

**NEWBERRY COUNTY COUNCIL
MINUTES
MAY 15, 2019**

The Newberry County Council met on Wednesday, May 15, 2019, at 7:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, South Carolina, for a regular scheduled meeting.

PRESENT: **Henry H. Livingston, III, Chairman**
Kirksey Koon, Vice-Chairman
Steve Stockman, Council Member
Scott Cain, Council Member
Travis Reeder, Council Member
Dr. Harriett Rucker, Council Member
Johnny Mack Scurry, Council Member
Wayne Adams, County Administrator
A.J. Tothacer, III, County Attorney
Susan C. Fellers, Clerk to Council
Karen Brehmer, Assistant to County Administrator
Taylor Davenport, Administrative Assistant

MEDIA; **Andrew Wigger, Newberry Observer**

The meeting was duly advertised as required by law.

Mr. Livingston called the meeting to order at 7:00 p.m.

Mr. Scurry had the invocation followed by the Pledge of Allegiance.

1. Additions, Deletions and Adoption of Agenda,

Motion by Dr. Rucker to adopt the agenda as presented; second by Mr. Reeder. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

2. Ordinance #04-04-19: An Ordinance to provide appropriations for the fiscal year beginning July 1, 2019 and ending June 30, 2020, for the Newberry County Budget for County Ordinary purposes and for other County purposes for which the County may levy a tax and receive revenues; to provide for the levy of taxes on all taxable personal and real property in Newberry County for all County purposes, including sufficient tax to pay the

principal and interest on outstanding indebtedness of Newberry County payable during said fiscal year; to provide for matters relating to Newberry County; and to provide for the expenditure of said taxes and other revenues received by the County during said fiscal year, and to provide for borrowing in anticipation of tax collections by the issuance of one or more tax anticipation notes, if necessary.

A. Public Hearing

Mr. Adams said the operating budget is balanced right now at \$25,815,865. The general themes of the budget have been discussed at a Finance Committee meeting on March 25 and at a full work session of Council on April 8. There was a second work session on Monday night at which Council members requested a total of 17 amendments for consideration at third reading. Third reading will be June 5. The cumulative effect of these amendments, if all are adopted, would be to reduce the levy needs of the budget from 129.2 mills to 123.8. The rollback millage, which is the baseline for comparing year to year in any reassessment year is 122.2 mills.

Motion for public hearing by Mr. Stockman; second by Mr. Reeder. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

Mr. Livingston declared this to be the public hearing.

Molly Fortune said the Newberry Opera House is so indebted to the County for the \$25,000 that they receive through the Hospitality Tax. Without that a lot of folks would not be reached, and the Opera House is blessed to have that money because it goes toward producing the brochure. The brochure hits three different buckets of the state.

Over 150 events were held at the Opera House this year with over 40,000 people, and it is growing year by year. With that a database was created, and that database now has over 91,962 contacts in it. Those are people who have bought tickets or have inquired about the Opera House. Last year alone brochures were mailed to 54,000 households in 14 different states. Another 6,000 were distributed within the Opera House with tourists that come in and about 2,000 more were placed in the nine Welcome Centers around the state. Most of the folks who took those were from three states, North Carolina, Tennessee and Georgia. Over 88% of the upcoming year's proposed list of 91,000 folks constitutes 76% are outside of our county, which is what the A tax money should be used for so it is bringing in those people.

The second bucket is the artisan agents. We work with over 50 agents each season, and they are looking at the talent. They usually bring us around 2500 performers, stage hands and attendants. The agents and artists utilize that brochure to find out what kind of programming we are doing,

what type of monies Newberry can sustain throughout our region. The Opera House brings in folks from Charlotte, Athens, Atlanta, Charleston and around. In this present season 797 hotel rooms were booked just from artists alone. If you want to do the math on that at \$120 per night, that is \$95,640 that just our artists alone have put into the Hospitality Tax. That does not include the guests that come.

The third bucket is the tourists. Just this season alone, we have had about 3,500 guests, who bought tickets, who saw our sign on the highway and came in. They represent 35 states and 13 countries.

Over the years that \$25,000 that the Opera House has received allows us to produce a brochure that is quality that we can send out to 54,000 people outside of our zip code and bring those people in, to provide wonderful hotel accommodations, amazing restaurants, great places to see art.

The \$25,000 makes a huge impact and the impact we have on all these households is amazing.

There being no other members from the public to speak, Mr. Koon moved that the public hearing come to a close; second by Mr. Reeder. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

Mr. Livingston declared the public hearing closed.

3. Ordinance #04-05-19: An Ordinance to provide appropriations for the fiscal year beginning July 1, 2019 and ending June 30, 2020, for Newberry County Library, Piedmont Technical College and the Newberry Agency for Disabilities and Special Needs; to provide for the levy of taxes on all taxable personal and real estate properties in Newberry County for said purposes; to provide for the expenditure of said taxes and other revenues received by the County during said fiscal year for said purposes.

