

**MINUTES
ORANGEBURG COUNTY COUNCIL
OCTOBER 18, 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:

Janie Cooper, Vice Chair, Presiding
Clyde B. Livingston
Heyward H. Livingston
Willie B. Owens
Johnny Ravenell
Harry F. Wimberly

MEMBER ABSENT:

Johnnie Wright, Sr., Chairman

OTHERS PRESENT:

Bill Clark, Administrator
D'Anne Haydel, County Attorney
Ruth Van Faussien, Acting Clerk to Council

CALL TO ORDER:

Vice Chairman Janie Cooper

INVOCATION:

Councilman Johnny Ravenell

APPROVAL OF MINUTES:

Motion by Councilman Willie B. Owens, seconded by Councilman Harry F. Wimberly, that the minutes of the regularly scheduled Council meeting for October 4, 2010 be approved as written.

Motion by Councilman Harry F. Wimberly that the minutes of special called Council meeting of October 4, 2010, be approved as written. The motion was seconded by Councilman Willie B. Owens.

PUBLIC COMMENTS – AGENDA ITEMS:

None

PUBLIC COMMENTS – OTHER MATTERS:

Mr. William Green appeared on behalf of himself and his mother, Gloria Rickenbacker Hutto. They had a cat that was attacked and killed by some neighbors' dogs that came into their yard (off of Belleville Road in the county area). One of the dog owners was given tickets totaling \$1,500.00 and when they went to the court hearing they said that there was nothing in writing to make him pay those tickets. He is trying to find out why Orangeburg County does not have anything in writing to make people pay tickets when they are issued by Animal Control.

Administrator Bill Clark offered to research the matter and get back with Mr. Green. Mr. Clark asked when the court date was and who the judge was, but Mr. Green did not have that information with him. He is to provide that information to Mr. Clark. Mr. Green did say that the judge was a lady.

Ms. Gloria Rickenbacker Hutto also addressed Council to express her concern over how this matter was handled. Their cat was attacked at 3:00 a.m. in the morning. She asked why Animal Control was issuing tickets if the tickets did not have to be paid.

County Attorney D'Anne Haydel explained to Mr. Green and Mrs. Hutto that Orangeburg County Council spent almost a year studying other counties' ordinances on how to put an Animal Control Code in place. They voted to do that last year, and the code that was put in place very specifically forbids what you have described. The magistrates decide the amounts of the fines and whether or not they have to be paid based on the facts presented to them. Orangeburg County Council does not supervise the magistrates. The entire Animal Control Code is on the County's website and the last section is Enforcement. County Council can only enforce by writing this ticket, but we don't get to be the judge.

1. APPROVAL OF BROADBAND ENGINEERING CONTRACT WITH METTS ENGINEERING

Administrator Bill Clark explained that Orangeburg County was recently awarded a broadband grant through USDA's Rural Utility Service, and we are ready to aggressively begin with the design and construction of this project. The first step in this process is to authorize the contract for engineering services as authorized by the grant program. USDA-RUS provides the contract for our use. We have an obligation to begin construction within six (6) months of the date of the grant award, and we are ready to get this process underway. The motion was made by Councilman Harry F. Wimberly that Orangeburg County accept the contract for Metts Engineering to provide the engineering services for this project. The motion was seconded by Councilman Johnny Ravenell. Councilman Heyward Livingston questioned the amount of the engineering fees (\$2.3 million) for an \$18 million contract and if this was a sole-source contract. Administrator Clark explained that the engineering fee was determined by the agency awarding the grant and that these fees were for a three year period. Attorney Haydel clarified that this was not a sole-source procurement matter. This process was open to all who wished to apply, and we heard from two firms. This is the project that won the award. Councilman Clyde B. Livingston stated that as he understood the process, we either accept the contract as presented or we reject it. Vice Chairman Cooper then called for the vote on the motion. All voted in favor.

2. APPROVAL OF HEALTH INSURANCE CONSULTING CONTRACT

Background information was provided by the County Administrator. He explained that during the budget process a notice from the State of South Carolina regarding a 22% increase in our health insurance premiums to participate in the State Health Plan was discussed. This 22% translates into a dollar figure of \$700,000 to remain with the State Health Plan. At that time the decision was made to issue a RFQ for

consulting services mainly to be able to assess our options on how we would provide health insurance to our employees. We wish to maintain a comparable level of benefits, but it is felt that the State is pricing us out of their State-sponsored plan which is disturbing since we are a political subdivision of the State of South Carolina.

We received four (4) responses to the RFQ for these services. All four of these firms made their own presentation to a committee of employees, and it was the consensus in that evaluation that the proposal submitted by Benefit Controls of South Carolina indicated they would be the most capable firm to provide these services.

