

**NEWBERRY COUNTY COUNCIL
MINUTES
April 15, 2026**

Newberry County Council met on Wednesday, April 15, 2026, at 6:00 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: Karl Sease, Vice-Chairman
Leon Fulmer Jr., Council Member
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Stuart Smith, Council Member
Ted Luckadoo, County Administrator
Joanie Winters, County Attorney
Karen Brehmer, Deputy County Administrator
Captain Ben Chapman, NCSO
Debbie Cromer, Finance Director
Rick Farmer, Economic Development Director
Beth Folk, Clerk to Court
Sheriff Lee Foster, NCSO
Jessie Long, Economic Development Coordinator
Eric Nieto, IT Director
Josh Rowe, Public Works Director
Katie Werts, Director of Planning and Development
Andrew Wigger, Clerk to Council/PIO

ABSENT: Robert Shealy, Chairman
Todd Johnson, Council Member

1. Call to order: Karl Sease, Vice-Chairman.
 - Mr. Sease called the meeting to order at 6:00 p.m.
2. Invocation and Pledge of Allegiance: Stuart Smith, Council Member.

- Mr. Smith led the Invocation and Pledge of Allegiance.

3. Adoption of Minutes:

- a. Newberry County Council Work Session Minutes – March 18, 2026.
 - b. Newberry County Council Minutes – March 18, 2026.
 - c. Newberry County Council Budget Work Session Minutes – March 24, 2026.
 - d. Newberry County Council Budget Work Session Minutes – March 25, 2026.
 - e. Newberry County Economic Development Committee Minutes – March 30, 2026.
 - f. Newberry County Public Safety and Courts Committee Minutes – April 6, 2026.
- Mr. Reeder made a motion to accept the minutes as presented; Mr. Smith provided the second and the motion carried 5-0.

4. Approval of Agenda.

- Mr. Fulmer made a motion to accept the agenda as presented; Mr. Scurry provided the second and the motion carried 5-0.

5. Special Recognition: Pomaria Fire Station 4 and Pomaria Rescue Station 13.

- Chief Barry Richardson recognized the stations listed above for their accomplishments, history and other accolades, as well as highlighting the work they do throughout the year.

6. Administrator's Report:

- a. Employee Recognition: Beverly Brehmer (35 years, Clerk of Court), Chris Alexander (Retirement, Public Works), Daniel Floyd (Retirement, Detention Center), Jeffrey Shacker (Retirement, Administration).
- Mr. Luckadoo, with the help of Mr. Rowe and Sheriff Foster, recognized the above employees for their service to Newberry County, highlighting their accomplishments and pivotal moments while working for Newberry County.
- b. Project Updates.

- Mr. Luckadoo recognized artwork in the Newberry County Courthouse Annex that was done by the students of Boundary Street Elementary School. Newberry County Public Works and Recycling recently participated in their Equipment and Career Day where they passed out the coloring pages for display.
- The Mason's Way Road project is substantially completed, and the final inspection is set to occur following this meeting.
- A pre-bid meeting was held for the Public Safety Complex (CPST) project with over 20 potential bidders; bids are due on May 13.
- Little Mountain Reunion Park and the Whitmire Gym CPST projects are projected to be completed in April, and the Pomaria Community Center CPST project is now complete. The Newberry Museum project is well underway with new tiles being installed.

7. Chairman's Comments.

- Mr. Sease thanked everyone for coming out and thanked the volunteers that were recognized, and those employees recognized.

8. Public Hearings:

a. Ordinance 01-01-2026, a text amendment to the Zoning Ordinance, Sections 153.033, 153.168, 153.170, and 153.231; allowing fences and walls within the setback area.

- Mr. Gary Ginn presented a mediation agreement he has with the Zoning Board and county attorney, which he said they have breached.
 - Ms. Winters interjected and informed council that mediation in South Carolina is confidential, and everyone at the mediation agreed to the confidentiality of the proceedings, and she made mention the document itself on the last page states the parties understand the mediation is not concluded, but rather recessed. She added that this matter is under litigation and has not been adjudicated. She stated that she feels the conversation being held right now is inappropriate and slightly unethical.
 - Mr. Sease advised Mr. Ginn to continue but to address the issues with the ordinance.

