



**NEWBERRY COUNTY COUNCIL
COUNTY COUNCIL AGENDA
NEWBERRY OPERA HOUSE
1201 MCKIBBEN STREET, NEWBERRY SC 29108
June 3, 2026
6:00 P.M.**

1. Call to order: Robert Shealy, Chairman.
2. Invocation and Pledge of Allegiance: Travis Reeder, Council Member.
3. Adoption of Minutes:
 - a. Newberry County Council Work Session Minutes – May 20, 2026.
 - b. Newberry County Council Minutes – May 20, 2026.
4. Approval of Agenda.
5. Special Appearance:
6. Administrator’s Report:
7. Chairman’s Comments.
8. Public Hearings:
 - a. Ordinance 05-02-2026. Rezoning property at the corner of Wise Street and Wilson Road, consisting of one acre from GC-General Commercial to R2-Rural. (TMS No. 399-56).
 - b. Ordinance 05-04-2026. Rezoning property at 5576 SC Hwy 121-34, Newberry, consisting of 10 acres from R2-Rural to RS-Single Family Residential. (TMS No. 295-39).
9. Public Comments Regarding Items on the Agenda (three minutes).
10. Old Business:
 - a. Third Reading – Ordinance 03-01-2026. allowing Newberry County to enter into an option and purchase agreement with Project Altair for Economic Development Purposes.
 - b. Second Reading – Ordinance 05-02-2026. Rezoning property at the corner of Wise Street and Wilson Road, consisting of one acre from GC-General Commercial to R2-Rural. (TMS No. 399-56).

- c. Second Reading – Ordinance 05-04-2026. Rezoning property at 5576 SC Hwy 121-34, Newberry, consisting of 10 acres from R2-Rural to RS-Single Family Residential. (TMS No. 295-39).
- d. Second Reading – Ordinance 05-05-2026. Acceptance of Goggans Drive, Goggans Court, and Fawn Court into the Newberry County Roads System.

11. New Business:

- a. Discussion and possible vote of Ordinance 06-01-2026 to provide for a limited and temporary moratorium on Data Centers in Newberry County and invoking application of the Pending Ordinance Doctrine – First Reading by Title Only.

12. Appointments:

13. Adjournment.

Future Meetings:

- a. Newberry County Council Work Session – June 17 at 5 p.m.
- b. Newberry County Council – June 17 at 6 p.m.
- c. Newberry County Council Economic Development Committee – June 22 at 5 p.m.
- d. Newberry County Council Work Session – July 1 at 5 p.m.
- e. Newberry County Council – July 1 at 6 p.m.
- f. Newberry County Council Work Session – July 15 at 5 p.m.
- g. Newberry County Council – July 15 at 6 p.m.

**NEWBERRY COUNTY COUNCIL WORK SESSION
MINUTES
May 20, 2026**

Newberry County Council met on Wednesday, May 20, 2026, 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: Robert Shealy, Chairman
Karl Sease, Vice-Chairman
Leon Fulmer, Council Member
Todd Johnson, Council Member
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Stuart Smith, Council Member
Ted Luckadoo, County Administrator
Joanie Winters, County Attorney
Karen Brehemer, Deputy County Administrator
Debbie Cromer, Finance Director
Donna Lominack, Auditor
Melinda Long, Deputy Auditor
Eric Nieto, IT Director
Josh Rowe, Public Works Director
Karen Lindler Smith, Treasurer
Katie Werts, Planning and Zoning Director
Andrew Wigger, Clerk to Council/PIO

1. Call to order: Robert Shealy, Chairman.

- Mr. Shealy called the meeting to order at 5:00 p.m.

2. Discussion of FY 2026-27 Draft Budget Ordinance changes to fee schedules.

- Mr. Luckadoo said in follow up to the second reading and public hearing of the fiscal year 2026-27 fiscal year budget, at that point the land development fees had not been added to the fee schedule in the ordinance, and third and final reading for the penalty for the building permits were approved last meeting as well. Staff updated the ordinance and fee schedule to add both items; those were the only changes made to the budget before third and final reading.

3. Discussion and review of four rezoning ordinances – Katie Werts, Director of Planning and Zoning.

- a. Ordinance 05-01-2026. Rezoning property at 7372 US Hwy 76, Prosperity, consisting of two acres from IND-Industrial to GC-General Commercial. (TMS No. 577-18).

- The applicant is proposing a use of a convenience store/gas station, but there is currently not a gas station looking to build. The Future Land Use Map identified this area and surrounding area as development, so this rezoning does fit that classification. There was opposition heard at the Joint Planning Commission, the biggest being the proximity to Mid-Carolina High School and Mid-Carolina Middle School and the traffic issues a gas station could put on to that intersection.
- The Joint Planning Commission voted 7-3 with a denying vote.
- Ms. Winters said from a legal standpoint, having heard what Ms. Werts said and how the Joint Planning Commission reviewed this request, she recommends Council remands this matter back to the Joint Planning Commission. She said they have to stay within the land regulations, and she is not sure that was completely fleshed out during that discussion. She said while they have that remand hearing, the Joint Planning Commission should have legal counsel available to them.

- b. Ordinance 05-02-2026. Rezoning property at the corner of Wise Street and Wilson Road, consisting of one acre from GC-General Commercial to R2-Rural. (TMS No. 399-56).

