

**NEWBERRY COUNTY COUNCIL  
MINUTES  
October 18, 2023**

Newberry County Council met on Wednesday, October 18, 2023, at 6:01 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

Notice of the meeting was duly advertised, as required by law.

**PRESENT:** Todd Johnson, Chairman  
Les Hipp, Vice Chairman (virtually)  
Karl Sease, Council Member  
Robert N. Shealy, Council Member  
Travis Reeder, Council Member  
Johnny Mack Scurry, Council Member  
Jeff Shacker, County Administrator  
Joanie Winters, County Attorney  
Eric Nieto, I.T. Director  
Liz McDonald, Assessor  
Donna Lominack, Auditor  
Karen Lindler Smith, Treasurer  
Karen Brehmer, Deputy County Administrator  
Debbie S. Cromer, Finance Director  
Crystal Waldrop, Purchasing Director  
Katie Werts, Director of Planning and Development Services  
Major Robert Dennis, NCSO  
Captain Ben Chapman, NCSO  
Andrew Wigger, Clerk to Council/PIO

**MEDIA:** Orion Griffin, The Newberry Observer

Mr. Johnson called the meeting to order at 6:01 p.m.

Council Member Karl Sease led the invocation and Pledge of Allegiance.

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

- Newberry County Council Meeting Minutes – October 4, 2023.
- Mr. Sease made a motion to accept the minutes as presented, Mr. Reeder gave a second and the motion was approved 6-0.

### **2. Additions, Deletions & Adoption of the Agenda.**

- Mr. Scurry made a motion to adopt the agenda as presented, which was seconded by Mr. Shealy. The motion was approved 6-0.

### **3. Recognitions:**

- Employee Service
  - Karen Brehmer      15 years      Administration
  - Ryan Dickert      20 years      Sheriff's Department
  - Karen Lindler Smith      35 years      Treasurer's Office
- Mr. Shacker recognized the above employees for their service to Newberry County, highlighting their accomplishments and pivotal moments while working for Newberry County.
- Mr. Johnson said that the employees of Newberry County are what make Newberry County so great and special. He added that they are thankful for each of them and what they do to make this a great place.

### **4. Public Appearances:**

- **Steven Knapp – Executive Director of the Newberry Museum.**

- Mr. Knapp said he wanted to give an update of everything going on at the Newberry Museum.
- Mr. Knapp said they just wrapped up their exhibit on Masonic Lodges of Newberry County, he said that exhibit was very well received, garnering national attention with a National Masonic podcast called the Masonic Roundtable doing an episode on the exhibit.
- Mr. Knapp said all parts of the county, from Whitmire to Peak, were represented in this exhibit.
- Mr. Knapp said their current exhibit is celebrating 150 years of firefighting with the Newberry City Fire Department. He said they had over 180 people at the opening of the exhibit. He said this exhibit will run until March.
- Mr. Knapp said they recently received funding from the Newberry County Accommodation Tax, the City of Newberry Accommodation Tax and several grants which will allow them to update exhibit cases.
- Mr. Knapp said they are expanding the exhibits on each of the municipalities as they have more artifacts to display.
- Mr. Knapp said their Military Exhibit will grow the most because their military artifacts have quadrupled. He said this exhibit will grow to take over an entire wing of the building.
- Mr. Knapp said they are working on exhibits focusing on Newberry County churches and schools. He said they are working hard to cover all aspects of life in Newberry County.
- Mr. Knapp said they are increasing their community outreach, including working with the SC 250, telling the stories that have not been told, focusing on the stories of loyalist, African Americans, Native Americans, and women; partnered with the Rosenwald School Committee in Newberry; and now working with the Gallman Place project.

- Mr. Knapp said they are laying a plan to go decades into the future to ensure the museum is on the map.
- Mr. Knapp said they are talking to the Royal Armory Museum, at Winsor Castle in London. He said that the museum has a rifle that was captured at the Battle of Mudlick Creek down near Chappells. He said he is in talks with them for at least a loan for 2026.
- Mr. Knapp encouraged council members to stop by the museum to see what they are doing.

- **Lou Neiger – Electric Vehicles and Public Safety.**

- Mr. Neiger spoke on protecting first responders in Newberry and that what was needed was special fire-retardant blankets, under vehicle nozzles and respirators. He said they are needed for electric vehicle fires with five thousand to nine thousand batteries packed in each average size EV. He said it can burn up to one thousand five hundred degrees Fahrenheit and the fire can reignite from two hours up to four days after the first fire.
- Mr. Neiger said the battery gases, vapor and smoke are highly toxic and flammable.
- Mr. Neiger said all state and county fire marshals, especially the City of Newberry and volunteer fire departments, should be in discussions to understand the best ways to address EV fires and help with funding the fire protection equipment.
- Mr. Johnson requested this information be forwarded to Tommy Long (emergency services director) and to have Mr. Neiger come back to the next Public Safety Committee.

