

**MINUTES
ORANGEBURG COUNTY COUNCIL
OCTOBER 17, 2011
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
Willie B. Owens
Johnny Ravenell
Harry Wimberly**

MEMBERS ABSENT:

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

Meeting opened by Chairman Wright. Motion by Councilwoman Cooper to carry forward the minutes of October 3, 2011, which were not included in the agenda packets. Motion seconded by Councilman Owens. Motion carried.

Motion by Councilman Wimberly, seconded by Councilman Owens to amend agenda item #12 to include item "C", a resolution relative to leased equipment approved earlier from Caterpillar Finance. Motion carried.

PUBLIC COMMENTS:

AGENDA ITEMS

No comments

PUBLIC COMMENTS:

OTHER MATTERS

Mr. James Evans of 2345 Charleston Road, Orangeburg, addressed Council with his concerns reflecting litter since the dump sites have been closed on Wednesday and Sunday, creating litter being dumped on his property. He is requesting Council give consideration to an open container being placed somewhere on Sunday to accommodate those citizens who bring bagged garbage to the sites, find it closed, and dump there bags, creating litter on his property.

Chairman Wright thanked Mr. Evans for bringing this matter before Council and apologized for his litter problem, indicating Litter Control would investigate the matter.

Ms. Frazier thanked Council for supporting the activities of Youth Day recently at South Carolina State University, and the County personnel who volunteered their time. Chairman Wright thanked Ms. Frazier for her remarks, and thanked those employees who participated in the activities.

Mr. Ladson Beach addressed Council on behalf of the Downtown Orangeburg Revitalization Association, extending an invitation for Council members and the public to attend the Taste of Orangeburg, Sunday, October 30, 2011.

1. ORDINANCE – THIRD AND FINAL READING

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF A NOT EXCEEDING TWO MILLION EIGHTY-EIGHT THOUSAND DOLLARS (\$2,088,000.00 SEWER SYSTEM IMPROVEMENT REVENUE BOND, SERIES 2011 (WEST EDISTO PHASES II AND III) OF ORANGEBURG COUNTY, SOUTH CAROLINA; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO

Motion by Councilman Owens, seconded by Councilman Ravenell for approval of third and final reading of the ordinance. Motion carried.

2. ORDINANCE – PUBLIC HEARING AND SECOND READING

AN ORDINANCE TO REAPPORTION ORANGEBURG COUNTY COUNCIL DISTRICTS AND OTHER MATTERS RELATED THEREO

Public Hearing opened by Chairman Wright. No one spoke during the Public Hearing. Public Hearing closed.

Motion by Councilman Heyward Livingston, seconded by Councilwoman Cooper, for second reading of the motion. Motion carried. Councilman Clyde Livingston was not present when the motion was made or the vote taken.

3. ORDINANCE – FIRST READING

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT DATED AS OF _____, 2011 BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND ECOSCAPES COMPOSITES LLC PROVIDING FOR A PAYMENT OF A FEE IN LIEU OF TAXES, THE ISSUANCE OF SPECIAL SOURCE REVENUE CREDITS, AND OTHER MATTERS RELATED THERETO

Chairman Wright requested Bill Clark brief Council on this matter. Mr. Clark stated Ecoscapes makes material for pre-fab housing, and will be located in the old Dana building in the County/City Industrial Park, with an investment of \$9.3 million and potentially 288 jobs.

Motion by Councilman Ravenell, seconded by Councilman Wimberly, for approval of first reading of the ordinance. Motion carried.

4. ORDINANCE – FIRST READING

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THAT CERTAIN AGREEMENT FOR DEVELOPMENT FOR A JOINT COUNTY INDUSTRIAL PARK FOR THE ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT FUND USED OR THE PURPOSE OF ECONOMIC DEVELOPMENT

Chairman Wright asked Bill Clark to brief Council regarding this matter. Bill Clark stated the ordinance proposes to set aside 5% of revenues the County will receive from participation in joint industrial park incentives. The fund would be used for economic development only.

