



**NEWBERRY COUNTY COUNCIL
AGENDA
February 3, 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 #01-01-21 or #11-23-20, you may do so in writing or by signing up to speak before the meeting on Wednesday, February 3rd at 6:00pm.

If you wish to provide input in writing, your comments must be received no later than 5:00 PM on Wednesday, February 3, 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. Adoption of Consent Agenda**

- 2. Additions, Deletions & Adoption of the Agenda**

- 3. Ordinance #01-01-21:** An Ordinance to amend the Budget Ordinance for Fiscal Year 2020-2021, Ordinance Number 04-14-20, to provide for revised Revenue and Expenditure Appropriations relating to Operating and Capital Purposes of Newberry County.
 - a. Public Hearing**
 - b. Third Reading**

- 4. Ordinance #11-23-20:** An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 20, 2016, so as to amend the zoning map acting on a request to amend the official zoning map established, codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to rezone one (1) Real Estate Parcel totaling two and five tenths (2.5) acres designated as TMS Parcel No. 523-85 from Industrial (IND) to R2-Rural.
 - a. Public Hearing**
 - b. Third Reading**

- 5. Ordinance #01-02-21 –** An Ordinance authorizing the issuance and sale of a Newberry County, South Carolina, Special Source Revenue Bond (Industrial Park Project) in the principal amount of not exceeding \$5,500,000 in one or more series; The application of the proceeds of said bonds to defray, for economic development purposes, the costs of certain infrastructure improvements and of acquiring certain property in Newberry County; to refund outstanding amounts of the County’s Series 2006 Special Source Revenue Bonds; and other matters relating thereto.
 - a. Second Reading**

6. Ordinance #02-03-21 – An Ordinance authorizing (1) the execution and delivery of a first amendment to an existing fee in lieu of tax and incentive agreement (The “Fee Agreement”) by and among Newberry County, South Carolina (The “County”) , and companies collectively identified for the time being as Project Sam II, to provide for (A) the Extension of the applicable investment period set forth in the Fee Agreement and (B) certain additional special source revenue credits, both in connection with additional investment in certain manufacturing and related facilities in the County; and (2) other matter relating thereto. (TITLE ONLY)

a. First Reading

7. Appointments

8. Committee Reports

a. Public Safety & Courts 1/25/21
Tommy Long, Emergency Services Director

b. Public Works & Planning 2/1/21
Mike Pisano, Public Works Director

9. Executive Session - Staff requests an executive session under Code Section 30-4-70 (a) of the Code of Laws of SC, as amended, 1976, for (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 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 legal claim.

10. Public Comments

11. Comments/Requests from the County Administrator

12. Comments/Requests from Council Members

13. Future Meetings

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| a. County Council | 02/17/21 | 6:00 p.m. |
| b. Personnel & Intergovernmental | 02/22/21 | 6:00 p.m. |
| c. Economic Development | 03/01/21 | 6:00 p.m. |

14. Adjournment

Consent Agenda

1. Minutes

- a. December 30, 2020
- b. January 6, 2021