

**NEWBERRY COUNTY COUNCIL  
MINUTES  
NOVEMBER 20, 2019**

Newberry County Council met on Wednesday, November 20, 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: 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, Jr., County Attorney  
Susan C. Fellers, Clerk to Council  
Karen Brehmer, Assistant to County Administrator  
Taylor Davenport, Administrative Assistant

ABSENT: Henry H. Livingston, III, Chairman

MEDIA: Andrew Wigger, Newberry Observer

In the absence of Mr. Livingston, Mr. Koon, Vice-Chairman, called the meeting to order at 7:00 p.m.

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

**1. Adoption of Consent Agenda**

Mr. Reeder moved to adopt the Consent Agenda consisting of the minutes of the October 16, 2019 Council meeting as presented; seconded by Mr. Cain. Vote was unanimous.

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

There being no additions or deletions to the Agenda, Mr. Reeder moved to adopt the agenda as presented; seconded by Dr. Rucker. Vote was unanimous.

### **3. Personal Appearances**

#### **A. Jay Tothacer, County Attorney - Presentation on Planning Commission Rules**

The current ordinance requires 12 County Council appointed seats, one for each Council district and 5 at-large members. This creates a burden as to appointments, as well as to the declaration of a quorum.

The proposed amendment would suggest eliminating the 5 at-large appointments and the 6 appointments representing the City of Newberry. The City of Newberry has its own separate planning commission and planning related ordinances. Whitmire and Silverstreet no longer have zoning regulations of their own nor do they use Newberry County's zoning regulations within their corporate limits. This results in 13 unnecessary appointments to the commission.

The membership on the commission would be reduced to 7 members appointed by County Council - one from each Council district, and one representative from each of the following towns: Prosperity, Pomaria, Little Mountain and Peak, resulting in a membership of 11.

The new ordinance will likely eliminate references to separate provisions for budgeting and the receipt of grant funds, where the Planning Commission is concerned. These functions are absorbed by the County through its Planning Department.

None of these proposed changes have been reduced to writing, and there is no scheduled consideration of an ordinance at this meeting.

Council inquired as to the continuing education requirements for members. Mr. Tothacer responded that he has been conducting continuing education for the Planning Commission members.

#### **4. Ordinance #10-17-19: An Ordinance to provide for the issuance and sale of not exceeding one million two hundred fifty thousand dollars (\$1,250,000.00) general obligation bonds of Newberry County, South Carolina, for the issuance of notes in anticipation of such bonds, to prescribe the purposes for which the proceeds of such obligations shall be expended, to provide for the payment thereof, and other matters relating thereto.**

EXPLANATION: This borrowing pertains to capital expenditure items approved as part of the FY 19-20 budget: facilities maintenance building, \$300,000; fleet maintenance building, \$250,000; fire service training grounds, \$150,000; animal shelter storage building, \$62,500; improvements and/or additions to Mid-Carolina Commerce Park, \$420,000.

**A. Public Hearing**

Motion by Mr. Cain for public hearing; second by Mr. Stockman. Vote was unanimous.

Mr. Koon declared this to be the public hearing. There being no comments from the public, Mr. Koon declared the public hearing closed.

**B. Third Reading**

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

**5. Ordinance #11-18-19: An Ordinance acting on as request to amend the official zoning map established pursuant to Zoning Ordinance #06-11-16, codified in Chapter 153 of the Newberry County Code of Ordinances, so as to rezone one real estate parcel totaling four and one hundred forty-six thousandths (4.146) acres designated as TMS Parcel No. 399-144 from R2-rural to General Commercial (GC).**

EXPLANATION: This agenda item and the next one both pertain to rezoning adjoining land parcels for the same purpose. The two land parcels are located behind Wilson Tractor on Wilson Road and are owned by Wilson Tractor. The stated purpose of the rezoning is to utilize these parcels as part of the property owner's business.

**A. Second Reading**

Motion by Mr. Reeder to approve second reading; second by Mr. Cain. There being no discussion, Mr. Koon called for the vote. Vote was unanimous.

**6. Ordinance #11-19-19: An Ordinance acting on a request to amend the official zoning map established pursuant to Zoning Ordinance #06-11-16, codified in Chapter 153 of the Newberry County Code of Ordinances, so as to rezone one real estate parcel totaling four and fifty-four hundredths (4.54) acres designated as TMS Parcel No. 399-153 from R2-rural to General Commercial (GC).**

EXPLANATION: See agenda item 5 above.

**A. Second Reading**

Motion by Dr. Rucker to approve second reading; second by Mr. Reeder. There being no discussion, Mr. Koon called for the vote. Vote was unanimous.