- Mr. Ginn said his mediation addresses everything in the change, and in fact this change did not come before Newberry County Council until after the February 3 BZA meeting. He said he does not know how he can speak to them on this, except to include the mediation that county attorney will not call his attorney back.
 - Ms. Winters interjected and said Mr. Ginn has signed up to discuss what he is to discuss, but he is not going to demean employees, including herself, and that is inappropriate.
 - Mr. Sease informed Mr. Ginn he cannot discuss the county employees just his own property.
- Mr. Ginn said the zoning change they are initiating discusses the setback for 50 feet from the 360 contour which a fence was put down the property line, and that fence violated the now ordinance. Now this council is getting ready to change the ordinance, but this ordinance change was initiated after the fact he protested it at BZA, and they would not take it up. He said the law states the fence had to be 50 feet from the 360 contour of Lake Murray. He said a fence is a structure in every state in the Union, and in every county surrounding Lake Murray. He said it is his belief that this ordinance is changing because he protested it.

b. Ordinance 03-01-2026, allowing Newberry County to enter into an option and purchase agreement with Project Altair for Economic Development Purposes.

- Prior to the Public Hearing, Mr. Sease read a statement that said if this Ordinance passes, it will allow Newberry County to option the remaining acres in Mid-Carolina Commerce Park II to a developer who has the intentions to lease the facility to a data center tenant. If the plans are successful, the project would buy the remaining acres and construct several buildings, which would constitute a small to medium data center. Santee Cooper is currently performing a study to make sure the electrical grid in that area can support a facility. Newberry County Council is only exploring this opportunity and if the Ordinance passes, it does not necessarily mean the data center would be constructed. What is happening today is creating ground conditions for a due diligence process to occur. If these plans do not come to fruition the land will revert back to Newberry County for future economic development.

- No members of the public spoke.
- c. Ordinance 03-02-2026. A text amendment of section 153.073 to the Zoning Ordinance (Chapter 153) which will allow for Outdoor Retail Sales.
- No members of the public spoke.
- d. Ordinance 03-03-2026. A text amendment section 151.04 to the Zoning Ordinance (Chapter 153) establishing a penalty to building permit fees.
- No members of the public spoke,
- e. Ordinance 03-04-2026. Rezoning property located at Folk Road and Calvary Church Road, Newberry, consisting of 8.34 acres, from LC-Limited Commercial to R2-Rural. (TMS 335-24).
- No members of the public spoke.
- f. Ordinance 03-05-2026. Rezoning property located at the corner of Lindler Field Road and US Hwy 76, Little Mountain, consisting of 3.04 acres, from RS-Single Family Residential to R2-Rural. (TMS 640-83).
- No members of the public spoke.

9. Public Comments Regarding Items on the Agenda (three minutes).

- Mr. Gary Ginn started out by saying that this mediation agreement has been filed in State Court and is therefore public knowledge and is also under FOIA. He said it was given to the BZA and is written on their website for their agenda and minutes and therefore he would like to speak on it.
 - Ms. Winters renewed her objections; Mr. Ginn said Council was persecuting his civil rights to speak.
 - Ms. Winters said in the interest of moving the meeting along, she asked her objection to be noted and let Mr. Ginn speak for three minutes, but she objects.

- Mr. Ginn said on this new ordinance he protests that they are putting this ordinance about when he has an ongoing discussion on why the BZA would not hear and would not recognize this. He said it is an ordinance and it states you cannot build a structure, principal or otherwise, within 50 feet of the 360 contour. He said this zoning ordinance was put by the zoning administrator and BZA to basically try and forfeit the mediation agreement that he has. He said it looks like he'll have to go to court over this, and if Council changes the zoning that it will look like they changed it to counteract his motions, and it will not look good for Council. He said this fence impedes his view from his house, he said if this ordinance passes, he doesn't think Council would want someone to put a fence down their properties.

