



**NEWBERRY COUNTY COUNCIL
COUNTY COUNCIL AGENDA
NEWBERRY COURTHOUSE ANNEX
1309 COLLEGE STREET, NEWBERRY, SC 29108
September 2, 2026
6:00 P.M.**

1. Call to order: Karl Sease, Vice-Chairman.
2. Invocation and Pledge of Allegiance: Leon Fulmer, Councilman.
3. Adoption of Minutes:
 - a. Newberry County Council Work Session Minutes – August 19, 2026.
 - b. Newberry County Council Minutes – August 19, 2026.
 - c. Newberry County Economic Development Committee – August 24, 2026.
4. Approval of Agenda.
5. Administrator's Report:
 - a. Project Updates.
6. Chairman's Comments.
7. Public Appearances: Newberry County Auditor Donna Lominack – Setting of Fiscal Year 2026-2027 Tax Levy.
8. Public Hearings:
 - a. Ordinance 08-01-2026. Authorizing the Execution of an Equipment Lease-Purchase Agreement in an Amount Not Exceeding \$2,475,000 for the Purchase of 1 Fire Truck, 2 Ambulances, 1 Dump Truck, One Trailer, and One Patching Machine.
 - b. Ordinance 08-03-2026. Rezoning property at US Highway 76, Little Mountain consisting of 6.33 acres from RS-Single Family Residential to R2-Rural. (TMS No. 640-87).
 - c. Ordinance 08-04-2026. Rezoning property at 79 Rader Road, Prosperity consisting of 3.025 acres from GC-General Commercial to R2-Rural. (TMS No. 651-43).
 - d. Ordinance 08-05-2026. An ordinance authorizing a multi-county industrial/business park agreement between Newberry County and Greenwood

County for property owned by Project Pearl Dust or its affiliates or assigns, and other matters related thereto

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

10. Old Business:

- a. Third Reading – Ordinance 08-01-2026. Authorizing the Execution of an Equipment Lease-Purchase Agreement in an Amount Not Exceeding \$2,475,000 for the Purchase of 1 Fire Truck, 2 Ambulances, 1 Dump Truck, One Trailer, and One Patching Machine.
- b. Third Reading – Ordinance 08-02-2026 Amending the Text of Newberry County Code of Ordinances Relating to Single Site Burials.
- c. Second Reading - Ordinance 08-03-2026. Rezoning property at US Highway 76, Little Mountain consisting of 6.33 acres from RS-Single Family Residential to R2-Rural. (TMS No. 640-87).
- d. Second Reading - Ordinance 08-04-2026. Rezoning property at 79 Rader Road, Prosperity consisting of 3.025 acres from GC-General Commercial to R2-Rural. (TMS No. 651-43).
- e. Second Reading – Ordinance 08-05-2026. An ordinance authorizing a multi-county industrial/business park agreement between Newberry County and Greenwood County for property owned by Project Pearl Dust or its affiliates or assigns, and other matters related thereto.

11. New Business:

- a. Resolution 06-2026. A Resolution establishing a vision Zero Policy for Newberry County and committing to the elimination of traffic fatalities and serious injuries on the County's Roadway System.

12. County Council may take action on matters discussed during executive session during the 5 p.m. meeting.

13. Appointments:

- a. Library Board – District 5.
- b. GLEAMNS Human Resources Commission:
 - a. Low-Income Sector.
 - b. Private Sector.

14. Adjournment.

Future Meetings:

- a. Labor Day – September 7 – Offices Closed.
- b. Newberry County Council Work Session – September 16 at 5 p.m.
- c. Newberry County Council – September 16 at 6 p.m.
- d. Newberry County Council Work Session – October 7 at 5 p.m.
- e. Newberry County Council – October 7 at 6 p.m.

f. Public Safety and Courts Committee – October 12 at 5 p.m.

NEWBERRY COUNTY COUNCIL WORK SESSION
MINUTES
August 19, 2026

Newberry County Council met on Wednesday, August 19, 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 Brehmer, Deputy County Administrator
Debbie Cromer, Finance Director
Rick Farmer, Economic Development Director
Coroner Laura Kneece, NCCO
Eric Nieto, IT Director
Katie Werts, Planning and Development Director
Andrew Wigger, Clerk to Council/PIO

1. Call to order: Robert Shealy, Chairman.
 - Mr. Shealy called the meeting to order at 5 p.m.
2. Discussion regarding Resolution 05-2026 to update Newberry County's Hazard Mitigation Plan, Tommy Long, Emergency Manager.
 - Mr. Luckadoo spoke in place of Mr. Long who could not attend the meeting.
 - Mr. Luckadoo said the county currently has a Regional All Hazard Mitigation Plan that has to be updated every five years. Newberry County does theirs

regionally with Fairfield, Richland and Lexington counties, through Central Midlands Council of Governments.

- Over the past year, officials from those four counties have been working with the consultants on this update. The State EMD is requesting that the counties adopt this.
- The update is 712 pages, for Newberry County it was an update on the demographics, any significant weather events that caused significant damage were listed, and two items were labeled as hazardous threats, pandemics and cyber-attacks.

3. Updates on Ordinance 08-02-2026 regarding Single Site Burial. – Katie Werts, Building and Planning Director.

- Ms. Werts reviewed what was added to the ordinance since the previous meeting. This included the addition that it will be required for the personal representative of the deceased to have a certificate of appointment, language from state code about removing the body was added, and it was added that the issuance of a zoning permit approved by Newberry County does not override state and other local laws dealing with the burial.
- Mr. Smith asked what would happen if the property was owned by multiple people. Ms. Werts said they handle that instance with other issuance of permits by requiring all noted owners have to give permission by affidavit.
- Mr. Fulmer asked if there was input from residents; Ms. Werts said when Joint Planning Commission heard this there was no input, but Coroner Laura Kneece has provided input.

4. Discussion of Ordinance 08-03-2026 Rezoning property at US Highway 76, Little Mountain consisting of 6.33 acres from RS-Single Family Residential to R2-Rural. (TMS No. 640-87). – Katie Werts, Building and Planning Director.

- Ms. Werts said the owner is requesting the change to put a manufactured home on the property. This change does fit within the transitional definition in the Future Land Use Map.
- The Joint Planning Commission did hear this request and unanimously approved it.

5. Discussion of Ordinance 08-04-2026. Rezoning property at 79 Rader Road, Prosperity consisting of 3.025 acres from GC-General Commercial to R2-Rural. (TMS No. 651-43). – Katie Werts, Building and Planning Director.
 - Ms. Werts said the owner is requesting the change so they can subdivide the three acres into two one and a half acre parcels and put a single-family dwelling on each parcel. This is within the lake development Future Land Use Map and does fall within that definition.
 - The Joint Planning Commission did hear this request and unanimously approved it.
 - Mr. Fulmer asked if there was any opposition; Ms. Werts said no, but they did have a neighbor attend to ask questions to see what it was.
6. Presentation and discussion regarding Newberry Opera House's request for use county owned facility.
 - Ms. Anne Pinckney Smith, executive director of the Newberry Opera House, said as an organization, decided they need to create a space for their outreach, Newberry Arts for All.
 - Ms. Smith they would like to open a black box theater, and they are requesting the county to lease the old Market Basket (1107 Harrington Street, Newberry) as part of that program. This building has been vacant for a few years.
 - The Newberry Opera House runs off a lease with the City of Newberry, and they are looking to do the same with Newberry County.
 - This would be a collaboration with the Newberry County School District, Newberry Opera House, Newberry Downtown Association and Newberry College. This would be a community building with a black box theater, after school programming, farmers market, etc.
 - Ms. Smith added that the Market Basket was a natural choice due to the location of the future amphitheater (which is behind the Market Basket), creating an art district.
 - If the Newberry County Council agrees, Ms. Smith says they will take on the cost to renovate the building.

