

MINUTES
ORANGEBURG COUNTY COUNCIL
August 20, 2012
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
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

PUBLIC COMMENTS –
AGENDA ITEMS – NO
COMMENTS

PUBLIC COMMENTS-
OTHER MATTERS-NO
COMMENTS

1. ORDINANCE – SECOND READING

AN ORDINANCE AUTHORIZING ORANGEBURG COUNTY TO POSTPONE REASSESSMENT

County Administrator Young reiterated the recent changes in legislation requiring appraisers to have specific qualification, have made it necessary for staff to receive additional training and certification to be properly qualified.

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

Councilman Owens requested of Chairman Wright that the County Administrator read again the protocol established for Council meetings as he was not certain he understood it. County Administrator Young stated the protocol for public comments is that public comments are to be made directly to Council members about agenda items, and not to the public. Council accepts all public remarks as information only, and are not required to give an immediate response. The public is not to respond directly to Council unless they are asked or called on by Council to answer a question. This is necessary to retain decorum and also to respect County Council.

2. ORDINANCE SECOND READING

AN ORDINANCE OF THE COUNTY COUNCIL OF ORANGEBURG COUNTY AUTHORIZING A WATER SYSTEM OPERATION AGREEMENT BETWEEN THE TOWN OF SANTEE, SOUTH CAROLINA AND ORANGEBURG COUNTY, SOUTH CAROLINA; AUTHORIZING THE EXECUTION AND DELIVERY OF THE AFOREMENTIONED AGREEMENT; AND OTHER MATTERS RELATING THERETO

County Administrator Young stated the agreement is between Orangeburg County and the Town of Santee to provide water to the Town of Vance, and to operate and maintain services to the Town of Vance as part of the commitment to be a part of the Lake Marion Regional Water Agency. The County has received a commitment letter from the United States Department of Agriculture and Rural Development, for a grant and loan in a combined total not to exceed \$1,452,400 to allow the County to construct a water system to serve the citizens of Vance. The Town of Santee has agreed to operate and maintain the facilities for the County and to provide all customer service functions for the customers to be served by the facilities.

Motion for second reading approval made by Councilman Ravenell, seconded by Councilman Heyward Livingston. Motion passed unanimously.

3. A RESOLUTION OF THE ORANGEBURG COUNTY COUNCIL AUTHORIZING REVISION OF THE ORANGEBURG COUNTY EMPLOYEE HANDBOOK

County Administrator Young stated the Orangeburg County Handbook is being updated to put Orangeburg County in line with state retirement policy as well as create accountability and flexibility in positions that come open due to retirement. Orangeburg County would be able to look at and modify positions or pay to make certain they are adequate.

The ensuing discussion attempted to clarify the difference between the State of South Carolina administered TERI plan with its own parameters and a five year limitation, with the County's pension plan. The revisions to be adopted states an

employee who retires from County employment is no longer an employee of the County, and has no expectations of automatic return after the 15 day total separation. The new policy requires retired employees to complete for their past, or other county positions with other applicants. The resolution reflects Council's interest in a more useable and reflective staff.

Motion to adopt the Resolution made by Councilman Owens, seconded by Councilman Ravenell. Motion passed unanimously.

4. A RESOLUTION AUTHORIZING A CHANGE IN USDA ELECTRONIC AUTHENTICATION SYSTEM USER

County Administrator Young explained since his July 1, 2012 assumption of duties as County Administrator, USDA requires his name to be used to access broadband project financial reports and make payment authorizations to vendors.

Motion by Councilman Wimberly, seconded by Councilman Owens, authorizing the electronic system changes as required by U.S. Department of Agriculture. Motion passed unanimously.

5. AN OFFICIAL ACTION OF THE ORANGEBURG COUNTY COUNCIL AUTHORIZING ORANGEBURG COUNTY TO PURCHASE PROPERTY

County Administrator Young deferred to Attorney Anderson in explaining this transaction to Council. Mr. Anderson stated the Orangeburg County Development Commission is in negotiations with an unnamed economic development prospect, and as a part of the negotiations, needs to take out an option on 43 acres of land located in Rowesville for \$5,000 for a one year option. If approved, option renewals would be \$3,000 annually for an additional four years.

Motion by Councilman Wimberly, seconded by Councilman Owens, to approve the purchase of the property at \$5,000 for a one year option, and an additional annual payment of \$3,000 for four years. Motion passed unanimously.

6. AN OFFICIAL ACTION OF THE ORANGEBURG COUNTY COUNCIL AUTHORIZING CERTAIN LAW ENFORCEMENT CONTRACTS RELATED TO THE ORANGEBURG COUNTY SHERIFF'S OFFICE

County Administrator Young deferred to Attorney Haydel for this agenda item. Ms. Haydel stated there were 17 proposed contracts with various law enforcement agencies to provide mutual support as the need arises. State law requires notice to County Councils about Sheriff Deputies in mutual aid agreements. Some of the agreements require approval of County Council and some require County Council to be a party to the contract. The Official Action authorizes these actions to go forward whether it is through the Sheriff or the County Council. All are legally sufficient requests in some type of disaster. The Sheriff makes the request to the city or county he deems appropriate. The consensus following discussion on the variations in the terms of the contracts was to modify each agreement with a time limit of not more than four years.

