

**MINUTES
ORANGEBURG COUNTY COUNCIL
APRIL 4, 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 Councilwoman Cooper, seconded by Councilman Ravenell, to approve minutes of March 21, 2011 with corrections, if any. Motion passed unanimously.

PUBLIC COMMENTS:

AGENDA ITEMS

NO COMMENTS

PUBLIC COMMENTS:

OTHER MATTERS

Mr. William Green spoke about his concern regarding the closing down of businesses by the Sheriff Department and the loss of business because of this. Ms. Lettie Rodriguez spoke, using figures she gathered from the internet, in favor of suspending the blue laws act. Ms. Jeffrey spoke, asking questions, and expressing concerns about an audit done for the Sheriff Department. Chairman Wright indicated no actions related to any audit were conducted behind closed doors, and once the audit is completed, it will be available to the public

Mr. Harvey Elwood addressed Council about the paving of roads in New Woods, Plum Tree and Martha Heights Lane. Councilman Heyward Livingston indicated there was a right-of-way issue regarding the paving. Councilman H. Livingston requested Mr. Elwood give his contact information to Bill Clark for additional follow-up. Mr. Larkin spoke again in favor of suspending the blue laws and inquired about the public hearing. Chairman Wright indicated the public hearing is scheduled to be held April 20 or 21, 2011. The date will be finalized by Council tonight.

Ms. Gloria Hutto addressed Council about The Regional Medical Center and Dr.'s Care, complaining about the long wait in receiving medical care from one entity as opposed to the other. Mr. Dan Dennis, Dennis Corporation, addressed Council stating his engineering firm could assist Council in accelerating its road paving program. Chairman Wright directed Mr. Dennis to give his contact information to the County Administrator.

Chairman Wright requested Council move agenda item #11, Personal Appearance- John Henderson – to the front, so an award could be presented. Motion made, seconded, and unanimously approved by Council to move agenda item #11 to front of agenda.

John Henderson, S.C. Association of Council, Director of Risk Management, appeared before Council to present Most Improved County Award to the County which has been a member of the S.C. Counties Workers Compensation Trust for a number of years. On January 25, 2011, the award was presented to counties for accomplishments in safety and risk management. The highest award this year, Most Improved County, was presented to Orangeburg County; it is a great accomplishment reflecting the work the County did to receive the award. Chairman Wright received the award, deferring to Ms. Harley who was acknowledged for her efforts in helping the County achieve this award.

1. ORDINANCE – THIRD AND FINAL READING

AN ORDINANCE AUTHORIZING ORANGEBURG COUNTY TO ENTER INTO A CONTRACT TO LEASE PROPERTY TO BRAHCNVILLE YOUTH SPORTS, LLC

Motion for third and final reading of ordinance made by Councilman Wimberly, seconded by Councilman Clyde Livingston. Motion passed unanimously.

2. ORDINANCE – SECOND READING – (TO INCLUDE AGENDA ITEMS 3,4,5,6,,7)

AN ORDINANCE ACCEPTING THE TRANSFER OF THE AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS IN THE CITY OF ORANGEBURG, TOWN OF HOLLY HILL, TOWN OF NEESES, TOWN OF VANCE, TOWN OF BOWMAN, TOWN OF WOODFORD, FROM THE CITY/TOWN MUNICIPALITIES TO THE ORANGEBURG COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS COMMISSION AND TO PRESCRIBE THE TERMS OF SUCH TRANSFERS.

Motion to approve second reading made by Councilman Owens, seconded by Councilman Clyde Livingston. Motion passed unanimously.

8. ORDINANCE – FIRST READING (BY TITLE ONLY)

AN ORDINANCE AUTHORIZING ORANGEBURG COUNTY TO TAKE ANY AND ALL APPROPRIATE LEGAL ACTION TO OBTAIN EASEMENTS NECESSARY TO COMPLETE CERTAIN WATER PROJECTS

Motion by Councilman Ravenell, seconded by Councilman Owens to approve first reading of ordinance by title only. Motion passed unanimously.

9. OFFICIAL ACTION – AN OFFICIAL ACTION AUTHORIZING LEGAL SERVICES AGREEMENTS REGARDING WATER AND SEWER PROJECTS

Chairman Wright asked the County Attorney, D'Anne Haydel to explain this issue to the public. Ms. Haydel explained there are a number of water and sewer projects which the County partners with the U.S. Department of Rural Development. In order for legal services to be paid there is basically a form provided by Rural Development to be passed by the governing body that is receiving grant funds. Each project has a legal budget. Council's action allows the funds to be paid. The version before Council would be authorizing Ms. Haydel to do the work, unless Council selects another person. In response to questions from Councilman Clyde Livingston about how contracts are awarded and the unspecified fee schedule, Ms. Haydel explained Council would be authorizing her to do the paperwork and the fee is determined by Rural Development through their formula.

