



**NEWBERRY COUNTY COUNCIL
MINUTES
September 19, 2018
7:00 P.M.**

Newberry County Council met on Wednesday, September 19, 2018, at 7:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

PRESENT: **Henry H. Livingston, III, Chairman**
Kirksey Koon, Vice Chairman
Bill Waldrop, Councilman
Steve Stockman, Councilman
Scott Cain, Councilman
Travis Reeder, Councilman
Dr. Harriett Rucker, Councilwoman
Wayne Adams, County Administrator
Laurie Renwick, Clerk to Council
A.J. Tothacer, County Attorney

MEDIA: **Andrew Wigger, Newberry Observer**

The meeting was duly advertised as required by law.

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

Chairman Livingston led the invocation followed by the Pledge of Allegiance.

1. *Adoption of Consent Agenda*

Mr. Cain motioned to adopt the consent agenda as presented; seconded by Mr. Reeder. The vote was unanimous.

2. *Additions, Deletions, and Adoption of Agenda*

Chairman Livingston requested adding Monica Stenson to the agenda under personal appearances, item 4b.

Mr. Cain motioned to adopt the agenda with the requested addition; seconded by Mr. Reeder. The vote was unanimous.

3. *Newberry County Service Awards*

Thomas Miller, Sheriff's Office – 5 years
Michael Weathers, Sheriff's Office – 10 years
Matthew Dickert, Sheriff's Office – 15 years
Wendy Wise, Delinquent Tax Collector – 20 years

Chairman Livingston recognized and thanked the following employees for years of service: Thomas Miller, Sheriff's Office- 5 years; Michael Weathers, Sheriff's Office-10 years ; Matthew Dickert, Sheriff's Office-15 years; Wendy Wise, Delinquent Tax Collector- 20 years.

Vice Chairman Koon wanted to recognize Thomas Miller's father, Eric Miller, who retired from the City of Newberry Police Department after many years of service and was in attendance.

4. *Personal Appearances*

- a. Anne Smith – Community Christmas Tree Funding Request in the amount of \$1,500.00

Ms. Smith thanked Council for their support last year for the Community Christmas Tree Fund. She stated that this is her second year serving as chair and wanted to inform Council on a few items that they would like to add this year. The committee would like to take the lighted garland from the corner of Calhoun and Main all the way to the corner of Main and Nance. She felt this would add an element of anticipation when coming into town. She stated the committee is trying to raise \$15,000 total, and they currently have raised around \$9,000. Ms. Smith requested the County's support so that the burden is not completely on the City of Newberry.

Mr. Cain motioned to approve the requested amount of \$1,500; seconded by Dr. Rucker.

Chairman Livingston asked if there was any discussion.

Vice Chairman Koon stated that as in the past he has voted against giving money to the Community Christmas Tree Fund. Mr. Koon said that he feels that we should not use property tax money to fund special interest. He feels that it would be different if the money were funded through item number 12 on the agenda, (Disbursement of Accommodations Tax Funding). He stated that he cannot support the burden on the property taxes.

Mr. Cain thanked the committee and the city for hosting this event. He stated that it brings a lot of people to the county and is a worth while expenditure.

Chairman Livingston stated that he feels this event is an opportunity to give back to the tax payers a little bit of what they contribute.

Motion was passed with a six to one vote, Vice Chairman Koon voting in opposition.

b. Monica Stenson- *The Price is Right* Winner

Monica Stenson was recognized and thanked Council for allowing her to speak. She stated that she participated on the game show, *The Price is Right* earlier in the year on her 50th Birthday. She won “the big show case”, and her winnings included a new car.

Council congratulated her on her success.

5. **Ordinance #09-12-18:** An Ordinance authorizing the execution of an Equipment Lease-Purchase Agreement in an amount not exceeding \$710,000 relating to the purchase of certain equipment by Newberry County, authorizing the execution of other necessary documents and papers, and other matters relating thereto.
 - a. Second Reading

Mr. Adams reported that this ordinance pertains to rolling-stock purchases in the FY 18-19 budget year. These include the following: a motor grader for public works (\$260,000), a medium-duty rescue truck for Lake Murray Rescue Squad (\$300,000), and a re-mount ambulance for Little Mountain Rescue Squad (\$150,000).

Vice Chairman Koon made a motion to approve second reading; seconded by Mr. Stockman. The vote was unanimous.

