

**MINUTES  
ORANGEBURG COUNTY COUNCIL  
SEPTEMBER 7, 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  
Heyward H. Livingston  
Johnny Ravenell  
Willie B. Owens  
Harry F. Wimberly**

**MEMBERS ABSENT:**

**Clyde B. Livingston**

**OTHERS PRESENT:**

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

**ABSENT:**

**CALL TO ORDER**

**Johnnie Wright, Sr., Chairman**

**MOMENT OF SILENCE**

**Moment of silence observed**

**APPROVAL OF MINUTES**

**Motion by Councilwoman Cooper, seconded by Councilman Owens, to approve minutes of August 30, 2010 with corrections, if any. Motion passed unanimously.**

**Councilman Owens asked to amend the agenda to make an appointment to the Orangeburg County Disabilities and Special Needs Board on the agenda as item 4A. Motion made by Councilman Owens to amend agenda seconded by Councilman Heyward Livingston. Motion passed unanimously.**

**PUBLIC COMMENTS:**

**AGENDA ITEMS**

**NO COMMENTS**

**PUBLIC COMMENTS:**

**OTHER MATTERS**

**McArthur Seaberry, Northwood Estates community appeared before Council seeking clarity on criteria used for road paving in Northwood Estates. He cited a history of the residents working with Councilmen Mack, Glover and now Ravenell. They have submitted multiple paving petitions for approximately 30 years. He wanted to know once the state allocated the penny tax money back to the County for paving, what process was used in determining which roads got paved first. He contended their requests for paving were in before many of the areas that are now being paved or have been paved, were received. Paving started in Northwood Estates last week, and for this they are very appreciative, but he wanted an explanation of the process so they will be better prepared to deal with the residents.**

**Councilman Ravenell thanked Mr. Seaberry and the residents of Northwood Estates for coming to the meeting. He explained his priority for recommending roads for paving.**

**1. ORDINANCE – THIRD AND FINAL READING**

**AN ORDINANCE AUTHORIZING ORANGEBURG COUNTY TO ENTER INTO A LOAN AGREEMENT WITH TRI-COUNTY ELECTRIC COOPERATIVE, INC., ISSUE A REVENUE BOND PURSUANT TO THE PROVISIONS THEREOF, AND OTHER MATTERS RELATING THERETO**

**Bill Clark summarized the ordinance containing no changes from the one Council gave second reading to. The County is acting as a conduit between Tri-County Electric Cooperative and the private development project being constructed by Jafza to allow low interest financing to be made available to the Jafza project. Tri-County Co-p has obtained certain funds from the Rural Development program they can make available to this project; however, they cannot make them available directly to Jafza; this is where the County comes in, acting as a conduit between the two agencies. The documents before Council tonight will make the transaction happen.**

**Repayment of the loan obligation is secured in two ways, first by lease agreement with Jafza in an amount sufficient to cover the amount of the debt payment, and beyond, that a pledge of property that would also cover about 140% coverage on the amount of the loan. The County's position is adequately secured for the purpose of the transaction.**

**Motion made by Councilman Owens, seconded by Councilman Wimberly, for approval of third and final reading of the ordinance. Motion passed unanimously.**

**2. RESOLUTION**

**RESOLUTION AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING WATER SERVICES**

**Bill Clark introduced Michelle Caldwell, office of Rural Development, who presented a letter of conditions and resolution that would be for the purpose of conveying grant and loan funds to the County of Orangeburg for the construction of various water distribution lines in the Global Logistics project area, specifically the area along Highway 210, beginning at I-26 exit number 165, going back in the direction of Santee, to the point where it intersects Highway 15, and Highway 176, beginning at the location of Matthews Park on 301, and extending southeast down to I-95, where it would connect with interchanges at exits 90 and 93. He stated Ms. Caldwell would familiarize Council with a total of \$5.7 million dollars in a combination of grant and loans.**

**When constructed the water supply for the lines will come from the Lake Marion Regional Water Agency; the debt service will be recovered by user fees generated through residential water and with some assistance from capital project sales tax funds.**

**Ms. Caldwell stated the total award is for \$5,701,000. The loan portion is for \$2,830,000 and the grant portion is \$2,571,000, and from capital project sales tax \$300,000 from the County. The funds will be used for construction, engineering costs, any project contingencies and a small amount for any equipment the water authority might need. The payback interest rate will be established at a level that will cover the extension, operation and maintenance of the system and required reserves. The proposed rate on page 7 can be changed by Council as long as Rural Development gets the amount needed to cover the loan and operating maintenance of the water system.**

**Plans and specs will need to be developed, the legal items on letter of conditions will need to be done, right of way map, engineering documents and all other necessary forms will require filing, and some environmental work has already been done on the project. Engineers have been engaged and preliminary design work has been done. Accounting requirements remain the same with the County required to submit a yearly audit and a budget. The loan resolution of \$2,830,000 and the grant amount of \$2,571,000 are now ready to be turned over to Chairman Wright.**

**Councilman Owens asked about when repayment would begin. Ms. Caldwell indicated when the letter of conditions is met the project is bidded out usually six**

months to a year from now. After plans are developed and under construction, the first payment will not be due for approximately two to three years from the letter of conditions being met and how fast constructions goes; with construction completed, the first interest only payment will be due. This gives the County time to get customers. Ms. Caldwell stated the interest rate is the lowest it has ever been at 2.35% for a 40 year loan and no penalty if you pay it off.

