

**MINUTES  
ORANGEBURG COUNTY COUNCIL  
NOVEMBER 15, 2010  
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  
Heyward H. Livingston  
Willie B. Owens  
Johnny Ravenell  
Harry F. Wimberly

**MEMBER ABSENT:**

Clyde B. Livingston, Councilman

**OTHERS PRESENT:**

Bill Clark, Administrator  
D'Anne Haydel, County Attorney  
Ruth Van Faussien, Acting Clerk to Council

**CALL TO ORDER:**

Chairman Johnnie Wright, Sr.

**INVOCATION:**

Councilman Harry F. Wimberly

Chairman Wright then expressed Council's appreciation and thanks to the citizens and staff members of Orangeburg County for their team effort that led to the successful approval of the Capital Projects Sales Tax Referendum on November 2, 2010. This is a great investment for the future of our citizens and our county.

**APPROVAL OF MINUTES:**

Motion by Councilman Willie B. Owens, seconded by Councilman Johnny Ravenell, that the minutes of the November 1, 2010 meeting be approved as written. The motion carried.

**PUBLIC COMMENTS – AGENDA ITEMS:**

None

**PUBLIC COMMENTS – OTHER MATTERS:**

None

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

**AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT, BY AND BETWEEN ORANGEBURG COUNTY, SOUTH**

**CAROLINA, AND HUSQVARNA CONSUMER OUTDOOR PRODUCTS N.A., INC. AS SPONSOR, AND ONE OR MORE SPONSOR AFFILIATES, TO PROVIDE FOR A FEE-IN-LIEU OF *AD VALOREM* TAXES INCENTIVE; TO PROVIDE FOR A SPECIAL SOURCE REVENUE CREDIT; AND OTHER RELATED MATTERS**

County Administrator Bill Clark was called on to explain this transaction. He explained that these first two agenda items are related to a \$105,000,000.00+ investment that Husqvarna is making in equipment and updates to their manufacturing facility in Orangeburg. The two ordinances that are before County Council are unchanged from second reading with one minor exception, that being on the signature page. We have an amendment for the Clerk to Council's signature line since she is out on medical leave and substituting the Acting Clerk's name on the final documents. Otherwise, they are the same as presented at the November 1<sup>st</sup> meeting.

Councilman Harry F. Wimberly then made the motion that third and final reading of both ordinances be approved. This motion was seconded by Vice Chairman Janie Cooper. All voted in favor.

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

**AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE CONVERSION OF AN ARRANGEMENT FOR FEE-IN-LIEU OF *AD VALOREM* TAX PAYMENTS BETWEEN ORANGEBURG COUNTY AND HUSQVARNA CONSUMER OUTDOOR PRODUCTS, N.A., INC. AS SPONSOR, AND ONE OR MORE SPONSOR AFFILIATES UNDER TITLE 4, CHAPTER 12 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, TO AN ARRANGEMENT UNDER TITLE 12, CHAPTER 44, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AUTHORIZING THE EXTENSION OF THE “CONVERTED” FEE-IN-LIEU OF *AD VALOREM* TAXES INCENTIVE; AUTHORIZING THE CONTINUANCE OF A SPECIAL SOURCE REVENUE CREDIT; AND OTHER RELATED MATTERS**

This ordinance was passed simultaneously with the ordinance in Agenda Item 1 above.

**3. ORDINANCE – FIRST READING – BY TITLE ONLY**

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA, AND DON'S CAR CRUSHING INC. PURSUANT TO CHAPTER 44 OF TITLE 12, SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED, AND MATTERS RELATING THERETO**

County Administrator Bill Clark explained that this particular project is located in the Holly Hill area and represents a \$7,000,000.00 investment with a full-time employment of about 25 jobs. The attorneys are still finalizing the documents, but it is important that this transaction and readings be completed prior to the close of the calendar year. That is why it is on the agenda tonight in order to stay with the schedule. Second reading and public hearing will be scheduled for the first County Council meeting in December.

