



**NEWBERRY COUNTY COUNCIL  
COUNTY COUNCIL AGENDA  
May 4, 2022  
6:00 P.M.**

Call to order: Todd Johnson, Chairman  
Invocation and Pledge of Allegiance: Nick Shealy, Councilman

1. Additions, Deletions & Adoption of the Agenda
2. Public Appearance – Mr. Lee Tant - Public Affairs Manage, Cooperative Health  
Mr. John Favors – Newberry County Museum
3. Proclamation Correctional Officers Appreciation Week May 1-7, 2022
4. Proclamation Public Works Appreciation Week May 15-21, 2022
5. Resolution No. 03-22 – Resolution honoring law enforcement officers in Newberry County who died in the line of duty.
6. Consideration of Annual Indexing of Elected Officials' Salaries.

Newberry County Ordinance #1-01-17 provides that “absent a successful vote to the contrary by Newberry County Council at its first meeting in May, the county-funded salary portions for all countywide elected officials shall be increased a rate equal to the consumer price index for all urban consumers (CPI-U), as determined by the Bureau of Labor Statistics (unadjusted) for the most recently reported 12-month period.

7. Ordinance No. 04-09-2022 - An Ordinance establishing minimum rules and regulations to regulate the disposal of garbage, refuse and other trash in Newberry County and providing penalties for violation of this Ordinance.
  - a. Second Reading
8. Ordinance No. 4-7-2022 - An Ordinance to provide appropriations for the fiscal year beginning July 1, 2022, and ending June 30, 2023, for the Newberry County Budget for County Ordinary purposes and for other county purposes for which the County may levy a taxes on all taxable and personal and real property in Newberry County for all county purposes, including sufficient tax to pay the principal and interest on outstanding indebtedness of Newberry County payable during said fiscal year; to provide for matters

relating to Newberry County; and provide for the expenditure of said taxes and other revenues received by the County during said fiscal year, and to provide for borrowing an anticipation of tax collections by the issuance of one or more tax anticipation notes, if necessary.

a. Second Reading

9. Ordinance No. 04-08-2022 - An Ordinance to provide appropriations for the fiscal year beginning July 1, 2022, and ending June 30, 2023, for Newberry County Library, Piedmont Technical College and the Newberry Agency for Disabilities and Special Needs; to provide for the levy of taxes on all taxable personal and real estate properties in Newberry County for said purposes; to provide for the expenditure of said taxes and other revenues received by the county during said fiscal year for said purposes.

a. Second Reading

10. Ordinance No. 5-10-2022 – An Ordinance to adopt a false fire alarm ordinance for the County of Newberry. This Ordinance is to encourage businesses and homeowners to maintain alarm systems properly and to provide penalties for violation of this Ordinance

a. First Reading

11. Ordinance No. 5-12-2022 – An Ordinance amending Ordinances No. 10-7-19 and 05-16-20 of Newberry County to amend the use of a portion of the proceeds of the General Obligation Bond of Newberry County authorized thereby.

a. First Reading

12. Ordinance No. 5-11-2022 – An Ordinance to amend the budget ordinance for the fiscal year 2021-2022, Ordinance Number 4-12-21, to provide for revised revenue and expenditure appropriations related to operating and capital purposes to provide for unanticipated cost of the purchase of a fire truck previously approved by Council.

a. First Reading

13. Council to consider the purchase of remount ambulance

14. Executive Session

Code Section §30-4-70 (a) of the Code of Laws of SC, as amended, 1976

- (1) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.

15. Adoption of Consent Agenda

- a. Finance Committee minutes March 28, 2022
- b. County Council Special Called meeting minutes April 6, 2022
- c. County Council minutes April 6, 2022

16. Appointments

17. Public Comments

18. Comments/Request from County Administrator

19. Comments/Request from Council Members

20. Future Meetings

- |                           |           |           |
|---------------------------|-----------|-----------|
| a. Budget Work Session    | 5-10-2022 | 6:00 P.M. |
| b. County Council Meeting | 5-18-2022 | 6:00 P.M. |
| c. Economic Development   | 5-23-2022 | 6:00 P.M. |

21. Adjournment

COUNTY OF NEWBERRY )  
 )  
STATE OF SOUTH CAROLINA )      **PROCLAMATION RECOGNIZING  
NEWBERRY COUNTY CORRECTIONAL  
OFFICERS**

**Whereas**, Correctional Officers in Newberry County form an integral element of the public safety team of our community; and

**Whereas**, Our Correctional Officers provide security supervision, treatment services, and reentry efforts for hundreds of individual cases in the course of a calendar year; and

**Whereas**, In Newberry County, Correctional Officers serve a co-equal role with law enforcement, engaging in dangerous and potentially life-threatening situations every day of the week; and

**Whereas**, residents of Newberry County need to more fully recognize and understand the complex, dangerous, and challenging responsibilities carried out by every single staff member in the Newberry County Jail; and

**Whereas**, every member of the Newberry County Sheriff's Office Corrections staff accepts enormous personal and professional responsibility;

**Now, therefore**, I, Todd Johnson, Chairman of the Newberry County Council, do hereby proclaim the week of May 1-7, 2022, as National Correctional Officers' week and congratulate our correctional officers for their service to Newberry County.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the State of South Carolina,

**DONE** at the Newberry, SC this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

**NEWBERRY COUNTY COUNCIL  
SEAL**

**BY:** \_\_\_\_\_  
**Todd Johnson, Chairman**

**ATTEST:**

\_\_\_\_\_  
**Susan Fellers, Clerk of Council**

**COUNTY OF NEWBERRY        )    **PROCLAMATION RECOGNIZING NEWBERRY**  
  )        **COUNTY PUBLIC WORKS EMPLOYEES**  
**STATE OF SOUTH CAROLINA )****

**WHEREAS**, public works employees focus on infrastructure and services that are of vital importance to sustainable and resilient communities and the public health, quality of life, and well-being of the people of Newberry County; and,

**WHEREAS**, this infrastructure and services could not be provided without the dedicated efforts of public works managers and employees at all levels of government who are responsible for rebuilding, improving, and protecting our County’s roadways and other structures and facilities essential for our citizens; and,

**WHEREAS**, it is in the public interest for our citizens and the civic leaders in Newberry County to gain knowledge and maintain ongoing interest and understand and appreciate the importance of public works employees and public works programs in their respective communities; and,

**WHEREAS**, the year 2022 marks the 62<sup>nd</sup> annual National Public Works Week sponsored by the American Public Works Association be it now,

**RESOLVED**, I, Todd Johnson, Chairman of Newberry County Council, do hereby designate the week May 15–21, 2022, as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works managers, and employees and to recognize the substantial contributions they make to protecting our health, safety, and quality of life.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the County of Newberry, South Carolina,

**DONE** at Newberry, South Carolina this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

**NEWBERRY COUNTY COUNCIL**

**SEAL**

**BY:** \_\_\_\_\_  
**Todd Johnson, Chairman**

**ATTEST:**

\_\_\_\_\_  
**Susan Fellers, Clerk of Council**

STATE OF SOUTH CAROLINA )  
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COUNTY OF NEWBERRY )      **RESOLUTION HONORING LAW  
ENFORCEMENT OFFICERS IN  
NEWBERRY COUNTY WHO  
DIED IN THE LINE OF DUTY**

**WHEREAS**, in 1962, President John F. Kennedy signed a proclamation which designated May 15 as Peace Officers Memorial Day and the week in which that date falls as Police Week; and

**WHEREAS**, officers are killed in the line of duty --- one every 58 hours; and

**WHEREAS**, Newberry County Council desires to recognize those officers who made the ultimate sacrifice with their life while in the line of duty.

**NOW, THEREFORE, BE IT RESOLVED THAT NEWBERRY COUNTY COUNCIL BY PASSAGE OF THIS RESOLUTION HONORS THE MEMORY OF THE SEVEN FALLEN OFFICERS:**

- HENRY BLUFORD – 1874 – NEWBERRY POLICE DEPARTMENT**
- LUCIUS M. PLAYER – 1926 -- NEWBERRY COUNTY SHERIFF’S OFFICE**
- WALTER T. LONGSHORE – 1933 – NEWBERRY CITY HEALTH OFFICER**
- G. FOREST KRELL – 1939 -- NEWBERRY POLICE DEPARTMENT**
- WILLIAM EARL EVANS – 1945 – WHITMIRE POLICE DEPARTMENT**
- ROBERT R. GILLIAM – 1945 – WHITMIRE POLICE DEPARTMENT**
- J.D. LIVINGSTON – 1947 -- NEWBERRY POLICE DEPARTMENT**
- LAWRENCE W. BRAGG, III – 1989 -- NEWBERRY COUNTY SHERIFF’S OFFICE**

**AND BE IT FURTHER RESOLVED**, that this Resolution shall be published in the official minutes of the Newberry County Council.

**AND IT IS SO RESOLVED** this 4th day of May 2022.

**NEWBERRY COUNTY COUNCIL**

(SEAL)

**BY:** \_\_\_\_\_  
**Todd Johnson, Chairman**

**Attest:**

\_\_\_\_\_  
**Susan C. Fellers, Clerk to Council**

COUNTY OF NEWBERRY )

)

ORDINANCE NO. 01-01-17

STATE OF SOUTH CAROLINA )

**AN ORDINANCE TO PROVIDE FOR THE DETERMINATION OF SALARIES FOR COUNTYWIDE ELECTED OFFICIALS, AND TO PROVIDE FOR THE ANNUAL REVIEW OF SALARIES FOR SUCH OFFICES**

**WHEREAS**, Newberry County Council desires an orderly method for the administration of salaries for countywide elected officials, as defined in this Ordinance; and

**WHEREAS**, the purpose of said method is to maintain the buying power of countywide elected officials' salaries while also allowing for other salary adjustments pertaining to such factors as changes in duties, professional requirements, and changes in state statute and administrative regulation; and

**WHEREAS**, Newberry County Council Members are exempt from this process by statute, and may only receive salary increases in accordance with Code Section § 4-9-100 of the South Carolina Code of Laws, 1976, as amended.

**NOW, THEREFORE BE IT ENACTED AS FOLLOWS:**

**Section 1. Offices subject to this Ordinance and the salaries pertaining thereto; maximum salaries, applicability of indexing**

Upon enactment of this Ordinance, the following county-funded salaries shall be in effect, respectively, for those offices enumerated below (hereinafter "countywide elected officials"), which shall be the only offices and salaries affected by this Ordinance. Such salaries reflect a 2.5% increase over those county-funded salaries in effect prior to enactment of this Ordinance, and shall be retroactive to January 1, 2017. No salary supplements paid to any countywide elected official, whether paid directly to the countywide elected official by the State of South Carolina or paid by or through Newberry County to the countywide elected official will be indexed or increased by Newberry County.

The salaries listed below represent maximums. Newly elected countywide elected officials shall progress to their respective maximum salaries in accordance with Section 3 of this Ordinance. The Newberry County Human Resources Office will maintain this schedule of maximum salaries pursuant to actions taken by County Council under Section 2 of this Ordinance.

## **Schedule of Maximum Salaries for Countywide Elected Officials**

<b><u>Office</u></b>	<b><u>County Maximum</u></b>
Auditor	63,764.66
Clerk of Court	81,807.68
Coroner	46,125.00
Probate Judge	79,996.87
Sheriff	106,877.37
Treasurer	62,255.29

### **Section 2. Annual indexing consideration**

At its first meeting in May of each calendar year, Newberry County Council shall decide whether and at what percentage(s) to fund increases in county-funded maximum salaries for countywide elected officials. This Ordinance shall not be construed as requiring an annual increase in such salaries, or as requiring that the increases to such salaries be of an equal rate or amount. However, absent a successful vote to the contrary by Newberry County Council at its first meeting in May, the county-funded salary portions for all countywide elected officials shall be increased at a rate equal to the consumer price index for all urban consumers (CPI-U), as determined by the Bureau of Labor Statistics (unadjusted) for the most recently reported 12-month period. The Newberry County Human Resources Office shall maintain an updated schedule of the salaries listed in Section 1, above, based on County Council's actions pursuant to this Section. Salary increases made pursuant to this Section shall be made effective on the first pay date of the next fiscal year.

### **Section 3. Progression of Salaries**

Salaries for newly elected countywide elected officials shall equal 80% of the county-funded maximum salaries indicated above in Section 1. Upon each two years of completed service, based on the official's anniversary date, the official's percentage of the maximum salary shall be raised in increments of 5% of the maximum, as indexed under Section 2, above. Accordingly, upon the office holder's second-year service anniversary they shall receive 85% of the county-funded maximum; at four years they shall receive 90%, and so on until receiving the full county-funded maximum (as indexed) upon eight completed years of service. Thereafter, officials' salaries shall be

raised only under those terms set forth in Section 2., above. Previous or broken terms of service shall be considered continuous service in progression toward the county-funded maximum, for purposes of this Ordinance.

#### **Section 4. Effect of state-mandated pay increases for affected officials**

In any case where the State of South Carolina, whether legislatively or administratively, mandates any county-funded increase in salary or a salary supplement for a county-wide elected official affected by this Ordinance, such state mandated increases shall be in lieu of any increase otherwise prescribed under this Ordinance.

#### **Section 5. Non-scheduled salary increases for elected officials**

Nothing in this Ordinance shall prevent countywide elected official from requesting of County Council a salary increase other than one described in this Ordinance. Likewise, nothing in this Ordinance shall prevent Council from granting to a countywide elected official an increase other than one described in this Ordinance.

#### **Section 6. Previous Methods of Considering Elected Official Salary Increases Repealed**

All ordinance and policy provisions previously in place that conflict with the provisions of this Ordinance are hereby repealed, including, but not limited to, Ordinance Number 08-14-15 and Ordinance Number 08-15-15. Likewise, all previous procedures, discussions, or understandings related to the administration of salaries for those countywide elected officials listed in Section 1, above, that are in conflict with the provisions of this Ordinance are hereby declared null, void, and of no effect.

#### **Section 7. Severability**

If any section, subsection, or clause of this Ordinance shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected and shall be enforced accordingly.

**AND IT IS SO ORDAINED** by Newberry County Council this 15<sup>th</sup> day of February 2017, in meeting duly assembled at Newberry, South Carolina.

