



**NEWBERRY COUNTY COUNCIL  
COUNTY COUNCIL AGENDA  
January 17, 2024  
6:00 P.M.**

Call to order: Todd Johnson, Chairman  
Invocation and Pledge of Allegiance: Johnny Mack Scurry, Council Member

1. Adoption of Consent Agenda:
  - a. Newberry County Council Work Session Minutes – January 3, 2024.
  - b. Newberry County Council Meeting Minutes – January 3, 2024.
  - c. Newberry County Public Safety Committee Minutes – January 8, 2024.
2. Additions, Deletions & Adoption of the Agenda.
3. Recognitions:
  - a. Employee Service
    - i. Sheriff Lee Foster      35 years      Sheriff
4. Ordinance No. 12-01-2023. An Ordinance acting on a request to amend the official zoning map established pursuant to Zoning Ordinance No. 12-24-01 as revised and amended by Zoning Ordinance No. 6-11-16 and codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classification and districts so as to rezone one (1) real estate parcel totaling one and twelve hundredths (1.12) acres designated as TMS No. 399-56 from R2-Rural to GC-General Commercial.
  - a. Third Reading

5. Ordinance No. 12-02-2023. An Ordinance authorizing the execution and delivery of a Fee-In-Lieu of *Ad Valorem* Taxes and incentive agreement by and between Newberry County, South Carolina, and *Project Palmetto* to provide for payment of a Fee-In-Lieu of Taxes; authorizing certain infrastructure credits; and other related matters.

- a. Third Reading

6. Ordinance No. 01-01-2024. An Ordinance to provide for the determination of salaries for county appointed officials other than those appointed by County Council or the County Administrator, and to provide for the regular evaluation of salaries for such officials.

- a. First Reading

7. Consideration and approval of proposals for Financial Software System for General Ledger (RFP# 2023-17).

- a. Crystal Waldrop, Director of Purchasing.
  - b. Karen Lindler Smith, Newberry County Treasurer.

8. Consideration of a motion to approve the purchase of 30 replacement firefighter air packs as recommended by the Public Safety Committee – Tommy Long, Emergency Services Director.

9. Consideration of a motion to reimburse fire departments for the cost of purchasing replacement firefighter air packs in 2023 as recommended by the Public Safety Committee – Tommy Long, Emergency Services Director.

10. Consideration of a motion to provide matching funds for FY2023-2024 S.C. Forestry Commission Volunteer Fire Assistance Grants awarded to Bush River VFD, Chappells VFD, Little Mountain VFD, Prosperity VFD, and Whitmire VFD, as recommended by the Public Safety Committee – Tommy Long, Emergency Services Director.

11. Appointments.

12. Public Comments.

13. Comments/Requests from County Administrator.

14. Comments/Requests from Council.

15. Future meetings:

- a. Newberry County Council Work Session – February 7 at 5 p.m.
- b. Newberry County Council – February 7 at 6 p.m.
- c. Economic Development Committee – February 12 at 6 p.m.
- d. Presidents' Day Holiday – Offices Closed – February 19.
- e. Newberry County Council Work Session – February 21 at 5 p.m.
- f. Newberry County Council – February 21 at 6 p.m.
- g. Executive Committee – February 26 at 6 p.m.

16. Adjournment.

**NEWBERRY COUNTY COUNCIL WORK SESSION**  
**MINUTES**  
**January 03, 2024**

Newberry County Council met on Wednesday, January 03, 2024, at 5:01 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a Work Session.

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

PRESENT: Todd Johnson, Chairman  
Les Hipp, Vice Chairman  
Leon Fulmer, Council Member  
Travis Reeder, Council Member  
Johnny Mack Scurry, Council Member  
Karl Sease, Council Member  
Robert N. Shealy, Council Member  
Jeff Shacker, County Administrator  
Rick Farmer, Economic Development Director  
Eric Nieto, I.T. Director  
Katie Werts, Director of Planning and Development Services  
Andrew Wigger, Clerk to Council/PIO

Mr. Johnson called the meeting to order at 5:01 p.m.

1. Review and discussion of the draft Future Land Use Map and the draft Economic Element of the draft Comprehensive Plan.
  - Mr. Shacker addressed points that he said Newberry County Council made during the December 6, 2023.
  - Regarding the Economic Element, updated numbers were presented after Auditor Donna Lominack provided the information with contributions from Mr. Farmer, as well.

- Newberry County's total assessed property value was corrected to \$184.5 million in 2022, of which \$22.8 million relates to industry and manufacturing.
- The combined assessed value of the ten largest taxpayers in Newberry County totaled \$35.7 million in 2022.
- The taxes levied on those 10 taxpayers totaled \$12.4 million.
- Regarding the Land Use Element, Mr. Shacker said one thing about council is that it listens to people and is responsive to the public. He said the council listened and asked staff to reevaluate some areas on the map.
- Mr. Shacker presented a map that moved farmland from Transitional Development to Rural Development.
- Mr. Shacker said excellent points were previously made that this is not set in stone. As circumstances change, or as opportunities present themselves, council can respond to those changes and opportunities by amending the Future Land Use Map as part of the zoning process.
- Mr. Johnson said preserving Newberry County farmland is crucial to the integrity and backbone of Newberry County. He said he thinks the proposed changes recognize what is going on in the county and protect farmland and says the council has a vision for growth in the future. He further said he commends the outstanding work staff did to bring this back around.
- Mr. Shacker requested council consider accepting the two remaining elements during the 6 p.m. meeting. The plan would then be to hold the first reading of an ordinance to adopt the entire comprehensive plan on Feb. 7, second reading and public hearing on Feb. 21, and third and final reading on March 6.

## 2. Executive Session:

### a. Personnel Matter(s):

- i. Discussion of matters related to the compensation of Newberry County Appointed Officials pursuant to SC Code of Laws Section 30-4-70(a)(1).

b. Legal Matter(s):

- i. Discussion of matters related to Newberry County's local floodplain management program and participation in the National Flood Insurance Program pursuant to SC Code of Laws Section 30-4-70(a)(2).

c. Economic Development Matter(s):

- i. Discussion of matters related to *Project Artemis* pursuant to SC Code of Laws Section 30-4-70(a)(5).
  - ii. Discussion of matters related to *Project Cardinal* pursuant to SC Code of Laws Section 30-4-70(a)(5).
  - iii. Discussion of matters related to *Project Phoenix* pursuant to SC Code of Laws Section 30-4-70(a)(5).
- At 5:13 p.m., Mr. Shealy made a motion to go into Executive Session; Mr. Sease provided the second and the motion was approved 7-0.
  - At 6:10 p.m., Mr. Shealy made a motion to come out of Executive Session; Mr. Fulmer provided the second and the motion was approved 7-0.
  - Mr. Johnson said Newberry County Council went into Executive Session for the reasons stated on the agenda and in his comments as they moved into Executive Session and no action was taken.

