



**MINUTES
ORANGEBURG COUNTY COUNCIL
December 4, 2017
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 4th day of December 2017, Chairman Wright called to order a regular session meeting of the Orangeburg County Council at 5:38 p.m.

**ADMINISTRATION OF OATH OF OFFICE FOR COUNTY COUNCIL MEMBER
ORANGEBURG COUNTY COUNCIL DISTRICTS #6
HONORABLE ROBERT CLARIDAY, ORANGEBURG COUNTY CHIEF
MAGISTRATE, PRESIDING**

Chairman Wright yielded to Judge Clariday. Judge Robert Clariday gave the oath to Ray W. Sabalis.

APPROVAL OF MINUTES

November 21, 2017 (RS)

Chairman Wright asked for a motion on the minutes. Councilman motioned that the minutes of the sessions of the Orangeburg County Council on the above dates be approved as written. Councilman Willie Owens made the motion. Vice-Chairwoman Janie Cooper Smith 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

Dr. Abe Salama came before County Council to commend them on agenda item nine (9) for the new proposed Litter ordinance.

COMMENTS: OTHER MATTERS NONE

Chairman Wright closed public comments of other matters at 5:45 p.m. and went into the regular agenda.

1. ORDINANCE THIRD READING AND PUBLIC HEARING

AN ORDINANCE AUTHORIZING 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 HUNTLEY, 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; TO PROVIDE FOR ONE OR MORE SPONSOR AFFILIATES, TO AMEND 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 HUNTLEY PLAINS, OR ONE OR MORE COMPANIES RELATED THERETO; AND OTHER RELATED MATTERS

Chairman Wright read the ordinance in its entirety.

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary Attorney Anderson advised this ordinance and item two (2) were related. This ordinance seeks the approval of a fee-in-lieu agreement and to put this expansion in a multi-county industrial park. Item two (2) is an inducement resolution about the project. The company name is Huntley Solar, LLC wants to bring a project to Orangeburg County. They want to construct a panel solar farm over approximate five hundred twenty-five (525) acres. There is a promised tax payment over a forty (40) year term annually of \$225,000. There is a minimum capital investment of \$115,000,000, 00 in machinery and equipment, there is an SSRC at a forty (40) year term to make sure it is maintained at \$225,000 a year, and the project will be located in a multi-county industrial park with Dorchester County.

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

Councilman Harry Wimberly advised if all solar farms that are coming before County Council was placed on property as this project Huntley has been placed totally surrounded by woods and isolated, we would not have such a big problem with setting policy but unfortunately everything doesn't happen perfectly. This is what he would call a perfect place for a solar farm.

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 Harry Wimberly. Motion carried. (7-0-0).

2. 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 HUNTLEY, 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 REVENUE CREDITS; AND OTHER MATTERS RELATED THERETO

Chairman Wright entertained a motion to pass the resolution. Councilman Johnny Ravenell made the motion. The motion was seconded by Harry Wimberly. Motion carried. (7-0-0).

3. ORDINANCE THIRD READING AND PUBLIC HEARING

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF *AD VALOREM* TAX AND INCENTIVE AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND PROJECT MB TO PROVIDE FOR PAYMENT OF A FEE-IN-LIEU OF TAXES; AND OTHER RELATED MATTERS

Chairman Wright read the ordinance in its entirety.

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary Attorney Anderson advised this ordinance is dealing with the company Allied Air Enterprises LLC. They have promised an minimum investment of \$10,000,000.00, \$250,000.00 in buildings and \$9.75 million in machinery and equipment. There is a promise of a minimum hundred (100) new jobs, (50) jobs have already been created since January 1, 2017 to present and the remaining (50) jobs will be completed within year 2018. There is a SSRC with a thirty (30) year term and there is a request to place this expansion in a Multi-County Industrial Park with Dorchester County.

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

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 Willie Owens made the motion. The motion was seconded by Heyward Livingston. Motion carried. (7-0-0).

4. 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 ORANGEBURG COUNTY AND MARK LINDER PERTAINING TO CERTAIN REAL PROPERTY OWNED BY ORANGEBURG COUNTY; AUTHORIZING THE SALE OF SUCH REAL PROPERTY BY THE COUNTY TO MARK LINDER; AND OTHER MATTERS RELATING THERETO

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised this is one of the properties the County had owned over the years that was damaged during the storm and is no longer necessary. After receiving funds back from insurance the property on the market as is and the County received an offer, TMS# 0172-12-07-003 located at 1878 Charleston Hwy. This was a piece of surplus property the County could sale and there was a willing buyer.

