



**MINUTES  
ORANGEBURG COUNTY COUNCIL  
March 19, 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.  
Janie Cooper-Smith  
Harry F. Wimberly  
Ray W. Sabalis  
Willie B. Owens**

**MEMBERS ABSENT:**

**Heyward H. Livingston  
Johnny Ravenell**

**OTHERS PRESENT:**

**Harold M. Young, County Administrator  
D'Anne Haydel, County Attorney  
Connie N. Portee, Clerk to Council**

**CALL TO ORDER**

**Johnnie Wright, Sr. Chairman**

**On the 19<sup>th</sup> day of March 2018, Chairman Wright called to order a regular session meeting of the Orangeburg County Council at 6:00 p.m.**

**APPROVAL OF MINUTES**

**March 5, 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 Owens seconded the motion. Motion carried. (5-0-0).**

**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**

**Chairman Wright closed public comments of other matters at 6:05 p.m. and went into the regular agenda.**

## **1. ORDINANCE THIRD READING AND PUBLIC HEARING**

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND AN ENTITY KNOWN FOR THE TIME BEING AS "PROJECT GLOBAL" WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES; PROVIDING FOR SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH SUCH AGREEMENT; PROVIDING FOR THE LOCATION OF THE PROJECT IN A MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER MATTERS RELATED THERETO**

**Chairman Wright read the ordinance in its entirety.**

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

**Chairman Wright asked, the Council if they had any question. There were none.**

**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 Councilwoman Ray Sabalis. Motion carried. (5-0-0).**

## **2. 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 # 0317-00-06-005.000 FROM RC (RURAL COMMUNITY DISTRICT); TO CG (COMMERICAL 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 February 14, 2018, to discuss the request from the Greater Life Tabernacle Church to rezone the property located at 118 Bellwood Court from rural community to commercial general. The church wants to put up a digital sign and this is the only category that that would allow it. There were no opposition to the request and the planning commission voted unanimously to recommend approval to you as Council.**

**Chairman Wright entertained a motion to pass the ordinance for second reading. Councilman Harry Wimberly made the motion. The motion was seconded by Councilwoman Ray Sabalis. Motion carried. (5-0-0).**

**3. ORDINANCE SECOND READING**

**AN ORDINANCE TO AMEND THAT CERTAIN AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK BETWEEN DORCHESTER COUNTY AND ORANGEBURG COUNTY SO AS TO ENLARGE THE PARK (ZEUS INDUSTRIAL PRODUCTS, INC., FORMERLY PROJECT 01)**

Chairman Wright read the ordinance in its entirety.

Chairman Wright yielded to Economic Development Attorney Jerrod Anderson for additional information. Attorney Anderson advised Council approved the fee-in-lieu agreement for Zeus on February 5, 2018 and as for Allied Air Enterprises the fee-in-lieu approved for this expansion on December 4, 2017. At the time they did not know if the property needed to be placed in an industrial park, so this is the reason for these ordinances.

Chairman Wright entertained a motion to pass the ordinance three (3) and four (4) for second reading. Vice-Chairwoman Janie Cooper-Smith made the motion. The motion was seconded by Councilman Harry Wimberly carried. (5-0-0).

**4. ORDINANCE SECOND READING**

**AN ORDINANCE TO AMEND THAT CERTAIN AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK BETWEEN DORCHESTER COUNTY AND ORANGEBURG COUNTY SO AS TO ENLARGE THE PARK (ALLIED AIR ENTERPRISES, INC)**

Chairman Wright read the ordinance in its entirety.

Chairman Wright entertained a motion to pass the ordinance three (3) and four (4) for second reading. Vice-Chairwoman Janie Cooper-Smith made the motion. The motion was seconded by Councilman Harry Wimberly carried. (5-0-0).

**5. ORDINANCE FIRST READING AND PUBLIC HEARING**

**AN ORDINANCE AUTHORIZING POSTPONEMENT OF 2018 REASSESSMENT OF ORANGEBURG COUNTY PROPERTIES**

Chairman Wright read the ordinance in its entirety.

Chairman Wright yielded to Administrator Young to give a brief summary. Administrator Young advised the State Law requires the County once every fifth year to appraise and equalize property under the reassessment. The County is request an extension of that reassessment in order to give the reassessment team more time to do a more thorough reassessment and to give the citizens more time to come back and have discussion about their reassessment grievances.

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

Chairman Wright entertained a motion to pass the ordinance for second reading. Councilwoman Ray Sabalis made the motion. The motion was seconded by Councilman Willie Owens carried. (5-0-0).