3. Adjournment.

- Mr. Shealy made a motion to adjourn the meeting, Mr. Hipp provided the second and the motion was approved 7-0 at 6:11 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Todd Johnson, Chairman**

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**Andrew Wigger, Clerk to Council**

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

**NEWBERRY COUNTY COUNCIL  
MINUTES  
January 03, 2024**

Newberry County Council met on Wednesday, January 03, 2024, at 6:11 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  
Robert N. Shealy, Vice-Chairman  
Leon Fulmer Jr., Council Member  
Les Hipp, Council Member  
Travis Reeder, Council Member  
Johnny Mack Scurry, Council Member  
Karl Sease, Council Member  
Jeff Shacker, County Administrator  
Joanie Winters, County Attorney  
Karen Brehmer, Deputy County Administrator  
Captain Ben Chapman, NCSO  
Debbie Cromer, Finance Director  
Major Robert Dennis, NCSO  
Beth Folk, Clerk to Court  
Donna Lominack, Auditor  
Eric Nieto, I.T. Director  
Katie Werts, Director of Planning and Development Services  
Rick Farmer, Economic Development Director  
Andrew Wigger, Clerk to Council/PIO

MEDIA: Orion Griffin, The Newberry Observer

Mr. Johnson called the meeting to order at 6:11 p.m.

Mr. Johnson led the invocation and Pledge of Allegiance.



## 1. Election of Chair for 2024.

- Mr. Johnson opened the floor for nominations for Chair.
  - Mr. Sease nominated Mr. Hipp for Chair, seconded by Mr. Shealy.
  - Mr. Scurry nominated Mr. Johnson for Chair, seconded by Mr. Reeder.
- Mr. Scurry made a motion that nominations come to a close, Mr. Shealy made a second and the nomination period was closed.
- Mr. Johnson called for a vote for Chair in order of nomination.
  - Mr. Hipp, Mr. Sease and Mr. Shealy voted for Mr. Hipp.
  - Mr. Fulmer, Mr. Johnson, Mr. Reeder and Mr. Scurry voted for Mr. Johnson.
- Mr. Johnson was elected chair 4-3.
- Mr. Johnson thanked council and expressed his gratitude.

## 2. Election of Vice-Chair for 2024.

- Mr. Johnson opened the floor for nominations for Vice-Chair.
  - Mr. Hipp nominated Mr. Shealy for Vice-Chair, seconded by Mr. Sease.
  - Mr. Scurry nominated Mr. Reeder for Vice-Chair, seconded by Mr. Johnson.
- Mr. Scurry made a motion that nominations come to a close, Mr. Shealy made a second and the nomination period was closed.
- Mr. Johnson called for a vote for Vice-Chair in order of nomination.
  - Mr. Fulmer, Mr. Hipp, Mr. Sease, and Mr. Shealy voted for Mr. Shealy.
  - Mr. Johnson, Mr. Reeder, Mr. Scurry voted for Mr. Reeder.
- Mr. Shealy was elected Vice-Chair 4-3.

### 3. Adoption of Consent Agenda:

- a. Newberry County Council Economic Development Committee Minutes – December 4, 2023.
- b. Newberry County Council Work Session Minutes – December 6, 2023.
- c. Newberry County Council Meeting Minutes – December 6, 2023.
  - Mr. Sease made a motion to adopt the minutes as presented, Mr. Shealy provided the second and the motion was approved 7-0.

### 4. Additions, Deletions & Adoption of the Agenda.

- Mr. Shealy made a motion to approve the agenda as presented; Mr. Hipp provided the second and the motion was approved 7-0.

### 5. Ordinance No. 11-02-2023. An Ordinance authorizing the execution and delivery of a Fee-In-Lieu of *Ad Valorem* Taxes and incentive agreement by and between Newberry County, South Carolina and *Project Cavalier* to provide for payment of a Fee-In-Lieu of Taxes; authorizing certain infrastructure credits; and other related matters.

#### a. Public Hearing

- Mr. Johnson declared the public hearing open. With no one signing up or standing up to speak, Mr. Johnson declared the public hearing closed.

#### b. Third Reading

- Mr. Shealy made a motion to approve the third reading; Mr. Scurry provided the second and the motion was approved 7-0.

6. Ordinance No. 12-01-2023. An Ordinance acting on a request to amend the official zoning map established pursuant to Zoning Ordinance No. 12-24-01 as revised and amended by Zoning Ordinance No. 6-11-16 and codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classification and districts so as to rezone one (1) real estate parcel totaling one and twelve hundredths (1.12) acres designated as TMS No. 399-56 from R2-Rural to GC-General Commercial.

a. Public Hearing

- Mr. Johnson declared the public hearing open. With no one signing up or standing up to speak, Mr. Johnson declared the public hearing closed.

b. Second Reading

- Mr. Shealy made a motion to approve the second reading; Mr. Hipp provided the second and the motion was approved 7-0.

7. Ordinance No. 12-02-2023. An Ordinance authorizing the execution and delivery of a Fee-In-Lieu of *Ad Valorem* Taxes and incentive agreement by and between Newberry County, South Carolina, and *Project Palmetto* to provide for payment of a Fee-In-Lieu of Taxes; authorizing certain infrastructure credits; and other related matters.

a. Public Hearing

- Mr. Johnson declared the public hearing open. With no one signing up or standing up to speak, Mr. Johnson declared the public hearing closed.

b. Second Reading

- Mr. Sease made a motion to approve the second reading; Mr. Shealy provided the second and the motion was approved 7-0.

#### 8. Consideration of a motion to accept the proposed Economic and Land Use elements of the draft Comprehensive Plan.

- Mr. Shealy made a motion to accept the Economic and Land Use elements; Mr. Hipp provided the second.
  - Mr. Hipp said for clarification purposes, under the Land Use Element, the original Land Use Map had been revised at the 5 p.m. meeting; reducing some of the agricultural property that had been previously designated on the map as areas for possible economic development in the future with the understanding that the map can be amended in the future, should there be a desire to do so.
  - As far as Economic Development, Mr. Hipp said some of the numbers were reviewed and corrected.
  - Mr. Johnson said a lot of the council members were concerned about farmland usage in the county and they want to stay true to that heritage and preserve farmland and make sure industry and farm can coexist.
- The motion was approved 7-0.

#### 9. Appointments.

- There were no appointments.

#### 10. Public Comments.

- There were no public comments.

#### 11. Comments/Requests from County Administrator.

- Mr. Shacker said they spend six months of the year working on the county budget and that process has already started. He said Ms. Cromer has already started working on that and they will be pulling expenditure requests and summary information together for council to get that information out to them as soon as possible.
- Mr. Shacker said they will have some “heavy lift” type items on the agenda at the next council meeting, including discussing the Property Maintenance and Nuisance Ordinance at the 5 p.m. Work Session and a major software purchase.

