



**NEWBERRY COUNTY COUNCIL  
AGENDA  
MARCH 5, 2014  
7:00 P.M.**

Newberry County Council met on Wednesday, March 5, 2014, at 7:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

**PRESENT:** Henry H. Livingston, III, Chairman  
Kirksey Koon, Vice Chairman  
John E. Caldwell, Councilman  
Bill Waldrop, Councilman  
Leslie (Les) Hipp, Councilman  
Steven C. Stockman, Councilman  
Scott Cain, Councilman  
Wayne Adams, County Administrator  
A.J. Tothacer, County Attorney  
Laurie Renwick, Clerk to Council  
Debbie Cromer, Finance Director

**PRESS:** Natalie Netzel, Newberry Observer  
Tammy Kitchen, WKDK

The meeting was duly advertised as required by law.

Chairman Livingston called the meeting to order.

Mr. Stockman led the invocation followed by the Pledge of Allegiance.

**1. Adoption of Consent Agenda**

Mr. Cain motioned to adopt the consent agenda; seconded by Mr. Hipp. The vote was unanimous.

**2. Personal Appearances**

**a. Voices for Pride Officers (NCDSB) – Disabilities Awareness Day at the State House**

Miss Connie Coleman introduced herself and stated that on behalf of the Newberry County Disabilities and Special Needs Board and Voices for Pride Self-Advocacy Council, they wanted to thank County Council for their support and she congratulated them for receiving the Golden Palmetto Award for supporting people with disabilities. She introduced Crystal Carnes, Leon Gallman, and Fred Wilson.

Miss Crystal Carnes reported that Disabilities Advocacy Day will be held at the State House later this month and a rally will be held to celebrate the 25<sup>th</sup> Anniversary of Disabilities Awareness in South Carolina

Fred Wilson, NCDSNB Self-Advocate of the Year, said it was a privilege to stand before Council tonight. He said he has worked for 10 years in lawn care and maintenance for commercial businesses and has met many kind, generous, and compassionate people while working. He said he has coached the Special Olympics for seven (7) years and the disabilities and special needs program has been a positive influence in his life. He thanked Council for the opportunity to speak.

Mr. Adams read the following Proclamation declaring March 2014 as Disabilities Awareness Month in Newberry County into the record:

- WHEREAS,** more than 500,000 South Carolina citizens and families are impacted by severe lifelong disabilities, with no distinction as to race, culture, geography, age, sex or economic class; and
- WHEREAS,** the South Carolina Department of Disabilities and Special Needs serves people with the severe, lifelong disabilities of mental retardation and related disabilities, autism, traumatic brain injury, and spinal cord injury; and
- WHEREAS,** the Newberry County Disabilities and Special Needs Board works with families to provide support services which promote economic self-sufficiency and independence; and
- WHEREAS,** people with lifelong disabilities are productive citizens, neighbors, and family members deserving of respect and opportunities for economic self-sufficiency, independence and personal growth; and
- WHEREAS,** the 2014 statewide observance of Disabilities Awareness Month celebrates the successful partnership between people with and without disabilities and the increasing involvement of people with disabilities in education, employment and community activities.

**NOW, THEREFORE, NEWBERRY COUNTY COUNCIL,** does hereby proclaim March, 2014, as

**DISABILITIES AWARENESS MONTH IN NEWBERRY COUNTY**

and encourages our citizens to work together to promote increased opportunities for people with disabilities; to recognize the many contributions made by people with disabilities to our community; and to honor the dedication of the caregivers who bring support and hope to their fellow citizens

**ADOPTED** by Newberry County Council in meeting duly assembled in Newberry, South Carolina, this 5th day of March, 2014.

**b. Bob Montgomery and Denise Reid – Update on Museum Plans for Old Post Office/Old Library**

Mr. Montgomery thanked Council for the opportunity to come back for their quarterly update on the Post Office Museum. He said they have developed five (5) task forces in various areas and asked people from the community to serve on them.

Mr. Ernest Shealy shared a composite photograph and depicted the Old Post Office from the early part of the twentieth century.

