



**NEWBERRY COUNTY COUNCIL  
MINUTES  
NOVEMBER 1, 2017**

Newberry County Council met on Wednesday, November 1, 2017, 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**  
                  **A.J. Tothacer, County Attorney**  
                  **Laurie Renwick, Clerk to Council**  
                  **Debbie Cromer, Finance Director**

**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.

Mr. Adams led the invocation followed by the Pledge of Allegiance.

**1.     *Adoption of Consent Agenda***

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

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

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

3. ***Ordinance #10-21-17: An Ordinance authorizing the acceptance of the transfer of the authority for conducting municipal elections in the Town of Prosperity to the Newberry County Registration and Elections Commission; to define the powers, duties and responsibilities assumed by the Newberry County Registration and Elections Commission for the conduct of municipal elections in the Town of Prosperity; to provide for reimbursement of all costs and expenses incurred by the Newberry County Registration and Elections Commission in the conduct of such municipal elections; and to provide for other matters relating thereto.***

Mr. Cain motioned to approve third reading of Ordinance #10-21-17; seconded by Dr. Rucker. The vote was unanimous.

4. ***Ordinance #10-22-17: 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 and one tenths (1.1) acres real estate parcel designated as TMS Parcel No. 464-23 from General Commercial (GC) to Rural (R2).***

Chairman Livingston declared this the Public Hearing.

Having received no comments from the public, Chairman Livingston declared the Public Hearing closed.

Mr. Waldrop motioned to approve third reading of Ordinance #10-22-17; seconded by Mr. Stockman. The vote was unanimous.

5. ***Ordinance #10-23-17: 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 and eighty-four hundredths (1.84) acres portion of a real estate parcel totaling two and fifty-two hundredths (2.52) acres designated as TMS Parcel No. 464-85 from General Commercial (GC) to Rural (R2).***

Chairman Livingston declared this the Public Hearing.

Having received no comments from the public, Chairman Livingston declared the Public Hearing closed.

Mr. Cain motioned to approve third reading of Ordinance #10-23-17; seconded by Mr. Stockman. The vote was unanimous.

6. ***Ordinance #10-24-17: 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 and twenty-one hundredths (1.21) acres real estate parcel designated as TMS Parcel No. 57-1-1-12 from Rural (R2) to General Commercial (GC).***

Chairman Livingston declared this the Public Hearing.

Having received no comments from the public, Chairman Livingston declared the Public Hearing closed.

Mr. Waldrop motioned to approve third reading of Ordinance #10-24-17; seconded by Mr. Stockman. The vote was unanimous.

7. ***Ordinance #10-25-17: An Ordinance authorizing the extension of the term of two (2) Fee In Lieu Of Tax Agreements and the extension and amendment of one (1) Fee in Lieu Of Tax Agreement, all such agreements by and between Newberry County, South Carolina and Kiswire, Inc.; and other related matters.***

Chairman Livingston declared this the Public Hearing.

Having received no comments from the public, Chairman Livingston declared the Public Hearing closed.

Mr. Cain motioned to approve second reading of Ordinance #10-25-17; seconded by Mr. Reeder. The vote was unanimous.

8. ***Ordinance #11-26-17: An Ordinance authorizing a Fee Agreement by and between one or more companies, identified for the time being as Project Prime, and Newberry County, South Carolina, whereby, under certain conditions, Newberry County, South Carolina will enter into a Fee-In-Lieu Of Property Tax Arrangement with Project Prime to induce Project Prime to expand its existing manufacturing facilities located in Newberry County South Carolina; and other matters related thereto. (TITLE ONLY)***

Mr. Adams reported that Project Prime refers to the expansion of an existing industry in the amount of three million dollars with ten new jobs created. This is a straight fee deal with no special source credit involved. We are looking at a twenty-year term with locked millage at 382 and the standard FILO 6% assessment ratio.

Mr. Waldrop motioned to approve first reading of Ordinance #11-26-17; seconded by Vice Chairman Koon. The vote was unanimous.