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

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 Harry Wimberly made the motion. The motion was seconded by Willie Owens. Motion carried. (7-0-0).

5. ORDINANCE THIRD READING AND PUBLIC HEARING

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE CREDIT AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND F I OF SANTEE, LLC PROVIDING FOR A PAYMENT OF A SPECIAL SOURCE REVENUE CREDIT AND OTHER MATTERS RELATED THERETO

Chairman Wright advised item five (5) and item six (6) were related so Council would vote on both items together.

Chairman Wright yielded to Attorney Jerrod Anderson for a brief summary Attorney Anderson advised the first ordinance deals with an infrastructure agreement the approval thereof and the second ordinance deals with placing the expansion into a Multi-County Industrial Park with Dorchester County. F I of Santee LLC has promised to make a

construction in the empowerment zone passed by the legislation of this Council with a minimum investment of \$5,000,000,00 within constructing buildings. There is a promise of fifteen (15) new jobs and there is a SSRC (Special Source Revenue Credit) of 50% for fifteen (15) years. They would like to place this in a multi-county industrial park that we share with Dorchester County.

Chairman Wright asked Council if they had any questions. There were none.

Chairman Wright open the floor for public hearing questions on item five (5) and item (6). There were none.

Chairman Wright entertained a motion to pass the ordinance for third and final reading on items five (5) and six (6). Councilman Johnny Ravenell made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (7-0-0).

6. ORDINANCE THIRD READING AND PUBLIC HEARING

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK DATED MAY 17, 2010, SO AS TO INCLUDE ADDITIONAL PROPERTY IN ORANGEBURG COUNTY (F I OF SANTEE, LLC) AS PART OF THE JOINT COUNTY INDUSTRIAL PARK, AND OTHER MATTERS RELATED THERETO

Chairman Wright entertained a motion to pass the ordinance for third and final reading on items five (5) and six (6). Councilman Johnny Ravenell made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (7-0-0).

7. ORDINANCE SECOND READING

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAX AGREEMENT BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND PROJECT O1 TO PROVIDE FOR PAYMENT OF A FEE-IN-LIEU OF TAXES; AUTHORIZING THE INCLUSION OF PROJECT O1'S SITE IN A MULTI-COUNTY BUSINESS PARK; AUTHORIZING CERTAIN SPECIAL SOURCE REVENUE CREDITS; AND OTHER RELATED MATTERS

Chairman Wright advised item seven (7) and item eight (8) 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 seven (7) and eight (8) were related. The ordinance deals with an approval of a fee-in-lieu and placing the expansion into a Multi-County Industrial Park. Item eight (8) deals with the inducement resolution to approval the agreement by resolution. The prospect request to remain anonymous at this time is a well-established business in the

community. They are expanding their operation they have promised a minimum investment of \$15,000,000.00. \$12,000,000.00 would be invested in buildings and \$3,000,000.00 in machinery and equipment. They have also promised a minimum of twenty (20) new jobs. This agreement would also incorporate an SSRC (Special Source Revenue Credit) of 25% over ten (10) years. The prospect also desires to place this in an industrial park with Dorchester County.

Chairman Wright asked Council if they had any questions. There were none.

Chairman Wright entertained a motion to pass the ordinance for second read reading. Vice-Chairwoman Janie Cooper-Smith made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (7-0-0).

8. A RESOLUTION COMMITTING TO NEGOTIATE A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT BETWEEN ORANGEBURG COUNTY AND PROJECT 01; IDENTIFYING A PROJECT FOR PURPOSES OF THE PILOT ACT; AND OTHER MATTERS RELATED THERETO

Chairman Wright entertained a motion to pass the resolution. Vice-Chairwoman Janie Cooper-Smith made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (7-0-0).

9. ORDINANCE FIRST READING

AN ORDINANCE AMENDING CHAPTER THIRTY-FOUR (34) OF THE ORANGEBURG COUNTY CODE OF ORDINANCES TO PROVIDE FOR ENFORCEMENT AND ADMINISTRATIVE PROCEDURES PERTAINING TO SOLID WASTE MANAGEMENT AND LITTER CONTROL, AMENDING ALL RELEVANT PARTS OF CHAPTER THIRTY-FOUR (34) IN CONFLICT, PROVIDING FOR A PENALTY, PROVIDING FOR SEVERABILITY

Chairman Wright read the ordinance in its entirety.

