

**MINUTES
ORANGEBURG COUNTY COUNCIL
NOVEMBER 7, 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 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

Motion by Councilman Ravenell, seconded by Councilman Owens, to approve minutes of October 3, 2011, October 14, 2011, October 17, 2011, October 19, 2011 and October 28, 2011, with corrections, if any. Motion passed unanimously.

Motion by Councilman Wimberly, seconded by Councilman Clyde Livingston, to add item 10B to the agenda for a review of the County's fee-in-lieu-of taxes guidelines for non-manufacturing entities to the Finance Committee for review. Motion carried.

PUBLIC COMMENTS:

AGENDA ITEMS

NO COMMENTS

PUBLIC COMMENTS:

OTHER MATTERS

NO COMMENTS

1. ORDINANCE – THIRD AND FINAL READING

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

Chairman Wright asked County Administrator Clark to report on this agenda item. Mr. Clark stated several redistricting workshops with Council were held. Maps of each Council district were distributed to each Council member along with demographics for each Council district. There has not been any change in the ordinance from the second reading to final third reading.

Councilman Clyde Livingston stated there were no attachments included to the ordinance received in the agenda packets for third reading. Mr. Clark stated a map attached to the wall in Council Chambers showed all 7 districts as approved by Council members and outlined in the ordinance. Other Council members indicated information had been provided during the redistricting work sessions and had been made available to the public.

Motion by Councilman Owens, seconded by Councilwoman Cooper, for third reading and final approval of the ordinance. Motion carried by a vote to six to one, with Councilman Clyde Livingston voting no.

2. ORDINANCE – PUBLIC HEARING AND SECOND READING

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT DATED AS OF NOV 21, 2011 BY AND BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND ESCOSCAPES 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 opened the public hearing. No comments were received from the public. Chairman Wright closed the public hearing.

Chairman Wright asked Bill Clark for a brief report on this agenda item. Mr. Clark stated Escoscaples manufactures pre-fab housing to be used following a disaster. The company will be located in the old Dana building in the County/City Industrial Park, bringing a \$9.3 million investment and 288 jobs to Orangeburg County. The company assumed occupancy of the building on October 1, 2011. the agreement allows a 6 percent assessment ratio rather than 10.5 percent, a 10 year,

30 percent special revenue credit and a multi-county agreement with Dorchester County that will provide for more incentives.

Councilman Owens clarified, for the benefit of the general public, the action taken by Council will have no impact on item 10B for non-commercial projects added to the agenda earlier. Chairman Wright affirmed there would be no impact.

Motion by Councilman Heyward Livingston, seconded by Councilman Ravenell, for approval of second reading of the ordinance. Motion carried.

3. ORDINANCE – PUBLIC HEARING AND SECOND 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 FOR THE PURPOSE OF ECONOMIC DEVELOPMENT

Chairman Wright asked Bill Clark to report on this agenda item. Mr. Clark stated the ordinance is based upon one used successfully in Berkeley County for the purpose of dedicating 5 percent of the fee stream arriving from new fee agreements, or new economic development activity involved in multi-county industrial park transactions. The purpose of dedicating the fee stream would be used for further investment in an economic development activity for such things as infrastructure investment, engineering or certification activity, or any economic development activity that would further the objective of job creation within the area.

Chairman Wright opened the public hearing. There were no questions asked at the public hearing. Chairman Wright closed the public hearing.

Motion by Councilman Wimberly, seconded by Councilman Owens to give approval of second reading of the ordinance. Motion carried.

4. ORDINANCE FIRST READING

AN ORDINANCE ESTABLISHING THE CREEKMOOR SPECIAL LIGHTING DISTRICT

Chairman Wright deferred to Bill Clark, asking him to explain what a lighting district was to those who did not know. Mr. Clark explained the residents of the Creekmoor subdivision have petitioned County Council to create a special tax lighting district within the boundaries of that subdivision,

whereby they would impose a tax millage on themselves for the purpose of adding street lights throughout the district.

Initially, first and second reading had been given to this ordinance in August and September. Prior to completing the readings of the ordinance, a defect in the submitted petition was discovered. The defect has been corrected and the petition is now being resubmitted for approval; it must go through the three readings. This will be the fourth special purpose lighting district in Orangeburg County, the other three being Whittaker, Brookdale and New Brookland Heights.

Councilwoman Cooper interjected a comment, stating this will be the fourth district in the greater Orangeburg area as stated by the Administrator; there are two lighting district in District 7 and this will be the second in District 5. It can only be done in areas in the greater Orangeburg area. There would be too much space in the other areas and District 6 has a lot of light. She believes more lights less crime. She is glad that Creekmoor, which is in District 5, is taking advantage of this opportunity to light their district.

Motion by Councilwoman Cooper, seconded by Councilman Ravenell, for first reading of the ordinance. Motion carried.