Mr. Clark is requesting County Council's permission for him and the County Attorney to begin negotiation to determine our best options to provide health insurance for our Orangeburg County employees. Vice Chairman Cooper asked if the benefits to be provided would be less than what employees have today. Mr. Clark said that is not the intent---we want to provide comparable benefits to what we have. We are just looking for options on the price to provide these benefits. Councilman Willie B. Owens asked Mr. Clark how much of a cost savings he anticipated by going through this process. Mr. Clark said he spoke with the references provided by the Town of Mt. Pleasant and their dealings with Benefit Controls, and they indicated that their insurance costs over the last several years had been flat as opposed to having increases of the amount that is being proposed here. If we could maintain benefits at our present level, we would anticipate a savings of \$700,000. However, we will not know until we go out and test the market. If we do not find a better proposal than the one we have in place, then we would dismiss the contract with the consultant and stay the course with the State Health Plan. If we don't at least assess our options, we know what the consequences will be in January.

Councilman Clyde B. Livingston asked how many responses we received and if the prices were similar. Mr. Clark said we received four, and we did not ask for prices, we were assessing qualifications for an RFQ process.

Councilman Heyward Livingston asked what other counties are doing about this situation. Mr. Clark said he had talked with other counties, and they are dealing with the same issues. He doesn't know what their intentions are, but all counties who are part of the State Health Plan will be seeing increases of 11% this year, and some even greater than what we are facing. We have been notified that we will receive a 22% increase in January. Councilman Johnny Ravenell asked if there was a chance we could appeal this increase. Mr. Clark said we would either have to accept the State's terms or leave the plan. Probably two-thirds of the counties participate in the State Health Plan; the others have negotiated their own independent contracts. Councilman Harry Wimberly observed that it is possible we might end up with the same insurance carrier that we have now (Blue Cross-Blue Shield), but we would be on a private basis. Mr. Clark said these odds are pretty good, but we would have the ability to negotiate with our individual group insurance experience and our own input as to plan design. Councilman Heyward Livingston asked what reason the State gave us for this big increase. Mr. Clark

said it was two-fold: one was an overall increase attributable to all members of the plan based upon the trend of increased costs for medical care (1/2 of our proposed increase), and the other 1/2 is based upon claims experience of our particular group. We are no longer group-rated with the State employees in a larger pool, we are broken off and being independently rated now. If we are being independently rated, we might as well go out and compete in the marketplace and see if we have other alternatives. Councilman Ravenell said he hoped we could keep our insurance with Blue Cross-Blue Shield because their insurance identification is recognized wherever one goes.

The motion was made by Councilman Heyward Livingston to approve the health insurance consulting contract with Benefit Controls of South Carolina. The motion was seconded by Councilman Willie B. Owens. The motion carried with one dissenting vote from Councilman Clyde B. Livingston.

3. APPROVAL OF BUDGET CARRY FORWARDS FOR FY 2011

County Administrator Bill Clark explained this item is basically an accounting procedure that takes place each October to carry forward funds that are budgeted in one fiscal year for projects that are expected to have a completion date in the following fiscal year. Most of the accounts identified are within the Capital Improvement Fund for the projects outlined. The amounts carried forward in the General Fund have been significantly reduced this year. These carry forwards will maintain continuity in our budget.

Council Harry F. Wimberly made the motion that the carry forwards recommended by the County Administrator for FY 2011 be approved. The motion was seconded by Councilman Johnny Ravenell.

Councilman Clyde B. Livingston questioned the carry forward for Courthouse Renovations which has been running for three years or so. Mr. Clark said only some minor cosmetic items on the outside remained (e.g., plaster work around the base) but nothing of significance.

Councilman Willie B. Owens asked if the renovations to the DSS building were cosmetic also. Mr. Clark said the money was for some facade improvements and landscaping but there is also some work needed in the kitchen portion of the Council on Aging. Councilman Owens said he thought we need to look forward to providing a new facility for DSS because of the use of it and the number of people going in and out the DSS building. We need to start planning for construction or a new location for DSS. Vice Chairman Cooper said that she concurred with Councilman Owens because of the Aquatic Center being located next door and the number of people entertained there during the first two months it was open. A large crowd of people has been brought to Orangeburg County in addition to our Orangeburg County residents. Parking space will eventually be a problem, so this suggestion is something we should seriously consider.

The vote carried to approve the budget carry forwards for 2011.

The carry-forwards are identified as follows:

CAPITAL IMPROVEMENT FUND

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
203-0500-485.77-03	Courthouse Renovations	\$ 83,781.88
203-0500-485.77-05	Building Improvements	\$ 131,658.37
203-0500-485.77-09	Water/Sewer/Project Infrastructure	\$3,715,507.58
203-0500-485.77-12	Capital Improvements (Technology)	\$ 352,923.99
203-0500-485.77-15	Holly Hill Health Department	\$1,452,382.50
203-0500-485.77-26	Law Complex Renovations	\$ 248,549.00
203-0500-485.77-29	DSS Building Renovations	\$
35,704.00		

SOLID WASTE FUND

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
401-3500-536.71-01	Landfill Expansion	\$ 500,000.00

GENERAL FUND

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
001-0500-485.60-51	Project Materials and Supplies	\$1,869,630.00
001-0500-485.80-08	Contingency	\$ 200,000.00
001-0500-485.80-44	Industrial Park	\$ 100,000.00
001-0500-485.80-80	Project Expenditures	\$ 60,000.00

4. REPORT FROM PUBLIC WORKS COMMITTEE

Councilman Johnny Ravenell, Chairman of the Public Works Committee, provided the report from their meeting where two requests were presented to them.

