



**NEWBERRY COUNTY COUNCIL
COUNTY COUNCIL AGENDA
May 15, 2024
6:00 P.M.**

Call to Order: Todd Johnson, Chairman
Invocation and Pledge of Allegiance: Karl Sease, Council Member

1. Adoption of Consent Agenda:
 - a. Newberry County Council Work Session – May 1, 2024.
 - b. Newberry County Council Meeting – May 1, 2024.
 - c. Newberry County Economic Development Committee Meeting – May 6, 2024.

2. Additions, Deletions & Adoption of the Agenda.

3. Recognitions:
 - a. Employee Service:
 - i. Laurel Keen 10 years Building and Zoning
 - ii. Virginia Atkins 15 years Building and Zoning
 - iii. Donald Leitzsey 20 years Public Works

4. Resolution 04-24. A Resolution recognizing and honoring Sheriff Lee Foster for his outstanding career in law enforcement and congratulating him for being named the 2024 Sheriff of the Year by the South Carolina Sheriffs' Association.

5. Proclamation honoring Peace Officers Memorial Day.

6. Proclamation honoring National Correctional Officer Week.

7. Ordinance No. 04-03-2024. An Ordinance regulating public nuisances and unfit dwellings within Newberry County and providing procedures for enforcement and penalties for violation and matters related thereto.

a. Third Reading.

8. Ordinance No. 05-01-2024. 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. 06-11-16 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 eleven and seventy hundredths (11.70) acres designated as TMS No. 336-3 from GC-General Commercial to Ind-Industrial.

a. Public Hearing.

b. Second Reading.

9. Ordinance No. 05-03-2024. An Ordinance to provide appropriations for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, 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.

a. Public Hearing.

b. Second Reading.

10. County Council may take action(s) following executive session on matters discussed during executive session.

12. Appointments.

13. Public Comments.

14. Comments/Requests from County Administrator.

15. Comments/Requests from Council.

16. Future meetings:

- a. Public Safety and Courts – May 20 at 6 p.m.
- b. Memorial Day – May 27 – Offices Closed.
- c. Newberry County Council Work Session – June 5 at 5 p.m.
- d. Newberry County Council Meeting – June 5 at 6 p.m.
- e. Executive Committee – June 10 at 6 p.m.

17. Adjournment.

NEWBERRY COUNTY COUNCIL WORK SESSION
MINUTES
May 1, 2024

Newberry County Council met on Wednesday, May 1, 2024, at 5:00 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
Robert N. Shealy, Vice Chairman
Leon Fulmer, 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
Debbie Cromer, Finance Director
Rick Farmer, Economic Development Director
Tommy Long, Emergency Services 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 5:00 p.m.

1. Update on a proposed ordinance to allow the keeping of hens (not roosters) as a conditional use within residential zoning districts, subject to minimum standards.

- Mr. Shacker informed council that the proposed ordinance, before it comes before council for a vote, must go to the Joint Planning Commission. They will not meet again until May 21, 2024.
- This will allow council to consider the ordinance at the June 5, 2024, meeting for first reading. Assuming it advances, second reading and public hearing will be on June 19, 2024, and final reading during the July 17, 2024, meeting as there is just one council meeting in July.

2. Discussion of SCDOT Bulk Agribusiness / Husbandry Annual Permit Program for hauling 90,000 pounds Gross Vehicle Weight (GVW) on state roads and the concept of extending to county roads.

- Mr. Shacker said prior to this act passing, there was a limitation of a little over 84,000 of agriculture product that can be transported on state roads. What is in place now with DOT, unless it is a heavy truck route, a 90,000-pound gross vehicle weight applies, and it is an annual permit for shielded roads (state roads and U.S. highways). If they want to transfer on secondary roads, that are in the state maintenance system, they would apply for a permit for each of those roads.
- Mr. Shacker said they had a hauler of agricultural products approach the county and asked if they would formally approve them doing that in Newberry County. He added that the reality is they probably have haulers right now hauling loads that are above the approximate 84,000 gross vehicle weight.
- In this particular case, the hauler has sites in Newberry County only accessible by county roads (which are gravel). Mr. Shacker said a concept they could address is an ordinance that would adapt regulations mirroring

the DOT and establish a permitting process. This process could involve an application very similar to DOT, just to make it easier for those haulers.

- Mr. Shacker said he spoke with Mr. Mike Pisano and Mr. Josh Rowe and they both felt that additional weight would not pose a problem for the county in terms of impacting roads. However, he was curious about giving consideration to having language in the code that would allow the county to recoup the cost of repairs when they have roads that are damaged, through extraordinary use, and hauling heavy weights like that could be defined as extraordinary use. This could also apply to when the county has for-profit entities doing work within county road right-of-way.
- Mr. Reeder said he agrees with that because you just don't know.
- Mr. Shacker added that council has a commitment to supporting agriculture and this would enable more cost-efficient hauling.
- Mr. Shealy said the reality of it is they are going to use the roads anyway. Mr. Shacker said it would be nice to have the requirement in place and to be able to track it.
- Mr. Sease asked how it will be enforced if someone doesn't have a permit. Mr. Shacker said it would be on Newberry County to enforce. He added that it would be a case where Newberry County employees are asked to be vigilant.
- Mr. Hipp said, in his mind, that backtracks the proposal to charge someone if they are doing damage because how do you know who did the damage. He added that you have 10 vehicles go down a road one day and they're not weighed, who will you pick out and say you damaged this road.
- Mr. Shealy added that the only way you'd know if it is a hauler that uses the road every day and they are the

only one. Mr. Hipp said who will keep up with that, who will log it, weigh it, etc.

- Mr. Johnson said he thinks the repairs could be done not just by overweight haulers, but if they substantially damage the road because they have a lot of logging outfits that will rut out a county road and people cannot get to their homes.
- Mr. Hipp said they have asphalt roads in the county system and does the design cover 90,000 lbs. Mr. Shacker said he can double check that, but in the conversations with Mr. Pisano and Mr. Rowe, they said the roads can cover that.
- Mr. Shacker added that extraordinary use would be defined without a reference to weight, and it would come down to the use of heavy equipment or trucks.
 - Mr. Hipp asked if that is in place now, or newly applied. Mr. Shacker said it would be newly applied.
- Mr. Fulmer said some of the issues DOT ran into with this are similar to what other members of council pointed out. One of which was the design issue, most of the roads have a design factor weight exceeding 90,000 lbs. so they should be capable of handling it. That also gets you into a problem when there is damage done to a road, if you try and start pinpointing an entity, that entity comes back and says our trucks did not exceed 90,000 weight limit and then say the road was not up to spec. The other issue Mr. Fulmer mentioned was their lack of scales to verify the weight of the truck.
- Mr. Fulmer said it is a good concept and he agrees, and it makes sense but the implementation of it gets to be cumbersome.
- Mr. Shacker said on the recoupment side, the most frequent instance they'd be trying to recover cost would be work being done in the right-of-way, like street cuts.

- Mr. Johnson said he thinks at the end of the day, they are going to help the people who want to do the right thing, do the right thing. If you don't get the permit, won't be a whole lot they can do to enforce that.
- Mr. Shealy said he'd like the permit idea to go forward with replicating the DOT version.
- Mr. Fulmer said DOT's reasoning behind the permit gives DOT and the permit holder an opportunity to discuss potential problems.
- Mr. Hipp said if someone has a permit and is complying that is good, but if someone doesn't have a permit and does damage, they don't have a leg to stand on.
- Mr. Shacker asked council if they would like staff to go ahead and create the ordinance in terms of recoupment of damage for review. Council answered in the affirmative.

3. Executive Session:

a. Contractual Matter(s):

i. Discussion of matters related to real estate owned by Newberry County pursuant to SC Code of Laws Section 30-4-70(a)(2).

- Mr. Shealy made a motion to go into Executive Session; Mr. Sease provided the second and the motion was approved 7-0.
- Newberry County Council went into Executive Session at 5:17 p.m.
- Mr. Shealy made a motion to come out of Executive Session; Mr. Reeder provided the second and the motion was approved 7-0.
- Newberry County Council came out of Executive Session at 5:56 p.m. Mr. Johnson said there was no action taken.

4. Adjournment.

- Mr. Shealy made a motion to adjourn; Mr. Reeder provided the second and the motion was approved 7-0 at 5:57 p.m.

NEWBERRY COUNTY COUNCIL

Todd Johnson, Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

**NEWBERRY COUNTY COUNCIL
MINUTES
May 1, 2024**

Newberry County Council met on Wednesday, May 1, 2024, 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
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
Wesley Boland, Chief Deputy NCSO
Captain Ben Chapman, NCSO
Debbie Cromer, Finance Director
Rick Farmer, Economic Development Director
Tommy Long, Emergency Services Director
Desiree Monts, Deputy Coroner
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 6:00 p.m.

Mr. Scurry led the invocation and Pledge of Allegiance.

1. Adoption of Consent Agenda:

- a. Newberry County Council Work Session – April 17, 2024.
- b. Newberry County Council Meeting – April 17, 2024.
 - Mr. Shealy made a motion to adopt the minutes as presented; Mr. Reader provided the second and the motion was approved 7-0.

2. Additions, Deletions & Adoption of the Agenda.

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

3. Public Appearance:

- a. David Stumbo, Solicitor.
 - Mr. Johnson said Mr. Stumbo was unable to attend the meeting.
- b. Gavin Brown, VP of Advancement for Midlands Housing Alliance.
 - Mr. Brown said they are the Midlands largest homeless services provider based in Columbia, they are a part of the Midlands Area Consortium of Homelessness, which encompasses 13 counties, from York County to Aiken County -- Newberry County being included.
 - He said they have 260 beds at their shelter in Columbia and serve an additional 70 as day users. They are for men and women over the age of 18 and are a low barrier shelter (meaning they have very few requirements).

- Last year, their case managers identified eight residents of Newberry County that came through their shelter. He said they believe that number is higher because a lot of folks end up in the downtown Columbia area, unhoused; for example, they may have come to one of the Columbia area hospitals and are unable to get home. Mr. Brown said they do not have the current data by HUD to determine each of the homeless in each county for 2024. He said once they do have that, it will be published and provided to the county administrator.
- Mr. Brown said they provide a full range of services, including mental and emotional health care, serve three meals a day and their goal is to get people permanently housed.
- They are the largest homeless veterans' providers in the Midlands and one of the largest in the state.
- Mr. Brown said they want to continue serving Newberry by continuing to partner not only the council and City of Newberry, but also partner with law enforcement to address where they are seeing the unhoused populations; empower them to know how the county can treat that.
- He said in this day in time, we should not see people living on the street.
- Mr. Brown said 28% of their clients are what they would call chronically homeless (homeless for more than a year). He said that means three out of every four are experiencing homelessness for the first time in their life.
- Mr. Reeder asked if he was talking about the homeless in Newberry coming to Columbia or shelters here in Newberry.
 - Mr. Brown said they have no intention of expanding their footprint. They are available to the counties they serve if the counties want to adopt services. But they do serve those counties.
- Mr. Reeder asked if they have transportation for those individuals.

- Mr. Brown said they've seen a lot of times law enforcement agencies will usually transport someone. They also have bus ticket vouchers available.
 - Mr. Hipp asked what their major sources of funding are.
 - Mr. Brown said it is about half between federal and local funding, they also get funding from the City of Columbia, Richland County, United Way. It is his job to go out and get individual funding.
- 4. Resolution 03-2024. A resolution acknowledging the service of Public Safety Telecommunications Officers as First Responders in Newberry County, South Carolina.
 - Mr. Shealy made a motion to adopt the Resolution; Mr. Fulmer provided the second and the motion was approved 7-0.
- 5. Ordinance No. 04-01-2024. 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. 06-11-16 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 seventy-six hundredths (.76) acre designated as TMS No. 741-45 from RS-Single Family Residential to R2-Rural.
 - a. Third Reading.
 - With there being no changes, Mr. Sease made a motion to accept third reading; Mr. Scurry provided the second and the motion was approved 7-0.