Mrs. Denise Reid presented a PowerPoint on their progress to date. The organization task force has begun by defining the vision and writing the mission statement of the Newberry County/Newberry College Museum. They will recommend the structure of the governing body of the museum and write its by-laws and investigate the formation of the museum foundation. The operational task force will study the operational budget of neighboring museums, develop an operational plan; determine staffing needs, project expenses and proposed sources of income and identify grant opportunities. The third task force has been working on the actual renewal of the building. They have had two architects tour the building to make suggestions for renovations and ADA compliance. The architects were given previous building plans to see if they are adaptable for the current use and determine the best plan for space utilization. The communications task force is working with the college to develop a logo, address the creation of a website, look at the development of informational brochures and investigate social media as an avenue for further museum advancement. The policy task force has worked very hard on developing museum policies which address procedures for acquiring new items, archives for the museum collection, developing receipts of deeds and gifts donated to the museum and creating a collections management policy. The task forces have been working together to develop the framework for the museum and have not been the only ones working. The other day there were gentlemen working on the exterior of the building, the shrubbery was gone and it was very welcoming to see Mr. Taylor's name on the side of the building. She said the building has served Newberry County for over 100 years and is beginning its transformation into its new role as the County/College Museum. She thanked Council for raising the bar and stated that their legacy, vision and foresight to save the building, honor the past, and create a way of looking at the county's ongoing story will be remembered for many years to come.

Mr. Cain recognized the museum folks and their great turn out and said this is a prime example of how this county is standing together and doing things for the betterment of our county. He said the collaboration between everybody is pretty outstanding and pointed out that this county is working together very well.

**c. Anne Peters – Comprehensive Plan Annual Update**

Mrs. Peters reported that Chapter 11 of the Comprehensive Plan, the Implementation Element, consists of addressing the objectives and strategies of seven (7) elements of the plan and how they are to be fulfilled. She said more than ½ of the projects are ongoing with no final date of

completion; they just roll-over. She distributed a chart to members of Council where she broke out the elements, put down the strategy number and made comments as to where we stand in these areas. She said the year of completion is just projected; some will take longer to implement than others. The county is not the only one involved; there are many agencies and it takes much coordination. She said this is a very large document and she will be available anytime to answer questions.

Mr. Hipp said the zoning ordinance has been under revision for some time now and asked when Council would see that so they can begin their review and approval process.

Mr. Adams reported that every part of the zoning ordinance has been drafted with the exception of the Airport Zoning District. We plan to have another meeting with the Aeronautics' Commission, our zoning consultant, and our airport Engineers sometime in the next month to finish that up.

Mr. Hipp asked if the other sections of the ordinance could be distributed to Council so they could begin their review.

Mr. Adams responded that staff would get those to Council this week.

**3. Ordinance #01-01-14: An Ordinance to amend the Master Agreement governing the Greenwood-Newberry Industrial Park between Newberry County and Greenwood County so as to enlarge the park.**

Chairman Livingston declared this the Public Hearing.

Hearing no comments from the public, Chairman Livingston declared the Public Hearing closed.

Mr. Waldrop motioned to approve third reading of Ordinance #01-01-14; seconded by Mr. Hipp. The vote was unanimous.

**4. Ordinance #01-02-14: An Ordinance authorizing the execution and delivery of a Fee In Lieu Of Tax Agreement and an Infrastructure Finance Agreement by and between Newberry County, South Carolina and West Fraser, Inc. With respect to certain economic development property in the county, whereby such property will be subject to certain payments in lieu of taxes, and West Fraser, Inc. will receive certain infrastructure credits in respect of investment in related infrastructure; and other matters related thereto.**

Chairman Livingston declared this the Public Hearing.

Hearing no comments from the public, Chairman Livingston declared the Public Hearing closed.

Mr. Hipp motioned to approve third reading of Ordinance #01-02-14; seconded by Mr. Cain. The vote was unanimous.

**5. Ordinance #01-03-14: An Ordinance to amend the budget ordinance for the Fiscal Year 2013-2014, Ordinance Number 04-07-13, to provide for revised revenue and expenditure appropriations related to the operations of Newberry County.**

Mr. Adams noted that at second reading there was a question about a vehicle purchase contained in the amendment and a vehicle for the Coroner's use for the mobile morgue and other purposes. He said Mrs. Waldrop will follow up with a report on what she found in our fleet.