7. Executive Session:

- a. Discussion of contractual matters regarding county owned facility.
- b. Discussion of matters related to *Project Pearl Dust* pursuant to S.C. Code of Laws Section 30-4-70(a)(5).
 - Mr. Sease made a motion to go into Executive Session; Mr. Reeder provided the second.
 - Mr. Shealy said they would be inviting Ms. Smith and her team to join them in Executive Session.
 - The motion carried 7-0.
 - Newberry County Council went into Executive Session at 5:17 p.m.
 - Mr. Johnson made a motion to come out of Executive Session; Mr. Reeder provided the second and the motion carried 6-0. Mr. Scurry did not yet return to the dais for the vote.
 - Newberry County Council came out of Executive Session at 6:02 p.m.
 - No action was taken.

8. Adjournment.

- Mr. Johnson made a motion to adjourn; Mr. Reeder provided the second and the motion carried 6-0. Mr. Scurry did not yet return to the dais for the vote.
- The Newberry County Council Work Session adjourned at 6:02 p.m.

NEWBERRY COUNTY COUNCIL

Robert Shealy, Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

**NEWBERRY COUNTY COUNCIL
MINUTES
August 19, 2026**

Newberry County Council met on Wednesday, August 19, 2026, at 6:02 p.m. at the Newberry County Council Chambers at 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 Brehmer, Deputy County Administrator
Major Ben Chapman, NCSO
Debbie Cromer, Finance Director
Rick Farmer, Economic Development Director
Sheriff Lee Foster, NCSO
Coroner Laura Kneece, NCCO
Eric Nieto, IT Director
Josh Rowe, Public Works Director
Andrew Wigger, Clerk to Council/PIO

1. Call to order: Robert Shealy, Chairman.

- Mr. Shealy called the meeting to order at 6:02 p.m.

2. Invocation and Pledge of Allegiance: Stuart Smith, Councilman.

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

3. Adoption of Minutes:

- a. Newberry County Council Work Session Minutes – August 5, 2026.
- b. Newberry County Council Minutes – August 5, 2026.
- c. Newberry County Council Work Session Minutes – August 12, 2026.
- Mr. Sease made a motion to accept the above listed minutes (A, B, C) as presented; Mr. Reeder provided the second and the motion carried 7-0.
- d. Amended Newberry County Council Minutes – November 5, 2025.
- Ms. Winters explained that there was a scrivener's error where two council members recused themselves, but the vote is reflective at 7-0, which is incorrect and should be 5-0.
- Mr. Johnson made a motion to approve those minutes as amended; Mr. Sease provided the second and the motion carried 7-0.

4. Approval of Agenda.

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

5. Administrator's Report:

- a. Employee Recognition: John Fulmer (20 years, NCSO), Crystal Waldrop (25 years, Administration), Doug Harmon (Retirement, Public Works).
- Sheriff Foster, Mr. Luckadoo, and Mr. Rowe 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 reminded everyone that early voting was taking place for the Republican Nomination for the US Senate seat and the election of August 25. Some precincts were combined due to lack of poll workers, with the information to be found on the Newberry County website.

- Meetings were recently held for two CDBG projects in Whitmire, the sidewalk project and the Whitmire downtown streetscape project. Both are progressing toward the bid state.
- Regarding the financial software, staff completed the chart of accounts and provided that to Tyler Technologies in March. He said all the old numbers need to be converted to something that formats with Tyler's system, and Tyler Technologies is now working on that. They anticipate in about two months there will be a Newberry County rollout and training.

6. Chairman's Comments.

- Mr. Shealy thanked all county employees, especially those recognized and appreciate everything they have done for Newberry County.

7. Public Hearings:

- Ordinance 08-02-2026. An Ordinance amending the text of the Official Code of Ordinances of Newberry County, South Carolina, as codified in Chapter 153 of the Code of Ordinances of Newberry County, South Carolina by amending Sections 153.073 and 153.131, Single Site Burial.
- Mr. Shealy declared the Public Hearing open, with no one signed up, Mr. Shealy declared the Public Hearing closed.

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

- Ms. Engle Thompson asked if "Project Pearl Dust" comes here and brings those jobs, if there was a way to strongly suggest that some of those jobs be reserved for Newberry County residents.

9. Old Business:

- Third Reading – Ordinance 07-01-2026. To provide for the issuance and sale of a general obligation bond, not exceeding \$650,000 principal amount, to provide for the payment of 2014 Installment Purchase Revenue bond and 2026 Lease Purchase.
- Mr. Johnson made a motion to accept third reading; Mr. Scurry provided the second and the motion carried 7-0.

- b. Second Reading – Ordinance 08-01-2026. Authorizing the Execution of an Equipment Lease-Purchase Agreement in an Amount Not Exceeding \$2,475,000 for the Purchase of 1 Fire Truck, 2 Ambulances, 1 Dump Truck, One Trailer, and One Patching Machine.
- Mr. Sease made a motion to accept second reading; Mr. Reeder provided the second and the motion carried 7-0.
- c. Second Reading – Ordinance 08-02-2026 Amending the Text of Newberry County Code of Ordinances Relating to Single Site Burials.
- Mr. Johnson made a motion to accept second reading; Mr. Sease provided the second and the motion carried 7-0.

10. New Business:

- a. Consideration of the State Accommodations Tax (State A-Tax) funding recommendation of the Newberry County Accommodations Tax Advisory Board – Ernie Shealy, Chairman.
- Mr. Ernie Shealy presented the recommendations from the Newberry County Accommodations Tax Advisory Board:
 - Promotional fund (\$32,911.13 available): Capital City Lake Murray \$11,518.89, Newberry County Chamber of Commerce \$14,810.02, Prosperity Business Association \$6,582.22.
 - Tourism fund (\$71,307.44 available): Newberry Community Players \$2,000, 4th of July Fireworks \$1,950, Newberry Opera House \$15,000, County of Newberry Parks and Recreation \$5,500, Visitors Center \$14,000, Prosperity Hoppin' \$5,000, Shoppers' Walk \$4,000, The Newberry Museum \$13,007.44, Ritz Fest \$5,000, Newberry Downtown Development Association \$5,850.
- Mr. Reeder made a motion to accept the recommendation from the board; Mr. Johnson provided the second and the motion carried 7-0.
- b. Resolution 05-2026. Adopting the update to the Natural Hazard Mitigation Plan in its entirety as an official plan.