6. Ordinance No. 04-02-2024. 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. 06-11-16 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 two and forty-four hundredths (2.44) acres designated as TMS No. 457-9 from GC-General Commercial to R2-Rural.

a. Third Reading.

- With there being no changes, Mr. Shealy made a motion to accept third reading; Mr. Reeder provided the second and the motion was approved 7-0.

7. Ordinance No. 04-03-2024. An Ordinance regulating public nuisances and unfit dwellings within Newberry County and providing procedures for enforcement and penalties for violation and matters related thereto.

a. Public Hearing.

- Mr. David Wicker said he had four problems with this ordinance.
 - The first issue was first-class mail, he referenced third-class mail, a copy of The Newberry Observer. He said he lives out of state and a March 27, 2024, edition of the newspaper was delivered on April 29, 2024. He said third-class mail does not do any good. Other mail for his bills in Newberry County, he has found that going online or pay in advance because they cannot get to him in time to pay them. He said any notice about property he owns, his family owns (they've been here since 1754 in Broad River) they may not receive in time. He requested council change it to a signed receipt and go from that date and the post office is not reliable.

- The second issue he said was confusing. Under 157-008, Item E, the date for completion of abatement not to exceed seven-calendar days following notification. He said he interprets that as the county is giving him seven days to clean up anything the code enforcement officer does not like. Mr. Wicker said he cannot even get people to mow his lawn in seven days and that needs to be revisited to a reasonable period. He said the county gives in other areas of structural and everything a time to be agreed upon by the abatement officer. He said if you have something that is heavy to move, like bricks, it will take more than seven days and if you are his age, it'll take a bit longer.
- The third issue involved appeals, under 157-011, where demolition is required, an appeal may be made to the Newberry County Building, Fire and Nuisance Codes Board of Appeals by such person. He said this is only where demolition is required, there is no other method of appeal. He said the code enforcement officer is judge, jury and executioner and something needs to be redone with that one.
- The fourth issue involved public abatement under 157-013 where it states owner or occupant fails to remedy the abatement proposed by the code enforcement officer, if it is deemed necessary, they can take it at county expense and perform that abatement and then perform a lien on your taxes. Mr. Wicker said up in Whitmire, a lot of the older homes are in poor shape, his brother worked for J.P. Stevens and when that folded a lot of people lost a steady income and a decrease in pensions and social security, living on limited funds and they may not be able to do an abatement in a time period the code enforcement officer comes up with and they will put

that cost on someone already poor and then charge it to their tax lien, if they can't pay, the county will sell their property. To him, that is a poor use of eminent domain, taking property without just compensation. He added there has been numerous law cases in other states with people doing this, particularly the elderly.

- Mr. Wicker said he thinks these need to be addressed and he does congratulate council because there are a lot of nuisances out there and everyone tries to keep their properties up, but there are issues that need to be addressed before this ordinance can be adopted.
- Ms. Robin Kruger said she wanted to speak generally in support of the ordinance. She said she and her husband have lived in Newberry County for 10 years and at least one time every year they do a litter pickup on their road and an adjoining road, she said that to say she wants to be part of the solution, not the problem. She said she lives on one of those typical lake roads, where you have a huge house, then you have a normal house, then a trailer, then a falling apart dwelling. Her concerns are the falling apart dwellings, they have one about three houses to the left and another two houses to the right. One of the issues, she said, is that no one lives in the dwellings and haven't in the decade she and her husband have lived on that street. Ms. Kruger said they are falling apart, there are feral cats, armadillos, and the story is, at one point, there was a homeless man living in one, but she is not sure if that is true because that was before her time. She said she feels this reflects negatively on the county and the property values. Ms. Kruger said she works in healthcare and may have a unique perspective and in keeping with what Mr. Brown discussed, they do have a problem discharging people because of the living conditions they're going back to. She said if these dwellings

were not available, they wouldn't get moved into as a last resort.

b. Second Reading.

- Mr. Johnson said they can make changes between now and third reading if they deem that to be needed.
- Mr. Shealy made a motion to approve second reading; Mr. Sease provided the second.
- Mr. Hipp requested the council clerk to capture the comments made so they have an opportunity to look at those prior to third reading, beyond just having heard them. He requested they are emailed so that prior to third reading they can consider those specifics.
- Mr. Shealy said he appreciates the residents coming forward, so they have a chance to look into their problems with it.
- Mr. Sease thanked both residents for their comments, and council worked on this long and hard and a lot of times you read through stuff, and you don't get the same impression or don't think about an item until someone else brings it up.
- Mr. Johnson said the elderly issue was something they talked about long and hard at their work session and that is not something they are going to let happen. He said the intent of this ordinance is for people to live in their home without dilapidated things falling in around them and destroying their tax values and home values.
- Mr. Shealy said they had to set a timeframe and if it is addressed, the county will work with you, and they had to set a time and that is not concrete.

- Mr. Hipp said they did have this proposed ordinance on the website encouraging comments for a month so they could get as many comments as possible.
- The motion was approved 7-0.

8. Ordinance No. 05-01-2024. 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. 06-11-16 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 eleven and seventy hundredths (11.70) acres designated as TMS No. 336-3 from GC-General Commercial to Ind-Industrial.

a. First Reading.

- Ms. Werts said the property owner and applicant came before the Joint Planning Commission in March and then in April. They are asking to rezone for the purpose of a temporary portable asphalt plant, Reeves Construction has been awarded and are doing the repaving on I-26 and are doing a lot of the bridge repairs. At present, they are hauling from Laurens and with asphalt, they have a certain amount of time they have to get it on the roads. Having this location at the interstate will benefit them for meeting times and be able to do more production in the evenings.
- When this was presented in March, there was a neighboring property owner that had some concerns, so the Joint Planning Commission decided to postpone their decision. At the April meeting, the concerns were addressed and JPC then voted in favor of the rezoning.

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

9. Ordinance No. 05-03-2024. An Ordinance to provide appropriations for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, 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.

a. First Reading.

- Mr. Shacker gave a brief review of the proposed fiscal year 2024-25 budget. He said there are four main categories of funds, a General Fund proposed at \$40.5 million, an increase of \$7.6 million; 13 Special Revenue Funds totaling \$3.165 million; a Debt Service Fund (long term debt) at \$375,058; and a Capital Projects Fund at \$41.8 million (Capital Project Sales Tax).
- Mr. Shacker said since they are proposing this budget at an all-funds level, they have to back transfers out. There are transfers between these funds and you don't want to double count that money. By doing so, the total budget is \$82.627 million, roughly \$7 million increase.

- Mr. Shacker said the major increase is in the General Fund and that is because there are items that were not in the General Fund but now are. They were not presented in the totals for the General Fund in the past. Some examples are funding for the Newberry County Library, Piedmont Technical College and Newberry County Disabilities and Special Needs. There is also the creation of a new debt services division, which transfers some short-term debt to the General Fund, which saves the county about \$35,000.
- Mr. Shacker said the apparent 23% increase in the budget is largely a function of some of the restructuring and capital purchases.
- On the revenue side, the only recommended change is a two-mill property tax increase. The impact of that increase on an owner-occupied residence that is valued at \$100,000 would be eight dollars a year.
- Mr. Johnson thanked Mr. Shacker for the detailed explanation, adding there were misnomers out there about what was going on and he hopes it clears up any confusion that the county is dramatically increasing the budget and in fact, he thinks they have done an incredible job trying to hold the budget as tight as they could.
- Mr. Reeder made a motion to approve first reading; Mr. Sease provided the second.
- Mr. Johnson abstained from anything related to Nicholson Business Systems and WTH Technology due to an employment situation.
- The motion was approved 7-0.

10. County Council may take action(s) following executive session on matters discussed during executive session.

- There was no action taken.

11. Appointments.

- There were no appointments.

12. Public Comments.

- Dr. Oscar Lovelace Jr. spoke on behalf of the Living Water Foundation with a request. Living Water Foundation is a 501(c)3 with a mission to improve the quality of life of all people. He requested Newberry County Council help them provide and meet the needs of people who have no funds who show up in labor and delivery or call and need prenatal and obstetrical care. This is a request to help all providers who are providing that care for free under the Medicaid Emergency Assistance Act, the hospital does get covered but the providers providing those services are not, there are often no funds for the Hispanic Community – which is the primary community they are asking for assistance. Dr. Lovelace added that Laurens County no longer offers obstetrical care and there is no hospital in Saluda County or Fairfield County offering obstetrical care.
 - Mr. Hipp asked what the specific request for this budget was. Dr. Lovelace said \$28,000.
- Ms. Jennifer Coleman said on the second reading of the budget, she was hoping to hear more about what the funds for the increase in property taxes would be used for specifically.

13. Comments/Requests from County Administrator.

- Mr. Shacker said on Monday (May 6, 2024) they will have important meetings with property owners for the Capital Project Sales Tax projects and they will be going over their budgets, prioritizing scope.

14. Comments/Requests from Council.

- Mr. Reeder said he was glad to see everyone out and taking advantage of county government because that is what you're supposed to do. He said he appreciates the job administration has done working on the budget and bringing it to council.
- Mr. Sease thanked everyone for their input and coming out and participating. He thanked staff and acknowledged the great job they've been doing. He also thanked first responders call center staff for answering their calls when they are in need.
- Mr. Johnson thanked everyone for being present and said they want to be receptive to what their needs are.
- Mr. Shealy said he appreciates everyone coming out and all their hard work. He added that he also appreciates the hard work of the 9-1-1 operators.
- Mr. Hipp said he appreciates everyone coming out and taking part in county government. He said as a reminder to everyone, their proposed budget is posted on the Newberry County website, so if you want to see the details for every line item, there is a lot of information there and prior to their public hearing, will give an opportunity to make specific comments. He said there were years in the past when they had public comments on the budget, but the

budget was not to be found and that is no longer the case.

- Mr. Fulmer thanked staff for putting together the budget for them and all the hard work they put into that. He said it is appropriate they have their first responders at the meeting, he said Mr. Shacker alluded to this, but the county is purchasing one fire truck this year, which is a minimum of what the county needs, and there is an immediate need of seven trucks and that is something the county will need to face in the future. He said a raise in taxes is not something they take lightly, and they understand they have people out there with fixed incomes and in the world of inflation, it impacts not only everything Newberry County Council has to do to keep bills paid, but individuals as well and that is not something they take lightly, and it is something unfortunately given the nature of the expenses coming, they'd much rather try and eat the elephant one bite at a time rather than swallow it all at once. He added that he thinks there are areas they can look at and make changes to and they have done some of that in this budget, and he thanks staff for this,. He said he wants the public to understand it is not something they take lightly, and he thinks he can speak for all his fellow councilmembers about that. He thanked everyone for coming out and their comments and they will never be led astray when they listen to the citizens and that is what they are here for.

15. Future meetings:

- a. Economic Development Committee – May 6 at 6 p.m.
- b. Newberry County Council Work Session – May 15 at 5 p.m.
- c. Newberry County Council – May 15 at 6 p.m.
- d. Public Safety and Courts – May 20 at 6 p.m.
- e. Memorial Day – May 27 – Offices Closed.
- f. Finance Committee – ~~May 27~~ at 6 p.m.