#### 12. Comments/Requests from Council.

- Mr. Shealy said it was a great meeting and thanked Mr. Hipp for what he has done as Vice-Chair, and he hopes to be able to follow in his footsteps.
- Mr. Sease said he was looking forward to working with everyone again this year and congratulated Mr. Shealy for being named Vice-Chair and told Mr. Johnson he looked forward to working with him as Chairman.
- Mr. Reeder said Happy New Year to everyone and told everyone about the MLK program continuing this year with a parade on January 13 at 2 p.m. and a march on January 15 at 9:30 a.m. and a program at 10 a.m. at Miller Chapel AME Church. He added that it was a day on, not a day off.
- Mr. Scurry said he was so glad to see the elected officials and thanked them and staff for being with them tonight.
- Mr. Johnson told Mr. Hipp that he treasured their working relationship and has said personally and publicly that their work together has been like iron sharpening iron. He said that Mr. Hipp keeps him on his toes and his head on a swivel and that is a good thing. He said he appreciates him.
- Mr. Hipp said it has been a pleasure working with him as Vice-Chair, he said Mr. Johnson’s leadership skills have been exemplary during

the time he has been Chairman. He told Mr. Shealy that he is satisfied that he will have the opportunity he had to learn and contribute. He said he thinks everyone on council should have the opportunity to learn and contribute through leadership positions, he said that is the way their ordinance states it should be done when this form of government was established. He said he hopes that continues and that he hopes everyone on council can not only participate but take a leadership position at some time as a form of growth and new ideas to be refreshed. Mr. Hipp further thanked Mr. Shacker for all that he has done since coming on board and thanked staff in attendance for all that they do.

- Mr. Johnson added that he has never seen council so united in doing the right thing for Newberry County.

#### 13. Future meetings:

- a. Public Safety and Courts Committee – January 8 at 6 pm.
- b. Martin Luther King, Jr. Holiday – Offices Closed – January 15.
- c. Newberry County Council Work Session – January 17 at 5 p.m.
- d. Newberry County Council – January 17 at 6 p.m.

#### 14. Adjournment.

- Mr. Shealy made a motion to adjourn, Mr. Fulmer provided the second and the motion was approved 7-0 at 6:30 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Todd Johnson, Chairman**

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**Andrew Wigger, Clerk to Council**

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

**NEWBERRY COUNTY COUNCIL PUBLIC SAFETY AND COURTS COMMITTEE  
MINUTES  
January 08, 2024**

The Newberry County Council Public Safety and Courts Committee met on Monday, January 08, 2024, at 6:06 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a special called meeting.

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

PRESENT: Leon Fulmer, Committee Chair  
Todd Johnson, Committee Member (Attended Virtually)  
Karl Sease, Committee Member  
Jeff Shacker, County Administrator  
Robert Dennis, Station 2 Fire Chief  
Tommy Long, Emergency Services Director  
Eric Nieto, I.T. Director  
Brandon Wicker, Emergency Services Coordinator  
Andrew Wigger, Clerk to Council/PIO

Mr. Johnson called the meeting to order at 6:06 p.m. and determined a quorum to be present.

1. Election of Chairman.

- Mr. Johnson opened the nominations for Chairperson of the Public Safety and Courts Committee. He then nominated Mr. Fulmer; Mr. Sease provided the second. Mr. Fulmer was elected Chairman 3-0.
- Mr. Johnson turned the meeting over to Mr. Fulmer.
- Mr. Fulmer thanked Mr. Johnson for his vote of confidence nominating him for the Chair and Mr. Sease for seconding the nomination. He further said he will do his best to do right by the position and the citizens of Newberry County. He respectfully

NEWBERRY COUNTY COUNCIL PUBLIC SAFETY AND COURTS COMMITTEE  
JANUARY 08, 2024



requested some direction as he is new coming into Newberry County Council as a whole.

2. Request to purchase prioritized replacement air packs.

- Mr. Wicker said there are 30 air packs that need to be replaced. The cost to replace is \$299,653.50, a quote from Anderson Fire. This quote is good until Feb. 1, according to Mr. Wicker.
- Mr. Wicker said they want to work toward replacing 72 more packs, over time.
- Mr. Fulmer asked how many air packs the county has total, to which Mr. Wicker said roughly 121 and they want to add a couple more.
- Mr. Johnson asked Mr. Shacker to talk about the funding for the request. Mr. Shacker said based on the pre-audit numbers, they expect to finish FY 2023 with a contribution to fund balance. He said that contribution exceeds the cost of the air packs.
- Mr. Johnson said based on the availability of the funds and what the volunteers do for Newberry County, he proudly made the motion to purchase the air packs and reimburse (item three) the fire departments that have already purchased them. Mr. Sease seconded the motion.
- Mr. Sease said council needs to do this and it is the right thing to do, and they cannot send their volunteers out with piecemeal equipment.
- Mr. Fulmer agreed and said they need to have the equipment they need to do the job they ask them to do.
- The motion was approved 3-0.

3. Reimbursement of fire department air pack expenditures.

- Mr. Wicker said they are asking for reimbursement for Prosperity Fire Department in the amount of \$35,852.28. He

NEWBERRY COUNTY COUNCIL PUBLIC SAFETY AND COURTS COMMITTEE  
JANUARY 08, 2024

said they had to purchase air packs last year, out of their own account, to keep their trucks in service.

- He also asked for reimbursement for Consolidated Fire Department at \$6,203.18, they purchased their air packs with a grant, but it did not cover the full amount.

4. Request for matching funds for forestry grants – Tommy Long Emergency Services Director.

- Mr. Long asked for additional funding to match the forestry grants. He said it is about \$50,000 worth of equipment the county will receive for about \$25,000.
- Mr. Long said they have \$15,000 budgeted to do matching grants for the fire services and requested an additional \$9,562.
- Mr. Shacker said he would need to see where that funding would come from, but he thinks the county should be able to cover it in the existing budget.
- Mr. Sease made a motion to match the amount needed to get the grants; Mr. Johnson provided the second. The motion was approved 3-0.

5. Request to pay fire and rescue departments' utilities directly – Tommy Long, Emergency Services Director.

- Mr. Long requested all the utilities to be paid directly for all the fire and rescue squads. He said while some are being paid directly already, he'd like to see all of them paid directly and hopefully they can plan on that in next year's budget. He said the bills would go straight to the Administration Office.
- Mr. Johnson made a motion asking the County Administrator to find a way to pay for the utilities for Newberry County fire departments and rescue squads; Mr. Sease provided the second. The motion was approved 3-0.

6. Adjournment.

- Mr. Johnson made a motion to adjourn at 6:25 p.m.; Mr. Sease provided the second and the motion passed 3-0.

**NEWBERRY COUNTY COUNCIL PUBLIC SAFETY  
AND COURTS COMMITTEE**

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**Leon Fulmer, Committee Chairman**

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**Andrew Wigger, Clerk to Council**

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

STATE OF SOUTH CAROLINA )  
 )  
NEWBERRY COUNTY )

**ORDINANCE NO. 12-01-2023**

**AN ORDINANCE ACTING ON A REQUEST TO AMEND THE OFFICIAL ZONING MAP ESTABLISHED PURSUANT TO ZONING ORDINANCE NO. 12-24-01 AS REVISED AND AMENDED BY ZONING ORDINANCE NO. 6-11-16 AND CODIFIED IN CHAPTER 153 OF THE NEWBERRY COUNTY CODE OF ORDINANCES, ESTABLISHES ZONING CLASSIFICATION AND DISTRICTS SO AS TO REZONE ONE (1) REAL ESTATE PARCEL TOTALING ONE AND TWELVE HUNDREDTHS (1.12) ACRES DESIGNATED AS TMS NO. 399-56 FROM R2-RURAL TO GC-GENERAL COMMERCIAL.**

**WHEREAS**, Zoning Ordinance, codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classifications and districts, as well as an Official Zoning Map; and

**WHEREAS**, said Zoning Ordinance provides procedures for the amendment of both the text of the Ordinance and the district boundaries shown on the Official Zoning Map; and

**WHEREAS**, pursuant to the procedures established by the Zoning Ordinance, application was made for a map amendment to rezone one (1) real estate parcel totaling one and twelve hundredths (1.12) acres located off Wise Street, Newberry, to GC-General Commercial from R2-Rural. Tax Map No. 399-45 is currently vacant property. The Comprehensive Plan shows the future land use for this area to be within the economic development projected area. The Planning Staff does recommend that this real estate parcel be rezoned to GC-General Commercial.

