MILITARY SERVICE OF THE UNITED STATES OF AMERICA BEING A CLASS DESIGNATED AS RICHARD ROE, IN RE: CLOSING ALL OF BABE DRIVE AND A PORTION OF NINETY-SIX ROAD FROM THE INTERSECTION OF HEBRON ROAD AND NINETY SIX ROAD, 2017-CP-38-000811**

- c. CAROLINA PINES I, LLC v. CITY OF ABBEVILLE PUBLIC WORKS, ABBEVILLE COUNTY PUBLIC WORKS, AIKEN COUNTY SOLID WASTE, BEAUFORT COUNTY SOLID WASTE, CHARLESTON COUNTY SOLID WASTE, HORRY COUNTY SOLID WASTE, LAURENS COUNTY PUBLIC WORKS, LEXINGTON COUNTY SOLID WASTE, CITY OF NORTH AUGUSTA PUBLIC WORKS, ORANGEBURG COUNTY DEPARTMENT OF PUBLIC WORKS, AND SUMTER COUNTY PUBLIC WORKS, CIVIL ACTION No. 3:16-CV-01124-TLW (SCDC COLUMBIA DIVISION)**

**3) CONTRACTUAL ARRANGEMENTS EXEMPTION §30-4-70(a)(2) (DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS)**

- a. SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT AMONG PIEDMONT COMPANIES, INC., ORANGEBURG COUNTY, AND BANK OF NORTH CAROLINA REGARDING NEW DSS BUILDING**

**4) ECONOMIC DEVELOPMENT UPDATE**

- a. PROJECT HALO**
- b. PROJECT CAVALIERS**
- c. PROJECT PROFILE**
- d. PROJECT HUNTLEY**
- e. PROJECT PALMETTO**



**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)**

**f. MONUMENT EXHIBITS**

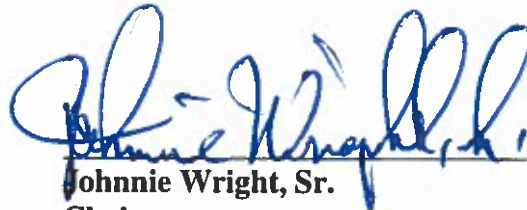
**S.C. CODE §30-4-70(A)(5) (DISCUSSION OF MATTERS RELATING TO THE PROPOSED LOCATION, EXPANSION, OR THE PROVISION OF SERVICES ENCOURAGING LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY THE PUBLIC BODY)**

**15. VOTE FOR ADJOURNMENT**

**Chairman Wright entertained a motion for adjournment. Councilman Heyward Livingston motioned that the regular session of the Orangeburg County Council of August 7, 2017 stand adjourned. Councilman Willie Owens seconded the motion. Motion carried. (6-0-0).**

**16. ADJOURNMENT**

**Meeting adjourned at 7:33 p.m.**



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



**Connie N. Portee  
Clerk to Council  
Orangeburg County Council**