16. Adjournment.

- Mr. Shealy made a motion to adjourn; Mr. Sease provided the second and the motion was approved 7-0 at 6:53 p.m.

NEWBERRY COUNTY COUNCIL

Todd Johnson, Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

NEWBERRY COUNTY COUNCIL ECONOMIC DEVELOPMENT COMMITTEE
MINUTES
May 6, 2024

Newberry County Council Economic Development Committee met on Wednesday, May 6, 2024, at 6:00 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: Les Hipp, Committee Chair
Travis Reeder, Committee Member
Robert N. Shealy, Committee Member
Jeff Shacker, County Administrator
Rick Farmer, Economic Development Director
Eric Nieto, I.T. Director
Andrew Wigger, Clerk to Council/PIO

1. Call to Order – Les Hipp, Committee Chair

- Mr. Hipp called the meeting to order at 6:00 p.m.

2. Additions, Deletion, & Adoption of the Agenda

- Mr. Reeder made a motion to adopt the agenda as presented; Mr. Shealy provided the second and the motion was approved 3-0.

3. Staff Report

a. Project Activity

- Mr. Farmer said activity in the last quarter has been slow. They have two new projects; however, he said they saw more than two projects, but have two they submitted for and are contenders for.

- Mr. Farmer said they have discussed, in the past, two planned expansions that should occur this year, one of which is in a state of delay.
- Mr. Farmer said the reasons for slow down includes the fact that it is an election year, factory orders have been up and down, and signs of a softening economy. He added that the county's employment rate has gone from about 2.5% to 3.5% over the last couple of months.

b. Product Development

i. Mawsons Way Extension

- Mr. Farmer said this project is still moving forward and they are waiting on the attorneys to get access to the property the county needs and after that, they will go to the bid state.
- Mr. Farmer added that he is hoping they will get this started this summer and be completed by the end of the year.
- Mr. Hipp asked if the attorneys have given the county some dates, adding that Mawsons Way is an important project and has been going on for a while.
 - Mr. Farmer said the attorney has been on this for about six weeks or so and they communicated via email a few weeks ago to see if there was anything else the county could be doing, and there is not.
 - Mr. Shealy asked if the county was working with a couple of different people on the project. Mr. Farmer said yes, there are three different property owners.
- Mr. Hipp said maybe as a recommendation or consideration, is for them to have systematic contact with the attorney to let them know the county's sense or urgency so we don't let it occur on their schedule.
 - Mr. Shealy added that sometimes attorney's schedules are a little bit different than our urgency.

- Mr. Farmer said they will follow up with them and check back in routinely.
- Mr. Shacker added that he knows there was a conflict on two of the measurements on a revised drawing the lawyer was working on and there was also the title searches, which is what they are working through now.

ii. Signage and repairs for parks

- Mr. Farmer said the signage at Mid-Carolina Commerce Park II is going to be completely funded by the Newberry Electric Cooperative Utility Tax Credits. He anticipates the cost will be about \$120,000; Mr. Farmer said that quote is from 2022 and hopefully, that price would have come down.
- Mr. Farmer said they expect the new sign to mimic the sign at Mid-Carolina Commerce Park I.
- Any remaining funds will go to some repairs to the sprinkler system and repairs to the sign at MCCC I.

c. Prospect Development

i. Central SC Alliance lead-generation program

- Mr. Farmer said he is excited about what the new Central S.C. Alliance president is doing. He said one of the important things the organization can do is come up with qualified leads.
- Mr. Farmer said Central S.C. Alliance got rid of the old lead generating firm and hired a new one. They will then pre-qualify the leads before the county meets with them. He added that all that information will be shared with all members, previously that was not the case.
- He said Central S.C. Alliance has hired a specialty lead firm in South Korea, as well, and there are plans for an

independent Korean marketing mission this fall. Mr. Farmer said this is not part of the state's mission, but the Central S.C. Alliance. Mr. Farmer has not committed to going on that mission, but he probably will go.

- Mr. Hipp said that is good to hear that they have a lead generating firm in South Korea and Newberry has a lot of South Korean presence in our county.

d. Other

i. SC Economic Developers Assn.

- The S.C. Economic Developers Association Annual Conference began on May 8, Mr. Farmer was voted president during the conference. He said he was looking forward to it and that he has the faith of his peers to help lead this important association.
 - Mr. Shealy said great accomplishment.
 - Mr. Hipp congratulated Mr. Farmer and asked how that was going to affect his time. Mr. Farmer said they do not have anything to worry about, he said he is already on the board and he's looking at a few hours per week. He said usually they handle things with virtual calls and will occasionally have to travel to events but will not be a significant amount of time.

4. Public Comments

- There were no public comments.

5. Comments by and discussion items from the Committee Members

- Mr. Reeder said that was a great report and he looks forward to everything building back up again.

- Mr. Shealy said he agrees with what Mr. Reeder said and that it is commendable to be elected president and it shows we have a good economic developer.

6. Executive Session

§30-4-70 (a)(2) and (a)(5): Discussion of matters incident to proposed contractual arrangements, and related to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other business in the area served by the public body, including Projects Artemis, Cardinal, Omega, Night Train, Yellow Condor, Sunny, Phoenix and other unnamed projects.

- Mr. Shealy made a motion to go into Executive Session; Mr. Reeder provided the second and the motion was approved 3-0.
- The committee went into Executive Session at 6:13 p.m.
- Mr. Shealy made a motion to come out of Executive Session; Mr. Reeder provided the second and the motion was approved 3-0.
- The committee came out of Executive Session at 7:14 p.m. and Mr. Hipp said no action was taken.

7. Adjourn

- Mr. Shealy made a motion to adjourn the meeting; Mr. Reeder provided the second and the motion was approved 3-0 at 7:14 p.m.

NEWBERRY COUNTY COUNCIL

Leslie Hipp, Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

DRAFT

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

**RESOLUTION 04-24
HONORING
SHERIFF LEE FOSTER**

A RESOLUTION RECOGNIZING AND HONORING SHERIFF LEE FOSTER FOR HIS OUTSTANDING CAREER IN LAW ENFORCEMENT AND CONGRATULATING HIM FOR BEING NAMED THE 2024 SHERIFF OF THE YEAR BY THE SOUTH CAROLINA SHERIFFS' ASSOCIATION.

WHEREAS, Newberry County Council is pleased to learn that Newberry County Sheriff Lee Foster was selected as 2024 Sheriff of the Year by the South Carolina Sheriffs' Association; and

WHEREAS, Sheriff Foster, who has served Newberry County as sheriff since January of 1989, was nominated by his peers for his professionalism, innovation, and community-mindedness; and

WHEREAS, Sheriff Foster has had a long and distinguished career in law enforcement, which began in 1973 when he hired by the Town of Prosperity as a junior police officer and part time police officer. Sheriff Lee Foster later served as chief of police for the Town of Little Mountain from 1978-1979, worked from 1979-1984 at the Newberry County Sheriff's Office, where he rose through the ranks from a deputy to captain of the Patrol Division and captain of the Investigation Division, and then joined the South Carolina Criminal Justice Academy in 1984 as a senior criminology instructor – a position he held until his election as sheriff of Newberry County in November 1988; and

WHEREAS, Sheriff Foster has always placed great importance on education, training and professional development. He is a 1975 graduate of Mid-Carolina High School, a 1977 graduate of the University of South Carolina with an Associate's Degree in Criminal Justice with Highest Honors, and a 1979 graduate of the University of South Carolina with a Bachelor's Degree in Applied Professional Sciences - graduating Magna Cum Laude; and

WHEREAS, Sheriff Foster also graduated from the South Carolina Sheriff's School, the National Institute of Justice Executive Management Institute, the Federal Bureau of Investigations Executive Development Board, the Federal Bureau of Investigations Carolina Command College, and the South Carolina Criminal Justice Academy from which he received the J.P. Strom Award; and

WHEREAS, Sheriff Foster has received many awards, honors and recognitions during his law enforcement career including the Order of the Palmetto, the United States Attorney General's Strom Thurmond Award for Excellence in Law Enforcement, the J.P Strom Award for highest academic average in his academy class, South Carolina Sheriff's Association Sheriff of the Year, South Carolina Victim's Advocates Association Sheriff of the Year and Humanitarian of the Year, Outstanding Young Man in America by the Jaycees, Civitan Citizen of the Year, the Alston Wilkes Society Law Enforcement Officer of the Year, Woodman of the World Outstanding Citizen of the Year, National Humanitarian of the Year by the National Center for Rural Law Enforcement, the Mothers Against Drunk Drivers Highway Safety Hero, and many others.

WHEREAS, Sheriff Foster has long been recognized at the local, state, and national level as a leader in law enforcement, especially for rural areas. He has served on the United States Attorney's Law Enforcement Coordinating Committee, the United States Attorney's Task Force on Violent Crime, the Executive Committee of the Joint Terrorism Task Force, the Governor's Task Force for the Advancement of Public Safety, the Homeland Security Council, the Victim's Notification Network Advisory Council, the State Law Enforcement Division Advisory Panel, and the South Carolina Law Enforcement Training Council, and many others; and

WHEREAS, Sheriff Foster leads by example with a hands-on approach. He is very active in every aspect of the Newberry County Sheriff's Office and its various divisions. He can be seen doing anything from directing traffic at accident scenes to testifying before Congress and is comfortable performing any of those tasks. He is a devoted officer who is driven by his passion for law enforcement and for serving others.

WHEREAS, Sheriff Foster has always been active in the community. He is a member of Central United Methodist Church, the Prosperity Fire Department, and numerous local organizations and has made many positive contributions to his community.

WHEREAS, Newberry County Council takes great pleasure in saluting Sheriff Foster for his many years of public service to the citizens of Newberry County and the State of South Carolina.

NOW, THEREFORE BE IT RESOLVED that Newberry County Council, by this resolution, recognize and honor Sheriff Lee Foster for his outstanding career in law enforcement and congratulate him on being named the 2024 South Carolina Sheriffs' Association Sheriff of the Year.

AND IT IS SO RESOLVED this 15th day of May 2024.

NEWBERRY COUNTY COUNCIL

(SEAL)

BY: _____
Todd Johnson, Chairman

Attest:

Andrew Wigger, Clerk to Council

STATE OF SOUTH CAROLINA)
COUNTY OF NEWBERRY)

**PROCLAMATION
PEACE OFFICERS' MEMORIAL DAY
MAY 15, 2024**

WHEREAS, Congress and President of the United States have designated May 15th as Peace Officers' Memorial Day; and

WHEREAS, the members of the Newberry County Sheriff's Department play an essential role in safeguarding the rights and freedoms of the citizens of our community; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of law enforcement officers, and that law enforcement officers recognize their duty to serve the people of this community, by protecting them against violence and disorder; and

WHEREAS, the law enforcement officers of the Newberry County Sheriff's Department provide a vital public service;

NOW, THEREFORE, Newberry County Council hereby proclaim May 15, 2024, as *Peace Officers' Memorial Day* in memory of those law enforcement officers, who through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and to honor those law enforcement officers presently serving the community.

PROCLAIMED AND APPROVED this 15th day of May 2024.