**WHEREAS**, the Newberry County Joint Planning Commission, in case number MA01-10-17-23, had this matter on its agenda and considered this request and received comments as to both the existing and intended uses of the property. The Joint Planning

Commission determined that it does concur with the recommendation of the Planning Staff. The Planning Commission has now forwarded its report on the rezoning request to Newberry County Council, as required by law, for consideration of its actions by Newberry County Council.

**WHEREAS**, Newberry County Council is familiar with the site and the existing uses of the properties located off Wise Street, Newberry.

**NOW, THEREFORE**, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning Tax Map No. 399-56 totaling one and twelve hundredths (1.12) acre located off Wise Street, Newberry, as more particularly shown on the plat accompanying the submitted “Official Zoning Map Amendment Application” included in the submitted Planning Commission report attached hereto, GC-General Commercial from R2-Rural.

A. That the proposed map amendment does promote the implementation of the Comprehensive Plan in the area.

B. This amendment is needed because the proposed development cannot be accomplished by the owner under the existing zoning district regulations.

C. That traffic patterns in the neighborhood will not be adversely affected by the change in zoning.

**NOW, THEREFORE, BE IT ORDAINED that:**

Newberry County Council hereby determines, based on the findings set forth above, that the attached rezoning request for a map amendment for Tax Map No. 399-56, totaling one and twelve hundredths (1.12) acres real estate parcel as acted on by the Planning Commission, be:

\_\_\_\_\_ disapproved;  
\_\_\_\_\_ approved; or  
\_\_\_\_\_ approved with the following modifications: \_\_\_\_\_

\_\_\_\_\_.

**AND IT IS SO ORDAINED** by Newberry County Council this \_\_\_\_\_ day of  
\_\_\_\_\_, 2024 in meeting duly assembled at Newberry, South Carolina.

**NEWBERRY COUNTY COUNCIL**

**(SEAL)**

**By:** \_\_\_\_\_  
Chairman

**Attest:**

\_\_\_\_\_  
Andrew Wigger, Clerk to Council

1<sup>st</sup> reading: December 6, 2023  
2<sup>nd</sup> reading: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
3<sup>rd</sup> reading: \_\_\_\_\_

Reviewed and approved as to form:

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
County Administrator



## Newberry County

# Planning Commission Staff Report

**Request:** Rezoning request MA01-10-17-23 by property owner Antonio Alvarez. This request is to rezone one (1) property totaling one and twelve hundredths (1.12) acres located off Wise Street Newberry, from R2-Rural to GC- General Commercial.

**Application Number:** MA01-10-17-23

**Applicant/Property Owner:** Antonio Alvarez

**Location Address:** Off Wise Street

**Tax Map Number(s):** 399-56

**Lot Size:** 1.12 acres

**Current Land Use:** Vacant Lot

**Proposed Land Use:** Auto Sales

**Current Zoning District:** R2-Rural

**Proposed Zoning District:** GC-General Commercial

**Comprehensive Plan Designation:** Economic Development

**Zoning Map:**

**Current Zoning District**

**R2-Rural:** The R2-Rural district is intended to be rural in nature, allowing low density residential uses including manufactured housing on individual properties, as well as home occupations, family day care, agriculture, forestry, hunting, and religious uses, but also accommodating complementary and associated uses such as recreation, government services, and appropriate service, commercial and industrial uses.

### Proposed Zoning District

GC – General Commercial: The GC district is intended to accommodate a variety of general commercial and non-residential uses characterized primarily by retail, including shopping centers; wholesale; offices; educational institutions; healthcare, including hospitals; arts and entertainment; and service establishments in commercially-oriented areas.



**Future Land Use Map:****Future Land Use Definition**

Economic Development – Land areas that either are or have the potential to be economic development centers and include uses such as commercial, industrial, higher density residential, public and institutional, and related infrastructure. Commercial uses include businesses, trade activities, administrative activities, professional activities or services, or personal services. Industrial uses include the manufacturing, assembly, processing, fabrication, storage (warehousing), and transportation of goods. Public and institutional uses include city, county, state and federal offices; schools; churches; hospitals; congregate care facilities (nursing homes); utility offices and facilities; postsecondary institutions; communication towers; community non-profit organizations; cemeteries; and libraries.

**Analysis:**

This is a request by property owner Antonio Alvarez to rezone one (1) parcel of land totaling one and twelve hundredths (1.12) acres located off Wise Street, Newberry, from R2-Rural to GC-General Commercial. The proposed use of this property is for auto sales.

The Comprehensive Plan identifies this property and the surrounding area as Economic Development.

When considering a rezoning, per Title 6, Chapter 29 of the Code of Laws of South Carolina, the decision of the Planning Commission serves as a recommendation and is forwarded to County Council for review and approval.

**Recommendations:**

**Staff:** Staff recommends the rezoning to GC-General Commercial.

**Planning Commission:**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF NEWBERRY )      **ORDINANCE NO. 12-02-2023**

**ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN NEWBERRY COUNTY, SOUTH CAROLINA AND DUKE ENERGY CAROLINAS, LLC PROVIDING FOR A PAYMENT OF A FEE IN LIEU OF TAXES, PROVIDING SPECIAL SOURCE REVENUE CREDITS, AND AUTHORIZING AN AMENDMENT TO THE MASTER AGREEMENT GOVERNING THE GREENWOOD-NEWBERRY INDUSTRIAL PARK TO PROVIDE FOR THE ADDITION OF PROPERTY AND OTHER MATTERS RELATED THERETO.**

WHEREAS, Newberry County, South Carolina (the “County”) acting by and through its County Council (the “County Council”) is authorized and empowered pursuant to the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended (the “Act”), to enter into fee agreements with any industry, with said agreements identifying certain properties of such industries as economic development property, through which powers the industrial development of the State of South Carolina (the “State”) and the County will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate, remain, and expand in the State and the County and thus utilize and employ the manpower, products, and natural resources and benefit the general public welfare of the State and County by providing services, employment, or other public benefits not otherwise adequately provided locally; and

WHEREAS, pursuant to Title 4, Section 1 of the Code of Laws of South Carolina, 1976, as amended (“Park Act”), the County and Greenwood County entered into that certain Master Agreement Governing the Greenwood-Newberry Industrial Park, effective December 31, 2012 (as amended, modified, and supplemented, collectively, the “Park Agreement”), whereby the County and Greenwood County agreed to develop a joint county industrial or business park eligible to include property located in either the County or Greenwood County (“Park”); and

WHEREAS, Section 1.01(a) of the Park Agreement establishes the procedure or enlargement of the boundaries of the Park to include additional property; and

