

NEWBERRY COUNTY COUNCIL  
MINUTES  
OCTOBER 3, 2018

Newberry County Council met on Wednesday, October 3, 2018, at 7:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, S.C, for a regular scheduled meeting.

**PRESENT:** Henry H. Livingston, III, Chairman  
Kirksey Koon, Vice Chairman  
William D. Waldrop, Councilman  
Steve Stockman, Councilman  
Scott Cain, Councilman  
Travis Reeder, Councilman  
Dr. Harriett Rucker, Councilwoman  
Wayne Adams, County Administrator  
A.J. Tothacer, County Attorney  
Debbie Cromer, Finance Director  
Susan C. Fellers, Clerk to Council

**MEDIA:** Andrew Wigger, Newberry Observer

The meeting was duly advertised as required by law.

Chairman Livingston called the meeting to order at 7:00 p.m.  
Councilman Reeder led the invocation followed by the Pledge of Allegiance.

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

There being no additions or deletions, Mr. Cain moved for adoption of the agenda; second by Mr. Reeder. Vote was unanimous

**2. Consideration of appointing Susan Fellers to serve as interim Clerk to Council.**

Motion by Dr. Rucker; second by Mr. Reeder. There being no discussion, the vote was unanimous.

**3. Ordinance #08-11-18:** An Ordinance authorizing the sale of certain real property from Newberry County, South Carolina to Newberry Electric

Cooperative, Inc.; authorizing the provision of certain grant funds to attract economic development projects; and other related matters.

a. Public Hearing

Motion for public hearing by Mr. Cain; second by Mr. Reeder.

Mr. Livingston declared this to be the public hearing.

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

b. Third Reading

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

- 4. Ordinance #09-12-18:** An Ordinance authorizing the execution of an Equipment Lease-Purchase Agreement in an amount not exceeding \$710,000 relating to the purchase of certain equipment by Newberry County, authorizing the execution of other necessary documents and papers, and other matters relating thereto.

a. Public Hearing

Motion for public hearing by Dr. Rucker; second by Mr. Cain.

Mr. Livingston declared this to be the public hearing.

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

b. Third Reading

Motion for third reading by Mr. Koon; second by Mr. Reeder. There being no discussion, the vote was unanimous.

- 5. Ordinance #09-13-18:** An Ordinance amending an ordinance entitled “An Ordinance approving a loan from the South Carolina Public Service Authority to Newberry County, South Carolina, to finance a portion of the cost of a building for economic development purposes; authorizing the execution and delivery of an intergovernmental loan agreement between the South Carolina Public Service Authority and Newberry County and a promissory note from Newberry County to the South Carolina Public Service Authority in connection therewith; authorizing the pledge of the full faith, credit and taxing power of Newberry County, South Carolina to secure payment of the note; and other matters relating thereto” so as

to provide for the adjustment of the maturity schedule authorized thereby, and other matters related thereto.

a. Public Hearing

Motion for public hearing by Mr. Reeder; 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. Third Reading

Motion for third reading by Mr. Cain; second by Mr. Stockman. There being no discussion, the vote was unanimous.

- 6. Ordinance #09-14-18:** 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 an economic development project identified for the time being as Project N to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters.

a. Public Hearing

Motion for public hearing by Mr. Reeder; second by Mr. Cain.

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. Stockman. There being no discussion, the vote was unanimous.

- 7. Ordinance #09-15-18:** An Ordinance acting on a request to amend the Official Zoning Map established pursuant to Zoning Ordinance No. 06-11-16, codified in Chapter 153 of the Newberry County Code or Ordinances, so as to rezone one real estate parcel totaling one and twenty-seven hundredths (1.27) acres designated as TMS Parcel No. 339-1-2 from Single Family Residential (RS) to Rural (R2).

a. Public Hearing

Motion for public hearing by Dr. Rucker; second by Mr. Reeder.

Mr. Livingston declared this to be the public hearing.

There being no 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 discussion, the vote was unanimous.

- 8. Ordinance #09-16-18:** An Ordinance acting on a request to amend the Official Zoning Map established pursuant to Zoning Ordinance No. 06-11-16, codified in Chapter 153 of the Newberry County Code of Ordinances, so as to rezone one real estate parcel totaling one and eighty-seven hundredths (1.87) acres designated as TMS Parcel No. 339-1-1 from Single Family Residential (RS) to Rural (R2).

a. Public Hearing

Motion for public hearing by Dr. Rucker; second by Mr. Cain.

Mr. Livingston declared this to be the public hearing.

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

b. Third Reading

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

- 9. Ordinance #09-17-18:** An Ordinance for the appointment and duties of the Clerk to Council in effectuation of S.C. Code of Laws Section 4-9-110.

a. Second Reading

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

Mr. Cain is very much against this ordinance on the ground that it changes the county administration organization and hopes Council understands what it will do to our county in the long run.

There being no further discussion, vote was as follows: Voting for second reading: Council Members Livingston, Koon, Waldrop, Stockman, Reeder and Rucker. Voting against second reading: Council Member Cain.

Motion passed with a 6-1 vote.

**10. Ordinance #09-18-18:** An Ordinance to authorize the transfer of the Piedmont Technical College Facility located in the former Newberry Square Shopping Center as anticipated by the 2010 capital projects sales tax.

a. First Reading

Motion for first reading by Mr. Cain; second by Mr. Waldrop.

