



**MINUTES
ORANGEBURG COUNTY COUNCIL
January 2, 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.
Johnny Ravenell
Harry F. Wimberly
Ray W. Sabalis
Heyward H. Livingston
Willie B. Owens
Janie Cooper-Smith**

MEMBERS ABSENT:

OTHERS PRESENT:

**Marion Lloyd, Deputy County Administrator
D'Anne Haydel, County Attorney
Connie N. Portee, Clerk to Council**

CALL TO ORDER

Johnnie Wright, Sr. Chairman

On the 2nd day of January 2018, Chairman Wright called to order a regular session meeting of the Orangeburg County Council at 5:31 p.m.

APPROVAL OF MINUTES

December 18, 2017 (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 Johnny Ravenell 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

NONE

COMMENTS:

OTHER MATTERS

Lauren Dawkins came before Council in representation of many citizens both in City and the County to express her concerns for the enforcement of the new Litter Ordinance that was passed by Council.

Brenda Jamison came before Council to express finding trash bags with people names on envelopes in their neighborhood how would this issue get reported.

Richard Hall advised the citizens should call the Litter Control office to report the findings.

Brenda Jamison asked when calling Litter Control will this unit come out and clean up what is there or do the citizens just report the trash is there to this unit.

Richard Hall advised both, citizens should report any litter issues to Litter Control and the Litter Department will be out as soon as they can to pick up the litter in their area.

Councilman Johnny Ravenell advised when his niece was in College she was driving a vehicle that was registered in his name and she drove through a red light and the ticket came to him because he was the registered owner of the vehicle. There is a way to enforce this because someone has to be responsible.

Lauren Dawkins advised the community wants to get behind the Council of Orangeburg conjunction with a partnership in trying to stop whoever these individual are from trashing up our streets. The biggest issue is we don't know the protocol on who to call especially after 5:00 p.m. and the citizens are calling the room person trying to report it. If there was one systemic protocol it would help.

Vice-Chairwoman Janie Cooper-Smith advised she would suggest any time the citizens see a magistrate tell them to think more about crime when it comes from littering and punishment because they are the ones that hand out the regulations.

Chairman Wright thanked the citizens for their comments he advised the County staff would be work on a chain of command sheets for calling and other things when it comes to litter.

Deputy Marion Lloyd advised the Litter Committee will meet on the 10th and with those recommendations we will make that part of our meeting to come up with a plan to provide a contact number or using the website to report some of the litter problems.

Chairman Wright closed public comments of other matters at 5:47 p.m. and went into the regular agenda.

1. ORDINANCE SECOND READING

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO BUY AND SELL REAL ESTATE BY AND BETWEEN THE ORANGEBURG COUNTY AND PROJECT GLOBAL, ACTING FOR ITSELF, ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS (THE "COMPANY") PERTAINING TO CERTAIN REAL PROPERTY OWNED BY ORANGEBURG COUNTY; AUTHORIZING THE SALE OF SUCH REAL PROPERTY BY ORANGEBURG COUNTY TO THE COMPANY; AND OTHER MATTERS RELATING THERETO

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 presented for the approval for the sale of the County Speculative Building in the Matthews Industrial Park. Project Global has an inducement resolution whereby they have promised a minimum invest of \$6,176,026.00 in \$4,000,000.00 will go into buildings and \$2,176,026.00 will go into machinery and equipment. This project will bring 124 new jobs to the area. They will be seeking a fee-in-lieu in the future but there main location will be in the spec building.

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

Chairman Wright entertained a motion to pass the ordinance for second reading. Councilman Johnny Ravenell made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (7-0-0).

2. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE AUTHORIZING (1) 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 OZ, 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; (2) THE AMENDMENT OF 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 OZ, OR ONE OR MORE COMPANIES RELATED THERETO; (3) THE CONVEYANCE OF CERTAIN PROPERTY TO PROJECT OZ; AND (4) 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 with this project the prospect has promised a minimum investment of \$14,150,000.00 with \$5,150,000 in buildings, \$9,000,000 in machinery and equipment. They desiring to locate this development in a multi county industrial park with a creation of forty-seven (47) new jobs. They are seeking a an SSRC (Special Source Revenue Credit) of 65% in year 1-4, 55% in year 5-10, 40% in year 11-15 and 25 %in year 16-20. The ordinance is seeking to approve a fee agreement and to place this expansion in a multi county industrial park.