10. Old Business:

- a. Third Reading – Ordinance 01-01-2026, a text amendment to the Zoning Ordinance, Sections 153.033, 153.168, 153.170, and 153.231; allowing fences and walls within the setback area.
 - Mr. Fulmer made a motion to accept third reading; Mr. Scurry provided the second and the motion carried 5-0.
- b. Second Reading – Ordinance 03-02-2026. A text amendment of section 153.073 to the Zoning Ordinance (Chapter 153) which will allow for Outdoor Retail Sales.
 - Mr. Reeder made a motion to accept second reading; Mr. Scurry provided the second and the motion carried 5-0.
- c. Second Reading – Ordinance 03-03-2026. A text amendment section 151.04 to the Zoning Ordinance (Chapter 153) establishing a penalty to building permit fees.
 - Mr. Smith made a motion to accept second reading; Mr. Fulmer provided the second and the motion carried 5-0.

- d. Second Reading – Ordinance 03-04-2026. Rezoning property located at Folk Road and Calvary Church Road, Newberry, consisting of 8.34 acres, from LC-Limited Commercial to R2-Rural. (TMS 335-24).
 - Mr. Reeder made a motion to accept second reading; Mr. Scurry provided the second and the motion carried 5-0.
- e. Second Reading – Ordinance 03-05-2026. Rezoning property located at the corner of Lindler Field Road and US Hwy 76, Little Mountain, consisting of 3.04 acres, from RS-Single Family Residential to R2-Rural. (TMS 640-83).
 - Mr. Reeder made a motion to accept second reading; Mr. Smith provided the second and the motion carried 5-0.

11. New Business:

- a. Proclamation recognizing Soil and Water Stewardship Week in Newberry County.
 - A copy of the Proclamation was presented to Ms. Toni Warran of the Newberry Soil and Water Conservation District. Ms. Warren stated, “soil is where it all starts.”
- b. First Reading – Ordinance 04-01-2026, Providing Appropriations for the Fiscal Year 26/27 Budget.
 - Mr. Luckadoo said there were some changes, as discussed in the 5:00 p.m. Work Session, but the total amount did not change.
 - Mr. Reeder made a motion to accept first reading; Mr. Scurry provided the second and the motion carried 5-0.
- c. Resolution 02-2026 – Approval to Purchase 800 MHz Radios and Equipment with Remaining Funds from 2025/2026 Lease Purchase.
 - Mr. Luckadoo said following the purchase of the fire truck and the two ambulances on the \$2.1 million lease purchase, there were funds left over of a bit over \$60,000 and after speaking to bond council, they

asked if they could utilize those funds on another need, in this case 12 800 MHz radios.

- Mr. Reeder made a motion to accept the Resolution; Mr. Scurry provided the second.
- Mr. Sease thanked Mr. Luckadoo for looking into this in order to fund those radios for the rescue squads. Mr. Luckadoo thanked staff for working on this.
- The motion carried 5-0.

12. Possible Actions by Council following the 5 p.m. Executive Session.

- No action was taken.

13. Appointments:

a. Building, Fire, Nuisance Board – District 2.

- Mr. Fulmer nominated Mr. Andrew Moore, and Mr. Reeder made a motion to accept; Mr. Smith provided the second and the motion carried 5-0.

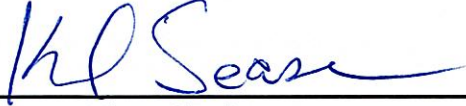
b. Board of Zoning Appeals – District 6.

- Mr. Scurry nominated Chauncey Hardrick, and Mr. Fulmer made a motion to accept; Mr. Smith provided the second and the motion carried 5-0.

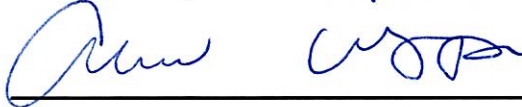
14. Adjournment.

- Mr. Reeder made a motion to adjourn; Mr. Scurry provided the second and the motion carried 5-0.
- Newberry County Council adjourned at 6:54 p.m.

NEWBERRY COUNTY COUNCIL



Karl Sease, Vice-Chairman



Andrew Wigger, Clerk to Council

Minutes Approved: 85-6-26