

**MINUTES  
ORANGEBURG COUNTY COUNCIL  
DECEMBER 5, 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  
Clyde B. Livingston  
Heyward H. Livingston  
Willie B. Owens  
Johnny Ravenell  
Harry F. Wimberly**

**MEMBERS ABSENT:**

**Janie Cooper, Vice Chairman**

**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**

**Councilman Wimberly requested that Council reconsider the final vote of November 21, 2011 taken on the public hearing and third reading for GKN Aerospace South Carolina, Inc. and return it to the agenda because the name of the company was not publicly displayed .**

**Councilman Wimberly made a motion Council reconsider the third reading and put it back on the agenda. Councilman Owens seconded the motion. Councilman Clyde Livingston asked whether the motion was to reconsider or to amend the agenda and put it back on. Chairman Wright stated the minutes had to be amended first to take the vote out of the minutes and then reconsider making the motion. To clarify the situation, Councilman Owens stated that any previous motion that had been voted upon, if you decide to bring it back, you must make a motion to reconsider, and the person making the motion must have voted on the prevailing side, according to Roberts Rule of Law.**

**Chairman Wright motioned to amend the agenda to add an item correcting the minutes of November 21, 2011, to reconsider the third reading final motion so that GKN Aerospace South Carolina, Inc. is publicly displayed in the minutes of November 21, 2011. Motion carried.**

**Councilman Owens made a motion to approve the November 21, 2011 minutes with a notation that a new public hearing and third reading will be scheduled for the ordinance and re-opened for consideration. Councilman Ravenell seconded the motion. Motion carried.**

**PUBLIC COMMENTS:      AGENDA ITEMS                      NO COMMENTS**

**PUBLIC COMMENTS:      OTHER MATTERS                      NO COMMENTS**

**Chairman Wright amended the agenda to add item 3A which would be a re-scheduling of a new public hearing with a named disclosure. Motion by Councilman Wimberly, seconded by Councilman Ravenell, to reschedule a Public Hearing and Final Third Reading for the previously held Public Hearing and Final Reading of An Ordinance Authorizing The Execution And Delivery Of A Fee Agreement Dated As Of November 21, 2011 By And Between Orangeburg County, South Carolina And Project Innovation, Providing For A Payment Of A Fee In Lieu Of Taxes, The Issuance Of Special Source Revenue Credits, And Other Matters Related Thereto for December 19, 2011. Motion carried.**

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

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

**Chairman Wright opened the Public Hearing for comments. No comments made by the public. Chairman Wright closed the Public Hearing.**

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

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

**AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING TWO MILLION TWO HUNDRED THOUSAND DOLLARS (\$2,200,000) GENERAL OBLIGATION BOND 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 by Chairman Wright. No questions were asked by the public. Public Hearing closed.**

Chairman Wright asked County Administrator Clark to explain the ordinance to those who might be in attendance for the first time. Mr. Clark praised the press for their role in explaining the issue to the public in connection with the renovation of the former Holly Hill middle school property in downtown Holly Hill being converted, with the assistance of many partners, into a regional government services center that will include municipal offices for the town of Holly Hill the regional magistrates and judicial law complex, offices for the Holly Hill Police Department, space for the Holly Hill branch Library, room for the S.C. DHEC Health Department which operates in the region, and some office space for the County to be able to offer some satellite services in the area.

The final commitment of \$2,200,000 to the project from USDA completes the amount of funding necessary to go forward with the project, including the Capital Project Sales Tax already earmarked for approximately 10 years of debt service on the property so it can move forward. Once the readings are completed for this particular issuance, the County can proceed with construction of the site.

Motion by Councilman Ravenell, seconded by Councilman Heyward Livingston, to approve second reading of the ordinance. Motion carried.

