

COUNTY OF NEWBERRY)

)

ORDINANCE NO. 10-23-15

STATE OF SOUTH CAROLINA)

AN ORDINANCE TO PROVIDE FOR THE DETERMINATION OF SALARIES FOR COUNTY APPOINTED OFFICIALS OTHER THAN THOSE APPOINTED BY COUNTY COUNCIL OR THE COUNTY ADMINISTRATOR, AND TO PROVIDE FOR THE REGULAR EVALUATION OF SALARIES FOR SUCH OFFICIALS

WHEREAS, Newberry County Council desires a system of compensating appointed county officials who are appointed by authority other than County Council or the County Administrator (“Appointed Officials”); and

WHEREAS, Newberry County Council desires to maintain salary levels for appointed officials that will attract qualified candidates for such positions while fairly compensating current office holders;

NOW, THEREFORE BE IT ENACTED AS FOLLOWS:

Section 1. Salary Changes to Follow Annual Budget Cycle

Beginning with the annual operating budget adopted for July 1, 2016, and continuing with each subsequent annual operating budget, County Council shall determine whether there will be any changes in salaries for Appointed Officials, provided that such changes are not otherwise pre-determined by this Ordinance herein below. Any increases to salaries will be expressed as a percentage, which need not be the same for all Appointed Officials. Such percentages will be applied to the maximum salaries of Appointed Officials whose maximum salaries are listed in Section 2, below. However, the rate at which any state mandates increase salaries for Appointed Officials will be deducted from any percentage increase for Appointed Officials’ salaries that may be determined by County Council. Salary increases made pursuant to this Section will take effect on the first day of the County’s fiscal year, unless otherwise directed by County Council.

Section 2. Maximum Salaries for Appointed Officials, Effective Date

For purposes of this Ordinance, the term Maximum Salaries shall pertain to the County portions of those salaries being paid to the Appointed Officials listed below, as of January 1, 2016, plus any increases above these amounts granted thereafter by County Council in accordance with Section 1, above. The indexed list of these Maximum Salaries will be maintained and updated in the Office of Human Resources as directed by County Council, in accordance with those increases granted under Section 1, above, or as

otherwise set forth herein or directed by County Council. The implementation of this Ordinance (effective date) shall coincide with the first payroll in January of 2016.

<u>Appointed Official</u>	<u>Maximum Salary</u>	<u>First Indexing</u>
Election/Registration Director	\$55,000.00	July 1, 2016
Magistrates*	\$63,000.00	July 1, 2016
Public Defender	\$63,000.00	July 1, 2016
Veterans Affairs Officer	\$55,000.00	July 1, 2016

*Excludes Chief Magistrate supplement.

Section 3. Salaries for Current Appointed Officials, Successors in Office, and Progression of Salaries

Appointed Officials serving on the date of the adoption of this Ordinance and their successors shall be paid as follows, in accordance with time of service. Appointed Officials with less than three years of service in their respective positions shall be paid a beginning salary equal to twenty percent (20%) less than the corresponding current Maximum Salary established in Section 2, above. Salaries for Appointed Officials will be increased in three-year increments to represent an additional five percent (5%) of the indexed maximum listed in Section 2, above. Consequently, such officials will be paid no less than 85% of the maximum at the beginning of their fourth (4th) year of service, no less than 90% of the maximum at the beginning of their seventh (7th) year of service, no less than 95% of the maximum at the beginning of their tenth (10th) year of service, and 100% of the maximum at the beginning their thirteenth (13th) year of service and for all years thereafter. Years of service need not be consecutive for progressive increases to apply, to the degree that successors have prior experience in that specific position; neither similar experience nor experience at a lesser position in the department shall apply.

Section 4. Salaries for Magistrates

Other provisions of this Ordinance notwithstanding, Magistrates shall be compensated at a salary not less than the appropriate amount pursuant to §22-8-10 et seq. of the Code of Laws of South Carolina, 1976, as amended. Council, in its sole discretion, may elect to enhance the minimum salary pursuant to the established formula. Nothing in this Ordinance shall be construed as superseding the requirements of §22-8-10 et seq. of the Code of Laws of South Carolina, 1976, as amended.

Section 5. Requests to Council by Appointed Officials for Salary Increases

Nothing in this Ordinance shall prevent an Appointed Official from requesting of County Council a salary increase other than one described in this Ordinance. Nothing in this Ordinance shall prevent County Council from granting a salary increase other than one described in this Ordinance.

Section 6. Previous Methods of Considering Appointed Official Salary Increases Abolished

All ordinance and policy provisions previously in place that conflict with the provisions of this Ordinance are hereby repealed. Likewise, all previous procedures, discussions, or understandings related to the administration of salaries for those Appointed Officials listed in Section 2, above, that are in conflict with the provisions of this Ordinance are hereby declared null, void, and of no effect.

Section 7. 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 18th day of November 2015, in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

By:

Henry H. Livingston III, Chairman

(SEAL)

Reviewed and Approved as to Form:

A.J. Tothacer Jr., County Attorney

Wayne Adams, County Administrator

Attest:

Laurie N. Renwick, Clerk to Council

First Reading: October 21, 2015

Second Reading: November 4, 2015

Public Hearing: November 18, 2015

Third Reading: November 18, 2015

<u>Appointed Officials</u>	<u>Current Salaries</u>	<u>Pct. of Max</u>	<u>New Salaries</u>
Election/Registration Director	\$35,668.95	85%	\$46,750
Magistrates*	\$50,500.08	95% (2), 100% (1)	\$59,850 (2) \$63,000 (1)
Public Defender	\$52,507.65.	95%	\$59,850
Veterans Affairs Officer	\$44,772.24	85%	\$46,750