Motion by Councilwoman Cooper, seconded by Councilman Owens for approval of first reading. Motion carried

5. ORDINANCE – FIRST READING (BY TITLE ONLY)

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF A NOT TO EXCEED \$17,500,000.00 BOND ANTICIPATION NOTE; AND OTHER RELATED MATTERS

Chairman Wright asked Bill Clark to brief Council. Mr. Clark stated the ordinance would allow the county to be flexible in advancing economic development funds for infrastructure and job creation projects. Details will be provided upon second reading of the ordinance.

Motion by Councilwoman Cooper, seconded by Councilman Ravenell, for approving of first reading by title only of the ordinance. Motion passed.

6. AN OFFICIAL ACTION OF THE ORANGEBURG COUNTY COUNCIL AUTHORIZING THE PURCHASE OF PROPERTY FROM J.B. SMITH, JR. & PERRY A. SMITH, HUTTO INTERSTATE PROPERTIES, LLC AND FLEA BITE, LLC

Chairman Wright asked Bill Clark for a briefing on this matter. Mr. Clark indicated the Official Action is authorizing the County to purchase three separate properties in conjunction with the installation of water meter stations for the Bowman Water Project. The properties include one acre near the Highway 301/Interstate 26 area for \$20,000 from J.B. Smith Jr. and Perry A. Smith. An additional space of .76 of an acre purchased at Highway 176 and Interstate 26 from Hutto Interstate Properties for \$9,000. Two properties, .06 of an acre at Highway 301 and Wollbright Road and one not included in the authorization will be bought from Flee Bite LLC for a total of \$12,000.

Motion by Councilman Owens, seconded by Councilman Ravenell, to give final approval to the Official Action. Motion carried.

In response to an inquiry about the public perception the County buys land from certain people, Messrs. Clark and Owens stated the purchases of property has to do with the strategic location of properties to the proposed water stations.

7. AN OFFICIAL ACTION OF THE ORANGEBURG COUNTY COUNCIL AUTHORIZING THE REPLACEMENT IN WHOLE OF THE "RUS PROJECT DESIGNATION SOUTH CAROLINA 1104 BROADBAND INITIATIVES PROGRAM LOAN/GRANT WITH THE "RUS PROJECT DESIGNATION SOUTH CAROLINA 1104 BROADBAND INITIATIVES PROGRAM GRANT AND SECURITY AGREEMENT" DATED SEPTEMBER 23, 2011

Chairman Wright requested a briefing from Bill Clark. Mr. Clark indicated the Official Action modifies the County's Rural Utilities Service contract for broadband, reflecting updated changes from a grant/loan to only a grant, which removes ambiguities from the contract.

Motion by Councilman Wimberly, seconded by Councilman Ravenell, approving the Official Action. Motion carried.

8. AUTHORIZATION TO ACCEPT MODIFICATIONS TO RUS BROADBAND INITIATIVES PROGRAM AWARD TO SOUTH CAROLINA 1104-A40 AS OUTLINED IN LETTER DATED OCTOBER 6, 2011

Bill Clark indicated this authorization is in conjunction with the prior action just approved by Council, with this modification authorizing RUS broadband policies in general that apply to entities nationwide that receive grants. Due to the large number of awards and the shortage of fiber materials, the changes allow more time for setting start up dates to begin after environmental reviews are made.

Motion by Councilman Wimberly, seconded by Councilman Owens, granting the authorization requested. Motion carried.

9. PRESENTATION OF LETTER OF CONDITIONS FROM UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) RURAL DEVELOPMENT REGARDING DIRECT LOAN FOR THE HOLLY HILL MIDDLE SCHOOL RENOVATION PROJECT - MICHELLE CARDWELL, USDA

A representative from USDA presented to Council, as the governing body, the terms and requirements of a federal direct loan to the County in the amount of \$2,200,000.00 for renovation of the former Holly Hill Middle School into a regional intergovernmental complex housing a public library, Holly Hill Police Department, health department, Magistrate's court, Holly Hill Town Hall, County offices, and meeting rooms.