NEWBERRY COUNTY COUNCIL

SEAL

BY: _____
Todd Johnson, Chairman

ATTEST:

Andrew Wigger, Clerk to Council

STATE OF SOUTH CAROLINA)

COUNTY OF NEWBERRY)

**PROCLAMATION
NATIONAL CORRECTION OFFICERS
& EMPLOYEES WEEK
MAY 5-11, 2024**

WHEREAS, National Correctional Officers and Employees Week was first proclaimed on May 5, 1984, by President Ronald Reagan when he signed Proclamation 5187 creating “National Correctional Officers Week,” to recognize the men and women who work in jails, prisons, and community corrections across the country;

WHEREAS, National Correctional Officers and Employees Week became the official name when in May 1986, the U.S. Senate officially changed the name from “National Correctional Officers Week”;

WHEREAS, National Correctional Officers and Employees Week has been designated as the week of May 5 through May 11, 2024, by the U.S. Department of Justice and the Federal Bureau of Prisons;

WHEREAS, National Correctional Officers and Employee Week honors the work of Correctional Officers and Correctional Personnel for their service with honor, respect, and integrity; and raises the awareness of the duties, hazards, and sacrifices made by correctional employees;

WHEREAS, National Correctional Officers and Employees Week in Newberry County recognizes correctional officers and employees for their role in safeguarding the citizens of Newberry County by providing safe, secure, and humane incarceration of offenders within their custody.

NOW, THEREFORE, Newberry County Council hereby proclaims the week of May 05, 2024, through May 11, 2024, as *National Correctional Officers and Employees Week*.

PROCLAIMED AND APPROVED this 15th day of May 2024.

NEWBERRY COUNTY COUNCIL

SEAL

BY: _____
Todd Johnson, Chairman

ATTEST:

Andrew Wigger, Clerk to Council

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 04-03-24

**AN ORDINANCE REGULATING PUBLIC NUISANCES AND UNFIT DWELLINGS
WITHIN NEWBERRY COUNTY AND PROVIDING PROCEDURES FOR
ENFORCEMENT AND PENALTIES FOR VIOLATION AND MATTERS RELATED
THERE TO.**

WHEREAS, public nuisances can substantially degrade residential and business areas within the County and promote blight and social, economic and physical deterioration; and

WHEREAS, public nuisances and the resulting social, economic and physical deterioration impacts the health, safety, and economic wellbeing of Newberry County residents and property owners; and

WHEREAS, Newberry County Council has determined that negative impact of public nuisances warrants the enactment of regulations and procedures to adequately address such nuisances; and

WHEREAS, Newberry County Council has determined that the passage and enforcement of this ordinance will over time steadily improve the health, safety, and general welfare of the citizens of Newberry County and the value of property within the county; and

WHEREAS, Newberry County Council has the authority to enact this ordinance pursuant to South Carolina Code of Laws 1976, Sections 4-9-25 and 4-9-30, in addition to other authority of the Council.

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this 15th day of May 2024 that the following requirements are hereby adopted:

CHAPTER 157 – PUBLIC NUISANCES AND UNFIT DWELLINGS

GENERAL PROVISIONS

**NUISANCE ORDINANCE – CHAPTER 157
*GENERAL PROVISIONS***

§ 157.001 PURPOSE.

In addition to the burden placed on the County’s public services, nuisance properties present health, safety and quality of life concerns and exist when the persons responsible for such properties fail to take corrective actions to abate nuisance activities or a nuisance condition. Public nuisance properties have a significant adverse effect on the quality of life, safety, and

health of the neighborhoods where they are located. Public nuisance properties are a financial and operational burden on the County by generating repeat calls for service to the properties. Public nuisance properties adversely affect the value of adjacent properties.

Pursuant to the County's home rule authority, public nuisance properties are hereby declared to constitute a public nuisance and are subject to enforcement and abatement as described herein. The nuisance abatement process hereinafter set forth may be used by the County in conjunction with any and all legal actions available to the governing body.

It is the County's intent:

- A. To identify public nuisance activities and public nuisance conditions.
- B. To hold accountable those persons responsible for such nuisance activities and/or conditions on the property.
- C. To assist victims of crime and penalize those who commit crimes or those who permit conditions to exist that give rise to crime or excessive calls for service.
- D. To establish rules, procedures, and penalties to address property owners and occupants that have public nuisance issues and fail to take corrective measures.
- E. To work in partnership with the owners and occupants to address the negative results caused by public nuisance activities and/or conditions and to improve the vitality of neighborhoods by addressing excessive calls for service.
- F. To encourage owners and operators to abate conditions considered a nuisance through an administrative process which is separate from the County's Magistrate Court system.
- G. To establish a means for the County to abate public nuisance properties in the event the owner or occupant is unwilling or unable to correct such conditions in a timely manner.

§ 157.002 DEFINITIONS.

Words used in this chapter shall have their customary meanings as determined by the standard dictionary definition except for the following specific words and terms which are herein defined. In any case, the Code Enforcement Officer, or other County designee shall have the right to define or interpret any words or terms contained within this chapter.

Abandoned Building means any building that is both: a) vacant and/or dangerous or in need of repair greater than fifty percent (50%) of its fair market value, and b) not occupied by the property owner, family member, renter, lessee, or other legal occupant for a period of six months or longer.

Abate means repair, replace, remove, destroy or other otherwise remedy the condition in question by means, in such time, in such a manner and to such an extent

as the enforcement officer shall determine to be in the best interest of the public, taking into account all facts and circumstances.

Building means any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons or property.

Building Materials means any material such as lumber, brick, plaster, gutters or other substances accumulated as a result of repairs or additions to existing buildings, construction of new buildings or demolition of existing structures.

Close and Secure or **Closing and Securing** means compliance with the provisions of this chapter regarding minimum standards for uninhabited or vacant buildings.

Code Enforcement Officer means the person designated by Newberry County as the person responsible for enforcement of the provisions of this Ordinance.

County means Newberry County.

County Council means Newberry County Council.

Dwelling means a building or portion of a building arranged or designed exclusively for human habitation and includes any outhouses and appurtenances belonging thereto or usually employed therewith.

Garbage means any waste from the preparation, cooking and serving of food, market refuse, and waste from the handling, storage and sale of produce and meats as well as disposal of household items.

Habitation means the act of inhabiting by a human for any length of time, unrelated to the owners or parties in interest acting to preserve, maintain, repair, or inspect the property.

Junk means any materials consisting of waste, discarded or salvage matter consisting of a total of more than three (3) cubic yards of volume regardless of whether it is to be bought, sold, exchanged, stored, baled, packed or disassembled for profit, trade or hire, and shall include any vehicle damaged so as not to comply with state or federal safety regulations, incapable of self-propulsion or partially dismantled if retained on the premises for more than seventy-two (72) hours, whether for repair or not. The term junk shall also mean, but not be limited to, old or scrap copper, brass, aluminum, rope, rags, paper, trash, tires, carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous material.

Lien-holder means that person, persons, organization, or corporation that holds the property of a debtor as security or payment for a debt.

Litter means garbage, refuse, waste materials or any other discarded, used or unconsumed substance which is not handled as specified herein.

Local Governing Body means Newberry County Council.

Local Official means the designee(s) of the County Administrator.

Occupant means any person who resides or is present in a house or vehicle at any given time.

Outdoor Storage means the outdoor accumulation or outdoor storage of decaying animal matter, animal or human feces, trash, rubbish, garbage, rotting lumber, packing materials, old or scrap copper, brass, aluminum, rope, rags, paper, trash, tires, carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous material.

Owner means any person, persons, organization, or corporation that owns, in whole or part, the land, structure or other property as the holder of title in fee simple or is the purchaser of the property under contract for deed.

Premises means any building, lot, parcel, real estate, or land or portion of land whether improved or unimproved, occupied or unoccupied, including adjacent parking.

Public Nuisance means any activity or failure to act that adversely affects the public and shall include, but not be limited to, any condition which poses an immediate and direct hazard to human health if left unheeded due to the existence of the condition itself or due to the immediate threat of transmission of disease through insects, animals including rodents, or other means or transmission or infection.

Refuse means trash, garbage, rubbish, waste papers, bottles or cans, debris, litter, oil, solvents, liquid waste, or other discarded materials.

Structural Defect means any physical damage to the designated load-bearing elements of the structure caused by failure of such load-bearing elements which affects the load-bearing function to the extent the structure becomes unsafe, unsanitary or unlivable.

Structure as defined by the latest version of the International Building Code as adopted by the State of South Carolina.

Temporary means anything lasting for only a limited period of time; not permanent.

Unsafe means if conditions exist in such dwelling or other structure which are dangerous or injurious to health or safety of the occupants of such dwelling, the occupants of neighboring dwellings or other residents of Newberry County. Such conditions may include the following without limiting the generality of the foregoing: defects increasing the hazards of fire, accidents, or other calamities.

Unsafe Structure means any building or structure which has been determined to be unsafe by the Code Enforcement Officer or Building Official.

§ 157.003 PUBLIC NUISANCES IDENTIFIED.

The creation or maintenance of a public nuisance is prohibited. The following are hereby expressly declared to be public nuisances:

- A. Garbage, trash or refuse, except garbage, trash or refuse stored in authorized sealed receptacles specifically designated for trash collection, in an enclosed building or properly contained in a closed, insect and rodent proof container designed for such purpose, except for the immediate time preceding pick up by a refuse hauler.
- B. Accumulation of carcasses of animals, birds or fish by failing to bury or otherwise dispose of in a sanitary manner within twenty-four (24) hours after death. This provision shall not apply if the animals, birds, or fish are intended for human consumption.
- C. Accumulation of rubbish as to become dangerous or injurious to the health and safety of any individual or to the public.
- D. Accumulation of junk matter consisting of a total of more than three cubic yards in volume.
- E. Noxious and excessive accumulation of decaying animal matter, animal feces, trash, rubbish, litter, debris, rotting, packing materials, scrap metal, pallets fuel storage containers, tools, tires and wheels, furnaces, home appliances, furniture, plumbing fixtures, construction materials, metal, pipes, glass, machinery, wood, brick, cement block, or any other substances in which flies, mosquitoes, or other disease carrying insects, rodents or other vermin can harbor.
- F. Improper outdoor use of indoor or non-weather proofed furniture and appliances, dilapidated or unusable furniture, or upholstered furniture manufactured for indoor use including those which:
 - 1. Harbors, conceals or invites rodents, pests, or vermin refuse deposits;
 - 2. Gives off noxious odors; or
 - 3. Constitutes a fire or other safety hazard.
- G. Manufactured items intended for indoor use including but not limited to bedding, cardboard, glass, home goods, etc., which are stored or used outdoors.
- H. Pools of stagnant water, or vessels holding standing water, excluding required retention ponds, and excluding pools of stagnant water related to agricultural activities, in which mosquitoes and other insects are breeding and which impact adjoining properties.
- I. Structures being used for human habitation which do not have working electrical, water and septic/sewer services. If utilities are not present and/or in working order a structure will be classified as unsafe and uninhabitable.

- J. All structures determined to be unsafe. Unsafe structures shall be abated by alteration, repair, rehabilitation, demolition or removal in accordance with the procedures specified herein. Unsafe dwellings are hereby identified as unsafe structures where:
1. It is determined by the Code Enforcement Officer that a structure is in a state of decay, damaged by fire, earthquake, wind or flood, inadequate maintenance, dilapidation, abandonment or partial ruin to such an extent that the structure is a hazard to the health, safety, or welfare of the general public or adjoining property;
 2. Defects in the structure increase the hazard risk of fire, accidents or calamities;
 3. The structure contains filth or contamination;
 4. There is a lack of ventilation, light, sanitary or heating facilities or other essential equipment required by codes adopted by Newberry County;
 5. The structure provides a harbor for rodents, pests, stray animals, or persons engaged in controlled substance or sale;
 6. A structure has been abandoned so as to make such structure an attractive nuisance or hazard to the public; or
 7. Other conditions rendering such dwelling unsafe or unsanitary, dangerous or detrimental to the health, safety, or morals or otherwise detrimental to the welfare of the residents.

The enumeration of specific nuisances in this Ordinance shall not be deemed to make lawful any other act or condition declared to be a nuisance by any other County ordinance, state or federal law, or court decision.

