



## **NEWBERRY COUNTY COUNCIL**

### **Minutes**

**September 15, 2021**

**6:00 P.M.**

Newberry County Council met on Wednesday, September 15, 2021 at 6:00p.m. in the Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, S.C., for a regular scheduled meeting.

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

**PRESENT:** Henry H. Livingston, III, Chairman  
Todd Johnson, Vice-Chairman  
Les Hipp, Council Member  
Mary Arrowood, Council Member  
Travis Reeder, Council Member  
Johnny Mack Scurry, Council Member  
Nick Shealy, Council Member (ZOOM)  
Karen Brehmer, Finance Department  
Debbie S. Cromer, Finance Department  
Taylor Davenport, Assistant to the Administrator  
Susan Fellers, Clerk to Council

**Call to order:**

**Henry H. Livingston, III, Chairman**

**Invocation and Pledge of Allegiance:**

**Les Hipp, Councilman**

### **1. Adoption of Consent Agenda**

Motion by Mr. Reeder to approve the consent agenda; seconded by Mr. Scurry. Vote was unanimous.

### **2. Additions, Deletions & Adoption of the Agenda**

Mrs. Arrowood asked to delete item 12, committee report, since the meeting was cancelled.

Motion by Mrs. Arrowood to approve the agenda as amended; seconded by Mr. Reeder. Vote was unanimous.

### **3. Public Appearance**

- Newberry County Soil & Water Conservation District Update – Doug Heydt, Chairman

Mr. Heydt, wanted to update Council that he is now that active Chairman for the Board. He said that the held a movie event at Setzler's Farm and had around 40 people. The funds received from the concession stand was donated to the FFA. The district is also placing a monthly report in the Newberry Observer.

Council thanked Mr. Heydt and his staff for all of the work they are doing for Newberry County.

- 4. Ordinance #08-18-21** – An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 20,2016, so as to amend the zoning map acting on a request to amend the Official Zoning Map established, codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to rezone one (1) real estate parcel totaling one and eighty-two hundredths (1.82) acres designated as TMS parcel no. 404-48 from Industrial to R2-Rural.

#### **a. Public Hearing**

Chairman Livingston declared this to be the Public Hearing. There being no comments form the public, Mr. Livingston declared the public hearing closed.

#### **b. Third Reading**

Motion by Mrs. Arrowood to approve third reading; seconded by Mr. Shealy. Vote was unanimous.

- 5. Ordinance #08-19-21** – An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 20,2016, so as to amend the zoning map acting on a request to amend the Official Zoning Map established, codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to rezone one (1) real estate parcel totaling two (2) acres designated as TMS parcel No. 298-37 from Limited Commercial to R2-Rural.

#### **a. Public Hearing**

Chairman 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 by Mr. Shealy to approve third reading; seconded by Mr. Reeder. Vote was unanimous.

- 6. Ordinance #08-21-21** - An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 20,2016, so as to amend the zoning map acting on a request to amend the Official Zoning Map established, codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to rezone one (1) real estate parcel totaling one and fifty-one hundredths (1.51) acres designated as TMS parcel No. 687-1-2-11 from RS-Single Family Residential to R2-Rural.

**a. Public Hearing**

Chairman Livingston declared this to be the Public Hearing. There being no comments from the public, Chairman Livingston declared the public hearing closed.

**b. Third Reading**

Motion by Mr. Shealy to approve third reading; seconded by Mrs. Arrowood. Vote was unanimous.

- 7. Ordinance #08-22-21** - An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 20,2016, so as to amend the zoning map acting on a request to amend the Official Zoning Map established, codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to rezone one (1) real estate parcel totaling sixteen and forty – three hundredths (16.43) acres designated as TMS parcel No. 576-8 from R2-Rural to Industrial.

**a. Public Hearing**

Chairman Livingston declared this to be the Public Hearing. There being no comments from the public, Chairman Livingston declared the public hearing closed.

**b. Third Reading**

Motion by Mrs. Arrowood to approve third reading; seconded by Mr. Shealy. Vote was unanimous.