**5. Ordinance No. 10-01-2023. An Ordinance acting on a request to amend the official zoning map established pursuant to Zoning Ordinance No. 12-24-01 as revised and amended by Zoning Ordinance**

**No. 06-11-16 and codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classification and districts as to rezone one (1) real estate parcel totaling one (1) acre designated as TMS No. 339-1-10 from RG-General Residential to R2-Rural.**

**a. Public Hearing**

- Mr. Johnson declared the Public Hearing open. With no one signing up or standing to speak. Mr. Johnson declared the public hearing closed.

**b. Second Reading**

- Mr. Shealy made a motion to approve the second reading, Mr. Sease gave the second and the motion was approved 6-0.

**6. Ordinance No. 10-02-2023. An Ordinance adopting the Newberry County Fire Protection and Prevention Code, providing for periodic inspections and enforcement of the code, and establishing a process for appeals and penalties for violations.**

**a. Public Hearing**

- Mr. Johnson declared the Public Hearing open. With no one signing up or standing to speak. Mr. Johnson declared the public hearing closed.

**b. Second Reading**

- Mr. Reeder made a motion to approve the second reading. Mr. Sease gave the second and the motion was approved 6-0.

**7. Consideration and approval of proposals for the architectural and engineering firms for the 2022 Capital Project Sales Tax (CPST) Projects (2023-13 and 2023-14).**

- Ms. Waldrop said the two solicitations go hand-in-hand and were broken down into two groups.
- Ms. Waldrop said Group One consisted of the Public Safety Complex, Town of Pomaria Community Center Renovations, and the Whitmire Town Hall Gym Renovations. She said they received nine responses and conducted in-person interviews with four of the firms: DP3 Architects, GMK, JLA and Rosenblum. The committee, she said, was made up of Mac Bartley, Karen Brehmer, Scott Sawyer, Jeff Shacker, and herself (all with Newberry County) and Josh Kale with Clayton Construction the county's construction manager for the 2022 CPST projects.
- Ms. Waldrop said Group Two consisted of the Downtown Amphitheater, Gallman School Renovations, Town of Prosperity Park Improvements, and the Little Mountain Reunion Park Improvements. She said they received six responses and interviewed three of those firms: Becker Morgan Group, DP3 Architects and JLA. Ms. Waldrop added that the committee consists of the same group.
- Ms. Waldrop said JLA and DP3 submitted responses for both solicitations and were shortlisted for interviews. She said the committee recommended that JLA provide architectural services for the Downtown Amphitheater and the Pomaria Community Center Renovations, and they recommended DP3 for the remainder of the mentioned projects.
- Ms. Waldrop said the committee agreed two firms are needed so these projects continue to move forward.
- Ms. Waldrop said The Detention Center Cell Block Addition will be awarded separately and they are in the review process of those submittals.
- Mr. Scurry made a motion for staff to enter negotiations with the recommended firms for the projects. Mr. Shealy gave the second, and the motion was approved 6-0.

- 8. Ordinance No. 10-03-2023. An Ordinance to authorize the County of Newberry, by Newberry County Council, to sell the real estate described on Attached Exhibit "A" which is incorporated herein by reference known as Tax Map number 451-10-1 to Trucast LLC upon such terms and conditions described in the bill of sale in Exhibit "B".**

**a. First Reading**

- Mr. Shacker said anytime the county wants to convey any interest in real property the county owns, they must use an ordinance.
- Mr. Shacker said the Trucast fee-in-lieu of tax agreement they were previously under is an old agreement that predates a change in legislation in terms of how that is handled. He said in exchange for a reduced incentive for the project, they had the option at the conclusion of the FILOT, which has been reached, to take ownership of the property. He said now they are exercising their option to take ownership of the property for nominal consideration.
- Mr. Sease made a motion to approve first reading, Mr. Scurry gave the second and the motion was approved 6-0.

- 9. Ordinance 10-04-2023. An Ordinance to amend County Ordinance 12-30-10 to provide for alternative members of county committees.**

**a. First Reading**

- Mr. Shacker said this was an ordinance that members of council requested. He said Newberry County Council, some time ago, implemented a system of standing committees. At present, he said, there are four committees – Economic Development Committee, Executive Committee, Finance Committee, and a Public Safety Committee. Each committee is made up of three council members appointed by the chair.
- Mr. Shacker said some interest was expressed in having the ability to appoint an alternate when a committee member cannot attend. He

said there were a few instances where council members have not been able to attend.

- This Ordinance would allow, according to Mr. Shaker, them to designate an alternate and make the chair of the committee aware to ensure there is always a quorum.
- Mr. Johnson said he thinks this will be a wise move for them to move forward.
- Mr. Sease made a motion to approve the first reading, Mr. Shealy gave the second.
- During the discussion, Mr. Hipp thanked Mr. Sease for taking the initiative to make this happen.
- The motion was approved 6-0.