**NEWBERRY COUNTY COUNCIL**

By: Henry H. Livingston III  
**Henry H. Livingston III, Chairman**

**Reviewed and Approved as to Form:**

A.J. Tothacer Jr.  
**A.J. Tothacer Jr., County Attorney**

Wayne Adams  
**Wayne Adams, County Administrator**

**(SEAL)**

Attest:  
Laurie N. Renwick  
**Laurie N. Renwick, Clerk to Council**

**First Reading: January 18, 2017**

**Second Reading: February 1, 2017**

**Third Reading: February 15, 2017**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF NEWBERRY )

ORDINANCE NO. 4-09-22

**AN ORDINANCE ESTABLISHING MINIMUM RULES AND REGULATIONS TO REGULATE THE DISPOSAL OF GARBAGE, REFUSE AND OTHER TRASH IN NEWBERRY COUNTY AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE**

**WHEREAS**, the Newberry County Council hereby repeals Ordinance number 12 and the amendments on March 1, 1979 and also September 3, 1987 in their entirety; and

**WHEREAS**, County Council hereby adopts this ordinance to establish rules and regulations regarding disposal of garbage and also authorizing certain officers to act as Litter Control officers in the enforcement of certain portions of this ordinance dealing with litter control and to further establish guideline for the usage of the Newberry County Transfer Station; and

**WHEREAS**, the Newberry County Council finds it to be an appropriate use of this facility in furtherance of the health and general welfare benefit to the citizens of Newberry County; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Newberry County Council that the following sections are adopted as set out herein:

**SECTION 1. - AUTHORITY**

This Ordinance is adopted pursuant to the provisions of S.C. Code 1976 §4-9-30. Personnel employed by the County Administrator as Code Enforcement Officers and personnel employed by the Sheriff of Newberry County shall be vested with the authority to enforce and administer litter control within the county in accordance with the provisions of S.C. Code 1976 § 44-67-10 et. seq. and all rules and regulations adopted thereunder and the same are incorporated herein by reference as if fully set forth verbatim and as may be amended from time to time. Reference is also made to the authority contained in §16-11-700 of S.C. Code 1976.

**SECTION 2. – RESPONSIBILITY**

Solid waste, trash, household garbage, waste building materials, waste industrial products, or any other waste-type material, including transportable liquid effluent (excluding septic tank effluent), [all of which foregoing waste is collectively referred to hereinafter as “solid waste”] which is generated in, or brought into, Newberry County shall be transported and disposed of, in accordance with this ordinance and the applicable laws of the State of South Carolina and the appropriate rules and regulations of the State and the United States.

The County Administrator shall have direct responsibility for the management and supervision of the system and in the discharge of these duties shall have the authority to assign and delegate to other County personnel the following duties and responsibilities: location of convenience centers throughout the unincorporated portion of the County; operation, maintenance and supply of equipment; supervision of personnel; inspection of sites and areas; the issuance of permits or licenses; supervision of private waste collectors; coordination of disposal operations of municipalities, and coordination with municipalities and agencies of the State of South Carolina with regard to the enforcement of the provisions

of this ordinance and the provisions of State laws and regulations governing these matters, and such other duties as may be prescribed by County Council.

### **SECTION 3. - AUTHORIZED SITES AND FACILITIES**

All solid waste shall be properly disposed of in containers provided by, or at facilities designated by, Newberry County. Household garbage, and garbage generated by business or other non-individuals, shall be properly stored on a temporary basis **not to exceed thirty (30) days** on the premises where such garbage is generated, and thereafter shall be disposed of in a designated container or at a designated facility in accordance with the provisions of this ordinance **or will be subject to enforcement for any violation.** No person shall dump, throw, drop, deposit, discard, place or in any way dispose of litter, hazardous material or other liquid, granular or solid waste upon any public or private property in the county or in the waters of the county whether from a vehicle or otherwise, including but not limited to, any highway, park, campground, forest land, recreational area, trailer park, road, street or alley. It shall be unlawful for any person, firm, corporation, institution, organization, contractor or subcontractor to transport any loose materials by truck, trailer or other motor vehicles within the corporate limits of the county unless said material is covered or secured in such a manner as to prevent litter, leakage or spillage on public and private property. Lack of adequate covering or securing of material while the loaded truck, trailer or other motor vehicle is in motion shall constitute a violation of this ordinance.

### **SECTION 4 – AUTHORIZED USERS**

Individual resident citizens disposing of household wastes, may dispose of solid waste in any County operated convenience center and the Transfer Station in accordance with this ordinance and applicable State laws. Licensed collectors, municipalities, and authorized commercial and industrial establishments may dispose of solid waste at the County operated Transfer Station only. All commercial waste, defined as any household waste not generated by an individual resident citizen of Newberry County, shall be assessed a tipping fee based on the weight when crossing the weight scales prior to disposing of such waste at the transfer station.

Any individual who resides in Newberry County may dispose of their own household waste at any convenience center owned by Newberry County. Construction & demolition (C&D) waste may be disposed of at the County operated Transfer Station. **All C&D waste shall be assessed a fee based on the weight when crossing the weight scales prior to disposing of C&D waste at the transfer station. No C&D waste shall be disposed of at any County operated convenience centers nor shall any prohibited materials such as asbestos or other hazardous materials will be accepted at the transfer station.**

It shall be unlawful and a violation of this ordinance for any person, business or agency not a resident of Newberry County to utilize any convenience center for the purpose of disposing of waste generated outside of Newberry County. No waste covered by this ordinance shall be moved in any manner into Newberry County from any other County or State. This prohibition shall not apply to those persons, who are non-residents of Newberry County, who deposit less than five pounds of household waste in designated facilities of Newberry County, nor does this ordinance apply to persons who are camping in Newberry County or who are otherwise temporarily renting or leasing a dwelling unit in Newberry County.

## **SECTION 5 – RESPONSIBILITY OF USERS**

Waste deposited at any convenience center owned by Newberry County shall be the property of Newberry County and no person shall remove any such waste without prior written authorization of the County Administrator or their designated representative.

It shall be unlawful for any person to set fire to materials located at any convenience center or to deposit any material which may cause a fire, in any container or convenience center owned by Newberry County.

It shall be unlawful for any person, business or agency to deposit at any convenience center any dangerous, flammable materials or substances such as poisons, acids, caustics, infected materials or explosives unless such disposal is authorized, in writing, by the County Administrator.

It shall be unlawful for any person to search, probe or scavenge any container or at any convenience center owned by the County without the prior written permission of the County Administrator.

It shall be unlawful for any commercial waste to be deposited at the Newberry County transfer station without first being weighed at the scales so that a billing can be sent based on tipping fees in effect. In addition, the County Administrator may recommend regulations for the implementation of this ordinance and may recommend the requirement of a bond for private waste collectors utilizing County waste facilities, and County Council may from time to time hereafter, by resolution may adopt such regulations or require an appropriate bond from licensed private waste collectors.

## **SECTION 6 – PENALTIES AND FINES**

Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$500.00 nor more than the maximum allowed by law for each offense plus court costs (or thirty (30) days in jail, or both). As punishment, the court may also direct litter gathering labor as appropriate under the supervision of the court. In addition, the court may order any person violating the provisions of this article to pay restitution to the county or to the victims for the costs of removing or abating such litter. The Magistrate's Court shall have jurisdiction to enforce this Ordinance.

## **SECTION 7 – ENFORCEMENT**

(a) The provisions of this article shall be enforced by the duly authorized law enforcement officers of the county, including but not limited to, all law enforcement officers and deputies employed by the sheriff's department, and by designated code enforcement officers employed by the County Administrator.

(b) The county law enforcement officers and county code enforcement officers shall be authorized and required to cause the inspection of any public or private property within the limits of the county whenever it shall be necessary to enforce the provisions of this article.

(c) Any person violating the provisions of this article in the presence of the law enforcement officer shall be issued a uniform summons for the offense.

(d) Whenever it appears to the county law enforcement officer or county code enforcement officer that property lying within the county limits contains litter as defined by this Ordinance, the law enforcement officer shall serve written notice on the owner of the property requiring the owner to abate or remove the litter within 15 days.

- (e) Any property owner who refuses or neglects to abate or remove litter from property after receiving 15 days written notice shall be served with a uniform summons and shall be subject to prosecution in accordance with Section 6, above. In addition, the law enforcement officer, or code enforcement officer may also cause the removal or abatement of such litter, and all expenses incurred in so abating or removing such litter may be recoverable from the owner of the property from which the litter is removed or abated, or from any person causing or maintaining the same, in the same manner as debts of like amounts are now recoverable by law.
- (f) Any person who is harmed or sustains damages arising out of a violation of this article shall be entitled to recover in a civil action threefold the actual damages from the person violating this article, plus court costs and reasonable attorney's fees.

**IT IS SO ORDAINED** this \_\_\_ day of April, 2022, by the Newberry County Council in meeting duly assembled at Newberry, South Carolina.

**NEWBERRY COUNTY COUNCIL**

(SEAL)

**BY:** \_\_\_\_\_  
**Todd Johnson, Chairman**

**ATTEST:**

**Approved as to form**

\_\_\_\_\_  
**Susan C. Fellers, Clerk to Council**

\_\_\_\_\_  
**A.J. Tothacer, Jr., County Attorney**

\_\_\_\_\_  
**Christopher Inglese**  
**County Administrator**

**1<sup>st</sup> Reading:**  
**2<sup>nd</sup> Reading:**  
**Public Hearing:**  
**3<sup>rd</sup> Reading:**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF NEWBERRY )

**BUDGET ORDINANCE NO. 04-07-2022**

**AN ORDINANCE TO PROVIDE APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, AND ENDING JUNE 30, 2023, FOR THE NEWBERRY COUNTY BUDGET FOR COUNTY ORDINARY PURPOSES AND FOR OTHER COUNTY PURPOSES FOR WHICH THE COUNTY MAY LEVY A TAX AND RECEIVE REVENUES; TO PROVIDE FOR THE LEVY OF TAXES ON ALL TAXABLE PERSONAL AND REAL PROPERTY IN NEWBERRY COUNTY FOR ALL COUNTY PURPOSES, INCLUDING SUFFICIENT TAX TO PAY THE PRINCIPAL AND INTEREST ON OUTSTANDING INDEBTEDNESS OF NEWBERRY COUNTY PAYABLE DURING SAID FISCAL YEAR; TO PROVIDE FOR MATTERS RELATING TO NEWBERRY COUNTY; AND TO PROVIDE FOR THE EXPENDITURE OF SAID TAXES AND OTHER REVENUES RECEIVED BY THE COUNTY DURING SAID FISCAL YEAR, AND TO PROVIDE FOR BORROWING IN ANTICIPATION OF TAX COLLECTIONS BY THE ISSUANCE OF ONE OR MORE TAX ANTICIPATION NOTES, IF NECESSARY.**

**Pursuant to Section 4-9-140 of the South Carolina Code of Laws, 1976, as amended, BE IT ENACTED by the County Council for Newberry County:**

**SECTION I. LEVYING OF A SUFFICIENT TAX**

A tax of sufficient mills to pay for appropriations provided in the Newberry County Budget, hereinafter made for the fiscal year beginning July 1, 2022, and ending June 30, 2023, after crediting against appropriations all other revenue anticipated to accrue to Newberry County during said fiscal year and not earmarked for specific purposes, is hereby levied upon all the taxable property of Newberry County for County purposes.

**SECTION II. GENERAL FUND REVENUES AND APPROPRIATIONS**

There is hereby appropriated with provisos, as attached hereto and as stated in the County Operating and Capital Budgets for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following sums of money in the amounts and for the purposes set forth as follows. This is a property tax fund:

<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
GENERAL GOVERNMENT	
COUNTY COUNCIL	\$ 533,373
LEGALS	219,980
COUNTY ADMINISTRATOR	1,130,463
INFORMATION TECHNOLOGY	509,608
TREASURER	480,526

AUDITOR	425,932
ASSESSOR	705,174
TAX REVIEW AND APPEALS BOARD	5,400
DELINQUENT TAX	165,581
PLANNING AND DEVELOPMENT SERVICES	359,956
BUILDING	205,739
GIS	134,185
REGISTRATION AND ELECTION	247,119
COUNTY DUES AND MEMBERSHIPS	34,128
NON-DEPARTMENT - MISCELLANEOUS	1,127,896
FLEET SERVICES	510,619
ECONOMIC DEVELOPMENT	389,299
AIRPORT	10,000
CONTINGENCY	423,923
SPECIAL EVENTS - CITY OF NEWBERRY	1,500
TOTAL GENERAL GOVERNMENT	<u>\$ 7,620,401</u>

JUDICIAL

CLERK OF COURT	<u>\$ 548,380</u>
FAMILY COURT	217,907
CIVIL AND CRIMINAL COURT	61,656
OFFICE OF SOLICITOR	121,867
PROBATE COURT	316,443
PROBATION PARDON AND PAROLE BOARD	950
CENTRAL COURT	580,806
PUBLIC DEFENDER	99,303
TOTAL JUDICIAL	<u>\$ 1,947,312</u>

PUBLIC WORKS

PUBLIC WORKS	<u>\$ 1,580,841</u>
FOX BRIAR - SPECIAL TAX DISTRICT	4,500
GLADE SPRINGS ROAD - SPECIAL TAX DISTRICT	1,500
J. B. FULMER COURT - SPECIAL TAX DISTRICT	2,000
COLLECTIONS	1,057,444
TRANSFER STATION	2,142,605
TOTAL PUBLIC WORKS	<u>\$ 4,788,890</u>

PUBLIC SAFETY

SHERIFF	\$	4,406,579
SCHOOL DISTRICT OF NEWB - SALARY-SRO		410,064
SCHOOL RESOURCE OFFICERS - STATE		265,581
COMMUNICATIONS		1,240,220
CORONER		209,731
EMERGENCY SERVICES		174,991
CORRECTIONS		2,419,670
RESCUE SQUAD		260,953
HAZARDOUS MATERIALS (HAZ-MAT)		17,330
LAKE MURRAY PUBLIC SAFETY COMPLEX		11,500
INDIAN CREEK COMPLEX		19,000
PUBLIC SAFETY COMPLEX - FAIRGROUNDS		22,502
RURAL FIRE CONTROL		862,792
EMS SERVICE		170,010
SILVERSTREET EMS		3,000
AMBULANCE SERVICE - NCMH		1,249,980
TOTAL PUBLIC SAFETY	\$	<u>11,743,903</u>

SOCIAL AND HEALTH

HEALTH DEPARTMENT	\$	4,550
ANIMAL CONTROL		430,707
DEPARTMENT OF SOCIAL SERVICES		76,392
VETERANS' AFFAIRS		181,818
RECREATION		269,298
MAYBINTON BALLFIELD		2,500
COUNCIL ON AGING		50,000
MENTAL HEALTH		12,750
SISTERCARE		2,295
SEXUAL TRAUMA SERVICES		4,250
NEWBERRY FREE MEDICAL CLINIC		5,000
NEWBERRY COUNTY LITERACY		7,000
OUTSIDE AGENCY - TELEPHONE		1,500
CLEMSON EXTENSION		28,500
NEWBERRY OPERA HOUSE		25,000