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised the is an amendment revision of the ordinance to give stiffer fines and penalties to the Litter Laws of the County as well as giving better definition to littering, time and place of evidence, which was one of the issues the magistrate office had been having when they got ready to fine an individual for littering. So this document gives stiffer fines and penalties as well as clarification on time and place through the County in a hope to curtail litter throughout the County in order to give a better look in our communities.

Chairman Wright asked Council if they had any questions.

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

10. PROCUREMENT

a. REQUEST FOR PROPOSAL FY17-0914 COMMUNICATIONS CENTER WORKSTATIONS FURNITURE

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised the 911 Center is in use 365 days of the year, seven (7) days a week, and twenty-four (24) hours a day. This furniture has to be able to with stand the rigors of twenty-four (24) hours a day operations by multiply users in local platforms. The County will receive a reimbursement from the State that will cover 80% of the project. The equipment and layout the County needs is conducive to what is in the best interest bettering the response time by having the dispatchers in the most ideal location based upon the lay out of the room they are put in. This has to be customize and a lot of the other vendors were trying to use furniture that is really business furniture and not customize 911 furniture, it is our recommendation that we take the bid for Xybix Systems out of Littleton, Colorado for \$118,368.32, which of that amount \$94,694.00 will be reimbursed through a grant that we get from the State Tariff through the E-911 division of the State.

Chairman Wright asked Council if they had any questions.

Councilman Harry Wimberly asked there is a big difference in furniture we all know that but to bring something from Colorado to South Carolina it's probability going to be the same furniture in West Columbia for \$87,000 then it is in Colorado for \$118,000 because it is going to cost that much to get here.

Administrator Young advised it would not be the same furniture. A team from the Emergency Services Office, they went to each County to their 911 Emergency Center and looked at the product for each one of these vendors. The product that have been recommended to you are the only one that is E-911 grade furniture not office furniture which is a big difference. Buying an office chair and someone is sitting it 24 hours a day, 7 days a week at are different heights, different weights, it has to been furniture that keeps us liable when it comes to having a 24hour operation, so they have done their homework.

Billy Staley advised the \$87,000 that was mentioned is the one Emergency Services currently have but are experiencing maintenance issue with it now and the company doesn't have a strong maintenance system behind them. The design is important, so none of the dispatcher be stacked on top of one another.

Administrator Young advised he felt the price could be negotiated down but because it is a bid to be apple to apple it had to be presented to Council first for your approval, then we can negotiate the price.

Councilman Willie Owens asked, what would be total life span of the new furniture and what is the total number of personnel using this furniture?

Billy Staley advised the current furniture has been there since 2006, the normal life span on this type furniture is right at ten (10) to twelve (12) years. The total number of positions in

the room are eight (8) and the total number of operators is around thirty-five (35) when you start adding all of the agency together.

Vice-Chairwoman Janie Cooper-Smith asked, when the County had gotten the 80% State Tariff Reimbursement had we gone with another Company.

Administrator Young advised the State has to approve what you trying to get and the State has approved us on reimbursement on this particular furniture and the reimbursement is more so our 911 Center has to meet certain standards to be consider for reimbursement and they also have to approve what we are trying to get reimbursed on.

Councilman Harry Wimberly asked the Administrator to follow-up on the reimbursement and let Council know when the reimbursement has been issued back to the County.

Chairman Wright entertained a motion to pass the procurement proposal. Councilman Willie Owens made the motion. The motion was seconded by Councilman Johnny Ravenell. Motion carried. (7-0-0).

11. APPOINTMENT

a. APPOINTMENT OF A CODE ENFORCEMENT OFFICER FOR THE ORANGEBURG COUNTY ANIMAL CONTROL DEPARTMENT

Chairman Wright administered the code enforcement officer commission to William Moore.

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

12. RECOMMENDATIONS FROM THE TAX AND TOURISM COMMITTEE

Chairman Wright yielded to Administrator Young to give a summary. Administrator Young advised the Tax & Tourism Committee met on November 28, 2017 for their regular quarterly meeting. The following funding recommendations were made by the Tax & Tourism Advisory Committee:

1. Santee Cooper Country requested funds to help fund their 2017/2018 marketing plan. Their goal is to attract more visitors and their dollars to Santee Cooper Country by adding new publication to the print marketing campaign, different show cities and more Facebook marketing. Also, the new website has some very unique features like the daily calendar of events page, location maps and videos. It also allows them to track the advertising to see how effective the publications are. \$20,000.00

