

**NEWBERRY COUNTY COUNCIL
MINUTES
DECEMBER 8, 2021**

Newberry County Council met on Wednesday, December 8, 2021, at 6:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regularly scheduled meeting.

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

PRESENT: Henry H. Livingston, III, Chairman
Todd Johnson, Vice-Chairman
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Mary Arrowood, Council Member
Les Hipp, Council Member
Robert N. Shealy, Council Member
Tony McDonald, Interim County Administrator
A.J. Tothacer, Jr., County Attorney
Karen Brehmer, Deputy County Administrator
Crystal Waldrop, Purchasing Director
Susan C. Fellers, Clerk to Council

MEDIA: Andrew Wigger, Newberry Observer

Mr. Livingston called the meeting to order at 6:00 p.m.

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

1. Adoption of Consent Agenda

- a. Minutes of December 1, 2021 Special Called Meeting for redistricting**
- b. Minutes of December 1, 2021 regularly scheduled Council Meeting**

Mr. Reeder moved to adopt the Consent Agenda, as presented; seconded by Mr. Scurry.

Mr. Hipp requested a correction on page 5 of the December 1, 2021 meeting regarding the redistricting. The name "Mike Reeder" should be "Mike Reid."

There being no further corrections, Mr. Livingston called for the vote to adopt the Consent Agenda, as amended. Vote was unanimous.

2. Additions, Deletions and Adoption of the Agenda.

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

3. Employee Recognition

Mr. Livingston recognized the following employees for their years of service to Newberry County:

- Sherry Williams, Sheriff's Office - 15 years
- Beth Maynor, Assessor's Office - 15 years
- Lori Smith, Planning/Zoning Office - 10 years

4. Resolution #12-21: A Resolution adopting redistricting criteria to be used in developing the 2020 redistricting plan for Newberry County Council Districts.

Mr. Hipp moved to adopt the Resolution as presented; seconded by Mrs. Arrowood. There being no discussion, Mr. Livingston called for the vote. Vote was unanimous.

5. Ordinance #12-29-21: An Ordinance to redistrict the eight (8) single member election districts for the election of Newberry County Council Members based upon the 2020 decennial census in order that the population of such districts shall comply with the Voting Rights Act of 1965 and Section 4-9-90 of the Code of Laws of South Carolina, 1976, as amended. (Title Only)

a. First Reading

Mr. Shealy moved to adopt First Reading; seconded by Mrs. Arrowood.

Mr. Hipp requested that “eight (8)” be changed to “seven (7)” single member districts.

There being no further correction, Mr. Livingston called for the vote to adopt First Reading, as amended. Vote was unanimous.

6. Resolution #13-21: A Resolution establishing use charges and policies for certain county-owned properties. (Helena Community Center and the Community Hall)

Mr. Shealy moved to adopt the Resolution, as presented; seconded by Mr. Hipp.

Mr. Hipp requested the following corrections on page 2:

- Under section 3, line 2 “one hundred dollars” should read “fifty dollars.”
- Under section 3, line 6 “one hundred dollars” should read “fifty dollars.”
- Under section 4, the first paragraph should be moved and made a part of section 3.

There being no further corrections or amendments, Mr. Livingston called for the vote to adopt the Resolution, as amended. Vote was unanimous.

7. Consideration of adoption of County Council regularly scheduled meetings for 2022.

Mr. Shealy moved to adopt the calendar for the County Council regularly scheduled meetings for 2022; seconded by Mr. Reeder. Mr. Livingston added that there is always the possibility that a regularly scheduled meeting might need to be changed during the year. There being no further discussion, Mr. Livingston called for the vote. Vote was unanimous.

A copy of the meeting calendar is on file in the County Administration Office and will be advertised, as required by law.

8. Consideration of adoption of County Council Committee meeting schedule for 2022.

Mr. Shealy moved to adopt the calendar for the County Council Committee meetings for 2022, as presented; seconded by Mrs. Arrowood. Mr. Livingston reiterated that at times changes may need to be made to this calendar. There being no further discussion, Mr. Livingston called for the vote. Vote was unanimous.

A copy of the County Council Committee meeting calendar is on file in the County Administration Office and will be advertised, as required by law.

9. Consideration of FY 2022-2023 budget calendar.

Mr. Shealy moved to adopt the FY 2022-2023 budget calendar, as presented; seconded by Mr. Hipp. Mr. Livingston reiterated that changes may need to be made from time to time as to the calendar. There being no further discussion, Mr. Livingston called for the vote. Vote was unanimous.

A copy of the 2022-2023 budget calendar is on file in the County Administration Office and will be advertised, as required by law.

10. Update on Capital Project Sales Tax.

Mr. McDonald presented Council with a final list of 21 CPST project submissions for County Council sponsorship.

Council agreed that a special called meeting should be scheduled for discussion of this list. They also agreed that each of them would pick what they considered to be the top 10 projects for the County to sponsor and work from those choices in making a final decision.

