



**NEWBERRY COUNTY COUNCIL  
COUNTY COUNCIL AGENDA  
December 7, 2022  
6:00 P.M.**

Call to order: Todd Johnson, Chairman  
Invocation and Pledge of Allegiance: Les Hipp, Vice- Chairman

1. Adoption of Consent Agenda
  - a. Newberry County Council Minutes - November 16, 2022
2. Additions, Deletions & Adoption of the Agenda
3. Resolution No. 14-22 - A Resolution honoring Henry H. (Buddy) Livingston, III
4. Resolution No. 15-22 - A Resolution to declare the results of a Referendum held in Newberry County, South Carolina on November 8, 2022
5. Ordinance No. 11-25-2022 - An Ordinance to amend the Zoning Ordinance to permit solar farms as a special exception in the Rural (R2) Zoning District.
  - a. Public Hearing
  - b. Third and Final Reading
6. Consideration of 2023 County Council Meeting Schedule
7. Consideration of 2023 County Council Committee Meeting Schedule
8. Consideration of FY 2023/2024 Budget Calendar
9. Appointments

10. Public Comments

11. Comments/Request from County Administrator

12. Comments/Request from Council

13. Future Meetings

- a. Newberry County Council - January 4, 2023
- b. Newberry County Council Work Session - January 18, 2023
- c. Newberry County Council - January 18, 2023
- d. Public Safety Committee - January 30, 2023

14. Adjournment

# **NEWBERRY COUNTY COUNCIL**

## **MINUTES**

**NOVEMBER 16, 2022**

The Newberry County Council met on Wednesday, November 16, 2022, at 6:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

PRESENT: Todd Johnson, Chairman (District 1)  
Les Hipp, Vice-Chairman (District 5)  
Mary Arrowood, Council Member (District 2)  
Henry H. Livingston, III, Council Member (District 3)  
Robert N. Shealy, Council Member (District 4)  
Johnny Mack Scurry, Council Member (District 6)  
Travis Reeder, Council Member (District 7)  
Christopher Inglese, County Administrator  
Joanie Winters, Interim County Attorney  
Karen Brehmer, Deputy County Administrator  
Debbie S. Cromer, Finance Director  
Crystal Waldrop, Purchasing Director  
Susan C. Fellers, Clerk to Council

MEDIA: Andrew Wigger, Newberry Observer

Notice of the meeting was duly advertised, as required by law.

Mr. Johnson called the meeting to order at 6:00 p.m. and determined a quorum to be present.

Mr. Hipp had the Invocation followed by the Pledge of Allegiance.

### **1. Public Appearances:**

#### **a. Joe Goeckner, President-Elect of Loblolly Neighborhood Association**

Mr. Goeckner spoke on behalf of the property owners of Loblolly neighborhood regarding cryptocurrency mining. There are 4 of these cryptocurrency mining units currently located behind

NEWBERRY COUNTY COUNCIL

MINUTES

NOVEMBER 16, 2022

Newberry Electric Cooperative. Loblolly Neighborhood Association feels this is the wrong place for these units to be located as it is in the middle of Newberry and potential development. Also, the fans in these units make considerable noise. Loblolly and the company have reached an agreement whereby the company will abate the sound; however, Mr. Goeckner did not feel they would be able to achieve that. The agreement is structured to protect the Loblolly neighborhood and surrounding areas, as well as residents on the other side of Highway 76.

Mr. Goeckner requested that Newberry County look at its zoning ordinance and noise ordinance as they might relate to cryptocurrency mining.

## **2. Adoption of Consent Agenda:**

### **a. Public Safety Minutes – October 24, 2022**

### **b. Newberry County Council Minutes – November 2, 2022**

Mr. Shealy moved to adopt the Minutes, as presented; seconded by Mr. Reeder. There being no discussion, Mr. Johnson called for the vote. Vote was unanimous.

## **3. Additions, Deletions and Adoption of Agenda**

Mrs. Arrowood moved to adopt the Agenda, as presented; seconded by Mr. Scurry. There being no discussion, Mr. Johnson called for the vote. Vote was unanimous.

## **4. Ordinance #11-25-2022: An Ordinance to amend the Zoning Ordinance to permit solar farms as a special exception in the Rural (R2) Zoning District.**

### **a. Second Reading**

Mr. Shealy moved to adopt second reading; seconded by Mr. Hipp. There being no discussion, Mr. Johnson called for the vote. Vote was unanimous.

