

**NEWBERRY COUNTY COUNCIL  
MINUTES  
October 16, 2024**

Newberry County Council met on Wednesday, October 16, 2024, 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:** Todd Johnson, Chairman  
Robert Shealy, Vice-Chairman  
Leon Fulmer Jr., Council Member  
Les Hipp, Council Member  
Travis Reeder, Council Member  
Karl Sease, Council Member  
Johnny Mack Scurry, Council Member  
Jeff Shacker, County Administrator  
Joanie Winters, County Attorney  
Beverly Brehmer, Deputy Clerk to Court  
Karen Brehmer, Deputy County Administrator  
Debbie Cromer, Finance Director  
Rick Farmer, Economic Development Director  
Beth Folk, Clerk to Court  
Sheriff Lee Foster, NCSO  
Jessie Long, Newberry County Parks and Recreation Director  
Tommy Long, Emergency Services Director  
Liz McDonald, Assessor  
Eric Nieto, I.T. Director  
Andrew Wigger, Clerk to Council/PIO

**MEDIA:** Kelly Duncan, The Newberry Observer

Mr. Johnson called the meeting to order at 6:00 p.m.

Mr. Hipp led the invocation and Pledge of Allegiance.

1. Adoption of Consent Agenda:

- a. Newberry County Council Work Session – October 7, 2024.
- b. Newberry County Council Meeting – October 7, 2024.

- Mr. Shealy made a motion to accept the minutes as presented; Mr. Sease provided the second and the motion carried 7-0.

2. Additions, Deletions & Adoption of the Agenda.

- Mr. Johnson made an amendment to make a change to the agenda, he requested the addition of agenda item 8a for public comments for the purchase of one or more ambulances for EMS and 8b becomes the approval of the purchase, then a 9a for public comments for the purchase of a replacement fire tanker truck for Bush River Fire Department and 9b becomes the approval for the purchase; Mr. Shealy provided the second and the amendment carried 7-0.
- Mr. Shealy made a motion to approve the agenda as amended; Mr. Hipp provided the second and the motion carried 7-0.

3. Recognitions:

a. Employee Service

- |                   |          |                |
|-------------------|----------|----------------|
| • Rebecca Gaffney | 5 years  | Animal Control |
| • Mary Cleveland  | 10 years | NCSO           |
| • William Claytor | 15 years | NCSO           |
| • Elizabeth Folk  | 45 years | Clerk to Court |



- Mr. Shacker recognized the employees listed above for their service to Newberry County, highlighting their accomplishments and pivotal moments while working for Newberry County.

4. A Proclamation recognizing October as Manufacturing Month in Newberry County.

- Mr. Hipp made a motion to approve the Proclamation; Mr. Fulmer provided the second and the motion carried 7-0.

5. Ordinance 09-01-2024. An Ordinance Approving the Terms of an Intergovernmental Agreement Between Newberry County and the Newberry County Water and Sewer Authority.

a. Public Hearing.

- Mr. Bryan Alvarez, acting Chairman of the Board of Directors for the Newberry County Water and Sewer Authority, thanked council for supporting their CPST project and all the CPST projects. He also thanked council, county administrator, and staff for providing an avenue that addresses the financial issues that has had a major impact on all CPST projects. He said time has not been their friend and they know it is a heavy lift, and they appreciate the actions taken to address this issue. Mr. Alvarez said projects like the Cannons Creek Wastewater Treatment Plant take time, from conception to commission. He said this is a much-needed project that will serve residents and commerce from day one and well into the future.

- Mr. Brent Richardson, Manager of the Newberry County Water and Sewer Authority, presented a PowerPoint that is attached with these minutes.
  - Mr. Hipp said he respects Mr. Richardson and all the board members for what they've done for the NCWSA, and he doesn't think there is a more important project on the CPST list than this project. He said the original cost of this project, put on the referendum, was almost half of what is now being requested. He said regardless of how we got here, that is a perverse incentive going forward. He said all of the projects are going to go over due to inflation, but this one is going over by far more than any of the others. He added that if they went over by this much on all of their projects they wouldn't have close to the amount of funds needed. Mr. Hipp said there was an original cost projection, and how did they get so far beyond the original estimate.
  - Mr. Richardson said they are \$4.4 million over and that is a lot. He said how they got there was a \$1.5 million worth of construction inflation, an increase of a little over a million dollars with site work.
  - Mr. Hipp asked if that was not considered; Mr. Richardson said it was not until they got into detailed design that the extent of the sitework was calculated. He added that they aren't able to do that level of engineering design without security of funding for a project.
  - Mr. Hipp said his concern is this has inflated so much, and back in 2007 timeframe there was a CPST referendum, and the Newberry County Library was one of those projects, as was the Fairfield Fire Station. He said they didn't have enough funding for what was approved, and the



library now has a name on it because a resident gave the county money (in the form of land) to offset the fact the county did not have enough funding to pay for the projects approved due to the fact the estimates were too low, just like this. Mr. Hipp said they are operating on two good faiths; one good faith is their estimates for the revenue they will receive will cover this and all the other projects. He said it is unfair to CPST going forward as this reflects in the future when you have a project and you go in with a lower price and you get on the ballot, then you go back and get more money. He said all the projects were approved based on the estimates and all those estimates were in good faith.

- Mr. Hipp said he was going to propose an amendment to fund half of what NCWSA is asking for now, to allow them to get started with their project. NCWSA has other ways to raise funds, with the anticipation that the estimate of revenue is correct and at the end of these projects, if they do have the funding to pay for the remaining half of the request, it will be done at that time.
  - Mr. Richardson asked in the accordance of the law, could that be put in writing; Mr. Hipp said they have spoken with Mr. Theo DuBose and they could agree to that via a resolution with their board of directors and they can fund half of it, allowing the projects below the NCWSA to get their funding, and at the end of CPST, if they have enough money to meet what they are asking for, they will be funded.

- Mr. Jim Longshore, the engineer for the project, said he'd appreciate council's consideration and hope they look at the project favorably.
- Mr. Joe Trainor, who is on the Board for the Central Economic Alliance, said infrastructure is what attracts industries, and he was pleased to hear the numbers quoted earlier regarding manufacturing in the county. He said counties are either growing or dying and continuing to attract industries is the best way to prevent the county from dying. He said this project is important because infrastructure is one of the main components industries look at and they do not come on promises anymore.
- Mr. Lewis Lee said this project means a lot to all of Newberry County.
- Mr. Tyler Johnson said he is not against this project, but they have a large amount of money, and what was brought up at the last meeting was that this project is centered around industry, not Newberry County residents. He said by focusing on this project, they are letting residents down when they have all the other projects on there. He said he thought Mr. Hipp had a good suggestion that they try and do it all before they pick one project over the others. He said he knows some of the stuff brought up, a new motor control building and that should be easy to tell if the stuff is going to fit or not. He said he understands someone doing appraisals but if you miss it by so much it doesn't look so good. He said he knows it was brought up the money already in the bank growing interest and was curious how much of that as holdover from the previous penny sales tax.
- Mr. Carl Horn, NCWSA Board Member, said the capacity that they are building will serve the entire county, not just industries. He said growth is inevitable, in order to stay ahead of that the plant has got to expand. He said the reason the cost is so much more is because of the cost of



doing this specialized business. He said it is the business they are involved in, and they couldn't predict this.

b. Third Reading.

- Mr. Johnson said his concern is if they do not have an agreement about capping the money and when they go back in order, they have to fully fund the project before continuing with the projects below it. Mr. DuBose confirmed that was correct. Mr. Johnson said that would mean the projects below this one would be funded at the balloted amount and no more. He wanted to postpone this until the next meeting to let them have more conversations to see if they can come to that agreement regarding Mr. Hipp's suggestion.
- Mr. Hipp said if the projections are correct, the project is going to be funded. However, to fund this kind of an overrun at this point, with so many unknowns, is not the best thing to do.
- Mr. Hipp made a motion to postpone the ordinance to the Nov. 6, 2024, meeting and request the administrator and attorney look at revising the ordinance; Mr. Reeder provided the second and the motion carried 7-0.

6. Consideration and Approval of a Bid for Hazardous Material Removal Services for the Old Gallman School CPST Project (Bid Number 2024-6).

- Mr. Sease made a motion to approve the recommended low bidder, Neo Corporation, in the amount of \$168,775; Mr. Reeder provided the second and the motion carried 7-0.

7. Consideration and Approval of a Proposal for Arborist Services in Lynch's Woods (RFP 2024-08).

- Mr. Shealy made a motion to accept the highest ranked firm, Dendro Diagnostics, Inc.; Mr. Sease provided the second and the motion carried 7-0.

8. Consideration and Approval of the purchase of one or more ambulances for EMS.

- Under 8A, Public Comments, Mr. Bobby DeHart said in the meeting of October 7, 2024, it was stated there was one ambulance with over 100,000 miles on it and they were trying to get a second ambulance, as well. He said back in the 1980s and 1990s, when they first went to the diesel trucks, they went to them with the thought they would get 200,000-250,000 miles out of them and if they did have to do something, they would look at remounting the ambulances. He said he was wondering if that was done, and if 100,000 miles is going to be the trigger to replace all of the ambulances.
- Mr. Long said he only has one ambulance that is under 100,000 miles and they have multiple ambulances approaching 200,000 miles, or over. He added they have remounted the ambulances so many times it becomes cheaper to buy a new vehicle.
- Mr. Sease made a motion to approve the purchase of two ambulances, \$437,323 apiece; Mr. Fulmer provided the second.
- Mr. Hipp referred to a past purchase order where the price of a remount ambulance went up, and it was a lot. Mr. Long said when they get the PO issued, they will do a contract and lock in this price.
- The motion carried 7-0.



9. Consideration and Approval of the purchase of a replacement fire tanker truck for Bush River Fire Department.

- No one came to speak under the amended 9A Public Comments.
- Mr. Hipp asked Mr. Long to confirm this will be a fixed price, to which Mr. Long answered in the affirmative.
- Mr. Sease made a motion to purchase a new tanker at the price of \$565,106; Mr. Reeder provided the second and the motion carried 7-0.

10. County Council may take action on matters discussed during the 5 p.m. Work Session.

- There was no action.

11. Appointments.

- There were no appointments.

12. Public Comments.

- Ms. Robbiette Hazel wanted to recommend that the county hold a forum, like the Newberry County School District did, to allow residents to ask questions and receive answers during the forum.
- Mr. Michael Tumm said looking at the chicken ordinance, he has done a lot of research on this, and we will be the only county that would allow chickens in front yards, he asked them to amend that. He also mentioned that there is a huge error in the ordinance regarding Lake Murray, where a lot of properties have a 25-foot no disturb buffer and a 75-foot vegetation

buffer and that needs to be addressed. He also mentioned that they monitor the water quality and some of Lake Murray Watch are on the DHEC team, and they are noticing e. coli levels are trending up and therefore they need to look at extending the 50 feet to 100 feet.

- Mr. James Zybrick requested help, he said he cannot touch trees beyond a certain buffer, he requested the tress come down from SCANA (now Dominion), the trees fell on his house, and he has found out Dominion is not responsible. He said he cannot do anything with the trees, but Dominion is not responsible if they fall. He said he does not know where to go and there is one more tree on their property he has concerns over and does not know where to go.

#### 13. Comments/Requests from County Administrator.

- Mr. Shacker said debris removal is underway; they were able to piggyback on SCDOT contract. He said they have seen the contractors in the county working. He said efforts are underway to clear Lynch's Woods Park, as well.

#### 14. Comments/Requests from Council.

- Mr. Sease thanked everyone for coming out and all the hard work and cooperation between all of the county departments and volunteers that helped clear trees from the roads. He said he knows the NCWSA project is important, but he had a lot of calls with concerns over that.
- Mr. Hipp said he firmly supports and appreciates all county employees, public service people, utility people, and all the people who pulled together to get the county through a difficult time.
- Mr. Fulmer highlighted that they do a great job of recognizing paid employees, and they do a wonderful job, but Newberry County is a county of volunteers. He said



those volunteers went above and beyond during this storm. He said he thinks they need to figure out a way to recognize their volunteers that provide a huge service to Newberry County.

- Mr. Johnson said those discussions are already underway.

15. Future meetings:

- a. Newberry County Council Work Session – November 6 at 5 p.m.
- b. Newberry County Council – November 6 at 6 p.m.
- c. Veterans Day – Offices Closed - November 11.
- d. Newberry County Executive Committee – November 12 at 6 p.m.
- e. Newberry County Council Work Session – November 20 at 5 p.m.
- f. Newberry County Council – November 20 at 6 p.m.

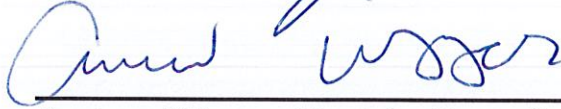
16. Adjournment.

- Mr. Shealy made a motion to adjourn; Mr. Hipp provided the second and the motion carried 7-0. The meeting was adjourned at 7:39 p.m.

**NEWBERRY COUNTY COUNCIL**



**Todd Johnson, Chairman**



**Andrew Wigger, Clerk to Council**

**Minutes Approved:** 11-6-24





## **Cannons Creek WWTP Upgrade and Expansion**

- **Agenda**
- **Background**
- **Project Cost Increase**
- **Funding**
- **Summary**
- **Questions ?**



## Preparing for Upgrade and Expansion

- To prepare for upgrade and expansion, NCWSA...
- Purchased 42 acres surrounding the existing WWTP
  - \$160,000.00 from NCWSA reserve funds
- *W.C. Verghese*  
Hired professional engineer for preliminary design
  - Planned expansion to 1.5 MGD
  - Preliminary design completed in 2021
- Estimated cost based on preliminary design = \$5,154,560.00





## CPST Application

- CPST Project Goal
  - Upgrade and expand treatment capacity to 1.5 MGD
- Scope of the work
  - Upgrade influent screen and grit removal system
  - Construct additional treatment basin with equipment
  - Upgrade and expand chlorine contact chamber
  - Upgrade and expand solids handling system
- Cost Estimate used in 2022 CPST application
  - \$5,154,560.00 based on preliminary engineering design



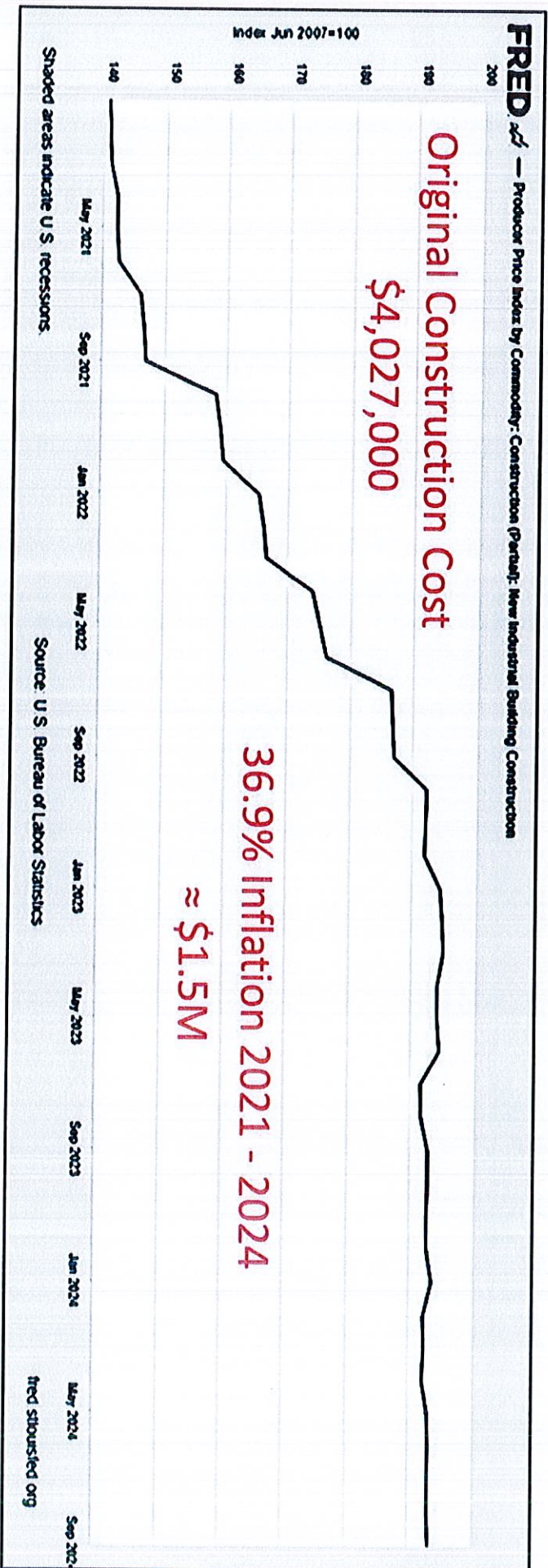
## **Revised Cost Estimate**

- Revised cost estimate requested by County Manager
  - Estimate prepared using detailed engineering design (March 2024)
  - IGA drafted by Newberry County and approved by NCWSA Board of Directors (\$9,616,791.00)
- CPST Project Goal - Unchanged
- Scope of Work - Unchanged





## Revised Cost Estimate



Federal Reserve Economic Data – Construction Inflation 2021 - 2024



## Revised Cost Estimate

- Notable component increases resulting from detailed design (2024)
  - Structural Excavation & Site Work                      ≈ \$1.1M
  - Treatment Plant Piping    ≈ \$1.0M
  - Treatment Process Equipment                              ≈ \$0.8M
  - Total increase resulting from detailed design              ≈ \$2.9M
  - Construction inflation    ≈ \$1.5M
- Total increase including construction inflation              ≈ \$4.4M





## Funding

- Borrowing \$4.4M adds additional \$1.7M to project cost
  - Interest + bond issuance cost provide no benefit to the Citizens
- Revenue bond paid for with  $\approx 7.9\%$  rate increase
- NCWSA customers paying CPST + rate increase (10,000 + Citizens)
  - Town of Prosperity
  - Little Mountain Community
  - Fairview Community
  - Silverstreet Community
  - Pomaria Community
  - Bush River Community
  - Local Businesses & Agriculture
  - Churches
  - School District of Newberry County
  - Newberry County Facilities



## Summary

- Upgrade and expansion of Cannons Creek WWTP will provide wastewater capacity to support economic development
- This project creates no ongoing expense to taxpayers
  - Operation and maintenance cost is funded by customers receiving water and sewer service