**10. Ordinance 10-05-2023. An Ordinance to provide for the issuance and sale of not exceeding thirty-five million, two hundred fifty thousand (\$35,250,000) general obligation bonds of Newberry County, South Carolina, the sale and issuance of general obligation bond anticipation notes in anticipation to the issuance of such bonds, and other matters relating thereto.**

**a. First Reading**

- Mr. Shacker said the 2022 CPST that was approved by the voters in November is the fifth Capital Sales Tax iteration they've had in Newberry County. He said the tradition has been to put two questions in front of the voters, one to approve the projects and two do you approve the issuance of debt and proceeds of which to fund projects concurrently.
- Mr. Shacker said in all five instances, voters have approved issuance of debt.
- Mr. Shacker said this ordinance will initiate the process to issue those bonds.
- Mr. Shacker said it may not be necessary to the \$35,250,000 and they will refine the numbers as they go through the process.

- Mr. Johnson asked if by doing this, they would allow the projects to move forward, and Mr. Shacker answered in the affirmative.
- Mr. Reeder made a motion to approve the first reading, Mr. Scurry gave the second and the motion was approved 6-0.

#### **11. Appointments.**

- Two appointments to the Newberry County Memorial Hospital Board (District 6).
  - Mr. Scurry made a motion to reappoint Mr. Frank M. Senn, Jr. to the Newberry County Memorial Hospital Board. Mr. Shealy gave the second, and the motion was approved 6-0.
  - Mr. Scurry made a motion to reappoint Ms. Doriece McMorris to the Newberry County Memorial Hospital Board. Mr. Reeder gave the second and the motion was approved 6-0.

#### **12. Council may take action on matters discussed during the 5 p.m. executive session.**

- Mr. Johnson made the following statement as part of Newberry County Council: On April 4, 2023, the Newberry Board of Zoning Appeals denied a request for a special exception to utilize a tract of rural acreage as a solar farm. As permitted by law, this denial was appealed by the property owner on June 6, 2023, and was heard by the Circuit Court of Common Pleas on August 23. On October 2, 2023, the same court issued an Order reversing the decision of the Board of Zoning Appeals. As a County, we must abide by the ruling of the Court.

#### **13. Public Comments.**

- There were no public comments.

#### **14. Comments/Requests from County Administrator.**

- Mr. Shacker said at the last meeting Ms. Jessie Long made a presentation asking for permission to submit a grant application through the legislative delegation to the South Carolina Parks and Recreation and Tourism Department for a PARD Grant. The request was for \$38,400 to make improvements to Lynch's Woods Park; he said the county was awarded that grant. He said the match requirement for that grant was \$9,600 and the event rental fee associated with letting the Spartan Race utilize Lynch's Woods Park this year and last year, the proceeds for that will cover the match for the grant and the previous grant council approved (a recreation trails program grant).
- Mr. Shacker said that the clarification for the Newberry County/Richland County Boundary has been finalized and information on that can be found at the South Carolina Revenue and Fiscal Affairs Office's website. He said they have a page dedicated to the boundary and there are no major impacts on property owners and no impacts on structures.
- Mr. Shacker said they had several CPST action items, and they are moving quickly to get the projects designed.

#### **15. Comments/Requests from Council.**

- Mr. Shealy said this was a great meeting and they had a great presentation from the Newberry Museum.
- Mr. Sease said it was a good choice to move the Executive Session.
- Mr. Reeder said it is good to see everyone at the meeting and that a lot of things are going on and keep up the good work.
- Mr. Hipp thanked everyone for making it available for him to Zoom in to the meeting and he said it was a good idea to have the Executive Session first.
- Mr. Johnson said moving Executive Session worked out well.

16.Future meetings:

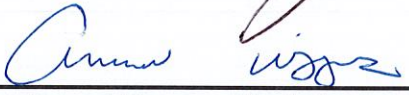
- a. Newberry County Council – November 1 at 6 p.m.
- b. Executive Committee – November 6 at 6 p.m.
- c. Newberry County Council Goal Setting Session – November 9 at 4 p.m. (CANCELLED)
  - o Mr. Johnson said in talking to Mr. Shacker, they felt it would be better to hold this session after the first of the year as they get closer to the budget season, to align the budget with the council’s goal planning. As there was no objection, council chose to cancel the session.
- d. Veterans Day – Offices Closed - November 10.
- e. Newberry County Council – November 15 at 6 p.m.

17.Adjournment.

- Mr. Shealy made a motion to adjourn the meeting, Mr. Reeder gave the second. The motion was approved 6-0 and the meeting adjourned at 6:47 p.m.