- This rezoning came before the Joint Planning Commission and Newberry County Council about two years ago for a potential used car lot, but as that did not work out, the applicant is asking to go back to R2-Rural for a potential home site. The Future Land Use Map shows this area as transitional, rezoning back to R2-Rural does fit into that classification. The Joint Planning Commission did send it to council with an approved recommendation.
 - There was no opposition.
- c. Ordinance 05-03-2026. Rezoning property on Koon Trestle Road, consisting of 36.07 acres from R2-Rural to GC-General Commercial. (TMS No. 635-1).
- The rezone request is for a potential commercial construction laydown yard. The Future Land Use Map identifies this area as transitional; this rezoning does fall into that definition. During the meeting, a number of community members came out in opposition for the rezoning; they want to keep that part of Pomaria rural, and they are unsure if it changes it may open up possibilities for something other than what is requested. Joint Planning Commission voted unanimously to deny the rezoning.
 - Ms. Werts received a phone call from the property owner, the applicant, requesting to postpone the first reading until the first meeting in August. He would like to do some research and get some things together before coming before Newberry County Council.
- d. Ordinance 05-04-2026. Rezoning property at 5576 SC Hwy 121-34, Newberry, consisting of 10 acres from R2-Rural to RS-Single Family Residential. (TMS No. 295-39).
- The applicant is wanting higher density residential, with RS-Single Family Residential that would limit to site built or modular, no manufactured homes would be allowed. He has reached out to the City of Newberry and will pursue extending the sewer lines, so the homes have public water and sewer. This property is identified as rural development in the Future Land Use Map and the rezoning does fit that

classification. There were two people opposed to the rezoning, but one was more understanding once he heard what was going on, per Ms. Werts. Joint Planning Commission voted 5-4 to approve the rezoning.

4. Discussion of changes to South Carolina Code of Law regarding South Carolina's Watercraft Taxes – Auditor Donna Lominack.

- Mr. Johnson arrived at the meeting at 5:13 p.m.
- Ms. Lominack informed Newberry County Council of a state mandate on watercrafts (H 3858) that goes into effect, January 1, 2027, her presentation is included within these minutes.
- Ms. Lominack suggested, along with administration, that the county does an exempt 42.8571% of fair market value of watercraft, phased over three years.
- Mr. Shealy said that the county will be good if they go with option one; Ms. Lominack answered in the affirmative.

5. Discussion relating to the possible acceptance of Goggans Road and Fawn Court into the Newberry County Road System.

- Mr. Luckadoo recapped the presentation from the previous Work Session; he said they have put the request from the residents on the agenda for the 6:00 p.m. meeting.
- As clarification, Mr. Luckadoo said during the previous presentation it was presented as Goggans Court and Fawn Court and it sounded like two roads, but it is technically three roads to include Goggans Drive. So, the Ordinance has been updated to include Goggans Drive.
- Mr. Johnson asked if the emails and other documents they had were verified; Mr. Luckadoo said that staff feels confident that was legitimate communication.
- Mr. Smith asked about the length of the road; Mr. Rowe said half a mile, less than 1,000 feet.

- Mr. Reeder asked if the road is occupied by many people; Mr. Luckadoo answered in the affirmative.
- Mr. Luckadoo said his understanding this discussion has been going on for 20 years.

6. Adjournment.

- Mr. Sease made a motion to adjourn; Mr. Reeder provided the second and the motion carried 7-0.
- The Newberry County Council Work Session adjourned at 5:23 p.m.

NEWBERRY COUNTY COUNCIL

Robert Shealy, Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

H 3858 – January 1, 2027

Good evening, I stand before you as your Newberry County Auditor Donna Lominack to inform council of a legislative mandate (H3858) to counties, pertaining to watercraft. This will be in effect beginning January 1, 2027. Per DOR “this existing provision (and the one that just passed in the Boat Bill) are exemptions and the county can’t lower the assessment ratio, because the 10.5% is in the state constitution.” The county has two options available for implementation as follows:

1. Exempt 42.8571% of fair market value (FMV) of a watercraft, phased in over three years.

Therefore, 14.2857% is exempt in tax year 2027, and 28.5714% is exempt in tax year 2028 full exemption in 2029 of 42.8571%

2. Full exemption of 42.8571% effected January 1, 2027

With consideration of our FY26/27 budget, I am recommending along with the county administration staff that Newberry County implement the first option to phase in over three years. If the county implements option two, the budget will have to be revisited as it will be approximately a \$200,000.00 deficit. With option one the county has addressed the FY26/27 budget considering a loss of watercraft funds. This will affect the school budget and all five municipalities located in our county.

With this mandate the auditor’s office is required to issue only one bill for watercraft (boat and motor).

- The bill removes the requirement to title an outboard motor, allowing an auditor to combine a boat and outboard motor on one property tax notice. However, outboard motors of at least five horsepower are now required to be registered. Under the new law, although outboard motors are no longer titled, they are still taxable. I think this has been a misconception for the public. At the present time, a boat can be charged in a month (March), and the motor charged in another (April). My staff will have to figure out how to marry the correct motor and boat so we can charge only one bill. On this bill we are not changing the ratio from 10.5% but showing a credit given to the taxpayer. Since this is a mandate that we must allow, I plan to put something on the tax bill that Newberry County gives this credit.
- Another issue that might happen is as follows: (Sent question to DOR)
If a boat and motor are currently tax exempt because of minimum value, by law they will become taxable again when they are joined as one unit and the value goes above the minimum threshold. Someone that has been exempt for years could be paying taxes again on their watercraft.

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- Beginning January 1, 2028, each county auditor annually shall mail outboard motor registration number renewal notices to the owners of outboard motors in the county as determined by the Department of Natural Resources no later than forty-five days before expiration of the registration. The renewal notices, including the fees upon completion, must be returned to that county which shall: list several things we must do (original bill page 24)

This mandate takes place January 1, 2028. This was sent to DOR after I questioned it (not on original questions sheet) because I am not sure how I will bill this and additional postage will be required.

I have been appointed to a team's committee of auditors and treasurers throughout the state that meet once a week (hopefully) to discuss H3858 (28-page bill) that was mandated but not with clear instructions to make it work for all forty-six counties. The committee plans to meet with DNR and DOR representatives to make sure we are complying and within state law. It is my understanding that DNR & DOR attorneys are meeting this week, so both organizations are on the same page of the wording and intent of the new law,

I have only addressed the items in the bill (H3858) that pertain to the taxation and the auditor's office. South Carolina Revenue Fiscal Affairs office estimates due to the 42.8571% property tax exemption \$51,443,000 in property tax revenue will be forgone beginning in tax year 2029 upon full implementation of the exemption. RFA anticipates that counties will increase millage rates within the allowable limits to offset forgone tax revenues.