Mrs. Waldrop reported on the current vehicles in the surplus fleet and those that have been requested by the departments to be replaced in the upcoming budget. She noted that there are two surplus Ford vehicles; one from Animal Control and the other from Public Works that might serve these purposes.

Mr. Cain commented that the Sheriff's Office goes out and gets used low mileage vehicles and asked if we had looked at this possibility.

Mrs. Waldrop stated that according to the purchasing ordinance it would have to be a comparable make or model and she would have to go look for them. She said she cannot recall purchasing a used vehicle.

Mr. Hipp commended Mrs. Waldrop and stated that staff had done what Council asked them to do; go and look at our existing stock of vehicles and see if there was any current vehicle that would meet the Coroners needs to pull the mobile morgue. He asked if there was a vehicle within our fleet that could be reassigned to the Coroner.

Mrs. Waldrop responded that she did not check on that.

Mr. Waldrop asked Coroner Newton to come forward and he asked if the morgue will be cooled; like a reefer trailer.

Mr. Newton stated that it is an over the road refrigeration trailer that is 18' long and 8' wide.

Mr. Waldrop asked how many bodies it would hold to which Coroner Newton replied that it would hold up to 20 bodies.

Mr. Hipp said for clarification purposes he understands that we have two (2) Animal Control vehicles and two (2) Public Works vehicles that have been requested to be replaced in the next budget cycle.

Mrs. Waldrop responded that that was correct but one of the Public Works vehicles has already been surplus and is out of fleet at the maintenance shop.

Mr. Hipp commented that if we do not have anything in our current fleet that we can reassign then he agrees with Mr. Cain and we could go out on the market to see if there is something that is not new but would meet the Coroner's needs.

Coroner Newton asked if he could restate his position to maybe clear some things up a bit. His request was to purchase a multi-purpose vehicle for the Coroner's Office. Through research of state purchasing, two options were found. The first option was an F-250 4x4 truck that totaled out at \$35,125.00 and the second option was a 2014 Dodge Ram 4x4 that totaled \$32,739.00. The purpose for this vehicle is that it can be used on a daily basis for transportation and responding to calls, would allow the Coroner to respond when he is off duty when there are multiple calls using a county vehicle instead of his personal vehicle and also be used to transport the mobile morgue.

Coroner Newton stated that he met with Mrs. Waldrop about her presentation today and they reviewed her list of vehicles and 3 of the 5 vehicles that were submitted do not have the capability of pulling the mobile morgue. The 2003 F-350 has 183,000 miles and can only be used on a very limited basis and would eliminate the other uses in which they are asking for. The last vehicle submitted is a vehicle we currently have in our fleet. It is our bread and butter and is the response vehicle that we use now. It is a 1999 F-250 light duty truck that does not have the towing capacity. He said none of these vehicles fit the need for every day usage or even just for towing the mobile morgue.

Chairman Livingston declared this the Public Hearing.

Hearing no comments from the public, Chairman Livingston declared the Public Hearing closed.

Mr. Koon motioned to approve third reading of Ordinance #01-03-14; seconded by Mr. Caldwell.

Mr. Cain asked that instead of holding up this budget amendment, can we table the issue of purchasing a truck for the Coroner for further study.

Mr. Adams said the request for the Coroner's vehicle can be accommodated in the upcoming budget which is under draft now; it is not a part of this amendment. What is part of this amendment is the vehicle for the Director of Facilities Planning and Maintenance and we have determined that we can use one of the vehicles on Mrs. Waldrop's list for that purpose. It would be nice to include the funding as backup. We may not need the funding but if we do, we will bring that back before Council.

Chairman Livingston stated for clarification that the truck for the Coroner's Office is not in this budget amendment. It will not come up until next year's budget.

Receiving no further discussion, third reading of Ordinance #01-03-14 passed unanimously.

## **6. Consideration of Bids for Berley Road Bridge Project**

Mr. Pisano reported that this project was bid last year and came in over budget and Council requested that the specs be reworked and see if bids would come in under budget. The project was rebid and we received two bids. The low bid was from McClam & Associates at \$70,641.30 and the second bid was from Lindler's Construction in the amount of \$77,606.92. We currently have \$73,940.00 with a contingency of \$15,000.00 budgeted for this project.