§ 157.004 GENERAL REQUIREMENTS.

- A. Requirements for Occupied or Unoccupied Property. It is unlawful for any person, firm, or corporation to maintain or to permit to be maintained any premises including vacant lots or land upon which trash, garbage, insect-harboring stagnant water, or other matter detrimental to good health and public sanitation is permitted or caused to accumulate in any manner that is or may become a nuisance causing injury or sickness to the health or welfare of residents or the public in the vicinity of, or causing injury to, any neighboring property.
- B. Requirements for Residential Dwellings. The owner of the property shall maintain the dwelling's interior and exterior in compliance with the requirements of the Building Code that was adopted at the time of the completion of the dwelling. If any repairs or updates are needed and require a permit, the work must be completed to meet the current adopted building code. The owner shall be responsible for maintaining all inhabited and vacant

dwellings in a clean, safe, secure, and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health and/or safety. This includes, but is not limited to, holes in roofs, openings in windows, walls or doors, unsecured structures, and foundational and structural concerns.

- C. Requirements for Owners. Regardless of who created the public nuisance, the property owner and/or the occupant is responsible for taking all corrective actions to remedy the situation.
- D. Requirements for Exterior Structures. For purposes of this section, these standards apply to any portion of the property that is not within the interior of a dwelling or other enclosed structure. Unless completely enclosed, porches, balconies, decks, carports, or other similar structures shall be included within this standard. Temporary materials cannot be used to enclose a structure.
- E. Requirements for Other Structures. Pools, walls, fences and other accessory structures shall be considered a structure.

§ 157.005 EXCEPTIONS.

- A. This chapter shall not apply to structures that are actively used for legal agricultural purposes or forestry operations, including but not limited to, barns, sheds, and storage buildings, which are not utilized as a dwelling for human habitation. No accumulation of waste, debris, or junk defined in this ordinance is allowed in the setback areas adjacent to a residence as defined in the Newberry County Zoning Ordinance. Structures designed for or related to agricultural and forestry operations, including but not limited to barns, sheds, and storage buildings, that are not utilized as a dwelling for human habitation are exempt from this Chapter.
- B. This chapter shall not apply to agricultural activities.
- C. This chapter shall not apply to a business that is permitted by the Zoning Ordinance of Newberry County, or is a legally nonconforming use allowed by the Zoning Ordinance of Newberry County, where such activities listed above are a normal and customary activity associated with that business. In the case of outside storage in conjunction with a business, the materials in question must be screened from the public rights-of-way and from any adjacent residential property.

§ 157.006 AUTHORITY.

Any local official designated by the County Administrator is authorized to determine that a structure is unfit for human habitation if found that conditions exist where the structure is dangerous or injurious to the health and safety of the occupants of such structure or the occupants of neighboring structures. Such conditions may include, but are not limited to, defects therein increasing the hazards of fire, accident or other calamities; dilapidation; disrepair; structural defects; uncleanliness; and other standards described herein.

An aggrieved property owner or occupant may enter into a correction agreement process as outlined in §157.015 or request review of the matter by the Newberry County Building, Fire and Nuisance Codes Board of Appeals in accordance with §157.011.

PROCEDURE

§ 157.007 NUISANCE IDENTIFICATION.

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written or verbal complaint. Such complaint stating fully the causes and basis thereof, shall be filed with the Code Enforcement Officer. The Code Enforcement Officer shall record the complaint properly, investigate promptly, and take action thereon as provided by this Ordinance. To protect the privacy of individuals, such complaints can be anonymous.

§ 157.008 NOTIFICATION.

Upon investigating a complaint of possible violation, and determination of violation of this Ordinance, the Code Enforcement Officer shall serve a notice of violation. Notices of violations or orders hereunder shall be deemed to be properly served to the owner or occupant if a copy thereof is:

- A. Delivered personally;
- B. Sent by first class mail addressed to the last known address whose address is maintained by Newberry County Tax Assessor; or
- C. A copy thereof posted in a conspicuous place on the lot affected or on or about the structure affected by such notice.

For purposes of notice of violation to properties with more than one owner, notice shall be made to the owner of record whose name and address is maintained by the Newberry County Tax Assessor. Co-owners jointly and severally are liable for the upkeep and maintenance of the property. Such notices of violations shall:

- A. Be in writing;
- B. Include property location by street address and Tax Map Number for the parcel;
- C. Date of inspection where the violation was determined;
- D. Specific orders for abatement or remediation of the violation; and
- E. A date for completion of the abatement not to exceed seven (7) calendar days following notification.

The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this article.

The Building Official or Code Enforcement Officer shall post at each entrance of the designated unsafe structure a notice to read: "DANGER – THIS BUILDING IS DECLARED UNSAFE FOR HUMAN OCCUPANCY."

Such notice shall remain posted until the required repairs, demolition or removal is completed. Such notice shall not be removed without written permission of the Building Official or Code Enforcement Officer except for the purpose of making required repairs or demolition of the building.

Notwithstanding any other provision of this article, any building or structure that has been determined to be an immediate danger to life, health, safety or property shall be abated immediately in order to protect life, health, safety or property. The Building Official or Code Enforcement Officer may take any steps that are necessary to make the structure safe including, but not limited to, demolition of the structure.

§ 157.009 EXTENSION PROCESS.

An extension of time to complete abatement may be granted if justified. Such request must be in writing and be received by the Code Enforcement Officer not later than seven (7) calendar days following notification. The request must contain the reasons for which the extension is necessary and contain the specific length of time requested.

§ 157.010 TIMEFRAME FOR ABATEMENT.

All required work shall be completed within such period of time as the Code Enforcement Officer shall determine to be reasonable to accomplish the work, as stated in the notice. If a building or demolition permit is required, such permit shall be obtained by the owner or their designee within thirty (30) calendar days of written notice.

§ 157.011 APPEALS.

An appeal may be requested by the owner where demolition is required. Appeals may be made to the Newberry County Building, Fire and Nuisance Codes Board of Appeals by such person. The board will consider the appeal, evaluate the determination made by the Code Enforcement Officer, and then render a decision either sustaining, modifying or reversing the demolition order. The board shall not levy fines or penalties on the property or owner/occupant or amend the standards of this ordinance.

§ 157.012 PENALTIES.

Any person deemed to be in violation of this Ordinance after having received a nuisance notification with an established timeframe for abatement shall be issued a citation charging such person(s) with a misdemeanor. A guilty plea or judgement by the Newberry County Magistrate's Office shall be punishable by a fine of no more than five hundred dollars (\$500) unless otherwise noted in this ordinance. Each day such violation continues after due notice to discontinue such violations shall be considered a separate offense. In addition, the Code Enforcement Officer or other appropriate administrative official, may in accord with the provisions of Section 56-7-80 of the South Carolina Code of Laws 1976, as amended, issue an ordinance summons, or institute

injunction, mandamus, or take any other appropriate actions or proceedings required to enforce this Ordinance.

§ 157.013 PUBLIC ABATEMENT PROCESS.

In the event that any owner or occupant of any lot or premises upon which there is a condition described in this ordinance fails to remedy the condition within the agreed upon timeframe, the County may, in its own discretion, do such work and make improvements, or contract with an authorized third-party, as is necessary to correct, remedy, or remove such condition or cause the same to be done, paid therefor and charge the expenses incurred thereby to any and all owners of such lot, in joint and severable liability for any and all expenses incurred. Such work shall not relieve such person from prosecution or failure to comply with such notice. Such expenses shall be assessed against the lot or real estate upon which the work was done, or the improvements made through a lien on property which shall be added to and collected in the same manner as property taxes.

§ 157.014 RECURRENT VIOLATIONS.

Any violation of any provision of this Ordinance or of any ordinance for which proper notice of violation has been provided pursuant to the applicable code section or ordinance which reoccurs, at the same location while under the same ownership, within the same calendar year of the previous notice, shall constitute a repeat violation. The occurrence of a repeat violation shall waive the county's requirement to provide a notice of violation and an abatement period, if applicable, prior to issuance of an Ordinance Summons.

§ 157.015 CORRECTION AGREEMENT.

Upon determination that an unsafe structure or other nuisance exists and notice of violation is provided to the property owner, such owner(s) may enter into a correction agreement with the County. Such correction agreement shall identify such person(s) responsible for the property and their agreement to promptly take all reasonable actions, which shall be set forth in the agreement, to mitigate the nuisance within a specified time and according to specified conditions. The County may give consideration to many factors when entering into a correction agreement with owners including, but not limited to, financial hardship. A correction agreement must be requested by the owner following the issuance of a notice of violation. The county must be in receipt of such request prior to the expiration of the abatement period specified in the notice of violation and prior to the issuance of a summons to appear in court. If the nuisance is not abated in accordance with the conditions of the correction agreement, a citation shall be issued as outlined in §157.012.

§ 157.016. CONFLICT/SEVERABILITY.

If any provision of any ordinance of the county is clearly in conflict with the provisions of this chapter, this chapter shall apply. Whenever the provisions of any other statute require more restrictive standards than are required by this ordinance, the provisions of such statute shall govern. If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,

clause or phrase of this ordinance. In any case where any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained; or any structure or land is used in violation of this Ordinance, or regulations in furtherance hereof, the County Administrator, County Attorney, Zoning Administrator, Building Official, or any person aggrieved may, in addition to other remedies provided by law, institute injunction, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use. Such violations shall constitute a misdemeanor. The owner of any building, structure, premise, or part thereof, and any occupant, architect, surveyor, builder, engineer, contractor, agent, or other person, who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and be subject to the penalties herein provided. Nothing in this ordinance shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation.

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

1st Reading: April 17, 2024
2nd Reading: May 1, 2024
Public Hearing: May 1, 2024
3rd Reading: June 5, 2024



Newberry County

Planning Commission Staff Report

Request: Rezoning request MA02-03-19-24 by property owner's agent Reeves Construction Company. This request is to rezone one (1) property totaling eleven and seventy hundredths (11.70) acres located at 13044 SC Highway 121, Newberry, from GC-General Commercial to IND-Industrial.