QUESTIONS?

Motor Questions

Under the new law, does DNR understand that although motors are no longer titled, they are still taxable, therefore we need to have access to the registration data.

If a watercraft has multiple outboard motors, how will we be notified so we can tax for all motors?

If a watercraft has multiple motors, will DNR only be matching one to the watercraft or will they match all?

If someone has spare motors that are not attached to a boat, will we be notified of these motors, being they are not attached to a watercraft?

How will we capture outboard motors that are on Coast Guard registered watercraft?

If a person re-powers his watercraft, what will the process be for getting that motor registered and taxed?

\$10 Registration Fee Questions

When we are billing for the registration fees for just a single boat with one motor, can that be combined to a \$20 fee or must we separate them?

When we have a boat with multiple motors, will the counties only bill the registration fee for one motor and DNR bill the rest or will the county bill for all motors?

Single Tax Bill Questions

If the new law states we have to send a single tax bill, how should this be handled when a boat has multiple motors?

Changing renewal data to match

When a watercraft and motor have different renewal months, you have indicated that the motor will be matched to the boat renewal dates. Is this going to cause problems with the way the current law is written stating we can't bill for something twice in a twelve month period?

Exempt Watercraft

If a boat and motor are currently tax exempt because of minimum value, will they, by law, become taxable again when they are joined as one unit and the value goes above the minimum threshold?

The above are questions that were sent to DNR from our committee.

NEWBERRY COUNTY COUNCIL
MINUTES
May 20, 2026

Newberry County Council met on Wednesday, May 20, 2026, 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: Robert Shealy, Chairman
Karl Sease, Vice-Chairman
Leon Fulmer, Council Member
Todd Johnson, Council Member
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Stuart Smith, Council Member
Ted Luckadoo, County Administrator
Joanie Winters, County Attorney
Karen Brehemer, Deputy County Administrator
Major Ben Chapman, NCSO
Debbie Cromer, Finance Director
Donna Lominack, Auditor
Melinda Long, Deputy Auditor
Eric Nieto, IT Director
Josh Rowe, Public Works Director
Karen Lindler Smith, Treasurer
Katie Werts, Planning and Zoning Director
Andrew Wigger, Clerk to Council/PIO

MEDIA: Tanner Gilmartin, WIS

1. Call to order: Robert Shealy, Chairman.

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

2. Invocation and Pledge of Allegiance: Todd Johnson, Council Member.

- Mr. Johnson led the Invocation and Pledge of Allegiance.

3. Adoption of Minutes:

- a. Newberry County Council Work Session Minutes – May 6, 2026.
- b. Newberry County Council Minutes – May 6, 2026.

- Mr. Scurry made a motion to accept the minutes as presented; Mr. Reeder provided the second and the motion carried 7-0.

4. Approval of Agenda.

- Mr. Shealy said that the applicant regarding matter 10C has requested to postpone until August. He said with the removal from the agenda, there will be no discussion on this agenda item by council or public comments.
- Mr. Johnson made a motion to accept the agenda as amended (removing item 10C); Mr. Reeder provided the second and the motion carried 7-0.

5. Special Appearance:

- a. Newberry Soil and Water Conservation District - Ben Setzler and Daniel Nicholson.
- Mr. Setzler announced that the NSWCD earned the South Carolina District of the Year in 2025, the second time in six years they have done so.
 - The District will be administering a Disaster Recovery Block Grant for Hurricane Helen damage from the Department of Agriculture; this will be \$38 million in federal aid. While it is not known how much will come to Newberry County, Mr. Setzler feels that due to the level of damage, he believes it will be millions coming to the county.
 - The annual Camp Conservation will take place on June 25th at Hidden Lake at Gully Washer Splash Park with roughly 60 campers.
 - Five \$1,000 scholarships were awarded to students from Newberry County attending secondary schools or are studying natural resource related fields.
 - For Keep Newberry County Beautiful, they have given litter lessons to over 300 students at elementary schools across the county. Thanks to grant funding, they were able to give each student a book related to the environment.

- KNCB has also received a \$5,000 grant to install Liberty Gardens at four local elementary schools to celebrate the 250th anniversary of the USA. They also received \$3,500 from Duke Energy and Palmetto Pride to celebrate the 250th and those funds will be used to landscape and refurbish the signs to the Town of Whitmire, the American Legion Auxiliary will take part in the project. They also received \$7,000 in grant funding to hire litter crews.
- KNCB will also be hosting their second annual messiest yard mini grant with a \$2,500 sponsorship from the Joanna Foundation.
- Mr. Reeder said that he appreciates everything that they do and how they give back to the community. Mr. Shealy echoed that and added that they do a lot for the community.

6. Administrator's Report:

- a. Employee Recognitions: Katie Werts (5 years, Building and Zoning), Jessica Osborne (5 years, NCSO), Edward Knowles (5 years, NCSO), Michael Stribble (25 years, NCSO), Shannon Murphy (30 years, Auditor's Office).
- Mr. Luckadoo, Major Chapman, and Ms. Lominack recognized the above employees for their service to Newberry County, highlighting their accomplishments and pivotal moments while working for Newberry County.
- b. Project Updates.
 - Mr. Luckadoo said they had the bid opening for the CPST number one project, the Newberry County Public Safety Complex, the goal would be to bring this to council at the June 17th meeting. There will also be a bid opening for the airport taxiway rehabilitation project, with the hope the awarding of that project on June 17th, as well.
 - The Newberry County Museum roof project, the Pomaria Community Center project, and the Whitmire Gym project are now all complete.
 - The County is out for bid for the Newberry Amphitheater project; bids will open on June 18th.

7. Chairman's Comments.

- Mr. Shealy said he appreciated everyone coming out to the Newberry Opera House for the Data Center Information Session, he said they heard good information and it was a good crowd.
- He said they had a good crowd during this meeting, and it is always great to have people involved in county business.