- Mr. Johnson made a motion to accept the Resolution; Mr. Sease provided the second and the motion carried 7-0.
- c. First Reading - Ordinance 08-03-2026. Rezoning property at US Highway 76, Little Mountain consisting of 6.33 acres from RS-Single Family Residential to R2-Rural. (TMS No. 640-87).
 - Ms. Werts said the owner is requesting the change to put a manufactured home on the property. This change does fit within the transitional definition in the Future Land Use Map.
 - Mr. Sease made a motion to accept first reading; Mr. Fulmer provided the second and the motion carried 7-0.
- d. First Reading - Ordinance 08-04-2026. Rezoning property at 79 Rader Road, Prosperity consisting of 3.025 acres from GC-General Commercial to R2-Rural. (TMS No. 651-43).
 - Ms. Werts said the owner is requesting the change so they can subdivide the three acres into two one and a half acre parcels and put a single-family dwelling on each parcel. This is within the lake development Future Land Use Map and does fall within that definition.
 - Mr. Reeder made a motion to accept first reading; Mr. Scurry provided the second and the motion carried 7-0.
- e. First Reading – Ordinance 08-05-2026. An ordinance authorizing a multi-county industrial/business park agreement between Newberry County and Greenwood County for property owned by Project Pearl Dust or its affiliates or assigns, and other matters related thereto.
 - Mr. Farmer provided information about Project Pearl Dust, the company, Vitreus, has released the county from the confidentiality requirements. This will be Vitreus first North American facility; they are a small company based in Germany and they manufacture pigments typically used in brick manufacturing. They will create 15 jobs with the lowest wage being \$20 an hour.

- The Multi-County Industrial Park incentive to the company will allow Vitreus to take further advantage of state incentives.
- Mr. Johnson asked for clarification that Newberry County will have no investment in this project; Mr. Farmer said no cash whatsoever, and it does not qualify for a fee-in-lieu of tax or special source revenue credit. This Ordinance will allow them to get \$1,000 more per job out of the state of South Carolina.
- Mr. Johnson asked if it will be minimal, regular industrial type noise and not a heavy water user or any significant impact on the environment; Mr. Farmer answered in the affirmative.
- Mr. Farmer said there would be very insignificant impact on power/water usage.
- Mr. Johnson made a motion to accept first reading; Mr. Reeder provided the second and the motion carried 7-0.

11. County Council may take action on matters discussed during executive session during the 5 p.m. meeting.

- No action was taken.

12. Appointments:

- There were no appointments.

13. Adjournment.

- Mr. Johnson made a motion to adjourn; Mr. Smith provided the second and the motion carried 7-0.
- Newberry County Council adjourned at 6:32 p.m.

NEWBERRY COUNTY COUNCIL

Robert Shealy, Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

NEWBERRY COUNTY COUNCIL ECONOMIC DEVELOPMENT COMMITTEE
MINUTES
August 24, 2026

Newberry County Council Economic Development Committee met on Monday, August 24, 2026, at 5:00 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: Karl Sease, Committee Chair
Robert N. Shealy, Committee Member
Johnny Mack Scurry, in place of Committee Member Travis Reeder
Ted Luckadoo, County Administrator
Rick Farmer, Economic Development Director
Jessie Long, Economic Development Coordinator
Eric Nieto, I.T. Director
Andrew Wigger, Clerk to Council/PIO

ABSENT: Travis Reeder, Committee Member (Mr. Scurry sat in his place)

1. Call to Order – Karl Sease, Chairman.

- Mr. Sease called the meeting to order at 5 p.m.

2. Invocation and Pledge of Allegiance – Robert Shealy, Committee Member.

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

3. Additions, Deletions, & Adoption of the Agenda.

- Mr. Shealy made a motion to accept the agenda as presented; Mr. Scurry provided the second and the motion carried 3-0.

4. Presentations:

a. Central SC Alliance – Jason Guilietti, President/CEO & Annie Caggiano, Senior Vice President of Business Recruitment.

- Mr. Guilietti and Ms. Caggiano spoke to the Committee about the Central SC Alliance and what they offer to Newberry County and the work they do on behalf of the county.

b. Upper Savannah Workforce Development – Kal Kunkel, Workforce Development Director.

- Mr. Kunkel spoke to the Committee about the Upper Savannah Workforce Development Board and what they offer Newberry County and the work they do for the county.

5. Public Comments.

- There were no public comments.

6. Staff Report:

a. Updates – Product/Prospect Development:

I. Project Pearl Dust.

- Mr. Farmer said last week Newberry County Council gave first reading to the MCIP agreement, which pushed Newberry County over the top.
- Over the last quarter, Economic Development had 10 opportunities, and they were able to submit to five of them.

II. Business After Hours – Sept. 10, 2026 (5:30 PM – 7 PM).

- Economic Development will be hosting a Business After Hours with the Newberry County Chamber of Commerce on September 10, 2026, from 5:30-7 p.m. at the Economic Development office, all are welcome.

III. Ribbon Cutting – Industrial Ave (new road).

- There is nothing formalized now, but staff would like to do a ribbon cutting at the Mawson's Way Extension.

IV. Mid-Carolina Commerce Park – road extension and pad ready site.

- Bids are out for the road and pad project; bids will be opened on September 1 at 3 p.m.
- A pad will allow Newberry County to compete with other communities.

b. Strategic Planning:

I. Site Enhancement Expedited Review – Newberry South Industrial Park.

- They are at the five-year mark, and they are at the due diligence state. At this point, Mr. Farmer said they don't know the expenses, but they will find out soon as they go through this process, but he said they will try and do it inexpensively.
- Administration has requested that staff get some of the industrial property the market appraised, the last time was 2021.

II. Exploring department name change and update to department logo.

- Ms. Long said they are exploring a department logo and name change in order to have a broader mission and better represent current services.
- Staff will try to do this in-house.

7. Comments by and discussion items from the Committee Members.

- Mr. Shealy said staff are doing an excellent job working with what the county has to offer. He said the pad will help them once it is completed.

8. Adjourn.

- Mr. Shealy made a motion to adjourn; Mr. Scurry provided the second and the motion carried 3-0.
- The Newberry County Economic Development Committee Adjourned at 5:48 p.m.

NEWBERRY COUNTY COUNCIL

Karl Sease, Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

ORDINANCE # 08-01-2026

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT IN AN AMOUNT NOT EXCEEDING \$2,475,000 RELATING TO THE PURCHASE OF CERTAIN EQUIPMENT BY NEWBERRY COUNTY, AUTHORIZING THE EXECUTION OF OTHER NECESSARY DOCUMENTS AND PAPERS, AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED by the County Council of Newberry County, South Carolina, in meeting duly assembled:

ARTICLE I

FINDINGS OF FACT

The County Council of Newberry County, South Carolina, the governing body of Newberry County, South Carolina, has made the following findings of fact:

Section 1.01 Findings.