Councilman Willie B. Owens then asked how long Don's Car Crushing business has been located in Orangeburg County. Gregg Robinson, Executive Director of the Orangeburg County Development Commission, said that Don's Car Crushing business has been operational in Orangeburg County since the first of calendar year 2010. He then informed Council that Mr. Chris Grier, the Plant Manager for Don's Car Crushing, was present in the audience and could tell them more about its operation.

Mr. Grier informed Council that Don's Car Crushing actually started construction of their facility in Holly Hill in the early part of 2008. They are located at Exit 177 of Highway 453. It is actually an auto shredder facility. They buy from various recycling yards throughout the state (from Charleston County up to Richland County). These shredded cars then go to steel mills such as Nucor where they are processed into new steel. In April of this year, part of the mill was brought on line. The final phase of the mill was brought on line (as far as the separation equipment) this October. They have now invested close to \$8,000,000.00 in this facility/property. Mr. Grier said that at the present time they have 30 people on staff but that includes a couple of persons who are finalizing electrical work, etc.

This business is open to the general public, and they take in an average of 20 tons of steel daily. The going price of vehicles is by weight and the average price is by the 100 pounds---\$10.00 per hundred pounds. They also take other metals such as copper and aluminum. Mr. Grier says they are very mindful of anyone who brings in large amounts of copper. They know the power and energy companies and are on the lookout for certain items they may be missing. When they get heavy gauge copper wire, they know they are most likely dealing with someone who has not obtained this in the most honorable way. They stay in contact with Orangeburg County and the various energy providers, so they have a pretty good idea of the items that are missing.

Mr. Robinson then referred to the cost benefit analysis that had been provided to Council and indicates that this analysis outweighs 17:1. It is a recycling project and keeps these junk cars from going into the landfill. Mr. Grier said that 97% of the steel brought into their facility gets recycled. Mr. Grier was asked if his facility accepted tires. They do not turn them away when they are on vehicles, but they do not accept them in large quantities. They send them to Holcim. It is hopeful that other recycling businesses will be located in close proximity to Don's Car Crushing in the near future.

The motion was made by Councilman Heyward Livingston and seconded by Councilman Willie B. Owens that the First Reading of this ordinance by title only be approved. All voted in favor.

**4. ORDINANCE – FIRST READING – BY TITLE ONLY**

**AN ORDINANCE AUTHORIZING ORANGEBURG COUNTY TO GRANT AN EASEMENT TO THE TOWN OF NORWAY FOR PURPOSES OF CONSTRUCTING AND MAINTAINING UTILITIES**

County Administrator Bill Clark reviewed the circumstances making this ordinance necessary. Back in 2006 Orangeburg County received some property in the Town of Norway from Orangeburg Consolidated School District Four, the site where the Norway Senior Citizens building is located. We have now received a letter from the Town of Norway requesting an easement from the County to enable them to run a water line along the back side of this property to serve a resident with their municipal water system. The legal work on this property is still being performed, but we would like to get this matter before you at this time. There are no controversial elements involved. The purpose of this ordinance is to serve a single resident in the Norway town limits who has issues with water pressure from their ground well water.

Councilman Heyward Livingston reported that he had talked with the Mayor of the Town of Norway about this situation. This resident's well sits almost on the property line, and a 225 ft. easement along the County of Orangeburg's property line is what is requested. The easement would be from the County of Orangeburg to the Town of Norway.

The motion was made by Councilman Heyward Livingston, seconded by Councilman Johnny Ravenell that first reading of this ordinance by title only be approved. All voted in favor.

**5. RESOLUTION**

**A RESOLUTION TO APPROVE THE EXTENSION OF THE TERMINATION DATE OF TWO FEE AGREEMENTS BETWEEN ORANGEBURG COUNTY, SOUTH CAROLINA, AND HUSQVARNA CONSUMER OUTDOOR PRODUCTS N.A., INC.; AND OTHER MATTERS RELATED THERETO**

This Resolution relates to Agenda Items No. 1 and No. 2 concerning Husqvarna. It was requested by the attorney representing Husqvarna as a means of formalizing the closure of the original agreement and making way for the two ordinances that were passed at the beginning of the agenda.