- 8. Ordinance #08-23-21** – An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 20,2016, so as to amend the zoning map acting on a request to amend the Official Zoning Map established, codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to rezone one (1) real estate parcel totaling four and sixty-four hundredths (4.64) acres designated as TMS parcel No. 576-9 from R2-Rural to Industrial.

**a. Public Hearing**

Chairman Livingston declared this to be the Public Hearing. There being no comments from the public, Chairman Livingston declared the public hearing closed.

**b. Third Reading**

Motion by Mrs. Arrowood to approve third reading; seconded by Mr. Shealy. Vote was unanimous.

- 9. Resolution 06-21** – A Resolution creating a Commission for the review and selection of projects to be funded by the reimposition of a Capital Project Sales Tax in Newberry County. Repealing a prior Resolution, and other matters related thereto.

Mr. McDonald stated that this Resolution is being brought back to Council to allow the City of Newberry more time to approve their Commission Members. Re-adopting the resolution will allow the city additional time to make those appointments.

Motion by Mr. Hipp to adopt the resolution; Seconded by Mrs. Arrowood. Vote was unanimous.

- 10. Consideration to approve the low bid in the amount of \$74,996.63 from Convergent for the Detention Center Fire Alarm Replacement.** – Crystal Waldrop, Purchasing Director

**Convergent - \$74,996.63**  
**Adroit Systems - \$124,899.70**  
**Burriss Electrical - \$178,330.00**

Mrs. Waldrop stated that the County solicited bids and they received 3 responses. This replacement is required by the state. Staff recommends Convergent for the Fire Alarm Replacement.

Motion by Mr. Shealy; seconded by Mr. Hipp. Vote was unanimous.

- 11. Consideration to approve Diacom Solutions to provide the Portable X-Ray Machine for the Coroner's Office.** – Crystal Waldrop, Purchasing Director & Laura Kneece, Coroner

**Responses:**

- **MinX-ray**
- **MXR-The Imaging Solution**
- **Diacom Solutions**
- **Centura Imaging**

\*Evaluation criteria was used to determine the highest ranked firm.

Mrs. Waldrop stated that the County solicited bids and they received 4 responses. This will be fully funded by a grant through the Coroner's Office.

Coroner Laura Kneece stated that the X-ray machine will be housed at Newberry Hospital.

Motion by Mrs. Arrowood; Seconded by Mr. Reeder. Vote was unanimous.

**12. Committee Report**

~~a. Personnel & Intergovernmental Relations Committee~~  
~~— Katherine Cook, Human Resources Director~~

- 13. Executive Session - Code Section 30-4-70 (a)(1):** Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.

Chairman Livingston read the code section in which Council will go into executive session.

Motion by Mrs. Arrowood to go into executive session; seconded by Mr. Reeder. Vote was unanimous.

#### **EXECUTIVE SESSION [6:25PM-8:00PM]**

Mr. Hipp reported that Council met in executive session on matters pertaining to Code Section 30-4-70a(1). No action was taken.

#### **14. Appointments**

Mr. Shealy made a motion to appoint Mr. Johnny Wicker to the Joint Planning Commission; seconded by Mr. Scurry. Vote was unanimous.

Mr. Scurry made a motion to appoint Bryan Alvarez to the Water and Sewer Authority; seconded by Mr. Hipp. Vote was unanimous.

Mr. Scurry made a motion to appoint David Goggins to the Westview Behavioral Board; seconded by Mr. Shealy. Vote was unanimous.

#### **15. Public Comments**

No public comments.

#### **16. Comments/Requests from County Administrator**

No comments.

#### **17. Comments/Requests from Council Members**

No comments.

### **18. Future Meetings**

a. Economic Development	09/27/21	6:00 p.m.
b. County Council	10/06/21	6:00 p.m.
c. Public Works & Planning	10/18/21	6:00 p.m.

### **19. Adjournment**

Motion by Mr. Hipp to adjourn; seconded by Mr. Shealy. Vote was unanimous.

Chairman Livingston declared the meeting adjourned at 8:15pm.

Approved: \_\_\_\_\_

\_\_\_\_\_  
Henry. H. Livingston, III, Chairman

\_\_\_\_\_  
Susan Fellers, Clerk to Council