The County Council of Newberry County, the governing body of Newberry County (the "Council"), has determined that a very real need exists for and that it is necessary for Newberry County (the "County") to acquire certain equipment as shown on Exhibit A hereto (collectively, the "Equipment"). The total cost of the Equipment and costs associated therewith, including issuance costs, is estimated to be not exceeding \$2,475,000. The Council has determined that it is in the best interests of the County to purchase the Equipment through a lease-purchase financing in accordance with the terms of this Ordinance.

ARTICLE II

AUTHORIZATION

Section 2.01 Approval of the Financing.

The Council hereby approves the entry of the County into a one or more lease financing agreements in aggregate principal amount not to exceed \$2,475,000 (singularly or collectively, the "Agreement") to finance the purchase of the Equipment. The interest rate applicable to the agreement shall not exceed 6.0 % per annum (in the absence of default or change in tax status) unless approved by resolution of Council supplemental hereto. Payments due under the Agreement shall be expressed to become due annually on December 1 of each of the Fiscal Years 2028 through 2032, inclusive, in such annual amounts as determined by the County Administrator of the County (the "County Administrator"). Any proceeds of the Agreement including investment earnings remaining available after the purchase of all of the Equipment may be applied in the discretion of the County Administrator to the purchase of additional public safety or public works equipment, which when acquired shall be subject to the remaining terms of the Agreement.

The Agreement shall not constitute a debt of the County, and the full faith, credit and taxing power of the County shall not be pledged to secure payment of rental payments or other sums due pursuant to the Agreement. The Agreement shall contain a “non-appropriation” clause suitable to special counsel to the County and shall not, in the opinion of such special counsel, contain a “non-substitution” clause.

Section 2.02 Authorization to Contract.

The County Administrator is hereby authorized to solicit proposals from financial institutions for the provision of the financing represented by the Agreement. Proposals shall be solicited from at least three financial institutions on not less than seven (7) days’ notice. The County Administrator is hereby authorized to award the Agreement to the financial institution which proposes the terms most favorable to the County, as determined by the County Administrator in his sole discretion (the “Lessor”), but subject in any event to the provisions of Section 2.01 of this Ordinance. The County Administrator is hereby authorized, empowered, and directed to execute, acknowledge, and deliver the Agreement and associated documents to the Lessor and other appropriate parties. The execution of the Agreement by the County Administrator shall constitute conclusive evidence of approval of the principal amount and rental payments due pursuant to the Agreement and the terms thereof.

Section 2.03 Other Documents, Agreements.

The Chairman of the Council, the Clerk to Council, Finance Director of the County and the County Administrator are hereby authorized to execute any and all other documents, instruments, certificates, or other papers as they deem necessary and appropriate, with the advice of counsel, to accomplish the transactions contemplated by this Ordinance. The Council further approves the entry by the County, if deemed necessary by the County Administrator in his sole discretion, into an escrow agreement or similar agreement among the County and a financial institution satisfactory to the County Administrator, as agent, in such form as may be determined by the County Administrator, upon advice of special counsel, in order to provide for the deposit and investment of proceeds of the Agreement pending the expenditure thereof (the “Deposit Agreement”). The Lender may also be a party to the Deposit Agreement.

* * * *

ARTICLE III

CERTAIN MATTERS PERTAINING TO THE INTERNAL REVENUE CODE

Section 3.01 General Tax Covenants.

The County will comply with all requirements of the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the tax-exempt status of the Agreement including without limitation, the requirement to file the information report pertaining to the Agreement with the Internal Revenue Service.

Section 3.02 General Tax Representations and Covenants.

The County hereby represents and covenants that it will not take any action which will, or fail to take any action which failure will, cause the interest component of rental payments made pursuant to the Agreement to become includable in the gross income of the Lessor, or its assigns, for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original execution of the Agreement. Without limiting the generality of the foregoing, the County represents and covenants that:

- (a) All property provided by the net proceeds of the Agreement will be owned by the County in accordance with the rules governing the ownership of property for federal income tax purposes.
- (b) The County shall not permit the proceeds of the Agreement or any facility financed with the proceeds of the Agreement to be used in any manner that would result in (a) ten percent (10%) or more of such proceeds being considered as having been used directly or indirectly in any trade or business carried on by any natural person or in any activity carried on by a person other than a natural person other than a governmental unit as provided in Section 141(b) of the Code, or (b) five percent (5%) or more of such proceeds being considered as having been used directly or indirectly to make or finance loans to any person other than a governmental unit as provided in Section 141(c) of the Code.
- (c) The County is not a party to or nor will it enter into any contracts with any person for the use or management of any facility provided with the proceeds of the Agreement that do not conform to the guidelines set forth in Revenue Procedure 2017-13.
- (d) The County will not sell or lease the Equipment or any property provided by the Agreement to any person unless it obtains the opinion of nationally recognized bond counsel that such lease or sale will not affect the tax exemption of the Agreement.
- (e) The Agreement will not be federally guaranteed within the meaning of Section 149(b) of the Code. The County has not entered into any leases or sales or service contract with any federal government agency and will not enter into any such leases or contracts unless it obtains the opinion of nationally recognized bond counsel that such action will not affect the tax exemption of the Agreement.

Section 3.03 Qualified Tax-Exempt Obligation.

The County Administrator may designate the Bond as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3)(B) of the Code, upon advice of special counsel.

* * * *

ARTICLE IV

MISCELLANEOUS

Section 4.01 No General Liability.

Nothing contained in this Ordinance, the Agreement, any Deposit Agreement nor any other instrument shall be construed with respect to the County as incurring a pecuniary liability or charge upon the general credit of the County or against its taxing power, nor shall the breach of any Lease contained in this Ordinance, the Agreement,, any Deposit Agreement or any other instrument or document executed in connection therewith impose any pecuniary liability upon the County or any charge upon its general credit or against its taxing power, except to the extent that the rental payments payable under the Agreement are limited obligations of the County, subject to annual appropriation, as provided herein and in the Agreement.

Section 4.02 Severability.

If any section, paragraph, sentence, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, sentence, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 4.03 Repealer.

All bylaws, orders, resolutions, and ordinances, or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency with respect to this Ordinance. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

Section 4.04 Effective Date of Ordinance.

The provisions of this Ordinance shall become effective upon third reading hereof.

* * * *

. ENACTED this ____ day of _____, 2025.

(SEAL)

COUNTY COUNCIL OF
NEWBERRY COUNTY, SOUTH CAROLINA

Vice-Chairman, County Council
of Newberry County, South Carolina

Attest:

Clerk to Council, Newberry County,
South Carolina

First Reading: _____, 2025

Second Reading: _____, 2025

Third Reading: _____, 2025

EXHIBIT A

<u>EQUIPMENT</u>	<u>ESTIMATED COSTS</u>
One (1) Fire truck	\$1,000,000
Two (2) Ambulances	1,100,000
One (1) Dump Truck	220,000
One (1) Trailer	60,000
One (1) Patching Machine	<u>53,236</u>
Total	\$2,443,236

STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

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

1. That the foregoing is a true, correct, and verbatim copy of an Ordinance enacted by the County Council of Newberry County on _____, 2025, at which a majority/all members were present. It was first introduced at the regular meeting of County Council held on _____, 2025. At that meeting, it was given first reading by the majority/unanimous vote of the County Council. Afterwards, at the regular meeting of the County Council held on _____, 2025, it was given its second reading, and at the regular meeting of the County Council held on _____, 2025, it was given third and final reading by the unanimous vote of County Council. At each of said meetings, a quorum of County Council was present at all times during the proceedings pursuant to which the aforesaid Ordinance was adopted, the original of which is duly entered in the record of minutes of the aforesaid meetings of said County Council in my Custody as such Clerk.