NEWBERRY MUSEUM	50,000
SOIL AND WATER CONSERVATION	96,477
SMALL BUSINESS DEVELOPMENT CENTER	5,000
MEDICALLY INDIGENT	\$ 66,447
TOTAL SOCIAL AND HEALTH	\$ 1,319,484

INTERNAL SERVICES

FACILITIES MANAGEMENT	\$ 1,383,999
COMMUNITY HALL	22,000
VILLAGE CEMETERY	2,000
HELENA COMMUNITY CENTER	7,200
TOTAL INTERNAL SERVICES	\$ 1,415,199

TOTAL GENERAL FUND EXPENDITURES	\$ 28,835,189
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**REVENUES**

**AMOUNT**

PROPERTY TAXES

CURRENT REAL ESTATE TAXES	\$ 15,954,026
VEHICLE TAXES	2,019,596
WATERCRAFT TAXES	319,759
HOMESTEAD EXEMPTION	954,573
MANUFACTURERS REIMBURSEMENT	301,495
DELINQUENT REAL ESTATE TAXES	609,718
MERCHANTS INVENTORY	86,536
FEE IN LIEU OF TAXES (FILOT)	1,006,515
MOTOR CARRIER IN LIEU	254,274
TOTAL PROPERTY TAX	\$ 21,506,492

LICENSES AND PERMITS

FRANCHISE FEES	\$ 24,000
BUILDING INSPECTION - FEES/PERMITS	520,000
ZONING - FEES/PERMITS	78,225
TOTAL LICENSES AND PERMITS	\$ 622,225

INTERGOVERNMENTAL

LOCAL GOVERNMENT FUND	\$	1,602,790
RURAL STABILIZATION FUND		322,580
ACCOMMODATIONS TAX		28,200
VETERAN AFFAIRS		5,000
SALARY SUPPLEMENT		6,300
NATIONAL FORESTRY FUNDS		130,000
BALANCE BROUGHT FORWARD		426,380
VC SUMMER/SC EMERGENCY MANAGEMEN		180,000
TOTAL INTERGOVERNMENTAL	\$	<u>2,701,250</u>

CHARGE FOR SERVICES

CLERK OF COURT - TITLE IV-D	\$	190,000
DELINQUENT TAX COST		126,085
SCHOOL DISTRICT OF NEWB - SALARY-SRO		410,064
SCHOOL RESOURCE OFFICERS - STATE		265,581
SHERIFF - FEES		2,500
SALE OF PIPE		1,275
COMMERCIAL YARD DEBRI		1,990
ANIMAL CONTROL - OTHER		2,340
ANIMAL CONTROL - ADOPTIONS		15,000
ANIMAL CONTROL - SPAY-NEUTER PROJEC		17,000
SOLID WASTE - TIPPING FEES		1,711,123
TOTAL CHARGE FOR SERVICES	\$	<u>2,742,958</u>

FINES

CENTRAL COURT - FEES AND FINES	\$	390,000
PROBATE JUDGE - FEES		91,165
CLERK OF COURT - CONVEYANCE FEES		160,000
CLERK OF COURT - FEES AND FINES		130,721
TOTAL FINES	\$	<u>771,886</u>

INTEREST

INTEREST	\$	10,000
TOTAL INTEREST	\$	<u>10,000</u>

MISCELLANEOUS

RETURNED CHECK CHARGES	\$	400
DHEC - PHONE REIMBURSEMENT		2,000
SOLICITOR'S BAD CHECK PROGRAM		50
DEPT OF JUVENILE JUSTICE - PHONE REIMBURSEMENT		1,000
DELINQUENT TAX SALE PROCEEDS		225
OTHER		130,000
TREASURER'S DECAL		38,000
RENT - ONE STOP		12,000
REGISTRATION AND ELECTION		40,000
COUNTY SURPLUS SALE		11,813
RECYCLING REVENUE		35,000
SOLID WASTE - TIRES		25,000
SHERIFF - OTHER		3,500
SHERIFF - FORESTRY		6,600
LAW ENFORCEMENT SERVICES - REIMBURSEMENT		60,000
ASSESSORS - COPIES		50
ASSESSORS - GIS		1,500
CORONER - OTHER		2,768
MOBILE HOME LICENSES		800
CLERK OF COURT - COPIES		33,000
PROBATE - COPIES		3,000
SPECIAL LICENSE PLATES		7,695
SOIL AND WATER CONSERVATION		49,477
FORFEITED LAND COMMISSION		6,000
FOX BRIAR - SPECIAL TAX DISTRICT		4,500
GLADE SPRINGS - SPECIAL TAX DISTRICT		4,000
JB FULMER COURT - SPECIAL TAX DISTRICT		2,000
TOTAL MISCELLANEOUS	\$	480,378
TOTAL GENERAL FUND REVENUES	\$	28,835,189

**SECTION III. CAPITAL PURCHASES**

There is hereby appropriated for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following sums of money in the amounts and for the purposes set forth as follows:

**CAPITAL PURCHASES**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
FUND BALANCE	\$ 397,663
TOTAL	\$ 397,663

<u>EXPENDITURES</u>	<u>AMOUNT</u>
ANIMAL CONTROL - PICKUP	\$ 46,447
EMERGENCY PREPAREDNESS - GENERATORS	140,000
COMMUNICATIONS - RADIO UPGRADE	87,444
RESCUE - HURST BATTERY TOOL	50,000
PUBLIC WORKS - MINI-EXCAVATOR	<u>73,772</u>
TOTAL	\$ 397,663

**SECTION IV: CAPITAL PROJECT**

There is hereby appropriated for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following sums of money in the amounts and for the purposes set forth as follows:

**AIRPORT LAYOUT PLAN**

<u>REVENUES</u>	<u>AMOUNT</u>
GRANT FAA	\$ 252,000
SOUTH CAROLINA AERONAUTICS COMMISSION	14,000
FUND BALANCE (unspent from prior year)	<u>14,000</u>
TOTAL REVENUES	\$ 280,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
SAFETY SURVEY (TREE APPROACH)	\$ 30,000
AIRPORT LAYOUT PLAN	<u>250,000</u>
TOTAL EXPENDITURES	\$ 280,000

**ANIMAL CONTROL - STORAGE**

<u>REVENUES</u>	<u>AMOUNT</u>
BONDED INDEBTEDNESS (funds on hand)	\$ <u>8,313</u>
TOTAL REVENUES	\$ 8,313

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ <u>8,313</u>
TOTAL EXPENDITURES	\$ 8,313

The capital projects are carried over from FY21-22. Some will be complete. Will be revised before third hearing. No new projects for FY22-23

**CANNON CREEK COURT CROSSING**

<u>REVENUES</u>	<u>AMOUNT</u>
FUND BALANCE	\$ <u>8,025</u>
TOTAL REVENUES	\$ 8,025

<u>EXPENDITURES</u>	<u>AMOUNT</u>
TESTING	\$ <u>8,025</u>
TOTAL EXPENDITURES	\$ 8,025

**COURTHOUSE - FREIGHT ELEVATOR RENOVATIONS**

<u>REVENUES</u>	<u>AMOUNT</u>
BONDED INDEBTEDNESS (funds on hand)	\$ 150,000
FUND BALANCE	<u>73,350</u>
TOTAL REVENUES	\$ 223,350

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ 188,350
TESTING	10,000
CONTINGENCY	<u>25,000</u>
TOTAL EXPENDITURES	\$ 223,350

**CONSOLIDATED NO 5 FIRE STATION - ROOF REPLACEMENT**

<u>REVENUES</u>	<u>AMOUNT</u>
BONDED INDEBTEDNESS (funds on hand)	\$ 23,002
FUND BALANCE (unspent from prior year)	<u>15,000</u>
TOTAL REVENUES	\$ 38,002

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ <u>38,002</u>
TOTAL EXPENDITURES	\$ 38,002

**DETENTION CENTER - ALARM SYSTEM**

<u>REVENUES</u>	<u>AMOUNT</u>
BONDED INDEBTEDNESS (funds on hand)	\$ <u>71,100</u>
TOTAL REVENUES	\$ 71,100

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ 36,100
TESTING	10,000
CONTINGENCY	<u>25,000</u>
TOTAL EXPENDITURES	\$ 71,100

**EMERGENCY SERVICES TRAINING GROUNDS**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
BONDED INDEBTEDNESS (funds on hand)	\$ 74,415
FUND BALANCE (unspent from prior year)	<u>100,000</u>
TOTAL REVENUES	\$ 174,415

<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
RENOVATIONS	\$ 93,415
BURN BUILDING	<u>82,000</u>
TOTAL EXPENDITURES	\$ 174,415

**FLEET MAINTENANCE BUILDING**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
BONDED INDEBTEDNESS (funds on hand)	\$ <u>250,000</u>
TOTAL REVENUES	\$ 250,000

<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
CONSTRUCTION	\$ <u>250,000</u>
TOTAL EXPENDITURES	\$ 250,000

**FRIENDLY FIRE DEPARTMENT - ROOF**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
FUND BALANCE	\$ <u>3,900</u>
TOTAL REVENUES	\$ 3,900

<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
CONSTRUCTION	\$ <u>3,900</u>
TOTAL EXPENDITURES	\$ 3,900

**MCCP - FUTURE LAND ACQUISITIONS**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
FUND BALANCE (unspent from prior year)	\$ <u>220,000</u>
TOTAL REVENUES	\$ 220,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
LAND PURCHASE OPTION CONTRACTS (Parcels to be determined)	\$ 80,000
ENGINEERING/TESTING/PROFESSIONAL SERVICES	<u>140,000</u>
TOTAL EXPENDITURES	\$ 220,000

**MCCP II - PARTIAL BUILDING PAD CONSTRUCTION**

<u>REVENUES</u>	<u>AMOUNT</u>
FUND BALANCE (unspent from prior year)	\$ 500,000
TOTAL REVENUES	\$ 500,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
SITE DEVELOPMENT	\$ 500,000
TOTAL EXPENDITURES	\$ 500,000

**MID-CAROLINA COMMERCE PARK - PHASE II-A ROADWAY/WATER**

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX (2010)	\$ 370,000
FUND BALANCE (unspent from prior year)	<u>65,000</u>
TOTAL REVENUES	\$ 435,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ 338,000
ENGINEERING	<u>97,000</u>
TOTAL EXPENDITURES	\$ 435,000

**MID-CAROLINA COMMERCE PARK - PHASE III-A  
ROADWAY/WATER/WASTEWATER**

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX (2010)	\$ 1,320,000
FUND BALANCE (unspent from prior year)	<u>230,000</u>
TOTAL REVENUES	\$ 1,550,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ 1,396,000
ENGINEERING	<u>154,000</u>
TOTAL EXPENDITURES	\$ 1,550,000

**MID-CAROLINA COMMERCE PARK - PHASE III-B - OPTION 1  
ROADWAY/WATER/WASTEWATER**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
CAPITAL PROJECT SALES TAX (2010)	\$ 310,000
LOCATE SC GRANT FUNDING	600,000
RURAL INFRASTRUCTURE AUTHORITY	500,000
AT & T UTILITY TAX CREDIT	80,000
SC POWER TEAM	37,500
FUND BALANCE (unspent from prior year)	<u>232,500</u>
TOTAL REVENUES	\$ 1,760,000

<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
CONSTRUCTION	\$ 1,600,500
ENGINEERING	<u>159,500</u>
TOTAL EXPENDITURES	\$ 1,760,000

**MID-CAROLINA COMMERCE PARK - EXTENSION - BUILDING PAD**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
SC POWER TEAM	\$ <u>1,462,500</u>
TOTAL REVENUES	\$ 1,462,500

<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
CONSTRUCTION	\$ 1,236,000
ENGINEERING	<u>226,500</u>
TOTAL EXPENDITURES	\$ 1,462,500

**NEWBERRY SOUTH INDUSTRIAL - SC 34 BYPASS/DIXIE DRIVE**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
FUND BALANCE	\$ <u>11,000</u>
TOTAL REVENUES	\$ 11,000

<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
PURCHASE OPTIONS	\$ <u>11,000</u>
TOTAL EXPENDITURES	\$ 11,000

**PROSPERITY RESCUE SQUAD - ROOF REPLACEMENT**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
BONDED INDEBTEDNESS (funds on hand)	\$ <u>35,000</u>
TOTAL REVENUES	\$ 35,000
<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
CONSTRUCTION	\$ <u>35,000</u>
TOTAL EXPENDITURES	\$ 35,000

**CAPITAL PROJECT SALES TAX PROJECTS (2016)**

**CONSOLIDATED NO 5 - WATER SUPPLY**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
CAPITAL PROJECT SALES TAX	\$ <u>79,612</u>
TOTAL REVENUES	\$ 79,612
<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
CONTINGENCY	\$ <u>79,612</u>
TOTAL EXPENDITURES	\$ 79,612

**TOWN OF WHITMIRE - TOWN HALL/POLICE REMODEL**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
CAPITAL PROJECT SALES TAX	\$ <u>153,593</u>
TOTAL REVENUES	\$ 153,593
<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
CONTINGENCY	\$ <u>153,593</u>
TOTAL EXPENDITURES	\$ 153,593

**OPERA HOUSE - HVAC**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
CAPITAL PROJECT SALES TAX	\$ <u>5,820</u>
TOTAL REVENUES	\$ 5,820
<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
CONTINGENCY	\$ <u>5,820</u>
TOTAL EXPENDITURES	\$ 5,820

**TOWN OF SILVERSTREET - DEMOLITION/WALKING TRACK**

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$ <u>46,820</u>
TOTAL REVENUES	\$ 46,820

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONTINGENCY	\$ <u>46,820</u>
TOTAL EXPENDITURES	\$ 46,820

**NEWBERRY MUSEUM**

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$ <u>14,796</u>
TOTAL REVENUES	\$ 14,976

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONTINGENCY	\$ <u>14,796</u>
TOTAL EXPENDITURES	\$ 14,796

**DETENTION CENTER**

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$ <u>31,261</u>
TOTAL REVENUES	\$ 31,261

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONTINGENCY	\$ <u>31,261</u>
TOTAL EXPENDITURES	\$ 31,261

**SECTION V: NEWBERRY COUNTY AIRPORT ENTERPRISE FUND**

There is hereby appropriated for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following sums of money in the amounts and for the purposes set forth as follows:

**NEWBERRY COUNTY AIRPORT ENTERPRISE FUND**

<u>REVENUES</u>	<u>AMOUNT</u>
AIRPORT HANGAR RENTAL	\$ 20,700
SALES OF AVIATION FUEL	19,360
BALANCE BROUGHT FORWARD	<u>90,000</u>
TOTAL REVENUES	\$ 130,060

**EXPENDITURES**

**AMOUNT**

OPERATING	\$ <u>130,060</u>
TOTAL EXPENDITURES	\$ 130,060

**SECTION VI. NEWBERRY COUNTY PARKS AND RECREATION**

**REVENUES**

**AMOUNT**

AD VALOREM TAXES	\$ 250,000
GRANTS	-0-
FEES COLLECTED	-0-
UNRESTRICTED PILOT	<u>19,298</u>
TOTAL REVENUES	\$ 269,298

**EXPENDITURES**

**AMOUNT**

PERSONNEL	\$ 159,188
OPERATING	<u>101,110</u>
TOTAL EXPENDITURES	\$ 269,298

**SECTION VII. STATE ACCOMMODATIONS TAX REVENUES AND APPROPRIATIONS**

There is hereby appropriated for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following sums of money in the amounts as may be received by Newberry County and for the purposes set forth as follows. This is a special fund that comes from taxes collected by the State only on hotel rooms, motel rooms and campground lease spaces:

**ACCOMMODATIONS**

**REVENUES**

**AMOUNT**

STATE ACCOMMODATIONS TAX	\$ <u>85,000</u>
TOTAL REVENUES	\$ 85,000

**EXPENDITURES**

**AMOUNT**

EXPENDITURES AS PER BUDGET PROVISOS AND SECTION 6-4-20 OF THE CODE OF LAWS OF SC. AS AMENDED, 1976	\$ <u>85,000</u>
TOTAL EXPENDITURES	\$ 85,000

**SECTION VIII. DEBT SERVICE REVENUE AND APPROPRIATIONS**

There is hereby appropriated for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following sums of money for payment on the general obligation bonds and notes of Newberry County. General Obligation Bonds are paid from property taxes.