### 3. ORDINANCE – FIRST READING (BY TITLE ONLY)

**AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK DATED MAY 17, 2010, BETWEEN ORANGEBURG COUNTY AND DORCHESTER COUNTY, SO AS TO INCLUDE ADDITIONAL PROPERTY IN ORANGEBURG COUNTY (GKN AEROSPACE SOUTH CAROLINA, INC.) AS PART OF THE JOINT COUNTY INDUSTRIAL PARK, AND OTHER MATTERS RELATED THERETO**

Chairman Wright asked Mr. Clark to explain this action. Mr. Clark stated GKN Aerospace, following conclusion of the third reading of the ordinance at the last meeting, has asked to come back and amend the agenda by including this project into a multi-county industrial park. As the County has utilized Dorchester County for the majority of recent multi-county industrial park designations, that would be the intent of what we are doing here, indicating that we are starting an ordinance process to place GKN Aerospace Project into a multi-county industrial park project with Dorchester County. The full text of the ordinance will be delivered by the Project's attorneys prior to the second reading on December 19, 2011.

Motion by Councilman Owens, seconded by Councilman Ravenell for first reading by title only of the ordinance. Motion carried.

### 3A. SCHEDULING OF A NEW PUBLIC HEARING AND FINAL READING OF AN ORDINANCE FOR THE PURPOSE OF NAME DISCLOSURE ON DECEMBER 19, 2011

**Motion by Councilman Wimberly, seconded by Councilman Owens to schedule a new Public Hearing and Final Third reading of an ordinance for the purpose of name disclosure on December 19, 2011. Motion carried.**

**4. ORDINANCE - FIRST READING**

**AN ORDINANCE TO PROVIDE AUTHORIZATION FOR THE TRANSFER OF UNSPENT FUNDS FROM THE 2008 BOND FUND TO THE GENERAL FUND; AND TO PROVIDE THAT SUCH FUNDS BE RESTRICTED FOR CAPITAL PURCHASES**

**Motion by Councilman Wimberly, seconded by Councilman Ravenell, to approve first reading of the ordinance.**

**Councilman Clyde Livingston asked of the 2008 bond fund, which one of the funds was it in now? Mr. Clark stated it is actually classified as fund #219 in the County's accounting system, but is not shown as associated with any particular fund in the financial statements. What the County is looking to do, after talking with the Auditor, since intended expenditures are what is remaining in the fund are going to support general fund expenditures, it would be advantageous to transfer the balance from the 2008 bond fund into the general fund, but with the restriction that these items be restricted to expenditure only on capital items to be consistent with the original intent.**

**Councilman C. Livingston queried if the 2008 bond fund had not been included in the comprehensive financial statement to-date; Mr. Clark replied, correct, adding sometime between now and the next reading, it would be good for Council to sit down and pull the financial statements out and he could show where it is being represented now and where the effective transfer would be. The Auditor has indicated the transfer needs to be made by ordinance because the transfer is of a dollar amount that is of significance to the financial statement. It is a recommendation from Mr. Clark, subject to the conditions provided by the external auditor. The intent is to align the fund with the general fund from where the expenditures are anticipated to be made.**

**Councilman Owens asked if the items listed in the penny budget will still be carried out, to which Mr. Clark answered yes. He further stated this is all related to the general obligation bond, and does not impact the penny projects.**

**Councilman C. Livingston stated he appreciated the offer of looking at the financial statements from the Administrator because he is sure the external auditor is better versed on this, but he is having a little trouble following it.**

**Motion for first reading approval carried.**

**5. ORDINANCE – FIRST READING**

**AN ORDINANCE PROVIDING FOR USER RATE SCHEDULE FOR USERS OF THE ORANGEBURG COUNTY POTABLE WATER SYSTEM**

**Chairman Wright asked Mr. Clark to summarize the ordinance. Mr. Clark stated the next two items on the agenda, 5 and 6, have a common element to them although they address different projects. The USDA is involved in supplying grant money toward item 5 to establish a user rater schedule for users of the water systems being developed right now, specifically to the Vance area, and the area of Phase I of the County water project which is basically U.S. 301 area from Santee to the Town of Bowman. The letter of conditions with USDA requires the County to have the user rate ordinance in place prior to the end of the calendar year, so the process is beginning tonight with the first reading.**