WHEREAS, Duke Energy Carolinas, LLC (the “Company”) has committed to invest in the establishment of a solar energy production facility through the acquisition of land, a building, and improvements thereon (the “Land and Building”); the construction of improvements thereon and/or therein; and/or the acquisition of personal property, including, but not limited to, machinery, equipment, and furniture to be installed on and/or in the Land and Building, which would constitute a project within the meaning of the Act and which are eligible for inclusion as economic development property, the cost of which is estimated to be approximately \$60,000,000 over five years (the “Project”), all as more fully set forth in the Fee Agreement attached hereto, and provided that approvals of various incentives contemplated for the Project are formalized by the State and/or County; and

WHEREAS, at the request of the Company, the County having determined that an enlargement of the boundaries of the Park would promote economic development and thus

provide additional employment and investment opportunities within said County and Greenwood County, desires to enlarge the boundaries of the Park to include therein certain property, as described in greater detail on the attached **Exhibit A** located in Newberry County; and

WHEREAS, pursuant to an Inducement Resolution dated as of December 6, 2023, the County authorized the negotiation of an agreement providing for fee in lieu of tax payments; and

WHEREAS, the Company has caused to be prepared and presented to this meeting the form of the Fee Agreement by and between the County and the Company (the “Fee Agreement”), which provides for fee in lieu of tax payments utilizing a 6% assessment ratio for a period of 30 years for the Project or each component thereof placed in service during the initial investment period and any investment period extension to which the County and the Company agree and the issuance special source revenue credits as further described therein; and

WHEREAS, it appears that the Fee Agreement, which is now before this meeting, is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED by the County Council in a meeting duly assembled as follows:

Section 1. In order to promote industry, develop trade, and utilize and employ the manpower, products, and natural resources of the State of South Carolina by assisting the Company to expand or locate an industrial facility in the State of South Carolina, the Fee Agreement is hereby authorized, ratified, and approved.

Section 2. Based solely on information supplied by the Company, it is hereby found, determined, and declared by the County Council, as follows:

- (a) The Project will constitute a “project” as said term is referred to and defined in the Act, and the County’s actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the Act.
- (b) The Project and the payments in lieu of taxes set forth herein are beneficial to the County, and the County has evaluated the Project based upon all criteria prescribed by law, including the anticipated dollar amount and nature of the investment to be made and the anticipated costs and benefits to the County.
- (c) The Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally.
- (d) The Project gives rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either.

- (e) The purposes to be accomplished by the Project, i.e., economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes.
- (f) The inducement of the location or expansion of the Project within the County and State is of paramount importance.
- (g) The benefits of the Project to the public will be greater than the costs.

Section 3. The form, terms, and provisions of the Fee Agreement presented to this meeting are hereby approved, and all of the terms, provisions, and conditions thereof are incorporated herein by reference as if the Fee Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council and/or the County Administrator are authorized, empowered, and directed to execute, acknowledge, and deliver the Fee Agreement in the name of and on behalf of the County, and thereupon to cause the Fee Agreement to be delivered to the Company. The Fee Agreement is to be in substantially the form now before this meeting and hereby approved, with such changes therein as shall not be materially adverse to the County and as shall be approved by the officials of the County executing the same, upon the advice of Counsel to the County, such official's execution thereof to constitute conclusive evidence of such official's approval of any and all changes or revisions therein from the form of the Fee Agreement now before this meeting.

Section 4. The enlargement of the boundaries of the Park, and the granting of an extended period of time for inclusion of the property as described in **Exhibit A** in the Park, is hereby authorized and approved. The Chair, the acting County Administrator and the Clerk to County Council are each authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the agreement governing the Park ("Park Agreement"), the expansion of the Park's boundaries and the amendment to the Park Agreement is complete on adoption of this Ordinance by County Council and delivery of this Ordinance to the Clerk to County Council of Greenwood County, South Carolina.

Section 5. The Chairman of the County Council and/or the County Administrator, for and on behalf of the County, are hereby authorized and directed to do any and all things necessary to effect the execution and delivery of the Fee Agreement and the performance of all obligations of the County under and pursuant to the Fee Agreement.

Section 6. The provisions of this Ordinance are hereby declared to be separable, and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

Section 7. All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this Ordinance shall take effect and be in full force from and after its passage and approval.

Passed and approved this 17<sup>th</sup> day of January, 2024.

**NEWBERRY COUNTY,  
SOUTH CAROLINA**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF SOUTH CAROLINA    )  
  )  
COUNTY OF NEWBERRY        )

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

That the foregoing constitutes a true, correct, and verbatim copy of an Ordinance adopted by the County Council. The Ordinance was read and received a favorable vote at three public meetings of the County Council on December 6, 2023, January 3, 2024, and January 17, 2024. At least one day passed between first and second reading, and at least seven days passed between second and third readings. A public hearing was held on January 3, 2024, and notice of the public hearing was published in the Newberry Observer on December 13, 2023. At each meeting, a quorum of County Council was present and remained present throughout the meeting.

Attached hereto are excerpts of the minutes of the meetings of the County Council. The County Council complied with the Freedom of Information Act, Chapter 4, Title 30 of the S.C. Code of Laws, 1976, in connection with said meetings of County Council.

The Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Newberry County Council, South Carolina, as of this 17<sup>th</sup> day of January, 2024.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: Clerk to County Council

**EXHIBIT A**  
**DESCRIPTION OF PROPERTY**

All my undivided right, title, and interest in an to all that piece, parcel or tract of land containing four hundred fifty-one and three-fourths (451 <sup>3</sup>/<sub>4</sub>) acres, more or less, situate, lying and being in Tax District No. 3, formerly School District No. 49, State and County aforesaid, on U.S. Highway 76 between Newberry and Clinton, about twelve miles northwest of the City of Newberry, and being more particularly described on a plat made by F. W. Higgins, Surveyor, dated August 2, 1923, and being bounded, now or formerly, as follows: on the north by lands of J. A. Dominick and Mrs. Kate Smith, on the east by lands of W. B. Halfacre, Davis Brothers, Misses Sara and Margaret Gary and Mrs. Hattie G. Kennerly, on the south by Champion Papers, Inc., and on the west by lands of Misses Sara and Margaret Gary, M. W. Oxner and J. A. Dominick. This is the identical tract of land conveyed to Helen B. Brockenbrough by Deed of George H. Brockenbrough dated May 15, 1943, and now recorded in the Office of the Clerk of Court for Newberry County in Deed Book 51 at Page 245.

**LESS AND EXCEPT:** All that piece, parcel or tract of land, with the improvements thereon, situate, lying and being in Tax District No. 2, County of Newberry, State of South Carolina, containing forty-two (42) acres, more or less, being all of our land lying North of U.S. 76, the same being bounded on the Northwest by lands of William T. and Carol Dukes, on the Northeast and Southeast by lands of E. W. Longshore and on the Southwest by U. S. Highway 76.

Derivation: This being the same property conveyed to George H. Brockenbrough (for and during his lifetime only with remainder to be conveyed to George B. Brockenbrough) and George B. Brockenbrough by Deed of Helen B. Brockenbrough, dated August 13, 1962, and recorded in the Office of the Clerk of Court for Newberry County, South Carolina in Deed Book 80 at Page 445. Subsequently, George H. Brockenbrough deceased on April 24, 1963.

