

**MINUTES
ORANGEBURG COUNTY COUNCIL
MARCH 18, 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
Clyde B. Livingston
Heyward H. Livingston
Willie B. Owens
Johnny Ravenell
Harry F. Wimberly**

MEMBERS ABSENT:

Janie Cooper-Smith

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 Councilman Wimberly, seconded by Councilman Owens, to approve minutes of February 4, 2013 and March 4, 2013 with corrections, if any. Minutes unanimously approved.

1. RESOLUTION HONORING NATIONAL WOMEN'S HISTORY MONTH

Chairman Wright introduced the resolution.

**Motion by Councilman Owens, seconded by Councilman Ravenell to adopt proposed resolution.
Motion unanimously approved.**

2. ORDINANCE – FIRST READING BY TITLE ONLY

AN ORDINANCE TO AMEND THE ZONING MAP OF UNINCORPORATED ORANGEBURG COUNTY, SOUTH CAROLINA TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS: 0183-17-01-000 (2366 CHARLESTON HIGHWAY) FROM THE FOREST AGRICULTURAL (FA) DISTRICT TO THE BUSINESS INDUSTRIAL (BI) DISTRICT

County Administrator Young explained a billboard company would like to put a billboard on this property. In an FA District, an off-premise billboard is not permitted. The owner of the property would like to have his property rezoned to the BI District, which does permit off-premise billboards. The Planning *Commission* is recommending approval of the request.

Motion for first reading approval by Councilman Wimberly, seconded by Councilman Heyward Livingston. Motion unanimously approved.

3. ORDINANCE – FIRST READING BY TITLE ONLY

AN ORDINANCE TO AMEND THE ZONING MAP OF UNINCORPORATED ORANGEBURG COUNTY, SOUTH CAROLINA TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS: 0343-00-02-033.000 (107 MY ROAD) FROM THE FOREST AGRICULTURAL (FA) TO THE RESIDENTIAL SINGLE (RS) DISTRICT

County Administrator Young stated the lot in question is 1.34 acres. Contractor for the owner has submitted plans for a house and carriage house to be built on the 1.35 acre lot. The FA District requires at least one acre per residential structure. The carriage house will be above the garage. The design plan is drawn with two bedrooms, two bathrooms, family room, dining, kitchen and utility room. The lot is adjacent to an RS District. The Planning Commission has recommended approving the request.

Motion for first approval reading made by Councilman Ravenell, seconded by Councilman Owens. Motion passed unanimously.

4. ORDINANCE – FIRST READING BY TITLE ONLY

AN ORDINANCE TO AMEND THE ZONING MAP OF UNINCORPORATED ORANGEBURG COUNTY, SOUTH CAROLINA TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS: 0270-00-07-027 (9238 CHARLESTON HIGHWAY) FROM THE FOREST AGRICULTURAL (FA) DISTRICT TO THE COMMERCIAL GENERAL (CG) DISTRICT

County Administrator Young stated the new property owner is requesting the property be rezoned from FA (Forest and Agriculture) District to CG (Commercial General) District. He opened a biker club at the location, unaware the County of Orangeburg had a zoning ordinance. A fraternal organization is not a permitted use in the Forest and Agriculture District.

The owner has come into compliance with the appropriate County requirements. Councilman Ravenell has talked with former opponents of the organization who are now satisfied. The Planning Commission is recommending the request be approved.

Motion by Councilman Ravenell, seconded by Councilman Owens, giving first reading approval to the ordinance. Motion unanimously approved.

5. REPORT OF PUBLIC WORKS COMMITTEE – CHAIRMAN RAVENELL

Councilman Ravenell, Chairman of the Public Works Committee stated the Committee met earlier in the day, and no conclusion reached. The issue is being carried forward.

6. APPOINTMENT – BOARDS, COMMITTEES, COMMISSIONS

ORANGEBURG JOINT GOVERNMENTAL ACTION AUTHORITY APPOINTMENTS

Administrator Young stated the Orangeburg Joint Governmental Action Authority Board of Directors is organized as a non-profit corporation under South Carolina law. It was created by an act of County Council for the purpose of facilitating bond transactions relating to the financing of the Capital Projects Sales Tax. The Board of Directors of OJGAA is appointed by County Council subject, to the requirements set forth under Section 4.2 of the By-Laws of the OJGAA.

Council is being asked to appoint Harold Young and re-appoint Bill Clark, John McLaughlin and Jackie Turner to the OJGAA. The third Capital Projects Sales Tax (CPST III) is scheduled to begin April 1, 2013. In order to facilitate the anticipated bonding process, County Council is being asked to update the appointments of the OJGAA Board of Directors.

