



**MINUTES
ORANGEBURG COUNTY COUNCIL
October 2, 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 2nd day of October 2017, Chairman Wright called to order a regular session meeting of the Orangeburg County Council at 5:31 p.m.

MOMENT OF SILENCE

Moment of silence observed

APPROVAL OF MINUTES

September 18, 2017 (RS)

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. Vice-Chairwoman Janie Cooper-Smith seconded the motion. Motion carried. (6-0-0).

Chairman Wright advised the citizens of the purpose of public comments agenda items and public comments of other matters.

PUBLIC COMMENTS:

AGENDA ITEMS

NONE

PUBLIC COMMENTS: OTHER MATTERS

Hazel Rickenbacker came before County Council on behalf of Mr. Priester from the Orangeburg Area Mental Health Center along with Dr. Harvey to let Council know they appreciate their support in the past and support Council in all that they do.

Bryan Pugh a master student at South Carolina State University came before Council to express his concerns about the sidewalks between South Carolina State University the corner of Magnolia Street. He expressed there was no curves on the sidewalk which makes it hard for him to cross at that intersection. In order for him to cross he would have to go down a hold block and j-walk across the street because there is no ramp to get onto the sidewalk. Also all of the sidewalks down the road on Magnolia are really steep so chair wheel chair dips as though he is going out onto the road into oncoming traffic. So it is very dangerous problem and it's a handicap issue. The sidewalks need to be safer not just for the handicap but for everyone.

Administrator Young advised there has already been a study and money allocated for a portion of that to highway 33 from the other side and the County is working on this with DOT (Department of Transportation). Congressman Clyburn has issued some Aramark money to help do some projects for streets capping alone Russell Street down to highway 33. This would take care of the issue with the sidewalks for the wheelchair accessibility and for the blind, these are State roads so he would get an update on the status of that project.

Chairman Wright closed public comments of agenda items at 5:38 p.m.

1. RESOLUTION HONORING COUNCILMAN CLYDE LIVINGSTON

Chairman Wright read a resolution from three rivers in its entirety.

Chairman Wright yielded to Vice-Chairwoman Janie Cooper-Smith to read the resolution for the late Councilman Clyde B. Livingston in its entirety.

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

2. RESOLUTION DECLARING OCTOBER 2017 BREAST CANCER AWARENESS MONTH IN ORANGEBURG COUNTY

Chairman Wright yielded to Vice-Chairwoman Janie Cooper-Smith to read the resolution declaring October 2017 Breast Cancer Awareness month in Orangeburg 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).

3. RESOLUTION IN SUPPORT OF PRESCRIBED FIRE IN ORANGEBURG COUNTY

Chairman Wright read the resolution in its entirety.

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

4. RESOLUTION HONORING THE FOUNDERS OF THE ORANGEBURG COUNTY CONSUMER HEALTH COUNCIL

Chairman Wright yielded to Vice-Chairwoman Janie Cooper-Smith to read the resolution in its entirety.

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).

5. RESOLUTION HONORING PAUL M. ROLLISON JR

Chairman Wright yielded to Councilman Johnny Ravenell to read the resolution in its entirety.

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).

6. A RESOLUTION IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE SOUTH CAROLINA CODE, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY A COMPANY KNOWN TO THE COUNTY AS PROJECT HUNTLEY, ITS AFFILIATES AND RELATED ENTITIES, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH ORANGEBURG COUNTY, SOUTH CAROLINA; PROVIDING FOR OTHER RELATED ECONOMIC DEVELOPMENT INCENTIVES, INCLUDING SPECIAL SOURCE REVENUE CREDITS; AND OTHER MATTERS RELATED THERETO

Chairman Wright read the resolution in its entirety.

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary Attorney Anderson advised this was a resolution was also related to item twelve (12). Item twelve (12) deals with the ordinance for the approval by title only for the ordinance and the fee agreement coming by second reading. This project involves a solar farm and the prospect wishes to remain anonymous at this time, this project involves investment of \$115,000.000 in solar panels and equipment with no new jobs. This solar farm would be located southwest of the town of Bowman off of Holstein Road. It would be a forty year (40) agreement with a SSRC which would annualized a payment of property taxes that would stay the same for

forty (40) years in the amount of \$225,000 a year and they also wish to place this project in a Multi-County Industrial Park.

Chairman Wright entertained a motion to pass the resolution and item number twelve (12). Harry Wimberly made the motion to carry forward the resolution and item number twelve (12). The motion was seconded by Councilman Johnny Ravenell. Motion carried. (6-0-0).

