



**MINUTES  
ORANGEBURG COUNTY COUNCIL  
November 6, 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.  
Johnny Ravenell  
Harry F. Wimberly  
Heyward H. Livingston  
Willie B. Owens  
Janie Cooper-Smith**

**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 6<sup>th</sup> day of November 2017, Chairman Wright called to order a regular session meeting of the Orangeburg County Council at 5:32 p.m.**

**MOMENT OF SILENCE**

**Moment of silence observed**

**APPROVAL OF MINUTES**

**October 16, 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. Councilman Willie Owens 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**

Greg Googer of Coastal Development Partners a preferred developer for Dollar General came before in reference to item number five (5) on the agenda and to advise Council the item came from the Planning Commission and was denied. He advised Council of the area he is trying to get rezone and how it is in the County's master plan that said that corridor should be Commercial and although it is zone Residential now, the master plan is what the developer was looking at. Mr. Googer advised how many jobs the new facility could bring to the County and the different type style of building would be built at that location.

Ms. Daisy came before Council in support of the developer building the new Dollar General and advised the property had been vacant for many, many, years and no one has ever shown an interest in the property until Mr. Googer, she did not see the danger of a Dollar General being built at that location.

Chairman Wright closed public comments of agenda items at 5:47 p.m.

**PUBLIC COMMENTS:**

**OTHER MATTERS**

Robert Decelles came before Council to express his concerns about EMS services and the life safe issues in the County.

Chairman Wright closed public comments of other matters at 5:53 p.m.

**1. RESOLUTION HONORING BISHOP PAUL J. JENKINS**

Chairman Wright yielded to Councilman Willie Owens. Councilman Willie Owens 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).

**2. A RESOLUTION TO RESTATING THE AUTHORIZATION FOR AN INSTALLMENT PURCHASE PLAN OF FINANCE FOR CERTAIN CAPITAL PROJECTS IN THE COUNTY, INCLUDING A NEW DETENTION CENTER; DESIGNATING THE CAPITAL PROJECTS; AND OTHER RELATED MATTERS**

Chairman Wright read the resolution in its entirety.

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised this is a resolution for the sole purpose of supporting the issuance of tax-exempting Installment Purchase Revenue Bonds to finance the costs of certain projects, including the new detention center within the County infrastructure. This was passed last year but in order to move forward with the bonds that need to be renewed when are recommending Council's approval.

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

### 3. 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 # 0142-06-01-003.000 FROM RG (RESIDENTIAL GENERAL DISTRICT) TO FA (FOREST AGRICULTURAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised the Planning Commission met on September 13, 2017 to discuss a change to the property located at 782 Lake Edisto Rd it was approved by Council for first reading. It was asked to be rezoned from RG (Residential General) to FA (Forest and Agricultural) for the use of a dog grooming facility. It is our recommendation for approval for second reading.

Chairman Wright entertained a motion to pass ordinance for second reading. Vice-Chairwoman Janie Cooper-Smith made the motion. The motion was seconded by Councilman Harry Wimberly. 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 # 0142-08-05-015.000 FROM FA (FOREST AGRICULTURAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised this is the property from the last Council meeting on the North Rd adjacent to the two churches and Council approved it, to move it forward. This is the second reading and the staff recommend this ordinance for your approval as well.

Chairman Wright asked Council if they had any questions.

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

5. **RESOLUTION BY PLANNING COMMISSION THE CONSIDERATION OF A REQUEST FROM DAISY ORR TO REZONE THE LOTS ON HIGHWAY 33 NEAR INTERSECTION 33 AND OLD CAMERON ROAD, ORANGEBURG, SC TAX MAP #0182-06-09-018.00 0182-06-09-019.000 & 0182-06-09-032.000 FROM RG (RESIDENTIAL GENERAL) DISTRICT TO CG (COMMERCIAL GENERAL) FOR A DOLLAR GENERAL**

Chairman Wright read the resolution in its entirety.

Chairman Wright advised item number five (5) is the resolution and item six (6) was the ordinance which follows, so it is the same reading.

Chairman Wright entertained a motion. Councilman Willie Owens advised based on the recommendation of the Planning Commission and the wishes of the community. Councilman Willie Owens made the motion that the resolution and ordinance first reading by title only be denied. The motion was seconded by Vice-Chairwoman Janie Cooper-Smith. Motion carried. (6-0-0).

#### 6. **ORDINANCE FIRST READING BY TITLE ONLY**

**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 #0182-06-09-018.00 0182-06-09-019.000 & 0182-06-09-032.000 FROM RG (RESIDENTIAL GENERAL) DISTRICT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

Councilman Willie Owens advised based on the recommendation of the Planning Commission and the wishes of the community. Councilman Willie Owens made the motion that the resolution and ordinance first reading by title only be denied. The motion was seconded by Vice-Chairwoman Janie Cooper-Smith. Motion carried. (6-0-0).