The motion was made by Council Chairman Janie Cooper that the Resolution be approved. The motion was seconded by Councilman Heyward Livingston, and the motion carried.

**6. APPROVAL OF HOLIDAY SCHEDULE FOR 2011**

County Administrator Bill Clark pointed out that one decision needed to be made in order to finalize this holiday schedule for 2011. This year the 2011 New Year's holiday falls on a Saturday. Per our ordinance, typically the official holiday would be observed on Friday (December 31<sup>st</sup>), but it would then fall on the last day that taxpayers could pay their taxes which is a very popular time for taxpayers to make their payments. He suggested as an option that the New Year's Day holiday be observed on Monday, January 3, 2011. This might be more convenient for taxpayers, and it would not impact employees or operations in any particular way.

The motion was made by Councilman Harry F. Wimberly that the 2011 Holiday Schedule be accepted with the change of the New Year's Day holiday from December 31<sup>st</sup>, 2010, to January 3, 2011. The motion was seconded by Vice Chairman Janie Cooper. The motion carried.

**7. PERSONAL APPEARANCE – DR. EDDIE GLENN BRYANT – GREATER ORANGEBURG'S MAYORS COMMITTEE ON THE EMPLOYMENT OF PEOPLE WITH DISABILITIES – PRESENTATION OF "THE GREATER ORANGEBURG HALL AND WALL OF FAME" CONCEPT**

County Council received as information a proposal from Dr. Bryant for her concept of a Hall and Wall of Fame. The location of this hall and wall of fame has yet to be determined. Various activities, including a gala to recognize those persons/organizations/businesses that have made notable contributions to the employment of people with disabilities, would be developed. There would be three categories for nominees: someone who was born and raised here, someone who moved here and brought their talents, or someone who was born and raised here but left to make their mark in another geographic location. The proceeds from this gala would support scholarships for students in Orangeburg County Consolidated School Districts 3, 4, and 5. The first date of the gala would most likely be March or April of 2012, and hopefully would become an annual event.

Council suggested that the committee's official title be amended to read "Greater Orangeburg County Mayors Committee" since it is proposed to branch out to persons/organizations/businesses in surrounding counties.

The private sector would be a large participant in the success of this concept. Any financial assistance from the County of Orangeburg would also be accepted and appreciated.

Vice Chairman Janie Cooper then requested that County Council schedule a meeting with the Orangeburg County Treasurer to decide whether or not we are going to have the capability of accepting property tax payment by installments. She feels this is necessary to help property owners be able to hold on to their property.

County Administrator Bill Clark suggested that this matter be referred into Committee and then invite the County Treasurer to the Committee meeting.

Councilman Willie B. Owens made the motion that the matter of property tax installment payment be referred to the Finance Committee for further action with a meeting to be held prior to County Council's second meeting in January of 2012. The motion was seconded by Vice Chairman Janie Cooper. All voted in favor of the motion.

**8. VOTE FOR EXECUTIVE SESSION – ECONOMIC DEVELOPMENT**

A motion to go into Executive Session for the purpose of economic development briefing was made by Vice Chairman Janie Cooper and seconded by Councilman Johnny Ravenell. The motion carried.

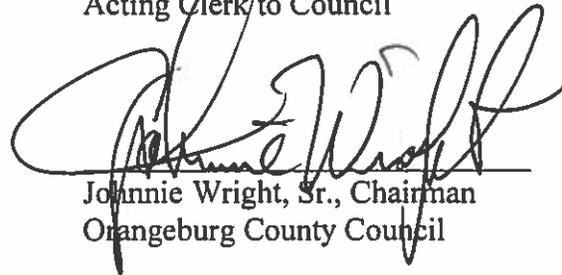
**9. VOTE FOR ADJOURNMENT**

A motion for adjournment was made by Councilman Willie B. Owens and seconded by Vice Chairman Janie Cooper. The meeting adjourned at 6:20 p.m.

Respectfully submitted,



Ruth Van Faussien  
Acting Clerk to Council



Johnnie Wright, Sr., Chairman  
Orangeburg County Council