## **5. Acceptance of vendor for “Closed Landfill Monitoring and Testing” – Crystal Waldrop and Mike Pisano**

Mrs. Waldrop advised the following 5 cost proposals for this Request for Qualification were received:

Rogers & Callcott	\$55,000.00
Alliance Consulting Engineers	\$52,500.00
Synterra	\$73,800.00
Smith Gardner	\$35,836.00
S&ME	\$58,000.00

After evaluation of all bids, the committee recommends acceptance of the bid from Rogers & Callcott. All of the above firms are qualified.

Council inquired as to why the approximately \$20,000 difference in price of two of the bidders. Mrs. Waldrop advised that all bids were for the same services and normally on any request for qualification, prices are not a part of the bid. She also stated this was the same RFQ she has used for the past several years. It is a 3 year contract with the option to extend the contract for an additional 2 years.

Mr. Hipp inquired as to why the lowest bid was not selected. Mrs. Waldrop stated selection is based on performance and price has never come up before.

Evaluations by the committee are based on the following criteria:

Related experience	15 points
Past performance	30 points
Ability to meet budget	25 points
Understanding the scope of the work	20 points
Proximity to Newberry County	10 points

Alliance Consulting Engineers is currently doing the work and has had the contract since 2016. Mr. Hipp inquired as to the quality of services from Alliance, and Mr. Pisano advised their services were adequate.

Mr. Livingston asked if we were not out of compliance currently and how far out of compliance were we. Mrs. Waldrop stated we now 3 months behind, and DHEC will work with the County to get us back into compliance with the new contractor. The deadline for reporting was November 15.

Mr. Reeder moved to accept Rogers & Callcott; seconded by Mr. Scurry. There being no discussion, Mr. Johnson called for the vote. Voting for the motion: Council Members Reeder and Scurry. Voting against the motion: Council Members Johnson, Hipp, Arrowood, Livingston and Shealy. Motion failed.

Mr. Hipp then moved for the Purchasing Director to come before Council another time with some more explanation of why we have a low bidder, who has done acceptable work, we have not selected that bidder but the committee selected a higher bidder and why before there had been no cost estimates to compare. Mr. Hipp stated he was not pleased with the entire process.

Mrs. Waldrop advised it would probably be January or February before she could come back before Council since she would be out with surgery. She also reminded them that the current contract expired in June and that Council did not have to accept the committee's recommendation.

There was no second to Mr. Hipp's motion.

Mr. Hipp stated we have in place a contractor whose work is acceptable, and this contractor had the second lowest bid, and we are past the contract expiration date. Mr. Hipp moved that we

contract Alliance Consulting Engineers for another year and that prior to next year's contract expiration we have a more in-depth discussion; seconded by Mrs. Arrowood.

Mr. Johnson felt it would be easier for Alliance to catch us up. Mrs. Arrowood felt Alliance would be the fastest to catch us up.

There being no further discussion, Mr. Johnson called for the vote. Voting for the motion to accept Alliance Consulting Engineers: Council Members Johnson, Hipp, Arrowood, Livingston and Shealy. Voting against the motion: Council Members Reeder and Scurry. Motion passed by majority vote.

Mrs. Waldrop asked for clarification purposes if the contract with Alliance was to be extended through the end of this fiscal year. Mr. Johnson indicated her understanding was correct.

## **6. Appointments**

No appointments.

## **7. Public Comments**

No comments from the public.

## **8. Executive Session:**

**Code Section 30-4-70(a) of the Code of Laws of SC, as amended, 1976:**

**(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 the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting names of the other employees or clients whose records are submitted for use at the hearing.**

Mr. Reeder moved to go into Executive Session for the above-stated reasons; seconded by Mrs. Arrowood. Vote was unanimous.

## **EXECUTIVE SESSION**

**(6:30 P.M. – 9:00 P.M.)**

Mr. Shealy moved to return to open session; seconded by Mrs. Arrowood. Vote was unanimous.

Mr. Johnson reported that Council met in Executive Session for the reasons as stated above and no action was taken.

