

**MINUTES  
ORANGEBURG COUNTY COUNCIL  
SEPTEMBER 6, 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:**

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

**MEMBERS ABSENT:**

**Johnnie Wright, Sr., Chairman**

**OTHERS PRESENT:**

**Bill Clark, County Administrator  
D'Anne Haydel, County Attorney  
Jacqueline P. Turner, Clerk to Council**

**CALL TO ORDER**

**Janie Cooper, Vice Chairman**

**MOMENT OF SILENCE**

**Moment of silence observed**

**APPROVAL OF MINUTES**

**Motion by Councilman Wimberly, seconded by Councilman Heyward Livingston, to approve minutes of August 15, 2011 with corrections, if any. Motion passed.**

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

**AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING EIGHT HUNDRED TWENTY THOUSAND DOLLARS (\$820,000) WATER SYSTEM IMPROVEMENT REVENUE BOND, SERIES 2011A, (TOWN OF VANCE), 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**

**Motion for approval of third and final reading made by Councilman Clyde Livingston, seconded by Councilman Owens. Motion passed.**

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

**AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING TWO MILLION EIGHT HUNDRED THIRTY THOUSAND DOLLARS (\$2,830,000) WATER SYSTEM IMPROVEMENT REVENUE BOND SERIES 2011B (PHASE I) FOR 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**

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

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

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

**AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING TWO MILLION EIGHTY-EIGHT THOUSAND DOLLARS (\$2,088,000) SEWER SYSTEM IMPROVEMENT REVENUE BOND, SERIES 2011C (WEST EDISTO PHASES II AND III), 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**

**Public Hearing opened. No comments from the public made. Public Hearing closed.**

**Motion made by Councilman Clyde Livingston, seconded by Councilman Wimberly, for approval of second reading of ordinance. Motion passed.**

**4. ORDINANCE – SECOND READING**

**AN ORDINANCE AUTHORIZING ORANGEBURG COUNTY TO ANY AND ALL APPROPRIATE LEGAL ACTION TO OBTAIN REAL PROPERTY RIGHTS (USDA-RD TOWN OF BOWMAN WATER PROJECT) NECESSARY TO COMPLETE CERTAIN WATER PROJECTS**

**Administrator Clark indicated this ordinance will require a public hearing to be conducted October 3, 2011. Council can carry the ordinance forward or approve it for second reading tonight.**

**Motion for approve ordinance for second reading made by Councilman Ravenell, seconded by Councilman Clyde Livingston. Motion passed.**

**5. ORDINANCE – SECOND READING**

**AN ORDINANCE ESTABLISHING THE CREEKMOOR SPECIAL LIGHTING DISTRICT**

**Motion by Councilman Owens for second reading approval of ordinance, seconded by Councilman Livingston. Motion passed.**

**6. ORDINANCE – FIRST READING**

**AN ORDINANCE AUTHORIZING INSTALLMENT PRE-PAYMENT OF REAL PROOPERTY TAXES**

**Motion made by Councilman Owens, seconded by Councilman Livingston, for first reading approval of ordinance. Motion passed.**

**7. ORDINANCE FIRST READING**

**AN ORDINANCE AMENDING ORDINANCE 2001-4-2-1 PROVIDING FOR A USER RATE SCHEDULE FOR USERS OF THE EDISTO SEWER SYSTEM**

**Motion by Councilman Clyde Livingston, seconded by Councilman Owens, for approval of first reading of ordinance. Motion passed.**

**8. RESOLUTION – AN INDUCEMENT RESOLUTION PROVIDING A FEE IN LIEU OF TAX AGREEMENT BETWEEN ORANGEBURG COUNTY AND ECOSCAPES COMPOSITES LLC**

**Motion by Councilman Heyward Livingston, seconded by Councilman Owens, adopting resolution. Motion passed.**

**9. RESOLUTION AND PUBLIC HEARING (ORANGEBURG COUNTY, SOUTH CAROLINA) IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS (C.R. JACKSON, INC. PROJECT), SERIES 2011, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF**

**LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, IN THE  
AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$3,250,000**

**Motion by Councilman Clyde Livingston, seconded by Councilman Owens to open Public Hearing. Public Hearing opened.**

**Administrator Clark indicated the company, to be located in Holly Hill, is planning to build a site to facilitate work being done on I-95. The company has applied to JEDA for revenue bond financing to assist with the cost. There is no liability to the County nor is there any repayment obligation liable to the County, other than a resolution of support from the local governing body.**

**Attorney April Lucas, representing C.R. Jackson, Inc. briefed Council, stating this is a conduit transaction through Council. There will be no liability to the County. The plans are for a portable plant to be constructed and left at the site indefinitely. As long as the bonds are outstanding, the project will be in Orangeburg County. There is no local commitment. This is purely a pass through action.**

**Ms. Jeffries asked a questions about the number of jobs to be created, hoping Orangeburg residents will receive preference.**

**Councilman Clyde Livingston asked about sales taxes generated by the company through point of sales initiated in Orangeburg County, asking the Administrator to make certain any sales tax generated in the County be collected.**

**Motion by Councilman Clyde Livingston, seconded by Councilman Ravenell to close the Public Hearing. Motion passed.**

**Motion by Councilman Wimberly, seconded by Councilman Clyde Livingston to pass the resolution. Motion passed**

**10. RESOLUTION – THE COUNTY OF ORANGEBURG JOINING THE NATIONAL MOMENT OF REMEMBRANCE OF THE 10<sup>TH</sup> ANNIVERSARY OF SEPTEMBER 11<sup>TH</sup>**