#### 7. **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 yielded to Attorney Jerrod Anderson for an explanation. Attorney Jerrod Anderson advised this ordinance involves the approval of a fee agreement as well as placing this expansion in a multi county industrial park. The prospect wish to remain anonymous at this time and has promised a minimum investment of \$115,000,000.00 in machinery and equipment, no new jobs but there will be long-term employment related to the ongoing operation of the facility. This facility deals with a solar farm that will be constructed on a 1700 acres of property. They are asking for the fee that will last forty (40) years at 6% assessment ratio at the millage that is allowed by the statute and they have also promise an annual property tax of \$225,000 for 40 years. The SSRC (Special Source Revenue Credit) will be designed to maintain that kind of annual fee.

Chairman Wright asked Council is they had any questions.

Councilman Harry Wimberly asked, was this project 1700 acres all the time?

Gregg Robinson advised it's actually 550 acres.

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

#### **8. ORDINANCE FIRST READING BY TITLE ONLY**

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAX AND INCENTIVE AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND PROJECT MB TO PROVIDE FOR PAYMENT OF A FEE-IN-LIEU OF TAXES; AND OTHER RELATED MATTERS**

Chairman Wright yielded to Attorney Jerrod Anderson for an explanation. Attorney Jerrod Anderson advised this ordinance deals with an investment and a promise of an expansion here. The prospect wish to remain anonymous at this time but they are an established business in our community. They have promise a minimum investment of \$10,000,000,00, \$250,000.00 is projected in buildings, \$9.75 million is projected in machinery and equipment. There is a promise of a minimum of 100 full time jobs with this expansion, fifty (50) new jobs have already been created from January 1, 2017 to present and fifty (50) more to be created in year 2018. They are looking for 6% assessment ratio for thirty (30) years, there will be an SSRC (Special Source Revenue Credit) involved with this. The prospect plans to put in at least \$250,000 in infrastructure, this detail will be resolved by second reading because there may be more invested and they want to go through a percentage of a SSRC (Special Source

Revenue Credit) based upon what they are planning on doing. This expansion is already located in a multi county industrial park so there will be no request to place this expansion in one.

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

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).

## 9. ORDINANCE FIRST READING

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

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised after doing a study throughout the county we had a company come in analyzed a lot of the facilities. This is one of the facilities we felt like could be sold because of none usage and this is an ordinance that would allow the execution and delivery and the sale of this particular property that is no longer being needed by the County.

Chairman Wright asked Council is they had any questions.

Councilman Harry Wimberly asked, what is the correct sale price?

Attorney Jerrod Anderson advised the contract price is fifty-five thousand \$55,000.

Administrator Young advised in reference to the facility, there was an insurance claim made on the particular building so the County has the proceeds from the insurance claim as well as the sales price and this is an as is sale.

Councilman Johnny Ravenell asked, what was the old use of the building?

Administrator Young advised it was purchased during a joint venture with Councilman Clyde Livingston and another social agency, where they were looking to be housed there but they end up moving that facility to Bowman instead.

Councilman Harry Wimberly asked, what would the current buyer be using it for?

Administrator Young advised he will be using it for a storage warehouse for his construction company.

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

#### **10. ORDINANCE FIRST READING**

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE CREDIT AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND F I OF SANTEE, LLC PROVIDING FOR A PAYMENT OF A SPECIAL SOURCE REVENUE CREDIT AND OTHER MATTERS RELATED THERETO**

Chairman Wright advised item ten (10) and item eleven (11) were related. Chairman Wright yielded to Attorney Jerrod Anderson for an explanation. Attorney Jerrod Anderson advised the prospect wish to take advantage of the empowerment zone that was passed by legislation that was finally approved by this Council. They have promised to make a minimum investment of \$5,000,000,00 and the creation of at least fifteen (15) new jobs, it would be located in the town of Santee. The first ordinance deals with the approval of an SSRC (Special Source Revenue Credit) agreement which would be a 50% SSRC (Special Source Revenue Credit) for fifteen (15) years. The second ordinance deals with placing this new construction in a multi county industrial park and that is with Dorchester County.

Chairman Wright asked Council is they had any questions.

Councilman Willie Owens asked, is this a onetime payment of the special source credit?

Attorney Jerrod Anderson advised according to the SSR it would be a credit that would be fifteen (15) years so there taxes are ready at a 6% assessment ratio do to the nature of the business. In those fifteen (15) years there will be a credit applied for money invested in qualified infrastructure at a 50% bases and that would be for fifteen (15) years. So this is a special source revenue credit agreement to capture those terms.