8. Public Comments Regarding Items on the Agenda (three minutes).

- Prior to the Public Comments, Mr. Shealy said they will only hear comments from items on the agenda, and that the data center nor Koon Trestle Road items are on the agenda and therefore they will not take Public Comments on those items. However, he said there will be time for Public Comments when those items are on the agenda.
- Mr. Shealy also asked for anyone in opposition of the data center and the rezoning on Koon Trestle Road to raise their hands. He said Council appreciates their interest and concerns and there will be time to voice those concerns when the items are listed on the agenda properly.
- Mr. Shealy went through the list of those signed up, with those indicating if their item was on the agenda or not prior to speaking.
- Mr. Tyler Johnson said he has been attending meetings for about three years and recently, it was decided to change to public comments on agenda items. Over that three-year period, they have heard public comments ranging on anything that a concerned resident brought forward. He said Council has repeatedly commented how they appreciate people showing up and being involved, but by silencing them when they do show up is not approval of them.
- Ms. Rhonda Johnson thanked Council's willingness to run when they did, their campaigning and commitment to attend these meetings and listening to constituents. She said there came a time when they decided to run for office, she said she has lived in the county for 47 years and has known most of them for many years. She said for the most part, residents of Newberry County have trusted them to be their voice, to do what is best for those living in Newberry County, not a developer, corporation, business, single individual, or themselves. She said that she, and many in the county, have lost that trust. She said when items are presented, handed down or given through any source, that they do their due diligence.
- Ms. Jamie Hall said regarding item 10A, the rezoning of the property close to the high school, she said she thinks council should go there about 7:30 a.m. on

a school morning and watch the young drivers go through there before they think a gas station is a good idea right there.

- Ms. Becky Boland asked if one person asks for something to be struck from the agenda, are the 90 people here to assume it will be moved to the date requested, or something forthcoming so they know when to show back up. Ms. Winters said they do not answer questions during residents' comments; it is for them to comment. In regard to 10A, said she hopes the Joint Planning Commission's vote is considered, but the intersection is already heavily congested during school drop offs, with many already struggling to get their safely. She added there are two gas stations already nearby, a power line easement that is problematic, creates opportunity for unnecessary loitering.
- Ms. Sophie Egleston wanted to know if there was anything related to Project Altair within the proposed budget, which is on the agenda. Mr. Shealy said there is nothing in the budget about it, Ms. Egleston asked if there was any money allocated to it, to which Council answered in the negative.
- Mr. Eric Alford said he has heard a lot of things since he moved to the community, he said he thinks a lot of people are confused about the facts and the figures, but he said on any decision that has to be made, if they could each make a five minute video of how they made their decision, that would make things easier.
- Mr. Patrick Meetze spoke on item 10E, he said most of Council were not on Council back in 2007, the ordinance that was passed, have standards for the roads to be accepted and paved.

9. Old Business:

a. Third Reading – Ordinance 04-01-2026, Providing Appropriations for the Fiscal Year 26/27 Budget.

- Mr. Luckadoo said the land development fees were added into the fee schedule, as was the penalty for building fees.
- Mr. Reeder made a motion to accept the third reading; Mr. Johnson provided the second.
- Mr. Johnson abstained from any section related to WTH Technology.
- The motion carried 7-0.

10. New Business:

- a. First Reading – Ordinance 05-01-2026. Rezoning property at 7372 US Hwy 76, Prosperity, consisting of two acres from IND-Industrial to GC-General Commercial. (TMS No. 577-18).
 - Ms. Werts said the applicant is asking to rezone for a potential convenience store/gas station. The Future Land Use Map identifies this property to be within the development area; the rezoning does comply with that rezoning. Joint Planning Commission voted 7-3 to deny the rezoning.
 - Ms. Winters recommended remanding this back to Joint Planning Commission to get legal advice.
 - Mr. Smith made a motion to remand the Ordinance back to the Joint Planning Commission for legal advice; Mr. Scurry provided the second and the motion carried 7-0.

- b. First Reading – Ordinance 05-02-2026. Rezoning property at the corner of Wise Street and Wilson Road, consisting of one acre from GC-General Commercial to R2-Rural. (TMS No. 399-56).
 - Ms. Werts said the property owner has made the rezoning request for potential residential use. The Future Land Use Map shows this area as transitional, and this rezoning does fit that definition. Joint Planning Commission unanimously voted to approve.
 - Mr. Sease made a motion to accept first reading; Mr. Reeder provided the second and the motion carried 7-0.

- ~~c. First Reading – Ordinance 05-03-2026. Rezoning property on Koon Trestle Road, consisting of 36.07 acres from R2-Rural to GC-General Commercial. (TMS No. 635-1).~~

- d. First Reading – Ordinance 05-04-2026. Rezoning property at 5576 SC Hwy 121-34, Newberry, consisting of 10 acres from R2-Rural to RS-Single Family Residential. (TMS No. 295-39).
 - Ms. Werts said the property owner submitted the request to rezone for higher density residential development. He originally stated 20 lots, but after doing the math it was determined the parcel could not handle that. The Future Land Use Map identifies this parcel as rural development and the rezoning does fit

within that definition. The Joint Planning Commission voted 5-4 to approve the rezoning.

- Mr. Scurry made a motion to accept first reading; Mr. Johnson provided the second and the motion carried 5-2 with Mr. Reeder and Mr. Sease voting against.
- e. First Reading – Ordinance 05-05-2026. Acceptance of Goggans Court and Fawn Court into the Newberry County Roads System.
- Mr. Scurry made a motion to accept first reading; Mr. Reeder provided the second and the motion carried 7-0.

11. Possible Actions by Council following the 5 p.m. Work Session.

- There was no action taken.

12. Appointments:

- Mr. Scurry made a motion to appoint Ms. Julie-Ann Richardson to serve on the Disabilities and Special Needs Board; Mr. Johnson provided the second and the motion carried 7-0

13. Adjournment.

- Mr. Johnson made a motion to adjourn; Mr. Reeder provided the second and the motion carried 7-0.
- Newberry County Council adjourned at 6:46 p.m.