2. As required by Title 30, Chapter 4 of the Code of Laws of South Carolina 1976, as amended (the "*Act*"), being the Freedom of Information Act, a copy of the agenda of each of the meetings of the County Council referenced in the preceding paragraph (showing the date, time and place of the meeting), was, at least 24 hours prior to each such meeting, posted on a designated bulletin board in the administrative offices of the County, posted on the County's public website, and provided to news media and others requesting such information. The agenda for each of the meetings listed in the preceding paragraphs included as an item the reading of the aforesaid Ordinance and was made publicly available in accordance with the preceding sentence.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of the County Council this _____ day of _____, 2025.

(SEAL)

Clerk, Newberry County Council

STATE OF SOUTH CAROLINA)

)

ORDINANCE NO. 08-02-2026

COUNTY OF NEWBERRY)

**AN ORDINANCE AMENDING THE TEXT OF THE OFFICIAL CODE OF ORDINANCES OF
NEWBERRY COUNTY, SOUTH CAROLINA, AS CODIFIED IN CHAPTER 153 OF THE CODE OF
ORDINANCES OF NEWBERRY COUNTY, SOUTH CAROLINA BY AMENDING SECTIONS 153.073
AND 153.131, SINGLE SITE BURIAL**

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 a duly elected governing body of the County of Newberry; and

WHEREAS, the Council is vested with the authority to amend, delete, or create ordinances that are in the best interest of the County pursuant to Section 4-9-30 et al of the South Carolina Code of Laws, 1976, as amended; and,

WHEREAS, it has been determined by the Council that certain sections of the Code of Ordinances of Newberry County were in need of review and amendment.

The following sections of the County Code of Ordinances have proposed amendments:

SECTION 1. The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.073, is amended as follows:

§153.073 ZONING DISTRICT TABLE OF PERMITTED USES.

(D) *Zoning district table of permitted uses.*

ZONING DISTRICT TABLE OF PERMITTED USES										
Description of Use	2017 NAICS	R2	RS	RSV	RSM	RG	LC	GC	IND	C/SE Reference
OTHER SERVICES										
Single Site Burial	812220	C	C	C	C	C				§ 153.131

The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.131, is amended as follows:

§153.131 Single Site Burial.

Single site burials shall meet the following requirements where conditionally permitted.

(A) *Certificates and permits required.* The following certificates and permits shall be provided to the Planning Director at time of permitting:

- (1) A completed and signed Medical Certification of Death certified by attending physician or the Newberry County Coroner, as authorized under South Carolina law, stating the cause and manner of death. The death certificate shall be completed and signed within forty-eight (48) hours of case designation and submitted to the South Carolina Department of Public Health, Office of Vital Records, within ten (10) days.
- (2) A completed paper Death Certificate Form filed with the SC Department of Public Health.
- (3) A Burial-Removal-Transit Permit (BRTP) from the SC Department of Public Health Vital Statistics Office.
- (4) A copy of the Certificate of Appointment for the Personal Representative of the deceased.

(B) *Compliance with State Law.*

- (1) All burials, removals, relocations and transportation of human remains conducted pursuant to this ordinance shall comply with all applicable laws and regulations of the State of South Carolina, including requirements of the South Carolina Department of Public Health and the Newberry County Coroner's Office.
- (2) No person shall move or authorize the removal of a deceased human body from the place where the body is found when an investigation is required until the investigation has been completed and removal has been authorized by the coroner, deputy coroner, medical examiner, deputy medical examiner, or other official authorized by South Carolina law. No body subject to such investigation shall be transported across county lines until the investigation, post-mortem examination, or autopsy has been completed and removal has been properly authorized, consistent with S.C. Code § 17-5-580.
- (3) No person shall bury or cause to be buried the body of a person believed or suspected to have died as a result of violence before notice has been provided to the coroner and the coroner has been afforded the opportunity to examine the body and conduct any inquiry required by law, consistent with S.C. Code § 17-7-510.
- (4) Following burial, no human remains shall be disinterred, removed, relocated, or transported from an approved single site burial location without first obtaining all permits, approvals, court orders, or other legal authorization required by applicable federal, state, and local law.

(C) *Burial materials.*

- (1) The body must be buried in a minimum of a biodegradable wooden casket, cardboard container, or cloth shroud.

(D) *Gravesite dimensions.*

- (1) The grave dimensions shall conform to the burial container to fit with a minimum of six feet of soil cover over the top of the casket, container, or shroud.

(E) *Gravesite requirements.*

- (1) The grave site must adhere to the zoning setbacks from property lines for the district.
- (2) The grave site must be at least 100 feet away from any well, stream, pond, or other water sources.

(F) *Survey and deed.*

- (1) A professional land survey must be completed to map the exact GPS coordinates and boundaries of the gravesite with an amendment to the property deed to officially record the family cemetery.

(G) *County and State Law.*

- (1) The issuance of a zoning permit or other approval by Newberry County for a single site burial shall not constitute authorization to move, bury, disinter, relocate, or otherwise disturb human remains in violation of South Carolina law. The property owner and person responsible for the disposition of the deceased shall remain responsible for obtaining all required state permits and authorizations.

SECTION 2. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this ___ day of ____, 2026 that the text of the Zoning Code of Newberry County, South Carolina, as codified in Chapter 153 of the Code of Ordinances of Newberry County, South Carolina, Section 151.073, Zoning District Table of Permitted Uses and 151.131, Single Site Burial shall be amended as prescribed by this ordinance.

NEWBERRY COUNTY COUNCIL

BY: _____
Karl Sease, Vice-Chairman

(SEAL)

ATTEST:

Andrew Wigger, Clerk to Council

Approved as to form:

Joanie Winters, County Attorney

Ted Luckadoo, County Administrator

1st Reading: August 5, 2026

2nd Reading: August 19, 2026

Public Hearing: August 19, 2026

3rd Reading: September 2, 2026

STATE OF SOUTH CAROLINA)
)
NEWBERRY COUNTY)

ORDINANCE NO. 08-03-2026

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 SIX AND THIRTY-THREE HUNDREDTHS (6.33) ACRES DESIGNATED AS TMS NO. 640-87 FROM RS-SINGLE FAMILY RESIDENTIAL TO R2-RURAL.

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 six and thirty-three hundredths (6.33) acres located on US Highway 76, to R2-Rural from RS- Single Family Residential. Tax Map No. 640-87 is currently vacant land. The Comprehensive Plan shows the future land use for this area to be within the transitional projected area. The Planning Staff does recommend that this real estate parcel be rezoned to R2-Rural.

WHEREAS, the Newberry County Joint Planning Commission, in case number MA01-07-21-26, 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 use of the property located on US Highway 76, Little Mountain.