**DEBT SERVICE**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
DEBT SERVICE REVENUES	\$ <u>1,058,899</u>
TOTAL REVENUES	\$ 1,058,899
<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
2013 A SPECULATIVE BUILDING	\$ 23,800
2018 C GO BOND	<u>92,393</u>
2020 A GO BOND	198,919
2020 B GO BOND	83,779
2021 LEASE PURCHASE	\$ <u>660,000</u>
TOTAL EXPENDITURES	\$ 1,058,899

We are working with the auditor to finalize this number.

**SECTION IV. EMERGENCY TELEPHONE SYSTEM**

There is hereby appropriated with provisos, if any, as attached to and incorporated into this Ordinance and stated in the Budget Book for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following sums of money in the amounts and for the purposes set forth as follows. This is a tariff fund collected by telephone companies through phone bill charges.

**EMERGENCY TELEPHONE SYSTEM**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
ANTICIPATED SERVICE CHARGES	\$ <u>290,324</u>
TOTAL REVENUES	\$ 290,324
<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
PERSONNEL	\$ 115,879
OPERATING	<u>209,700</u>
TOTAL EXPENDITURES	\$ 325,579

**SECTION X. GRANTS AND SPECIAL SOURCE REVENUES**

There is hereby appropriated with provisos, if any, as attached to and incorporated into this Ordinance and stated in the County Operating and Capital Budgets for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following sums of money, derived from grants and special source revenues, in the amounts and for the purposes set forth as follows:

**GRANTS AND SPECIAL SOURCE REVENUE**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
VICTIMS ADVOCATE	\$ 77,973
EMS GRANT	24,000
CTC - NEWBERRY COUNTY TRANSPORTATION COMMITTEE	600,000
RECYCLING	45,000
VC SUMMER PREPAREDNESS	31,500
LEMPG	31,000
SEX OFFENDERS' REGISTRY PROGRAM	<u>8,000</u>
TOTAL REVENUES	\$ 817,473

<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
VICTIMS ADVOCATE	\$ 77,973
EMS GRANT	24,000
CTC - NEWBERRY COUNTY TRANSPORTATION COMMITTEE	600,000
RECYCLING	45,000
VC SUMMER PREPAREDNESS	31,000
LEMPG	35,000
SEX OFFENDERS' REGISTRY PROGRAM	<u>\$ 8,000</u>
TOTAL EXPENDITURES	\$ 817,473

**SECTION XI. JAIL USER FEE FUND**

Pursuant to Ordinance No. 05-27-03, an Ordinance Establishing User Fees for Persons Detained at The Newberry County Jail, there is hereby appropriated for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following sums of money in the amounts as may be received by Newberry County and for the purpose set forth as follows. This is a special fund that comes from the inmate commissary service and a fee assessed to any person being booked into the Newberry County Jail:

**JAIL USER FEE FUND**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
USER FEES COLLECTED	\$ <u>60,000</u>
TOTAL REVENUES	\$ 60,000

<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
USER FEE EXPENSES	\$ 60,000
TOTAL EXPENDITURES	\$ 60,000

**SECTION XII. RENTAL FACILITIES/SPECIAL REVENUE FUND**

Council establishes by Ordinance fees for those persons/organizations renting County facilities. There is hereby appropriated for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following sums of money in the amounts as may be received by Newberry County and for the purpose set forth as follows. The following property will be treated as special revenue funds that come from the following sources:

**HELENA COMMUNITY CENTER**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
USER FEES	\$ 7,200
TOTAL REVENUES	\$ 7,200

<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
UTILITIES	\$ 6,000
CONTRACTED MAINTENANCE	1,200
TOTAL EXPENDITURES	\$ 7,200

**COMMUNITY HALL**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
USER FEES	\$ 10,000
TOTAL REVENUES	\$ 10,000

<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
UTILITIES	\$ 14,000
CONTRACTED MAINTENANCE	5,000
TOTAL EXPENDITURES	\$ 19,000

**SECTION XIII : AMERICAN RECOVERY FUNDS**

<b><u>REVENUES</u></b>	<b><u>AMOUNT</u></b>
ARPA	\$ 3,134,111
TOTAL REVENUES	\$ 3,134,111

**EXPENDITURES**

**AMOUNT**

EMERGENCY SERVICES – EQUIPMENT	\$ 725,000
OTHER PROJECTS	<u>2,409,111</u>
TOTAL EXPENDITURES	\$ 3,134,111

**SECTION XIV. SETTING OF A MILLAGE RATE**

The Newberry County Council shall fix by Resolution a tax millage rate sufficient to support the appropriations and levies herein made and shall advise the Auditor who shall set said millage as advised by the County Council, and the Auditor, pursuant to Section 4-15-150 of the S.C. Code of Laws, 1976, as amended, shall also set the millage rate necessary to raise the levy for debt service on bonded indebtedness. To the extent required by Section 6-1-320 of the S.C. Code of Laws, 1976, as amended, any millage rate set above that for the previous fiscal year, which shall be in excess of the increase of average of the twelve monthly consumer price indexes for the most recent twelve month period consisting of January through December of the preceding calendar year plus the percentage increase in the previous year in the population of the County as determined by the Revenue and Fiscal Affairs Office, shall only be imposed by a two thirds vote of the membership of Newberry County Council and only for one or more of those five purposes specified in Section 6-1-320 (B) of the S.C. Code of Laws, 1976, as amended, to wit: (1) the deficiency of the preceding year; (2) any catastrophic event outside the control of the governing body such as a natural disaster, severe weather event, act of God, or act of terrorism, fire, war, or riot; (3) compliance with a court order or decree; (4) taxpayer closure due to circumstances outside the control of the governing body that decreases by ten percent or more the amount of revenue payable to the taxing jurisdiction in the preceding year; or (5) compliance with a regulation promulgated or statute enacted by the federal or state government after the ratification date of the amendments to Section 6-1-320 set forth in 2006 Act No. 388, Pt II, § 2.A., for which an appropriation or a method for obtaining an appropriation is not provided by the federal or state government. Any such tax imposed for such purpose must be listed on the tax statement as a separate surcharge, with an explanation of the reason for each separate surcharge.

**Reserve Fund Maintenance and Reserve Fund Levels**

In accordance with Code Section 6-1-320 (D) of the South Carolina Code of Laws 1976, as amended, Newberry County Council directs the County Auditor to levy a separate Reserve Fund Maintenance Millage for purposes of ensuring the County's ability to maintain sufficient financial reserves to meet unforeseen budgetary needs of the County, and to ensure the timely expenditure of budgeted appropriations. Such millage shall be levied subsequent to the adoption of this and all future annual operating budgets, together with any amendments thereto, with such levy producing the funding necessary, as specifically budgeted, to maintain the Reserve Fund. For any year(s) in which County Council does not specifically budget revenue needs for this purpose, the millage levy shall nonetheless be nominally printed on the tax bills as a "Reserve Fund" levy, expressing the need for no ad valorem taxation (0.00 mills) for this purpose. It is the policy of Newberry County that the unrestricted, undesignated fund balance shall not be less than four (4) month's operating cost, as calculated using the current year general operating budget.

**SECTION XV. TRANSFERRING OF FUNDS**

The County Administrator may, if he deems it in the best interest of the County, and within the appropriations provided by this ordinance, transfer funds or any portion thereof from any fund, department, activity, or purpose to another fund, department, activity, or purpose. Neither the Administrator, nor any Department Head, may establish or fund any additional position (s) without the knowledge and consent of the County Council.

**SECTION XVI. BUDGET PROVISOS**

The Budget Provisos attached hereto are incorporated herein by reference and shall be published in the County Operating and Capital Budgets for the Fiscal Year 2022-2023. Unless otherwise directed by this Ordinance, these Provisos shall govern the expenditures made by the County and the conduct of those recipients of such funds with regard to the matters mentioned therein.

**SECTION XVII. TAX ANTICIPATION BORROWING**

In the event that County Council determines that it is necessary to borrow money in order to meet the operational cash flow needs of the County for this fiscal year until sufficient tax revenues have been collected, the County, as authorized by subsequent Resolution or Resolutions of Newberry County Council, may borrow sufficient funds to meet such operational cash flow needs, by executing one or more tax anticipation notes, in a total amount outstanding not to exceed Four Million (\$4,000,000) Dollars, said sums to be repaid on such terms as County Council may negotiate from tax collections for the Fiscal Year 2021-2022, with all amounts borrowed to be repaid prior to the end of such fiscal year.

**SECTION XVIII. SEVERABILITY**

If any clause, phrase, sentence, paragraph, appropriation, or section of this Ordinance shall be held invalid, it shall not affect the validity of the remainder of this Ordinance or of the remaining phrases, clauses, sentences, paragraphs, appropriations, or sections not affected by such invalidity.

**SECTION XIX. EFFECTIVE DATE**

This Ordinance shall become effective when adopted and shall govern the revenues and expenditures for the Fiscal Year 2022-23, which commences on July 1, 2022, including the disposition of funds carried forward from the prior fiscal year, unless otherwise encumbered.

**AND IT IS SO ORDAINED by Newberry County Council this    day June of 2022, in meeting duly assembled at Newberry, South Carolina.**

**(SEAL)**

**NEWBERRY COUNTY COUNCIL**

**By: \_\_\_\_\_  
Todd Johnson. Chairman**

**Attest:**

\_\_\_\_\_  
**Susan C. Fellers, Clerk to Council**

**FIRST READING: 4-20-2022  
SECOND READING:  
PUBLIC HEARING:  
THIRD READING:**

**Reviewed and approved as to form:**

\_\_\_\_\_  
**A. J. Tothacer, Jr. County Attorney**

NEWBERRY COUNTY FY ~~21-22~~ 22-23

Fees Charged by County Departments

**\*Basic cost for copies Countywide is ~~\$ .30~~ \$ .50 per page.**

Yellow highlights the changes from FY 21-22. Green highlights new for FY22-23

**ANIMAL CONTROL**

Adoptions – Cats & Kittens	\$ <del>65.00</del> 75.00
Dogs & Puppies	\$ <del>85.00</del> 100.00
Redemptions	\$ <del>10.00</del> \$25.00 for first day, \$ <del>5.00</del> \$10.00 each additional day per animal \$ <del>15.00</del> \$20.00 Microchip Fee
DHEC Quarantine Fee	\$ <del>75.00</del> \$100.00 for 10 days
Low Cost Pet Sterilization	\$ 30.00

**BUILDING DEPARTMENT**

**Building permit fees are based on the total valuation of the project as follows:  
Set By Ordinance**

\$1,000 or less	\$ <del>25.00</del> \$50.00
\$1,001 to \$5,000	<del>\$25.00</del> \$50.00 for the first \$1,000, plus <del>\$5.00</del> \$10.00 for each additional \$1,000 or fraction thereof
\$5,001 to \$50,000	<del>\$45.00</del> \$50.00 for the first \$5,000, plus <del>\$5.00</del> \$10.00 for each additional \$1,000 or fraction thereof
\$50,001 to \$100,000	\$270.00 for the first \$50,000, plus <del>\$4.00</del> \$5.00 for each additional \$1,000 or fraction thereof
\$100,001 to \$500,000	\$470.00 for the first \$100,000, plus <del>\$3.00</del> \$5.00 for each additional \$1,000 or fraction thereof
\$500,001 and up	\$1,670.00 for the first \$500,000, plus <del>\$2.00</del> \$5.00 for each additional \$1,000 or fraction thereof

**Building permit fees are based on building valuation data as published by the ICC (International Code Council and will be calculated by staff at the time of permit issuance**

Re-inspection Fee	<del>\$25.00</del> \$75.00 for first re-inspection; doubles each inspection thereafter
Plan Review Fee	½ the cost the permit fee

**MANUFACTURED HOME FEES**

Single Wide Manufactured Home Fee	\$ <del>50.00</del> \$100.00
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Double Wide Manufactured Home Fee	\$ <del>25.00</del>	\$200.00
Manufactured Home Moving Fee	\$ <del>50.00</del>	\$100.00
Manufactured Home Decal	\$ 5.00	

### FLOOD MANAGEMENT

Flood Permit Fee	\$ <del>30.00</del>	\$75.00
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### PLANNING AND ZONING

<del>Sign Permit Fee</del>	<del>\$ 50.00</del>	
New Sign	\$ 200.00	
Re-facing Fee	\$ 75.00	
Tower Permit Fee	\$ <del>200.00</del>	\$500.00
Co-Location Tower Permit Fee	\$ 200.00	
Zoning Permit Fee	\$ <del>20.00</del>	\$75.00
Demo Fee	\$ 50.00	
Re-inspection Fee	\$ <del>10.00</del>	\$75.00 first re-inspection; doubles each inspection thereafter
Zoning Map Amendment/ Rezoning Request	\$ <del>50.00</del>	\$200.00 per acre 1 <sup>st</sup> acre, \$200.00 for 2 <sup>nd</sup> acre
	\$ <del>10.00</del>	\$25 per acre thereafter

Manufactured Home Park/ Application Fee	\$ 200.00	plus \$20 per lot
Rezoning Request	\$ 20.00	each lot up to 10 lots
	\$ 10.00	each lot thereafter
Variance Request	\$ <del>100.00</del>	150.00
Notice of Appeal	\$ <del>100.00</del>	200.00
Special Exception Request	\$ <del>100.00</del>	200.00

### LAND DEVELOPMENT (Subdivision)

Application Fee	\$100.00	plus \$20.00/lot or dwelling unit up to 4
Traditional Subdivision	\$ 5.00	per lot above 4 lots
Residential Group Developments:	\$300.00	plus \$20.00/lot for more than 4 units or lots

1-25 dwelling units	\$ 25.00	per unit
Above 25 dwelling units	\$ 625.00	plus \$10.00 per unit above 25

Traditional Subdivision and Residential Group Developments:	
1-5 Lots/Units	\$100 application fee plus \$20 per lot/unit
More than 5 Lots/Units	\$300.00 application fee plus \$20 per lot/unit

Plat Revisions	\$ 25.00
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Commercial or Industrial Group Developments:	
	\$500 application fees plus \$0.01 per sq. ft of building space

### Gross Square footage

1-5 buildings	\$ 25.00	per building
Above 5 buildings	\$ 125.00	plus \$10.00 per building above 5

**Special Developments ————— Fee determined at concept approval**

(Fees set by ordinances. Subject to change with amendments to ordinances.)