A. Public Hearing

Mr. Adams said the proposed FY 19-20 budget for the community services levy is balanced with revenues and expenditures equalized at \$975,478. The general themes of the budget were discussed at a Finance Committee meeting on March 25 and at a work session of full Council on April 8. A second work session of full Council was held on Monday night, and no amendments were recommended for consideration at third reading, which again is June 5. The levy needs for the budget are anticipated at 7.0 mills.

Motion for public hearing by Mr. Cain; second by Dr. Rucker. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

Mr. Livingston declared this to be the public hearing.

There being no members of the public to speak, Mr. Koon moved that the public hearing come to a close; second by Mr. Cain. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

Mr. Livingston declared the public hearing closed.

4. Ordinance #04-06-19: An Ordinance amending Chapter 152 of the Newberry County Code of Ordinances relating to flood damage prevention, so as to adopt the state flood damage prevention model ordinance to bring it into compliance with state and federal program requirements, and other related matters.

A. Public Hearing

Mr. Adams stated that FEMA has modified the model state flood ordinance for South Carolina. While there are minor indirect changes that affect both Lake Murray and Lake Greenwood, the greatest benefit from the changes pertain to properties on Lake Greenwood. There, the Base Flood Elevation drops from 442 feet above mean sea level to 440 feet above mean sea level. Broadly speaking, this allows for more building area without the need for the more expensive flood insurance. The proposed changes are scheduled to take effect on June 20 of this year.

Motion by Mr. Cain for the public hearing; second by Mr. Reeder. Vote was unanimous. Mr. Livingston declared this to be the public hearing. There being no comments from the public, Mr. Livingston declared the public hearing closed.

Motion by Dr. Rucker to that the public hearing come to a close; second by Mr. Reeder. Vote was unanimous.

B. Third Reading

Motion by Mr. Koon for third reading; second by Mr. Stockman. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

5. Ordinance #05-07-19: An Ordinance to provide for the issuance and sale of General Obligation Bonds of Newberry County, South Carolina not exceeding \$2,000,000 in

aggregate principal amount, to prescribe the purposes for which the proceeds of said bonds shall be expended, to provide for the payment of said bonds, and other matters relating thereto.

A. First Reading

Mr. Adams said Council adopts this ordinance biennially for the purpose of making annual lease purchase payments (each December 30) pertaining to emergency services rolling stock, public works equipment and other big ticket durable goods. This method of financing limits to annual amortizations (vs. total equipment costs) the sum applicable to the County's bonded indebtedness limit calculation. This bond also pertains to financing of the public works building and animal shelter.

Motion by Mr. Scurry for first reading; second by Mr Reeder. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

6. Resolution #06-19: A Resolution declaring National EMS Week in Newberry County.

Mr. Adams read the Resolution into the record, a copy of which is attached hereto and incorporated herein.

Motion by Mr. Cain to adopt the Resolution; second by Mr. Reeder. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

Mr. Livingston then presented the Resolution to the EMS representative.

7. Consideration to approve bid of \$48,842.00 from Blanchard CAT for Detention Center Generator - Crystal Waldrop, Purchasing Director.

Mrs. Waldrop said bids were solicited for the replacement of a generator at the Detention Center on April 30, and two bids were received. One from Blanchard CAT in the amount of \$48,842.00, and the other from Generator Services, Inc. in the amount of \$43,097.00.

After reviewing the bids, staff does not recommend the low bidder as they didn't meet the specifications and delivery would be about eight weeks out. Blanchard has the generator in stock and can deliver it once the ten day protest period is over. The County is currently renting a generator, and time is of the essence. Therefore, staff does recommend the bid from Blanchard in the amount of \$48,842.00.

Motion by Dr. Rucker to accept the bid from Blanchard CAT in the amount of \$48,842.00; second by Mr. Koon.

Mr. Livingston pointed out that the \$3,323.90 per month for two months would cause the low bid, if we had to wait on it, to be higher. Mrs. Waldrop came up with an approximate \$900 savings by going with Blanchard.

There being no further discussion, Mr. Livingston called for the vote. Vote was unanimous.

8. Consideration to approve citizens to bring recyclable “white goods” to the County Transfer Station. (Recommended by the Public Works and Planning Committee 4/29/19).

Mike Pisano, Public Works Director, explained that currently dishwashers, refrigerators, etc. are being deposited at the recycling centers. Then Public Works picks them up and takes them to the Transfer Station. The refrigerators are separated out so that a contractor can remove the freon from them and then they are moved to the metal pile. We are handling refrigerators three times. We then move them from the pile to the truck to leave. It will take one of those handling steps out. Last year there were approximately 350 for those items. The Committee recommended that it go to full Council for consideration.

Mr. Cain recommended that we do the white goods at the main recycling Transfer Station. There was some consideration of setting up two Transfer Stations to do that, wasn't there? Mr. Pisano said just one.

Dr. Rucker seconded so she could ask further questions. How will we notify the public of this change and when? Mr. Pisano said it would be put on the website and also posted at all convenience centers. This would not take effect until at least January 1.

There being no further discussion, Mr. Livingston called for the vote. Vote was unanimous.

9. Appointments.

No appointments.

10. Public Comments (by those who signed up at the meeting).

Several persons signed up for public comments, but when called upon, indicated they thought it was a sign in sheet and did not desire to speak.

Sheriff Lee Foster said this was Peace Officer Memorial Week. He did not receive the information in time for a resolution. He wanted to recognize all police officers during this week, as well as the officers who gave their life in the line of duty. Today President Trump spoke at the Law Enforcement Memorial. At one time Reverend Scurry, who used to be a deputy, went to the memorial service where we honored one of our deputies that was killed in the line of duty, Lawrence W. Bragg, III. There are a number of names on that monument in Washington, D.C.

Mr. Koon said every 58 hours a police officer dies in this country in the line of duty. Newberry County officers are:

Lawrence W. Bragg, III
Gene Forest Crayle
William Earl Evans
Robert Gilliam
J.D. Livingston
Lucas Player
Walter Longshore

Mr. Cain asked if we could do a resolution at next Council meeting to recognize them. Consensus of Council was to present a resolution at the next Council meeting.

Dr. Rucker asked if these men still had families here. Sheriff Foster said some of them do. Dr. Rucker said it would be nice to invite the families to attend.

11. Executive Session (if needed)

No Executive Session needed.

12. Comments/Requests from County Administrator.

Mr. Adams had no comments.

13. Comments/Requests from Council Members.

Mr. Scurry thanked Council for working together.

Mr. Reeder thanked everybody for coming tonight. He thanked the county workers for continuing to work hard and doing everything they can to make this county a great county.

Mr. Livingston thanked everybody for coming out tonight. Mr. Livingston said the budget process started back in January. Mr. Adams added that the staff begins to develop the budget in late January after the taxpayers make property tax payments before first penalty, which is usually January 15 or thereabouts. We get the numbers from the treasurer and see how we are performing compared to previous years. We work first on the revenue side and then begin talking to department heads and getting their budget. As was mentioned Monday night, before Council even got it, staff cut \$3.8 million out of it. We were down to not a lot of decisions but they certainly are important decisions for some of you, and we appreciate your interest in it. It is a process that starts in January and doesn't end until there is a third reading of the budget in June. Then the budget takes effect July 1.

Mr. Livingston stated all meetings are open to the public. There was a lot of stuff on Facebook and felt it was stuff people don't understand. They were talking about potholes. Most of the roads are state roads and County Council has nothing to do with the potholes. County Council has nothing to do with the school district budget. There were comments as to why we don't go with a one cent sales tax to offset property taxes. Great idea but it has been done at least twice and failed. County Council can't vote it. It has to be on a referendum.

Our taxes were compared to other counties' taxes. Our garbage fees are incorporated into the property taxes, whereas some counties break it down. They have the tax structure; then garbage fees, fire fees, public safety fees. When it is reported in the general as to their tax millage, it shows the base and not the add ons. We discussed fees but the senior citizens would not get the benefit of a fee being cut with the homestead exemption.

Over the past ten years, Council has cut 18 mills from the general operating budget of the County. The bigger counties have more industry, which lowers property taxes.

We have the safest and probably one of the friendliest counties in this state. One person compared our Sheriff's budget to the budget of Sheriffs in other counties. Our Sheriff's budget not only includes the Sheriff's department but includes Corrections, Dispatch, Addressing, E911, School Resource Officers, Court security and civil process.

Our county employees, elected officials, department heads have done a wonderful job of managing their budget to return money back to the county every year. The Administrator and his staff took the brunt of cutting \$3.8 million out before it ever got to Council.

14. Future Meetings

- A. Personnel and Intergovernmental Relations Committee 05/20/19 @ 6:00 p.m.**
- B. County Council Meeting 06/05/19 @ 7:00 p.m.**
- C. Economic Development Committee 6/17/19 @ 7:00 p.m.**
- D. County Council Meeting 06/19/19 @ 7:00 p.m.**

15. Adjournment.

There being no further business, Mr. Stockman move to adjourn. Mr. Livingston declared the meeting adjourned at 7:40 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, III, Chairman

Susan C. Fellers, Clerk to Council

APPROVED: _____