

**NEWBERRY COUNTY COUNCIL
MINUTES
MAY 1, 2019**

The Newberry County Council met on Wednesday, May 1, 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: **Henry H. Livingston, III, Chairman**
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, County Attorney
Susan C. Fellers, Clerk to Council
Debbie Cromer, Finance Director
Karen Brehmer, Assistant to County Administrator
Taylor Davenport, Administrative Assistant

MEDIA: **Andrew Wigger, Newberry Observer**

The meeting was duly advertised as required by law.

Mr. Livingston called the meeting to order at 7:00 p.m.

Dr. Harriett Rucker led the invocation followed by the Pledge of Allegiance.

Mr. Livingston welcomed everyone and recognized the students attending the meeting.

1. Adoption of Consent Agenda.

Dr. Rucker moved to adopt the Consent Agenda consisting of minutes of the April 3 and April 17, 2019 regular Council meeting and the minutes of the April 8, 2019 Special Called Council Meeting; second by Mr. Cain. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

2. Additions, Deletions and Adoption of Agenda.

Mr. Reeder moved to adopt the agenda as presented; second by Mr. Stockman. There being no discussion, Mr. Livingston called for the vote, Vote was unanimous.

3. Ordinance #04-04-19: An Ordinance to provide appropriations for the fiscal year beginning July 1, 2019 and ending June 30, 2020, for the Newberry County Budget for County Ordinary purposes and for other County purposes for which the County may levy a tax and receive revenues; to provide for the levy of taxes on all taxable personal and real property in Newberry County for all County purposes, including sufficient tax to pay the principal and interest on outstanding indebtedness of Newberry County payable during said fiscal year; to provide for matters relating to Newberry County; and to provide for the expenditure of said taxes and other revenues received by the County during said fiscal year, and to provide for borrowing in anticipation of tax collections by the issuance of one or more tax anticipation notes, if necessary.

A. Second Reading

Mr. Adams said the budget is balanced at \$25,815,865. So far the budget has been discussed at a Finance Committee meeting on March 25 and at a full Council work session on April 8. A second work session of the full Council is scheduled for May 13. After that meeting staff will prepare whatever amendments the Council requests for third reading.

Dr. Rucker moved for second reading; second by Mr. Reeder.

Mr. Cain said as the budget sits right now, he could not vote for the budget as it is. It doesn't have anything to do with what is in it or actually what is not in it. It has to do with the process and it has to do with the amount that we are actually trying to levy on the County.

As to the process, typically the County in all the years he had been on Council, the budget presented to us has been pretty much a balanced budget. Then we get amendments. We are able to go in and add this or subtract that and are able to work from a budget that is very conservative; that has the County at heart and the taxpayers foremost. There is a balanced budget; here is what we need for our taxes and we go from there. We haven't really increased the mills, which is probably an issue overall. We really need to do that.

The other thing is how much is our mill value increase. We are not a very rich county. We are 26th out of 46 as far as actual mill value goes. This year we did it opposite. We have to have a

rollback millage because of the reassessment we have this year. Act 388 limits the Council on how much we can actually increase our taxable mill allotment every year. It has to do with the cost of living index and our population growth. We can go back three years and if we don't use it for three years, we can go back and do three years. This year we have a 7 mill increase, which we have to go back several years, collect from there and bring it forward to actually pay for what our actual County is trying to levy on our taxpayers, which is not realistic. It is not what we should be doing for our County.

The mill value is going to go up 5.7%. Our value of the homes, because it is a reassessment year, is 5.6%, which means we are going to have an 11.3% increase in taxes. That is the bill that we are voting on. That is damaging to our County because we are putting an extra burden on an already heavily taxed population on our real property owners. An 11.3% increase is not what we should be doing as far as County Council goes. It is damaging to our Council. Everywhere you go people are talking about how high our taxes are. We went to the Legislative Dinner at the Farm Bureau and the Legislative Breakfast for our Chamber of Commerce and the main topic was we were defending our taxes. Then we turn around and we are going to add 11.3% more. We need to live within our means. We are not a rich county but we shouldn't drive people out and keep people out. It is going to affect our homeowners and the people who buy houses in our County. That is one of the things they look for.

He can't vote for the bill the way it is right now.

Mr. Koon felt the same way as Mr. Cain but we do have a third reading and we have got to get to that third reading. Everything Mr. Cain said he agreed with. Having said that, so we can move forward to third reading and third reading will be after our next work session at which time we can work on what we have done so far, he was willing to give it second reading. He did not know if he would be able to support third reading.

Dr. Rucker said we are not here tonight to work on this. That is what the work session is for and that will be May 13. We are here trying to get there.

Mr. Reeder agreed with that because we will be able to iron out everything at the next work session.

Mr. Stockman agreed with what Mr. Koon said, that he would be voting for it tonight in hopes that at the work session on May 13, we can make some changes and get it where we need it to be.

Mr. Livingston said that the budget is what we gave guidance to when we met at Piedmont Tech in our extensive two day work session on the budget. The administrative team basically took our information and were charged with the responsibility of doing it. With that being said, he felt they did a really good job. Mr. Cain made the comment of driving people out, and he didn't want to see us driving people out our community because of not being able to keep quality law enforcement officials. We have gotten to the point that we are being out competitioned by Richland and Lexington. You can ride around the County, especially on the lower end, and you see cars from Lexington and Richland counties, Irmo Police Department and other places that are coming into our county because they are recruiting over and letting them drive their cars over into our community. We don't need to get to the point where we are training people and losing them.

There was a case today where we were providing services for a funeral and there was dialogue back and forth on the Facebook page with the discussion, and it came back to say that in Lexington County if you want somebody in the Sheriff's Department to provide direction or help with the funeral, the family has to pay for it. It is provided in our county without any charge to the family, just saying thank you for being a citizen and living here and this is something we will provide to you at no cost.

We talk about taxes and tax comparisons but if you look at Richland and Lexington counties, you will see a bunch of add-ons for trash services. All of ours are incorporated into one blanket tax. You see some places where they have road taxes, etc.

Mr. Cain reiterated that his comments have nothing to do with what is in the budget or what was left out of the budget. All he is concerned about is the process because we were given a budget at the max that Act 388 will let us do. 11.3% is overtaxing our citizens. They are already a high taxed area. It has nothing to do with what is in the bill pro or con about any particular item.

Dr. Rucker said the process was we had the work session and Council added items.

Mr. Cain said that is true but the issue is that typically we get a budget that is balanced pretty much with what our mill value is and then we can add and subtract from there. This time we did opposite and we had first reading before we even had a budget session. He can't vote for a budget, even procedurally to move it along, that is 11.3%.

Mr. Reeder said as the Chairman said, do we want top of the line services in Newberry County or do we want mediocre. The question is how do we want people to serve Newberry County. Do we want to continue having to train different people over and over again because we continue to get new people in different positions or do we want people who serve the county for 20 and 25

years until they retire. That is the question when we talk about how much we pay in taxes. Everyone knows you get nothing for free. If you are getting it for free, you are stealing it. In order to get the best possible service, it is going to cost you a little bit. We are not going to break anybody but we do want top of the line services.

Dr. Rucker moved for adoption; second by Mr. Reeder.

There being no further discussion, Mr. Livingston called for the vote. Second Reading passed by majority vote with the following Council Members voting for second reading: Livingston, Koon, Stockman, Reeder, Rucker and Scurry. Council Member Cain voted against second reading.

4. Ordinance #04-05-19: An Ordinance to provide appropriations for the fiscal year beginning July 1, 2019 and ending June 30, 2020, for Newberry County Library, Piedmont Technical College and the Newberry Agency for Disabilities and Special Needs; to provide for the levy of taxes on all taxable personal and real estate properties in Newberry County for said purposes; to provide for the expenditure of said taxes and other revenues received by the county during said fiscal year for said purposes.

A. Second Reading

Mr. Adams stated this budget is balanced at \$975,478. As with the general operating budget, it has been discussed at the Finance Committee meeting on March 25 and full Council work session on April 8. Council will have a second full Council work session on May 13. Staff will prepare any amendments subsequent to Council's direction at that meeting.

Mr. Reeder moved for second reading; second by Mr. Cain. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

5. Ordinance #04-06-19: An Ordinance amending Chapter 152 of the Newberry County Code of Ordinances relating to flood damage prevention, so as to adopt the state flood damage prevention model ordinance to bring it into compliance with state and federal program requirements and other related matters. - Anne Peters, Zoning Administrator.

A. Second Reading

Mrs. Peters stated nothing has changed since first reading. FEMA modified the state flood ordinance for South Carolina, and especially the maps of Lake Greenwood to drop the flood zone

elevation from 442' above mean sea level to 440' above mean sea level, The proposed change will take effect on June 20, 2019.

Mr. Livingston asked if there were any changes to Lake Murray.

Mrs. Peters stated there were changes in the written ordinance but only Lake Greenwood has the map level change. (Inaudible)

Motion by Mr. Cain for second reading; second by Mr. Scurry. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

6. Consideration of Annual Indexing of Elected Officials' Salaries - Wayne Adams, County Administrator.

Mr. Adams explained that Newberry County Ordinance #01-01-17 provides that unless Council votes to the contrary at each first meeting in May, the Council will by default approve an increase for the salaries for elected officials at a rate equal to the Consumer Price Index for all urban consumers, unadjusted. The reported CPI-U for the last twelve months is 1.9%. By comparison the FY19-20 operating budget currently provides for a 2.0% increase in the salary budget for general employees. There are selected departments that would receive 5%, those being Public Works and Law Enforcement. The Sheriff's salary would not be increasing by 5%. It would be increasing by the Consumer Price Index or whatever increase Council approves for the elected officials.

Mr. Koon wants to postpone until Council decides exactly what we are going to be doing with the rest of our employees, whether it is going to be 2%, 3% or 5% or whether all of them or just some of them are going to receive raises and would like to have it postponed until after the next work session.

Mr. Adams said if Council was not going to agree to the Consumer Price Index at the first meeting in May, the ordinance says that there must be a vote to the contrary. A vote to the contrary in this case could be we are going to postpone it until the next meeting if that is a motion.

Mr. Koon said that is a motion; second by Mr. Cain. There being no further discussion, Mr. Livingston called for the vote to postpone. Voting to postpone passed by majority vote with the following Council members voting for the motion: Livingston, Koon, Stockman, Cain and Rucker. Voting against postponing were the following Council Members: Reeder and Scurry.

7. Consideration to designate the County Fairgrounds as Fire Fighting Training Grounds. (Recommended by the Public Safety and Courts Committee on 04/15/19)

Mr. Adams said the Committee voted at the request of the Fire Board at their meeting on April 15, 2019 to designate the fairgrounds as the training ground for the county volunteer firefighters. In addition to this, there is in the capital budgets for FY 19-20 \$150,000 for general purposes to further establish the fire fighting training grounds.

Mr. Koon asked if we started with \$50,000, and it has been upped to \$150,000. Mr. Adams advised that it had always been \$150,000.

Mr. Livingston asked if that would include demolition of some of the fairground buildings. Mr. Adams said that is still up for debate. It could be used to build something or to demolish something; whatever is decided by the Council and the Fire Board that is in the best interest of establishing the training grounds.

Motion by Mr. Scurry to move forward; second by Mr. Cain.

Mr. Reeder asked if this took three readings. Mr. Adams said no, this is just designating the training grounds. Mr. Livingston said any additional demolition or construction would still have to come before Council.

There being no further discussion, Mr. Livingston called for the vote. Vote was unanimous.

8. Appointments.

No appointments.

9. Committee Reports.

A. Public Works and Planning 04/29/19 - Mike Pisano, Public Works Director

Mr. Pisano reported the Committee met on April 29. The first item was a personal appearance by Heyward Bowers and Doug Bowers about closing a portion of Bear Creek Road. They were instructed on the procedure to go through to have that portion of the road closed. It was cut off when CSX closed the rail crossing on that road. Once they initiate proceedings on it, it will come before Council.

Stacey Guy the Recycling Coordinator for the county gave updates on recycling (inaudible).

The CTC has been hesitant to work on Boinest Road because of the width of the road. This road is currently 8 feet wide. It is not a good road to drive on. The only way to make it safe would be to make it one way or expand the size or width of the road, which will be more expense. The Committee recommended that we contact the affected homeowners to find out what their feelings are and report back to the Committee at our next quarterly meeting in August.

Another recycling item was the recycling of white goods, such as refrigerators, washers, dryers and dishwashers. Currently we take them at the 11 convenience centers as well as the Transfer Station. (inaudible) That matter was recommended to be brought before Council for consideration.

Mr.. Cain expressed appreciation to Mr. Pisano and the Public Works Department for all they do. The thing about the white goods is that it is much easier to have one facility to bring them to so that will be coming to Council with a proposal to start that January 1.

Mr. Reeder asked the reason for not taking them. Mr. Pisano's answer was inaudible.

Dr. Rucker mentioned help for our disabled persons when they take their garbage/trash to the convenience center and some way to mark their vehicle so that the people out there would know they needed help. Was that discussed at the meeting? Mr. Pisano said it was not discussed at the meeting but felt it was a good idea to have a sticker system. We can certainly discuss that.

Mr. Livingston asked about the white goods. Mr. Pisano said people would have to bring them in to the Transfer Station like with tires now. We don't take in as many white goods as we do electronics such as TVs. (Inaudible) They have to go there any way.

Mr. Livingston said his concern was outlying areas for persons who have to come from Silverstreet, Whitmire, Peak, Blacksgate East on 391 and they are paying the same taxes that everybody else is paying where somebody close can easily take theirs to the Transfer Station. It may be that we need to go to a trash fee at a price where we can continue letting our citizens deliver to each one of the independent stations. That would technically reduce our tax millage if we were to do that to just have a trash fee to take care of that.

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

No comments.

11. Executive Session (if needed)

No executive session needed.

12. Comments/Requests from County Administrator.

Mr. Adams said yesterday an accomplished realtor and long tenured educator and distinguished long serving member of County Council became the world's most inexperienced grandfather. Congratulations.

13. Comments/Requests from Council Members.

Mr. Scurry asked if there was any information on the high speed internet. Mr. Adams said the Co-op is working on expanding their system but is not sure where they are exactly right now. They have opened up some accounts but not sure where Helena stands on the schedule. They are trying to get to everybody.

The students were welcomed by the Council Members.

Mr. Koon mentioned the 7 year old who was murdered several weeks ago and asked for prayers for the family.

14. Future Meetings

- A. Budget Work Session 05/13/19 7:00 p.m.**
- B. County Council Meeting 05/15/19 7:00 p.m.**
- C. Personnel and Intergovernmental Committee 05/20/19 6:00 p.m.**
- D. County Council Meeting 06/05/19 7:00 p.m.**

15. Adjournment.

There being no further business, Mr. Koon moved to adjourn; second by Mr. Stockman. Meeting adjourned at 7:45 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, III, Chairman

Susan C. Fellers, Clerk to Council

APPROVED: _____