

**NEWBERRY COUNTY COUNCIL
CAPITAL PROJECT SALES TAX WORK SESSION AGENDA
November 8, 2021, 6:00 p.m.**

The Newberry County Council met on Monday, November 8, 2021, at 6:00 p.m. for a work session to discuss the Capital Project Sales Tax meeting was held in the Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC 29108

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

PRESENT: Buddy Livingston, Chairman
Todd Johnson, Council Member
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Mary Arrowood, Council Member – zoomed
Johnny Mack Scurry, Council Member
Les Hipp, Council Member
A J. Tothacer, Jr., County Attorney
Karen M. Brehmer, Deputy Administrator
Tony McDonald, Interim County Administrator
Theodore Dubose, Haynesworth, Sinkler, Boyd
Crystal Waldrop, Purchasing Director
Debbie S. Cromer, Finance Director
Sheriff Lee Foster
Daniel Floyd, Detention Center Director
Brooke Harmon

Media present: Andrew Wigger

Call the meeting to order.

Mr. Livingston called the meeting to order.

1. Additions, Deletions and Adoption of Agenda

Motion by Mr. Scurry to adopt the agenda as presented; seconded by Mr. Reeder. Vote was unanimous.

2. Update on the 2022 Capital Project Sales Tax Commissioners – Karen Brehmer, Deputy Administrator

Ms. Brehmer advise council of who was appointed to the 2022 Capital Projects Sales Tax (CPST) Commission.

Those commissioners appointed by the County are:

Sid Crumpton
Roy McClurkin
Lisa Toland

Commissioners appointed by the City of Newberry are:

Cornelius Corner
Alison Johnson
Renee Joiner

Alternates appointed by the County are:

Mike Reid
Harry Werts

Ms. Brehmer stated the orientation for the commissioners will be held Tuesday, November 9, 2021, at 6:00 P.M. At that time, the commissioners will elect their chair and vice-chair. Jay Tothacer will inform the Commissioners regarding FOIA considerations as well as conflicts of interest and dual office holding. The Commission will adopt their agenda format.

Theo Dubose will advise council of their role in the CPST Referendum process, along with important deadlines statutory restrictions, etc. He will also discuss the estimates on available project funds, prioritization of projects, and bonding verses pay-as-you-go financing.

A follow-up meeting is planned for the commissioners to develop their schedule of events. This meeting date will be confirmed on November 9, 2021.

**3. Discussion of potential CPST project submissions.
(SC Code of Laws 4-10-330 – Attachment A)**

The Dubose stated the in 2010 council used a working estimate of \$15 million, 2016 the county used an estimate of \$21 million. The amount available will depend on actual collections through 2024. We have estimated total collections to be \$30 million.

The collections for sales tax as actually increased. Covid has not really affected the sales taxes collections. In

Mr. Hipp how much is excess funds are we looking at.

Mr. Theo Dubose estimated about \$7 or \$8 million.

Mr. Hipp asked if these funds would be carried forward.

Mr. Dubose stated yes it would be carried forward. However, if the CPST does not pass, Council will have to decide how these funds will be used. Limited to the same types of projects.

Mr. Hipp could a municipality and the county jointly sponsor a project?

Mr. Dubose stated the statute says any two or more can jointly do a project of the type in the list. The County has been using more sponsoring projects and having them prequalified that the cost estimates are adequate. If you are do a joint project you will need to have an agreement and how the cost will be split up. Not a standard agreement. If the city and the county, who owns it and who is responsible for maintenance and who is responsible for the shortage of funds. This is part of the county's process, and it is a good idea.

Ms. Brehmer stated include in your package is a copy of the statute. A copy of 4-10-330 this document is a part of the official minutes.

Ms. Brehmer also stated that the County has budgeted \$75,000. We have asked the municipalities to prioritize their projects.

4. Discussion of Newberry County Council's criteria for projects seeking Council sponsorship/recommendations to the CPST Commission. Resolution No. 10-21 – Attachment B)

Ms. Brehmer stated Council has approved a Resolution containing these criteria, which may be summarized as follows:

- Accurate construction cost estimation
- Post-construction operating cost (eight years)
- Complete listing of revenue line items
- Provisions for cost overruns
- County ownership of the property involved
- Compliance with all CPST Commission requirements.

5. County Council's schedule for project recommendations to the CPST Commission.

Listed below are the proposed dates of future meetings.

November 8, 2021	Council discussion of CPST priorities
November 17, 2021	Council selection of engineering firm for cost estimates
November 22, 2021	Council directions to staff on CPST priorities
November 30, 2021	Deadline for public to submit project ideas to Council
February 4, 2022	Deadline for submitting completed proposals to Council

February 8, 2022 Project proposal presentations to Council
February 22, 2022 Project proposal presentations to Council
March 16, 2022 Council selection of projects for recommendations to the CPST Commission

6. Discussion of potential CPST project submissions by County Council.

Ms. Brehmer stated his had listed several potential projects. Ms. Brehmer stated that the Sheriff and Daniel Floyd where present to give additional information on the Detention Center.

- **New Detention Facility (or repairs/remodel to existing Detention Center)**

Minimal estimates suggest that a new detention facility would cost between \$20--\$30 million. As time goes on, this estimate will just increase. As of this writing, SC Department of Corrections (SCDC) has not formally communicated to Newberry County that a new detention facility must be constructed. There have been subtle remarks made indicating that one is imminent. SCDC has not indicated that they will close us, but we have great difficulty passing their inspection and that of State Fire Marshal.

Sheriff Foster has suggested an alternative that may stave off sanctions. This alternative would be to build a pod and close part of the old jail down, provided there is sufficient space at the present location and the infrastructure would not have to be moved to accommodate an addition. This construction estimate could be in the range of \$4-\$5 million dollars to house pre-trial inmates and close the old dormitory style housing, which is a huge liability.

- Staff solicited each department of the county for project ideas throughout the county. Attachment C is a listing of the ideas received (in order as received.) Projects that are not allowed under the statute have been removed. The listing has been reviewed by Theo Dubose and his remarks are included. Staff will request that a "Notice of Intent to Submit" be completed for each idea by the department head.

- **Other projects for Council sponsorship**

Entities/persons seeking Council's sponsorship for projects have until November 30 to submit their project ideas.

7. Direction to staff regarding CPST project submissions

Council directed staff to move forward.

8. Public Comments

Mr. Hipp about joint sponsorship and they have to November 30 to submit to the county.

Mr. McDonald stated that was correct

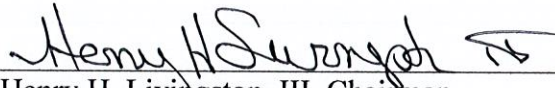
9. Council Comments

Mr. Johnson stated that Mr. McDonald had done a job with the Cavanaugh tract.

10. Adjournment

Mr. Johnson made a motion to adjourn; seconded by Mr. Reeder. Vote was unanimous. Meeting adjourned at 7:13PM.

NEWBERRY COUNTY COUNCIL


Henry H. Livingston, III, Chairman


Debbie S. Cromer, Finance Director

Approved: 1-5-2022