



**MINUTES
ORANGEBURG COUNTY COUNCIL
August 22, 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 22nd 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

August 7, 2017 (RS)

Chairman Wright asked for a motion on the minutes. Councilman Willie Owens 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

Chairman Wright advised the citizens of the purpose of public comments agenda items. The citizens were advised of the process in which each comment would be limited to three (3) minutes.

Chester Palmer, Gene Hutto, Joseph Rich, Carol Williamsons, Beth Richardson, Hoyt Jameson, Todd Owens, John Rheney, Jimmy Padgett, David Harr, Jim Ulmer, Robbie Jeffrey, Terry Kiser, Sr. came before Council to express their oppositions of the business license.

Gene Gartman came before Council to ask them not to pass the business license ordinance until the vacant district six (6) seat is filled. He asked Council to table this ordinance until after the election and all the citizens in Orangeburg are represented.

Jeanette Jeffrey came before Council in opposition of the business license and requested that Council let the people vote for the business license.

Chairman Wright closed public comments of agenda items at 6:23 p.m.

PUBLIC COMMENTS: OTHER MATTERS

Bruce Wiles came before Council to express his concerns for Yonder Field. He advised Council of how people were doing three (3) point turns in his drive way. There were no Sheriff's Officer or Highway Patrol present. On the Yonder Field website there address has Log Cabin Road so the GPS is going to bring them to Log Cabin road but their entrance is supposed to be Timrod Lane. If somebody get killed out there he was going to tell them to sue Orangeburg County and sue Yonder Field because the County is not doing their job and Yonder Field is not doing their job.

Arnold Wade came before Council to express his concerns for Deloris Frazier trying to remove the name John W. Strongman from the building.

Jeanette Jeffrey expressed her concern about Deloris Frazier trying to have John W. Strongman name removed from the center.

Janice Wiles came before Council to express her concerns about the Yonder Field event not allowing the mail carrier to deliver mail to her home.

Patti Padgett came before Council to express her major concerns about Yonder Field.

Jimmy Padgett express his concerns about Yonder Field closing the roads.

Julius Craven came before Council to express his concerns about speeding on Timrod Lane from the Yonder Field event, he suggested to Council to put a speed limit sign on the road to prevent speeding.

Chairman Wright closed public comments of other matters at 6:43 p.m. and began the first item on the agenda.

1. ORDINANCE THIRD READING

AN ORDINANCE ENACTING A BUSINESS LICENSE

Chairman Wright read the ordinance in its entirety.

Chairman Wright entertained a motion to pass the ordinance for third reading. Willie Owens made the motion. Vice-Chairwoman Janie Cooper-Smith second the motion. Those opposed Councilman Heyward Livingston. Motion carried. (5-0-1).

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 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. They are seeking to include their business expansion in a multi county industrial park. Per the County's agreement with Dorchester County requires an ordinance since the project will be located within Orangeburg County. More property had been required do to the need for more square footage because of the wetlands, so they are asking that more property be placed into this industrial park so they will have the surface area they need for the solar panels.

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

3. ORDINANCE SECOND 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 this ordinance is dealing with an amendment of an existing Fee-In-Lieu the County has with Springfield Solar Properties, LLC. They promised a minimum capital

investment of \$10,000,000,00 however that was a projected cost and the actual cost for material would be lower so they are asking amend their promise of a capital investment to be lowered to \$9 million instead of \$10 million due to cost benefits.

Chairman Wright asked Council for questions. There were none.

Councilman Willie Owens asked for discussion, he advised Council in lieu of what may be coming from the State. The Council should take a serious look at accepting additional solar projects in Orangeburg County to make sure Council don't be left high and dry with solar projects we cannot get what we should get out of them from Orangeburg County that was his concern.

Councilman Johnny Ravenell advised his concerns were in order to erection them, they have to use a large amount of cement etc, but just in case for some reason things don't work out with these solar farms to make the land back durable or workable there needs to be something in place to make sure we not messing up a lot of land that could be good land.

Chairman Wright advised Councilman Owens and Councilman Ravenell concerns were noted for the record.

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

4. ORDINANCE SECOND READING

AN ORDINANCE OF THE COUNTY COUNCIL OF ORANGEBURG COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED ORANGEBURG COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 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

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 pass the ordinance for second reading. Councilman Johnny Ravenell made the motion. The motion was seconded by Vice-Chairwoman Janie Cooper-Smith second the motion. Motion carried. (6-0-0).

5. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE APPROVING THE SALE OF CERTAIN REAL PROPERTY LOCATED IN ORANGEBURG COUNTY TO ORANGEBURG OUTSIDE LLC; AND OTHER MATTERS RELATED HERETO

Chairman Wright read the ordinance in its entirety.

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary, Attorney Anderson advised this ordinance is dealing with the company Orangeburg Outside LLC, is seeking to purchase real property in order to construct build boards in high traffic area in the County. The County has property to offer by second reading we will have a determination where those placements will be in the County.

Chairman Wright asked Council is they had any questions. There were none.

Chairman Wright entertained a motion to pass the ordinance first reading by title only. Councilman Willie Owens made the motion. Councilman Harry Wimberly second the motion. Motion carried. (6-0-0).

6. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO BUY AND SELL REAL ESTATE BY AND BETWEEN ORANGEBURG COUNTY AND THE SHULER GROUP INC PERTAINING TO CERTAIN REAL PROPERTY OWNED BY ORANGEBURG COUNTY; AUTHORIZING THE SALE OF SUCH REAL PROPERTY BY THE COUNTY TO THE SHULER GROUP INC; AND OTHER MATTERS RELATING THERETO

Chairman Wright read the ordinance in its entirety.

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary, Attorney Anderson advised there is surplus property in the County and the Way building is one of those buildings. The Way building has a lot of needs that would cost the County a lot of money so the County has spoken with the Shuler Group and has come up with a plan to sale the building to the Shuler Group for a fee and they will be responsible for the repair and remodeling of the Way building taking that burden off the County. There will be covenants and guidelines that they must follow and the Shuler Group has agreed to do so.

Chairman Wright entertained a motion to pass first reading by title only. Councilman Harry Wimberly made the motion. Vice-Chairwoman Janie Cooper-Smith second the motion. Motion carried. (6-0-0).

7. AUTHORIZATION OF A FORM CONTRACT FOR SCHOOL YEAR 2017-18 PURSUANT TO WHICH THE SHERIFF'S OFFICE WILL PROVIDE A SECURITY SERVICE DETAIL TO REQUESTING SCHOOLS AND THE COUNTY WILL PROVIDE FINANCIAL ADMINISTRATION SERVICES

Chairman Wright yielded to Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised the State enacted a law the required the school to have a school resource officer with in the schools. The funding use to be grant funded but now the funds go directly to the school district to procure those services. This agreement is just a standard agreement whereby the School Districts will reimbursed the County for all expense for the resource officer being in the schools for those districts.

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

8. PROCUREMENT

a. FY17-0815 (7) LANDFILL SELF CONTAINED THIRTY FIVE YARD COMPACTORS-REPLACEMENTS

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised this is a request for FY17-0815 for seven (7) 35 yard compactors and equipment needed for the landfill. The compactors will replace a lot of aging compactors 2 at Glover Street, 2 at Ruf Road, 2 at North Road, and 1 at Santee location. The current compactors are being replaced, due to the history of breakdowns and maintenance repairs needed because of high volume of use at these locations and also the need for swap out units for ease of access for the citizens to continue to dump their trash. After the seven bidders it is the recommendation to accept the bid from Becker Complete, Columbia S.C. in the amount of \$116,289.60.

Chairman Wright entertained a motion to approve the recommendation for the constructor on FY17-0815. Councilman Heyward Livingston made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (6-0-0).

b. FY17-0816 LTE MODEMS, ANTENNAS AND INSTALLATION (SHERIFF VECHICLES)

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised this is a request for proposal FY17-0816 prepared for installation of (97) Modems and Antenna's equipment for the Orangeburg County Sheriff's vehicles and some other Emergency Services vehicles. The Justice Department has mandated that the County have computer communication for the public safety vehicles. Additionally, with the new SCUTTIES (South Carolina Uniform Traffic Ticket Interface Exchange) mandates so this is vital for the equipment in the vehicles. This proposal was advertised in SCBO and the T&D newspaper. The funds are being budgeted and available in the Technology Bond account. The recommendation is for the highest rank vendor Simple Communications Technologies LLC, Indian Trail, NC in the amount of \$150,584.18. The reason for the highest vendor

because the installation plan will meet the timeline for the County to be in compliance and not be fined by the State and this company has more experience working with the heavy policing and emergency services. This company will be able to send us any units that may need to be replaced without waiting for the old unit to come first.

Chairman Wright entertained a motion to approve the recommendation for the FY17-0816 for the highest bidder. Vice-Chairwoman Janie Cooper-Smith made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (6-0-0).

9. VOTE FOR EXECUTIVE SESSION

Chairman Wright read the item for executive session and entertained a motion. Councilman Johnny Ravenell made the motion. Councilman Heyward Livingston seconded the motion. Motion carried. (6-0-0).

10. EXECUTIVE SESSION

1) ECONOMIC DEVELOPMENT UPDATE

- a. PROJECT RECYCLE**
- b. PROJECT HALO**
- c. PROJECT ONE**
- d. PROJECT PROFILE**

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)

Chairman Wright asked for any comments from Council before he asked for a vote to adjourn.

Councilman Willie Owens advised he had great concerns for the citizens in the area of Yonder Field, he advised that the County check with our law enforcement to make sure what the County has committed to is carried out.

Councilman Johnny Ravenell advised he was out there and he did witness a lot of things and it was not pleasing to his eyes. He is assured that it will only be a matter of time before something may happen out there, so we as a County have to do everything in our power to rectify the situation with all parties involved. He would hate to see anyone get hurt out there as it relates to traffic or anything else.

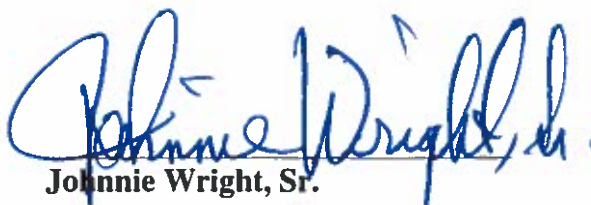
11. VOTE FOR ADJOURNMENT

Chairman Wright entertained a motion for adjournment. Vice-Chairwoman Janie Cooper-Smith motioned that the regular session of the Orangeburg County Council of August 22,

2017 stand adjourned. Councilman Johnny Ravenell seconded the motion. Motion carried. (6-0-0).

12. ADJOURNMENT

Meeting adjourned at 7:07 p.m.



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



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