**6. A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT GOVERNING THE MULTI-COUNTY INDUSTRIAL PARK BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA, AND DORCHESTER COUNTY, SOUTH CAROLINA, TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN REAL PROPERTY LOCATED IN ORANGEBURG COUNTY; AND OTHER RELATED MATTERS**

Chairman Wright yielded to Attorney Jerrod Anderson to give a brief summary. Attorney Jerrod Anderson advised this resolution is seeking approve a multi county industry park expansion with Dorchester County. The project is located in Dorchester County and per our agreement with Dorchester County all it take is a resolution from Orangeburg County. This project has promised to invest \$16,000,000.00, they have promise forty-five (45) new jobs, and there will be an SSRC involved with a thirty (30) year term fee-in-lieu with Dorchester County.

Chairman Wright entertained a motion to pass resolution. Councilman Willie Owens made the motion. The motion was seconded by Vice-Chairwoman Janie Cooper-Smith. Motion carried. (5-0-0).

**7. A RESOLUTION OF ACHIEVEMENT EPSILON OMEGA CHAPTER OF OMEGA PSI PHI FRATERNITY**

Chairman Wright yield to Councilman Willie Owens 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 Vice-Chairwoman Janie Cooper-Smith. Motion carried. (5-0-0).

**8. PROCUREMENT**

**a. -FY18-0305 INSTALLATION FOR LANDSCAPING AND IRRIGATIONS FOR THE ENTRANCES AT JOHN W. MATTHEW JR. AND WESTERN ORANGEBURG INDUSTRIAL PARKS**

Chairman Wright yielded to Administrator Young to give a brief summary. Administrator Young advised FY18-0305 was prepared and advertised in SCBO and the T&D. As a result of the utility tax credit funds, that are given to Orangeburg County. The County is looking to enhance landscaping and irrigations at the John W. Matthew Jr Industrial Park and Western Orangeburg Industrial Park. After the results of the bid it our recommendation that it goes to the lowest bidder Thomas Bro's Nursery of Greenville, SC in the amount of \$175,806.00.

Chairman Wright entertained a motion to approve the recommendation for item (a) FY18-0305 under procurement. Vice-Chairwoman Janie Cooper-Smith made the motion. The motion was seconded by Councilwoman Ray Sabalis. Motion carried. (5-0-0).

**b. -FY18-0312 BUILDING AND PARKING DEMOLITION AND DISPOSAL  
(DETENTION CENTER)**

Chairman Wright yielded to Administrator Young to give a brief summary. Administrator Young advised the next three bids are inference to us from the original bid of the Detention Center bill that is being built as we speak in order to give the County citizens an additional savings we separated some items that we felt we could do better through competitive proposals and not through the contractor. (b). FY18-0312 demolition of the parking area and disposing of the detention center after it was advertised in SCBO and the T&D. As part of the construction of the new Detention Center project it will be required for the building and parking demolition and disposal proposal, it is the County recommendation that the project be given to the low bidder IPW Construction Group out of Charleston, SC in the amount of \$139,587.00.

**c. - FY18-0312A HAULING OF OWNER FURNISHED MATERIAL (DETENTION CENTER)**

**1.) ADDITIONAL FILL MATERIAL (FROM ALTERNATE SOURCE)**

Administrator Young advised (c) FY18-0312A is the hauling of the owner furnished fill materials is the fill that is needed to get the pad ready for the site and after it was advertised in SCBO and the T&D. Vendors submitted their cost proposals and proposals were received March 12, 2018 and after review and evaluation it is recommend the proposal goes to the low bidder Porth Contracting Company, Inc. out of St. Matthews, SC in the amount of \$135,640.00.

**d. - FY17-1205 GEO-TECHNICAL ENGINEERING & SPECIAL INSPECTION SERVICES (PRE-QUALIFIED CONTRACTORS ONLY)**

Administrator Young advised (c) the Geo-Technical Engineering, Inspection Services & Special Inspection Services is FY17-01205 was prepared and advertised in SCBO and the T&D. Vendors who were pre-qualified submitted their cost proposals and this is also in preparation for the construction of the New Detention Center. It is recommend after review and evaluation to accept Terracon-Geotechnical Engineering Services in the amount of \$29,800.00, Terracon-Inspection Services in the amount of \$21,360.00 to total \$51,160.00 and ESP-CMT & Special Inspection Services in the amount of \$99,434.00 for a total of \$150,594.

Chairman Wright asked, the Council if they had any question. There were none.