Mr. Waldrop motioned to approve the low bid in the amount of \$70,641.30; seconded by Mr. Cain. The vote was unanimous.

**7. Consideration of Eliminate Overnight Camping in Lynches Woods for the exception of Organized Groups**

Mr. Adams reported that there are people camping in Lynches Woods without getting a required permit. On one occasion, a fire was found that was not sufficiently extinguished. We have received some concerns from citizens living in the residential area adjacent to Lynch Woods who have expressed concerns about overnight campers. The committee approved Mrs. Lake's recommendation to allow only organized and sufficiently insured groups to camp overnight.

Mr. Cain motioned to approve this recommendation; seconded by Mr. Koon. The vote was unanimous.

**8. Consideration of 2<sup>nd</sup> Quarter Appropriation (FY13/14 Proviso) in the amount of \$4,250.00 to Newberry Soil and Water Conservation for the Keep Newberry County Beautiful Program**

Mr. Ben Setzler, NCSWCD Chairman, briefed Council on their quarterly report. He said the KNCB Board came before Council last month and made a presentation on what they have been working on. He said the first quarter funding went to support an administrative assistant, a mobile event recycling trailer (MERT), litter clean up supplies, and TORT Liability Insurance. He said in the future there may be marketing and education and we may come back having not used all that money in anticipation of a larger upcoming project that we will save the funding for. He noted that none of the money will be used as a raise for their district employee and we have not used any of the proviso funds for that. Mr. Setzler stated that as part of the state insurance, they have to have the KNCB Board and volunteers and the NSWCD Board insured at the same rate as policemen their insurance is fairly expensive. He said they received word today that Troy Built donated a tiller that will be used in their education programs at schools. He noted that so far this year they have received over \$13,000.00 in grant money with a large portion staying in the county and going back into the tax base. Since 2012, they have received over \$34,000.00 in grant money. He directed Council to the summary of events page that listed the number of events, man hours involved, amount of trash picked-up, and some of the upcoming future event.

Mr. Hipp motioned to approve the 2<sup>nd</sup> Quarter Appropriation in the amount of \$4,250.00; seconded by Mr. Cain. The vote was unanimous.

**9. Appointments**

No appointments

**10. Committee Reports**

**a. Personnel and Intergovernmental Relations Committee 02/24/14**

Mrs. Hill reported that the committee met on February 24, 2014 and Mr. Koon was elected chairman of the committee for 2014. She noted that the following was discussed:

- Ron Powell gave an inspection update on the Jaycee and Pistol Club buildings.
- Sheriff Foster presented a proposal to amend the current Employee Compensation Plan to include items associated with a revised method of how elected and appointed salary increases are determined.
- Discussion of Maybinton Ball field being maintained by the community and the county would look for ways to help offset the cost.
- Mrs. Lake recommended no overnight camping in Lynches Woods with the exception of organized groups.
- Mrs. Lake briefed the committee on upcoming recreation activities.

**b. Public Works and Planning Committee 03/03/14**

Mr. Pisano reported that the committee met on March 3, 2014 and Mr. Cain was elected chairman. He said the following was discussed

- Stacy Guy discussed alternate ways to recycle glass as well as other items in the recycling stream.
- Leslie Jenkins discussed changes to the Animal Control Ordinance to make it more consistent with current practices.
- The committee was updated on the Maybinton ball field and was informed that it should be ready for the upcoming season.

**11. Public Comments**

No comments.

**12. Executive Session**

No Executive Session.

**13. Comments from County Administrator**

No comments.

**14. Comments/Request from Council Members**

Mr. Koon asked that everybody remember the passing of Mr. Earl Lindler from Little Mountain who was in the SC National Guard and was a retired county employee.

**15. Future Meetings**

- a. On the Move with Margaret 3/10/14 @ 9:30 a.m.
- b. County Council 3/19/14 @ 7:00 p.m.
- c. County Council 4/02/14 @ 7:00 p.m.
- d. Finance Committee 4/07/14 @ 6:00 p.m.

**16. Adjournment**

Chairman Livingston declared the meeting adjourned at 8:07 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Henry H. Livingston, III, Chairman**

**APPROVED:**

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**Laurie N. Renwick, Clerk to Council**