Tax Map Number: 131-1

STATE OF SOUTH CAROLINA     )  
   )  
COUNTY OF NEWBERRY             )

**ORDINANCE NO. 01-01-24**

**AN ORDINANCE TO PROVIDE FOR THE DETERMINATION OF SALARIES FOR COUNTY APPOINTED OFFICIALS OTHER THAN THOSE APPOINTED BY COUNTY COUNCIL OR THE COUNTY ADMINISTRATOR, AND TO PROVIDE FOR THE REGULAR EVALUATION OF SALARIES FOR SUCH OFFICIALS.**

**WHEREAS**, Newberry County Council established a system of compensating appointed county officials who are appointed by authority other than County Council or the County Administrator (“Appointed Officials”) on November 18, 2015, with the passage of Ordinance No. 10-23-15; and

**WHEREAS**, Newberry County Council established a system of compensating the Auditor, Clerk of Court, Coroner, Probate Judge, Sheriff, and Treasurer (“Countywide Elected Officials”) on February 15, 2017, with the passage of Ordinance No. 01-01-17; and

**WHEREAS**, Newberry County Council now desires to amend the system of compensating Appointed Officials such that the salary progression schedule for Appointed Officials is consistent with the salary progression schedule for Countywide Elected Officials.

**NOW, THEREFORE BE IT ORDAINED** by the County Council of the County of Newberry, in Council duly assembled this 21<sup>st</sup> day of February 2024 as follows:

**Section 1.     Salary Changes to Follow Annual Budget Cycle.**

Beginning with the annual operating budget for July 1, 2024, and continuing with each subsequent annual operating budget, County Council shall determine whether there will be changes in salaries for Appointed Officials, provided that such changes are not otherwise pre-determined by this Ordinance herein below. Any increases to salaries will be expressed as a percentage, which need not be the same for all Appointed Officials. Such percentages will be applied to the maximum salaries of Appointed Officials whose maximum salaries are listed in Section 2, below. However, the rate at which any state mandates increase salaries for Appointed Officials will be deducted from any percentage increase for Appointed Officials’ salaries that may be determined by County Council. Salary increases made pursuant to this Section will take effect on the first day of the County’s fiscal year, unless otherwise directed by County Council.

**Section 2.     Maximum Salaries for Appointed Officials, Effective Date.**



For purposes of this Ordinance, the term “Maximum Salaries” shall pertain to the County portions of those salaries being paid to the Appointed Officials listed below, as of February 21, 2024, plus any increases above these amounts granted thereafter by County Council in accordance with Section 1, above. The indexed list of these Maximum Salaries will be maintained and updated in the Office of the County Administrator as directed by County Council, in accordance with those increases granted under Section 1, above, or as otherwise set forth herein or directed by County Council. The implementation of this Ordinance (effective date) shall be immediate.

<b><u>Appointed Official</u></b>	<b><u>Maximum Salary</u></b>	<b><u>First Indexing</u></b>
Election / Registration Director	\$63,750.00	July 1, 2024
Magistrates*	\$72,328.00	July 1, 2024
Veterans Affairs Officer	\$63,750.00	July 1, 2024

\*Excludes Chief Magistrate supplement.

### **Section 3. Salaries for Current Appointed Officials, Successors in Office, and Progression of Salaries.**

Appointed Officials serving on the date of the adoption of this Ordinance and their successors shall be paid as follows, in accordance with time of service. Appointed Officials with less than two years of service in their respective positions shall be paid a beginning salary equal to eighty percent (80%) of the corresponding current Maximum Salary established in Section 2, above. Salaries for Appointed Officials will be increased in two-year increments to represent an additional five percent (5%) of the indexed maximum listed in Section 2, above. Such officials shall be paid no less than 85% of the maximum at the beginning of their third (3<sup>rd</sup>) year of service, no less than 90% of the maximum at the beginning of their fifth (5<sup>th</sup>) year of service, no less than 95% of the maximum at the beginning of their seventh (7<sup>th</sup>) year of service, and 100% of the maximum at the beginning of their ninth (9<sup>th</sup>) year of service and for all years thereafter. Years of service need not be consecutive for progressive increases to apply, to the degree that successors have prior experience in that specific position; neither similar experience nor experience at a lesser position in the department shall apply.

### **Section 4. Salaries for Magistrates.**

Other provisions of this Ordinance notwithstanding, Magistrates shall be compensated at a salary not less than the appropriate amount pursuant to Section 22-8-10 et. Seq. of the Code of Laws of South Carolina, 1976, as amended. Council, in its sole discretion, may elect to enhance the minimum salary pursuant to the established formula. Nothing in this Ordinance shall be construed as superseding the requirements of Section 22-8-10 et. Seq. of the Code of Laws of South Carolina, 1976, as amended.

### **Section 5. Request to Council by Appointed Officials for Salary Increases.**

Nothing in this Ordinance shall prevent an Appointed Official from requesting of County Council a salary increase other than one described in this Ordinance. Nothing in this Ordinance shall prevent County Council from granting a salary increase other than one described in this Ordinance.

**Section 6. Previous Methods of Considering Appointed Official Salary Increases Abolished.**

All ordinance and policy provisions previously in place that conflict with the provisions of this Ordinance are hereby repealed. Likewise, all previous procedures, discussions, or understandings related to the administration of salaries for those Appointed Officials listed in Section 2, 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.

**NEWBERRY COUNTY COUNCIL**

(SEAL)

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

**ATTEST:**

\_\_\_\_\_  
**Andrew Wigger, Clerk to Council**

**Approved as to form:**

\_\_\_\_\_  
**Joanie Winters, Interim County Attorney**

\_\_\_\_\_  
**Jeff Shacker, County Administrator**

**1<sup>st</sup> Reading: January 17, 2024**  
**2<sup>nd</sup> Reading: February 7, 2024**  
**Public Hearing: February 7, 2024**  
**3<sup>rd</sup> Reading: February 21, 2024**

**Newberry County  
Administration**

1309 College Street  
P.O. Box 156  
Newberry, SC 29108  
803-321-2100



**Agenda Item Briefing**

**Subject:** Appointed Officials Salary Progression

**Prepared By:** Jeff Shacker

**Title:** Ord. No. 01-01-2024 - Appointed Officials Salary Progression

**Department/Division:** NA **Date Prepared:** 1/12/2024

**Legal Review:** \_\_\_\_\_ NA \_\_\_\_\_ **Date:** Click or tap to enter a date.

**Finance Review:** \_\_\_\_\_ **Date:** 1/12/2024

**Administrator Review:** \_\_\_\_\_ JSS \_\_\_\_\_ **Date:** 1/12/2024

**Requested meeting:** ☐ Committee ☐ County Council **Meeting Date:** Wednesday, January 17, 2024

**FIDUCIARY:**

Are funds allocated in the department's current fiscal year budget? ☒ Yes ☐ No

If NO, is a budget amendment necessary? ☐ Yes ☒ No

**STAFF'S RECOMMENDED ACTION:** Staff respectfully requests that council give first reading approval to Ordinance No. 01-01-2024, which will adjust the system of compensating appointed county officials who are appointed by authority other than County Council or the County Administrator. There are three job classifications that fall in this category. They are the county's Veterans Affairs Officer, Voter Registration and Elections Director, and Magistrate. Ordinance No. 01-01-2024 will amend the system of compensating Appointed Officials such that the salary progression schedule for Appointed Officials is consistent with the salary progression schedule for Countywide Elected Officials. Should council approve the proposed ordinance, the step-up compensation for the three job classifications governed by this ordinance will follow the same schedule as the current step-plan for elected officials. That schedule is as follows:

<u>Years of Service</u>	<u>Percentage of Maximum Salary</u>
Years 0 – 2	80% of the Maximum Salary
Years 3 – 4	85% of the Maximum Salary
Years 5 – 6	90% of the Maximum Salary
Years 7 – 8	95% of the Maximum Salary
Years 9 & On	100% of the Maximum Salary

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:** There will be no immediate fiscal impact of the proposed change and only minimal impact in future years. This is because currently the county has five Appointed Officials whose compensation would be in part governed by this ordinance. One of those positions is vacant (Elections Director), two are occupied by officials with less than two years of service in their respective positions (Veterans Affairs Officer and one of the county's three Magistrates), and the remaining two (two Magistrates) are tenured employees who are already compensated at the current maximum salary for their position.

**SUMMARY DISCUSSION:** NA

**ADDITIONAL COMMENTS FOR CONSIDERATION:** NA

**ATTACHMENTS:** Please find Ordinance No. 01-01-2024 attached.



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

### Agenda Briefing

Prepared By: Crystal Waldrop	Title: Purchasing Director
Department: Administration	Division: Procurement
Date Prepared: January 11, 2024	Meeting Date: January 17, 2024
Legal Review: n/a	Date:
Budget Review: yes	Date:
Approved for Consideration:	Date:
Request Consideration by Committee / County Council	
Subject: Request for Proposal No.: 2023-17 Financial Software for General Ledger	

**STAFF'S RECOMMENDED ACTION:** Staff recommends the top-ranked firm, Tyler Technologies.

**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:**

**SUMMARY DISCUSSION:** The scope of work for this solicitation will be to implement a new financial software system for the finance department, to include purchasing, budgeting, capital assets, accounts payable, cash management, and project & grant accounting.

**ADDITIONAL COMMENTS FOR CONSIDERATION:** The evaluation committee, as well as several council members, participated in viewing demonstrations from Tyler. The other respondents to the solicitation also demonstrated their product to the evaluation committee staff, prior to the final evaluation recommendation. Staff reached out to SC clients who currently have Tyler, for feedback and input in the system from implementation to their support response.

**ATTACHMENTS:** Evaluation sheets from evaluation committee and members.

2023-17 RFP Financial Software System for GL									
Evaluation Committee									
Vendor	Brehmer	Croner	Lindler-Smith	Shackel	Nieto	Waldrop	Average		
Acclarian	74	74	28.5	70	79	69	66		
Edmunds	81	78	62	80	82	71	76		
Oracle	87	92	34.5	84	86	83	78		
Springbrook	77	77	94	73	82	57	77		
Tyler		95	63	85	94	93	85		

	Corporate Strength Viability & Direction	Application Functionality	Infrastructure Architecture Design	Implementation Support Services	Cost	Total
	15	25	15	25	20	100
Edmunds	13	20	14	21	13	81
Aclarian	11	19	13	19	12	74
Springbrook	12	20	12	18	15	77
Oracle	14	22	14	22	15	87
Tyler						Not Present

*Ronen Babine*

*Pebbles Corner*

COMPANY	Corporate Strength Viability and Direction 15 points	Application Functionality 25 points	Technical infrastructure Arch and design 15 points	Implementation Support services 25 points	Costs 20 points	100
Aclarian	12	18	12	18	14	74
Springbrook	12	20	13	19	13	77
Tyler	14	24	15	24	18	95
Oracle	14	23	15	23	17	92
Edmunds	13	19	14	20	12	78



Company	Corporate Strength Viability and Direction (15)	Application Functionality (25)	Technical Infrastructure/Architecture Design (15)	Implementation Support Services (25)	Cost (20)	Total (100)
Acclar	7	6	7.5	6	2	28.5
Springbrook	15	20	14	25	20	94
Tyler	13	16.5	15	15	3.5	63
Oracle	11	4	6	12	1.5	34.5
Edmunds	11	17	13	15	6	62
Karen Lindler-Smith						

	Corporate Strength Viability / Direction	Application Functionality	Technical Infrastructure Architecture	Implementation Support Services	Cost	Total
Edmunds	13	20	13	21	13	80
Tyler	13	24	14	24	10	85
Acclarian	5	20	12	20	13	70
Springbrook	10	16	10	17	20	73
Oracle	15	21	13	21	14	84
	15	25	15	25	20	100

	Year 1	Year 2	Year 3	Year 4	Year 5	5 Year Total	Annualized Cost
Springbrook	\$ 76,205.05	\$ 39,584.05	\$ 39,584.05	\$ 42,354.93	\$ 42,354.93	\$ 240,083.02	\$ 48,016.60
Oracle	\$ 60,502.08	\$ 60,502.08	\$ 60,502.08	\$ 60,502.08	\$ 60,502.08	\$ 302,510.40	\$ 60,502.08
Edmunds	\$ 99,250.00	\$ 53,000.00	\$ 53,000.00	\$ 53,000.00	\$ 53,000.00	\$ 311,250.00	\$ 62,250.00
Acclarian	\$ 192,500.00	\$ 31,000.00	\$ 31,000.00	\$ 31,000.00	\$ 31,000.00	\$ 316,500.00	\$ 63,300.00
Tyler	\$ 131,800.00	\$ 68,788.00	\$ 68,788.00	\$ 68,788.00	\$ 68,788.00	\$ 406,952.00	\$ 81,390.40



2023-17 RFP Financial Software for General Ledger						
Company	Corporate Strength Viability and Direction (15)	Application Functionality (25)	Technical Infrastructure/Architecture Design (15)	Implementation Support Services (25)	Cost (20)	Total (100)
Aclarian	13	20	13	17	16	79
Springbrook	12	17	14	21	18	82
Tyler	15	25	15	23	16	94
Oracle	15	22	13	20	16	86
Edmunds	12	19	13	21	17	82
Eric Nieto						

2023-17 RFP Financial Software System for GL

Evaluation Sheet

	Corporate Strength Viability/Direction	Application Functionality	Technical Infrastructure Architecture	Implementation Support Services	Cost	Total
Vendor	15	25	15	25	20	100
Aclarian	8	16	12	20	13	69
Edmunds	12	17	12	18	12	71
Oracle	14	20	12	22	15	83
Springbrook	8	10	8	14	17	57
Tyler	15	24	15	24	15	93
Crystal Waldrop						

*Opportunity*

**Newberry County  
Administration**

1309 College Street  
P.O. Box 156  
Newberry, SC 29108  
803-321-2100



**Agenda Item Briefing**

**Subject:** Air Pack Purchase

**Prepared By:** Tommy Long

**Title:** Air Pack Purchase request.

**Department/Division:** Fire 07500

**Date Prepared:** 1/10/2024

**Legal Review:** \_\_\_\_\_ NA \_\_\_\_\_

**Date:** Click or tap to enter a date.

**Finance Review:** \_\_\_\_\_

**Date:** 1/8/2024

**Administrator Review:** \_\_\_\_\_

**Date:** 1/8/2024

**Requested meeting:** ☐ Committee ☒ County Council

**Meeting Date:** Wednesday, January 17, 2024

**FIDUCIARY:**

Are funds allocated in the department's current fiscal year budget?