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. 640-87 totaling six and thirty-three hundredths (6.33) acres located on US Highway 76, Little Mountain, 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 RS-Single Family Residential.

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. 640-87

totaling six and thirty-three hundredths (6.33) 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 MA01-07-21-26 by property owner Randy Lindler. This request is to rezone one (1) property totaling six and thirty-three hundredths (6.33) acres located on US Highway 76, Little Mountain, Newberry, from RS-Single Family Residential to R2-Rural.

Application Number: MA01-07-21-26

Applicant: Randy Lindler

Property Owner: Barbara Lindler Life Estate and Randy Lindler

Location Address: US Highway 76, Little Mountain

Tax Map Number(s): 640-87

Lot Size: 6.33 acres

Current Land Use: Vacant

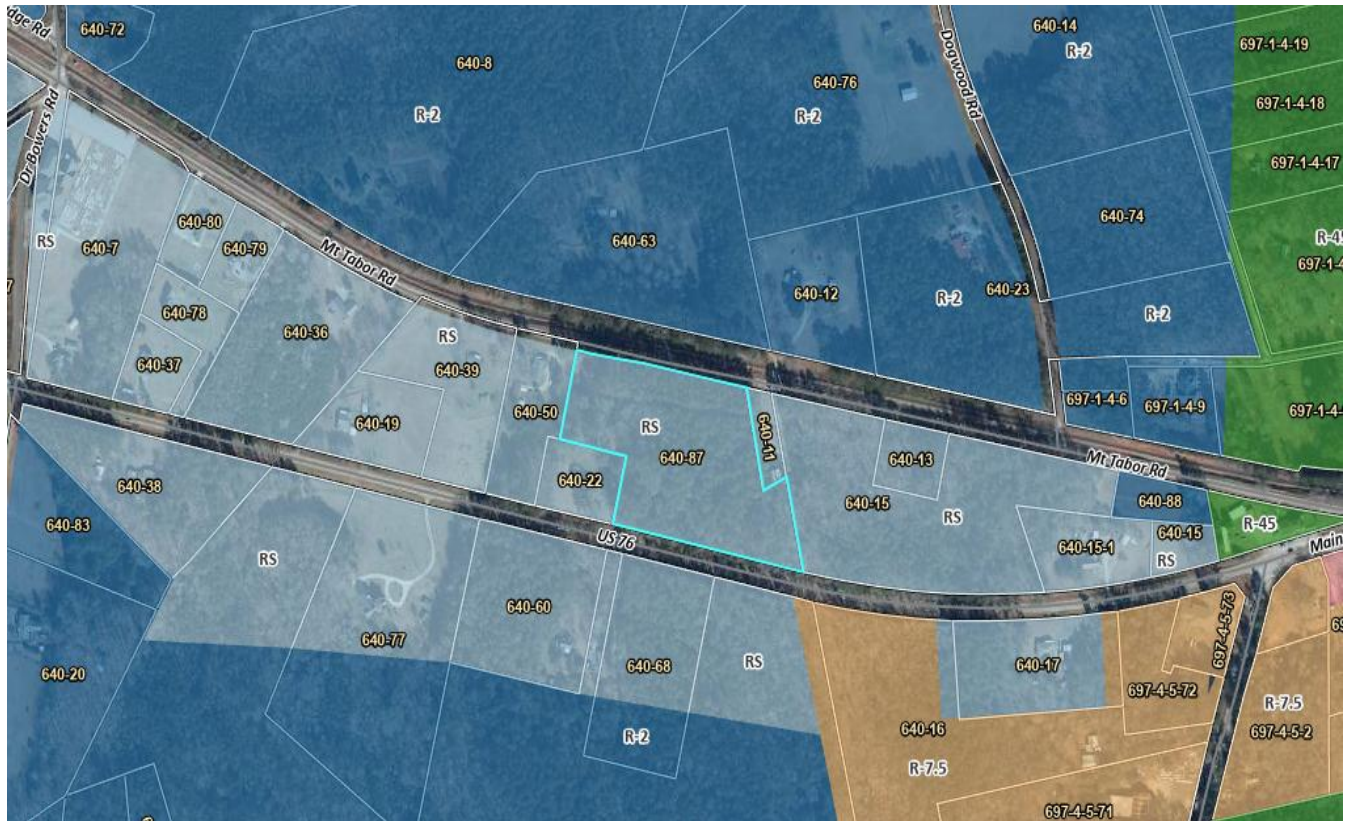
Proposed Land Use: Residential (Manufactured Home)

Current Zoning District: RS-Single Family Residential

Proposed Zoning District: R2-Rural

Comprehensive Plan Designation: Transitional

Zoning Map:

