

**MINUTES
ORANGEBURG COUNTY COUNCIL
JANUARY 3, 2012
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 F. 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

APPROVAL OF MINUTES

**December 5, 2011
December 19, 2011
December 29, 2011
January 3, 2011**

PUBLIC COMMENTS:

AGENDA ITEMS

Councilman Clyde Livingston made a motion to amend agenda on Executive Session to add item C – Contractual Matter Concerning Real Estate Transaction. Motion seconded by Councilman Owens. Motion carried.

PUBLIC COMMENTS:

OTHER MATTERS

NO COMMENTS

1. ORDINANCE – THIRD AND FINAL READING

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK DATED MAY 7, 2010, SO AS TO INCLUDE AN ADDITIONAL PROPERTY IN ORANGEBURG COUNTY (GKN AEROSPACE SOUTH CAROLINA, INC.) AS PART OF THE JOINT COUNTY INDUSTRIAL PARK, AND OTHER MATTERS RELATED THERETO

Chairman Wright asked County Administrator Clark to give a summary of this action for the benefit of those present who might not be familiar with the proposed action. Mr. Clark said the request was made by GKN Aerospace for inclusion into an existing multi-county industrial park with Dorchester County for the purpose of qualifying them for additional state incentives. As with other multi-county industrial park agreements, 1% of the revenue from the project would go to the participating county, in this case, Dorchester, while 99% would be retained in Orangeburg County. There is no change to this reading from when it was presented for second reading, and it is ready for final third reading.

Motion by Councilman Heyward Livingston, seconded by Councilman Owens, for third and final reading. Motion carried.

2. ORDINANCE – SECOND READING

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THAT CERTAIN WATER PURCHASE AND SUPPLY AGREEMENT BETWEEN THE LAKE MARION REGIONAL WATER AGENCY AND ORANGEBURG COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO

Chairman Wright asked Bill Clark to summarize the ordinance for those not familiar with the ordinance. Mr. Clark stated in 2007 Orangeburg County, along with other entities that are members of the Lake Marion Regional Water Agency, executed water purchase supply agreements among the LMRWA, drafted by attorneys for the Agency, which would eliminate a potential conflict in the wording of the original agreements that places a priority in the order of debt service payments that is a potential conflict with requirements of USDA Rural Development. If not resolved, the potential would prohibit member agencies from being able to borrow money for construction projects related to the water distribution systems. It is a one sentence correction in the ordinance that would allow the matter of priority to be resolved. The plan is for each of the major entities to all adopt a similar ordinance to the one before Council tonight. The ordinance is up for second reading with final reading anticipated at the next Council meeting, two weeks from tonight.

Motion for second reading approval made by Councilman Ravenell, seconded by Councilman Wimberly. Motion carried.

3. APPROVAL OF BUDGET CALENDAR FOR FY 2013

Chairman Wright, indicating this items was self-explanatory, asked for any questions from Council. In the absence of feedback, he called for a motion.

Motion to approve the budget calendar for FY 2013 made by Councilwoman Cooper, seconded by Councilman Owens. Motion carried.

4. ACCEPTANCE OF BIDS – SHERIFF VEHICLES NEW EQUIPMENT AND INSTALLATION

Chairman Wright asked Bill Clark to summarize this item, to be followed by questions/discussion from Council and a motion. Bill Clark reminded Council they approved purchase of 20 new vehicles for the Orangeburg County Sheriff's office. The vehicles were delivered and accepted last week. Before Council is a bid that would be purchasing and installing light bars and other equipment needed to fully equip the vehicles before they are placed into service. The bid solicitation was conducted, with a bid opening on December 22, 2011. Two vendors responded, Light-N-Up, Roebuck S.C. and Kelley Communication, Orangeburg S.C. The process of applying the preference points as authorized under the Procure Code was utilized, and the low bidder emerging from the process as Light-N-Up, Roebuck, S.C., in the amount of \$112,004.60. The Sheriff's office is recommending the low bidder, and Captain Farnum is present to answer any questions regarding their recommendation and the specifications on the solicitation, if needed. Funding for the purchase is available in Fund 219 which is the same Fund used to purchase the vehicles earlier this year.

Chairman Wright solicited questions and concerns from Council members. A variety of questions were asked by Councilwoman Cooper, Councilman Clyde Livingston, Councilman Wimberly, Councilman Owens, Councilman Heyward Livingston and Councilman Ravenell of both Captain Farnum and Bill Clark, as well as the County Attorney. Captain Farnum stated the criteria important to the Sheriff was to have specs according to the equipment needed to maintain uniformity in the equipment in order for the Department to become an accredited law enforcement agency. He pointed out Kelley Communication had two exceptions to the specifications the County asked for. Bill Clark stated the County's Procurement Code does not factor in transportation and delivery costs when making decisions. County Council has the ability to make whatever decision it feels is more prudent to the interest of the County. Councilman Owens indicated he was concerned about changing the bid process after the fact as this calls into question the County's integrity and way of doing business. Councilman Heyward Livingston favored making corrections beforehand rather than afterwards.

Following a lengthy discussion among Council members, Chairman Wright called for a vote on the motion by Councilman Clyde Livingston seconded by Councilman Wimberly, to accept the bid of Kelley Communications, Orangeburg, S.C. in the amount of \$116,589.32.

The motion received two voice votes from Councilman Clyde Livingston and Councilman Wimberly. Councilman Clyde Livingston called for a second vote by a show of hands. The motion received a vote of two raised hands, Councilman Clyde Livingston and Councilman Wimberly.

Motion by Councilman Owens, seconded by Councilwoman Cooper, to accept the bid of Light-N-Up, Roebuck, S.C., in the amount of \$112,004.60. Motion carried by a vote of five to two, with Councilman Clyde Livingston voting nay and Councilman Wimberly abstaining.

5. PUBLIC WORKS DEPARTMENT – REQUEST FOR INCLUSION OF PORTION OF JACKSON DRIVE INTO COUNTY'S MAINTENANCE SYSTEM

Chairman Wright requested Bill Clark summarize this request for a portion of Jackson Drive be included into the County's road maintenance system. Mr. Clark stated it is his recommendation this request be referred to the Public Works Committee for additional review and study.

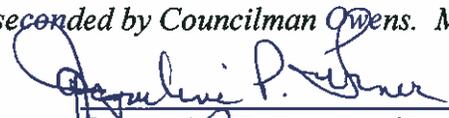
Motion by Councilman Heyward Livingston, seconded by Councilman Ravenell, to refer this request for inclusion of a portion of Jackson Drive into the County's maintenance system for review and study by the Public Works Committee. Motion carried.

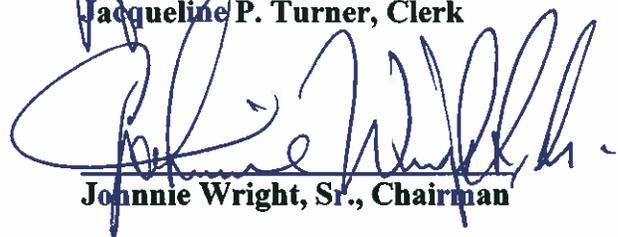
Councilwoman Cooper extended a welcome invitation on behalf of County Council to the Coon Hunters Association upon their annual events beginning this weekend in Orangeburg County..

Motion to vote for an executive session made by Councilwoman Cooper, seconded by Councilman Owens. Motion carried.

Motion to adjourn by Councilman Wimberly, seconded by Councilman Owens. Motion carried.

Meeting adjourned.


Jacqueline P. Turner, Clerk


Jonnie Wright, Sr., Chairman