Mr. Adams said now that the 2010 CPST bonds have been paid off, this ordinance authorizes transferring the Piedmont Technical facility from the county to Piedmont Technical College. The county will retain ownership of the former strip shopping area adjoining the college and the parking area that serves that portion of the complex.

There being no discussion, the vote was unanimous.

**11. Ordinance #09-19-18:** An Ordinance to authorize the conversion of a lease arrangement for Fee-In-Lieu of tax payments between Newberry County and Kiswire, Inc. under Title 4, Chapter 12, South Carolina Code of Laws, 1976, as amended, to a fee agreement under Title 12, Chapter 44, South Carolina Code of Laws, 1976, as amended; and matters relating thereto.

a. First Reading

Motion for first reading by Mr. Cain; second by Mr. Waldrop.

Mr. Adams said Kiswire is under the old fee statute where the county had to retain ownership of the property. That fee statute has changed. The new fee statute allows the company to retain ownership and simplifies the company's ability to use their property as collateral. This ordinance does not otherwise change the county's fee deal with Kiswire.

There being no further discussion, the vote was unanimous.

**12. Consideration to approve Central SC Alliance FY18/19 1st and 2nd Quarter invoices totalling \$36,000.00.** (Recommended by Economic Development Committee on 9/24/18)

Motion to approve by Mr. Reeder; second by Mr. Cain. Voting for the motion: Council Members Livingston, Waldrop, Stockman, Cain, Reeder and Rucker. Council Member Koon did not vote.

Motion passed with 6 votes.

### **13. Appointments**

Mr. Stockman requested appointment of Candace Frick to the Newberry County Memorial Hospital Board.

Motion to approve appointment by Mr. Stockman; second by Mr. Cain. Vote was unanimous.

### **14. Committee Reports**

- a. Economic Development Committee 9/24/18:  
Rick Farmer, Economic Development Director

Project activity has been up since the first and second quarters of this year. Council approved first reading of Project N. We are in advance stages with International Metal Stamping Project and hope to bring something to Council soon.

Recertification of Mid-Carolina Commerce Park is slow but everything has been approved; just not finalized and formalized. The total cost of that is \$75,000 but the county will be reimbursed for half of that, probably in the fourth quarter of this year.

The final layer of asphalt has been laid on the cul-de-sac at the park, and the park is in very good condition and shows quite well.

In terms of prospect development, we are working with Central SC Alliance on new property and flyers. One thing that has delayed us is Mid Carolina Commerce Park is kind of in a state of flux. We don't know exactly what it will look like 3 months from now so we have delayed a little on that to try and get some clarity.

We are working on a new executive summary with SC Alliance. This is about a 10 page summary we can send to executives and consultants. It breaks down our communities in terms of income, demographic and other types of things.

We are working on the new speculative concept that we have approval on and hope to have finalized agreements on that very soon.

Mr. Farmer visited about 10 companies in the last quarter. Samsung, Phase II, is nearly complete. MM Technics now has 20 employees. Komatsu has completed renovations and is now up to 225 employees. Aqua Products is down to 7 employees but is hanging

on. SWM Industries is up and running. Arctichill is holding steady at 50 employees. Palmetto Pallet is at 18 employees and business is strong but they are missing out on opportunities because of lack of floor space and people to handle it.

The Laurens Newberry Business and Industrial Showcase is next week. They will be parading 8th graders from Laurens and Newberry who will introduce themselves to employers.

Mr. Farmer will be traveling to Korea next week and then off to Sweden to attend the FKG Conference.

Mr. Reeder and Mr. Livingston expressed appreciation to Mr. Farmer for what he is doing for Newberry County.

b. Public Safety and Courts Committee 10/1/18:  
Tommy Long, Director of Public Safety

Mr. Long said they met last Monday The Rescue Capital Outlay Request was approved and will be presented at the next meeting as provided in the budget.

Mr. Koon requested that we keep Florence County in prayer. A police officer was shot today.

Dr. Rucker said it is interesting to hear reports of the number of calls that come into emergency. Mr. Livingston said a lot of those calls are responded to by volunteers who are paid absolutely nothing. If you see these volunteers out in the community, please thank them.

Mr. Reeder thanked Mr. Long for keeping Council informed.

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

Thaddeus McEntire and Mark McEntire thanked Council for working with them to get their property rezoned.

Justin LaRoche expressed appreciation for the County's support and work regarding the Solar Panel Field

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

No executive session.

### **17. Comments/Request from County Administrator**

Mr. Adams welcomed Susan Fellers back as interim Clerk to Council.

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

Mr. Reeder welcomed Mrs. Fellers and looked forward to working with her.

Mr. Cain had his 5th grandchild on September 24.

Mr. Stockman and Mr. Waldrop welcomed Mrs. Fellers

Mr. Koon said Adella Summer, wife of George Summer, passed away.

Mr. Livingston also requested that we keep the victims in Florence in prayer. He also welcomed Mrs. Fellers and thanked all the people who attended and participated in tonight's meeting.

**19. Future Meetings:**

- a. Public Works and Planning 10/15/18 @ 7:00 p.m.
- b. Joint Planning Commission Meeting 10/16/18 @ 6:00 p.m.
- c. County Council 10/17/18 @ 7:00 p.m.

**20. Adjournment**

Meeting adjourned at 7:30 p.m.

**NEWBERRY COUNTY COUNCIL**

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**HENRY H. LIVINGSTON, III, CHAIRMAN**

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**SUSAN C. FELLERS, CLERK TO COUNCIL**