



**MINUTES
ORANGEBURG COUNTY COUNCIL
January 16, 2018
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
Ray W. Sabalis
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 16th day of January 2018, Chairman Wright called to order a regular session meeting of the Orangeburg County Council at 5:38 p.m.

APPROVAL OF MINUTES

January 2, 2018 (RS)

Chairman Wright asked for a motion on the minutes of the Orangeburg County Council on the above dates be approved as written. Vice-Chairwoman Janie Cooper-Smith made the motion. Councilman Willie B. Owens seconded the motion. Motion carried. (7-0-0).

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

PUBLIC COMMENTS: AGENDA ITEMS NONE

COMMENTS: OTHER MATTERS NONE

1. PROCLAMATION IN OBSERVANCE OF NATIONAL MENTORING MONTH

Chairman Wright read the proclamation in its entirety.

Chairman Wright entertained a motion to pass the proclamation as read. Councilman Willie Owens made the motion. The motion was seconded by Vice-Chairwoman Janie Cooper-Smith. Motion carried. (7-0-0).

2. PROCLAMATION RECOGNIZING JANUARY 21-27, 2018 AS ORANGEBURG COUNTY SCHOOL CHOICE WEEK

Chairman Wright read the proclamation in its entirety.

Chairman Wright entertained a motion to pass the proclamation as read. Councilman Heyward Livingston made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (7-0-0).

3. ORDINANCE THIRD READING AND PUBLIC HEARING

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO BUY AND SELL REAL ESTATE BY AND BETWEEN THE ORANGEBURG COUNTY AND PROJECT GLOBAL, ACTING FOR ITSELF, ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS (THE "COMPANY") PERTAINING TO CERTAIN REAL PROPERTY OWNED BY ORANGEBURG COUNTY; AUTHORIZING THE SALE OF SUCH REAL PROPERTY BY ORANGEBURG COUNTY TO THE COMPANY; 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 this ordinance seeks to approval a purchase and sale agreement with the prospect Project Global it is involving the County Speculative Building in the Matthews Industrial Park. The Council has entered into an inducement resolution with Project Global, and they plan to bring their operation to the County and the first plan is to purchase the speculative building.

Chairman Wright open the floor for public hearing questions. There were none.

Chairman Wright entertained a motion to pass the ordinance for third and final reading. Councilman Johnny Ravenell made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (7-0-0).

4. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE AUTHORIZING (1) 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 BOWMAN, 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 FOR THE BENEFIT OF A SOLAR FARM PROJECT NOT TO EXCEED 1,000 ACRES AND FOR A TERM NOT TO EXCEED THE LEASE TERM OF THE PROJECT'S LEASE AGREEMENT(S), WHICH ARE ANTICIPATED TO BE TWENTY FIVE (25) YEARS; (2) THE AMENDMENT OF 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 BOWMAN, OR ONE OR MORE COMPANIES RELATED THERETO; AND (3) OTHER RELATED MATTERS

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary Attorney Anderson advised the ordinance deals with an approval of a fee agreement and placing the expansion into a Multi-County Industrial Park with Dorchester County. This a Solar Farm with the anticipation of developing up to a (1,000) thousand acres, located south of the town of Bowman. The minimum capital investment is \$89 million to produce up to 75 megawatts of electricity. It is anticipated to be a 25 year lease.

Councilman Wimberly asked, had we gotten the numbers yet on the fee-in-lieu schedule.

Attorney Anderson advised the number that he had was \$200,850 annually for the twenty-five years. He heard there was some discussion as to a price pre-megawatt but this is the last information that he had for over a twenty-five year term.

Councilman Wimberly advised on the next project we have the fee-in-lieu on that one but he suggested Council needs to have a fee-in-lieu schedule prior to second read on any other project because we have not seen that schedule and once we have establish so much pre-megawatt that can set the standard.

Chairman Wright entertained a motion to pass the ordinance for second reading. Councilman Harry Wimberly made the motion. The motion was seconded by Councilman Willie B. Owens. Motion carried. (7-0-0).

5. 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 # 028-00-03-

005.000 FROM FA (FOREST AGRICULTURAL DISTRICT); TO CG (COMMERCIAL GENERAL DISTRICT) AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Chairman Wright yielded to Richard Hall to give a summary. Richard Hall advised the submission from the planning commission met on December 13, 2017 to discuss the request of Lauren Coleman to rezone 1.91 acre parcel to be subdivided out of tax map #0208-00-03-005.000 property at 371 Farmstead Ln, which is located in Council district seven (7), Councilman Owens. The proposed parcel fronts on Hwy 33. The property is located on the Cameron side of I-26 and is within ½ mile of commercial and industrial zoning in both directions. The next door neighbors immediately adjacent spoke in favor of the proposal. The property owners behind the larger parcel spoke against the proposal. The request is in line with the comprehensive plan and the commission voted unanimously to recommend for Council approval.

Chairman Wright entertained a motion to pass the recommendation from the planning commission. Councilman Willie Owens made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (7-0-0).

6. ORDINANCE FIRST READING

AN ORDINANCE AUTHORIZING (1) 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 EAGLE, 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 FOR THE BENEFIT OF A SOLAR FARM PROJECT NOT TO EXCEED 1,000 ACRES AND FOR A TERM NOT TO EXCEED THE LEASE TERM OF THE PROJECT'S LEASE AGREEMENT(S), WHICH ARE ANTICIPATED TO BE THIRTY (30) YEARS; (2) THE AMENDMENT OF 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 EAGLE, OR ONE OR MORE COMPANIES RELATED THERETO; AND (3) OTHER RELATED MATTERS

Chairman Wright advised item six (6) and item seven (7) were related so Council would vote on both items together.