Application Number: MA02-03-19-24

Applicant/Property Owner: Reeves Construction Company

Location Address: 13044 SC Highway 121, Newberry

Tax Map Number(s): 336-3

Lot Size: 11.70 acres

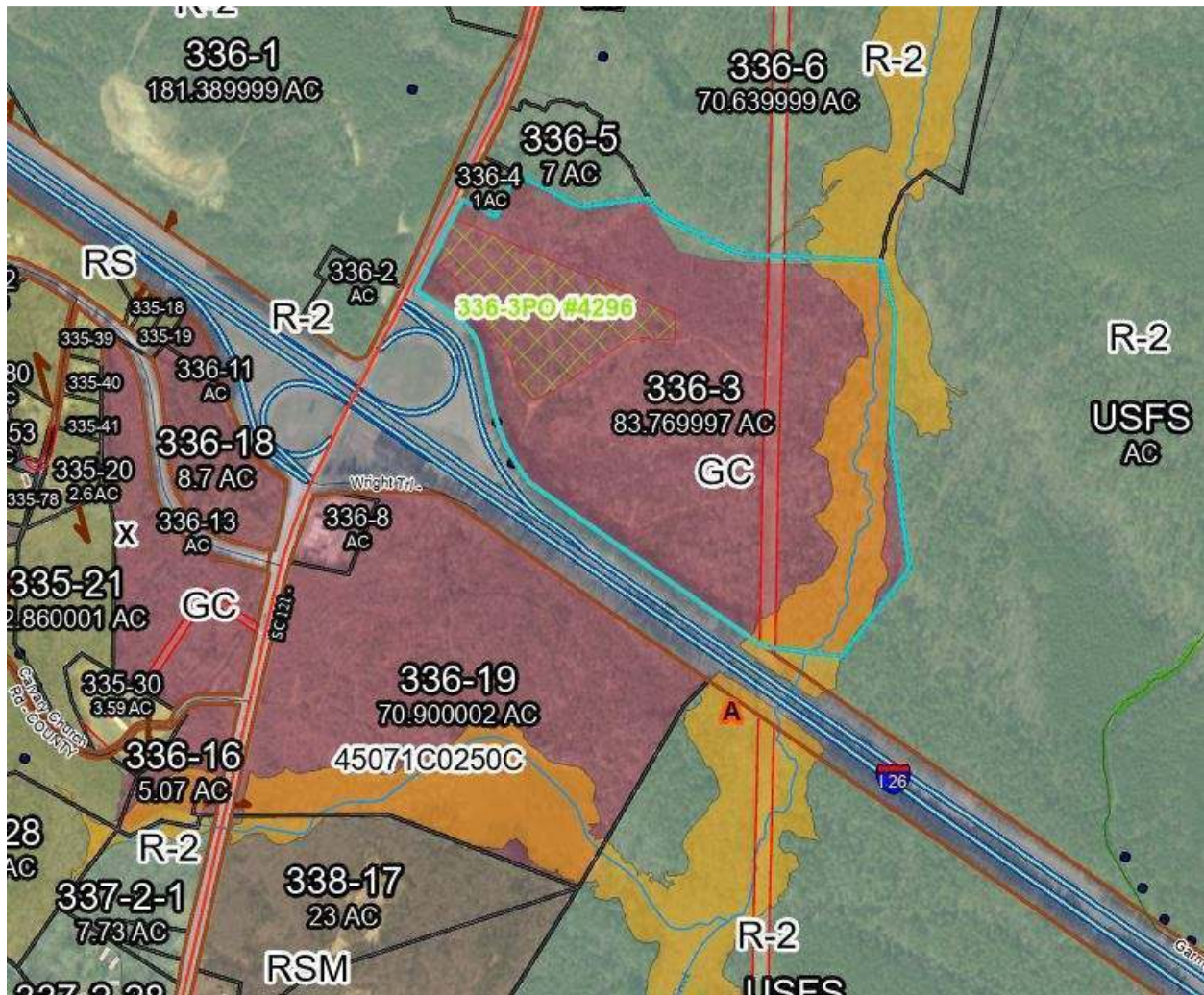
Current Land Use: Vacant

Proposed Land Use: Asphalt Plant

Current Zoning District: CG-General Commercial

Proposed Zoning District: IND-Industrial

Comprehensive Plan Designation: Development

Zoning Map:**Current 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.

Proposed Zoning District

IND – Industrial: IND district is established to accommodate a wide variety of industrial uses involving research, manufacturing, processing, assembly, warehouses, and mining.

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

Development (DEV) - Land areas that include more intensive uses such as commercial, industrial, public, and institutional, service, and higher density residential, as well as related infrastructure. Areas identified as Development generally link the more developed areas of the County to each other and beyond to neighboring counties and the greater Columbia metropolitan region. These areas either already are, or have the potential to become, economic development centers, primarily because of proximity to major transportation corridors and existing water and sewer. Existing residential developments and individual residences located within DEV areas provide options for residents to shorten the distance between work and home. Access to regional transportation routes and to existing water and sewer facilities will continue to make these Development areas attractive for a wide range of uses including commercial and industrial development, public and institutional uses, and higher density residential development.

Analysis:

This is a request by property owner's agent Reeves Construction Company to rezone one (1) parcel of land totaling eleven and seventy hundredths (11.70) acres located at 13044 SC Highway 121, Newberry from GC-General Commercial to IND-Industrial. The proposed use of this property is for an asphalt plant.

The Comprehensive Plan identifies this property and the surrounding area as 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 IND-Industrial

Planning Commission: Planning Commission recommends the rezoning to IND-Industrial.

STATE OF SOUTH CAROLINA)
)
NEWBERRY COUNTY)

ORDINANCE NO. 05-01-2024

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 ELEVEN AND SEVENTY HUNDREDTHS (11.70) ACRES DESIGNATED AS TMS NO. 336-3 FROM GC-GENERAL COMMERCIAL TO IND-INDUSTRIAL.

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 eleven and seventy hundredths (11.70) acres located at 13044 SC Highway 121, Newberry, to IND-Industrial from GC-General Commercial. Tax Map No. 336-3 is currently vacant. The Comprehensive Plan shows the future land use for this area to be within the development projected area. The Planning Staff does recommend that this real estate parcel be rezoned to IND-Industrial.

WHEREAS, the Newberry County Joint Planning Commission, in case number MA02-03-19-24, 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 at 13044 SC Highway 121, 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. 336-3
totaling eleven and seventy hundredths (11.70) acres located at 13044 SC Highway 121,
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, IND-Industrial from GC-General Commercial.

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. 336-3, totaling
eleven and seventy hundredths (11.70) 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: _____
Todd Johnson, Chairman

Attest:

Andrew Wigger, Clerk to Council

1st reading: _____
2nd reading: _____
Public Hearing: _____
3rd reading: _____

Reviewed and approved as to form:

Attorney

County Administrator

BUDGET ORDINANCE PROVISOS

FOR FISCAL YEAR 2024-2025

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 (FY23-24) City of Newberry, 17.1% (\$101,889.19) ; Town of Prosperity, 1.87% (\$10,900.04); Town of Whitmire, 1.24% \$6,819.81 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 24-25 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 following rates, which are based on the Meals & Incidentals (M&IE) rates of the U.S. General Services Administration in effect on July 1, 2024, averaged for destinations of travel within South Carolina and rounded up to the nearest dollar:

Breakfast	Lunch	Dinner	Incidental Expenses	M&EI Total	First & Last Day of Travel
\$16	\$17	\$31	\$5	\$69	\$52

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. 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.

Explanation:

PROVIDE FURTHER During the budget consideration process, capital projects are typically moving toward completion. However, this progress might not reflect progress estimates made early in the budget cycle. Prior to publication of the final budget, staff would assign more accurate revenue and expenditure numbers among the two budget years (FY 2022-2023 and FY 2023-2024) based on the most up-to-date invoice payments and outstanding contract amounts. This process would not change project budgets or FY 24-25 property tax revenue needs.

NEWBERRY COUNTY FY 2024-20225
UNIFORM FEE SCHEDULE
(Fees and Charges by County Department)

***Basic cost for copies Countywide \$.35 per page.**

ANIMAL CONTROL

Adoptions:	Cats & Kittens	\$	75.00	
	Dogs & Puppies	\$	100.00	
Redemptions:		\$	25.00	for first day per animal
		\$	10.00	each additional day per animal
Microchip Fee:		\$	20.00	
DHEC Quarantine Fee:		\$	100.00	for 10 days
Low-Cost Pet Sterilization:		\$	30.00	

BUILDING AND ZONING DEPARTMENT

Building Fees:

\$1,000 or less	\$	50.00	
\$1,001 to \$5,000	\$	50.00	for the first \$1,000, plus
	\$	10.00	for each additional \$1,000 or fraction thereof
\$5,001 to \$50,000	\$	50.00	for the first \$5,000, plus
	\$	10.00	for each additional \$1,000 or fraction thereof
\$50,001 to \$100,000	\$	270.00	for the first \$50,000, plus
	\$	5.00	for each additional \$1,000 or fraction thereof
\$100,001 to \$500,000	\$	470.00	for the first \$100,000, plus
	\$	5.00	for each additional \$1,000 or fraction thereof
\$500,001 and up	\$	1,670.00	for the first \$500,000, plus
	\$	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	\$	75.00	for first re-inspection; doubles each inspection thereafter
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Plan Review Fee		$\frac{1}{4}$	the cost of permit fee for Residential / $\frac{1}{2}$ for Commercial
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Manufactured Home Fees:

Single-Wide Manufactured Home:	\$	100.00
Double-Wide Manufactured Home:	\$	200.00
Manufactured Home Moving Fee:	\$	100.00
Manufactured Home Decal:	\$	5.00

Flood Management Fees:

Flood Permit Fee	\$	75.00
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Planning And Zoning Fees:

New Sign	\$	200.00
Re-facing Fee	\$	75.00
Tower Permit Fee	\$	500.00
Co-Location Tower Permit Fee	\$	200.00
Zoning Permit Fee	\$	75.00
Demo Fee	\$	50.00
Re-inspection Fee	\$	75.00
Zoning Map Amendment / Rezoning Request	\$	200.00 for 1 st acre \$ 200.00 for 2 nd acre \$ 25.00 per acre thereafter
Manufactured Home Park/ Application Fee	\$	200.00 plus \$20 per lot
Variance Request	\$	150.00
Notice of Appeal	\$	200.00
Special Exception Request	\$	200.00

Land Development (Subdivision) Fees:

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

Traditional Subdivision and Residential Group Developments:

1-5 Lots/Units	\$	50.00	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	
Commercial or Industrial Group Developments:	\$	500.00	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

(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 I -III 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:	\$.35	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	\$	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	\$.35	per page *
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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
Mega users
one-year period

\$ 70.00 per ton at Transfer Station
\$ 72.00 per ton after the first 1000 tons in any
\$ 11.00 Fuel Surcharge will be added per ton

Tires

\$ 150.00 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

\$ 40.00 per ton for commercial dumping of yard debris

TAX ASSESSOR

Copies	\$.35
B/W 8 1/2 X11 Property Cards	\$.35
Color Property cards/Information sheet 8 1/2 X 11	\$ 5.00
Color Maps 8 1/2 X 11	\$ 10.00
Tax Map Index Maps 24X24 Color	\$ 12.00
Tax Map without Aerial 24X34 Color	\$ 15.00
Tax Map with Aerial 24X34 Color	\$ 25.00
Custom Maps	\$ 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
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CORONER

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

STATE OF SOUTH CAROLINA)
COUNTY OF NEWBERRY)

ORDINANCE NO. 05-03-2024

AN ORDINANCE TO PROVIDE APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025, 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

The Newberry County Auditor is hereby authorized to levy a property tax of 137.0 mills to pay for appropriations provided in the Newberry County Budget, hereinafter made for the fiscal year beginning July 1, 2024, and ending June 30, 2025, after crediting against appropriations all other revenue anticipated to accrue to Newberry County during said fiscal year and not earmarked for specific purposes, upon all the taxable property of Newberry County for County purposes as follows:

- (1) A general operating tax rate of at least 128.6 mills shall be levied by the Newberry County Auditor to meet all County General Fund appropriations directed by this Ordinance, except as provided for by other revenue sources, for the operation of County Government for the Fiscal Year beginning July 1, 2024 through June 30, 2025;
- (2) A community services tax rate not exceeding 6.2-mills shall be levied by the Newberry County Auditor to meet all Community Services Fund appropriations provided by this Ordinance; and
- (3) A debt service tax rate not exceeding 2.2-mills shall be levied by the Newberry County Auditor to meet all Debt Service Fund appropriations provided by this Ordinance as determined by Newberry County Auditor.