## **9. Comments/Requests from County Administrator**

Mr. Inglese commented as follows:

1. All appointments have been made to the Airport Commission, and they have a meeting scheduled for November 29 at 5 p.m.
2. “I would just like to say thank you to Newberry County Council, for personal reasons discussed in Executive Session, I will need to resign to attend to some personal things. It’s been an extraordinary honor serving Newberry County, meeting Council and staff and community. I appreciate Council’s willingness to let them me resign immediately so I can attend to those things. I would like to be as helpful as I can and will do anything I can to help Newberry County. It is an extraordinary privilege to hold that seat and to be in such a wonderful community. We’ve enjoyed our time here and just cannot thank you enough.”

Mr. Johnson said many of the Council members share in how much we think of you and like you and what a great visionary you are. You will be missed by this county and wish you the best.

Mr. Shealy said it was an honor and privilege to get to know you.

Mr. Reeder said continue your visions and continue to do all that you have been doing in the past. We look forward to a continued relationship. If there is anything we can do for you, do not hesitate to ask us.

Mr. Scurry said love goes with you wherever you go.

Mrs. Arrowood said thank you for a lot of the things you did that were looking ahead for Newberry County and helping us grow, You are a great visionary in planning for the future. Wish you and your family continued success and well wishes.

Mr. Hipp said thank you for all you have done. When I look back and go through the list of accomplishments in the past 8 months, we are significantly further along than we were 8 months ago. Thank you so much.

Mr. Livingston said thank you for your service to this county. Your visionary aspect of your career is second to none. You and I are going out together.

#### **10. Comments/Requests from Council**

Mr. Livingston asked that we keep Rick Farmer and his family in prayer due to the loss of his mother-in-law.

#### **11. Future Meetings:**

- a. **Newberry County Council – December 7, 2022**
- b. **Newberry County Council – December 21, 2022      This meeting has been cancelled but will be rescheduled. if needed.**

#### **12. Adjournment**

There being no further matters to come before Council, Mr. Shealy moved to adjourn; seconded by Mrs. Arrowood. Vote was unanimous.

NEWBERRY COUNTY COUNCIL  
MINUTES  
NOVEMBER 16, 2022

Mr. Johnson declared the meeting adjourned at 9:02 p.m.

NEWBERRY COUNTY COUNCIL

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Todd Johnson, Chairman

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Susan C. Fellers, Clerk to Council

Minutes Approved: \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF NEWBERRY )

**RESOLUTION 14-22**  
**HONORING**  
**HENRY H. (BUDDY) LIVINGSTON, III**

**WHEREAS**, Buddy Livingston was elected to Newberry County Council for District 3 in January, 1995 and served the County until 2003. Buddy was elected again in January, 2006 and has served District 3 and Newberry County until December 31, 2022. Buddy served as County Council Chairman for 13 years.

**WHEREAS**, Buddy has served on a number of County Council committees during his tenure: Economic Development, Public Safety and Finance.

**WHEREAS**, Buddy was Chairman of County Council and Chairman of the Economic Development Committee when we successfully brought Samsung to Newberry County 2017. Samsung has invested \$500 million dollars and brought 1,500 jobs. Newberry County also has Samsung suppliers that have invested \$86 million and 525 jobs. He was instrumental in the Mid-Carolina Commerce Park of Newberry County and securing MM Technics, our first BMW supplier.

**WHEREAS**, during his career, Buddy was elected to the South Carolina Association of Counties Board of Directors in 2013 and currently holds this position.

**WHEREAS**, Buddy was elected as South Carolina Association of Counties President for 2017-2018.

**WHEREAS**, during his career, Buddy was elected to the South Carolina Association of Counties Insurance Board of Trustees in 2017 and currently holds this position.

**WHEREAS**, Buddy served on the South Carolina Association of Counties Legislative Committee 2009-2022 and the Revenue, Finance and Economic Development Policy Steering Committee 2009-2022 and is currently serving on both committees.

**WHEREAS**, Buddy also served on the South Carolina Association of Counties Nominating Committee in 2019 and 2020. He also served on the South Carolina Association of Counties Scholarship Committee in 2017.

