

COUNTY OF NEWBERRY )

)

ORDINANCE NO. 01-01-17

STATE OF SOUTH CAROLINA )

**AN ORDINANCE TO PROVIDE FOR THE DETERMINATION OF SALARIES FOR COUNTYWIDE ELECTED OFFICIALS, AND TO PROVIDE FOR THE ANNUAL REVIEW OF SALARIES FOR SUCH OFFICES**

**WHEREAS**, Newberry County Council desires an orderly method for the administration of salaries for countywide elected officials, as defined in this Ordinance; and

**WHEREAS**, the purpose of said method is to maintain the buying power of countywide elected officials' salaries while also allowing for other salary adjustments pertaining to such factors as changes in duties, professional requirements, and changes in state statute and administrative regulation; 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. Offices subject to this Ordinance and the salaries pertaining thereto; maximum salaries, applicability of indexing**

Upon enactment of this Ordinance, the following county-funded salaries shall be in effect, respectively, for those offices enumerated below (hereinafter "countywide elected officials"), which shall be the only offices and salaries affected by this Ordinance. Such salaries reflect a 2.5% increase over those county-funded salaries in effect prior to enactment of this Ordinance, and shall be retroactive to January 1, 2017. No salary supplements paid to any countywide elected official, whether paid directly to the countywide elected official by the State of South Carolina or paid by or through Newberry County to the countywide elected official will be indexed or increased by Newberry County.

The salaries listed below represent maximums. Newly elected countywide elected officials shall progress to their respective maximum salaries in accordance with Section 3 of this Ordinance. The Newberry County Human Resources Office will maintain this schedule of maximum salaries pursuant to actions taken by County Council under Section 2 of this Ordinance.

## **Schedule of Maximum Salaries for Countywide Elected Officials**

<b><u>Office</u></b>	<b><u>County Maximum</u></b>
Auditor	63,764.66
Clerk of Court	81,807.68
Coroner	46,125.00
Probate Judge	79,996.87
Sheriff	106,877.37
Treasurer	62,255.29

### **Section 2. Annual indexing consideration**

At its first meeting in May of each calendar year, Newberry County Council shall decide whether and at what percentage(s) to fund increases in county-funded maximum salaries for countywide elected officials. This Ordinance shall not be construed as requiring an annual increase in such salaries, or as requiring that the increases to such salaries be of an equal rate or amount. However, absent a successful vote to the contrary by Newberry County Council at its first meeting in May, the county-funded salary portions for all countywide elected officials shall be increased at a rate equal to the consumer price index for all urban consumers (CPI-U), as determined by the Bureau of Labor Statistics (unadjusted) for the most recently reported 12-month period. The Newberry County Human Resources Office shall maintain an updated schedule of the salaries listed in Section 1, above, based on County Council's actions pursuant to this Section. Salary increases made pursuant to this Section shall be made effective on the first pay date of the next fiscal year.

### **Section 3. Progression of Salaries**

Salaries for newly elected countywide elected officials shall equal 80% of the county-funded maximum salaries indicated above in Section 1. Upon each two years of completed service, based on the official's anniversary date, the official's percentage of the maximum salary shall be raised in increments of 5% of the maximum, as indexed under Section 2, above. Accordingly, upon the office holder's second-year service anniversary they shall receive 85% of the county-funded maximum; at four years they shall receive 90%, and so on until receiving the full county-funded maximum (as indexed) upon eight completed years of service. Thereafter, officials' salaries shall be

raised only under those terms set forth in Section 2., above. Previous or broken terms of service shall be considered continuous service in progression toward the county-funded maximum, for purposes of this Ordinance.

**Section 4. Effect of state-mandated pay increases for affected officials**

In any case where the State of South Carolina, whether legislatively or administratively, mandates any county-funded increase in salary or a salary supplement for a county-wide elected official affected by this Ordinance, such state mandated increases shall be in lieu of any increase otherwise prescribed under this Ordinance.

**Section 5. Non-scheduled salary increases for elected officials**

Nothing in this Ordinance shall prevent countywide elected official from requesting of County Council a salary increase other than one described in this Ordinance. Likewise, nothing in this Ordinance shall prevent Council from granting to a countywide elected official an increase other than one described in this Ordinance.

**Section 6. Previous Methods of Considering Elected Official Salary Increases Repealed**

All ordinance and policy provisions previously in place that conflict with the provisions of this Ordinance are hereby repealed, including, but not limited to, Ordinance Number 08-14-15 and Ordinance Number 08-15-15. Likewise, all previous procedures, discussions, or understandings related to the administration of salaries for those countywide elected officials listed in Section 1, 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 \_\_\_\_ day of \_\_\_\_\_ 2017, 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: January 18, 2017**

**Second Reading: February 1, 2017**

**Third Reading: February 15, 2017**

