

**NEWBERRY COUNTY COUNCIL
MINUTES
APRIL 20, 2022**

Newberry County Council met on Wednesday, April 20, 2022, 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
Les Hipp, Vice-Chairman
Mary Arrowood, Council Member
Henry H. Livingston, III, Council Member
Robert N. Shealy, Council Member
Johnny Mack Scurry, Council Member
Christopher Inglese, County Administrator
A.J. Tothacer, Jr., County Attorney
Karen Brehmer, Deputy County Administrator

ABSENT: Travis Reeder, Council Member
Debbie S. Cromer, Finance Director
Susan C. Fellers, Clerk to Council

MEDIA: Andrew Wigger

Mr. Johnson called the meeting to order at 6:00 p.m. and determined a quorum to be present.

The invocation and Pledge of Allegiance was led by Council.

1. Additions, Deletions and Adoption of the Agenda

There being no additions or deletions to the Agenda, Mr. Scurry moved to adopt the Agenda, as presented; seconded by Mr. Livingston. Vote was unanimous.

2. Ordinance #04-06-2022: An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 16, 2016, so as to amend the zoning map acting on a request to amend the official zoning map established and

codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to rezone one (1) real estate parcel Nineteen and seventy-two hundredths (19.72) acres designated as TMS Parcel No. 653-61 from RS-Single Family Residential to R2-Rural.

a. Second Reading

Mr. Livingston moved to approve second reading; seconded by Mr. Hipp. Vote was unanimous.

- 3. Ordinance #04-09-2022: An Ordinance establishing minimum rules and regulations to regulate the disposal of garbage, refuse and other trash in Newberry County and providing penalties for violation of this Ordinance.**

a. First Reading

Mr. Hipp moved to approve first reading; seconded by Mrs. Arrowood.

Mr. Hipp said changes need to be made as discussed. Mr. Inglese said the changes will be made before second reading. Mr. Livingston wants to see the changes before voting for this ordinance.

There being no further discussion, Mr. Johnson called for the vote. Voting for first reading: Council Members, Johnson, Hipp, Arrowood, Shealy and Scurry. Voting against first reading: Council Member Livingston. Motion passed by majority vote.

- 4. Ordinance #04-07-2022: An Ordinance to provide appropriations for the fiscal year beginning July 1, 2022, and ending June 30, 2023, for the Newberry County Budget for County Ordinary purposes and for other County purposes for which the County may levy a tax 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 said taxes and other revenues received by the County during said fiscal year, and to provide for borrowing an anticipation for tax collections by the issuance of one or more tax anticipation notes, if necessary.**

a. First Reading

Mr. Hipp moved to approve first reading; seconded by Mr. Shealy.

Mr. Livingston stated he would not vote for the budget as it is now.

There being no further discussion, Mr. Johnson called for the vote. Voting to approve first reading: Council Members Johnson, Hipp and Shealy. Voting against first reading: Council Members Scurry, Livingston and Arrowood. Tied Vote.

Mr. Tothacer advised that approval of the budget is on a tight schedule, and if first reading fails, then it will be thrown off schedule.

Mr. Livingston stated he would redact his vote to move forward against and moved to reconsider first reading; seconded by Mr. Shealy. There being no further discussion, Mr. Johnson called for the vote to reconsider approval of first reading. Voting for first reading: Council Members Johnson, Hipp, Livingston and Shealy. Voting against first reading: Council Members Arrowood and Scurry. Approval of first reading passed by majority vote.

- 5. Ordinance #04-08-2022: An Ordinance to provide appropriations for the fiscal year beginning July 1, 2022, and ending June 30, 2023, 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. First Reading**

Mr. Livingston moved to approve first reading; seconded by Mr. Hipp. Vote was unanimous.

- 6. Council to consider the purchase of a brush truck for the Whitmire Fire department.**

Mr. Johnson appreciated the effort Mr. Inglese and staff put forth in arranging this funding. Mr. Inglese stated an Ordinance would be needed in order to reallocate the funds. Mr. Livingston asked about using the ARP funds but Mr. Inglese stated the funding was coming from unused bond funds.

Mrs. Arrowood moved to approve the reallocation of funding for the brush truck for Whitmire Fire Department; seconded by Mr. Shealy. Vote was unanimous.

7. Council to authorize the County Administrator and Human Resources Director to extend an offer for the position of Clerk to Council.

Mr. Shealy moved to authorize the offer of the position of the Clerk to Council; seconded by Mrs. Arrowood.

Mr. Inglese stated this item was necessary in order to make technical corrections from the prior meeting. He also advised the position had been offered and accepted by the candidate.

8. Executive Session:

Code Section 30-4-70(a) of the Code of Laws of SC, as amended, 1976:

(1) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.

Mr. Shealy moved to go into Executive Session for the above-stated reasons; seconded by Mr Livingston. Vote was unanimous.

**EXECUTIVE SESSION
6:21 P.M. - 6:46 P.M.**

Mr. Shealy moved to return to open session; seconded by Mrs. Arrowood. Vote was unanimous.

Council reported they met in Executive Session for the reasons as stated above, and no action was taken.

9. Adoption of Consent Agenda:

- a. Economic Development Committee report and approval of Minutes of February 28, 2022 meeting**
- b. Approval of Central SC Alliance invoice**

- c. **County Council Minutes of March 2, 2022 meeting**
- d. **County Council Minutes of March 7, 2022 meeting**
- e. **County Council Minutes of March 16, 2022 meeting**

Mr. Shealy moved to adopt the Consent Agenda, as presented; seconded by Mr. Scurry. Vote was unanimous.

10.Appointments

Mr. Shealy moved to appoint Burt Lucas to the Board of Rural Fire Control to replace Dwight McDuffie; seconded by Mrs. Arrowood. Vote was unanimous.

11.Public Comments

Dennis Lambrose, Newberry College, thanked Council for allowing his students the opportunity to observe the meeting. Mr. Johnson expressed appreciation to them for attending tonight's meeting.

12.Comments/Requests from County Administrator

No comments.

13.Comments/Requests from Council Members

Mr. Livingston requested that Council keep Roland Kibler in prayer. Mr. Kibler is the spouse of former Clerk to Council, Jo Kibler.

Mr. Hipp had the opportunity to speak to the CPST Committee, and it is much easier to sit on this side.

Mr. Johnson requested that we keep Mr. Reeder in our prayers. He also thanked everyone for the budget preparation.

14.Future Meetings (all meetings begin at 6:00 p.m. unless otherwise noted):

- a. **Executive Committee Meeting on April 25, 2022**
- b. **Budget Work Session on April 26, 2022**
- c. **County Council Meeting on May 4, 2022**
- d. **Budget Work Session on May 10, 2022**
- e. **County Council Meeting on May 18, 2022**

15. Adjournment


There being no further business to come before Council, Mr. Shealy moved to adjourn; seconded by Mr. Hipp.

Mr. Johnson declared the meeting adjourned at 6:51 p.m.

NEWBERRY COUNTY COUNCIL



Todd Johnson, Chairman



Susan C. Fellers, Clerk to Council

Minutes Approved: 5-18-22