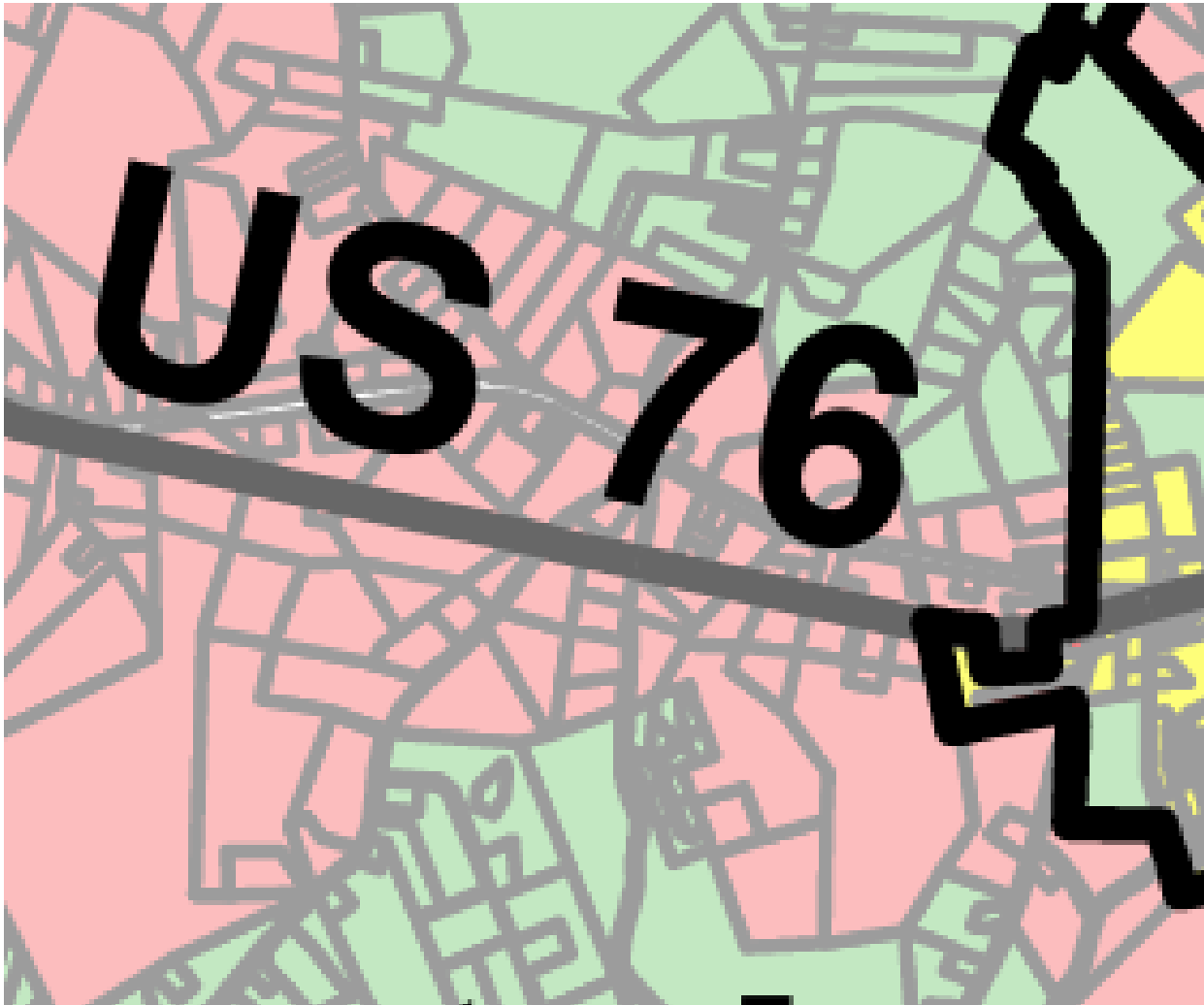


Current Zoning District

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**

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 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 MA01-07-21-26 by property owner Randy Lindler. This request is to rezone one (1) property totaling six and thirty-three hundredths (6.33) acres located on US Highway 76, Little Mountain, from RS-Single Family Residential to R2-Rural. The proposed use of this property is residential with a manufactured home.

The Comprehensive Plan identifies this property and the surrounding area as Transitional Development 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)
)
NEWBERRY COUNTY)

ORDINANCE NO. 08-04-2026

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 THREE AND TWENTY-FIVE THOUSANDTHS (3.025) ACRES DESIGNATED AS TMS NO. 651-43 FROM GC-GENERAL COMMERCIAL TO R2-RURAL.

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 three and twenty-five thousandths (3.025) acres located at 79 Rader Road, Prosperity, to R2-Rural from GC-General Commercial. Tax Map No. 651-43 is currently vacant land. The Comprehensive Plan shows the future land use for this area to be within the lake development projected area. The Planning Staff does recommend that this real estate parcel be rezoned to R2-Rural.

WHEREAS, the Newberry County Joint Planning Commission, in case number MA02-07-21-26, 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 use of the property located at 79 Rader Road, Prosperity.

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. 651-43 totaling three and twenty-five thousandths (3.025) acres located at 79 Rader Road, Prosperity, 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. 651-43

totaling three and twenty-five thousandths (3.025) 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 MA02-07-21-26 by applicant Justin Middleton. This request is to rezone one (1) property totaling three and twenty-five thousandths (3.025) acres located at 79 Rader Road, Prosperity, from GC-General Commercial to R2-Rural.

Application Number: MA02-07-22-26

Applicant: Justin Middleton

Property Owner: Prosperous Realty, LLC

Location Address: 79 Rader Road, Prosperity

Tax Map Number(s): 651-43

Lot Size: 3.025 acres

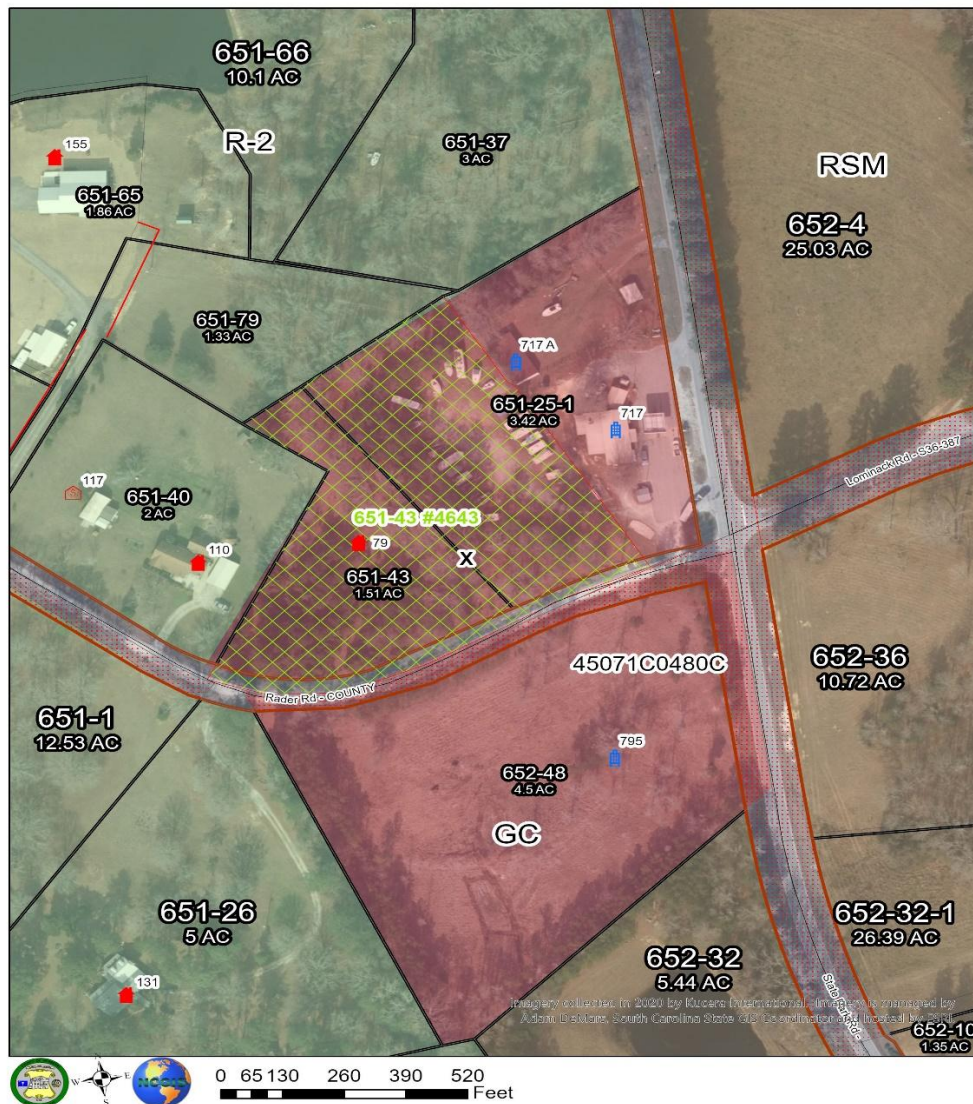
Current Land Use: Previously used as commercial storage.

Proposed Land Use: Single Family Residential

Current Zoning District: GC-General Commercial

Proposed Zoning District: R2-Rural

Comprehensive Plan Designation: Lake 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

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 Designation Definition

Lake Development (LD) – Land areas in close proximity to Lake Murray and Lake Greenwood, principally used for residential structures, but may include other complementary and associated uses such as agriculture, forestry, and public and institutional uses such as churches and schools. Where adequate road access is available, land in the Lake District may also include more intense uses such as marinas, commercial activities, and personal services that are compatible with the surrounding area.