7. A RESOLUTION AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA (THE "COUNTY") AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT RECYCLE, ACTING FOR ITSELF, ONE OR MORE AFFILIATES AND/OR OTHER PROJECT SPONSORS (COLLECTIVELY, THE "COMPANY"), PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE ESTABLISHMENT AND/OR EXPANSION OF CERTAIN FACILITIES AT ONE OR MORE LOCATIONS IN THE COUNTY (COLLECTIVELY, THE "PROJECT"); (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; (3) THE CONSIDERATION OF CERTAIN SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH THE PROJECT; AND (4) OTHER MATTERS RELATING THERETO

Chairman Wright read the resolution in its entirety.

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary Attorney Anderson advised this was a project dealing with a recycle facility. The prospect wishes to remain confidential at this time but they have promise a minimum investment of \$18,430,000.00. \$13,900,000.00 in buildings, \$3,730,000.00 in machinery and \$800,000 in pollution control equipment. There is a promise of a minimum of two hundred (200), the fee they are seeking 6% assessment ratio over thirty (30) years, the SSRC is a 25% special source revenue credit for fifteen (15) years. The prospect also wishes to place this project in a multi-county industrial park.

Chairman Wright entertained a motion to pass the resolution. Councilman Harry Wimberly made the motion. Councilman Johnny Ravenell second the motion. Motion carried. (6-0-0).

8. ORDINANCE THIRD 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 # 0173-12-09-012.000 FROM RG (RESIDENTIAL GENERAL DISTRICT) TO CG (COMMERCIAL GENERAL DISTRICT); 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 Wednesday, August 9, 2017, to discuss the request from Tyrone Dash to rezone the property in Council district seven (7) at 2437 Russell Street Tax Map #0173-12-09-012 from residential general to commercial general. The property is next to the Family Dollar and other commercial property. There was no opposition to the request and 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 Willie Owens made the motion. Vice-Chairwoman Janie Cooper-Smith second the motion. Motion carried. (6-0-0).

9. ORDINANCE THIRD READING

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, TAX-EXEMPT OR TAXABLE, IN AN AMOUNT NOT TO EXCEED \$2,500,000 TO FUND THE PURCHASE OF COUNTY VEHICLES; AUTHORIZING THE COUNTY ADMINISTRATOR TO PRESCRIBE THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS OF THE BONDS; PROVIDING FOR BORROWING IN ANTICIPATION OF THE ISSUANCE OF THE BONDS; AND OTHER RELATED MATTERS

Chairman Wright asked County Administrator Harold Young for an explanation. Administrator Young advised this bond is a continual bond that is done every five years. In order to keep the County Emergency fleet and several other department current. The current bond is maturing and it is time to replace these vehicles with a current bond as discussed in our meeting we will continue purchasing the Chevy Tahoes for their resale value and the County will be replacing (5) ambulances, several Public Works vehicles, Sherriff command vehicles, and a detention center vehicle throughout this bond.

Chairman Wright asked Council if they had any questions.

Councilman Wimberly asked will the County let the local dealers know this is going to be a purchase for the County, so they can compete against the State price if they have the opportunity.

Administrator Young advised yes the local dealership would be able to match the State contract price because we want to make sure we get the best price for the tax payers of Orangeburg County.

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 Johnny Ravenell. Motion carried. (6-0-0).

10. ORDINANCE SECOND READING

AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT PROFILE, ACTING ON BEHALF OF ITSELF, AND/OR ONE OR MORE AFFILIATES OR RELATED ENTITIES (THE "COMPANY") TO PROVIDE FOR SPECIAL SOURCE REVENUE CREDITS WITH RESPECT TO CERTAIN PROPERTY LOCATED IN ORANGEBURG COUNTY; (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND SUCH PROPERTY; AND (3) OTHER RELATED MATTERS

Chairman Wright yielded to Attorney Jerrod Anderson for an explanation. Attorney Jerrod Anderson advised item ten (10) is also related to item eleven (11). Item ten (10) seeks the approval of an SSRC agreement and item eleven (11) seeks to place the expansion in a multi-county industrial park. The prospect wishes to take advantage of the opportunity zone resolution, they want to put their new business off of exit 145. There is a promise of minimum of \$8,000,000 in this investment and a promise of fifteen (15) full time jobs and five (5) part time jobs. The SSRC agree to would be 35% percent for ten (10) years and then 25% percent for an additional for years eleven (11) through fifteen (15). Years sixteen (16) through twenty (20), the prospect would have the opportunity to continue that SSRC if they promise to develop a second hotel within the geographical boundaries of Orangeburg County with a minimum investment of \$5,000,000 and they must announce it with ten (10) years and began the construction near year twelve (12) in order to get that additional five (5) years of that 25% SSRC in year sixteen (16) through twenty (20).

Chairman Wright asked Council if they had any questions.