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary Attorney Anderson advised items six (6) is an ordinance to approve a fee agreement and placing the expansion into a Multi-County Industrial Park with Dorchester County. Item seven (7) is inducement resolution. The prospect wishes to remain anonymous at this time, the prospect

has promised a minimum of investment of \$87.9 million dollars. This is a Solar Farm to locate along highway 178 near intersection with Bethel Forest Road. It is anticipated to be no more than a thousand (1,000) acres in development, there is a Special Source Revenue Credit (SSRC) involved it is anticipated that the tax revenue will be \$3,000 per megawatt, the SSCR will keep it intone with that annually. It is projected that the annual revenue for thirty (30) years would be \$225,000.

Chairman Wright entertained a motion to pass the ordinance for first reading on item (6) and pass the resolution for item (7). Councilman Willie B. Owens made the motion. The motion was seconded by Councilman Harry Wimberly. Motion carried. (7-0-0).

7. 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 EAGLE, 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 APPOINTMENT - BOARDS, COMMISSIONS, & COMMITTEES

Chairman Wright entertained a motion to pass the ordinance for first reading on item (6) and pass the resolution for item (7). Councilman Willie B. Owens made the motion. The motion was seconded by Councilman Harry Wimberly. Motion carried. (7-0-0).

8. UPDATE FROM THE PUBLIC WORKS COMMITTEE

Chairman Wright yielded to the Chairman of the Public Works Committee Councilman Johnny Ravenell to give an update. Councilman Ravenell advised that the Public Works Committee had two meetings one was on January 2, 2018 and today January 16, 2018. One January 2, 2018 there was a request to abandon maintenance on Manuel Court Road and the Committee voted to grant the request to abandon maintenance and on Seven Oaks Road the Committee also voted to approve the request to abandon maintenance. The other discussion we had was about emergency maintenance but there was no action was taken.

Chairman Wright ask for a motion to accept the recommendation from the Public Works Committee. Councilman Willie Owens made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (7-0-0).

9. VOTE FOR EXECUTIVE SESSION

Chairman Wright read the item for executive session and entertained a motion. Councilman Johnny Ravenell made the motion. Councilman Ray Sabalis seconded the motion. Motion carried. (7-0-0).

10. EXECUTIVE SESSION

- 1) LEGAL BRIEFING. EXEMPTION §30-4-70(A)(2)(RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING CLAIM)**
 - a. CLASS ACTION LAWSUIT**

- 2) 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 RECYCLE**
 - b. PROJECT SWEET TEA**
 - c. PROJECT 01**
 - d. PROJECT OZ**
 - e. PROJECT GLOBAL**
 - f. PROJECT BOWMAN**
 - g. PROJECT EAGLE**

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

Councilman Harry Wimberly asked Chairman Wright to read the 2017 Construction Report for Orangeburg County. He thought it would be appropriate to let the citizens know what we have accomplished here in Orangeburg County in this Administrative Building.

Chairman Wright advised he wanted to commend the Administrator and his staff for capturing this information and sending it out. You cannot have enough awareness, because a lot of times people are very negative about what is going on in the County and this is positive press to let people know how much is going on when it comes to construction and the growth of the County. He believe we are headed in the right direction.

2017 Orangeburg County Construction Report

For the year 2017 we had:

- 2,434 Permits issued with a value of \$65,290,820.00**
- 17 New Commercial projects with a total value of \$26,198,899**
- 5 Commercial Additions with a total valuation of \$1,901,700.00**
- 30 Commercial Renovations with a total valuation of \$3,430,712**
- 85 New Single Family Homes with a total valuation of \$10,688,972.00**
- 31 Residential Additions with a total valuation of \$1,251,695.00**
- 272 Residential Renovations with a total valuation of \$2,729,467.00**
- 279 Manufactured Home set up permits**

Vice-Chairwoman Janie Cooper-Smith advised that the 2017 litter control report was also given.

2017 Litter Control Report

893 Cases opened

701 Cases closed

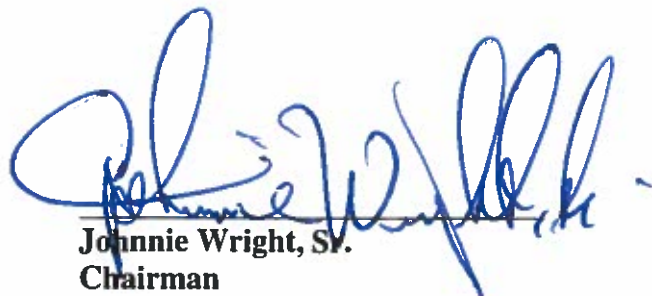
105 Tons of litter picked up

11. VOTE FOR ADJOURNMENT

Chairman Wright entertained a motion for adjournment. Councilman Willie B. Owens motioned that the regular session of the Orangeburg County Council of January 16, 2018 stand adjourned. Vice-Chairwoman Janie Cooper-Smith seconded the motion. Motion carried. (7-0-0).

12. ADJOURNMENT

Meeting adjourned at 6:15 p.m.



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



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