Analysis:

Rezoning request MA02-07-22-26 by applicant Justin Middleton. This request is to rezone one (1) property totaling three and twenty-five thousandths (3.025) acres located at 79 Rader Road, Prosperity, from GC-General Commercial to R2-Rural. The proposed use of this property is for single family residential.

The Comprehensive Plan identifies this property and the surrounding area as Lake Development 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 the County Council for review and approval.

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 08-05-2026

AN ORDINANCE AUTHORIZING A MULTI-COUNTY INDUSTRIAL/BUSINESS PARK AGREEMENT BY AND BETWEEN NEWBERRY COUNTY, SOUTH CAROLINA AND GREENWOOD COUNTY, SOUTH CAROLINA TO INCLUDE CERTAIN PROPERTY OWNED BY PROJECT PEARL DUST, OR ITS AFFILIATES OR ASSIGNS, AND OTHER MATTERS RELATED THERETO.

WHEREAS, Newberry County, South Carolina (“Newberry”) and Greenwood County, South Carolina (“”) (collectively, “Counties”) as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (“Act”), have jointly developed a Multi-County Industrial/Business Park (“Park”); and

WHEREAS, in response to requests from Project Pearl Dust, the request has been made that the Multi-County Industrial/Business Park include Project Pearl Dust by and through a Multi-County Industrial Park Agreement with the Counties.

NOW, THEREFORE, BE IT ORDAINED BY THE NEWBERRY COUNTY COUNCIL:

Section 1. Inclusion of Project. This ordinance does hereby authorize inclusion of Project Pearl Dust into the Multi-County Industrial Park of the Counties. The County Council Chair, or the Vice Chair in the event that the Chair is absent, and the Clerk to the County Council are authorized to execute any documents and take any further actions as may be reasonably necessary to complete the inclusion into the Park boundaries. This will be pursuant to the terms of an Agreement for the Development of a Joint Industrial and Business Park, which will be complete upon the adoption of this Ordinance and an appropriate Agreement for Newberry County and a companion Ordinance by the Greenwood County Council.

Section 2. Removal of Property from the Park. The Company may request, from time to time, that a portion of the Property be removed from the Park. In each case, the Counties authorize removal of that portion of the Property upon receipt of a written request from the Company. No further action by either the Newberry County Council or the Greenwood County Council is required. The County Council Chair, or the Vice Chair, in the event the Chair is absent, and the Clerk to the County Council are authorized to execute any documents and take any further actions as may be reasonably necessary to complete removal of a portion of the Property from the Park.

Section 3. Savings Clause. If any portion of this Ordinance is deemed unlawful, unconstitutional or otherwise invalid, the validity and binding effect of the remaining portions are not affected.

Section 4. General Repealer. Any prior ordinance, resolution or other act of Newberry County Council, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

Section 5. Effectiveness. This ordinance takes and remains in effect after third and final reading and public hearing.

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:

2nd Reading:

Public Hearing:

3rd Reading:

EXHIBIT A
Legal Description of the Property

EXHIBIT B
Multi-County Park Agreement

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

**A RESOLUTION ESTABLISHING A VISION ZERO POLICY FOR NEWBERRY
COUNTY AND COMMITTING TO THE ELIMINATION OF TRAFFIC FATALITIES
AND SERIOUS INJURIES ON THE COUNTY'S ROADWAY SYSTEM**

WHEREAS, the life, health, and safety of all persons living in, working in, and traveling through Newberry County are of paramount importance; and

WHEREAS, Vision Zero is a multidisciplinary and data-driven approach that seeks to eliminate traffic fatalities and serious injuries while providing safe, healthy, and equitable mobility for all roadway users; and

WHEREAS, Vision Zero recognizes that human error is inevitable and promotes a Safe System Approach whereby transportation infrastructure, policies, and operations are designed to reduce the likelihood that mistakes result in fatal or serious injury crashes; and

WHEREAS, between January 1, 2020, and December 31, 2024, approximately 2,614 crashes were reported on non-interstate roadways within the unincorporated jurisdiction of Newberry County, resulting in 40 fatalities and injuries in approximately twenty-six percent (26%) of all crashes; and

WHEREAS, vulnerable roadway users, including pedestrians and bicyclists, experience significantly higher injury rates when involved in traffic crashes; and

WHEREAS, children, older adults, persons with disabilities, low-income populations, and other underserved communities often face disproportionately greater transportation safety risks; and

WHEREAS, improving roadway safety for all users can encourage walking, bicycling, and other active forms of transportation, thereby supporting public health, mobility, quality of life, and economic vitality; and

WHEREAS, successful Vision Zero programs require coordination among governmental agencies, community stakeholders, public safety officials, transportation professionals, and the public; and

WHEREAS, the Federal Highway Administration has committed to the elimination of roadway fatalities and serious injuries through implementation of a Safe System Approach and has established the Safe Streets and Roads for All (SS4A) program to support local safety initiatives; and

WHEREAS, Newberry County is currently developing a Comprehensive Safety Action Plan through a collaborative public planning process consistent with federal Safe Streets and Roads for All planning grant requirements; and

WHEREAS, the Comprehensive Safety Action Plan will identify policies, programs, infrastructure improvements, and implementation strategies intended to reduce roadway fatalities and serious injuries throughout Newberry County.

Section 1. Vision Zero Policy

Newberry County hereby adopts Vision Zero as a guiding transportation safety policy and declares that no loss of life or serious injury on the County's transportation system is acceptable.

Section 2. Commitment to Safety Planning

Upon completion and adoption of the Newberry County Comprehensive Safety Action Plan, the County shall utilize the plan to guide transportation programs, policies, investments, and projects intended to improve roadway safety for all users.

Section 3. Safety Goal

Newberry County adopts the goal of eliminating traffic fatalities and serious injuries on non-interstate roadways within the County's jurisdiction by the year 2036 and shall strive to achieve measurable annual reductions in fatal and serious injury crashes consistent with the Comprehensive Safety Action Plan.

Section 4. Safe System Approach

County departments and staff are encouraged to incorporate Safe System Approach principles into transportation planning, project development, maintenance activities, and operational decisions whenever practicable and consistent with available funding and legal authority.

Section 5. Equity and Accessibility

The County shall seek to implement transportation safety improvements in an equitable manner that addresses documented safety needs and improves mobility and accessibility for all roadway users, including historically underserved populations and vulnerable roadway users.

Section 6. Effective Date

This Resolution shall become effective immediately upon adoption by Newberry County Council.

NOW, THEREFORE, BE IT RESOLVED that the Newberry County Council hereby adopts the Vision Zero Policy in its entirety as an official plan;

ADOPTED by the Newberry County Council in a meeting duly assembled on the 19th Day of August 2026, at which a quorum was present and voting.

NEWBERRY COUNTY COUNCIL

BY: _____

Karl Sease, Vice-Chairman

ATTEST:

Andrew Wigger, Clerk to Council