Councilwoman Cooper wanted to know what would happen if the capital sales tax project referendum did not pass. Bill Clark stated this project is not scheduled based on the referendum passing. Funding comes from the second capital sales tax project and there is a sufficient amount available to accept the award, and debt payment would be incorporated into the rate scheduled to the customers and would be self supporting. Councilwoman Cooper urged support for the passage of the upcoming referendum to continue to increase the growth of quality of life issues for the citizens of Orangeburg County.

Motion by Councilwoman Cooper, seconded by Councilman Ravenell to approve Resolution Authorizing and Providing for the Incurrence of Indebtedness for the Purpose of Providing a Portion of The Cost of Acquiring, Constructing, Enlarging, Improving, and/or Extending Water Services. Motion passed unanimously.

### **3, AN OFFICIAL ACTION OF THE ORANGEBURG COUNTY COUNCIL AUTHORIZING THE PURCHASE OF PROPERTY FROM J. HARRIS AND LINDA T. WEBBER**

Bill Clark indicated this action is for a small piece of property at 948 Homestead Road necessary to install a water meter station important to the water system that is located near the intersection of Homestead Road and U.S. 301, which is the area where the water distribution line makes the turn from 301 then proceeding south along Homestead Road to provide delivery to the town of Bowman. Acquisition price is \$5,000, and he is recommending Council go forward with this.

Councilman Ravenell stated he felt this amount was too high for the property; the County did not want to set a precedent in paying this much money for property even though he realized this is for a special occasion.

Motion by Councilman Ravenell, seconded by Councilman Owens, to approve the Official Action Authorizing The Purchase of Property From J. Harris and Linda T. Webber. Motion passed unanimously.

**4. APPOINTMENT – TAX & TOURISM ADVISORY COMMITTEE –  
COUNTY COUNCIL DISTRICT #4**

**Councilman Heyward Livingston nominated Mrs. Rose Kennerly Dance to fill the vacancy. Councilman Wimberly seconded the motion. Motion passed unanimously.**

**4A. APPOINTMENT – ORANGEBURG COUNTY DISABILITIES AND  
SPECIAL NEEDS ADVISORY BOARD**

**Councilman Owens nominated Mrs. Mae Tobin to fill the vacancy on the Special Needs Advisory Board. Councilman Heyward Livingston seconded the motion. Motion passed unanimously.**

**5. ORANGEBURG COUNTY TAX & TOURISM ADVISORY  
COMMITTEE RECOMMENDATIONS**

**Bill Clark indicated the Tax & Tourism Advisory Committee has sufficient funds to meet the requests recommended at the August 24, 2010 meeting as well as to fill the requests from the May 25, 2010 meeting. Total funds available for disbursement are \$79,938.75. Total amount recommended for funding is \$61,350.00, leaving a balance of \$18,588.75. Attached hereto and made a part thereof, is the detailed listing of recommendations made to County Council for approval.**

**Motion to approve recommendations of the Tax & Tourism Advisory Committee made by Councilman Heyward Livingston, seconded by Councilwoman Cooper. Motion passed unanimously.**

**6. PUBLIC WORKS DEPARTMENT – (A) REQUEST FOR ACCESS ROAD  
INCLUSION – PAMELA LANE, (B) REQUEST FOR ACCESS ROAD  
INCLUSION, JAMAICA LANE, (C) REQUEST TO ABANDON  
MAINTENANCE ON A PORTION OF GRAVEYARD ROCK ROAD**

**Bill Clark is recommending Pamela Lane be referred to the Public Works Committee so it can be discussed further. There are some logistic matters that need to be studied. The request on Jamaica Lane meets all of the existing requirements for acceptance and he is recommending Jamaica Lane be accepted into the County's access road system.**


**Graveyard Rock Road is requesting abandonment of maintenance on a portion of the road, and is being referred to the Public Works Committee for further discussion.**

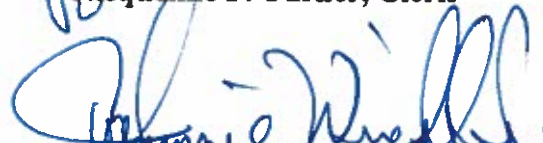
**Motion by Councilman Wimberly, seconded by Councilman Owens, for Jamaica Lane to be accepted into the County's road access system. Motion passed unanimously.**

**Motion by Councilman Wimberly, seconded by Councilman Owens to refer the requests by Pamela Lane and Graveyard Rock Road to the Public Works Committee for further study and review. Motion passed unanimously.**

**Motion for adjournment made by Councilwoman Cooper, seconded by Councilman Owens, Motion passed unanimously.**

**Meeting adjourned.**

  
Jacqueline P. Turner, Clerk

  
Johnnie Wright, Sr., Chairman