Motion by Councilman Wimberly, seconded by Councilman Heyward Livingston, accepting the terms and requirements of the direct loan from USDA in the amount of \$2,200,000.00. Motion carried.

10. SETTING OF MILLAGE RATES FOR 2011 TAX YEAR

Chairman Wright requested Bill Clark brief Council. Mr. Clark indicated there was no net change in any millage of the five county funds, or the four special tax districts. There is no tax increase and no net increase in the amount of millage.

Motion by Councilwoman Cooper, seconded by Councilman Owens to approve the millage rate as presented. Motion carried.

11. AUTHORIZATION OF FISCAL YEAR 2011 BUDGET CARRY FORWARD

Chairman Wright requested input from Bill Clark. Mr. Clark indicated this is a routine yearly function, where funds allocated for certain projects in one fiscal year, and not completed, are carried over to the next fiscal year for completion.

Motion by Councilman Heyward Livingston, seconded by Councilman Wimberly to approve the fiscal year 2011 budget carry forward request. Motion carried.

12. PUBLIC WORKS DEPARTMENT

A. REQUEST FOR ACCESS ROAD INCLUSION – PISGAH LANE (DIST. 3)

Mr. Clark indicated that Pisgah Lane, District 3, has been recommended by the Public Works Department for inclusion in the County's access road maintenance system; the road has met all County requirements.

Motion by Councilman Owens, seconded by Councilman Wimberly, Pisgah Lane approved for inclusion in the County's access road maintenance system. Motion carried.

B. SCDOT TRANSFER OF SECONDARY ROADS

It is the recommendation of Bill Clark this request received from SCDOT to transfer portions of state roads Flashover Lane and Dempsey Road into the County's road maintenance system be referred to the Public Works Committee for further study.

Motion by Councilman Wimberly, seconded by Councilman Ravenell to refer this matter to the Public Works Committee. Motion carried.

C. AUTHORIZING RESOLUTION – CATERPILLAR FINANCIAL SERVICES CORPORATION

Bill Clark indicated equipment leased for the Public Works Department and approved by Council at an earlier Council meeting, requires an Authorizing Resolution be a part of the documents signed with the contract. The document is now being presented to Council as required.

Motion by Councilman Ravenell, seconded by Councilman Owens, approved Council adopting the Authorizing Resolution for the equipment leased through Caterpillar Financial Services Corporation. Motion carried.

13. PERSONAL APPEARANCES

LOVELL BROTHERS, ORANGEBURG COUNTY COMMUNITY OF CHARACTER THIRD QUARTERLY NOMINEES

Ms. Lovell introduced, presented awards and plaques to third quarter Community of Character nominees – Myeisha Butler, Finance, July – Cheerful. Three nominees from the Delinquent Tax Department, August – Patience. Toni Robinson, Detention Center, September, Sportsmanship. Council Chairman and Vice Chairman participated in the award ceremony and applauded the employees for being honored, and Ms. Lovell to her dedication and hard work in promoting the Community of Character initiative.


14. VOTE FOR EXECUTIVE SESSION – ECONOMIC DEVELOPMENT

Motion by Councilwoman Cooper, seconded by Councilman Wimberly, to adjourn for an executive session to discuss economic development. Motion carried

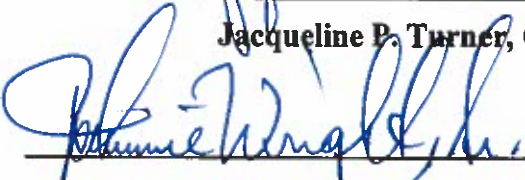
14. VOTE FOR ADJOURNMENT

Motion by Councilwoman Cooper, seconded by Councilman Ravenell to vote for adjournment, Motion carried.

Meeting adjourned

Submitted By: 

Jacqueline P. Turner, Clerk



Johnnie Wright, Sr., Chairman