

**Newberry County Public Works and Planning Commission
Minutes
Monday, August 7, 2017**

Present: Mr. Scott Cain, Mr. Bill Waldrop and Mr. Steve Stockman

Others in Attendance: Mr. Jay Tothacer, Mr. Wayne Adams, Mr. Mike Pisano, Mr. Bob Livingston, Ms. Denise Livingston, Mr. Harroll Stockman, Mr. Sam Ziady, Mr. Patrick Meetze, Mr. Nick Counts, Mr. Mandy County, Ms. Ann Peters, Ms. Peggy Corley and Ms. Teresa Ball

Call to Order

Mr. Cain called the meeting to order followed by an invocation.

2. Additions, Deletions, and Adoptions of Agenda

Mr. Cain motioned to approve the agenda with the deletion of item number 6, discussion of Felker Setzler Road. Motion was second and all were in favor.

3. Approval of May 1, 2017 minutes

Mr. Waldrop motioned to approve May 1, 2017 minutes as written; motion seconded. Vote was unanimous.

4. Public Works Update, Mike Pisano – Public Works Director

A. Bridge Placement on Old Jollystreet Road

Mr. Pisano said he had one item to discuss, the bridge replacement on Old Jollystreet Road. This matter was brought up before the committee last year. We have been waiting on approval from FEMA for the change we did on the scope of the work. We tried to get the bridge converted from a one lane bridge to a two lane bridge. FEMA decided they would pay for full reconstruction of the bridge for a cost of \$280,033. We tried to get the bridge widened to a two lane at a cost of \$350,000. We received an answer from FEMA that they will not fund the two lane bridge. We have approval for the \$280,033, which is the original estimate. We have not budgeted the funds to bring it up to the \$350,000. If we decided to go that route, we would have to wait until the next budget year. As it stands, we will reconstruct the one lane bridge fully with FEMA and state funds.

Mr. Cain asked approximately how much more it would cost to widen the bridge. Mr. Pisano said it would be around \$70,000.

B. Purchase of New Bush Cutter

Mr. Pisano said that this item was budgeted in the current budget year. We did receive quotes on the state contract for the tractor and mower. This one is similar to the one we purchased last year. The total for these two items is \$97,240. This amount falls within the budgeted amount we set aside. We would like to bring this to full council with the committee's approval.

Motion was made to bring to full council. Motion was second and all were in favor.

Mr. Cain asked if Mr. Pisano if he had any information on the tire recycling. Mr. Pisano said that he hasn't had a chance to evaluate it yet. We just started the program in mid-July. Mr. Pisano said that he hopes to have a report by the next meeting.

5. Discussion of Tweety's Trail – Denise Livingston

Mr. Livingston said that right after he purchased his place, people would come under the night light and park and drink. I have taken care of the road for about 15 years. I have purchased gravel for the road and cut bushes on the side of the road. I would like for it to be a private road to keep people from coming on the road and parking.

Mr. Adams asked if Mr. Livingston if his house was the last house on the road. Mr. Livingston said no. Mr. Adams said that if this becomes a private road, that you don't have to maintain all of it. Mr. Livingston said he maintained the entire road and if it remains a county road, there is a cable at the end of the road and the county will have to put in a place for people to turn around. Mr. Adams asked how far past Mr. Livingston's house is the cable. Mr. Livingston said it was about 100 feet.

Mr. Stockman asked how many land owners are involved. Mr. Livingston said four land owners. Mr. Stockman asked how the land owners feel about this issue. Mr. Livingston said that the ones he has talked to would love for it to be a private road.

Ms. Corley said the reason the road has become an issue, is because Mr. Livingston put speed bumps on the road. He scraped the road and put gravel down. He has never taken care of my part of the road. My part of the road hasn't been maintained in 20 years. I went out early one morning, not knowing the speed bumps were there, and the bottom of my car drug on the speed bumps. Ms. Corley said she called the law and they came by and told him to take the speed bumps out. Mr. Livingston took one of the speed bumps out. I called the county to come and scrap the road because of the speed bump. The county would not come down to scrap the road. They came down and said they didn't see a problem with the road. I went out and scraped the speed bump down as best I could.

Ms. Corley said that if it becomes a private road, she is afraid she will still have problems with her brother. I have no way of maintaining my part of the road myself. The ditches need to be dug out; the water is running over the terracotta. I have tried to clean it out.

Mr. Adams asked how many time have you called the county. Ms. Corley said she had never called until the speed bump issue.

Mr. Counts said that this was a family problem that doesn't need county attention. The roads need attention and the county needs to fix them. They shouldn't be back burner roads. Most of the residents are reaching retirement age and are on a fixed income. They can't physically take care of the road. What if something happens to Mr. Livingston and he is unable to maintain the road. His wife is incapable of maintaining the road. I don't have the equipment and nor do I care to share the expense to maintain the road. We have wasted tax dollars talking about speed bumps. We need to come up with a resolution that makes sense for the long term. Mr. Adams asked what would the resolution would be. Mr. Counts said to keep it as a county road.

Mr. Adams said that two things were happening. One is that Mr. Livingston has been maintaining the road and second no one has called about maintaining the road. Mr. Counts asked if there was a protocol for the representatives to check on the road. Mr. Adams said the roads were on a circuit. Mr. Counts said the residents need to call if there is a problem with the road and we should have a timely response.

Mr. Adams said that there is a policy problem. It does involve the inability to maintain the road. If for some reason the residents couldn't maintain the road anymore and we have taken it out of the system the county has a policy not to accept roads unless they are paved.

Mr. Harroll Stockman said as far as he is concerned it might be considered a county road, but it hasn't been maintained. I had logs cut years ago and begged and pleaded to have gravel put on the road. The county came down with a small scraper, but they didn't bring any gravel. That was the only time I had seen the county on the road.

Mr. Cain said that we don't close roads as far as the county goes. That would have to go through the legal system. What we do from our standpoint, we either have to say there is no objection to closing the road or there is an objection. The way I see it, if all parties are not in favor of closing the road, I don't see the council saying we don't have an objection of closing the road. We either have a proposal to have no objection to close the road and send it to council and let them vote on it.

Mr. Tothacer said that the resolutions we have done in the past have been in conjunction with an action being brought. I don't know that council even needs to act until one of these parties decides to go to court and ask the court to close the road. I would urge you not to make a motion tonight until we are presented with some action that shows the road is going to be closed. Neither of the parties is going to go through the cost of hiring an attorney and going to court. It will be up the county administrator and public works department on how often they will maintain the road in the future. I wouldn't want you to pass a resolution if there isn't a reason to pass a resolution.

Mr. Cain said that the council would take this as information only.

Mr. Adams asked if there was a need for the county to do work on the road. Ms. Corley said she would like to have her ditches cleaned out.

Mr. Steve Stockman said he thinks there is a family issue and he would strongly recommend that it would be taken care of. Don't bring family issues to council and don't go to court.

Mr. Cain said to let the road stay in the county system, so if anything happens it can be maintained.

Mr. Cain said he was going to take the advice of legal counsel and consider this as information only.

6. Discussion of Felker Setzler Road

7. Discussion of "Night Sky Friendly Ordinance" – Sam Ziady

Mr. Ziady said that as a legacy to our children and grandchildren to help ensure and continue to see the stars and planets at night, we could enhance our lighting and glare ordinance and make it more specific "Night Sky Friendly". This would be from the time of the eclipse forward. As new developments come in if we would specify these specifications.

Ms. Peters said she would like to point out in the zoning ordinance we already have a section on light and glare. This would be an addition to the ordinance. Mr. Adams asked what would be different. Mr. Ziady said that the old fashioned lights like a dome; you would have to have a cap on the top of the light to make sure the light goes down. You don't want the light to go out.

Mr. Adams said this would be a restriction that is more than saying you have to keep the light you create on your own property. This would also regulate the level of light you create on your own property.

Mr. Cain said that this would be a huge expense and that the council will take this as information

8. Public Comments

9. Adjournment

Mr. Cain motioned to adjourn; Mr. Waldrop seconded. Vote was unanimous.

PUBLIC WORKS AND PLANNING COMMITTEE

Steve Cain, Chairman

Teresa Ball, Secretary

APPROVED: _____