Vice-Chairwoman Janie Cooper-Smith advised she was impressed with all the recommendations but mostly with ESP Associates, P.A. and Terracon because you took both of those who made the bid and you went to the lowest bidder but each one got a piece of the pie and you save the County a lot of money in doing so.

Chairman Wright entertained a motion to approve the recommendation for item (b) FY18-0312, (c) FY18-0312A, and (d) FY17-1205 under procurement. Councilman Willie Owens made the motion. The motion was seconded by Councilwoman Ray Sabalis. Motion carried. (5-0-0).

## 9. VOTE FOR EXECUTIVE SESSION

1) LEGAL BRIEFING FOLLOWED BY COUNCIL DIRECTION REGARDING AMICK ROAD CLOSING, TORT AND INVERSE CONDEMNATION CASES (EXECUTIVE SESSION EXEMPTION §30-4-70(A)(2)(RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING CLAIM)

Chairman Wright read the item for executive session and entertained a motion. Councilman Harry Wimberly made the motion. Councilman Willie Owens seconded the motion. Motion carried. (5-0-0).

## 10. VOTE TO RETURN TO REGULAR SESSION

Chairman Wright entertained a motion to return back into regular session at 7:51 p.m. Councilman Willie Owens made the motion. Vice-Chairwoman Janie Cooper-Smith seconded the motion. Motion carried. (5-0-0).

Chairman Wright entertained a motion and second concerning the Legal briefing regarding the Amick Road Closing. Councilwoman Ray Sabalis made the motion for Council to give the Administrator the authority to continue settlement negotiations with the Amick within perimeters discussed in the executive session. Vice-Chairwoman Janie Cooper-Smith seconded the motion. Motion carried. (5-0-0).

## 11. UPDATE FROM PUBLIC WORKS COMMITTEE

Chairman Wright yielded to the Vice-Chairman of the Public Works Committee Councilman Harry Wimberly to give an update. Councilman Harry Wimberly advised that the Public Works Committee had two meetings at 4:00 p.m. concerning an events ordinance. There was not a quorum to have a meeting but there was a discussion with other Council members, the public, and news media. The general discuss was going over the special event ordinance, no action was taken but any event with a crowd larger than 2,000 people will have to get a special permit if this ordinance pass but anything under 2,000 will not. We are still working on it and it will probably be on the agenda for first reading at our next regular meeting but no action was taken today just discussion.

Chairman Wright asked were there any comments from any council member before he asked for a vote for executive session.

Vice-Chairwoman Cooper-Smith advised on April 1st – April 7th there will be a County wide clean up. Several organizations and churches have already registered to take part in this clean up. If you are interested in registering the number to call is the Orangeburg County Litter Control 803-533-6162 and they will have the supplies you need. We are everyone to clean up where you live and we are going to recognize those people take part.

Councilman Willie Owens advised we have something in South Carolina called the Sunshine Law and he could not recalled anytime recently that Orangeburg County had been notified we have not been operated against the Sunshine Law. Everything Council do is open to the public and to the press. The press has the opportunity anytime we take care of business for the County to send a representative if people are not there they can report truth to the people

of Orangeburg County and to the State of South Carolina what Council do and how it is done. He want to commend the people who work for Orangeburg County for what they have done for Orangeburg County. He was not going to wait until something happened to say something about them, you have done an excellent job and for that Council congratulates you for what you have done. He thanked Harvey Elwood, Jr for channel twelve (12) television station and the radio station 93.7 New Perspectives Media Association. If you have never tune into channel twelve (12) it has the educational system as well as other things happening in Orangeburg County is well handled by channel twelve (12) it is very informative. Knowledge is power, when you are asked something and you have the knowledge of it you some power.

**12. VOTE FOR EXECUTIVE SESSION**

Chairman Wright read the item for executive session and entertained a motion. Vice-Chairwoman Janie Cooper-Smith made the motion. Councilwoman Ray Sabalis seconded the motion. Motion carried. (5-0-0).

**13. EXECUTIVE SESSION**


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

**14. VOTE FOR ADJOURNMENT**

Chairman Wright entertained a motion for adjournment. Councilman Willie Owens motioned that the regular session of the Orangeburg County Council of March 19, 2018 stand adjourned. Vice-Chairwoman Janie Cooper-Smith seconded the motion. Motion carried. (5-0-0).

**15. ADJOURNMENT**

Meeting adjourned at 7:59 p.m.



Johnnie Wright, Sr.  
Chairman

Orangeburg County Council



Connie N. Portee  
Clerk to Council

Orangeburg County Council