SECTION II. GENERAL FUND REVENUES AND EXPENDITURES

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, 2024, and ending June 30, 2025, the following sums of money in the amounts and for the purposes set forth as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
<u>PROPERTY TAXES</u>	
CURRENT REAL ESTATE TAXES	\$ 18,726,811
VEHICLE TAXES	\$ 2,737,383
WATERCRAFT TAXES	\$ 586,919
HOMESTEAD EXEMPTION	\$ 986,924
MANUFACTURERS REIMBURSEMENT	\$ 442,774
DELINQUENT REAL ESTATE TAXES	\$ 595,285
MERCHANTS INVENTORY	\$ 85,149
FEE IN LIEU OF TAXES (FILOT)	\$ 1,451,314
MOTOR CARRIER IN LIEU	<u>\$ 303,054</u>
	PROPERTY TAXES: \$ 25,915,613
 <u>LICENSES AND PERMITS</u>	
FRANCHISE FEES	\$ 19,134
BUILDING INSPECTION – FEES/PERMITS	\$ 600,000
ZONING – FEES/PERMITS	<u>\$ 60,000</u>
	LICENSES AND PERMITS: \$ 679,134
 <u>INTERGOVERNMENTAL</u>	
LOCAL GOVERNMENT FUND	\$ 1,734,389
RURAL STABILIZATION FUND	\$ 392,690
TRANSFER FROM STATE ACCOMMODATIONS TAX FUND	\$ 29,620
VETERANS AFFAIRS	\$ 4,448
SALARY SUPPLEMENT (ELECTED OFFICIALS)	\$ 60,000
NATIONAL FORESTRY FUNDS	\$ 130,000
VC SUMMER / SC EMERGENCY MANAGEMENT GRANT	\$ 338,924
TRIBAL FUNDS	\$ -
ARPA FUNDS	\$ 4,692,617
CHILD FATALITY FUNDS	<u>\$ 34,000</u>
	INTERGOVERNMENTAL: \$ 7,416,688
 <u>CHARGES FOR SERVICES</u>	
CLERK OF COURT – TITLE IV-D	\$ 95,000
DELINQUENT TAX COST	\$ 100,000
SCHOOL RESOURCE OFFICERS - NCSD	\$ 491,885

SCHOOL RESOURCE OFFICERS - STATE	\$ 383,042
SHERIFF - FEES	\$ 2,300
SALE OF PIPE	\$ -
ANIMAL CONTROL - OTHER	\$ 4,500
ANIMAL CONTROL - ADOPTIONS	\$ 14,000
ANIMAL CONTROL - SPAY-NEUTER PROJECT	\$ 14,000
SOLID WASTE - TIPPING FEES	\$ <u>2,270,481</u>

CHARGES FOR SERVICES: \$ 3,375,208

FINES

CENTRAL COURT - FEES AND FINES	\$ 400,000
PROBATE JUDGE - FEES	\$ 105,000
CLERK OF COURT - CONVEYANCE FEES	\$ 150,000
CLERK OF COURT - FEES AND FINES	\$ <u>140,000</u>

FINES: \$ 795,000

INTEREST

INTEREST	\$ <u>700,000</u>
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INTEREST: \$ 700,000

MISCELLANEOUS

RETURNED CHECK CHARGES	\$ 300
WESTVIEW - PHONE REIMBURSEMENT	\$ 1,500
SOLICITOR'S BAD CHECK PROGRAM	\$ -
DEPT OF JUVENILE JUSTICE - PHONE REIMBURSEMENT	\$ 1,000
DELINQUENT TAX SALE PROCEEDS	\$ 900
OTHER	\$ 75,000
TREASURER'S DECALS	\$ 33,300
UTILITIES / RENT ONE STOP	\$ 12,000
REGISTRATION AND ELECTIONS	\$ 42,000
COUNTY SURPLUS SALE	\$ 25,000
RECYCLING REVENUE	\$ 30,000
SOLID WASTE - TIRES	\$ 42,000
SHERIFF - OTHER	\$ 4,500
SHERIFF - FORESTRY	\$ 6,600
LAW ENFORCEMENT SERVICES - REIMBURSEMENT	\$ 80,000
ASSESSORS - COPIES	\$ 50
ASSESSORS - GIS	\$ 200
CORONER - OTHER	\$ 7,500
MOBILE HOME LICENSES	\$ 1,162
CLERK OF COURT - COPIES	\$ 30,000
PROBATE - COPIES	\$ 3,400

SPECIAL LICENSE PLATES	\$	10,000
SOIL AND WATER CONSERVATION	\$	58,613
FORFEITED LAND COMMISSION	\$	-
COMMERCIAL YARD CLEARING DEBRIS	\$	2,380
FOX BRIAR - SPECIAL TAX DISTRICT	\$	5,100
GLADE SPRINGS ROAD - SPECIAL TAX DISTRICT	\$	4,000
JB FULMER COURT - SPECIAL TAX DISTRICT	\$	2,000
DHEC PHONE	\$	800
ENERGY EFFICIENCY CONSERVATION BLOCK GRANT	\$	<u>75,000</u>

MISCELLANEOUS: \$ 554,305

USE OF FUND BALANCE: \$ 1,089,434

TOTAL GENERAL FUND REVENUE: \$ 40,525,382

EXPENDITURES

AMOUNT

LEGISLATIVE

COUNTY COUNCIL	\$	465,214
LEGALS	\$	<u>120,000</u>

LEGISLATIVE: \$ 585,214

ADMINISTRATIVE

COUNTY ADMINISTRATOR	\$	1,185,023
NON DEPARTMENTAL	\$	4,737,788
INFORMATION TECHNOLOGY	\$	454,236
DEBT SERVICE	\$	<u>883,003</u>

ADMINISTRATIVE: \$ 7,260,050

TAX ASSESSMENT AND COLLECTION

TREASURER	\$	594,051
AUDITOR	\$	483,478
ASSESSOR	\$	892,095
TAX REVIEW & APPEALS BOARD	\$	7,200
DELINQUENT TAX	\$	182,732
GIS	\$	<u>192,995</u>

TAX ASSESSMENT AND COLLECTION: \$ 2,352,551

ELECTION AND REGISTRATION

REGISTRATION-ELECTION \$ 318,224

ELECTION AND REGISTRATION:\$ 318,224

ADMINISTRATION OF JUSTICE

CIVIL AND CRIMINAL COURT \$ 77,810
SOLICITOR \$ 134,055
CLERK OF COURT \$ 652,325
FAMILY COURT \$ 230,176
PROBATE COURT \$ 363,685
PROBATION PARDON AND PAROLE \$ 1,050
PUBLIC DEFENDER \$ 112,200
CORONER \$ 282,191
CENTRAL COURT \$ 690,059

ADMINISTRATION OF JUSTICE: \$ 2,543,551

LAW ENFORCEMENT AND DETENTION

SHERIFF \$ 5,255,594
SCHOOL RESOURCE OFFICERS - NCSD \$ 491,885
SCHOOL RESOURCE OFFICERS - STATE \$ 383,042
CORRECTIONS \$ 2,814,281
ANIMAL CONTROL \$ 486,039

LAW ENFORCEMENT AND DETENTION: \$ 9,430,841

PUBLIC SAFETY

EMERGENCY SERVICES \$ 492,249
COMMUNICATIONS \$ 1,572,800
BOARD OF RESCUE SQUADS \$ 410,578
HAZ MAT \$ 19,508
BOARD OF RURAL FIRE CONTROL \$ 2,156,890
EMS \$ 1,916,235

PUBLIC SAFETY: \$ 6,568,260

PUBLIC WORKS AND MAINTENANCE

PUBLIC WORKS \$ 2,041,358
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 \$ 1,078,219
TRANSFER STATION \$ 2,820,707
FLEET SERVICES \$ 606,374
FACILITIES MANAGEMENT \$ 2,181,178

COMMUNITY HALL	\$ 16,000
EMERGENCY SERVICES TRAINING GROUND	\$ 205,816
HELENA COMMUNITY CENTER	\$ <u>6,200</u>

PUBLIC WORKS AND MAINTENANCE: \$ 8,963,852

PLANNING AND DEVELOPMENT

CENTRAL MIDLANDS REGION COG	\$ 23,681
ECONOMIC DEVELOPMENT	\$ 405,197
SMALL BUSINESS DEVELOPMENT CENTER	\$ 5,500
BUILDING AND ZONING	\$ <u>818,322</u>

PLANNING AND DEVELOPMENT: \$ 1,252,700

AGRICULTURE & HOME ECONOMICS

CLEMSON EXTENSION	\$ 31,350
SOIL AND WATER CONSERVATION DISTRICT	\$ <u>121,476</u>

AGRICULTURE & HOME ECONOMICS: \$ 152,826

PUBLIC HEALTH

HEALTH DEPARTMENT	\$ 2,805
BECKMAN MENTAL HEALTH	\$ 14,025
WESTVIEW BEHAVIORAL	\$ 1,500
NEWBERRY FREE MEDICAL CLINIC	\$ <u>5,500</u>

PUBLIC HEALTH: \$ 23,830

SOCIAL SERVICES

DEPARTMENT OF SOCIAL SERVICES	\$ 79,550
VETERANS AFFAIRS	\$ 222,674
COUNCIL ON AGING	\$ 60,000
PATHWAY TO HEALING	\$ 4,250
SISTERCARE, INC.	\$ 2,295
NEWBERRY COUNTY LITERACY	\$ 7,000
THE NEWBERRY MUSEUM	\$ 50,000
NEWBERRY OPERA HOUSE	\$ <u>25,000</u>

SOCIAL SERVICES: \$ 450,769

MISCELLANEOUS

AIRPORT	\$ 21,769
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GOVERNMENTAL ASSOCIATION	\$	400
SC ASSOCIATION OF COUNTIES	\$	9,200
NATIONAL ASSOCIATION OF COUNTIES	\$	800
NEWBERRY COUNTY CHAMBER OF COMMERCE	\$	200
MEDICALLY INDIGENT	\$	55,000
RECREATION	\$	280,595
MAYBINTON BALLPARK	\$	<u>1,250</u>

MISCELLANEOUS: \$ 369,214

CONTINGENCY

CONTINGENCY	\$	<u>253,500</u>
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CONTINGENCY: \$ 253,500

TOTAL GENERAL FUND EXPENDITURES: \$ 40,525,382

SECTION III. SPECIAL REVENUE FUND REVENUES AND EXPENDITURES

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, 2024, and ending June 30, 2025, the following sums of money in the amounts and for the purposes set forth as follows:

VICTIMS ASSISTANCE FUND

<u>REVENUES</u>		<u>AMOUNT</u>
VICTIMS ADVOCATE	\$	70,762
USE OF VICTIMS ASST FUND BALANCE	\$	<u>65,579</u>

REVENUE: \$ 136,341

<u>EXPENDITURES</u>		<u>AMOUNT</u>
PERSONNEL	\$	36,938
SOCIAL SECURITY	\$	2,826
RETIREMENT	\$	7,846
INSURANCE	\$	14,410
WORKERS COMPENSATION	\$	971
MEMBERSHIPS & DUES	\$	550
OFFICE EXPENSE	\$	2,000
TELEPHONE	\$	500
TRAINING	\$	1,000
TRAVEL	\$	2,800
SUBSISTENCE	\$	4,000
UNIFORMS	\$	2,500
CAPITAL OUTLAY	\$	<u>60,000</u>

EXPENDITURES: \$ 136,341

SEX OFFENDERS FUND

<u>REVENUES</u>	<u>AMOUNT</u>
SEX OFFENDER REGISTRY PROGRAM	\$ 6,224
USE OF SEX OFFENDERS FUND BALANCE	<u>\$ 7,776</u>
	REVENUE: \$ 14,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
SEX OFFENDERS REGISTRY	\$ 7,000
OFFICE EXPENSE	\$ 2,000
CAPITAL REPLACEMENT	<u>\$ 5,000</u>
	EXPENDITURES: \$ 14,000