Councilman Heyward Livingston asked about appointing Chairman Wright as a fifth member to OJGAA, indicating boards usually have an odd number to avoid tie votes. As clarified by Attorney Haydel, the appointment of Chairman Wright would create a situation that might result in a court ruling that someone is a dual office holder, which is illegal. Chairman Wright would be considered a dual officeholder by being an elected official, and appointed chairman of County Council. To change the officers another ordinance would have to be originated.

Motion by Councilman Wimberly, seconded by Councilman Owens, to appoint Harold Young, and reappoint Bill Clark, John McLauchlin and Jackie Turner to the OJGAA Board of Directors. Motion passed by a show of hands vote of five in favor and Councilman Clyde Livingston voting nay.

7. AN OFFICIAL ACTION OF THE ORANGEBURG COUNTY COUNCIL AUTHORIZING AN OPTION AGREEMENT TO POTENTIALLY PURCHASE REAL PROPERTY FOR THE PURPOSE OF ECONOMIC DEVELOPMENT

Chairman Wright asked County Administrator Young to give a summary on this issue. Mr. Young deferred to Attorney Anderson who stated the option was for 230 acres of land on U.S. Highway 601 north of Interstate 26. The option will cost \$100 for the first year and \$50 a year for up to three years. The option would allow the Orangeburg County Development Commission to add the land to its list of available industrial sites, to be exercised only if a business or industry wanted it, and would require another vote by Council.

Motion by Councilman Owens, seconded by Councilman Heyward Livingston to approve the Official Action. Voting by a show of hands, four members voted in favor of the motion, Councilman Clyde Livingston voted no, and Councilman Wimberly abstained.

8. AN OFFICIAL ACTION OF ORANGEBURG COUNTY COUNCIL AUTHORIZING A CONTRACT BETWEEN THE CITY OF ORANGEBURG AND THE ORANGEBURG COUNTY SHERIFF'S OFFICE

Chairman Wright asked Administrator Young to summarize this request. Mr. Young deferred to Attorney Haydel who stated it is a typical mutual assistance and support agreement with the City of Orangeburg as the governing body of the Department of Public Safety and the County's Sheriff Department.

Councilman Ravenell stated his concern about not wanting the Sheriff and his Deputies spending too much time in the city. Attorney Haydel indicated the Sheriff or his chief designee would have to make a specific request each time for assistance with the mutual assistance.

Motion by Councilman Owens, seconded by Councilman Wimberly to approve the Official Action. Motion passed with five yes votes and one abstained vote by Councilman Clyde Livingston.

9. PROCUREMENT DEPARTMENT BIDS – AUDIT SERVICES

Administrator Young indicated the audit services bids would be delayed in order to receive additional information from audit firms.

10. TAX & TOURISM ADVISORY COMMITTEE RECOMMENDATIONS

Chairman Wright asked for a summary from Administrator Young, who stated the Advisory Committee met on February 26, 2013 and made the following funding recommendations:

Request from Santee Birding & Nature Festival	Approved \$2,000.00
Request from Grand American Hunt, Inc.	Approved \$7,000.00
Request from Raylrode Daze Festival	Approved \$3,750.00
Request from Springfield Governor's Frog Jump	Approved \$3,500.00
Request from Norway Cotton Festival	Approved \$3,500.00
Request from Town of Holly Hill	Approved \$3,500.00
Request from Town of Eutawville	Approved \$3,500.00

AMOUNT RECOMMENDED FOR FUNDING:	\$26,750.00
UNOBLIGATED BALANCE	\$80,984.10

In the discussion regarding the recommendations made by the Advisory Committee, it was determined the original requests made by the towns of Norway, Holly Hill and Eutawville for \$5,000 each, were cut by \$1,500 each. In the past, cuts were justified when unobligated funds were not available. With unobligated funds at a surplus, it was Council's consensus of opinion to restore the individual \$1,500 cuts to the towns of Norway, Holly Hill and Eutawville, so each town would receive a total of \$5,000.00.

Motion by Clyde Livingston, seconded by Councilman Wimberly, to restore the amount of \$1,500.00 each to the towns of Norway, Holly Hill and Eutawville, and to approve the other amounts recommended by the Tax & Tourism Advrsory Committee. Motion passed with a vote of five to one, with Councilman Owens opposed.

Motion by Councilman Wimberly, seconded by Councilman Ravenell to amend the executive session agenda to add a contractual matter. Motion passed unanimously.

Motion by Councilman Owens, seconded by Councilman Wimberly, to adjourn for an executive session. Motion passed unanimously.

Executive Session.

Motion to adjourn by Councilman Owens, seconded by Councilman Ravenell. Meeting adjourned.

Jacqueline P. Turner, Clerk to Council

Johnnie Wright, Sr., Chairman