9. ***Ordinance #11-27-17: An Ordinance authorizing the execution and delivery of a Fee Agreement by and between Newberry County, South Carolina and Pioneer Frozen Food South Carolina, LLC providing for a payment of a Fee In Lieu Of Taxes, a Special Source Revenue Credit and other matters related thereto. (TITLE ONLY)***

Mr. Adams stated that this ordinance has two parts. The first is a standard fee agreement at a 6% assessment ratio and locked millage. The term for this six-million-dollar new investment is undetermined but will be for 20 or 30 years with no special source credit involved. The second pertains to the existing fee deal. Pioneer inadvertently thought the investments they were making were within a fee window; however, they were not. The county has agreed to offer the company a 25% credit against the 10.5% fee stream for the company's investments through the years 2012-2017.

Mr. Cain motioned to approve first reading of Ordinance #11-27-17; seconded by Mr. Reeder. The vote was unanimous.

10. ***Resolution #12-17: A Resolution identifying Project Prime, an economic development project, to be located and constructed in Newberry County, South Carolina, and authorizing a Fee-In-Lieu Of Tax Agreement by and between Project Prime and Newberry County, South Carolina; and other matters related thereto.***

Mr. Adams reported that this resolution confirms that the project meets the statutory criteria for economic development and the county's intention to provide a FILOT for the project.

Mr. Cain motioned to approve Resolution #12-17; seconded by Mr. Reeder. The vote was unanimous.

11. ***Consideration of Request for Proposals for Digital Orthoimagery Services for Assessor's Office.***

Mrs. Waldrop, Purchasing Director, informed Council that staff received three responses on August 25, 2017; Kucera, Surdex and Sanborn and staff recommends the highest ranked firm, Sanborn, for this project.

Chairman Livingston asked Ms. Arrowood if she felt this company would meet the county's needs.

Ms. Arrowood responded that Sanborn did the county's 2013 flyovers, so they have experience with us and they also do twelve other counties within the state.

Mr. Reeder motioned to approve Sanborn for digital orthoimagery services; seconded by Mr. Cain. The vote was unanimous

**12. Consideration of Request for Proposals for Airport Storm Water Pollution Prevention Plan**

Mrs. Waldrop, Purchasing Director, reported that staff received proposals on October 18, 2017, from Confluence Environmental, Davis & Floyd, Goodwyn Mills Cawood, Summit Engineering, and S&ME. Staff recommends the highest ranked firm, Confluence Environmental, for this project.

Mr. Koon mentioned that DHEC requires that this work be performed annually to the tune of \$4,150.00.

Mr. Waldrop motioned to approve Confluence Environmental for Airport Storm Water Pollution Prevention Plan; seconded by Mr. Reeder. The vote was unanimous.

**13. Appointments**

No comments.

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

No public comments.

**15. Executive Session**

- a. Section 30-4-70 (a)(1) of the South Carolina Freedom of Information Act for discussion of matters related to the clerk to council to discuss personnel issues.

Mr. Reeder motioned to go into Executive Session; seconded by Dr. Rucker. The vote was unanimous.

***EXECUTIVE SESSION [7:16 p.m. – 9:05 p.m.]***

Chairman Livingston returned the meeting to open session and reported that county council met in executive session and no action was taken.

**16. Comments/Request from County Administrator**

No comments.

**17. Comments/Request from Council Members**

Mr. Reeder and Mr. Koon wished all veterans a happy Veteran's Day.

**18. Future Meetings**

- a. Public Works and Planning Committee 11/6/17 @ 7:00 p.m.
- b. County Council 11/15/17 @ 7:00 p.m.
- c. Personnel and Intergovernmental Relations Committee 11/27/17 @ 6:00 p.m.

**19. Adjournment**

Chairman Livingston declared the meeting adjourned at 9:07 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Henry H. Livingston, Chairman**

**APPROVED:**

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**Laurie N. Renwick, Clerk to Council**