**NOW, THEREFORE BE IT RESOLVED THAT NEWBERRY COUNTY COUNCIL HEREBY RECOGNIZES HENRY H. (BUDDY) LIVINGSTON, III FOR HIS DEDICATED SERVICE, OUTSTANDING ACHIEVEMENTS, AND FOR BEING A POSITIVE REFLECTION ON NEWBERRY COUNTY.**

**AND BE IT FURTHER RESOLVED** that this Resolution shall be published in the official minutes of the Newberry County Council and a framed copy of this Resolution shall be presented to Henry H. (Buddy) Livingston, III.

**AND IT IS SO RESOLVED** this 7<sup>th</sup> day of December 2022.

**NEWBERRY COUNTY COUNCIL**

(SEAL)

**BY:** \_\_\_\_\_  
**Todd Johnson, Chairman**

**Attest:**

\_\_\_\_\_  
**Susan C. Fellers, Clerk to Council**

STATE OF SOUTH CAROLINA     )  
   )  
COUNTY OF NEWBERRY         )         **RESOLUTION NO.: 15-22**

**A RESOLUTION  
TO DECLARE THE RESULTS OF A REFERENDUM HELD IN NEWBERRY COUNTY,  
SOUTH CAROLINA ON NOVEMBER 8, 2022**

WHEREAS, there has been received by the County Council (the “Council”) of Newberry County, South Carolina (the “County”), certification of the Newberry County Board of Voter Registration and Elections certifying that a referendum held in the County on November 8, 2022 (the “Referendum”) did result as described below;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF NEWBERRY COUNTY, SOUTH CAROLINA IN MEETING DULY ASSEMBLED:

Section 1.

It is hereby declared, pursuant to Section 4-10-330(F), Code of Laws of South Carolina, 1976, as amended, that the Referendum, at which was submitted to the qualified electors of the County the following question, resulted as follows:

Must a special one percent sales and use tax be imposed in Newberry County for not more than seven years to raise the amounts specified for the following purposes:

<b><u>Item</u></b>	<b><u>Project Description</u></b>	<b><u>Cost</u></b>
1	Newberry County Public Safety Complex, including facilities for Emergency Services, a relocated Friendly Fire Department and a relocated Newberry Rescue Squad.	\$7,750,000
2	Improvements to City of Newberry Recreation Complex, including splash pad expansion, Miracle Field, skate park, sidewalk and paved walking trail, shade structures, additional restrooms, and maintenance access drive and maintenance building.	3,295,000
3	Improvements to Town of Prosperity parks, including Langford St. Park, Town Center Park, North Main St. Park and Town Center Football-Soccer Field.	3,150,000

4	New cell block building and upgrades to support facilities at Newberry County Detention Center.	8,000,000
5	Improvements to Town of Little Mountain Reunion Park, including park entrance upgrade, walking trail, shelter renovations with stage conversion, renovation of smokehouse/picnic shelter including bathrooms.	2,015,825
6	Downtown Newberry amphitheater and pavilion/support building.	3,650,000
7	Upgrade and Expansion of Newberry County Water and Sewer Authority's Cannon's Creek Wastewater Treatment Plant.	5,154,560
8	Renovation of Old Gallman High School for use as community center by Building Thriving Communities Foundation.	1,450,000
9	IT/Network/Security Improvements at Newberry County Courthouse.	295,000
10	Roof replacement and HVAC improvements at The Newberry Museum.	815,000
11	Improvements to Town of Pomaria's Old Pomaria School community center.	671,745
12	Improvements to Town of Whitmire City Gym.	800,000

and must the County Council of Newberry County be authorized to issue not exceeding \$35,250,000 principal amount of general obligation bonds of Newberry County as a single issue or several issues, provided that the proceeds of such bonds shall be applied to defray the costs of the foregoing purposes, including costs overruns, and issuance costs, and provided further that in the event the sales and use tax to be imposed as stated herein is inadequate for the payment of such bonds, such bonds shall be payable from an ad valorem tax imposed on all taxable property in Newberry County?

The Referendum resulted favorably to the question submitted therein, there being 7,859 votes cast in favor of the question and 4,546 votes being cast opposed to the question.

## Section 2.

A copy of this Resolution, duly certified by the Clerk to Council, shall be forthwith filed in the Office of the Clerk of Court of Common Pleas and General Sessions for Newberry County, South Carolina.

DONE IN MEETING DULY ASSEMBLED, this \_\_\_\_ day of December, 2022.