Councilman Ravenell asked for clarity about the construction with the five years of another hotel he asked had there been talk about it?

Attorney Jerrod Anderson advised there had been talk of it but they have to commit to it by year ten (10) in order to get that additional five (5) year 25% SSRC in year sixteen (16) through twenty (20). If they announce their new construction between years one (1) and ten (10) and go under construction by year twelve (12) then they will get that additional 25% SSRC for five (5) years in years sixteen (16) through twenty (20).

Councilman Ravenell asked the commitment would have to be written and not verbal.

Attorney Jerrod Anderson advised yes it will be a written agreement.

Councilman Owens asked, what is the greatest benefit to the County?

Attorney Jerrod Anderson advised it was the level of development and the use.

Councilman Wimberly asked was this a direct response from the two special revenue area the County set up to attract businesses that are manufacture, retail, commercial of any kind at two (2) exits, that are the Santee exit and high way six (6) and I-95?

Attorney Jerrod Anderson advised Exit 97 and Exit 98 off of I-95 and Exit 145 off of I-26.

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).

11. ORDINANCE SECOND READING

AN ORDINANCE 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 A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT PROFILE, AND/OR ONE OR MORE COMPANIES RELATED THERETO; AND AUTHORIZING OTHER RELATED MATTERS

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).

12. ORDINANCE FIRST READING BY TITLE ONLY

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 HUNTLEY, 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 PROJECT HUNTLEY PLAINS, OR ONE OR MORE COMPANIES RELATED THERETO; AND OTHER RELATED MATTERS

Chairman Wright entertained a motion to pass the resolution and item number twelve (12). Harry Wimberly made the motion to carry forward the resolution and item number twelve (12). The motion was seconded by Councilman Johnny Ravenell. Motion carried. (6-0-0).

13. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE 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 A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT RECYCLE, AND/OR ONE OR MORE COMPANIES RELATED THERETO; AND AUTHORIZING OTHER RELATED MATTERS

Chairman Wright read the ordinance in its entirety.

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary Attorney Anderson advised this was also project recycle, item seven (7) was the inducement resolution Council had already pass and item thirteen (13) deals with the fee agreement and item fourteen (14) deals with the agreement for placing the expansion in a multi-county industrial park. He apologize for not bringing it to Councils attention when he was on item seven (7).

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

14. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA (THE "COUNTY") AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT RECYCLE, ACTING FOR ITSELF, ONE OR MORE AFFILIATES AND/OR OTHER PROJECT SPONSORS (COLLECTIVELY, THE "COMPANY"), PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE ESTABLISHMENT AND/OR EXPANSION OF CERTAIN FACILITIES AT ONE OR MORE LOCATIONS IN THE COUNTY (COLLECTIVELY, THE "PROJECT"); (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; (3) THE CONSIDERATION OF CERTAIN SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH THE PROJECT; AND (4) OTHER MATTERS RELATING THERETO

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

15. 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 Willie Owens seconded the motion. Motion carried. (6-0-0).

16. EXECUTIVE SESSION

1) CONTRACTUAL MATTERS FOR SHERIFF DEPARTMENT

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

2) ECONOMIC DEVELOPMENT UPDATE-

- a. PROJECT RECYCLE
- b. PROJECT HALO
- c. PROJECT BLUE LAKE
- d. PROJECT PROFILE
- e. PROJECT PALMETTO
- f. GATEWAY ENTERPRISE ZONE

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.

Vice-Chairwoman Janie Cooper-Smith advised she would like to commend all of those who took part in the Litter Campaign Committee Litter Clean-up between the September 16th - 30th, it was very successful for those who took part Marie Canty who is over Litter Control and others. Something bad is about to happen to those litterers.

Chairman Wright thanked Vice-Chairwoman Janie Cooper-Smith for the litter update and her leadership on the committee.

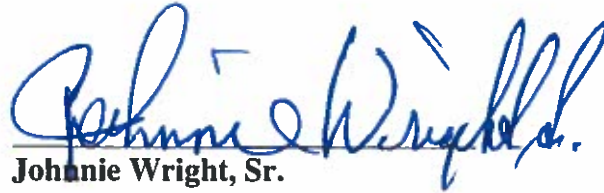
17. VOTE FOR ADJOURNMENT

Chairman Wright entertained a motion for adjournment. Councilman Harry Wimberly motioned that the regular session of the Orangeburg County Council of October 2, 2017

stand adjourned. Vice-Chairwoman Janie Cooper-Smith seconded the motion. Motion carried. (6-0-0).

18. ADJOURNMENT

Meeting adjourned at 6:31 p.m.



Johnnie Wright, Sr.
Chairman
Orangeburg County Council



Connie N. Portee
Clerk to Council
Orangeburg County Council