NEWBERRY COUNTY COUNCIL

Robert Shealy, Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

DRAFT

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 03-01-2026

AN ORDINANCE AUTHORIZING THE COUNTY OF NEWBERRY, BY NEWBERRY COUNTY COUNCIL, TO ENTER INTO AN OPTION AND PURCHASE AGREEMENT TO EVALUATE THE SALE OF REAL PROPERTY TO BE DETERMINED THROUGH NEGOTIATIONS OF ALL PURCHASE TERMS AND CONDITIONS, FOR ECONOMIC DEVELOPMENT PURPOSES WITH PROJECT ALTAIR.

WHEREAS, the County of Newberry (the “County”) is a political subdivision of the State of South Carolina; and

WHEREAS, Newberry County Council (the “Council”) is the duly elected governing body of the County of Newberry; and

WHEREAS, the Council is vested with the authority to sell and dispose of real property owned by the County pursuant to Section 4-9-30 et al of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, Project Altair has expressed interest in property owned by Newberry County for potential economic development; and

WHEREAS, Project Altair desires to conduct due diligence to determine the feasibility of the potential economic development project for a County-owned Property; and

WHEREAS, the County determined, as a fact and following appropriate investigation, that the Property is no longer needed for county purposes and would be of better and higher use and benefit to the County if owned by an individual or entity other than the County, and that as such the Property has been regularly listed a feasible economic development property; and

WHEREAS, Project Altair has proposed, and the County does hereby agree through the proper legislative process of the use of an ordinance under Section 4-9-130 of the South Carolina Code of Laws, 1976, as amended, that the County does authorize that the Newberry County Council enter into an Option and Purchase Agreement with Project Altair.

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this 15th day of April, 2026 that:

The Council does hereby authorize entering into an Option and Purchase Agreement with Project Altair so that Project Altair may begin its due diligence to ascertain and determine whether the County-owned Property is suitable for their economic development purposes. Upon such determination, the County will engage in good faith negotiations for the purchase of the property and will conclude any ensuing purchase through the legislative process required by South Carolina law to approve the sale of the Property.

NEWBERRY COUNTY COUNCIL

BY: _____
Robert Shealy, Chairman

(SEAL)

ATTEST:

Andrew Wigger, Clerk to Council

Approved as to form:

Joanie Winters, County Attorney

**William Theodore Luckadoo,
County Administrator**

1st Reading: March 4, 2026
2nd Reading: March 18, 2026
Public Hearing: April 15, 2026
3rd Reading: May 6, 2026

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 the corner of Wise Street and Wilson Road, Newberry.

NOW, THEREFORE, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning Tax Map No. 399-56 totaling one (1) acre located at the corner of Wise Street and Wilson Road, 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, R2-Rural 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. 399-56 totaling one (1) acre 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

_____, 2026 in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: _____
Robert Shealy, Chairman

Attest:

Andrew Wigger, Clerk to Council

1st reading: _____

2nd reading: _____

Public Hearing: _____

3rd reading: _____

Reviewed and approved as to form:

Attorney

County Administrator



Newberry County

Planning Commission Staff Report

Request: Rezoning request MA03-05-19-26 by owner Antonio Alvarez. This request is to rezone one (1) property totaling one (1) acre from GC-General Commercial to R2 - Rural for a residence.

