



**NEWBERRY COUNTY COUNCIL
AGENDA
May 19, 2021
6:00 P.M.**

ATTENTION: COVID-19 PROTOCOLS ENFORCED

Please enter the Courthouse Annex Building (1309 College Street, Newberry) from the entrance nearest to the intersection of Harrington and Caldwell Streets. All other doorways are for exit purposes only.

In accordance with an Order from the Chief Justice of the South Carolina Supreme Court, a staff member will take your temperature as a condition of entry into the building. To gain admittance, your temperature must be lower than 100.4 degrees F (38 degrees C), and you must wear a mask/face covering.

Seating inside the council chambers is distanced with installed barriers, limiting attendance by the public at any given time to 18 persons, excluding council members, staff, and the media.

Public Hearing Participation Instructions during COVID-19/Coronavirus Pandemic

The right of citizens to be heard on certain matters before county council is provided for in South Carolina law. Newberry County Council fully intends to honor this right. However, the current pandemic requires that the public hearing process be adapted to safeguard the health of the public. If you wish to provide input on Ordinance Numbers #03-06-21, #04-12-21 or #04-13-21 you may do so in writing or by signing up to speak before the meeting on Wednesday, May 19th at 6:00pm.

If you wish to provide input in writing, your comments must be received no later than 5:00 PM on Wednesday, May 19th, 2021. Written comments may be sent by regular mail to P.O. Box 156 Newberry, SC 29108, or by email to publiccomments@newberrycounty.net. Please indicate **ATTENTION PUBLIC HEARING** on the exterior of the envelope or in the subject line of the email. Comments received timely will be read during the public hearing and will become part of the official record. Please provide your name and address for purposes of recording and attribution. Anonymous submissions will not be accepted.

If you wish to speak during the meeting, there will be a signup sheet available at the building entry point prior to the start of the meeting at 6:00 pm. Any speakers who have signed up but are unable to obtain seating inside the council chambers due to COVID-19 restrictions will be placed in a queue line at six-foot intervals while they wait to speak. All speakers are asked to limit their remarks to 3 minutes or less.

Call to order:
Invocation and Pledge of Allegiance:

Henry H. Livingston, III, Chairman
Les Hipp, Councilman

1. Additions, Deletions & Adoption of the Agenda

- 2. Ordinance #03-06-21** – An Ordinance authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement by and between Newberry County, South Carolina (The “County”) and Newberry Electric Cooperative, INC., acting for itself, one or more affiliates, and/or other project sponsors (collectively, The “Company”), pursuant to which the County shall covenant to accept certain negotiated fees in lieu of ad valorem taxes with respect to the establishment and/or expansion of certain facilities in the county (The ‘Project’); (2) the benefits of a multi-county industrial or business park to be made available to The Company and The Project; (3) certain special source revenue credits in connection with the project; and (4) other matters relating thereto.

- a. Public Hearing**
- b. Third Reading**

- 3. Ordinance #04-12-21** - An Ordinance to provide appropriations for the fiscal year beginning July 1, 2021 and ending June 30, 2022, for the Newberry County Budget for County Ordinary purposes and for other County purposes for which the County may levy a tax and receive revenues; to provide for the levy of taxes on all taxable personal and real property in Newberry County for all County purposes, including sufficient tax to pay the principal and interest on outstanding indebtedness of Newberry County payable during said fiscal year; to provide for matters relating to Newberry County; and to provide for the expenditure of said taxes and other revenues received by the County during said fiscal year, and to provide for borrowing in anticipation of tax collections by the issuance of one or more tax anticipation notes, if necessary.

- a. Public Hearing**

- 4. Ordinance #04-13-21** - An Ordinance to provide appropriations for the fiscal year beginning July 1, 2021 and ending June 30, 2022, for Newberry County Library, Piedmont Technical College and Newberry Agency for the Disabilities and Special Needs; to provide for the levy of taxes on all taxable personal and real estate properties in Newberry County for said purposes; to provide for the expenditure of said taxes and other revenues received by the county during said fiscal year for said purposes.

- a. Public Hearing**

5. Ordinance #05-14-21 – An Ordinance expressing the intent of Newberry County Council to declare Newberry County as a Sanctuary County for Second Amendment Rights.

a. Second Reading

6. Consideration to approve Satterfield Construction for repairs to Dogwalla Road in the amount of \$92,874.00. – Crystal Waldrop, Purchasing Director

7. Executive Session

- Code Section 30-4-70 (a)(1): Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.
- SC Code Section 30-4-7(a)(2): discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.

8. Discussion and/or action regarding the County Administrator Position.

9. Appointments

10. Public Comments

11. Comments/Requests from Council Members

12. Future Meetings

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| a. | County Council | 06/02/21 | 6:00 p.m. |
| b. | Economic Development Committee | 06/14/21 | 6:00 p.m. |
| c. | County Council | 06/16/21 | 6:00 p.m. |

13. Adjournment