**STORMWATER MANAGEMENT**

Level I Permit	\$120.00 per acre of disturbed land
Level II Permit	\$150.00 per acre of disturbed land
Level III Permit	\$200.00 per acre of disturbed land
Plan Review Fee	half cost of Level 1-111 permit
Concentrated Animal Feeding Operation (CAFO) Permit Fee	\$200.00 per acre of disturbed land to maximum of \$3,000.00 per permit

**CLERK OF COURT**

Circuit Court filing fees are set by statute.  
Family Court filing fees are set by statute.  
Real Estate document filing fees are set by statute.  
Circuit and Family Court fines imposed by Judges.  
Family Court cost for child support are set by statute.

Copies	\$ <del>.30</del> .50 per page *
License online search	\$ 5.00 a day \$ 30.00 a month

**DELINQUENT TAX COLLECTOR**

Fees set by statute.

**DETENTION CENTER**

Medical Co-Pay for inmates, except for indigents	\$ 5.00
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**SHERIFF**

Incident Report Except for victims, who are entitled to a free report	\$ 5.00
Sex Offender Registration (\$75.00 to SLED and \$75.00 to County) with no charge for indigents	\$150.00
Criminal Record Check	\$ <del>5.00</del> \$15.00
Fingerprints (except for arrestees and teachers, who are free)	\$ 5.00
Service of Summons and Complaints	\$ 15.00
Service of Subpoenas	\$ 10.00

Service of Judgment	\$ 25.00
Service of Executions	\$ 25.00

### PROBATE JUDGE

Copies \$ ~~.30~~ .50per page \*

Other fees charged according to state statute.

### PUBLIC WORKS

**Driveways** Newberry County will install one driveway per lot on County maintained roads free of charge with the following limitations:  
24 foot width.

Apron installed to match roadway (crusher run or asphalt), only to limit of the Right of Way.

Any additional width of driveway or any additional driveways will be billed to the land owner at a rate of \$200.00 per 8 foot section of pipe.

**MSW and C&D Trash** ~~\$49.00~~ \$51.00 per ton at Transfer Station  
**Mega users** \$53.00 per ton after the first 1000 tons in any one-year period  
 City of Newberry FY 22-23 - 50% discount applicable for July 1, 2022 - June 30, 2023

**Tires** \$125.00 per ton (county residents may dispose of 4 tires per month at no charge)

**Yard Debris** No charge for residential dumping of the individual's personal yard debris at the Transfer Station  
 \$25.00 per ton for commercial dumping of yard debris

### TAX ASSESSOR

Copies	\$	<del>.30*</del>	.50
B/W 8 1/2 X11 Property Cards	\$	<del>.30*</del>	.50
Color Property cards/Information sheet 8 1/2 X 11	\$	<del>1.00</del>	5.00
Color Maps 8 1/2 X 11	\$	<del>2.00</del>	10.00
Tax Map Index Maps 24X24 Color	\$	<del>8.00</del>	12.00
Tax Map without Aerial 24X34 Color	\$	<del>10.00</del>	15.00
Tax Map with Aerial 24X34 Color	\$	<del>20.00</del>	25.00
Custom Maps	\$	<del>40.00</del>	50.00

Digital Data

Digital Orthos whole county	\$1,500.00
Digital Layers parcel w #s only	\$ 500.00
Digital parcel layer w owner attributes	\$ 750.00
Zoning	\$ 200.00
Digital other layers each	\$ 110.00
Tiles sold at various prices each	\$25.00-110.00
Tapes/disc must be supplied by customer	

**TREASURER**

Fees set by statute.

**Decals - Vehicles \$ 1.00**

**CORONER**

Cremation Permits	\$25.00
Reports - Insurance Companies	\$60.00

DRAFT

## BUDGET ORDINANCE PROVISOS

FOR FISCAL YEAR ~~2021-2022~~ 2022-2023

### RESCUE SERVICES

**PROVIDED** that seven (7) rescue squads shall be operated throughout the County and shall provide rescue services to all citizens in the County, under the supervision of the Board of Rescue Squads. These rescue squads may operate ambulances.

**PROVIDED FURTHER** that each rescue squad shall submit to the Emergency Services Coordinator on July 1 and January 1 of each fiscal year a complete list of its equipment, together with a statement of the values and condition of such equipment. All vehicles, regardless of value, must be listed, and the licensing and insurance status of each must be reported. If this list is not furnished on those dates, funds shall be withheld until this information is provided.

**PROVIDED FURTHER** that each rescue squad shall report to the Emergency Services Coordinator call data, as to their numbers of call responses, response times, transports made, dates and times of each service provided, and any other criteria necessary for Newberry County to evaluate the provision of rescue services.

**PROVIDED FURTHER** that each rescue squad shall submit to the Emergency Services Coordinator a roster of all members and the level of training attained by such members. This shall be provided on July 1 of each fiscal year and again on January 1 of each fiscal year, and any changes or updates throughout the year shall be reported in a timely manner.

**PROVIDED FURTHER** that the Emergency Services Coordinator shall submit annually to the County Administrator a budget request containing proposed rescue squad-related needs for vehicles, equipment, supplies, grant match funding, and construction.

**PROVIDED FURTHER** that the division of current-year appropriations for capital purchases among rescue squads will be recommended to County Council by the Board of Rescue Squads; Council will consider the Board's recommendations in making the final determination.

### FIRE PROTECTION SERVICES

**PROVIDED** that eleven (11) rural fire departments shall be operated throughout the County under the supervision of the Board of Rural Fire Control and shall provide fire protection services to all citizens of Newberry County utilizing eleven (11) primary locations and any respective sub-stations that may have been established.

**PROVIDED FURTHER** that each volunteer fire department shall submit to the Emergency Services Coordinator on July 1 and January 1 of each fiscal year a list of all of its equipment, together with a statement of the values and condition of such equipment. All vehicles, regardless of value, must be listed, and the licensing and insurance status of each must be reported. If this list is not furnished on those dates, funds shall be withheld until this information is received.

**PROVIDED FURTHER** that the County of Newberry will share tax funds collected on a countywide basis with municipal fire departments, pursuant to Section 4-9-30 (5), SC Code of Laws 1976, as amended. The amounts distributed to the municipalities are based on the percentage of taxable basis in the County for the most current tax year, with appropriated proportions and amounts being calculated as follows for ~~(FY21-22)~~ (FY22-23) City of Newberry, ~~18.39%~~ (\$130,662.69) 17.53% (\$116,240.22 ; Town of Prosperity, ~~2.09%~~ (14,581.61) 1.96% (12,996.63); Town of Whitmire, ~~1.24%~~ (\$9,077.77) 1.56% \$10,344.25. This funding will be allocated to the municipalities quarterly, based upon the receipt of tax revenues.

**PROVIDED FURTHER** that each volunteer fire department shall submit to the Emergency Services Coordinator on July 1 and January 1 of each fiscal year a complete list of its equipment, together with a statement of the values and condition of such equipment. All vehicles, regardless of value, must be listed, and the licensing and insurance status of each must be reported. If this list is not furnished on those dates, funds shall be withheld until this information is provided.

**PROVIDED FURTHER** that each volunteer fire department shall submit to the Emergency Services Coordinator a roster of all members and the level of training attained by such members. This shall be provided on July 1 of each fiscal year and again on January 1 of each fiscal year, and any changes through the year shall be reported in a timely manner.

**PROVIDED FURTHER**, that each volunteer fire department shall report to the Emergency Services Coordinator call data as to their numbers of call responses, response times, dates and times of each service provided, and any other criteria necessary for Newberry County to evaluate the services provided to its citizens by the various departments.

#### **EMERGENCY SERVICES – GENERAL**

**PROVIDED** that the Emergency Services Coordinator shall be responsible for coordinating purchases of rescue squad and fire department related vehicles and equipment through the County's central purchasing system, whenever such purchases involve the use of County funding. By a recorded vote, duly assembled, County Council may waive this requirement.

**PROVIDED FURTHER** that all fire and rescue departments must provide the Newberry County Finance Director with required financial reporting information by January 15 and July 15 of each year. Such information will include statements for all bank and other financial accounts, including those for checking, savings, cash, investment, and certificates of deposit. Each department must also provide reports detailing cash and checks on hand, expenditure receipts, deposit receipts, receipts issued for donations, and all records related to the receipt and expenditure of grant funding/governmental appropriations.

**PROVIDED FURTHER** that the Emergency Services Coordinator will coordinate maintenance for all fire and rescue equipment and help verify that all vehicles have proper insurance.

**PROVIDED FURTHER** that when a new fire, rescue or EMS vehicle is purchased, the squad or department receiving the new vehicle must remove from service a vehicle of similar kind, unless otherwise authorized by the County Administrator, upon recommendation by Council's Public Safety and Courts Committee.

**PROVIDED FURTHER** that the Emergency Services Coordinator will ensure adherence by all fire and rescue departments to training requirements, as well as those requirements pertaining to occupational health and safety.

#### **APPROPRIATIONS TO COUNTY AND NON-COUNTY COMMISSIONS, BOARDS AND AGENCIES**

**PROVIDED** that all agencies, commissions, and boards, whether directly appointed by County Council or not, which receive funds from Newberry County and/or in-kind benefits from the use/operation of County-owned property, shall submit a brief quarterly report demonstrating the entity's benefit to Newberry County. The County may require the use of designated forms for these reports, and for agency funding requests. Such entities must submit an audit report or certified financial statement to the County Administrator's office within six months following the end of the fiscal year. Where entities cannot provide an audit report or certified financial statement, their appropriations may be withheld, or paid directly to vendors selected through the County's central purchasing system.

**PROVIDED** that the Soil and Water Conservation District must give an update to the Finance Committee.

#### **ACCOMMODATIONS TAX**

**PROVIDED** that accommodations tax revenue shall be allocated as follows: the first \$25,000 shall be deposited into the General Fund and appropriated to the Newberry Opera House; five (5) percent of the balance shall also be deposited into the General fund; thirty (30) percent of the remaining balance shall be allocated for Tourism Promotion; sixty-five (65) percent of the remaining balance shall be allocated for Tourism Related expenditures.

**PROVIDED FURTHER** that all these funds shall be kept in a separate fund account.

#### **E911**

**PROVIDED** that funds in this account shall be accounted for separately from any other fund and, as required by State statute, shall not be a part of the General Fund of the County. Unexpended funds are carried forward in a Reserve Fund to be used for E911 purposes as required by law.

#### **DEBT SERVICE**

**PROVIDED** that these funds shall be allocated to pay for the general debt service of the County's bonded indebtedness and other legal debts by the County Treasurer as certified by the County Auditor.

#### **JAIL USER FEE**

**PROVIDED** that this fee is generated from use of the inmate commissary and from a fee assessed to any person being booked into the Newberry County Detention Center.

**PROVIDED FURTHER** that these funds may be disbursed for special inmate needs, pursuant to state law and the County Ordinance imposing the Detention Center user Jail User Fee.

#### **NON-DEPARTMENTAL**

**PROVIDED** that the County Administrator may approve the use of funding appropriated for non-departmental purposes to meet capital, maintenance, or personnel needs.

#### **GENERAL**

**PROVIDED** that the County shall develop a mission-driven budget and implementation of same that would seek to provide services that are customer-driven, constantly looking for ways to cut cost and increase the quality of services.

**PROVIDED FURTHER** that monies are appropriated to departments by codes. A department head is hereby authorized to request a transfer of funds between objects of expenditures within their department, on a per-occurrence basis.

**PROVIDED FURTHER** that transfers pertaining to specific wages and salaries are permitted in accordance with the County's Classification and Compensation Plan.

**PROVIDED FURTHER** that incentive pay for performance/merit and/or job descriptions amended to include additional duties and responsibilities will be distributed as directed by County Council and within the guidelines of the County's Classification and Compensation Plan.

**PROVIDED FURTHER** that all line-item transfers within the ~~FY 21-22~~ FY22-23 Operating and other budgets must be approved by the County Administrator or his designee.

**PROVIDED FURTHER** that, as information for Council's second monthly meeting each month, the Finance Director will provide a complete listing of all line-item transfers that have occurred in the preceding thirty (30) days.

**PROVIDED FURTHER** that actual miles traveled and submitted by County employees on the appropriate travel voucher shall be reimbursed at the same rate established by the Internal Revenue Service for federal employees.