**Motion by Councilman Clyde Livingston, seconded by Councilman Owens to pass the resolution. Motion amended at the request of Councilman Wimberly, to include the time of day and length of time for honoring the anniversary. Motion passed with the amendment.**

**11. RESOLUTION HONORING MR. WILLIE VAN BRAILEY**

**Resolution introduced and read by Councilman Clyde Livingston, who presented it to Mr. Brailey. Mr. Brailey expressed his appreciation for being so honored.**

**Motion by Councilman Clyde Livingston, seconded by Councilman Owens to pass the resolution. Motion passed.**

**12. ACCEPTANCE OF BIDS – C FUND PROGRAM**

- A. RESURFACING PROJECTS – Mr. Clark stated the Orangeburg County Transportation Committee, through their engineers, accepted bids for two groups of projects, the first project resurfacing 26 County owned roads covering 13.5 miles. The bids were opened August 30, 2011, 1 p.m., with a total of 3 bidders responding. The low bidder, taking into consideration the local preference points, is REA Contracting, for \$1,743,669. The bid came in under the budgeted amount of \$1,753,200. C funds are providing 100% of the funding for the resurfacing project, and would be ready to begin with the awarding of the contract.**

**Motion by Councilman Heyward Livingston, seconded by Councilman Ravenell to accept the low bid of REA Contracting in the amount of \$1,743,699 for resurfacing 13.5 miles of roads. Motion passed.**

- B. CONSTRUCTION PROJECTS – Mr. Clark stated 3 roads located in District 4, totaling .74 miles, Viola Drive, McGrand Drive and Martha Heights Lane are involved. Bid opening conducted on August 30, 2011, 2 p.m., with 7 bids received. The low bid was submitted by J&H Paving, Aiken, S.C, in the amount of \$101,463; \$208,000 for the project was budgeted, so it came in underbid. C funds will pay for 100% of the road paving.**

**Motion by Councilman Heyward Livingston, seconded by Councilman Clyde Livingston, to accept the low bid submitted by J&H Paving of Aiken, SC. Motion passed.**

**13. ORANGEBURG COUNTY COUNCIL COMMITTEE AS A WHOLE REPORT – (RE EASTERN ORANGEBURG COUNTY SUSTAINABILITY REPORT) – CHAIRMAN WRIGHT.**

**Ms. Cooper stated the project is still on-going and fuller detail will be available when the process comes to fruition.**

**14., RECOMMENDATIONS OF TAX & TOURISM ADVISORY COMMITTEE**

**Administrator Clark stated the Advisory Tax Committee met August 23, 2011 and made the following recommendations for funding: Chamber of Commerce, \$3,300 for two AKC coon hunts and a vacation guide; \$2,500 of \$5,000 requested by the town of Holly Hill for Christmas festival advertisements; \$20,000 for Santee Cooper County; and \$3,000 for the town of Elloree, for a grand total of \$28,800, from total funds of \$47,519.19, leaving a balance of \$18,719.19.**

**Motion by Councilman Clyde Livingston, seconded by Councilman Heyward Livingston, to accept the recommendation of the Tax & Tourism Advisory Committee in the amount of \$28,800. Motion passed.**

**Prior to the vote for an executive session, Councilman Wimberly indicated at the prior Council meeting he had a question concerning Council voting by title only. The Administrator has included some background information on the matter. He is not going to make a motion tonight, but would like Council to consider his suggestion that any ordinance submitted for first reading by title only or without documentation, be passed unanimously, just as any amendment must be unanimous before final third reading. Councilwoman Cooper asked if title only reading is legal. Attorney Haydel stated the state Supreme Court has approved the practice of submitting ordinances for first reading by title only.**

**15. VOTE FOR EXECUTIVE SESSION to discuss economic development and contractual matters related to a broadband update.**

**Motion by Councilman Clyde Livingston, seconded by Councilman Ravenell to adjourn for an executive session. Motion passed.**

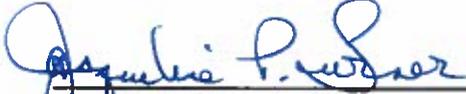
**16. EXECUTIVE SESSION**

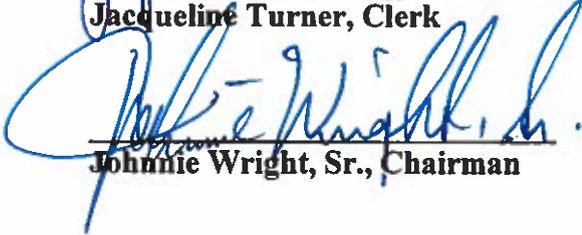
**Mr. Gregg Robinson addressed Council about the resolution regarding Ecoscapes, indicating there will be a press release indicating Ecoscapes is Toronto-based Innovative Composites International and will invest \$9.3 million to manufacture composite housing that can be quickly assembled for disaster relief and other needs. Ecoscapes will be located in the former DANA building in the Orangeburg County/City Industrial Park, and employ approximately 300 over a five year period.**

**17. VOTE FOR ADJOURNMENT**

**Motion to adjournment made by Councilman Clyde Livingston, seconded by Councilman Owens. Motion passed.**

**Meeting adjourned.**

  
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**Jacqueline Turner, Clerk**

  
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**Johnnie Wright, Sr., Chairman**