

**MINUTES  
ORANGEBURG COUNTY COUNCIL  
APRIL 19, 2010  
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., Chairman  
Janie Cooper, Vice Chairman  
Clyde B. Livingston  
Heyward H. Livingston  
Johnny Ravenell**

**MEMBERS ABSENT:**

**Willie B. Owens  
Harry F. Wimberly**

**OTHERS PRESENT:**

**Bill Clark, County Administrator  
D'Anne Haydel, County Attorney  
Jacqueline P. Turner, Clerk to Council**

**CALL TO ORDER**

**Johnnie Wright, Sr., Chairman**

**MOMENT OF SILENCE**

**Moment of silence observed**

**APPROVAL OF MINUTES**

*Motion by Councilwoman Cooper, seconded by Councilman Ravenell, to approve minutes of April 5, 2010 with corrections, if any. Motion passed unanimously.*

*Chairman Wright announced Council members, Willie Owens and Harry Wimberly, were absent because they were out of town. With a quorum being present, Council proceeded with the meeting.*

**PUBLIC COMMENTS:**

**AGENDA ITEMS NO COMMENTS**

**PUBLIC COMMENTS:**

**OTHER MATTERS**

**Mr. Thomas Kinsey complained the County did not offer any help with the neighborhood litter control clean up carried out in the Cannon Bridge Road area. Litter control promised to provide throw-away bags and gloves, but did not do so. One Litter Control staff person was present, but did not pick up the collected bags of trash and left the area. The community is upset by the lack of help from the County. Most of the volunteers were in their 70's. The Sheriff's Department did participate and did a good job.**

**Chairman Wright replied to Mr. Kinsey's complaints, indicating there are two sides to every story, and he directed the County Administrator to look into the matter and report back to**

**Council. Mrs. Mildred Cook from the same community, complained the County should do something about neighbors who burn trash and tie up dogs behind their homes.**

**Councilman Clyde Livingston responded, citing the concerns of the community, as well as costs to the County in providing staff and overtime costs. He indicated things could be better if enforcement could be beefed up and citizens educated about litter prevention.**

**Mr. Steve Nash identified himself as a spokesperson for his Four Holes Swamp neighbors in addressing Council regarding plans to have a biomass plant in the John Matthews Industrial Park. They are concerned about the control and quality of water, and why it is being proposed in their watershed. Although previously scheduled for a public hearing and second reading of the ordinance today, the matter has been postponed until a May, 2010 Council meeting, to allow Council to receive all of the documents needed to discuss the matter.**

**1. ORDINANCE – THIRD READING**

**AN ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK BY AND BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA AND ORANGEBURG COUNTY, SOUTH CAROLINA, PROVIDING FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK SO AS TO REVISE AND CLARIFY CERTAIN TERMS OF THE AGREEMENT AND OTHER MATTERS RELATING THERETO**

**Bill Clark stated there had been no change in the documents since the second reading and public hearing of this ordinance at the April 5, 2010 Council meeting. The ordinance will streamline and update the existing ordinance already in place with Dorchester County.**

**Motion for approval of third and final reading of ordinance made by Councilman Heyward Livingston, seconded by Councilman Ravenell. Motion passed unanimously.**

**2. RESOLUTIONS –**

**A) RESOLUTION TO CREATE A COMMISSION PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT, INCLUDING PROVISION FOR APPOINTMENT, COMPOSITION, DUTIES, RESPONSIBILITIES AND OTHER MATTERS RELATING THERETO**

**Bill Clark explained this resolution is for the purpose of creating the Capital Project Sales Tax Act Commission which is a six member authority, charged with the duties of essentially developing and finalizing the referendum question to be able to extend the current capital project sales tax after the present period expires. It is not a new tax on top of an old one; this is one that will just establish a continuation date in 2013 after the current capital project sales tax expires. The authorization for the capital sales project comes under the state code 4-10-300 and specifically the language about the commission appears in 4-10-320. Of the six member Commission, 3 members would be appointed by County Council, 2 would be appointed by the Orangeburg City Council, and 1 would be appointed by the town Council of Holly Hill. This is no different than what the County has in either of the first two referendums - same formula, same action to create the commission. It is actually the first act that sets in motion the process**

that leads to the developing of the referendum question with a referendum date in November, 2010. It is simply required as a starting point of the process.

Motion to adopt resolution made by Councilman Ravenell, seconded by Councilman Heyward Livingston. Motion passed unanimously.

**B) RESOLUTION TO ADOPT AMERICANS WITH DISABILITIES ACT AND SECTION 504 SELF EVALUATION REPORT**

Bill Clark stated this act applies to a variety of public and private entities across the nation. The S.C. Department of Commerce requires the County to have in place a periodic self evaluation to measure the County's processes in place against compliance with the Americans With Disabilities Act and Section 504. The Commerce Department is interested in this because it is a requirement to continue to be eligible to receive federal funding through the State Department of Commerce. The County has met with the staff of the DOC and conducted the necessary self evaluation. DOC has indicated to the County the resolution and report are in proper form for them to accept and maintain our eligibility with their agency. It requires Council's approval prior to April 23, 2010.