**PROVIDED FURTHER** that, unless otherwise approved by Council, the per diem allowance for meals for County personnel traveling on official County business shall be fixed at the rate of \$50.00 per day (includes tips); per diem for individual meals may be allocated as follows: breakfast \$10.00, lunch \$15.00, dinner, \$25.00. Personnel staying for a period of 24 hours or more shall be paid on the per diem rate less any meals that may be provided as a part of the conference/meeting. Meeting/Conference agenda must be attached to reimbursement request. Receipts for meals must be provided upon request by County Administrator. Reference Newberry County Employee Handbook, "Travel and Subsistence Allowance."

**PROVIDED FURTHER** that allowable lodging costs for required overnight travel shall be determined by Council or by the County Administrator from time to time.

**PROVIDED FURTHER** that without the approval of the Administrator, no employee may draw advanced funds before travel, and any funds advanced must be strictly accounted for at the conclusion of the trip.

**PROVIDED FURTHER** that employees assigned cell phones and/or smart phones by Newberry County must reimburse the County for any charges above those included in monthly voice and data plans regarding personal usage.

**PROVIDED FURTHER** that all service charges, fees, fines, and other monies received by the County departments shall be deposited with the County Treasurer's Office on a daily basis.

**PROVIDED FURTHER** that the County Administrator is authorized to establish fees for the various departments and agencies for miscellaneous services and items such as copies, maps, books, etc. produced in response to requests under the Freedom of Information Act.

**PROVIDED FURTHER** that if the County is a partner in any contract requiring copies to be made for the completion of the contract there shall be no charge(s) levied from the department or elected official's office (in which the copies are made).

**PROVIDED FURTHER** that all boards and commissions shall submit to the County Administrator's Office annually reports indicating attendance by their respective memberships.

**PROVIDED FURTHER** that any agency funded in whole or in part by the County must submit a copy of that agency's annual audit to the Finance Director. All agencies funded by the County in amounts over \$10,000 must provide the County with an audit report performed by an independent external auditor. In the event, that an agency so funded does not have an external audit report, this requirement may be waived upon a letter of request to the County Council explaining the situation and detailing the cost of said audit in the relationship to the amount of County funds received.

**PROVIDED FURTHER** that Funds appropriated in any fiscal year but not requested or encumbered prior to the end of that fiscal year shall become part of the County's fund balances. Revenues received but not appropriated and expended will likewise become part of the County's fund balances.

**PROVIDED FURTHER** any unexpended special source revenue funds which are required by state or federal statute to be carried forward from fiscal year to fiscal year shall be considered as being carried forward, and the Finance Director and the County Treasurer are directed to make the necessary budget adjustments to reflect these matters.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF NEWBERRY )

**BUDGET ORDINANCE NO 04-08-2022**

**AN ORDINANCE TO PROVIDE APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, AND ENDING JUNE 30, 2023, FOR NEWBERRY COUNTY LIBRARY, PIEDMONT TECHNICAL COLLEGE AND THE NEWBERRY AGENCY FOR DISABILITIES AND SPECIAL NEEDS; TO PROVIDE FOR THE LEVY OF TAXES ON ALL TAXABLE PERSONAL AND REAL ESTATE PROPERTIES IN NEWBERRY COUNTY FOR SAID PURPOSES; TO PROVIDE FOR THE EXPENDITURE OF SAID TAXES AND OTHER REVENUES RECEIVED BY THE COUNTY DURING SAID FISCAL YEAR FOR SAID PURPOSES.**

Pursuant to Sections 4-9-140 and 4-9-39 of the South Carolina Code of Laws as amended, BE IT ENACTED by the County Council for Newberry County:

**SECTION I. LEVYING OF A SUFFICIENT TAX**

A tax of sufficient mills to pay the appropriations for Newberry County Library, Piedmont Technical College and the Newberry Agency for Disabilities and Special Needs in the County Budget, is hereby levied on the taxable property in Newberry County to pay these entities for the public and educational purposes as hereinafter set out and made for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

**SECTION II. COMMUNITY SERVICES APPROPRIATIONS**

There is hereby appropriated, with provisos, if any, as attached to and incorporated into this Ordinance, and also stated in the County Operating and Capital Budgets for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following sums of money in the amounts and for the purposes set forth as follows:

**COMMUNITY SERVICES APPROPRIATIONS**

<b><u>REVENUE</u></b>	<b><u>AMOUNT</u></b>
PROPERTY TAXES	\$ 1,106,553
TOTAL COMMUNITY SERVICES REVENUE	\$ 1,106,553
<b><u>EXPENDITURES</u></b>	<b><u>AMOUNT</u></b>
PIEDMONT TECHNICAL COLLEGE	\$ 511,869
NEWBERRY COUNTY LIBRARY	553,555
NEWBERRY COUNTY DISABILITIES AND SPECIAL NEEDS	<u>41,129</u>
TOTAL COMMUNITY SERVICES EXPENDITURES	\$1,106,533

**SECTION III. SEVERABILITY**

If any phrase, clause, sentence, paragraph, appropriation, or section of this Ordinance shall be held invalid, it shall not affect the validity of the remainder of this Ordinance or of any of the remaining phrases, clauses, sentences, paragraphs, appropriations, or sections

not affected by such invalidity.

**SECTION IV. EFFECTIVE DATE**

This Ordinance shall become effective when adopted and shall govern the revenues and expenditures for the Fiscal Year 2022-2023, which commences on July 1, 2022, including the disposition of funds carried forward from the prior Fiscal Year, unless otherwise encumbered.

**AND IT IS SO ORDAINED** by Newberry County Council this    day June of 2022 in meeting duly assembled at Newberry, South Carolina.

(SEAL)

**NEWBERRY COUNTY COUNCIL**

**By:** \_\_\_\_\_  
**Todd Johnson, Chairman**

**Attest:**

\_\_\_\_\_  
**Susan C. Fellers, Clerk to Council**

**FIRST READING:**  
**SECOND READING:**  
**PUBLIC HEARING:**  
**THIRD READING:**

**Reviewed and approved as to form:**

\_\_\_\_\_  
**A. J. Tothacer, Jr., County Attorney**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF NEWBERRY )

ORDINANCE NO. 5-10-22

**AN ORDINANCE TO ADOPT A FALSE FIRE ALARM ORDINANCE FOR THE COUNTY OF NEWBERRY. THIS ORDINANCE IS TO ENCOURAGE BUSINESSES AND HOMEOWNERS TO MAINTAIN ALARM SYSTEMS PROPERLY AND TO PROVIDE PENALTIES FOR VIOLATION OF THIS ORDINANCE**

**WHEREAS**, emergency response to false fire alarms wastes the resources of Newberry County and endangers our community; and

**WHEREAS**, in the interest of public safety, ensuring the efficient and expedient use of county resources, and encouraging businesses and homeowners to maintain alarm systems properly, the Newberry County Council finds it necessary to establish regulations and impose penalties against those who cause false fire alarms; and

**WHEREAS**, in the interest of public safety, ensuring the efficient and expedient use of county resources, and encouraging businesses and homeowners to maintain alarm systems properly, the Newberry County Council finds it necessary to establish regulations and impose penalties against those that fail to promptly respond to fire alarms on their premises **within the unincorporated areas of Newberry County and all municipalities except the City of Newberry**; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Newberry County Council that the following sections are adopted as set out herein:

**SECTION 1. - DEFINITIONS**

The following words, terms and phrases used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alarm* means a signal, audio or visual, recorded or live, transmitted to the fire department through Newberry County Dispatch, and indicating a predetermined condition. The alarm may be received via:

1. Telephone lines to a designated position on an alarm panel at Newberry County Dispatch, or electronic receptors installed at the fire department.
2. A private alarm service company relaying a predetermined condition to Newberry County Dispatch, or electronic receptors installed at the fire department.
3. An automated telephone alarm system playing a recorded message when received by Newberry County Dispatch, or when received at the fire department.
4. Audible alarm or any alarm transmitted by any means and received by Newberry County Dispatch, by way of telephone, radio, personally reported, or when detected by personnel of the fire department.

*Alarm initiating device* means a device that is designed to respond either manually or automatically to smoke, fire, carbon monoxide, or activation of a fire suppression system.

*False fire alarm* means the activation of any fire alarm system which results in a response by the fire department, and which is caused by the negligence or intentional misuse of the fire alarm system by the owner, its employees, agents or any other activation of a fire alarm system not caused by heat, smoke, carbon monoxide, and/or fire. Also, any activation caused by a mechanical failure, malfunction, improper installation, lack of proper maintenance, dust from construction or any source, or any other response for which the fire department personnel are unable to determine the apparent cause of the alarm activation.

*Owner* means any person or business entity who owns the premises in which a fire alarm system is installed or who leases, operates, occupies or manages the premises.

*Premises* means any building, structure or a combination of buildings and structure which is served by a single fire alarm system. Buildings, structures or a combination hereof which is served by more than one fire alarm system will be considered separately in calculating false alarms and penalties.

## SECTION 2. – PENALTIES

- a) False Alarm. \*
- 1) There shall be no penalty imposed for the **first or second** false alarms within any calendar year which shall run from January 1<sup>st</sup> to December 31<sup>st</sup>.
- 2) The following penalties shall be imposed against the owner for the fourth and subsequent false alarms within any calendar year:
  - a. First violation (3<sup>rd</sup> false alarm), minimum .... Residences \$150.00/  
Businesses \$250.00.
  - b. Second violation (4<sup>th</sup> false alarm), minimum .... Residences \$250.00/  
Businesses \$350.00.
  - c. Third violation (5<sup>th</sup> false alarm and beyond), minimum for each ....  
Residences \$350.00/ Businesses \$500.00.
- 3) Exemptions. The following are exempt from penalty for false alarm activations:
  - a. Alarms activated by outside activity, such as breaking and entering, unlawful intrusion or fire condition.
  - b. Alarms activated through systems testing where the same was pre-reported to the Newberry County Dispatch or directly to the fire department.
  - c. Alarms activated as medical lifelines by those who depend upon such systems as a means of reporting a medical or other life-threatening emergency.
  - d. Any alarm activation deemed as necessary by personnel of the county fire service following an investigation.
  - e. Multiple alarms received within a single 24-hour period that were initiated from the same alarm initiating device, and where the owner, lessee or manager of the premises has not had an opportunity to effect correction of a defective alarm system. Such multiple alarms shall constitute a single alarm for the purpose of this ordinance, including for the purpose of imposing a penalty.

f. Any alarm activation system within any municipal boundaries except with the City limits of the City of Newberry.

- b) Failure to respond for a business. \*
- 1) There shall be no penalty for the first failure to respond.
  - 2) After an alarm activation at a business, and when due and timely notice was given to the owner, lessee, manager or other predesignated person to respond, and where no such response was made or the person notified fails to respond within one hour after being notified, this shall be considered as “failure to respond,” and the following penalties shall be imposed against the owner:
    - a) First violation (2<sup>nd</sup> failure to respond), minimum .... Residences \$150.00/ Businesses \$250.00,
    - b) Second violation (3<sup>rd</sup> failure to respond), minimum .... Residences \$250.00/ Businesses \$350.00.
    - c) Third violation (4<sup>th</sup> failure to respond and beyond), minimum ....for each Residences \$350.00/ Businesses \$500.00.
  - 3) A written report for “failure to respond” shall be filed with documentation with the Newberry County Emergency Management Director from the primary fire station. The Newberry County Dispatch shall document that notification or attempts to notify were made with no response. Documentation must list the dates, times and person notified or where attempts were made to notify with no response.

c) Billing.

The county shall bill penalties imposed against the owner on the first of each month and the bill shall be due and payable by the fifteenth of each month. **All bills shall state that any bill not paid by the end of the month shall bear interest at the rate of 1.5 percent per month until paid.** All bills which remain delinquent at the end of a calendar year along with the interest which has accrued during the calendar year shall become a lien which shall attach to the property which received the benefit of the service. The method provided in this section for the enforcement of the collection of past due fees shall not be the exclusive method of enforcing such collections, and the County may enforce the collection of any fee in any other lawful manner.

\* Note ---No portion of any monetary fine shall be suspended.

### SECTION 3. – FIRE ALARM ACTIVATION; RESPONSE TO PREMISES.

- a) The owner shall be responsible for the activation of a fire alarm system.
- b) The Newberry County Fire Service shall determine the number of false alarm responses and “failure to respond” responses separately.
- c) A response to the activation of a fire alarm system shall result when any officer or member of the Newberry County Fire Service is dispatched to the premises where the fire alarm system has been activated.

- 1) At the time of the response, the owner shall have at least one person respond to the premises that is authorized to enter the premises and assist the fire department.
- 2) In the event the fire alarm system is a monitored system, it is the responsibility of the company monitoring the fire alarm system to notify at least one person to respond to the premises that is authorized to enter the premises and assist the fire department.
- d) The officer or member of the fire department who responded to said premises shall serve the owner or authorized representative with a fire alarm activation report.

#### **SECTION 4 – REPORTS FOR FALSE ALARMS**

- a) Department responsible to determine response. The Newberry County Fire Service shall determine the number of false alarm responses and “failure to respond” responses separately.
- b) Report required. For each false alarm response by the fire department, the fire department shall cause a report to be filed with the fire department classifying the alarm as a false alarm. (NFIRS codes 711, 712, 713, 714, 715, 731, 732, 733, 734 and 735)

#### **SECTION 5 – INDIVIDUAL ALARM ACTIVATIONS**

Any person who intentionally causes the activation of an alarm that causes response by the fire department, as an emergency situation, and, upon further investigation by personnel of the fire department, that deems the activation as “intentional” without an emergency situation,” shall cause a written report to be filed with the fire department. The written report shall include the date, location, time and person responsible for the activation. Any person who violates this section shall be guilty of a misdemeanor and can be subject to a fine not to exceed \$150.00 and/or up to 30 days in jail. Any person who violated this section shall be deemed as acting on his or her own, and the owner, lessee or manager of the premises shall not be held liable for the actions of the person causing the activation.

#### **SECTION 6 – GOVERNMENT IMMUNITY**

Having a fire alarm system is not intended to, nor will it, create a contract, duty or obligation, either express or implied, of response. Any and all liability and consequential damage resulting for the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By having a fire alarm system, the owner acknowledges that fire department response maybe based on factors such as availability of fire department units, priority of calls, weather conditions, traffic conditions, emergency conditions and staffing levels. The County, its officers, employees and agents shall not assume any duty or responsibility for the installation, maintenance, operation, repair or effectiveness of any privately owned fire alarm system, those duties and responsibilities being solely those of the owner of the premises

**IT IS SO ORDAINED** this \_\_\_ day of \_\_\_\_\_, 2022, by the Newberry County Council in meeting duly assembled at Newberry, South Carolina.