6. **Ordinance #09-13-18:** An Ordinance amending an ordinance entitled “An ordinance approving a loan from the South Carolina Public Service Authority to Newberry County, South Carolina, to finance a portion of the cost of a building for economic development purposes; authorizing the execution and delivery of an intergovernmental loan agreement between the South Carolina Public Service Authority and Newberry County and a promissory note from Newberry County to the South Carolina Public Service Authority in connection therewith; authorizing the pledge of the full faith, credit and taxing power of Newberry County, South Carolina to secure payment of the note; and other matters relating thereto” so as to provide for the adjustment of the maturity schedule authorized thereby, and other matters related thereto.
 - a. Second Reading

Mr. Adams reported that this agreement, which was part of the overall incentive package used to recruit Samsung to Newberry County, extends for five additional years interest-only amortization concerning the county’s spec building in the Mid-Carolina Commerce Park. Starting in 2023 (rather than this year), the county would begin paying the principal portion of the amortization schedule on this \$1.2 million indebtedness issue as well. Ownership of this building has already been transferred to SWM, a company that had to relocate from the Hwy. 219 industrial park for Samsung to come to Newberry. The indebtedness on the spec building, however, remains an obligation of Newberry County.

Mr. Reeder made a motion to approve the second reading; seconded by Mr. Cain. The vote was unanimous.

7. **Ordinance 09-15-18:** An Ordinance acting on a request to amend the Official Zoning Map established pursuant to Zoning Ordinance No. 06-11-16, codified in Chapter 153 of the Newberry County Code of Ordinances, so as to rezone one real estate parcel totaling one and two-seven hundredths (1.27) acres designated as TMS Parcel No. 339-1-2 from Single Family Residential (RS) to Rural (R2).
 - a. Second Reading

Mr. Adams reported that this agenda item and the next one (agenda item #8) are related. Parcel 339-1-1 (agenda item #8) already has on it a mobile home, which is a non-conforming use for the RS district. Re-zoning this parcel to R2 makes that use district-compliant. It also creates the contiguity necessary to rezone Parcel 339-1-2 to R2. This is a family situation in which the ability to accommodate mobile homes on both parcels is being requested. The properties are located on Civitan Road in Newberry

Mr. Waldrop mad a motion to approve the second reading; seconded by Mr. Stockman. The vote was unanimous.

8. **Ordinance #09-16-18:** An Ordinance acting on a request to amend the Official Zoning Map established pursuant to Zoning Ordinance No. 06-11-16, codified in Chapter 153 of the Newberry County Code of Ordinances, so as to rezone one real estate parcel totaling one and eighty-seven hundredths (1.87) acres designated as TMS Parcel No. 339-1-1 from Single Family Residential (RS) to Rural (R2).
 - a. Second Reading

Vice Chairman Koon made a motion to approve the second reading; seconded by Mr. Waldrop. The vote was unanimous.

9. **Ordinance #09-17-18:** An Ordinance for the appointment and duties of the Clerk to Council in effectuation of S.C. Code of Laws §4-9-110.
 - a. First Reading

Mr. Adams reported this ordinance establishes the duties of the clerk to council, such that those duties are limited in scope to statutory description. Other, non-statutory duties in support of council would be assigned by the county administrator under a separate position. There is no increase in payroll costs associated with this action; the diminution of one position (clerk to council) entirely offsets the creation of the other (legislative support specialist). Moreover, the clerk to council and support positions need not necessarily be staffed by different persons.

Vice Chairman Koon made a motioned to approve first reading; seconded by Mr. Reeder. Vote was six to one, with Mr. Cain in opposition.

10. **Resolution #07-18:** A Resolution amending the Newberry County Employee Handbook

This resolution makes three changes to the employee handbook: 1) removes references to TERI, a retirement-related program the state has now phased out; 2) adds required language pertaining to the Pregnancy Accommodations Act; 3) Adjusts compensation pay-bands based on council's recent actions concerning payroll increases.

Mr. Waldrop made a motion to approve the resolution; seconded by Mr. Cain. The vote was unanimous.

11. Proclamation: A Proclamation congratulating the Bethlehem Baptist Church Members as they Celebrate the 150th Anniversary of their founding.

Mr. Adams read the proclamation into the official record.



A motion was made by Mr. Waldrop; seconded by Mr. Reeder. The vote was unanimous.

12. Consideration of Disbursement of Promotional and Tourism Funding as recommended by Accommodations Tax Commission – Ernest Shealy, Chairman

Ms. Debbie Cromer, Finance Director for Newberry County, reported the following on behalf of the Accommodations Tax Commission.

