

**MINUTES  
ORANGEBURG COUNTY COUNCIL  
JUNE 17, 2013  
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-Smith, Vice Chairman  
Clyde B. Livingston  
Heyward H. Livingston  
Willie B. Owens  
Johnny Ravenell  
Harry F. Wimberly**

**MEMBERS ABSENT:**

**OTHERS PRESENT:**

**Harold M. Young, 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 Councilwoman Cooper-Smith, seconded by Councilman Owens, to approve minutes of June 3, 2013 with corrections, if any. Motion passed unanimously.***

***PUBLIC COMMENTS:***

***AGENDA ITEMS***

***NO COMMENTS***

***PUBLIC COMMENTS:***

***OTHER MATTERS***

***NO COMMENTS***

***1. ORDINANCE – THIRD AND FINAL READING***

***AN ORDINANCE AUTHORIZING RECOVERY OF RESPONSE COSTS ASSOCIATED WITH RESPONDING TO UNUSUAL EMERGENCY INCIDENTS***

**Chairman Wright asked for a briefing from County Administrator Young, who stated the ordinance is in response to insurance companies unwilling to pay damages because the County did not have such an ordinance in place for reimbursements of costs generated through the Fire Department.**

**Motion by Councilman Ravenell, seconded by Councilman Wimberly, for third and final reading of the ordinance. Motion passed unanimously.**

**Chairman Wright explained items 2 and 3 on the agenda are related, and the Public Hearings would be held separately.**

**Public Hearing opened for agenda item 2. No comments were forthcoming from the public. Public Hearing closed by Chairman Wright.**

**Motion by Councilman Owens, seconded by Councilman Heyward Livingston to approve second reading of the ordinance. Motion passed unanimously.**

**2. ORDINANCE – PUBLIC HEARING AND SECOND READING**

**AN ORDINANCE TO PROVIDE APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014, FOR THE ORANGEBURG COUNTY BUDGET FOR ORDINARY COUNTY PURPOSES FOR WHICH THE COUNTY MAY LEVY A TAX; TO PROVIDE FOR THE LEVY OF TAXES ON ALL TAXABLE PERSONAL AND REAL ESTATE PROPERTIES IN ORANGEBURG COUNTY FOR ALL COUNTY PURPOSES, INCLUDING SUFFICIENT TAXES TO PAY THE PRINCIPAL AND INTEREST ON THE OUTSTANDING INDEBTEDNESS OF ORANGEBURG COUNTY MATURING DURING THE FISCAL YEAR; TO PROVIDE FOR MATTERS RELATING TO ORANGEBURG COUNTY; AND TO PROVIDE FOR THE EXPENDITURE OF TAXES AND OTHER REVENUES COMING TO THE COUNTY DURING THE FISCAL YEAR**

**3. ORDINANCE – PUBLIC HEARING AND SECOND READING**

**AN ORDINANCE TO PROVIDE FOR APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JUNE 1, 2013, AND ENDING JUNE 30, 2014, FOR ORANGEBURG-CALHOUN TECHNICAL COLLEGE, THE ORANGEBURG COUNTY DISABILITIES AND SPECIAL NEEDS BOARD, THE VOCATION REHABILITATION WORKSHOP, AND FOR OTHER PUBLIC AND SPECIAL EDUCATION; TO PROVIDE FOR THE LEVY OF TAXES AND OTHER REVENUES COMING TO THE COUNTY DURING THE FISCAL YEAR FOR SUCH PURPOSES**

**Chairman Wright opened the Public Hearing. No comments were received from the public. Chairman Wright closed the Public Hearing.**

**Motion by Councilwoman Cooper-Smith. Seconded by Councilman Ravenell to approve second reading of the ordinance. Motion passed unanimously.**

**4. ORDINANCE – PUBLIC HEARING AND SECOND READING**

**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 TAX MAP NUMBER 0140-00-02-052 FROM FA (FOREST AGRICULTURAL DISTRICT) TO CG (COMMERCIAL GENERAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

Chairman Wright requested a briefing from County Administrator Young prior to the Public Hearing. Mr. Young stated the Planning Commission has considered and approved the request of the property owner to operate a vehicle towing and recovery business at 3097 Bamberg Road. The property has been used for this type of business in the past and has been vacant for several years.

