

**NEWBERRY COUNTY COUNCIL WORK SESSION
MINUTES
April 03, 2024**

Newberry County Council met on Wednesday, April 03, 2024, at 5:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a Work Session.

Notice of the meeting was duly advertised, as required by law.

PRESENT: Todd Johnson, Chairman
Les Hipp, Council Member
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Karl Sease, Council Member
Jeff Shacker, County Administrator
Joanie Winters, County Attorney
Eric Nieto, I.T. Director
Katie Werts, Director of Planning and Development Services
Andrew Wigger, Clerk to Council/PIO

ABSENT: Robert N. Shealy, Vice Chairman
Leon Fulmer, Council Member

Mr. Johnson called the meeting to order at 5:00 p.m.

1. Update on feedback related to revised Property Maintenance and Nuisance Codes.
 - Mr. Shacker said staff posted on the Newberry County website the draft of the Maintenance and Nuisance Codes Ordinance and provided an opportunity for residents to submit comments through the website. Feedback was received from eight individuals, which were provided to council.

- Mr. Shacker said in reading those comments, they were positive about the ordinance and encouraging council to move forward.
- There was one comment that referenced the fact the ordinance referred to owners and occupants separately and that could be an issue. Mr. Shacker said that language was purposeful because sometimes you get into situations where you have two parties, and they are assigning responsibility to the other; the ordinance allows the county to respond to that.
- Mr. Reeder asked how long the ordinance was on the website, to which staff answered about a month.
- Mr. Reeder said he thinks they can move forward, and Mr. Johnson said he'd like to see it on the next agenda, if possible. He added that he continues to have residents approach him asking for relief from issues this ordinance would address.

2. Discussion of a proposal to allow the keeping of hens (not roosters) as a conditional use within residential zoning districts, subject to minimum standards.

- Mr. Shacker said about six or nine months ago, they began working on an ordinance not only allowing for chickens, but other animals due to an issue related to the keeping of animals. He said that ordinance was more comprehensive, and council made comments that was too much, too fast.
- Staff has since identified a potential issue with the ordinance where, right now, Newberry County allows for the keeping of chickens in the R2 zone, but in other zones the county does not allow them. Mr. Shacker said many municipalities allow chickens, limited to hens and not roosters, and then there are standards to where the chickens are housed and where they are located, etc.
- Staff pulled out the provisions in the previous ordinance that applied only to chickens and turned that into an ordinance. This would allow the keeping of chickens in residential zones, other than R2 where chickens are a permitted use.

- Mr. Shacker reviewed some of the requirements for keeping of chickens within the ordinance, including being limited to no more than six chickens and roosters are prohibited; no closer than 25 feet to the side or rear of the property line (except on the lake where it would be more stringent); chickens are not allowed to roam free; must be a freestanding enclosure; health and sanitary conditions; has to be in the back yard; chickens have to be in a secure enclosure; wouldn't allow the slaughter of chickens, etc.
- Mr. Reeder asked if houses grandfathered in wouldn't be able to have that. Mr. Shacker said they really wouldn't have anyone grandfathered in, Ms. Werts added they'd have to get in compliance if they already had chickens and staff didn't know about it.
- Mr. Hipp asked if there was a size limit on the coop. Ms. Werts said they did not put a size limit on the coop.
- Mr. Hipp added that there is a state law that states agriculture buildings are exempt from taxes, and would this be considered an agriculture building under that or would it be excluded. Mr. Shacker said he will ask the auditor.
- Mr. Hipp said the way the ordinance is proposed, the coops would be facing the lake. Ms. Werts said they may need to change that language to ensure the coops are not facing the lake.
- Mr. Johnson said to staff to do more draft work and see what they can come up with. He added that he finds it illogical that municipalities allow chickens inside town limits, but someone can have five acres but not have chickens. However, he said he wants to do it in an appropriate manner, and they cover as many bases as they can as they go into it.

3. Discussion of proposed FY 2024-2025 Budget

- At present, staff is recommending a \$1.25 million use of Fund Balance within a \$40.3 million General Fund budget.
- Mr. Shacker said there are four categories that can be addressed to bring revenue and expenditures more into line, Revenue, Personnel Services, Non-Personnel, and Capital.

- Revenue: Mr. Shacker showed what the increase of millage would look like: one mill (\$174,190), two mills (\$348,380), three mills (\$522,570). Mr. Shacker said if they went up two mills, for an owner-occupied home, valued at \$100,000, that would be an \$8 increase.
- Personnel: there are five positions at the county that are vacant, instead of eliminating the positions, staff can take their time with them and hold off on hiring three of those positions until this time next year. That would reduce the use of Fund Balance by \$162,133.
- Non-Personnel: Newberry County Council indicated they'd like to see a higher increase for law enforcement and Public Works employees, adding an additional 2% increase for those employees would increase the budget by \$172,667. At the Transfer Station, putting funding back into the budget to continue the mulching operations until January 1, 2025, would be a \$43,000 increase.
- Capital: in the current version of the budget there is a proposed \$49,000 to buy 11 Turtle Fire System EV Nozzles. Mr. Shacker said they could reduce that cost if they were to buy three, and strategically place them around the county and fund three blankets (suffocating the electric vehicle fire). If they did that, they could reduce the use of Fund Balance by \$26,500.
- Adding all those changes would bring use of Fund Balance down to \$533,381.

4. Executive Session:

a. Contractual Matter(s):

- i. Discussion of matters related to real estate owned by Newberry County pursuant to SC Code of Laws Section 30-4-70(a)(2).

- Mr. Sease made a motion to go into Executive Session; Mr. Reeder provided the second and the motion passed 5-0. Newberry County Council went into Executive Session at 5:38 p.m.
- Mr. Reeder made a motion to come out of Executive Session; Mr. Sease provided the second and the motion passed 5-0.
- Mr. Johnson said they met in Executive Session for the aforementioned reason and no action was taken.

5. Adjournment.

- Mr. Hipp made a motion to adjourn the meeting; Mr. Sease provided the second and the motion passed 5-0 at 6:09 p.m.

NEWBERRY COUNTY COUNCIL



Todd Johnson, Chairman



Andrew Wigger, Clerk to Council

Minutes Approved: 5-1-2024