Application Number : MA03-05-19-26

Property Owner: Antonio Alvarez

Location Address: Corner of Wise Street & Wilson Road

Tax Map Number(s): 399-56

Lot Size: 1 acre

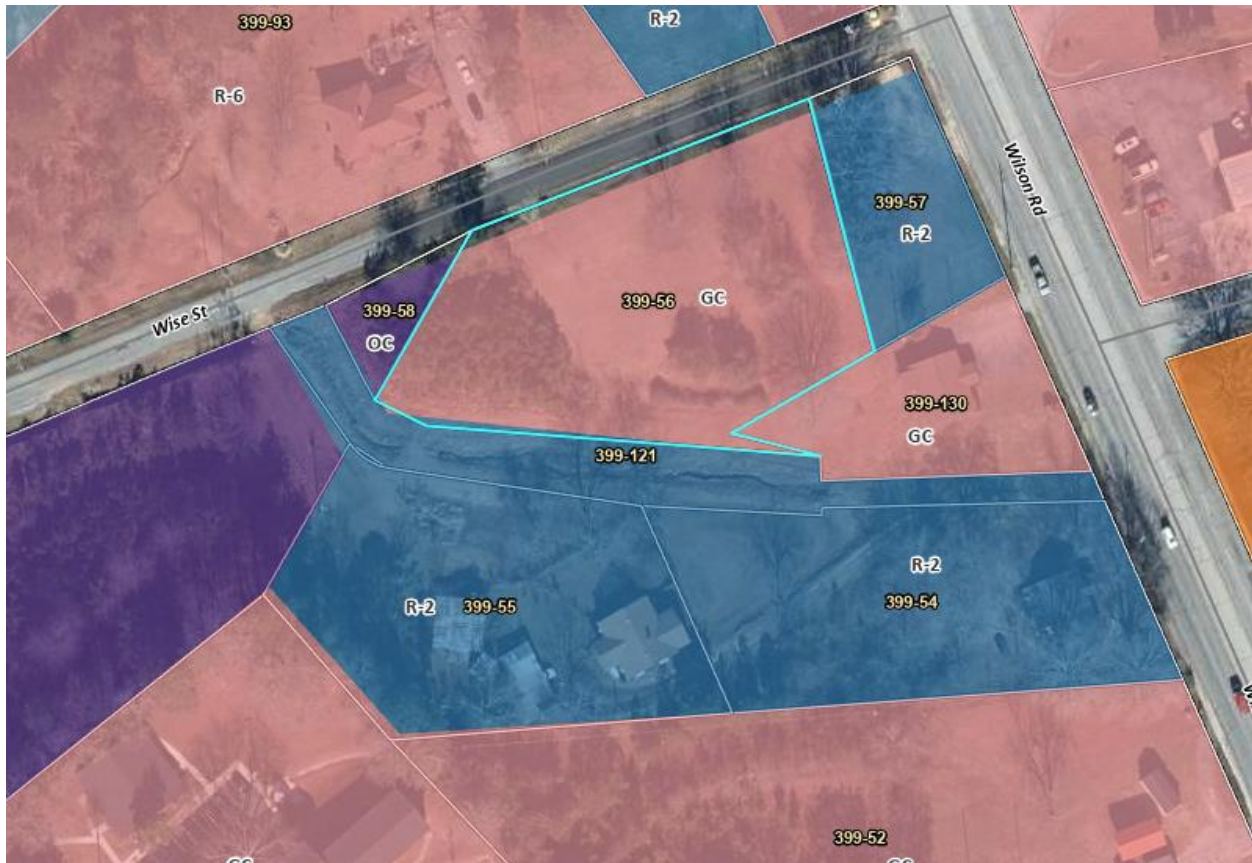
Current Land Use: Vacant

Proposed Land Use: Residential

Current Zoning District: GC-General Commercial

Proposed Zoning District: R2-Rural

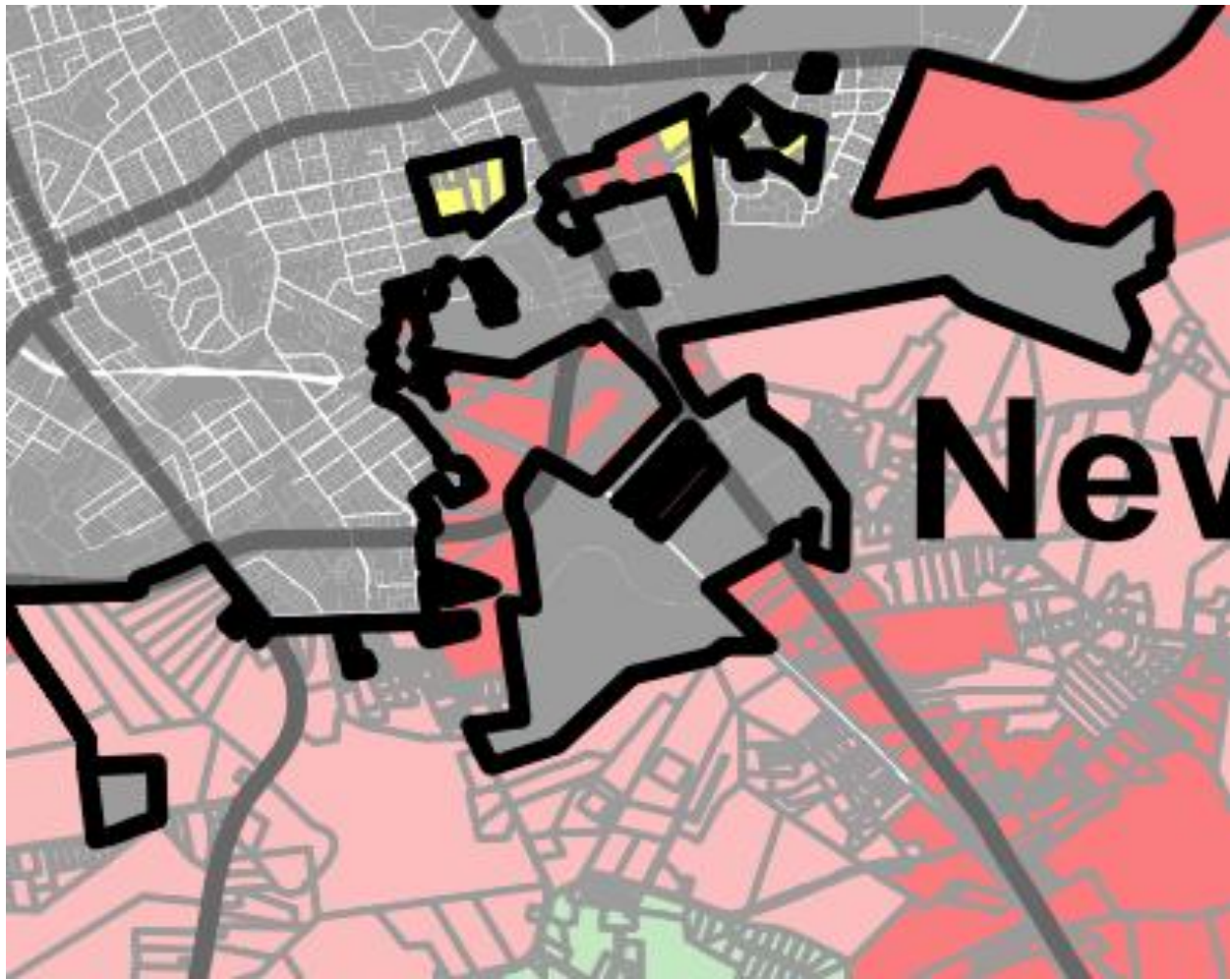
Comprehensive Plan Designation: Transitional

Current 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

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

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

Transitional (TR) – Land undergoing, or with the potential to undergo, a transition from one major land use to another, primarily from rural or residential to commercial or office uses. Such land is in proximity to developed areas, municipalities, or Development (DEV) areas and/or to major transportation corridors and existing water and sewer. Existing residential developments and individual residences located within Transitional areas will provide options for residents to shorten the distance between work and home. Access to regional transportation routes and to existing water and sewer facilities could make these areas attractive for a range of uses, as appropriate and compatible with adjacent uses, including light commercial, office, public and institutional uses, and higher density residential development.

Analysis:

Rezoning request MA03-05-19-26 by property owner Antonio Alvarez. This request is to rezone one (1) property totaling one (1) acre located at the corner of Wise Street & Wilson Road, from GC-General Commercial to R2-Rural. The proposed use of this property is for residential.

The Comprehensive Plan identifies this property and the surrounding area as transitional, which supports this rezoning.

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.

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 5576 SC Highway 34-121, 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. 295-39 totaling ten (10) acres located 5576 SC Highway 34-121, 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, RS-Single Family Residential from R2-Rural.