2. Xpress Grassroots Sports Inc. requested the remaining funds from August to assist with expenses directly associated with success of the event. Expanding to include 4 girls groups, printing, postage, advertising and promotion, preparation of presentation materials, rental

fees and signage for visitors. At the Aug. meeting, the committee voted to revisit the balance of \$14,846.00 at the November meeting if the funds were available. \$14,846.00

3. The Town of North requested funds to purchase funds to purchase Christmas decoration for the Town of North to assist with expenses for a "Christmas at the North Pole" daylong celebration. The event will include a parade, family fun events, vendors, local entertainment and tree lighting with carols. Also the funds will be used for promoting the events. \$2,000.00

4. The Orangeburg County Fair requested funds to help promote the fair and the fairgrounds as a rental facility in a safe and spacious environment in Orangeburg County. The Fair host large events such as the Grand American Coon Hunt, Relay for Life, SCSU homecoming Party/ They also host smaller events such as weddings receptions, parties, craft shows, auctions, and church events. They also allow Toys for Totes and Safe Trunk or Treat to use the facilities. They also are asking for funds to help with maintenance of the fairgrounds and to add bleachers to "The Hill" area of the fairground to host events. \$5,981.11

5. A motion was made in the June meeting to fund the Grand American Coon Hunt and Show \$5,000.00 in June and the remaining balance of \$4,600.00 in November. The motion carried.

Total Recommended Funding: \$ 47,427.11

Funds Available for Disbursement: \$47,427.11

Remaining Balance: 0.00

Chairman Wright asked Council for questions.

Councilman Harry Wimberly advised he had asked this question before but was Xpress Grassroots Sports, Inc a non-profit or a profit business because Council has never had any clarification on it. Tax funds are for non-profit organization and if someone is using money from our tax payers to create a profit by bring sports.

Administrator Young advised it is a non-profit organization under the AAU banner which is traditionally a sport related circuit they have for basketball. We can get them to provide you a copy of the certificate.

Councilman Willie Owens advised he support this organization because it provides activities for a lot of underprivileged girls and boys to move from place to place to participate in these sport.

Councilman Harry Wimberly advised he did not say he didn't support it. He wants to make sure they are not making a profit.

Chairman Wright entertained a motion to pass the recommendation of the Tax & Tourism Advisory Committee. Councilman Harry Livingston made the motion to accept all the recommendations. Vice-Chairwoman Janie Cooper-Smith seconded the motion. Motion carried. (7-0-0).

13. REQUEST FOR APPROVAL OF THE 2018 PAID HOLIDAY SCHEDULE FOR ORANGEBURG COUNTY EMPLOYEES

Chairman Wright entertained a motion to pass the request for approval of the 2018 paid holiday schedule. Councilman Willie Owens made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (7-0-0).

14. APPROVAL OF THE 2018 ORANGEBURG COUNTY COUNCIL REGULAR SESSION SCHEDULE

Chairman Wright entertained a motion to pass the approval for the 2018 regular session schedule. Vice-Chairwoman Janie Cooper-Smith made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (7-0-0).

15. UPDATE FROM SOLAR FARM COMMITTEE

Chairman Wright advised the committee met as a whole this afternoon and there is a working policy that has been presented to the public for comments. Once Council has received the comments back there will be a follow up meeting to finalize or continue to move that policy forward.

16. VOTE FOR EXECUTIVE SESSION

Chairman Wright read the item for executive session and entertained a motion. Vice-Chairwoman Janie Cooper-Smith made the motion. Councilman Willie Owens seconded the motion. Motion carried. (6-0-0).

17. EXECUTIVE SESSION

1) 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 IMPERIALE**
- e. PROJECT GLOBAL**

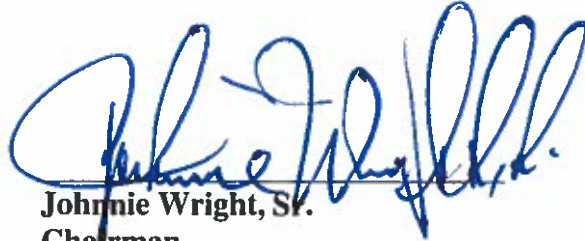
Chairman Wright asked for any comments from Council before he asked for a vote to adjourn. There were none.

18. VOTE FOR ADJOURNMENT

Chairman Wright entertained a motion for adjournment. Vice-Chairwoman Janie Cooper-Smith motioned that the regular session of the Orangeburg County Council of December 4, 2017 stand adjourned. Councilman Johnny Ravenell seconded the motion. Motion carried. (7-0-0).

19. ADJOURNMENT

Meeting adjourned at 6:31 p.m.



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



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