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

Chairman Wright entertained a motion to pass the ordinance for first reading by title only. Councilman Willie Owens made the motion. The motion was seconded by Councilman Harry Wimberly. Motion carried. (7-0-0).

3. ORDINANCE FIRST READING BY TITLE ONLY

AN ORDINANCE AUTHORIZING (1) 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 BOWMAN, 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 FOR THE BENEFIT OF A SOLAR FARM PROJECT NOT TO EXCEED 1,000 ACRES AND FOR A TERM NOT TO EXCEED THE LEASE TERM OF THE PROJECT'S LEASE AGREEMENT(S), WHICH ARE ANTICIPATED TO BE TWENTY FIVE (25) YEARS; (2) THE AMENDMENT OF 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 BOWMAN, OR ONE OR MORE COMPANIES RELATED THERETO; AND (3) OTHER RELATED MATTERS

Chairman Wright advised item three (3) and item four (4) 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 three (3) and four (4) 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 (4) deals with the approval of an inducement resolution. The prospect has promised a minimum of investment of \$89 million dollars, it is for a Solar Farm they have 2,000 under lease however once site plan is developed, they would developed no more than 1,000 acres for the production of this Solar Farm. It would be placed south of the town of Bowman. There will be no new jobs created but there will be many temporary jobs during the construction of the project. They are seeking a 6% assessment for a twenty-five (25) year term that mirrors the lease. They are asking for SSRC which would maintain the annual fee payment at \$200,850 annually for twenty-five (25) years that will mirror the lease they have with the home owners. They will seek to place this in a multi-county industrial park.

Chairman Wright entertained a motion to pass the ordinance for first reading by title only. Councilman Harry Wimberly made the motion. The motion was seconded by Councilman Heyward Livingston. Motion carried. (7-0-0).

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

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

5. RESOLUTION BY PLANNING COMMISSION

THE CONSIDERATION OF A REQUEST FROM LAUREN COLEMAN TO REZONE A 1.91 ACRE PARCEL AT 371 FARMSTEAD LANE TAX MAP #028-00-03-005.000 FROM FA (FOREST & AGRICULTURE) DISTRICT TO CG (COMMERICAL GENERAL) DISTRICT FOR TOWING BUSINESS

Chairman Wright yielded to Richard Hall to give a summary. Richard Hall advised the submission from the planning commission met on December 13, 2017 to discuss the request of Lauren Coleman to rezone 1.91 acre parcel to be subdivided out of tax map #0208-00-03-005.000 property at 371 Farmstead Ln, which is located in Council district seven (7), Willie B. Owens. The proposed parcel fronts on Hwy 33. The property is located on the Cameron side of I-26 and is within ½ mile of commercial and industrial zoning in both directions. The next door neighbors immediately adjacent spoke in favor of the proposal. The property owners behind the larger parcel spoke against the proposal. The request is in line with the comprehensive plan and the commission voted unanimously to recommend approval.

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

6. ORDINANCE FIRST READING BY TITLE ONLY

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 # 028-00-03-005.000 FROM FA (FOREST AGRICULTURAL DISTRICT); TO CG (COMMERICAL GENERAL DISTRICT) AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Chairman Wright entertained a motion to pass the recommendation from the planning commission. Councilman Harry Wimberly made the motion. The motion was seconded by Councilman Willie Owens. Motion carried. (7-0-0).

7. APPOINTMENT – BOARDS, COMMISSIONS, & COMMITTEES

a. AN APPOINTMENT TO THE EMPLOYEE GRIEVANCE COMMITTEE

Chairman Wright yielded to Deputy Administrator Lloyd for an explanation. Deputy Administrator Lloyd advised the County has two (2) vacant positions with the Employee Grievance Committee per the Orangeburg County Grievance Committee policy it is the County recommendation that the following persons, in accordance with policy, be referred to you as potential members of the Employee Grievance Committee: Jennifer Jackson the Holly Hill Library Branch Manager and Lameka Turner Clerk in the Tax Assessors office. Both of these employees have shown the type character that we are proud of and we recommend them for your approval.