**Motion by Councilman Owens, seconded by Councilman Heyward Livingston, for first reading approval of the ordinance. Motion carried.**

**6. ORDINANCE – FIRST READING**

**AN ORDINANCE OF THE COUNTY COUNCIL OF ORANGEBURG COUNTY APPROVING A WATER PURCHASE CONTRACT BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA AND THE TOWN OF BOWMAN, SOUTH CAROLINA; AUTHORIZING THE EXECUTION AND DELIVERY OF THE AFOREMENTIONED CONTRACT; AND OTHER MATTERS RELATING THERETO**

**Mr. Clark explained the ordinance will authorize a contract between the Town of Bowman and USDA. Both the Town of Bowman and the County have received funds from the USDA; the Town of Bowman will be passing a similar ordinance as part of its jurisdictional obligation to USDA.**

**Motion for approval by Councilman Wimberly, seconded by Councilman Ravenell. Motion carried.**

**7. RESOLUTION – NATIONAL HOSPICE MONTH**

**Resolution read by Chairman Wright. Motion for adoption of Resolution by Councilman Heyward Livingston, seconded by Councilman Owens. Motion carried.**

**8. ACCEPTANCE OF BID**

**BROADBAND PROJECT (ROWESTILLE TELECOMMUNICATIONS OUTSIDE PLANT CONSTRUCTION PROJECT)**

**Chairman Wright asked Mr. Clark to summarize this request. Mr. Clark stated he would be calling on Mr. William Metts, Project Engineer, to make comments, but he informed Council this particular item represents the first phase of the construction activity that is to take place with the broadband project, identified on maps as the Rowesville area.**

**Bids were solicited for approximately 100 miles of fiber communication cable in the project area. A total of four responsive bids came back, with the low bid being Edwards Telecommunications in the amount of \$1,607,056.43. USDA Rural Utility Service will pay for 75% of the cost, with the remaining 25% from pledged deposit account funded by the County through the Capital Projects Sales Tax. Should approval to accept the bid be given tonight, he would recommend it be made conditional upon receipt of a letter confirming the release of funds by USDA Rural Utility Service before the project is committed to the bidder.**

**Mr. Clark deferred to Mr. Metts should Council have any questions. Chairman Wright invited Council to address Mr. Metts. Councilman Wimberly asked about a time limit relative to funds being received. Mr. Metts estimated it would take a couple of weeks. Mr. Clark stated the balls now rests with RUS, the County has delivered everything it's been asked to produce.**

**Motion by Council Clyde Livingston, seconded by Councilman Wimberly, to accept the bid of Edwards Telecommunications in the amount of \$1,607,056.43 for the installation of 100 miles of fiber communications in the Rowesville are. Motion carried.**

**9. PUBLIC WORKS – REQUESTS FOR INCLUSION IN COUNTY MAINTENANCE SYSTEM**

**(A) WILLOW BAY – PALMETTO PLANTATION**

**(B) UNPAVED ROAD OFF OF ELLEXLEE ROAD NEAR SANTEE**

Chairman Wright asked Mr. Clark to summarize this action. Mr. Clark is recommending that both requests for inclusion into the County's maintenance system be referred to the Public Works Committee for further discussion. Willow Bay was referred to Committee sometime ago, but no action was taken at that time. Willow Bay needs to be revisited. The second one is a request regarding an unpaved road in Councilman Ravenell's district they both have looked at, which needs some further discussion before the Public Works Committee before they would want to make a final recommendation.

Motion by Councilman Wimberly, seconded by Mr. Owens to move both requests to the Public Works Committee for further review and discussion. Motion carried.

Council Clyde Livingston asked what district is Willow Bay in, and Mr. Clark stated District 6, off of River Bank. It appears a good candidate for inclusion. Councilman Clyde Livingston asked had it already been in the Public Works Committee for 3 years, to which Mr. Clark answered yes.