5. ORDINANCE – FIRST READING

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING TWO MILLION TWO HUNDRED THOUSAND DOLLARS (\$2,200,000) GENERAL OBLIGATION BOND 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

Chairman Wright requested Bill Clark brief Council. Mr. Clark explained the ordinance is related to a matter that came before Council at their last meeting when a representative from the U.S. Department of Agriculture, Rural Development Agency presented a letter of conditions regarding the \$2.2 million loan they are awarding for renovation to the Old Holly Hill Middle School, with special terms and low interest rate. The ordinance authorizes the transaction to take place. The intent is to convert the property into a regional municipal center to include offices for the town of Holly Hill, the Holly Hill police, a branch library of the County, regional judicial center for the Magistrates Court, the Holly Hill DHEC Health Department, offices for the County as well as property on the ground that can be used for community purposes as well. The action tonight authorizes Council to move forward with the financing transaction.

Chairman Wright opened the public hearing. No questions were asked by the public. Chairman Wright closed the public hearing.

Motion by Councilwoman Cooper, seconded by Councilman Owens to approve first reading of the ordinance. Motion carried.

6. RESOLUTION

A RESOLUTION 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 DORCHESTER COUNTY (SRE DORCHESTER LLC) AS PART OF THE JOINT COUNTY INDUSTRIAL PARK, AND OTHER MATTERS RELATED THERETO

Chairman Wright asked Bill Clark to report on this agenda item. Mr. Clark stated the resolution will authorize the amending of an already existing multi-county industrial park agreement with Dorchester County. It states that whenever a new project moves in, the agreement can be amended to include the new industry. Dorchester County has a new project, SRE Dorchester, a bio mass electrical generating facility, representing approximately a \$46 million dollar investment. By including this into the existing multi-park industrial agreement, Orangeburg County will receive 1 per cent of the revenue stream from this project after it locates in Dorchester County. The resolution adds this transaction and project into the existing agreement.

Motion by Councilman Heyward Livingston, seconded by Councilman Ravenell, to adopt the resolution. Motion carried.

7. RESOLUTION

A RESOLUTION TO DECLARE THE RESULTS OF A REFERENDUM HELD ON NOVEMBER 2, 2010, IN ORANGEBURG COUNTY, SOUTH CAROLINA

Motion by Councilman Wimberly, seconded by Council Owens to adopt the resolution. Motion carried.

8. RESOLUTION HONORING MR. CHARLES PAYNE

Chairman Wright indicated Marine Corps League members were present who wanted to present the colors ceremony. The members of the Corps presented the colors ceremony and Councilwoman Cooper read the resolutions honoring Mr. Payne's services in the Marion Corps, and being one of the first African-American Marine.

Mr. Payne related some of his experiences in the Marine Corps and expressed his appreciation for being honored by Council.

Motion by Councilman Wimberly, seconded by Councilman Owens, to adopt the resolution. Motion carried.

9. RESOLUTION HONORING THE LATE LUCIUS WADE BELLINGER

Councilman Owens read the resolution honoring Mr. Bellinger.

Motion by Councilman Owens, seconded by Councilwoman Cooper, adopting the resolution. Motion carried.

10. OFFICIAL ACTION – USDA-RD HOLLY HILL MIDDLE SCHOOL RENOVATION PROJECT, LEGAL SERVICE AGREEMENT

Mr. Clark explained a bond counsel had to be engaged to issue the bonds, and Margaret Pope of Columbia has been retained. The agreement outlines the services to be performed.

Motion by Councilman Ravenell, seconded by Councilman Owens to approve the terms of the legal services agreement. Motion carried.

10.B. REVIEW OF COUNTY'S FEE-IN-LIEU OF TAXES GUIDELINES

Motion by Councilwoman Cooper, seconded by Councilman Wimberly for the Finance Committee to review the County's fee-in-lieu of taxes guidelines for non-manufacturing entities. Motion carried.

11. REPORT FROM PUBLIC WORKS COMMITTEE RE SCDOT TRANSFER OF SECONDARY ROADS – COUNCILMAN RAVENELL, CHAIRMAN

Councilman Ravenell reported the Public Works Committee met earlier in the day to review a request from SCDOT to transfer the maintenance of two roads, Flashover Lane and Dempsey Road, into the County maintenance system, in exchange for Assembly Road. He stated the Committee recommends Council accept the transfer as requested by SCDOT.

Motion by Councilman Ravenell, seconded by Councilman Heyward Livingston, to accept Flashover Lane and Dempsey Road, in exchange for Assembly Road, into the County maintenance system. Motion carried.

12. VOTE FOR EXECUTIVE SESSION – ECONOMIC DEVELOPMENT

Motion by Councilwoman Cooper, seconded by Councilman Ravenell, to vote for an executive session to discuss an economic development issue. Motion carried

13. EXECUTIVE SESSION

14. VOTE FOR ADJOURNMENT

Motion by Councilwoman Cooper, seconded by Councilman Wimberly, to adjourn. Motion carried.

Meeting adjourned.


Jacqueline P. Turner, Clerk


Johnnie Wright, Sr., Chairman