**NEWBERRY COUNTY COUNCIL**

**(SEAL)**

**BY:** \_\_\_\_\_  
**Todd Johnson, Chairman**

**ATTEST:**

**Approved as to form**

\_\_\_\_\_  
**Susan C. Fellers, Clerk to Council**

\_\_\_\_\_  
**A.J. Tothacer, Jr., County Attorney**

\_\_\_\_\_  
**Christopher Inglese**  
**County Administrator**

**1<sup>st</sup> Reading:**  
**2<sup>nd</sup> Reading:**  
**Public Hearing:**  
**3<sup>rd</sup> Reading:**

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**ORDINANCE NO. 05-12-2022**

**AN ORDINANCE AMENDING ORDINANCES NO. 10-7-19 AND 05-16-20 OF NEWBERRY COUNTY TO AMEND THE USE OF A PORTION OF THE PROCEEDS OF THE GENERAL OBLIGATION BOND OF NEWBERRY COUNTY AUTHORIZED THEREBY**

\_\_\_\_\_, 2022

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BE IT ORDAINED BY COUNTY COUNCIL OF NEWBERRY COUNTY, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AS FOLLOWS:

## ARTICLE I

### FINDINGS OF FACT

#### Section 1.01

As an incident to the adoption of this ordinance, Newberry County Council (the "County Council"), the governing body of Newberry County, South Carolina (the "County"), finds that the facts set forth in this Article exist, and the statements made with respect thereto, are true and correct:

1. Pursuant to Ordinance No. 10-17-19, entitled "An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) General Obligation Bonds Of Newberry County, South Carolina, For The Issuance Of Notes In Anticipation Of Such Bonds, To Prescribe The Purposes For Which The Proceeds Of Such Obligations Shall Be Expended, To Provide For The Payment Thereof, And Other Matters Relating Thereto," enacted November 20, 2019 (the "2019 Ordinance"), the County Council authorized the issuance of the \$325,000 General Obligation Bond, Series 2020A, of the County (the "Bond"). The 2019 Ordinance was amended by Ordinance No. 05-16-20, enacted June 17, 2020 (the "2020 Ordinance", and, with the 2019 Ordinance, the "Bond Ordinance"), to amend the authorized uses of the proceeds of the Bond.

2. The Council has been advised there remains unspent \$23,002 of proceeds of the Bond unallocated to improvements approved in the Bond Ordinance. The Council has determined after due investigation that there is present need for a brush truck for use in County fire protection operations, and has further determined to authorize the use of the remaining proceeds of the Bond for the purchase of a brush truck.

## ARTICLE II

### AMENDMENT OF ORDINANCE

#### Section 2.01

The Bond Ordinance is hereby amended to include therein the purchase of a brush truck as an authorized expenditure of the proceeds of the Bond.

#### Section 2.02

The Bond Ordinance, as amended by Section 2.01 herein, shall continue of full force and effect.

**ARTICLE III**  
**PUBLIC HEARING**

Section 3.01

A public hearing shall be conducted prior to third reading of this ordinance, and due notice thereof shall be provided, all as required by §4-9-130, Code of Laws of South Carolina (1976, as amended). Notice of the public hearing shall be published in a newspaper of general circulation in the County not less than 15 days prior to the date of such public hearing in the form appearing as Exhibit "A" to this ordinance, together with such changes as may be approved by the Chairman of the County Council.

DONE IN MEETING DULY ASSEMBLED this \_\_\_ day of \_\_\_\_\_, 2022.

NEWBERRY COUNTY, SOUTH CAROLINA

(SEAL)

\_\_\_\_\_  
Chairman, County Council

Attest:

\_\_\_\_\_  
Clerk, County Council

Date of First Reading: \_\_\_\_\_  
Date of Second Reading: \_\_\_\_\_  
Date of Public Hearing: \_\_\_\_\_  
Date of Third Reading: \_\_\_\_\_

STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

I, the undersigned, Clerk to Council of Newberry County, South Carolina, DO HEREBY CERTIFY:

1. That the foregoing is a true, correct and verbatim copy of an Ordinance adopted by the County Council of Newberry County on \_\_\_\_\_, 2022, at which a majority/all members were present. It was first introduced at the regular meeting of County Council held on \_\_\_\_\_, 2022. At that meeting, it was given first reading by the majority/unanimous vote of the County Council. Afterwards, at the regular meeting of the County Council held on \_\_\_\_\_, 2022, it was given its second reading and at the regular meeting of the County Council held on \_\_\_\_\_, 2022, it was give third and final reading by the unanimous vote of County Council. At each of said meetings, a quorum of County Council was present at all times during the proceedings pursuant to which the aforesaid Ordinance was adopted, the original of which is duly entered in the record of minutes of the aforesaid meetings of said County Council in my Custody as such Clerk.

2. As required by Title 30, Chapter 4 of the Code of Laws of South Carolina 1976, as amended, being the Freedom of Information Act, a copy of the agenda of meetings (showing the date, time and place of the meeting) of the County Council of the County is posted on a designated bulletin board in the administrative offices of the County, posted on the County's publicly-available website and supplied to news media as requested, in each case at least 24 hours prior to regularly scheduled meetings of the County Council. An agenda was posted in accordance with the foregoing sentence for each meeting at which the attached Ordinance was voted upon, and each agenda as so posted contained as an item the consideration of the attached Ordinance by the County Council.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of the County, this \_\_\_\_ day of \_\_\_\_\_ 2022.

(SEAL)

\_\_\_\_\_  
Clerk to County Council of Newberry County,  
Newberry County, South Carolina

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Newberry County Council, State of South Carolina will conduct the following public hearing(s) at its meeting on the \_\_\_\_ day of \_\_\_\_\_, 2022, to be held in the Newberry County Council Chambers, 1309 College Street, Newberry, South Carolina, at \_\_\_\_ p.m.

Ordinance No. \_\_\_\_: An Ordinance Amending Ordinances No. 10-7-19 And 05-16-20 Of Newberry County To Amend The Use Of A Portion Of The Proceeds Of The General Obligation Bond Of Newberry County Authorized Thereby.

[OTHER ORDINANCES RECEIVING PUBLIC HEARINGS INSERTED HERE]

At the time and place fixed for said public hearing(s), all taxpayers, residents or other interested persons who appear will be given an opportunity to express their views for or against the adoption of the Ordinance. A copy of the proposed Ordinance(s) is(are) available for inspection in the Clerk to Council's office located in the Courthouse Annex at 1309 College Street, Newberry, South Carolina, during its regular business hours. Assistance is available for those who are visually or hearing-impaired. For assistance, call Susan Fellers, Clerk to Council, (803) 321-2100.

/s/ \_\_\_\_\_  
Chairman, County Council



TOTAL \_\_\_\_\_ \$,6,900

**Expenditures** \_\_\_\_\_ **Amount**

Construction \_\_\_\_\_ \$ 3,900

Contingency \_\_\_\_\_ 3,000

TOTAL \_\_\_\_\_ \$ 6,900

**ADD**

**SECTION III. CAPITAL BUDGETS**

**Revenues** \_\_\_\_\_ **Amount**

Bonded Indebtedness \_\_\_\_\_ \$23,002

Fund Balance \_\_\_\_\_ 21,900

TOTAL \_\_\_\_\_ \$44,902

**Expenditures** \_\_\_\_\_ **Amount**

Equipment Purchase  \_\_\_\_\_ \$44,902

TOTAL \_\_\_\_\_ \$44,902

**AND IT IS SO ORDAINED** by Newberry County Council this day of 2022, in meeting duly assembled at Newberry, South Carolina.

(SEAL)

**NEWBERRY COUNTY COUNCIL**

By: \_\_\_\_\_

**Todd Johnson, Chairman**

**Attest:**

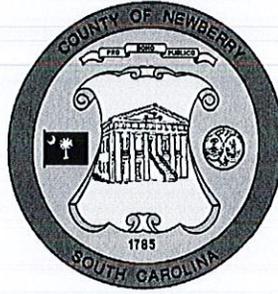
\_\_\_\_\_  
**Susan C. Fellers, Clerk to Council**

**Reviewed and approved as to form:**

**First Reading:**  
**Second Reading:**  
**Public Hearing:**  
**Third Reading:**

\_\_\_\_\_  
**A. J. Tothacer, Jr. County Attorney**

\_\_\_\_\_  
**Christopher S. Inglese, County Administrator**



Newberry County  
 Administration  
 1309 College Street  
 Newberry, SC 29108  
 803-321-2100

### Agenda Briefing

Prepared By: Crystal Waldrop	Title: Purchasing Director
Department: Administration	Division: Finance
Date Prepared: April 28, 2022	Meeting Date: 5-4-2022
Legal Review: N/A	Date:
Budget Review:	Date:
Approved for Consideration:	Date:
Request Consideration by Committee / County Council	
Subject: Acceptance of Bid # 2022-4 EMS Ambulance Re-Mount	

STAFF'S RECOMMENDED ACTION: The only response we received was from Emergency Transportation Associates. The base bid is \$150,647.37. Additionally, the two options are requested for the power load Stryker stretcher and the power cot, totaling \$43,189.60, respectively. The budgeted amount is \$200,000.00; the base bid and the two options are within the budgeted amount.

**FIDUCIARY:**

Are Funds allocated in the department's current fiscal year budget?	X	Yes	No
If no, is a budget amendment necessary?		Yes	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER: At the County Council's recommendation at the Budget Work Session, it was recommended that the re-mount for Newberry Rescue Squad be purchased at this time. The vendor has agreed to honor the price for this purchase as well. The requested funds in the new fiscal year, '22-'23, is tentatively \$225,000.

COUNTY OF NEWBERRY  
Purchasing Office, 1309 College Street, Post Office Box 156, Newberry S.C. 29108  
Ph: (803) 321-2100 / Fax: (803) 321-2102

**BIDDERS SCHEDULE**

**BID NUMBER:** 2022-4

**DATE:** March 22, 2022

**OPENING DATE AND TIME:** April 13, 2022 @ 3:00 p.m.

**DEADLINE FOR SUBMITTING QUESTIONS:** April 6, 2022 by 5:00 p.m.

Via email to: [cwaldrop@newberrycounty.net](mailto:cwaldrop@newberrycounty.net)

**OPENING LOCATION:** Newberry County Courthouse Annex, Conference Room  
1309 College Street  
Newberry, SC 29108

**PROCUREMENT:** EMS Ambulance Re-Mount

Base Bid

\$ 150,647.37

\*Sales taxes shall be included in the bid

\*Bids shall be good for forty-five (45) days from the date of submittal

*Emergency Transportation*  
VENDOR: Associates SIGNATURE: 

Name of Authorized Contact: Eric C. Vogl SE

Email Address: evogl@joineta.com

Address: 724 West Main Street, Rock Hill, SC 29730

Phone & Fax: 470 955-5270

FEIN: 84-3399667

Contractor's SC License #: 40071 Dealer Lic. / 11198067 Retail Lic.

**There will NOT be a pre-bid meeting for this solicitation.**

This equipment is being purchased through a lease purchase. The awarded vendor will be given the bank information.

ADDRESS: 724 West Main Street  
 CITY/STATE/ZIP: Rock Hill, SC 29710  
 TELEPHONE: 470 955-5270  
 PERSON TO CONTACT: Eric Vogl Sr.

We herewith submit and bid as follows:

CHASSIS MAKE: Dodge 2022  
 MODEL/TYPE: 4500  
 AMBULANCE BRAND: McCoy Miller  
 FOB. POINT: Newberry SC  
 DELIVERY-CALENDAR DAYS: 90-120-Days AROC  
 TERMS: CAD

TOTAL PRICE COMPLETE, AS SPECIFIED..... \$ 150,647.37  
 NET PRICE COMPLETE, AS SPECIFIED..... \$ 150,647.37

BID IS:  AS PER SPECIFICATION, TAKING NO EXCEPTIONS  
 TAKING ONLY THOSE SPECIFICATION EXCEPTIONS LISTED, ATTACHED AND REFERENCED TO PARAGRAPH NUMBER SPECIFIED

It is agreed by the undersigned bidder that the signature and submission of this bid represents the bidder's acceptance of all terms, conditions, and requirements of bid specifications and, if awarded, the bid will represent the agreement between the two parties.

SIGNED: [Signature] DATE: 4/12/2022  
 NAME PRINTED: Eric Vogl TITLE: President/owner

NOTE: All variations and/or exceptions must be listed on the attached pages, by page and paragraph number from specifications and explained in detail. Failure to so list exceptions will disqualify the bid

options - not included with price above

- 1. Power Load - Stryker - \$23,984.32
  - 2. Power Cot - Stryker - \$19,205.28
  - 3. Lucas Device - Stryker - \$15,590.72
- } 58  
1,780.32
- EXCEPTIONS / CLARIFICATIONS**

Each bidder may copy this form, as necessary to sufficiently list all exceptions and variations from specifications (Please list as shown, by page, item number, and check if vendor chooses not to supply, or is unavailable, or describe deviation or substitution in detail, if

**NEWBERRY COUNTY COUNCIL  
FINANCE COMMITTEE  
MINUTES  
MARCH 28, 2022**

The Newberry County Council Finance Committee met on Monday, March 28, 2022, at 6:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

Notice of the meeting was duly advertised, as required by law.

**PRESENT:** Henry H. Livingston, III Council Committee Member  
Mary Arrowood, Council Committee Member  
Les Hipp, Council Committee Member  
Robert N. Shealy, Council Member  
Christopher Inglese, County Administrator  
Karen Brehmer, Deputy County Administrator  
Debbie S. Cromer, Finance Director  
Susan C. Fellers, Clerk to Council

Mr. Hipp called the meeting to order and determined a quorum to be present.

Mr. Hipp had the invocation followed by the Pledge of Allegiance.

- 1. Election of Committee Chairman for 2022 - Christopher Inglese,  
County Administrator**

Mr. Inglese opened the floor for nominations for Chairman.

Mr. Hipp nominated Mrs. Arrowood; seconded by Mr. Livingston.

There being no other nominations, Mr. Inglese declared Mrs. Arrowood to be Chairman of the Finance Committee.

- 2. Approval of Minutes of April 5, 2021**

Mr. Livingston moved to adopt the Minutes of April 5, 2021, as presented; seconded by Mr. Hipp. Vote was unanimous.

### **3. Additions, Deletions and Adoption of the Agenda**

There being no additions or deletions to the Agenda, Mr. Livingston moved to adopt the Agenda, as presented; seconded by Mr. Hipp. Vote was unanimous.