(SEAL)

COUNTY COUNCIL OF NEWBERRY COUNTY,  
SOUTH CAROLINA

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Chairman, County Council of Newberry County,  
South Carolina

Attest:

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Clerk to Council  
Newberry County, South Carolina

STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

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

That the foregoing constitutes a true, correct and verbatim copy of a Resolution adopted by the County Council of Newberry County, South Carolina (the “Council”) at a meeting duly called and held on December \_\_, 2022, at which meeting a majority of the members of the Council were present, and voted in favor of the adoption thereof, and such Resolution was duly adopted.

That as required by Chapter 4, Title 30 of the Code of Laws of South Carolina 1976, as amended, written public notice of the regular meetings of the Council (showing the date, time and place of the meetings) is prominently posted in the administrative office of the Council, and was provided to the local news media at the beginning of calendar year 2022. The agenda for the meeting of December \_\_, 2022, showing the time, date and place of the meeting and including as an item the consideration of such Resolution was prominently posted in the administrative office of the Council, posted on the County’s public website, and provided to news media and other persons requesting the same at least twenty-four hours prior to the commencement of said meeting;

That the original of said Resolution is duly entered in the permanent records of the Council, in my custody as such Secretary.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of the Council this \_\_ day of December, 2022.

(SEAL)

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Clerk to Council  
Newberry County, South Carolina

STATE OF SOUTH CAROLINA	)	CERTIFICATE OF CLERK OF COURT
	)	AS TO FILING OF RESOLUTION
COUNTY OF NEWBERRY	)	DECLARING RESULTS OF A REFERENDUM

I, the undersigned Clerk of Court for Newberry County, South Carolina, do hereby certify that on December \_\_\_\_\_, 2022, I received and filed in the office of Clerk of Court for Newberry County a certified copy of a Resolution adopted by the County Council of Newberry County, South Carolina, on December \_\_\_\_\_, 2022, entitled "A Resolution to Declare the Results of a Referendum Held in Newberry County, South Carolina on November 8, 2022."

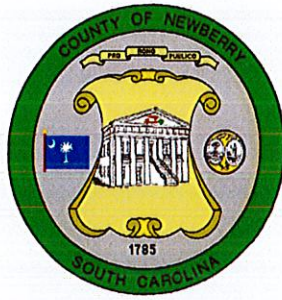
IN WITNESS WHEREOF, I have hereunto set my Hand and the Official Seal this \_\_\_\_\_ day of December, 2022.

(SEAL)

\_\_\_\_\_  
Clerk of Court, Newberry County,  
South Carolina

**Newberry County  
Administration**

1309 College Street  
P.O. Box 156  
Newberry, SC 29108  
803-321-2100



**Agenda Item Briefing**

**Subject:** Planning & Zoning Text Amendment – Solar Farms

**Prepared By:** Katie Werts

**Title:** Zoning Administrator

**Department/Division:** Planning & Zoning **Date Prepared:** 11/19/2022

**Legal Review:** \_\_\_\_\_

**Date:** Click or tap to enter a date.

**Finance Review:** \_\_\_\_\_

**Date:** Click or tap to enter a date.

**Administrator Review:** Christopher Inglese \_\_\_\_\_

**Date:** 11/19/2022

**Requested meeting:** ☐ Committee ☒ County Council

**Meeting Date:** Wednesday, November 2, 2022

**FIDUCIARY:**

Are funds allocated in the department's current fiscal year budget?

☐ Yes

☐ No

If NO, is a budget amendment necessary?

☐ Yes

☐ No

**STAFF'S RECOMMENDED ACTION:**

Staff is recommending a text amendment for solar farms to be a special exception in the R2-Rural zoning district. Currently solar farms are permitted in the Industrial zoning district. Typically, solar farms are located on large acre tracts which would be found in the R2 – Rural zoning districts. As the zoning ordinance stands now the property would have to be rezoned too Industrial. Once rezoned to Industrial not only are solar farms permitted, but any other permitted use that falls into the industrial classification. Staff feels if we permit solar farms as a special exception in the R2-Rural zoning district we will be able to protect those areas in the future and if a solar farm backs out, the property still has the potential to be used for residential or any other R2-Rural permitted use verse a potential industrial site in the middle of a rural area.

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

**SUMMARY DISCUSSION:**

Staff and Planning Commission both recommend to County Council the approval of the text amendment for solar farms to be a special exception in the R2-Rual zoning district.