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

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

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

NOW, THEREFORE, BE IT ORDAINED that:

Newberry County Council hereby determines, based on the findings set forth above, that the attached rezoning request for a map amendment for Tax Map No. 295-39 totaling ten (10) 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

_____, 2026 in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: _____
Robert Shealy, Chairman

Attest:

Andrew Wigger, Clerk to Council

1st reading: _____

2nd reading: _____

Public Hearing: _____

3rd reading: _____

Reviewed and approved as to form:

Attorney

County Administrator



Newberry County

Planning Commission Staff Report

Request: Rezoning request MA05-05-19-26 by property owner Michael Burnside. This request is to rezone one (1) property totaling ten (10) acres from R2 – Rural to RS-Single Family Residential for a residential development.

Application Number : MA05-05-19-26

Applicant: Michael Burnside

Property Owner: Michael Burnside and Willie Davis

Location Address: 5576 SC Highway 34-121, Newberry

Tax Map Number(s): 295-39

Lot Size: 10 acres

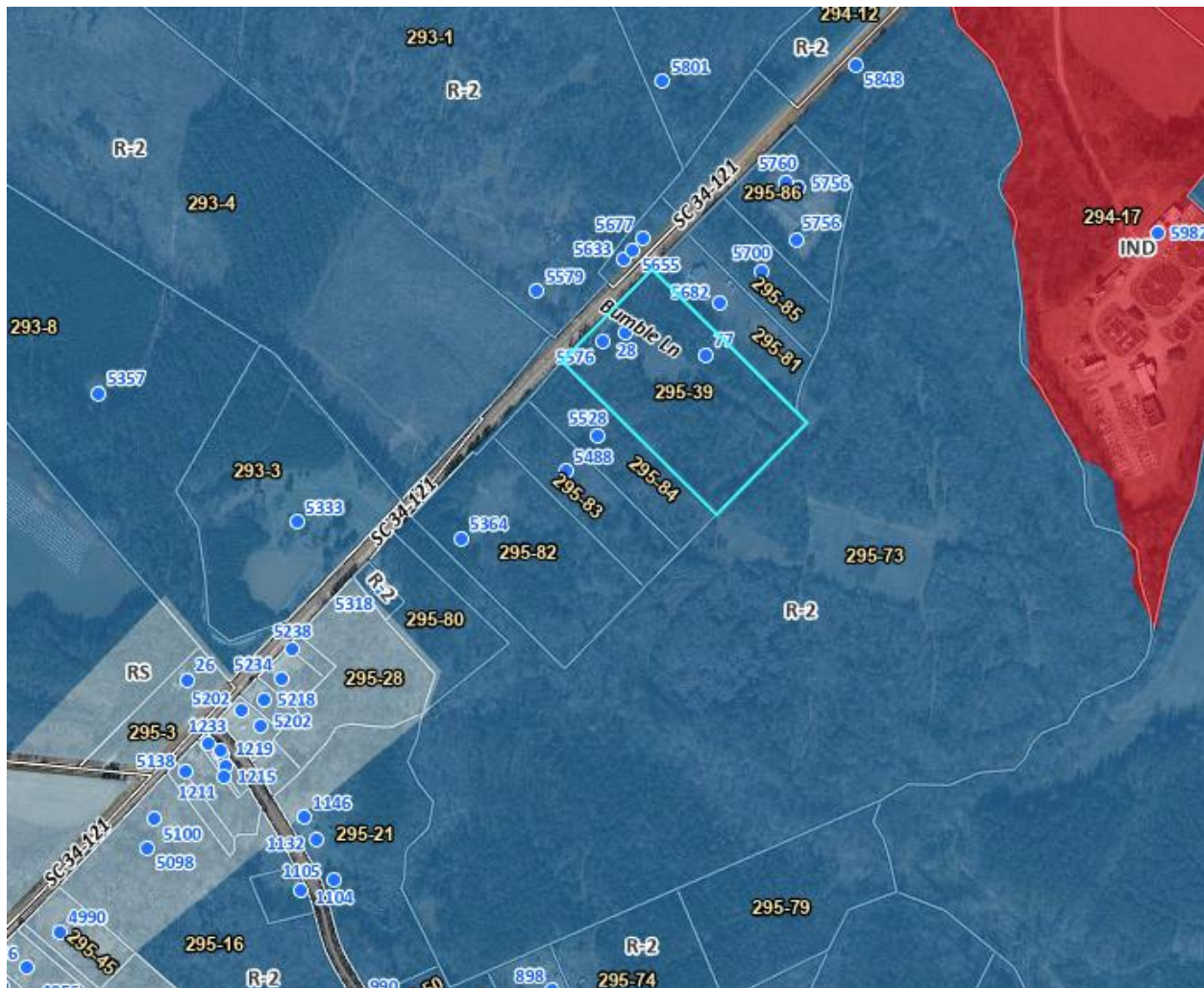
Current Land Use: Residential

Proposed Land Use: Higher Density Residential

Current Zoning District: R2-Rural

Proposed Zoning District: RS-Single Family Residential

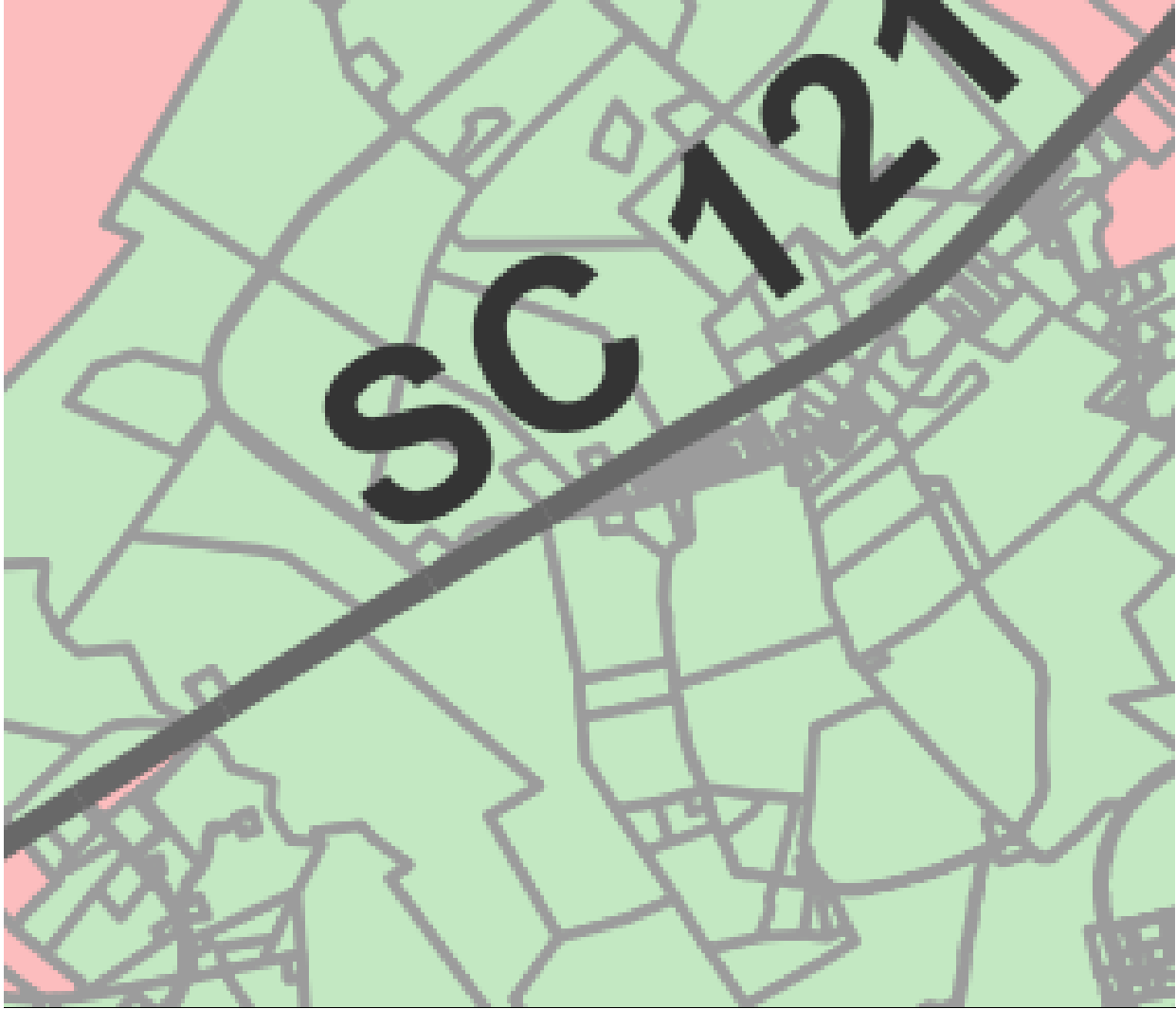
Comprehensive Plan Designation: Rural Development

Current Zoning Map:**Current Zoning District**

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

Proposed Zoning District

RS – Single Family Residential: The RS district is intended to be residential with single-family, site-built dwellings and low population densities. Compatible uses such as home occupations, K-12 education, limited recreation, and religious uses are also allowed. Manufactured homes and businesses are not permitted.

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

Rural Development (RD) – Lands in the rural areas of the County that are primarily in use as low density residential, agriculture, or forestry, but may include other complementary and associated uses. Land in Rural Development may also include higher intensity uses on properties that are separated appropriately from residential uses and that have adequate road access. While lands in the RD areas are expected to continue to be primarily low density residential and agricultural in nature, it is anticipated that other complementary and associated uses such as public and institutional, parks and recreation, higher density residential, and light commercial and industrial uses will locate in these areas where appropriate.