### **4. Discussion of Solid Waste Fees and Ordinance**

#### **a. Transfer Station**

- i. Commercial User Fee**
- ii. Mega User Fee**

Mike Pisano, Public Works Director, presented a powerpoint presentation regarding the Newberry County Transfer Station.

The costs to Newberry County for FY20-21 at the landfill was \$2,204,481. The tipping fee revenue was \$1,171,438. There is a shortfall of \$1,033,043.

At the present time the City of Newberry pays no tipping fees for commercial trash.

Users who dump over 1,000 tons have been identified as mega users. The consultant has recommended a surcharge for mega users. Staff recommends a \$2 per ton surcharge for anything over 1,000 tons and an increase of the base fee from \$49 per ton to \$51 per ton

Projected revenue for FY23 including charging the City of Newberry for commercial trash, implementing a surcharge for mega users, and increasing the base fee will generate a total of \$1,779,333. The projected shortfall for FY23 would be \$425,149. This shortfall could be more due to fuel costs.

Mr. Inglese advised a draft ordinance would be brought to full Council at the April 20th meeting, which will set out all commercial users to be subject to the same fees as the City of Newberry. The fee will be consistent with all commercial waste. The budget includes a presumption that these fees will be included.

## 5. Discussion of FY 22-23 General Fund Budget

Mr. Inglese presented the proposed FY22-23 budget to the Committee.

Included in the proposed budget is a 3% cost of living adjustment for all county employees

The budget recommends a transfer of reserve funds in the amount of \$441,195 for operations and \$397,663 for capital purchase or improvements. We will work toward a three year capital purchase plan and a five year capital improvement plan, thereby enabling a strategic approach to major purchases and improvements.

Staff projects total revenue collections of \$28,724,880 for FY22.

Total revenue projections for FY23 are \$28,539,846.

The anticipated value of a mill for FY23 equals \$160,370, an increase of 6.5%. The recommended budget includes a 2.5 mill increase for operations and debt service millage decrease of 1 mill. The recommended net millage increase equals 1.5 mills. On a \$150,000 house this would equate to a \$6 increase.

Fifteen personnel requests were included in departmental budgets. The recommended budget includes 4 new positions: CPA/CFO, IT Director, Grants Writer and Park and Recreation Programs Manager.

As to the CPA/CFO, that person needs to be on board now to work with Debbie Cromer, who will be retiring at some time in the future. This job is a need and not a want. The CPA would provide oversight of work for audits. Other officials such as the Treasurer, Auditor and Sheriff could also consult with this person.

Mr. Hipp inquired as to the contract of the County with its outside auditors. He felt it would be good to seek bids when our current contract expires. Mr. Inglese will check on the contract the County has with the current outside auditing firm.

The IT Director is a need and not a want. Ervin West will be retiring soon, and with his retirement it is time to hire a skilled IT person. An on board IT person would save the County approximately \$40,000 from its contract with VC3. \$105,000 has been budgeted for an IT Director, and this amount would be offset by the \$40,000.

As to the facilities part of Mr. West's job, the County will need to find a property manager or either somebody in the department with maintenance experience. The salary range would be around \$70,000.

The grant writer would focus on Public Safety and Public Works. This could be a payoff for the County.

The Parks and Recreation Coordinator would allow the county to grow its own program. Right now the County pays money back to the municipalities toward recreational programs.

The proposed budget includes an extra increase in salary for Public Works and Detention Center employees.

Mrs. Arrowood said she needed to study all this information and then come back with questions.

Mr. Livingston was glad to see the increase for the employees. He asked about the Compensation Salary Study.

Mr. Inglese responded that they were finishing up the RP and hoped to have it posted by the end of the week. The County hopes to have this study completed by the end of the calendar year.

Mr. Livingston expressed concern over where the numbers were coming from for the new positions.

Mr. Inglese said these figures were not totally random. He budgeted on the high end in case we get the perfect person. In reality these figures could be 20% less.

Mr. Livingston said the County needs a grant writer but they need to pay their own way through the grants.

Mr. Hipp requested a list of job responsibilities of the grant writer, as well as a list of potential grant monies the County could get.

Mr. Livingston said Rescue Squads and Fire Departments have to write their own grants and should have someone to assist with that.

Mr. Inglese said there is currently no accounting of what grants they get. We will know if the grant writer is successful because of increased accounting responsibilities.

Mr. Livingston also requested information about bonds, such as date of maturity and interest rate.

#### **6. Discussion of potential fee agreement for architectural space need analysis - administration building**

Mr. Inglese would like to engage an architectural firm to talk about the county needs for Administration, Treasurer, Auditor, Zoning, etc. He would like to get all departments working in a single space. It would take approximately \$13,000 to do it. In order to get drawings and to cover the architectural fees, it would be an additional \$27,000, for a total of \$40,000.

One estimate has been received and the County is waiting on the other two. \$13,000 has been identified from Ervin West's budget.

#### **7. Public Comments**

Matt DeWitt, City of Newberry, said an increase in the transfer fee would affect 213 businesses in the City of Newberry. It would be an increase of 119.76% for the City to pass along. Currently the cost is \$86 per month and that would increase to \$179 per month. A lot of businesses are barely getting by after covid. He felt the County could look at ways to not impact businesses so much at one time. If the County pursues this cost increase, the City of Newberry will discontinue its garbage services.

As to recreation fees, there was an agreement entered into a few years ago where the County pays the City a small amount and that would eliminate fees for county residents. The City receives \$40,000 from the County every year and the City is happy with this arrangement. The City will have to look at county residents paying more for city recreation programs.

Joe Trainer felt the millage increase and trash fee increase could have a negative effect on downtown businesses. The City is happy with the services it is getting now, and this would negatively affect some people.

### **8. Adjournment**

There being no further business, Mr. Hipp moved to adjourn; seconded by Mr. Livingston. Vote was unanimous.

Mrs. Arrowood declared the meeting adjourned at 7:47 p.m.

**NEWBERRY COUNTY COUNCIL  
FINANCE COMMITTEE**

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**Mary Arrowood, Chairperson**

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**Susan C. Fellers, Clerk to Council**

**Minutes Approved:** \_\_\_\_\_

**NEWBERRY COUNTY COUNCIL  
SPECIAL CALLED MEETING  
MINUTES  
APRIL 6, 2022**

Newberry County Council met on Wednesday, April 6, 2022, at 5:00 p.m. in Council Chambers at 1309 College Street, Newberry, SC., for a special called meeting.

Notice of the meeting was duly advertised, as required by law.

**PRESENT:** Todd Johnson, Chairman (District 1)  
Les Hipp, Vice-Chairman (District 5)  
Mary Arrowood, Council Member (District 2)  
Henry H. Livingston, III, Council Member (District 3)  
Robert N. Shealy, Council Member (District 4)  
Johnny Mack Scurry, Council Member (District 6)  
Travis Reeder, Council Member (District 7)  
Karen Brehmer, Deputy County Administrator  
Brian Franklin, HR Director  
Susan C. Fellers, Clerk to Council

Mr. Johnson called the meeting to order at 5:00 p.m. and determined a quorum to be present.

Mrs. Arrowood had the invocation followed by the Pledge of Allegiance.

**1. Executive Session**

**Code Section 30-4-70(a)(1): Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly. Nothing contained in this item**

shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.

Mr. Hipp moved to go into Executive Session for the above-stated reasons; seconded by Mr. Shealy. Vote was unanimous.

**EXECUTIVE SESSION**

**5:07 P.M. - 5:55 P.M.**

Mrs. Arrowood moved to return to open session; seconded by Mr. Livingston. Vote was unanimous.

**2. Adjournment**

There being no further business to come before Council, Mr. Shealy moved to adjourn; seconded by Mr. Livingston. Vote was unanimous.

Mr. Johnson declared the meeting adjourned at 5:57 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Todd Johnson, Chairman**

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**Susan C. Fellers, Clerk to Council**

**Minutes Approved:** \_\_\_\_\_

**NEWBERRY COUNTY COUNCIL  
MINUTES  
APRIL 6, 2022**

Newberry County Council met on Wednesday, April 6, 2022, at 6:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

Notice of the meeting was duly advertised, as required by law.

**PRESENT:** Todd Johnson, Chairman (District 1)  
Les Hipp, Vice Chairman (District 5)  
Mary Arrowood, Council Member (District 2)  
Henry H. Livingston, III, Council Member (District 3)  
Robert N. Shealy, Council Member (District 4)  
Johnny Mack Scurry, Council Member (District 6)  
Travis Reeder, Council Member (District 7)  
A.J. Tothacer, Jr., County Attorney  
Karen Brehmer, Deputy County Administrator  
Debbie S. Cromer, Finance Director  
Susan C. Fellers, Clerk to Council

**MEDIA:** Andrew Wigger, Newberry Observer

**ABSENT:** Christopher Inglese, County Administrator

Mr. Johnson called the meeting to order at 6:00 p.m. and determined a quorum to be present.

Mr. Hipp had the invocation followed by the Pledge of Allegiance.

**1. Additions, Deletions and Adoption of the Agenda**

Mr. Hipp moved to remove Item #7, Adoption of the Consent Agenda, in its entirety from the agenda since these documents were not received and he had not had a chance to review them; seconded by Mr. Reeder. Vote was

unanimous. These items will be placed on the next Council agenda for consideration.

Mr. Hipp moved to adopt the Agenda, as amended; seconded by Mr. Shealy. Vote was unanimous.

**2. Public Appearances - FY 22-23 Budget:**

**a. Beth Folk, Clerk of Court**

Mrs. Folk stated she was not before Council requesting anything but merely to advise that starting July 1, 2022, land records would go on line. Viewing of documents is scheduled for October 3, 2022.

**b. Laura Kneece, Coroner**

Mrs. Kneece requested (1) funding for an additional full time position in the amount of \$35,000 (with fringe the amount would be \$61,491); and (2) increase salaries of Deputy Coroners to \$15,000 per year.

**c. Solicitor David M. Stumbo**

Mr. Stumbo requested Newberry County consider a one year position for a contract attorney to come in and assist with the prosecution of the backlog of cases. Cost would be \$70,000 for one year with no recurring costs. He felt one year would catch up the backlog which accumulated due to covid.

**d. Charles Verner, Public Defender**

Mr. Verner requested another full time Public Defender at a cost of \$100,000 over 3 years, for a total of \$300,000.

**e. Mike Pisano, Public Works Director**

Mr. Pisano requested a \$2.00 per ton fee for anything over 1,000 tons for the City of Newberry and an increase in the base fee from \$49 to \$51. This increase would generate \$1,779,333.

3. **Ordinance #03-04-2022:** An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 30, 2016, so as to amend the zoning map acting on a request to amend the official zoning map established and codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to rezone three (3) real estate parcels totaling thirteen and ninety-one hundredths (13.91) acres designated as TMS Parcels No. 639-8, 639-87, and 639-88 from RS-Single Family Residential to R2 Rural.

- a. **Public Hearing**

Mr. Johnson declared this to be the public hearing.

**Mike Probyn** thanked everyone with whom he worked on this rezoning matter. Everyone was very respectful and helpful.

There being no further comments from the public, Mr. Johnson declared the public hearing closed.

- b. **Third and Final Reading**

Mr. Reeder moved to adopt third and final reading; seconded by Mr. Shealy. Vote was unanimous.

4. **Ordinance #03-05-2-22:** An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 30, 2016, so as to amend the zoning map acting on a request to amend the official zoning map established and codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to rezone one (1) real estate parcel totaling one and forty-nine hundredths (1.49) acres designated as TMS Parcel No. 340-2-21 from RS-Single Family Residential to R2-Rural.

- a. **Public Hearing**

Mr. Johnson declared this to be the public hearing.

There being no comments from the public, Mr. Johnson declared the public hearing closed.

**b. Third and Final Reading**

Mr. Hipp moved to adopt third and final reading; seconded by Mrs. Arrowood. Vote was unanimous.

- 5. Ordinance #04-06-2022: An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 30, 2016, so as to amend the zoning map acting on a request to amend the official zoning map established and codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to relzone one (1) real estate parcel totaling nineteen and seventy-two hundredths (19.72) acre located at 1001 Macedonia Church Road, between Doc Fulmer Road and Living Inn Road. Applicant has asked to rezone to R2-Rural from RS-Single Family Residential. Tax Map No. 653-61.**

**a. First Reading**

Mr. Hipp moved to approve first reading; seconded by Mr. Shealy. Vote was unanimous.

**6. Executive Session**

**Code Section 30-4-70(a) of the Code of Laws of SC, as amended, 1976:**

**(1) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matter covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.**

**(2) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or**

**expansion of industries or other businesses in the area served by the public body.**

- A. Project Viking**
- B. Project PB & J**

Mr. Shealy moved to go into Executive Session for the above-stated reasons; seconded by Mrs. Arrowood. Vote was unanimous.

**EXECUTIVE SESSION  
6:45 P.M. - 7:51 P.M.**

Mr. Livingston moved to return to open session; seconded by Mrs. Arrowood. Vote was unanimous.

Mr. Johnson reported that Council met in Executive Session for the above-stated reasons, and no action was taken in Executive Session.

Mr. Livingston moved to give the Economic Development Director and the County Administrator authorization to negotiate with Project Viking; seconded by Mr. Shealy. Vote was unanimous.

Mr. Livingston moved to give the Economic Development Director and the County Administrator authorization to negotiate with Project PB & J; seconded by Mrs. Arrowood. Vote was unanimous.

**7. Adoption of the Consent Agenda:**

- a. Committee report and approval of minutes of 2/28/2022 - Economic Development**
- b. Approval of Central SC Alliance Invoice**
- c. County Council Minutes 3/2/2022**

This item was removed from the agenda.

**8. Public Comments**

No comments from the public.

**9. Comments/Requests from County Administrator**

Mr. Inglese was absent awaiting the birth of his child.

**10. Comments/Requests from Council Members**

No comments from any Council Members.

**11. Future Meetings (all meetings at 6:00 p.m., unless otherwise noted):**

- a. Special Council Meeting, 4/12/22 at 5:00 p.m.
- b. Budget Work Session, 4/20/22 at 4:00 p.m.
- c. County Council Meeting, 4/20/22
- d. Executive Committee Meeting, 4/25/22
- e. Budget Work Session, 4/26/22

**12. Adjournment**

There being no further business to come before Council, Mr. Shealy moved to adjourn; seconded by Mr. Scurry.

Mr. Johnson declared the meeting adjourned at 7:56 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Todd Johnson, Chairman**

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**Susan C. Fellers, Clerk to Council**

**Minutes Approved:** \_\_\_\_\_