☐ Yes

☒ No

If NO, is a budget amendment necessary?

☐ Yes

☒ No

**STAFF'S RECOMMENDED ACTION:** Staff respectfully requests that council approve the purchase of 30 firefighter air packs. These air packs would replace 30 existing units which no longer meet NFPA standards for air packs and which currently are not operable. If these units are not replaced at this time, they will need to be repaired. The cost of repairing the 30 air packs is a little over \$15,000. Staff would recommend against spending the \$15,000 on repairing those units because they no longer meet NFPA standards and need to be replaced as soon as possible - even if they were currently operational.

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:** Staff requests that council consider funding the cost of the replacement air packs from fund balance. The quoted price for the air packs is \$299,653.50. Based on the county's pre-audit financial statements for FY2022-2023, which ended on June 30, 2023, the county contributed an estimated \$1.8-million to fund balance. Staff requests that a portion of that contribution to fund balance in the prior year be appropriated in the current year to fund the purchase of the air packs.

**SUMMARY DISCUSSION:** The Public Safety Committee gave favorable consideration to this request at their January 8<sup>th</sup> committee meeting and recommends that council approve the purchase of the packs.

**ADDITIONAL COMMENTS FOR CONSIDERATION:** NA

**ATTACHMENTS:** Please see the attached quote for the air packs, which totals \$299,653.50

**Newberry County  
Administration**

1309 College Street  
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803-321-2100



**Agenda Item Briefing**

**Subject:** Air Pack Reimbursement

**Prepared By:** Tommy Long      **Title:** Air Pack Purchase reimbursement.

**Department/Division:** Fire 07500      **Date Prepared:** 1/10/2024

**Legal Review:** \_\_\_\_\_ NA \_\_\_\_\_      **Date:** Click or tap to enter a date.

**Finance Review:** \_\_\_\_\_      **Date:** 1/8/2024

**Administrator Review:** \_\_\_\_\_      **Date:** 1/8/2024

**Requested meeting:** ☐ Committee ☒ County Council      **Meeting Date:** Wednesday, January 17, 2024

**FIDUCIARY:**

Are funds allocated in the department's current fiscal year budget?      ☐ Yes      ☒ No

If NO, is a budget amendment necessary?      ☐ Yes      ☒ No

**STAFF'S RECOMMENDED ACTION:** Staff respectfully requests that council approve the reimbursement of Prosperity Fire Department and Consolidated Fire Station 5 for their purchase of firefighter air packs in 2023 using their own fire department funds. Prosperity Fire Department purchased new air packs to replace units which no longer met NFPA standards and covered the entire expense with their own funds. Consolidated Fire State 5 also purchased new air packs to replace units which no longer met NFPA standards. However, a portion of the cost of the replacement air packs was funded from a grant that Consolidated Fire Station 5 obtained to purchase the air packs. Staff recommends that council approve reimbursing Prosperity Fire Department for the full cost of the replacement air packs and Consolidate Fire Station 5 for the portion of the cost of the air packs that was covered with fire department funds. Those expenditures were \$6,203.18 and \$35,852.28, respectively, and total \$42,055.46.

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:** Staff requests that council consider funding the recommended reimbursements, which total \$42,055.46, from fund balance. Based on the county's pre-audit financial statements for FY2022-2023, which ended on June 30, 2023, the county contributed an estimated \$1.8-million to fund balance. Staff requests that a portion of that contribution to fund balance in the prior year be appropriated in the current year to fund the reimbursements.

**SUMMARY DISCUSSION:** The Public Safety Committee gave favorable consideration to this request at their January 8<sup>th</sup> committee meeting and recommends that council approve the purchase of the packs.

**ADDITIONAL COMMENTS FOR CONSIDERATION:** NA

**ATTACHMENTS:** Please see the attached paid invoices for firefighter air packs.

**Consolidated Reimbursement:**        **\$ 6,203.18**

**Prosperity Reimbursement:**        **\$35,852.28**

**Total:**                                **\$42,055.46**

**Newberry County  
Administration**

1309 College Street  
P.O. Box 156  
Newberry, SC 29108  
803-321-2100



**Agenda Item Briefing**

**Subject:** Forestry Grants

**Prepared By:** Tommy Long

**Title:** Forestry matching funds

**Department/Division:** Fire 07500

**Date Prepared:** 1/10/2024

**Legal Review:** \_\_\_\_\_ NA \_\_\_\_\_

**Date:** Click or tap to enter a date.

**Finance Review:** \_\_\_\_\_

**Date:** 1/8/2024

**Administrator Review:** \_\_\_\_\_

**Date:** 1/8/2024

**Requested meeting:** ☐ Committee ☒ County Council

**Meeting Date:** Wednesday, January 17, 2024

**FIDUCIARY:**

Are funds allocated in the department's current fiscal year budget?

☒ Yes

☒ No

If NO, is a budget amendment necessary?

☐ Yes

☒ No

**STAFF'S RECOMMENDED ACTION:** Staff is pleased to report that the volunteer fire departments of Bush River, Chappells, Little Mountain, Prosperity and Whitmire were successful in their efforts to secure funding from the SC Forestry Commission through the Volunteer Fire Assistance Grant program. The VFAG program requires the provision of 50/50 local matching funds by the recipient. The grants awarded and required local matching funds for those grants breakdown as follows:

Department	Grant	Local Match	Project Total
Bush River	\$4,798	\$4,798	\$9,596
Chappells	\$5,000	\$5,000	\$5,000
Little Mountain	\$4,967	\$4,967	\$9,934
Prosperity	\$4,798	\$4,798	\$9,596
Whitmire	\$4,999	\$4,999	\$9,998
<b>Total:</b>	<b>\$24,562</b>	<b>\$24,562</b>	<b>\$24,562</b>

To allow these grant funded projects to move forward, staff respectfully requests that council approve the use of county funds to match the awarded Forestry Commission VFA grants. The total expenditure would be \$24,562 – of which \$15,000 is already provided for in the Rural Fire Board budget. Staff requests that council



allow staff to fund the remaining \$9,562 within the current budget through an administratively approved budget transfer.

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:** \$9,562.00

**SUMMARY DISCUSSION:** The Public Safety Committee gave favorable consideration to this request at their January 8<sup>th</sup> committee meeting and recommends that council approve the matching funds for the five VFA grants.

**ADDITIONAL COMMENTS FOR CONSIDERATION:** NA

**ATTACHMENTS:** Please find the VFA Grant award letters from the Forestry Commission to the five fire departments attached.

	<u>Match</u>
Bush River	\$4,798
Chappell	\$5,000
Little Mountain	\$4,967
Prosperity	\$4,798
Whitmire	\$4,999
Total Match:	\$24,562.00

Current Budget: \$15,000.      Additional funds needed: \$9,562.00