**10. RECOMMENDATIONS OF TAX & TOURISM ADVISORY COMMITTEE**

Chairman Wright asked Mr. Clark to summarize this request. Mr. Clark stated the Advisory Committee met November 27, 2012 to review and give consideration to three requests. They recommended funding to two of the three, the first being the Tri-County Regional Chamber of Commerce for funds in the amount of \$20,000 to support various programs within the agency; the request is identical to requests received in previous years from the agency and the Committee is recommending the request of \$20,000 be funded.

The second request is from the Orangeburg Express Youth Basketball organization, an AAU sponsored basketball tournament, hosted in Orangeburg for the first time a year ago, which resulted in about 4,800 teens from around the Southeast coming to Orangeburg during that time with approximately 1,000 people attending. It was a very successful event, and they have petitioned to

bringing the tournament back to the Orangeburg community. They anticipate drawing 70 teams this year from Florida, Georgia, Virginia, North Carolina, Tennessee and South Carolina, representing a variety of age groups in the tournament held over a three day period. The request is for \$10,825 to assist with the advertising and promotion of the event. The Committee is recommending it be funded at that level.

The third request came from the Orangeburg County YMCA, requesting funds related to hosting a family fun day and swim meet. The Committee felt this request did not meet the requirements under funding for the accommodations tax law, and did not make a recommendation to fund this event, the recommendation being zero.

Two items being recommended by the Committee in the amount of \$30,825, with total funds available for disbursement of \$32,270.21, leaves remaining funds on hand in the amount of \$1,444.21.

Councilman Owens asked about the annual travel shows, which Mr. Clark explained were events attended at various travel shows to promote tourism in Orangeburg County.

Motion by Councilman Owens, seconded by Councilman Ravenell to accept the recommendations of the Tax & Tourism Advisory Committee in the amount of \$30,825. Motion carried.

#### **11. REPORT ON WORKPLACE SAFETY PROGRAM**

Chairman Wright asked Mr. Clark to summarize this request. Mr. Clark stated this is good news Council will want to hear and he called attention to the two employees most responsible for the good news, Marion Boyd, Human Resources Director and Venyke Harley, Assistant Human Resources Director and Safety Manager. He reminded Council that Orangeburg County in January 2011 was designated by Workman's Compensation Trust as The Most Improved County during their annual meeting. Since then, staff have continued good momentum toward implementing workplace safety and accident reduction programs within the County. The summarized report given to Council shows the previous history of paid claims for the County from a high of \$1,133,905 to \$449,008 in 2010. Claims are based on experience modifiers and these reduced claims are projected to go into reduced Workmen's Compensation insurance premiums paid by the County to the amount of \$127,411 for the fiscal year beginning July 1, 2012.

Results would not be possible without the effort and commitment of County employees, and he is recommending County Council share the results of the successful workplace safety program with County employees by granting an incentive reward of \$175 to all full-time employees with regular status and \$100 to part-time employees with regular status. He is also recommending these payments be made through a separate check that would be delivered in December prior to the Christmas holiday.

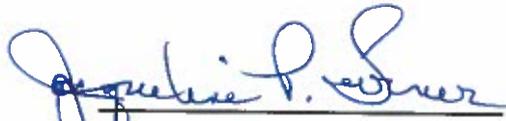
Motion by Councilman Wimberly, seconded by Councilman Owens that Council approve the recommendations of Mr. Clark for \$175 incentive reward for full-time employees with regular status and \$100 incentive reward for part-time employees with regular status. Motion carried.

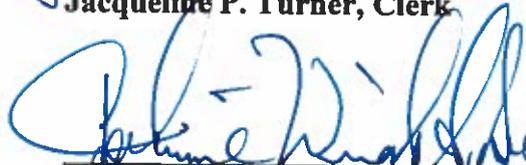
Motion by Councilman Owens, seconded by Councilman Council Ravenell to adjourn for an executive session to discuss economic development and a personnel matter. Motion carried.

Executive Session.

Motion for adjournment by Councilman Wimberly, seconded by Councilman Owens. Motion carried.

Meeting adjourned.

  
Jacqueline P. Turner, Clerk

  
Johnnie Wright, Sr., Chairman-