A. Request to abandon maintenance on a portion of Sharperson Street. This road is not a County road but belongs to the SCDOT. The Public Works Committee requests that the County Attorney send a letter to the appropriate parties involved. No action was taken on this matter.

B. Request from the Orangeburg County Transportation Committee that the County issue an RFP for engineering services on their "C" Fund paving projects. No action was taken by the Public Works Committee.

5. PROCLAMATION – HEAD START AWARENESS WEEK

Councilman Willie B. Owens read aloud the Proclamation declaring October 25-29, 2010 as Head Start Awareness Week. The Orangeburg-Calhoun-Allendale-Bamberg Community Action Agency (OCAB) has operated the Head Start programs in our area for more than forty (40) years. Calvin Wright, Executive

Director of OCAB, was present at the meeting and he was commended for his leadership in providing the Head Start effort to the children in our county who so desperately need this type of program.

The motion was made by Councilman Clyde B. Livingston that the Proclamation be passed. The motion was seconded by Councilman Willie B. Owens. The proclamation was approved by acclamation.

6. APPOINTMENTS:

A. LOWER SAVANNAH WORKFORCE DEVELOPMENT BOARD - County Administrator Bill Clark explained that this board currently has three vacancies. We have received a nomination from the Lower Savannah Council of Governments to fill one of these positions, and it is the slot that is reserved for an appointment from a state or local labor federation or union. The nomination provided is for Mr. Curtis Randolph who resides in Orangeburg.

The motion was made by Councilman Clyde B. Livingston that Mr. Randolph be appointed to this Board. Councilman Willie B. Owens seconded the motion. All voted in favor.

Councilman Harry F. Wimberly noted that the terms of office for two other members on this Board expired on June 30, 2010. He would like to get these appointments on the agenda before they expire. Bill Clark said these nominations come from the Lower Savannah Council of Governments and then they are placed on our agenda for Council to accept.

B. THREE RIVERS SOLID WASTE TECHNOLOGY CENTER BOARD - Councilman Clyde B. Livingston, who also serves on this Board as well as the Three Rivers Solid Waste Authority Board, made a motion that Chairman Johnnie Wright, Sr. continue to serve on this Board. The motion was seconded by Councilman Willie B. Owens. The motion carried unanimously.

7. RECOGNITION OF COMMUNITY OF CHARACTER TRAIT RECIPIENTS FOR THE FIRST QUARTER OF FY 2011

Mrs. Lovell Brothers, Chairman of the Orangeburg County Community of Character PACK, gave Council an update on the group. There are three new members and two of them are present tonight: Gloria Breland - Finance Department and Sandra Griffith from the GIS Department. Kim Pough from the Orangeburg County Sheriff's Office was unable to be present this evening. All members of the Community of Character PACK who were present at the meeting were recognized by County Council. There is a total of twenty-eight (28) PACK members at the present time. Mrs. Brothers also reported on the success of the first Story Time at the Swift Books Store at the Prince of Orange Mall with Barbara Clark as the speaker and sixteen (16) children participating in the two sessions.

Mrs. Brothers reported that for the first time the three character trait recipients this quarter are all men. We are so proud of them and our program. Also, two of them were recognized as County-wide winners as well.

Certificates and medallions were presented by Vice Chairman Janie Cooper and Councilman Harry F. Wimberly as follows:

John Whaley (Building Inspector) - He was recognized for the July, 2010 character trait of Good Manners. (He is also a County-wide winner.)

Robert Truesdale (Programmer – Information Technology) - He was recognized for the August, 2010 character trait of Cooperation.

Teddy Wolfe (Operations Manager – Fire Services) - He was recognized for the September, 2010 character trait of Citizenship. (He is also a County-wide winner.)

Vice Chairman Janie Cooper, Councilman Clyde B. Livingston, Councilman Johnny Ravenell, and Councilman Willie B. Owens all made remarks supporting the Capital Project Sales Tax Referendum on the ballot for November 2, 2010.

8. VOTE FOR EXECUTIVE SESSION – ECONOMIC DEVELOPMENT

The motion was made by Councilman Willie B. Owens that County Council go into Executive Session for discussion of an Economic Development matter. The motion was seconded by Councilman Johnny Ravenell. All voted in favor of the motion.

9. ADJOURNMENT

The meeting was adjourned by Vice Chairman Janie Cooper.

Respectfully submitted,


Ruth Van Faussien
Acting Clerk to Council


Janie Cooper, Vice Chairman
Orangeburg County Council