Chairman Wright entertained a motion to appoint Jennifer Jackson the Holly Hill Library Branch Manager and Lameka Turner Clerk in the Tax Assessors office to the Employee Grievance Committee. Councilman Johnny Ravenell made the motion. The motion was seconded by Councilwoman Ray Sabalis. Motion carried. (7-0-0).

8. 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 Johnny Ravenell seconded the motion. Motion carried. (7-0-0).

9. EXECUTIVE SESSION

1) LEGAL BRIEFING. EXEMPTION §30-4-70(A)(2)(RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING CLAIM)

A. ROAD CLOSING LAWSUIT

AMICK, BLAKE, ET AL V. THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION; COUNTY OF ORANGEBURG, SOUTH CAROLINA; SCOTT WOODLANDS, LLC; JIMMY L. BEHLING; ROGER LEE; CAROLYN LEE; JOSEPH M. REED; W. MILLER DAVIS FAMILY LIMITED PARTNERSHIP; RUFUS T. BROWN, JR.; NAOMI WALKER-JOHNSON; HELEN STILL WILLIAMS; WILLIE C. WALKER; ROSA LEE BROWN; RUTH MCMICHAEL; ERNEST SUTTON; LARRY BLOOME; ANTHONY SMITH; LOUISE SMITH; KEVIN SMITH; MARK S. SHORTEN; LYNN S. EVANS A/K/A LYNN SCARBOROUGH; PHILIP L. INGLIS; MICHAEL H. INGLIS; DELCIE C. INGLIS; HEIRS AT LAW OR DEVISEES OF RALPH B. INGLIS AND ALL OTHER PERSONS ENTITLED TO CLAIM THROUGH HIM; ANY UNKNOWN HEIRS OR DEVISEES OF THE ABOVE-NAMED DEFENDANTS, AND IF ANY OF THE SAME BE DECEASED, ANY AND ALL PERSONS ENTITLED TO CLAIM UNDER OR THROUGH THEM, AND ALSO ALL OTHER PERSONS UNKNOWN CLAIMING ANY RIGHT, TITLE, INTEREST OR LIEN UPON THE REAL ESTATE DESCRIBED HEREIN; ANY UNKNOWN ADULTS BEING A CLASS DESIGNATED AS JOHN DOE, AND ANY UNKNOWN INFANTS OR PERSONS UNDER DISABILITY OR PERSONS IN THE MILITARY SERVICE OF THE UNITED STATES OF AMERICA BEING A CLASS DESIGNATED AS RICHARD ROE, IN RE: CLOSING ALL OF BABE DRIVE AND A PORTION OF NINETY-SIX ROAD FROM THE INTERSECTION OF HEBRON ROAD AND NINETY SIX ROAD, 2017-CP-38-000811

B. DAMAGES LAWSUIT

AMICK, BLAKE D. AND ADELE I. V. COUNTY OF ORANGEBURG, SOUTH CAROLINA, 2016-CP-38-00550

C. INVERSE CONDEMNATION AND DAMAGES LAWSUIT

AMICK, BLAKE D. & ADELE I. V. COUNTY OF ORANGEBURG, SOUTH CAROLINA, 2017-CP-38-01637

2) 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 OZ**
- e. PROJECT GLOBAL**
- f. PROJECT BOWMAN**

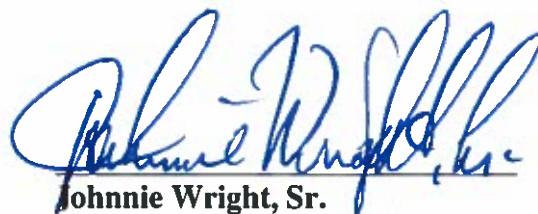
Chairman Wright asked for any comments from any council member before he asked for a vote to adjourn. There were none.

10. VOTE FOR ADJOURNMENT

Chairman Wright entertained a motion for adjournment. Councilman Heyward Livingston motioned that the regular session of the Orangeburg County Council of January 2, 2018 stand adjourned. Councilman Willie Owens seconded the motion. Motion carried. (7-0-0).

11. ADJOURNMENT

Meeting adjourned at 6:20 p.m.



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



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