**ADDITIONAL COMMENTS FOR CONSIDERATION:**

**ATTACHMENTS:**

Text amendment

STATE OF SOUTH CAROLINA )

) **ORDINANCE NO. 11-25-2022**

COUNTY OF NEWBERRY )

## **ZONING DISTRICT REGULATIONS**

### **§ 153.073 ZONING DISTRICT TABLE OF PERMITTED USES.**

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

<b>ZONING DISTRICT TABLE OF PERMITTED USES</b>										
<b>Description of Use</b>	<b>2017 NAICS</b>	<b>R2</b>	<b>RS</b>	<b>RSV</b>	<b>RSM</b>	<b>RG</b>	<b>LC</b>	<b>GC</b>	<b>IND</b>	<b>C/SE Reference</b>
<b>UTILITIES AND INFRASTRUCTURE</b>										
Solar Farm	221114	<b>SE</b>	-	-	-	-	-	-	C	§ <u>153.124</u> § <u>153.156</u>

## **SPECIAL EXCEPTION REGULATIONS**

### **§ 153.156 SOLAR FARM.**

New solar farms or solar farms proposed to be expanded by more than 10% of original footprint shall meet the following requirements where conditionally permitted.

(A) *Site plan required.* A site plan drawn to scale shall be submitted to the Zoning Administrator by the applicant demonstrating compliance with the Solar Farm and all other applicable sections of this zoning ordinance. At a minimum, the plan must include:

(1) Name of the project, names and addresses of the owner(s), engineers, and surveyors.

(2) Date, scale, and accurate north arrow.

(3) Property boundaries, including dimensions and size.

(4) Required setbacks and buffers.

(5) Location of all proposed facilities, including solar collectors and proposed structures

(6) Horizontal and vertical (elevation) to-scale drawings with dimensions that show the location of the solar collectors and system.

(7) Any existing or proposed signs, fencing, lighting, parking areas, driveways, easements, fencing, gates, vegetative screening, and applicable landscaping.

(8) Adjacent property lines, noting properties that include existing residential uses or residentially zoned properties and other adjacent land uses.

(9) Adjacent roads and road rights-of-way.

(10) **Planting Plan** shall demonstrate that sufficient plantings will be installed so as to screen the solar panels from view from any adjacent right of way.

(B) *Setback*. A minimum setback of 125 feet is required from all road rights-of-way and all adjacent property lines.

(C) *Buffer*. A buffer of at least 100 feet shall be required from all road rights-of-way and all adjacent property lines, per the requirements of § [153.182](#) - Buffers.

(D) *Screening*. Screening per the requirements of § [153.183](#) - Screening shall be provided for any adjacent property with an existing residential use or adjacent residentially zoned property line.

(E) *Height*. Systems, equipment, and structures shall not exceed 20 feet in height, with the exclusion of associated electric transmission lines and utility poles.

(F) *Fencing*. A security fence at least six feet in height shall be provided around the perimeter of the solar farm facility and shall meet the requirements of § [153.033](#) - Fences and walls, however the security fence may be chain link for this use.

(G) *Preservation of existing vegetation*. Where possible, existing vegetation shall be protected and preserved in the required buffer and setback areas to provide natural screening for the use. If screening is required, existing vegetation may be used to meet screening requirements as provided in § [153.183](#)(C)(2) - Natural Areas. Such preservation does not include areas designated for roads, driveways, or required parking areas.

(H) *Glare*. Solar collection equipment shall be installed so that no reflected glare is visible at the property line or right-of-way as required by § [153.034](#) - Light and Glare.

(I) *Decommissioning plan*. The applicant must provide a decommissioning plan signed by the party responsible for decommissioning and the landowner (if different) that describes the anticipated life of the solar farm, the estimated decommissioning costs in current dollars, the method for ensuring that funds will be available for decommissioning and restoration, and the anticipated manner in which the solar farm project will be decommissioned and the site restored to its condition prior to the development of the solar farm.

(1) Decommissioning will be required following a continuous 6 month period in which no electricity is generated by the facility.

(2) The permit holder will have 12 months to complete decommissioning of the solar farm. Decommissioning shall include removal of solar panels, foundations, structures, cabling, electrical components, conduit, and any other associated facilities as described in the decommissioning plan.