Chairman Wright opened the Public Hearing. No comments were received from the public. Chairman Wright closed the Public Hearing.

Motion by Councilman Wimberly, seconded by Councilman Owens, to approve second reading of the ordinance. Motion passed unanimously.

**5. AN OFFICIAL ACTION**

**AN OFFICIAL ACTION OF THE ORANGEBURG COUNTY COUNCIL AUTHORIZING ORANGEBURG COUNTY, AS TENANT, TO RENEW A LEASE FOR THE PROPERTY COMMONLY KNOWN AS 1032 CHESTNUT FROM SYMBION INVESTMENT CORPORATION, AS LANDLORD**

Chairman Wright requested a briefing from Administrator Young, who stated the Sheriff's Department is requesting Council renew the lease agreement for the office space being used at the Chestnut Square location by the Victim's Advocate and Special Investigations Units of the Department. The landlord has offered to renew the lease at the current rent of \$3,200 monthly, without exercising the right to raise the rent by 10 per cent upon renewal.

In the discussion which followed, Councilman Wimberly questioned if the County could renew the lease for one year and allow itself time to perhaps find something that would be less expensive for the County. Administrator Young indicated the

County would have to confer with Symbion to ascertain if they would be agreeable to that.

Motion by Councilman Clyde Livingston, seconded by Councilman Owens, to carry forward the decision until Council's next scheduled meeting. Motion passed unanimously.

## **6. AN OFFICIAL ACTION**

### **AN OFFICIAL ACTION OF THE ORANGEBURG COUNTY COUNCIL AUTHORIZING ORANGEBURG COUNTY TO ENTER INTO A SETTLEMENT AGREEMENT REGARDING A LAWSUIT**

Chairman Wright asked Administrator Young for a briefing. Mr. Young deferred to Attorney Haydel, who stated a settlement agreement reached with 46 employees of the former Orangeburg-Calhoun Regional Detention Center, Orangeburg County and Calhoun County, filed as a class-action civil lawsuit alleging violations of the Fair Labor Standards Act, requires the approval of Council. The settlement will provide \$75,000 to be divided among the employees and \$50,000 for their attorneys.

Motion by Councilman Clyde Livingston, seconded by Councilman Wimberly, to approve the lawsuit settlement agreement. Motion passed unanimously.

## **7. PUBLIC WORKS DEPARTMENT – ROAD CLOSING REQUEST – DEW DROP ROAD – COUNTY COUNCIL DISTRICT #4**

Chairman Wright requested a briefing from Administrator Young who stated the property owner has approached Councilman Heyward Livingston about the possibility of closing Dew Drop Road at his property lines because he owns the majority of the road frontage.

Councilman Livingston stated the road serves very little purpose, if any; however, he feels it is appropriate to send the request to the Public Works Committee for review.

Councilman Owens inquired about the process for dealing with road closing requests in general, and his suggestion to see a rule that each end of a road would be posted with an announcement alerting the public to a possible road closing

unless someone comes forward to object. Administrator Young stated the Public Works Committee could consider this at its next meeting.

Motion by Councilman Heyward Livingston, seconded by Councilman Owens to refer the Dew Drop Road closing request to the Public Works Committee for review. Motion passed unanimously.

Council received as information only a verbal report from by Dawn Strickland, Auditor, C.C. McGregor & Company, in which she stated the audit report is substantially correct, and reviewed several pages of the audit which showed the County's financial position. The general consensus is the County is in a sound financial position.

Motion by Councilman Clyde Livingston, seconded by Councilman Wimberly, to accept the report submitted by Ms. Strickland as information only. Motion passed unanimously.

#### **8. VOTE FOR EXECUTIVE SESSION – ECONOMIC DEVELOPMENT UPDATE**

Motion to adjourn for executive session for an economic update made by Councilman Heyward Livingston, seconded by Councilman Owens. Motion passed unanimously.

Motion to adjourn meeting made by Councilman Owens, seconded by Councilman Ravenell. Motion passed unanimously.

Prior to adjournment Chairman Wright and several Council members acknowledged the fact of the retirement of Jeanine Kees from the Orangeburg County Development Commission at the end of the month, and the appointment of Kenneth Middleton as the next Chairman of the Commission, with Terry Cook serving as Vice Chairman.

Meeting adjourned.

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Jacqueline P. Turner, Clerk

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Johnnie Wright, Sr., Chairman