

COUNTY OF NEWBERRY)

)

ORDINANCE NO. 08-15-15

STATE OF SOUTH CAROLINA)

AN ORDINANCE TO PROVIDE FOR THE PROGRESSION OF SALARIES FOR COUNTY ELECTED OFFICIALS OTHER THAN MEMBERS OF COUNTY COUNCIL, SUBSEQUENT TO ELECTIONS, APPOINTMENTS, AND SPECIAL ELECTIONS PERTAINING TO SUCH OFFICES

WHEREAS, Newberry County Council desires a system of compensating county elected officials that is in concert with the election and/or re-election of those officials by the voters of Newberry County; and

WHEREAS, Newberry County Council desires to increase salary levels for elected officials based on their experience in office; and

WHEREAS, Newberry County Council Members are exempt from this process by statute, and may only receive salary increases in accordance with Code Section §4-9-100, of the South Carolina Code of Laws, 1976, as amended;

NOW, THEREFORE BE IT ENACTED AS FOLLOWS:

Section 1. Elected Officials and Maximum Salaries Defined

For purposes of this Ordinance, the terms “Elected Officials” and “Maximum Salaries” shall have the same meanings as used in Ordinance No. 08-14-15, and shall refer to the offices of Auditor, Clerk of Court, Coroner, Probate Judge, Sheriff, and Treasurer.

Section 2. Salaries for Successors in Office/Salary Progression

Elected Officials succeeding incumbents shall be paid a beginning salary equal to twenty percent (20%) less than the corresponding current Maximum Salary determined pursuant to Ordinance No. 08-14-15. Salaries for these officials will be increased at the beginning of each successive new term, which need not be consecutive, to represent an additional five percent (5%) of the indexed maximum listed in Ordinance No. 08-14-15. Consequently, such officials will be paid 85% of the maximum at the beginning of a second term, 90% of the maximum at the beginning of a third term, 95% of the maximum at the beginning of a fourth term, and 100% of the maximum at the beginning of a fifth term and at the beginning of all successive terms thereafter, which need not be consecutive.

Section 3. Interim Appointees and Appointees Fulfilling Unexpired Terms

Persons appointed by the Governor as interim office holders, or persons elected in special elections as office holders fulfilling the unexpired terms of Elected Officials shall be paid the same salaries as their immediate predecessors for the remainder of such unexpired terms. Thereafter, should they succeed themselves pursuant to a general election their salaries will be governed by Section 2, above; provided that, the fulfillment of at least half of an unexpired term shall entitle such officials to 85% of the maximum salary for their respective offices following qualification for office for a full term subsequent to a general election; provided further that, the fulfillment of the unexpired term and qualification for office subsequent to a general election need not be consecutive for the entitlement to 85% of the maximum salary to apply.

Section 4. Base Salaries and Determination of Filing Fees

For purposes of assisting the State Election Commission in determining filing fees for candidates seeking those offices listed above in Section 1 and in Ordinance No. 08-14-15, and in accordance with §7-13-40 of the South Carolina Code of Laws, 1976, as amended, the County shall provide “Base Salaries” for such offices. The Base Salary for any such office shall be eighty percent (80%) of the most current Maximum Salary determined in accordance with Ordinance No. 08-14-15 at the time the State Election Commission makes the relevant inquiries.

Section 5. Severability

If any section, subsection, or clause of this Ordinance shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected and shall be enforced accordingly.

AND IT IS SO ORDAINED by Newberry County Council this 4th day of November 2015, in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

By:

Henry H. Livingston III, Chairman

Reviewed and Approved as to Form:

A.J. Tothacer Jr., County Attorney

Wayne Adams, County Administrator

(SEAL)

Attest:

Laurie N. Renwick, Clerk to Council

First Reading: October 7, 2015

Second Reading: October 21, 2015

Public Hearing: November 4, 2015

Third Reading: November 4, 2015