

**NEWBERRY COUNTY COUNCIL  
MINUTES  
JULY 17, 2019**

Newberry County Council met on Wednesday, July 17, 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  
Travis Reeder, Council Member  
Dr. Harriett Rucker, Council Member  
Johnny Mack Scurry, Council Member  
Wayne Adams, County Administrator  
A.J. Tothacer, County Attorney  
Debbie S. Cromer, Finance Director  
Karen Brehmer, Assistant to the County Administrator  
Taylor Davenport, Administrative Assistant  
Susan C. Fellers, Clerk to Council

**ABSENT:** Scott Cain, Council Member

**MEDIA:** Andrew Wigger, Newberry Observer

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

Mr. Koon had the invocation followed by the Pledge of Allegiance.

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

There being no additions or deletions to the Agenda, Mr. Scurry moved to adopt the agenda as presented; seconded by Dr. Rucker. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

**2. 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 a Fee-in-Lieu of taxes and other related matters.**

### **A. Public Hearing.**

Mr. Reeder moved that this be the public hearing; second by Mr. Stockman. Vote was unanimous. Mr. Livingston declared the public hearing open,

**James Wimmer** questioned the tax credits granted to this business coming to Newberry.

Mr. Adams explained that it is called a special source revenue credit, and it is essentially a percentage by which the fee-in-lieu payment, which is the same as a tax payment in this case, is reduced for the company. In this case it is 35% for the first 10 years.

Mr. Wimmer asked how long this company was expected to stay in Newberry. Mr. Adams said it is an existing industry and it is expanding so they have been here for almost 6 years. We can never know how long a company is going to stay.

**Kyle Parker**, attorney for Project DMZ, explained the business which is the subject of this Ordinance is Big Gun Robotics and has been in existence for 6 years; however, it took over a then existing business that was going to leave Newberry County. Their intent is to spend northward of \$3 million in Newberry and add 16 jobs, all of which are over the mean average wage for Newberry. The reason for offering the incentives is that these guys didn't have to stay here. They were offered other incentives from Chattanooga, Tennessee but rather than picking up the entire operation and moving it there, these incentives in this Ordinance were just enough incentives to keep them here.

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

### **B. Third Reading**

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

**3. Consideration to approve the low bid in the amount of \$288,376 from Rosenbauer for the purchase of a Rescue Truck for Lake Murray Rescue Squad. (Recommended by the Public Safety and Courts Committee on 7/8/19) - Crystal Waldrop, Purchasing Director.**

**Rosenbauer - \$288,376.00**  
**Spartan Fire - \$334,280.00**  
**Safe Industries - \$339,993.00**

Mrs. Waldrop said this item was originally bid on April 17. Upon receipt of the bids, the chief of the Lake Murray Rescue Squad expressed concern that the low bid was not responsive to the specifications advertised. After reviewing the bids, staff recommends acceptance of the low bid of \$288,376.00 submitted by Rosenbauer.

Motion by Mr. Reeder to accept the low bid of \$288,376.00 from Rosenbauer; second by Mr. Koon. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

**4. Consideration to approve Rostan Solutions, LLC for the Debris Monitoring and Management Services Contract. (Recommended by the Public Safety and Courts Committee on 7/8/19) - Crystal Waldrop, Purchasing Director.**

To expedite and maximize federal reimbursement to the County for clean up costs in the event of a natural disaster, FEMA requires that the County maintain current, openly bid contracts for 1) debris removal and disposal services and 2) the monitoring and management of these services. Agenda items 4 and 5 address these requirements.

Staff recommends approval of contract with Rostan Solutions, LLC.

Motion by Dr. Rucker to approve Rostan Solutions, LLC for the Debris Monitoring and Management Services Contract; second by Mr. Koon. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

**5. Consideration to approve Southern Disaster Recovery for the Debris Removal and Disposal Services Contract. (Recommended by the Public Safety and Courts Committee on 7/8/19) - Crystal Waldrop, Purchasing Director.**

Mrs. Waldrop said several responses were received. Based on the evaluation of the responses, staff recommends approval of the contract with Southern Disaster Recovery.

Motion by Mr. Scurry to approve Southern Disaster Recovery for the Debris Removal and Disposal Services Contract; second by Mr. Reeder. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

**6. Consideration to approve WK Dickson for the Airport Consultant Contract - Crystal Waldrop, Purchasing Director.**

This contract pertains to engineering services related to maintenance and improvements at the Newberry County Airport. The selected firm also provides services related to obtaining grant reimbursements through the FAA and the SC Aeronautics Commission. Three firms submitted proposals - Baker and Holt were the other two. A procurement committee consisting of the directors of procurement, public works, and finance interviewed the firms and evaluated their proposals. Staff recommends the approval of a contract with WK Dickson.

Motion by Mr. Koon to approve WK Dickson for the Airport Consultant Contract; second by Mr. Scurry. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

Mr. Adams requested that WK Dickson report to the Public Works and Planning Committee at least once per year on the status of the tree in the approach.

**7. Appointments.**

Mr. Scurry moved to appoint Susan Hiott to the Disabilities and Special Needs Board; second by Mr. Stockman. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

Mr. Livingston moved to appoint Diane Lominack to the Disabilities and Special Needs Board; second by Mr. Koon. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

**7. Committee Reports**

**A. Public Safety and Courts Committee 7/8/19 - Tommy Long, Public Safety Director.**

All items resulting from the Public Safety and Courts Committee meeting on July 8, 2019, have been reported in Agenda Items 3, 4 and 5 above.

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

**James Wimmer** asked what the consultants would be doing as to the trees. Mr. Adams said the Airport is under the Public Works Director. We commission surveys every five years of the

trees to see if they are in the approach, and if they are, we have agreements with the property owners to allow us to trim those trees.

Mr. Wimmer asked why we needed a consultant for that. Mr. Adams said that is not all they do, that he had asked about the trees.

Mr. Livingston said we do not have an airport manager to do all of this like a big city would.

Joe Barkovitz with WK Dickson said they help the County develop a capital improvement plan, a national plan for the airport. We monitor all the traffic that goes in there through a forecasting process and help develop a capital improvement plan to help seek FAA money and state money. It is 90% grant from the FAA and the state matches 5% so it is 5% for Newberry County on most projects. We go through the planning, environmental and design of projects and oversee construction on the County's behalf.

Mr. Adams said there are certain design requirements of the FAA and layout plans have to be submitted from time to time. The County does not have anyone on staff qualified to do that. Most counties who have airports have consultants.

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

No Executive Session needed.

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

Mr. Adams said there were several people serving on the Planning Commission as a continuation. Their terms have expired. The law allows them to continue to serve until their replacement is appointed. This was a topic of conversation at the Planning Commission on Tuesday night.

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

No comments.

**13. Future Meetings**

- A. County Council 8/21/19 at 7:00 p.m.
- B. Public Works and Planning Committee 8/19/19 at 7:00 p.m.
- C. County Council 9/4/19 at 7:00 p.m.

County Council will **not** meet on the first Wednesday of August (8/7/19).

**14. Adjournment.**

There being no further business to come before the County Council, Mr. Stockman moved to adjourn; second by Mr. Reeder. Vote was unanimous.

Mr. Livingston declared the meeting adjourned at 7:25 p.m.

**NEWBERRY COUNTY COUNCIL**

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

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

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