Mrs. Brehmer agreed that Council needed a special called meeting since cost estimations need to be started with entities whose projects will be supported by County Council. The projects not selected will not need to obtain cost estimations. She will also send this information to the new County

Administrator. She will determine if any of these projects fall under the covid funds received by the County.

After discussion, Council agreed to schedule a special called meeting on Wednesday, January 5, 2022, at 4:00 p.m. to discuss and make a decision on the CPST submissions.

11. Consideration for approval to pay Central SC second quarter invoice in the amount of \$18,000 - Rick Farmer, Economic Development Director.

Mr. Farmer requested approval by Council for payment of the Central SC invoice dated October 1, 2021 in the amount of \$18,000.00 (2nd quarter 21-22).

Mr. Shealy moved to approve payment of the invoice to Central SC in the amount of \$18,000.00; seconded by Mr. Hipp. Mr. Livingston called for the vote. Vote was unanimous.

12. Committee Reports:

a. Economic Development Committee - Rick Farmer, Economic Development Director

Mr. Farmer advised that project activity is high and updated Council on the following projects: Project Sun Rise, Mid-Carolina Commerce Park expansion, Mid-Carolina Commerce Park II, and Mawsons Way.

13. Executive Session

Section 30-4-70(a)(2 and 5) of the Code of Laws of SC, as amended, 1976 - 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. Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging

location or expansion of industries or other businesses in the area served by the public body.

Mr. Reeder moved to convene in Executive Session for the above-stated reasons; seconded by Mr. Shealy. Vote was unanimous.

EXECUTIVE SESSION

6:40 P.M. - 8:10 P.M.

Upon returning from Executive Session, Mr. Johnson reported that Council met for the above-stated reasons and no action was taken.

As to the item dealing with the opioid lawsuit, Mr. Hipp moved to authorize the County Attorney to notify the attorney that the County Administrator will be the contact person for Newberry County; seconded by Mr. Reeder. Vote was unanimous.

Mr. Hipp moved to authorize the County Administrator to make the offers discussed in Executive Session; seconded by Mrs. Arrowood. Vote was unanimous.

14.Appointments

No appointments, however, Mr. Livingston advised that Larry Longshore, who has been on the Board of Zoning Appeals for many years, has requested that he not be reappointed . Mr. Livingston asked if anyone knew someone who would be willing to serve on this Board to please let him know.

15. Public Comments

No public comments.

16. Comments/Requests from County Administrator

Mr. McDonald advised of recent discussions regarding the ARF monies and that a special called County Council meeting would be held on Friday, December 10, 2021, to consider that issue and make a decision.

17. Comments/Requests from Council Members

Mr. Scurry had no comments.

Mr. Reeder wished everyone a good holiday.

Mr. Johnson expressed appreciation to the county employees. The County needed time to get clarification on some issues regarding the ARP monies. The County wants to show our appreciation to the employees and wants it to be done the right way.

Mrs. Arrowood seconded that. She expressed appreciation to the employees and first responders. She also wished everyone happy holidays.

Mr. Hipp dittoed the prior comments. He was glad Mary's daughter continues to improve and hoped that Debbie Cromer was continuing to improve. The administration employees are having to do so much more. Council does not have a full time Clerk to Council and the majority of that work load has fallen on the employees in the Administration Office.

Mr. Livingston mentioned that Mr. Hipp's wife is ill.

Mr. Shealy thanked the employees for their hard work and wished everyone a Merry Christmas. He expressed appreciation to the Council members for getting together on hard decisions.

Mr. Livingston requested that everyone keep Todd Johnson in prayer as he is having back surgery next week. We are coming up on one full year of newly elected members, and it has been a pretty hard year. Many times Council is ridiculed for actions taken. He thanked the members for staying the course and doing what was right for Newberry County.

Mr. Johnson thanked Mr. Livingston for his leadership this year.

18. Future Meetings:

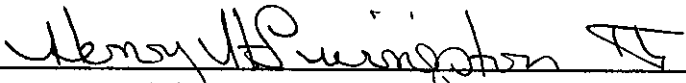
- **Special Called Meeting** **12-10-2021** **4:00 p.m.**
- **Special Called Meeting** **01-05-2022** **4:00 p.m.**
- **County Council Meeting** **01-05-2022** **6:00 p.m.**
- **County Council Meeting** **01-19-2022** **6:00 p.m.**

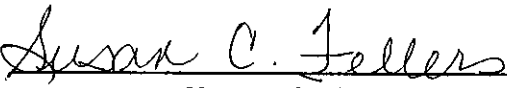
19. Adjournment

There being no further business, Mr. Johnson moved to adjourn; seconded by Mr. Shealy. Vote was unanimous.

Mr. Livingston declared the meeting adjourned at 8:20 p.m.

NEWBERRY COUNTY COUNCIL


Henry H. Livingston, III, Chairman


Susan C. Fellers, Clerk to Council

Approved: 1-5-2022