(3) Prior to issuance of zoning permit, and annually thereafter, the applicant must provide the county with a performance guarantee in the form of an irrevocable letter of credit in the amount of 125% of the estimated decommission cost minus the salvageable value or \$50,000, whichever is greater. Estimates shall be determined by an engineer licensed to practice in South Carolina.

(J) Site design shall ensure safe, predictable vehicular access and movement onto and off of the site and shall accommodate safe access to the property by emergency vehicles.

(K) Site design shall ensure safe, predictable vehicular access and movement onto and off of the site.

(L) Additional conditions may be imposed to ensure that the use will not create a safety, health, or traffic hazard.

(M) The use will not substantially injure the value of adjoining properties.

This Ordinance is effective upon third reading.

**AND IT IS SO ORDAINED** by Newberry County Council this \_\_\_\_ day of \_\_\_\_\_, 2022, in meeting duly assembled at Newberry, South Carolina.

**NEWBERRY COUNTY COUNCIL**

(SEAL)

By: \_\_\_\_\_

Todd Johnson, Chairman

Attest:

\_\_\_\_\_  
Jackie Lawrence, Clerk to Council

Reviewed and approved as to form:

First Reading: November 2, 2022

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

\_\_\_\_\_  
Christopher Inglese, County Administrator

\_\_\_\_\_  
Joanie Winters, Interim County Attorney



# COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL  
POST OFFICE BOX 156  
NEWBERRY, SOUTH CAROLINA 29108

(803)321-2100  
FAX: (803)321-2102

## 2023 NEWBERRY COUNTY COUNCIL REGULAR SCHEDULED MEETINGS

Courthouse Annex - Council Chambers  
1309 College Street  
Newberry, SC 29108

January 4 January 18	July 19
February 1 February 15	August 16
March 1 March 15	September 6 September 20
April 5 April 19	October 4 October 18
May 3 May 17	November 1 November 9-10 Retreat
June 7 June 21	December 6

Newberry County Council will meet on the  
**first and third Wednesday of each month** (excluding July 5, August 2<sup>nd</sup>,  
November 15 and December 20 )  
at 6:00 p.m. in Council Chambers  
Courthouse Annex,  
1309 College Street, Newberry, S.C.

-Notice will be given for special called meetings of Council-

**2023**  
**NEWBERRY COUNTY COUNCIL**  
**COMMITTEE MEETINGS**  
Courthouse Annex – Council Chambers  
1309 College Street  
Newberry, SC 29108

**First Quarter**

January 30	Public Safety
February 27	Executive Committee
March 6	Economic Development
March 27	Finance

**Second Quarter**

April 24	Public Safety
May 22	Finance
June 5	Executive Committee
June 12	Economic Development

**Third Quarter**

July 10	Public Safety
August 14	Finance
September 11	Executive Committee
September 25	Economic Development

**Fourth Quarter**

October 2	Public Safety
October 9	Finance
November 6	Executive Committee
December 4	Economic Development

**BUDGET CALENDAR  
NEWBERRY COUNTY**

**FY 2023-2024**

<b><u>DATE</u></b>	<b><u>BUDGET PREPARATION</u></b>	<b><u>ACTION BY</u></b>
December 5, 2022	Budget Forms Available on Website/Mailed	Finance
December 7, 2022	Adoption of Budget Calendar	Council
January 9, 2023	Begin Preparation of Statement of Revenue	Finance/Treasurer
February 1, 2023	Department and Agency Budget Requests Returned to Administrator	Departments/Agencies
February 2-17, 2023	Finance Department – Data entry – Spreadsheet Preparation	Finance
February 22-24, 2023	Budget Consultations with Department Heads	Administrator/Finance
March 22, 2023	Tentative Collections Report - Real Estate Taxes	Treasurer
March 27, 2023	Finance Committee Meeting	Finance Committee
April 12, 20223	Budget Work Session – Revenue, Personnel Request	Council
April 20, 2023	Submission of Budget to Council and First Reading of Budget Ordinance	Council
April 26, 2023	Budget Work Session - Expenditures	Council
April 27, 2023	Publish Notice of Public Hearing	Finance
May 4, 2023	Second Reading/Amendments	Council
May 10, 2023	Budget Work Session	Council
May 18, 2023	Public Hearing, Third and Final Reading	Council