Motion by Councilman Wimberly, seconded by Councilwoman Cooper-Smith, to approve the 17 agreements with a time limit of no more than four years each. Motion passed unanimously.

7. ACCEPTANCE OF BIDS – (1) BROADBAND-ROWESVILLE OUTSIDE PLANT SPLICING - County Administrator Young stated the proposals for FY13-0731 Broadband outside Plant Splicing Project had been opened and evaluated. The low bidder has been determined to be Jim Young Construction of Cleveland, Georgia, in the amount of \$186,377.34, to connect 140 miles of fiber and provide access to potential subscribers in the Cattle Creek and Duncan’s Chapel areas. The splicing takes technical skills and expertise in connecting the glass fibers to the customer. Additionally the company has a history with USDA for the quality of their work.

Motion by Councilman Owens, seconded by Councilman Ravenell, to accept the low bid recommended by Administrator Young in the amount of \$186,377.34 submitted by Jim Young Construction of Cleveland, Ga. Motion passed unanimously.

(2)BROADBAND – PHASE 4 OUTSIDE PLANT PROJECT – County Administrator Young stated proposals for FY13-0801 Broadband Phase 4 Telecommunications Outside Plant Bowman Project to fiber optic cable had been opened and evaluated. The low bidder has been determined to be Edwards Telecommunications, Inc., Columbia, S.C. in the amount of \$1,634,950.32. W. Metts Engineering recommends awarding the contract to Edwards Telecommunications Inc. The cost includes labor and material supplied by Edwards Telecommunications, Inc.

Motion by Councilwoman Cooper-Smith, seconded by Councilman Wimberly, to accept low bid submitted by Edwards Telecommunications, Inc., Columbia, S.C. in the amount of \$1,634,950.32. Motion passed unanimously.

(3) VENDOR FOR SOFTWARE QUOTES - Administrator Young stated a limited solicitation for quotes was prepared for IBM Service Elite for Hardware Software service for the AS400 machines currently in use, but due to expire shortly. Service is being contracted with Dynamix Group who hold the rights to the AS400 Serial number (8203-E4A-F319d), since they sold the IBM equipment to the County. Other vendor service providers are not authorized to sell maintenance against the serial number.

The IT Director has recommended accepting the bid of \$27,000.00 submitted by Dynamix Group, Columbia, S.C. While another vendor's bid was lower, \$25,910.00, the extenuating circumstances regarding the serial number rights of Dynamix Group, make them the best choice.

Motion by Councilman Heyward Livingston, seconded by Councilman Owens, to accept the bid of Dynamix Group, Columbia, S.C., in the amount of \$27,000.00. Motion passed unanimously.

8. VOTE FOR EXECUTIVE SESSION – (1) CONTRACT NEGOTIATIONS WITH STEPHENS GROUP IN REFERENCE TO BOND REFINANCING, (2) LEGAL BRIEFING REGARDING PETITION BY ESTATE OF LARRY WILLIAMS TO SEE REAL PROPERTY, (3) LEGAL BRIEFING REGARDING FANNIE MAE AND FREDDIE MAC LAWSUIT

Prior to adjournment for the executive session, Council members Cooper-Smith and Ravenell asked Chairman Wright to speak on two separate matters, which was granted.

Councilwoman Cooper-Smith addressed two anonymous letters she has received from a citizen complaining about trash being dumped in his backyard, and nothing being done about the matter. The letters stated the writer would go to DHEC and the local media if nothing is done about the dumping. Councilwoman Cooper-Smith stated there is nothing she can do if the person sending the anonymous letters does not have the courage to sign their name or give an address where the dumping is taking place. To try and resolve the problem she needs a name, address and phone number.

Councilman Ravenell stated there would be a 5 p.m. meeting the following day at the Santee Convention Center, where SCDOT will be explaining the work to be done on the by-pass road from Exit 97 into Highway 6. This is a new venture and there are lots of questions to be asked, as people, property and property owners will be directly affected. All interested parties should be at the meeting to voice

their concerns and ask questions. Once done, it will become law and nothing can be done about it.

9. EXECUTIVE SESSION - Motion to adjourn for an executive session made by Councilwoman Cooper-Smith, seconded by Councilman Owens. Motion passed unanimously.

Motion to adjourn meeting made by Councilwoman Cooper-Smith, seconded by Councilman Owens. Motion passed unanimously.

Meeting adjourned.

Jacqueline P. Turner, Clerk

Johnnie Wright, Sr., Chairman