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

#### **11. ORDINANCE FIRST 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 (F I OF SANTEE, LLC) AS PART OF THE JOINT COUNTY INDUSTRIAL PARK, AND OTHER MATTERS RELATED THERETO**

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

## 12. PROCUREMENT

### a. REQUEST FOR EXEMPTION FROM PROCUREMENT CODE FOR EDISTO RIVER DEBRIS REMOVAL PHASE I

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised this deal with a law aspect of one our procurements so Administrator Young yielded to County Attorney D'Anne Haydel. County Attorney D'Anne Haydel advised there was an memo sent to Council regarding this exemption and what the Procurement Director along with the Deputy Administrator over procurement, Richard Hall who is a Field Representative for the project and Hebert Gilliam who is the Project Consultant from an outside firm has recommended that Council use code section 1-303.2 to grant an exemption for the procurement process for the next round in trying to get a contractor. The reasons that are offered, is because there is a third party that is committed to funding the project, but the funding is soft which could mean the funding agency could withdrawal its commitment. The funding agency's position is that the County may use its Procurement process to procure the services and an exemption is a part of that. Random weather events can change the scope of work because this is debris removal and this project has been through the Procurement bid process twice which means the competitive nature of the bids are still good. What the County would like to do is go with the second lowest bidder and see if we can't get a contract on the project.

Chairman Wright asked Council is they had any questions.

Councilman Harry Wimberly asked, the company that was awarded the original contract has final to perform the contract, what does that mean?

County Attorney D'Anne Haydel advised because the parties agreed to walk away from the contract.

Councilman Harry Wimberly asked, he agreed not to do it?

County Attorney D'Anne Haydel advised the County and the contractor agreed.

Councilman Harry Wimberly asked, was there also an agreement that he wasn't going to turn and sue the County?

County Attorney D'Anne Haydel advised yes for cancelling the contract.

Councilman Harry Wimberly asked how much is the second bidder?

Richard Hall advised he did not have the actual bid but he believed it was around \$70,000. The next lowest bidder already does the waste for the County.



**Councilman Willie Owens asked, what area of the Edisto River does it cover, the North, South, East or West?**

**Richard Hall advised this is a multi-faze project with State funding, this project is going to cover from Shillings Bridge Road boat landing, to the Glover Street landing and Edisto Gardens.**

**Councilman Heyward Livingston asked, if it was all State money?**

**Richard Hall advised yes it was.**

**Councilman Harry Wimberly asked, if it's a phase project how far off is the next faze project?**

**Richard Hall advised that next phase will be depending upon State money. This is DNR funded with the Legislative Delegation involve it would eventually be from County Line to County Line along the Edisto River. There is also a planning piece to increase usage of the River to look for ways to open the River up.**

**Councilman Willie Owens advised he was pleased to hear they will be looking at looking the River up, because too many segments of that River is being use for private only and if it is from County Line to County Line, it is time we open it up from County Line to County Line.**

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

**b. FY17-1026 ORANGEBURG COUNTY SHERIFF'S DEPARTMENT – STORAGE AND K-9 FACILITY**

**Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised the request for proposal FY17-1026 is the Sheriff's Department Storage and K-9 Facility rebuild and relocation. This facility is going to replace the existing structure as well as several other areas to combine them into one. It also sets the stage for the first part of the building of the new Detention Center because these things have to be moved in order to start the site work for the Detention Center. The bids were advertised in the T&D and SCBO on October 26, 2017. There were five vendors bid on the project and it is the recommendation for the lowest bidder Skip Welch Construction, Orangeburg SC for \$442,807.00 for this particular project and these funds are a part of the Detention Center bid through the bond.**

**Chairman Wright entertained a motion to approve the recommendation. Vice Chairwoman Cooper-Smith made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (6-0-0).**

### 13. VOTE FOR EXECUTIVE SESSION

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

### 14. EXECUTIVE SESSION

#### 1) ECONOMIC DEVELOPMENT UPDATE

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)

- a. PROJECT HUNTLEY
- b. PROJECT RECYCLE
- c. PROJECT ARROW
- d. PROJECT MB
- e. PROJECT 01

Chairman Wright advised there was a 2017 Litter Waste Ordinance meeting under the Public Works Committee that Councilman Johnny Ravenell chair's but there was no action taken on that item but there was a meeting.

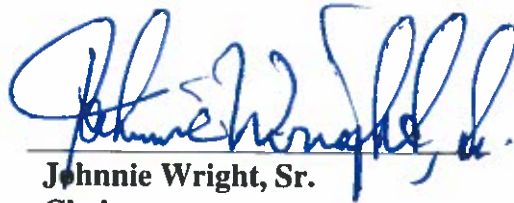
Vice Chairwoman Cooper-Smith advised the second Litter Clean Up started November 4<sup>th</sup> and will end on November 18<sup>th</sup>. If you are interested in cleaning up where you live, please take advantage of it. On her way to Bamberg she saw miles and miles of road that was littered. We want to bring industry and tourist to our County and we cannot do it if it is going to continue to look the way some of the areas look. So clean up your area is all we can ask you to do. We only trying to keep Orangeburg County beautiful.

### 15. VOTE FOR ADJOURNMENT

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

**16. ADJOURNMENT**

**Meeting adjourned at 6:37 p.m.**

A handwritten signature in blue ink, appearing to read "Johnnie Wright, Sr.", written over a horizontal line.

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

A handwritten signature in blue ink, appearing to read "Connie N. Portee", written over a horizontal line.

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