**7. Consideration to approve the bid amount of \$36,516.96 from Municipal Emergency Services for Structural Firefighting Gear - Crystal Waldrop, Procurement Director.**

The specific equipment bid was 24 sets of turnout gear, which is basically the clothing firefighters wear when going in to fight a structure fire.

One responsive bid was received from Municipal Emergency Services in the amount of \$36,516.96. Staff recommends approval of this bid.

Motion by Mr. Cain to approve bid from Municipal Emergency Services in the amount of \$36,516.96; second by Mr. Reeder. There being no discussion, Mr. Koon called for the vote. Vote was unanimous.

**8. Consideration to approve the Holiday Schedule for Newberry County - Katherine Cook, Human Resources Director.**

The holiday schedule recommended for consideration by the Personnel and Intergovernmental Relations Committee is as follows:

Thanksgiving:	November 28 and 29
Christmas:	December 24, 25 and 26
New Year's Day:	January 1

These recommendations coincide with the holidays for state employees.

Motion by Dr. Rucker to approve holiday schedule as recommended by the Personnel and Intergovernmental Relations Committee; second by Mr. Cain. There being no discussion, Mr. Koon called for the question. Vote was unanimous.

**9. Consideration to approve the Employee Christmas Dinner - Katherine Cook, Human Resources Director.**

The employee Christmas dinner will be held on Friday, December 20, from Noon until 2:00 P.M. at Community Hall. Bill and Frans will cater. The total cost is approximately \$1,700. As is customary, the dinner will be paid for from the Non-departmental Subsistence Account.

Motion by Dr. Rucker to approve Christmas dinner as recommended by the Personnel and Intergovernmental Relations Committee; second by Mr. Scurry. There being no discussion, Mr. Koon called for the vote. Vote was unanimous.

**10. Consideration to approve Employee Christmas Gift Cards - Katherine Cook, Human Resources Director.**

The Personnel and Intergovernmental Relations Committee recommends consideration of employee gift cards from Food Lion in the amount of \$50 each. Food Lion offers a 5% discount for the purchase of these cards. The 200 cards to be purchased will cost \$9,500. As is customary, these gift cards will be paid for from the Non-departmental Subsistence Account.

Motion by Mr. Cain to approve employee Christmas gift card recommendation of the Personnel and Intergovernmental Relations Committee; second by Dr. Rucker. There being no discussion, Mr. Koon called for the vote. Vote was unanimous.

**11. Consideration to approve proposed changes to the Newberry County Handbook - Tobacco Products in County Buildings - Katherine Cook, Human Resources Director.**

The proposed policy would prohibit smoking not only in County buildings, but on County property in general, and in County vehicles.

Motion by Mr. Scurry to approve proposed changes as recommended by the Personnel and Intergovernmental Relations Committee; second by Mr. Reeder. There being no discussion, Mr. Koon called for the vote. Vote was unanimous.

**12. Consideration to approve requirements for annual stipend payments to First Responders - Katherine Cook, Human Resources Director.**

To ensure proper payment of the stipend, the County is now requiring either a copy of the first responder's Social Security card or a completed W-9 Form. There are 227 first responders

scheduled to receive the \$500 stipend this year. Of these, 225 (99.1%) have already complied with this request. Full Council is being asked to approve this requirement as policy.

Motion by Mr. Cain to approve this requirement as policy as recommended by the Personnel and Intergovernmental Relations Committee; second by Dr. Rucker. There being no discussion, Mr. Koon called for the vote. Vote was unanimous.

**13. Appointments.**

No appointments.

**14. Committee Reports**

**A. Personnel and Intergovernmental Relations Committee 11/11/19 - Katherine Cook, Human Resources Director.**

The Committee discussed the matters included in Agenda Items 8-12 above. No other matters were taken up. If there are questions, staff will be glad to answer them.

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

No public comments.

**16. Executive Session (if needed)**

No Executive Session needed.

**17. Comments/Requests from County Administrator**

Mr. Adams recognized Larry DeHart's presence.

**18. Comments/Requests from Council Members**

Mr. Cain thanked everyone who called and sent cards while he was ill.

Council Members wished everyone a Happy Thanksgiving.

**19. Future Meetings**

- A. Finance Committee on 11/25/2019 at 6:00 p.m.**
- B. County Council on 12/4/2019 at 7:00 p.m.**
- C. Economic Development Committee on 12/9/2019 at 7:00 p.m.**

**20. Adjournment**

There being no further matters to come before Council, Mr. Cain moved to adjourn.

Mr. Koon declared the meeting adjourned at 7:25 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Kirksey Koon, Vice-Chairman**

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**Susan C. Fellers, Clerk to Council**

**Minutes Approved:** \_\_\_\_\_