The Accommodations Tax Committee recommends distributing these funds as follows:

Promotion-related Funding

Capital City Lake Murray	\$ 7,612.50 (50%)
Newberry County Chamber	\$ 7,612.50 (50%)
Total	\$15,000.00
<u>Tourism-related Funding</u>	
Little Mountain Reunion	\$ 3,000.00
Newberry County Law Enforcement	\$ 2,000.00
Newberry Community Players	\$ 500.00
Newberry Museum	\$ 1,500.00
Newberry Opera House	\$12,691.75
Newberry Visitors Center	\$ 8,692.94
Old Pomaria School Festival	\$ 300.00
Party in the Pines (Whitmire)	\$ 1,000.00
Prosperity Hoppin'	\$ 500.00
Town of Whitmire Yard Sale	\$ 500.00
SC Bottle & Whitmire Museum	\$ 2,000.00
Total	\$32,684.69

Vice Chairman Koon asked why Old Pomaria School Festival only received \$300 when other organizations received \$500.

Ms. Cromer replied that the Board approved the amount of \$300 which was the same amount given the previous year.

Motion made by Dr. Rucker; seconded by Mr. Reeder. The vote was unanimous.

13. Consideration of bids for Remount/Demo Ambulance for Little Mountain Rescue Squad – Tommy Long, Emergency Services Director

Tommy Long reported that the Public Safety and Courts Committee recommends the FESCO Emergency Sales Unit after reviewing the quotes that were submitted. The total for this unit will be \$148,700 plus the \$500 for sales tax.

Mr. Waldrop asked what the County would do with the old ambulance from Little Mountain.

Mr. Long stated that they would keep the ambulance and use it for a remount in the future.

Motion made by Mr. Cain; seconded by Mr. Koon. The vote was unanimous.

14. Consideration of bids for Williams Wood Drive Road Repairs (Funded by County Transportation Committee) – Crystal Waldrop, Purchasing Director

Ms. Waldrop reported that the following bids were received and staff recommends accepting the low bid of \$54,241.00 from Satterfield Construction Co.

Satterfield Construction Co.	\$54,241.00
Schumpert & Son Paving	\$61,920.00.

Motion made by Mr. Reeder; seconded by Mr. Stockman. The vote was unanimous.

15. Consideration of bids for Airport Hanger Repairs – Crystal Waldrop, Purchasing Director

Ms. Waldrop reported that the following bids were received for the repair for the Airport Hanger. She stated that staff would recommend accepting the low bid of \$54,900 from Momentum Construction Services.

Momentum Construction Services	\$54,900.00
M.A.R. Construction	\$87,700.00

Motion made by Mr. Cain; seconded by Mr. Reeder. The vote was unanimous.

16. Appointments

17. Committee Reports

- a. Personnel and Intergovernmental Relations 9/10/18 – Katherine Cook, Human Resource Assistant

Katherine Cook, Human Resource Assistant, reported that on Monday, September 10, 2018 the Personnel and Intergovernmental Relations Committee held their quarterly meeting and discussed changes to the Newberry County Employee Handbook. The proposed changes were to remove the TERI portion of the handbook as the program ended on June 30, 2018, add language to the EEO statement that will keep Newberry County in compliance with the Pregnancy accommodations Act, and update the pay ranges in the classification and compensation plan to reflect councils' recent actions regarding payroll increases.

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

19. Executive Session (if needed)

20. Comments/Request from County Administrator

Mr. Adams thanked Tommy Long, law enforcement, and emergency services personnel for the work that they put in to be prepared for Hurricane Florence.

21. Comments/Request from Council Members

Mr. Reeder thanked Tommy Long and his staff for the work that they did during the hurricane.

Mr. Cain thanked Tommy Long and the first responders for the preparation and work that they put in during this time.

Vice Chairman Koon asked that everyone remember Mr. Billy O'Dell who passed away this week. He stated that Mr. O'Dell served the county well through law enforcement and was also a famous baseball player.

Chairman Livingston thanked the employees and volunteers that helped in preparation of Hurricane Florence.

21. *Future Meetings*

- a. Economic Development Committee 9/24/18 @ 7:00 p.m.
- b. Public Safety and Courts 10/1/18 @ 5:00 p.m.
- c. County Council 10/3/18 @ 7:00 p.m.
- d. Public Works and Planning 10/15/18 @ 7:00 p.m.
- e. County Council 10/17/18 @ 7:00 p.m.

22. *Adjournment*

Meeting was adjourned at 7:41pm.

Newberry County Council

Henry H. Livingston, III, Chairman

Susan C. Fellers, Clerk to Council

Approved: