

**NEWBERRY COUNTY COUNCIL  
MINUTES  
JUNE 19, 2019**

The Newberry County Council met on Wednesday, June 19, 2019, at 7:00 p.m. for a regular scheduled meeting in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, South Carolina.

**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  
A.J. Tothacer, County Attorney  
Susan C. Fellers, Clerk to Council  
Debbie S. Cromer, Finance Director  
Karen Brehmer, Assistant to the County Administrator  
Taylor Davenport, Administrative Assistant

**ABSENT:** Wayne Adams, County Administrator

**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.

Mr. Stockman led the invocation and Pledge of Allegiance.

**1. Adoption of Consent Agenda.**

Mr. Scurry moved to adopt the Consent Agenda consisting of the minutes of the April 8, 2019 Council Budget Work Session, May 1, 2019 Council meeting, and the May 15, 2019 Council meeting; second by Mr. Reeder. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

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

There being no additions or deletions to the agenda, Mr. Cain moved to adopt the agenda as presented; second by Mr. Stockman. Vote was unanimous.

**3. Employee Service Awards.**

Council recognized the following employees for years of service to Newberry County:

Laurel Keen, Assessor's Office - 5 years  
Virginia Atkins, Building Department - 10 years  
Gary Ball, Facilities Maintenance - 10 years  
Sharon McClanahan, Sheriff's Office - 15 years  
Donald Leitzsey, Public Works - 15 years  
Robert Dennis, III, Sheriff's Office - 20 years  
Judy Sanders, Magistrate's Office - 25 years  
Todd Johnson, Sheriff's Office - 25 years

**4. Personal Appearances**

**A. Jason Hentz, EMS Director**

Mr. Hentz recently retired from Lexington County EMS after 28 ½ years. This opportunity with Newberry County presented itself and he looks forward to working with Newberry County.

**B. Wilbur McNeil, Newberry County Recreation Director**

Mr. McNeil is originally from Charleston, South Carolina and has 7 years experience with Parks and Recreation.

**5. 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. Third Reading**

Motion by Dr. Rucker for third reading; second by Mr. Reeder.

The following proposed amendments were considered by Council prior to voting for third reading:

**5.1 MOTION:** Mr. Koon moved to strike funding in the amounts of \$40,000 for Daytime Fire Response and \$20,000 for Daytime Response Training/Equipment; second by Mr. Reeder.

A yes vote strikes this funding and reduces estimated millage needs by 0.4 mills.

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

**5.2 MOTION:** Dr. Rucker moved to strike funding in the amount of \$45,000 for Replacement of Fire Truck Tires; second by Mr. Reeder.

A yes vote strikes this funding and reduces estimated tax millage needs by 0.3 mills.

Dr. Rucker said this should be first priority if we have funding left over in the current budget or next year's budget.

Mr. Livingston agreed it needed to be a priority because of safety issues.

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

**5.3 MOTION:** Mr. Koon moved to reduce funding for Council Contingency in the amount of \$123,499; second by Mr. Stockman.

A yes vote to decrease this funding reduces estimated tax millage needs by 0.9 mills.

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

**5.4 MOTION:** Mr. Reeder moved to reduce the amount allocated for funding in Capital Repairs, Buildings in the amount of \$25,167; second by Dr. Rucker.

A yes vote to decrease this funding reduces estimated tax millage needs by 0.2 mills,

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

**5.5 MOTION:** Mr. Stockman moved to strike funding for Contracted Services, Cleaning in the amount of \$54,000; second by Dr. Rucker.

A yes vote strikes the funding and reduces estimated tax millage needs by 0.4 mills.

Mr. Livingston expressed concern that if the buildings are not taken care of, they will deteriorate faster. We are trying to get the budget down and this is one item we will let go but not sure it is a good long range plan.

There being no further discussion, Mr. Livingston called for the vote. Voting for the Motion: Council Members Livingston, Stockman, Cain, Reeder, Rucker and Scurry. Voting against the Motion: Council Member Koon. Motion passed by majority vote.

**5.6 MOTION:** Mr. Cain moved to reduce funding for Miscellaneous Line Items, Clerk of Court in the amount of \$17,000; second by Mr. Stockman.

A yes vote to decrease this funding reduces estimated millage needs by 0.1 mills.

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

**5.7 MOTION:** Mr. Stockman moved to reduce funding for Recreation, Miscellaneous in the amount of \$10,000; second by Mr. Reeder.

A yes vote to decrease this funding reduces estimated tax millage needs by 0.1 mills.

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

**5.8 MOTION:** Mr. Koon moved to strike funding for Fleet Maintenance, Other Equipment in the amount of \$13,000; second by Mr. Stockman.

A yes vote to strike this funding reduces estimated tax millage needs by 0.1 mills.

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

**5.9 MOTION:** Dr. Rucker moved to **NOT** strike funding for the Newberry Opera House in the amount of \$25,000 and use this funding to reduce the need for revenue derived through property taxation; second by Mr. Reeder.

Mr. Cain said the Accommodations Tax should go into the Opera House.

There being no further discussion, Mr. Livingston called for the vote. Voting for the motion to **NOT** strike the funding: Council Members Livingston, Cain, Reeder, Rucker and Scurry. Voting against the Motion: Council Members Koon and Stockman. Motion passed by majority vote.

**5.10 MOTION:** Dr. Rucker moved to add funding in the amount of \$22,700 for a new software program required to bill property taxes on boats and motors on a monthly cycle; second by Mr. Koon.

Act 223 of 2018 was passed by the SC General Assembly, mandating this change.

A yes vote adds this expenditure and increases estimated tax millage needs by 0.2 mills.

Mr. Livingston said this is mandated by Act 223. This is another unfunded state mandate that we have to put in place.

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

**5.11 MOTION:** Mr. Cain moved to reduce funding from Contingency, One-time Capital in the amount of \$9,877 and increase funding Coroner, Capital in the amount of \$9,877. No second to Mr. Cain's motion.

Mr. Reeder moved to **NOT** reduce funding from Contingency, One-time Capital in the amount of \$9,877; second by Mr. Stockman.

Mr. Reeder said if this was approved, Council would have to approve everything else that came through. He felt this needed to be put off until another time.

Mr. Cain said the Coroner's computers were 8 to 10 years old. About 5 years is a computer life. Also, they handle about 250 pounds of pills. He met with their International Accreditation Board the other day, and they can't make anything mandatory but if they could, that would be

one thing. You are exposing the personnel handling the 250 pounds of pills a year and accountability is a factor. Mr. Cain felt Council should at least give them a pill counter.

Mr. Reeder said a lot of other departments wanted different things that were cut. He could understand the need for it but what will the other departments think if we approve that and not allow what they wanted.

Dr. Rucker requested the Chairman to call for the question. Mr. Livingston called for the vote. Voting for the Motion to **NOT** fund the Coroner's request: Council Members Livingston, Koon, Stockman, Reeder, Rucker and Scurry. Voting opposed: Council Member Cain. Motion to **NOT** fund passed by majority vote

**5.12 MOTION:** Mr. Stockman moved to increase revenue line item Net Balance Brought Forward (fund balance/savings usage) as a current year revenue source in the amount of \$237,708; second by Dr. Rucker.

A yes vote increases this revenue source by \$237,708, decreasing estimated tax millage needs by 0.5 mills.

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

**5.13 MOTION:** Mr. Koon moved to increase revenue line item Local Government Fund in the amount of \$64,263; second by Mr. Stockman.

A yes vote increases the revenue source by \$64,263, decreasing estimated tax millage needs by 0.5 mills.

Mr. Livingston said at one time Newberry County had been short-changed by the Local Government Fund by \$860,000. We are still shorted by approximately \$600,00 the Local Government Fund, which is what the State is supposed to give back.

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

**5.14 MOTION:** Mr. Cain moved to increase revenue item Fee in Lieu in the amount of \$40,365; second by Mr. Reeder.

A yes vote increases this revenue source by \$40,365, decreasing estimate tax revenue needs by 0.3 mills

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

**5.15 MOTION:** Mr. Koon moved to increase revenue line item CCCP-IV D in the amount of \$50,016; second by Mr. Stockman,

A yes vote increases this revenue source by \$50,016, decreasing estimated tax revenue by 0.4 mills.

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

**5.16 MOTION:** Mr. Koon moved to strike funding in the amount of \$100,000 for Airport Site Improvements; second by Mr. Stockman.

A yes vote preserves the \$100,000 as part of the fund balance. This amendment has no impact on estimated millage needs.

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

**5.17 MOTION:** Dr. Rucker moved to authorize staff to adjust final FY 19-20 budget revenues and expenditures for capital projects to reflect actual progress to date at the time of the budget's publication; second by Mr. Cain.

This amendment does not impact estimated tax millage needs

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

Based on the amendments as passed, the total millage is 124.1 mills, which is a 1.9 mill increase over the 122.2 mills.

Mr. Cain did not disagree with what was in the budget but disagreed with the budget process this year.

Mr. Livingston said in the past 8 to 10 years Council has reduced the millage by 18 mills. The County has been extremely frugal. None of Council ever wants to vote for a tax increase but there comes a time when you are not only stewards of the taxpayers' money, you are also stewards to provide the services.

There being no further discussion, Mr. Livingston called for the vote for third reading, as amended. Voting for third reading, as amended, were: Council Members Livingston, Koon, Stockman, Reeder, Rucker and Scurry. Voting against third reading: Council Member Cain. Motion for third reading, as amended, passed by a majority vote.

Mr. Adams asked Mr. Tothacer to advise Council that what is in the budget dealing with salary increases will all be based on merit this year. There is no other basis for increases to employees.

**6. 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. Third Reading**

Dr. Rucker moved to adopt third reading; second by Mr. Reeder.

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

**7. Ordinance #05-07-19: An Ordinance to provide for the issuance and sale of General Obligation Bonds of Newberry County, South Carolina not exceeding \$2,000,000 in aggregate principal amount, to prescribe the purposes for which the proceeds of said bonds shall be expended, to provide for the payment of said bonds, and other matters relating thereto.**

**A. Public Hearing**

Motion for public hearing by Mr. Cain; second by Mr. Stockman. Mr. Livingston declared this to be the public hearing.

There being no comments from the public, Mr. Livingston declared the public hearing closed.

**B. Second Reading**

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



**8. Ordinance #06-08-19: An Ordinance authorizing the execution and delivery of a Fee-In-Lieu of *Ad Valorem* taxes Agreement by and between Newberry County, South Carolina and Project DMZ to provide for payment of as Fee-In-Lieu of taxes, and other related matters. (TITLE ONLY)**

**A. First Reading**

Mr. Livingston recognized Jim Page and Lee Norris, who have taken over a business in Newberry County, along with their attorney, Kyle Parker.

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

**9. Resolution #07-19: A Resolution committing to negotiate a Fee-In-Lieu of *Ad Valorem* taxes agreement between Newberry County and Project DMZ; identifying the Project; and other matters related thereto.**

Motion by Mr. Cain to approve Resolution; second by Mr. Reeder. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

**10. Resolution #08-19: A Resolution honoring Law Enforcement Officers in Newberry County who have died in the line of duty.**

A copy of the Resolution is attached hereto and incorporated herein.

Motion to approve Resolution by Mr. Scurry; second by Mr. Koon. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

**11. Consideration to approve a Mutual Aid Agreement between Newberry County Sheriff's Office and Saluda County Sheriff's Office (requested by Sheriff Lee Foster).**

Motion by Mr. Scurry to approve agreement; second by Dr. Rucker. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

**12. Consideration to approve Central SC Alliance FY 18-19 3rd and 4th Quarter Invoices totaling \$36,000. (recommended by the Economic Development Committee on 6/17/19).**

Motion by Mr. Stockman to approve the invoices; second by Mr. Reeder. There being no discussion, Mr. Livingston called for the vote. Voting for the motion: Council Members Livingston, Stockman, Cain, Reeder, Rucker and Scurry. Voting against: Council Member Koon. Motion passed by majority vote.

### **13. Appointments.**

Mr. Reeder recommended the appointment of Dennis Hill to the Airport Commission; second by Mr. Cain. Vote was unanimous.

Mr. Reeder recommended the appointment of Charlene Caldwell to the Disabilities and Special Needs Board; second by Mr. Cain. Vote was unanimous.

Mr. Reeder recommended the appointment of David Abrams to the Joint Planning Commission; second by Mr. Cain. Vote was unanimous.

Mr. Reeder recommended the appointment of Betty Reeder to the Library Board; second by Mr. Cain. Vote was unanimous.

Mr. Reeder recommended the appointment of Mattie Dillon to the Hospital Board; second by Mr. Cain. Vote was unanimous.

Harriett Wells Kegler resigned from the Hospital Board. Mr. Reeder recommended the appointment of Larry Kinard; second by Mr. Koon. Vote was unanimous.

Mr. Reeder recommended the appointment of Alma B. Sullivan to Westview Behavioral Board; second by Mr. Cain. Vote was unanimous.

### **14. Committee Reports.**

#### **A. Economic Development Committee 6/17/19 Rick Farmer, Economic Development Director**

Mr. Farmer reported that product activity has improved and got in 2 new companies this week. We talked about the projects and impediments to growth. We are working on 4 expansions. The lack of a mega site hurts us significantly. Recertification of Commerce Park is complete. We are working on entrance signs at the Industrial Park on Highway 219. We also discussed the

problems with Mawsons Way. We are working on the spec building. We also have a virtual spec building.

Mr. Adams is on a marketing mission in Korea right now. He has visited with both of our Korean manufacturers while there.

SWM is fully functional in the Commerce Park. The grand opening is June 26.

At Toast of the Town, we presented awards to three companies:

Metal Masters (growth award)

Samsung and MM Tech (investment awards)

We discussed the Newberry Laurens Industry Showcase. It will be hosted in Newberry this year.

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

No public comments.

**16. Executive Session (if needed).**

No Executive Session needed.

**17. Comments/Requests from County Administrator.**

Mr. Adams is in Korea on a marketing mission.

**18. Comments/Requests from Council Members.**

Council Members commented on the work that went into the budget and thanked the staff for all the hours they put into the budget.

James Wimmer spoke up from the back of the room that he was very disappointed in the decision regarding the Coroner's request. (Most of what he said was inaudible as he did not come to the podium.

Mr. Livingston said he appreciated the comments but we do have a section for people to sign up with public comments and that he could come back on July 3 and sign up to speak, if he wished.

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**19. Future Meetings.**

- A. County Council Meeting 7/3/19 @ 7:00 p.m.**
- B. Public Safety and Courts Committee 7/8/19 @ 5:00 p.m.**
- C. County Council Meeting 7/17/19 @ 7:00 p.m.**

**20. Adjournment.**

Mr. Reeder moved to adjourn.

Meeting adjourned at 8:20 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Henry H. Livingston, III, Chairman**

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**Susan C. Fellers, Clerk to Council**

**APPROVED: \_\_\_\_\_**