Analysis:

Rezoning request MA05-05-19-26 by property owner Michael Burnside. This request is to rezone one (1) property totaling ten (10) acres located at 5576 SC Highway 34-121, Newberry, from R2-Rural to RS-Single Family Residential. The proposed use of this property is for higher density residential development.

The Comprehensive Plan identifies this property and the surrounding area as transitional, which supports this rezoning.

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.

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 05-05-2026

**AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF ROADS WITHIN
SOUTHPOINT HARBOR – GOGGANS DRIVE, GOGGANS COURT, AND
FAWN COURT - INTO THE NEWBERRY COUNTY PUBLIC ROAD SYSTEM**

WHEREAS, Scott Shirley, dba Lake and Farm Properties, made application to the Newberry County Planning and Zoning Department for approval of a subdivision known as Southpoint Harbor, located within the planning jurisdiction of Newberry County, South Carolina; and

WHEREAS, the Newberry County Public Works Department has inspected the roads within Southpoint Harbor subdivision for maintenance purposes and confirmed that they are constructed to the standards set forth in the Newberry County Road Ordinance and codified in Chapter 91 of the Newberry County Code of Ordinances; and

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this 20TH day of May 2026 that:

1. Goggans Drive, Goggans Court, and Fawn Court, as described on plat recorded in the Newberry County Court House in the office of the Clerk of Court for Newberry County, is accepted into the Newberry County Public Road System as a public road of the County of Newberry.
2. The County of Newberry is hereby responsible for the maintenance and upkeep of Goggans Drive, Goggans Court, and Fawn Court.
3. Goggans Drive, Goggans Court, and Fawn Court are hereby under the jurisdiction of the County of Newberry for purposes of law enforcement and regulation of use, including the issuance of encroachment permits for installation of utility easements in the road rights of way.

NEWBERRY COUNTY COUNCIL

(SEAL)

BY: _____
Robert Shealy, Chairman

ATTEST:

Andrew Wigger, Clerk to Council

Approved as to form:

Joanie Winters, County Attorney

Ted Luckadoo, County Administrator

1st Reading: May 20, 2026
2nd Reading: June 3, 2026
Public Hearing: June 17, 2026
3rd Reading: June 17, 2026