JAIL FEES FUND

<u>REVENUES</u>	<u>AMOUNT</u>
INMATE USER FEES COLLECTED	\$ 63,572
USE OF JAIL FEES FUND BALANCE	<u>\$ 71,028</u>
	REVENUE: \$ 134,600

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONTRACTED MAINTENANCE	\$ 10,000
MEMBERSHIPS & DUES	\$ 1,200
OFFICE EXPENSE	\$ 10,000
PRINTING	\$ 2,500
TRAINING	\$ 600
TRAVEL	\$ 4,900
SUBSISTENCE	\$ 400
CAPITAL OUTLAY	\$ 65,000
CLEANING SUPPLIES	\$ 10,000
UNIFORMS	\$ 15,000
OTHER EQUIPMENT	<u>\$ 15,000</u>
	EXPENDITURES: \$ 134,600

BOARD OF RESCUE SQUADS GRANT FUND

<u>REVENUES</u>	<u>AMOUNT</u>
EMS GRANT	\$ <u>24,000</u>
	REVENUE: \$ 24,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CAPITAL OUTLAY - GRANTS	\$ <u>24,000</u>
	EXPENDITURES: \$ 24,000

PUBLIC WORKS GRANT FUND

<u>REVENUES</u>	<u>AMOUNT</u>
C-FUNDS – NEWBERRY CTC	\$ <u>600,000</u>
	REVENUE: \$ 600,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
ROAD PAVING, LAND IMPROVEMENT	\$ <u>600,000</u>
	EXPENDITURES: \$ 600,000

COLLECTIONS GRANT FUND

<u>REVENUES</u>	<u>AMOUNT</u>
DHEC RECYCLING GRANT	\$ <u>38,814</u>
	REVENUE: \$ 38,814

<u>EXPENDITURES</u>	<u>AMOUNT</u>
OTHER EQUIPMENT	\$ <u>38,814</u>
	EXPENDITURES: \$ 38,814

E911 EMERGENCY TELEPHONE REPORTING FUND

<u>REVENUES</u>	<u>AMOUNT</u>
ANTICIPATED SERVICE CHARGES	\$ 327,671
USE OF E911 TELEPHONE FUND BALANCE	\$ <u>6,547</u>
	REVENUE: \$ 334,218

<u>EXPENDITURES</u>	<u>AMOUNT</u>
PERSONNEL	\$ 77,681
SOCIAL SECURITY	\$ 5,943
RETIREMENT	\$ 14,418
INSURANCE	\$ 27,093
WORKERS COMPENSATION	\$ 183
CONTRACTED MAINTENANCE	\$ 35,000
MEMBERSHIPS & DUES	\$ 600
OFFICE EXPENSE	\$ 3,000
POSTAGE	\$ 150
PRINTING	\$ 500
TELEPHONE	\$ 1,350
911 SUBSCRIBER DATABASE	\$ 150,000
TRAINING	\$ 4,000
TRAVEL	\$ 3,600
SUBSISTENCE	\$ 700
OTHER EQUIPMENT	\$ <u>10,000</u>
	EXPENDITURES: \$ 334,218

NEWBERRY COUNTY AIRPORT FUND

<u>REVENUES</u>	<u>AMOUNT</u>
AIRPORT HANGAR RENTAL	\$ 25,990
SALES OF AVIATION FUEL	\$ 87,000
FAA ENTITLEMENT GRANT	\$ 235,375
SC AERONAUTICS COMMISSION	\$ 11,769
TRF FROM GENERAL FUND	\$ <u>21,769</u>
	REVENUE: \$ 381,903

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONTINGENCY	\$ 10,000

CONTRACTED SERVICES	\$	4,500
CONTRACTED MAINTENANCE	\$	11,060
CONSULTING AND TECHNICAL FEES	\$	3,000
UTILITIES	\$	8,000
INSURANCE COUNTY BUILDINGS	\$	6,311
MEMBERSHIPS & DUES	\$	650
OFFICE EXPENSE	\$	500
SUPPLIES	\$	3,000
REPAIRS EQUIPMENT	\$	5,000
TELEPHONE	\$	2,500
TRAVEL	\$	1,850
CHEMICALS	\$	250
FUEL	\$	66,369
DESIGN/ENGINEERING	\$	<u>258,913</u>

EXPENDITURES: \$ 381,903

LYNCH'S WOODS PARK FUND

<u>REVENUES</u>		<u>AMOUNT</u>
RENTAL FEES	\$	18,000
RTP GRANT	\$	44,400
PARD GRANT	\$	38,400
UCF GRANT	\$	60,000
INTEREST EARNINGS	\$	1,000
USE OF LYNCH'S WOODS PARK FUND BALANCE	\$	<u>30,832</u>

REVENUE: \$ 192,632

<u>EXPENDITURES</u>		<u>AMOUNT</u>
PERSONNEL	\$	9,291
SOCIAL SECURITY	\$	711
WORKERS COMPENSATION	\$	289
CONTRACTED MAINTENANCE	\$	800
UTILITIES	\$	200
SUPPLIES	\$	1,000
TRAINING	\$	750
TRAVEL	\$	91
SUBSISTENCE	\$	500
FUEL	\$	500
RTP GRANT EXPENDITURES	\$	55,500
PARD GRANT EXPENDITURES	\$	48,000
UCF GRANT EXPENDITURES	\$	<u>75,000</u>

EXPENDITURES: \$ 192,632

STATE ACCOMMODATIONS TAX FUND

<u>REVENUES</u>	<u>AMOUNT</u>
STATE ACCOMMODATIONS TAX	\$ 110,000
USE OF STATE A-TAX FUND BALANCE	\$ <u>7,400</u>
	REVENUE: \$ 117,400
<u>EXPENDITURES</u>	<u>AMOUNT</u>
TRANSFER TO GENERAL FUND (\$25,000)	\$ 25,000
TRANSFER TO GENERAL FUND (5% OF OVERAGE)	\$ 4,620
ADVERTISING PROMOTIONS (30% OF OVERAGE)	\$ 27,720
TOURISM RELATED (65% OF OVERAGE)	\$ <u>60,060</u>
	EXPENDITURES: \$ 117,400

NOTE: EXPENDITURES AS PER BUDGET PROVISOS AND SECTION 6-4-20 OF THE CODE OF LAWS OF SC. AS AMENDED, 1976

COMMUNITY SERVICES FUND

<u>REVENUES</u>	<u>AMOUNT</u>
TRANSFER FROM GENERAL FUND	\$ <u>1,191,965</u>
	REVENUE: \$ 1,191,965
<u>EXPENDITURES</u>	<u>AMOUNT</u>
NEWBERRY COUNTY LIBRARY	\$ 596,282
NEWBERRY COUNTY DISABILITIES AND SPECIAL NEEDS	\$ 44,303
PIEDMONT TECHNICAL COLLEGE	\$ <u>551,380</u>
	EXPENDITURES: \$ 1,191,965

SECTION IV: DEBT SERVICE FUND

There is hereby appropriated for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following sums of money in the amounts and for the purposes set forth as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
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CURRENT REAL ESTATE TAXES	\$ 305,631
VEHICLE TAXES	\$ 44,675
WATERCRAFT TAXES	\$ 9,579
HOMESTEAD EXEMPTION	\$ 16,107
MANUFACTURERS REIMBURSEMENT	\$ 7,226
DELINQUENT REAL ESTATE TAXES	\$ 23,686
MERCHANTS INVENTORY	\$ 1,390
FEE IN LIEU OF TAXES (FILOT)	\$ 23,686
MOTOR CARRIER IN LIEU	\$ 4,946
USE OF FUND BALANCE	\$ <u>(61,868)</u>

DEBT SERVICE FUND REVENUE: \$ 375,058

<u>EXPENDITURES</u>	<u>AMOUNT</u>
2018 C – GENERAL OBLIGATION BOND	\$ 92,394
2020 A – GENERAL OBLIGATION BOND	\$ 198,870
2020 B – GENERAL OBLIGATION BOND	\$ <u>83,794</u>

DEBT SERVICE FUND EXPENDITURES: \$ 375,058

SECTION V: CAPITAL PROJECTS FUND

There is hereby appropriated for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following sums of money in the amounts and for the purposes set forth as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
<u>CAPITAL PROJECTS</u>	
SC COORDINATING COUNCIL FOR ECON DEV	\$ 2,000,000
SC DEPT OF COMMERCE SITE ENHANCE GRANT	\$ 600,000
UTILITY TAX CREDITS - GRANT	\$ 510,645
CDBG – COMMUNITY DEV BLOCK GRANT	\$ 475,000
C-FUNDS – NEWBERRY CTC	\$ 1,115,019
C-FUNDS – NEWBERRY CTC	\$ <u>11,000</u>

CAPITAL PROJECTS: \$ 4,711,664

CPST PROJECTS (2016)

USE OF FUND BALANCE (2016 CPST)	\$ <u>820,900</u>
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CPST PROJECTS (2016): \$ 820,900

CPST PROJECTS (2022)

CAPITAL PROJECTS SALES TAX	\$ 35,997,130
INTEREST EARNINGS	\$ <u>275,000</u>

CPST PROJECTS (2022): \$ 36,272,130

TOTAL CAPITAL PROJECTS FUND REVENUE: \$ 36,272,130

EXPENDITURES

AMOUNT

CAPITAL PROJECTS

MAWSON'S WAY ROADWAY	\$ 4,005,664
NEWBERRY IND PARK SOUTH	\$ 11,000
MCCP II - 773 PROJECT	\$ 170,000
WHITMIRE SIDEWALK PROJECT (CDBG)	\$ <u>525,000</u>

CAPITAL PROJECTS: \$ 4,711,664

CPST PROJECTS (2016)

WHITMIRE TOWN HALL REMODEL	\$ <u>820,900</u>
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CPST PROJECTS (2016): \$ 820,900

CPST PROJECTS (2022)

COUNTY DETENTION CENTER	\$ 7,870,000
PUBLIC SAFETY COMPLEX	\$ 7,625,000
COURTHOUSE IT IMPROVEMENTS	\$ 295,000
MUSEUM ROOF / HVAC	\$ 815,000
NEWBERRY RECREATION COMPLEX	\$ 3,295,000
PROSPERITY PARK IMPROVEMENTS	\$ 3,045,000
WHITMIRE TOWN GYM	\$ 800,000
POMARIA SCHOOL COMMUNITY CENTER	\$ 646,745
LITTLE MOUNTAIN REUNION PARK	\$ 1,940,825
NCWSA CANNONS CREEK WWTP	\$ 5,154,560
NEWBERRY DOWNTOWN AMPHITHEATER	\$ 3,390,000
GALLMAN PLACE	\$ <u>1,395,000</u>

CPST PROJECTS (2022): \$ 36,272,130

TOTAL CAPITAL PROJECTS FUND EXPENDITURES: \$ 36,272,130

SECTION VI. 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 VII. 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 2024-2025. 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 VIII. 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 2024-2025, with all amounts borrowed to be repaid prior to the end of such fiscal year.

SECTION IX. 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 X. EFFECTIVE DATE

This Ordinance shall become effective when adopted and shall govern the revenues and expenditures for the Fiscal Year 2024-25, which commences on July 1, 2024, 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 5th day June of 2024, in meeting duly assembled at Newberry, South Carolina.

(SEAL)

NEWBERRY COUNTY COUNCIL

**By: _____
Todd Johnson, Chairman**

Attest:

**_____
Andrew Wigger, Clerk to Council**

Reviewed and approved as to form:

**_____
Joanie Winters, Interim County Attorney**

**FIRST READING: May 1, 2024
SECOND READING: May 15, 2024
PUBLIC HEARING: June 5, 2024
THIRD READING: June 5, 2024**