**NEWBERRY COUNTY COUNCIL**

  
\_\_\_\_\_  
**Todd Johnson, Chairman**

  
\_\_\_\_\_  
**Andrew Wigger, Clerk to Council**

Minutes Approved: 11-01-23

## FIRE EQUIPMENT TO FIGHT EV FIRES,

### Protecting our first responders, in Newberry

### **Needed \*\*\*Special fire retardant blankets, UNDER vehicle nozzles and respirators .**

They are needed for EVs fires with **FIVE THOUSAND TO NINE THOUSAND** batteries, packed in each average size burning EV.

It can burn up to **ONE THOUSAND FIVE HUNDRED degrees** Fahrenheit.  
The fire can reignite from 2 hours up to 4 days after first fire.

Water may NOT prevent a EV fire from spreading. Battery cells are known to explode and quickly spread to other batteries. [www.NYC.gov](http://www.NYC.gov) Dangers of lithium batteries

The battery gases, vapor and smoke are highly toxic and flammable and must not be inhaled [www.fire.nsw.gov.au](http://www.fire.nsw.gov.au) What should I do if battery is smoking or on fire.

A chemical reaction can severely burn the esophagus in as little as two hours creating an esophageal perforation , vocal cord paralysis , or even erosion into the airway (trachea) ...[C WWW hop.edu](http://www.hop.edu) Lithium ....Children's hospital of Philadelphia

It can take up 30,000 to 40,000 gallons to put out a EV fire **with out** proper equipment. Largest Newberry fire truck is 3,000 gallons.

Most of Newberry has fire hydrants, but have **NO Special fire retardant blankets, nor under car nozzles that puts out 500 gpm.** Gallons per minute

How bad is a Lithium fires?

A customer went into Kiblers a few months back, for another reason, but decided to also change a his personal LITHIUM battery out of his cell phone.

He pried the back off, pried the lithium battery out and BENT the battery of the cell phone.

The small lithium battery caught fire with smoke. They scrambled to throw it out side.

It left about a  $\frac{1}{2}$  dollar size burn on the counter top.

**\*\*\*Show battery X 5000-9000**

Many **US counties** with EV fires THAT continues to reignite will *dig a hole*, fill with water & push vehicles into hole. What about the contamination of the ground water?

BMW & VW should be in discussion with all the state & county **fire marshals** heads especially City of Newberry and Volunteer fire Dept. to understand best way to address EV fires & help with funding the fire protection equipment.

Now, Newberry county and city looking into the tip of the iceberg for proper equipment & how to fund first Respondents equipment

These are concerns that need to continually be addressed by our county & fire marshals.

ANY QUESTIONS?

Thank you

Louis Neiger, CLU

5955 SC hwy 395

Newberry, SC 29108

---

BUT other questions.

How long until tow companies **stop** towing EV vehicles that caught fire? Knowing EV fires could restart 2 hours to 4 days . Where to store the EV?

What happens if a EV fire on I-26 and NO fire hydrants?

What happens to bystanders as the wind shifts watching the fire?

Are there enough proper sufficient respirators for 1<sup>st</sup> responders?.

Should the federal government and state help pay for the basic equipment?

What if a rail derailment happens, which there have been many in last 8 months in the US, that may be carrying EVs from BMW coming soon VW out of Blythwood.?

What about EV car carrying trucks?

Will Newberry be ready with present US administration saying 30-40 % of vehicles should be sold as EVs by 2030?

# Welcome to Turtle Fire Systems, LLC

- TURTLE USES
- NEWS & INFO



- ABOUT US
- MEET THE TEAM
- CONTACT US

The Turtle Fire System was founded in response to the growing concern of electric vehicle fires and the need for a safe and effective water delivery system. Its unique design and operation allows for applications beyond EV fires, such as internal combustion engine fires, cooling flammable liquid and fuel tanks, deep-seated fires, exposure protection, hazmat incidents, and more.

**VOLUME**  
Master stream capable of delivering 500+ GPM

**EFFECTIVE**

Low-profile design easily deployed under a vehicle to deliver copious amounts of water directly onto an EV battery case.

**SIMPLE**

Easy to be assembled and disassembled rapidly without need for tools.



**SAFE**

Once deployed, the Turtle Fire System operates unmanned, reducing exposure to fire and harmful toxic gasses.

**DURABLE**

The Turtle is made in the USA of 100% welded American steel.

**FORCE MULTIPLIER**

The Turtle Fire System enables departments to respond with less manpower than other fire fighting methods.





**Anna Chorman**

1d · 🌐



**Colorado Springs**

6d · 🌐

A thousand words can be generated by just this one picture. This is Tesla's roadside assistance vehicle filling up at the gas pump.



**Linda Neiger**

2d · 🌐



**Sid Miller**

4d · 🌐