Motion to approve resolution made by Councilwoman Cooper, seconded by Councilman Clyde Livingston. Motion passed unanimously.

Councilwoman Cooper informed Council the Disabilities and Special Needs Board in Orangeburg County passed a resolution to name the senior citizen building in honor of Dr. Harold Powell, a retired chairperson of the Speech Pathology Department, S.C. State University. He is presently serving as Chairman of the Disabilities and Special Needs Board, he has served in this capacity several times and has served on the Board for 33 years.

Chairman Wright thanked Councilwoman Cooper for bringing this information to Council and commended Dr. Powell for his years of service. Bill Clark reported the Special Needs Board was involved in developing the self evaluation report and made their staff available to the County to develop the resolution just acted on.

**3. INTERGOVERNMENTAL AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT – TOWN OF ELLOREE**

Bill Clark stated the town of Elloree forwarded this copy of the Intergovernmental Agreement in connection with a CDBG grant they are seeking to construct a water line extension along Highway 6 on the Santee side of Elloree. It will be in the unincorporated area of the County, outside the town limits of Elloree and this triggers the need to have the intergovernmental agreement.

**The County Attorney and Bill Clark have reviewed the Agreement; missing from the Agreement is language that incorporates information about the service area being within the Lake Marion Regional Water Agency area and they believe some amendments are necessary to reflect this. Council is being asked today to authorize the County Attorney and County Administrator to negotiate this amended language into the Agreement. Once this is done satisfactorily, authorization is then given to Chairman so the Agreement can be executed. The grant application needs to reflect the interests of the County as well as the town of Ellorece.**

**Councilman Ravenell asked about the language to be incorporated into the Agreement. The County Attorney indicated it would be paragraph five, page 2, an addition, "the town of Ellorece shall become a water customer of the County of Orangeburg effective on the dates of the Lake Marion Regional Water Agency can provide water to the town of Ellorece's water system. At that time the town of Ellorece shall enter into the current LMWRA water agreement." Bill Clark indicated this is consistent with dialogue that has been had with the town ever since the operation of the Water Agency.**

**Motion by Councilman Ravenell, seconded by Councilman Heyward Livingston, to adopt the resolution with the understanding the Administrator and Attorney have permission to add conditions as articulated by the Administrator and Attorney to the Agreement., to the town of Ellorece. Motion passed unanimously.**

#### **4. APPOINTMENTS – AQUATIC FACILITY ADVISORY BOARD**

**Councilman Heyward Livingston recommended Meredith Tobin be appointed to the Board as the representative from District 4.**

**Motion by Councilman Heyward Livingston, seconded by Councilwoman Cooper, appointing Meredith Tobin to the Aquatic Facility Advisory Board. Motion passed unanimously.**

**Councilman Ravenell recommended Mr. Bradley be appointed to the Board as the representative from District 2.**

**Motion by Councilman Ravenell, seconded by Councilman Heyward Livingston, appointing Mr. Bradley to serve on the Aquatic Facility Advisory Board. Motion passed unanimously.**

**5. PERSONAL APPEARANCE – RECOGNITION OF COMMUNITY OF CHARACTER EMPLOYEES OF THE MONTH – FIRST QUARTER – MS. LOVELL BROTHER**

Ms. Brothers recognized the Community of Character employees for the first quarter as Cahishe Snell , “forgiveness” in November; Janice Barton, “sincerity” in January; Neosha Jones, ”respect” in February, and Marsha Brandhorst for “honesty” in March. Each employee received a certificate and medallion presented by Chairman Wright, and Vice Chairman Cooper. Families and co-workers of each employee were also recognized by Council.

Chairman Wright announced employees of Orangeburg County received recognition for raising more than \$8,2000 in the recent March for Babies campaign, as well as the Public Works Department receiving Government Partner of the Year award for their work on a watershed project.

**6. VOTE FOR EXECUTIVE SESSION – ECONOMIC DEVELOPMENT**

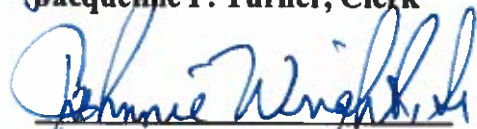
Motion made by Councilwoman Cooper, seconded by Councilman Ravenell to adjourn for an executive session to discuss an economic development matter. Motion passed unanimously.

**7. VOTE FOR ADJOURNMENT**

Motion to adjourn made by Councilwoman Cooper, seconded by Councilman Heyward Livingston. Motion passed unanimously.

Meeting adjourned.

  
Jacqueline P. Turner, Clerk

  
Johnnie Wright, Sr., Chairman