Motion by Councilman Clyde Livingston, seconded by Councilman Owens to approve the official action before Council. Motion passed unanimously.

10. COUNTY COUNCIL COMMITTEE OF THE MEETING REPORT – CHAIRMAN WRIGHT

Chairman Wright explained the Committee met today to complete the review of the employee handbook and approved all items suggested by Committee and the County Attorney. At the next Council meeting, if all of the information is completed, and no further additions or objections voiced, Council will have a resolution for approval.

**11. PRESENTATION OF AUDIT REPORT FOR FISCAL YEAR ENDING JUNE 30, 2010
DAWN STRICKLAND, CPA, C.C. MCGREGOR & COMPANY**

Ms. Strickland presented the results of the firm's audit for the financial statements for the year ending June 30, 2010. They have issued an independent auditor's report, and the report has a qualified opinion for the County's financial statements, and are qualifying for the Sheriff's office bank accounts and un-inventoried capital assets. This means financial statements presented are materially correct except for those areas which they could not satisfy themselves of the audit procedures and therefore they are excluding them from the opinion. They issued two additional reports on internal controls of financial reporting and compliance based on an audit in accordance with governmental auditing standards, and the second report is in conjunction with a single audit which is a report on compliance with requirements that could have a direct and material effect on each major program and on internal control over compliance.

Ms. Strickland stated during FY 2009-2010 the County budgeted for total revenues of \$33,890,646 but received only \$33,784,606 which nets to a \$300,540 negative; on the other hand the County budgeted to spend \$34,618,280, but only spent \$32,969,807 which nets a positive variance of \$1,648,473. Ms. Strickland gave an overview of the entire audit report, directing Council to specific pages for additional information and clarification. The County's net assets amounted to \$93,746,695.

Ms. Strickland reported 16 instances of deficiencies in the internal control of financial report, 11 of them are considered material weaknesses, the remaining 5 are significant, with only 1 instance of non-compliance. They have been discussed with the County and the County's response to the findings is included. Ms. Strickland thanked the County Administrator and Financial Department staff for their help and cooperation with the audit.

In response to an inquiry from Councilman Clyde Livingston regarding the audit for the Sheriff Department Ms. Strickland directed him to the findings spelled out in finding 16, page 154 of the audit and page 153, finding 14, unreported bank accounts. Their opinions are based on the fact that activity happened before July 1, 2009, they could not satisfy themselves as to whether the activity is recorded.

Chairman Wright called for a motion for adjournment. Councilman Owens indicated to Chairman Wright before Council adjourned, he wanted to respond to phone calls he had received in terms of where the County is going with the chain gang. It was never his intention to operate a change gang, but just to call Council's attention to the kinds of problem the County is having with crime. He is working with the help of Council to provide a work program that would help deter the kinds of crime being committed in Orangeburg County. He hopes to have a public hearing to give the citizens the opportunity to express their opinions for or against a public works program. He cited the example of his sister being victimized recently through the theft of copper wiring and a unit being stolen.

Councilwoman Cooper stated she is in favor of safety for herself as well as citizens; just because it has not hit a community does not mean it will not occur. She has received calls from citizens asking how to combat crime. She also is hoping for a public hearing.

Councilman Clyde Livingston asked if Councilman Owens had any research to indicate chain gangs would reduce property crimes, if so he would like to see it. Councilman Owens responded in the negative, but he has been in contact with a resident of North Carolina who indicates a work gang or chain gang has greatly reduced, and deterred individuals from going back a second time. Chairman Wright cautioned Council to use a less inflammatory word than chain gang; Councilman Owens agreed, that whatever name is used, the issue is to stop crime. Councilman Clyde Livingston suggested staff be used to develop a budget indicating the cost to supervise work gangs. Councilman Owens stated the County already has the components in place to get a program going, without even talking about spending money Councilman Wimberly stated the County already had a van purchased years ago for a work program talked about, but never implemented.

Motion made by Councilman Owens, seconded by Councilwoman Cooper, to accept the audit report as given. Motion passed by a vote of five to accept and two opposed Motion passed.

Motion for adjournment made by Councilwoman Cooper, seconded by Councilman Owens. Motion passed unanimously.

Meeting adjourned.


Jacqueline P. Turner, Clerk

Joannie Wright, Sr., Chairman