

**NEWBERRY COUNTY COUNCIL
MINUTES
March 19, 2025**

Newberry County Council met on Wednesday, March 19, 2025, 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: Robert Shealy, Chairman
Karl Sease, Vice-Chairman
Leon Fulmer Jr., Council Member
Todd Johnson, Council Member
Travis Reeder, Council Member (virtually)
Johnny Mack Scurry, Council Member
Stuart Smith, Council Member
Jeff Shacker, County Administrator
Joanie Winters, County Attorney
Karen Brehmer, Deputy County Administrator
Debbie Cromer, Finance Director
Sheriff Lee Foster, NCSO
Liz MacDonald, Assessor
Eric Nieto, I.T. Director
Andrew Wigger, Clerk to Council/PIO

Mr. Shealy called the meeting to order at 6:01 p.m.

Mr. Sease led the invocation and Pledge of Allegiance.

1. Adoption of Consent Agenda:

- a. Newberry County Council Work Session – March 5, 2025.
- b. Newberry County Council Meeting – March 5, 2025.

c. Newberry County Economic Development Meeting – March 10, 2025.

- Mr. Smith made a motion to accept the minutes as presented; Mr. Fulmer provided the second and the motion carried 7-0.

2. Additions, Deletions & Adoption of the Agenda.

- Mr. Sease made a motion to accept the agenda as presented; Mr. Scurry provided the second and the motion carried 7-0.

3. Recognitions:

a. Employee Service:

- | | | |
|-------------------------|------------|-------------------|
| • Carolyn “Jessie” Long | 5 years | Recreation |
| • Jackie Kennedy | Retirement | Assessor’s Office |

- Mr. Shacker recognized the employees listed above for their service to Newberry County, highlighting their accomplishments and pivotal moments while working for Newberry County.

4. Personal Appearances:

a. Mark Kiser, Newberry Soil and Water Conservation District.

- Mr. Kiser is one of the board members of the Newberry Soil and Water Conservation District and provided a few updates on their programs.
- Last month, they hosted their annual legislative dinner and thanked Mr. Sease’s participation.
- The NSWCD will be giving out four \$1,000 scholarships to Newberry County students.

- Keep Newberry County Beautiful will be holding a cleanup, through the Great American Cleanup in the near future. A cleanup was held in the West End prior to this.
- Working with the Newberry County Chamber of Commerce, they will host the Ag and Art Tour on May 10.
- The 24th Annual Camp Conservation will be June 14-20, 2025, with 60 campers anticipated.
- NSWCD has a new mobile education lab, they received a \$200,000 grant to promote gardens, pollinators across Newberry County.
- Mr. Sease asked if Camp Conservation has filled up, to which Mr. Kiser said there are 10 spots left.

5. Resolution 01-25. Designation of the month of April 2025 as Fair Housing Month within the County of Newberry.

- Mr. Smith made a motion to accept the Resolution; Mr. Sease provided the second and the motion carried 7-0.

6. Ordinance No. 02-04-2025. An Ordinance to amend the text of the official zoning ordinance of Newberry County, South Carolina, as codified in Chapter 153 of the Code of Ordinances of Newberry County, South Carolina, to establish regulations for the issuance of permits for the keeping of chickens on a non-commercial basis on residential properties in Newberry County as an accessory use.

a. Third Reading.

- Mr. Shacker said this ordinance proposes to address what staff felt was an oversight in the current zoning ordinance, which is to allow owners of property that have residential zoning (other than R2 which can already have chickens) subject to a conditional use permit, as an accessory use, to allow the keeping of hens (not roosters), in an enclosure that meets certain requirements.

- There are various setbacks based on the number of hens that are kept, the max number of hens someone can keep is 18, if they can meet the setback requirement. If they cannot, they can reduce the number of hens.
- Mr. Shacker said they established a one-year period where there would not be a fee associated with staff coming out and staking and verifying the setbacks.
- Mr. Shacker said Newberry County is a big county, and properties are of different sizes, and it is not easy to come up with requirements that will fit every property, but where they do have residentially zoned properties, there are some that are a challenge and that is where a variance comes in. He said when a variance is properly applied for by the Board of Zoning Appeals, it deals with those issues.
- Mr. Johnson made a motion to accept third reading; Mr. Sease provided the second and the motion carried 7-0.

7. Ordinance No. 02-05-2025. An Ordinance amending Section 152.04 of the Newberry County Code of Ordinances, Chapter 152, Flood Damage Prevention, to clarify the date of the Flood Insurance Study of the Federal Emergency Management Agency identifying areas of special flood hazard within Newberry County, South Carolina and referenced therein.

a. Third Reading.

- Mr. Sease made a motion to accept third reading; Mr. Smith provided the second and the motion carried 7-0.

8. Ordinance No. 03-01-2025. An Ordinance Establishing a Temporary Moratorium on the Subdivision of a Tract of Land Into Five Lots or More, Invoking Application of the Pending Ordinance Doctrine, and Protecting Existing Vested Rights as Required by Applicable Law.

a. Second Reading.

- Mr. Johnson made a motion to accept second reading; Mr. Scurry provided the second.
- Mr. Johnson said they are not stopping this forever, they want to stop, get the stakeholders at the table, hear from the community and get this right because their children will have a lifetime to pay if they get it wrong. He said this is just a hold on a minute and do it right from the beginning.
- Mr. Shealy said they need to make sure they get it the way Newberry County wants it.
- The motion carried 7-0.

9. Appointments.

a. Board of Zoning Appeals – District 2

- Mr. Fulmer made a motion to reappoint Mr. Wayne Boland to the Board of Zoning Appeals; Mr. Johnson provided the second and the motion carried 7-0.

b. Hal Kohn Memorial Library Board – District 2

- Mr. Fulmer made a motion to appoint Ms. Melanie Hawkins to the Library Board; Mr. Sease provided the second and the motion carried 7-0.

c. Newberry County Water and Sewer Authority – District 5

- Mr. Smith made a motion to appoint Mr. Charles Ward Braswell to the Newberry County Water and Sewer Authority; Mr. Scurry provided the second and the motion carried 7-0.

10. Public Comments.

- Mr. Chuck Fellows said he has been here for four years. He said all politics are local and when residents cannot get answers at the federal level or at the state level, who do you call, County Council. He addressed three concerns he wanted to express: economy, public safety and education. He said on the economy, South Carolina has three major trading partners, Canada, Mexico, China. He said Newberry County is a big agricultural community and the county exports a whole lot of stuff all over the world, adding we have major manufacturers here that source materials globally and employs locally. He said tariffs are bad for business and said he bases that on his experience in global economy. Speaking on education, he said although the U.S. Department of Education only provides 10-15% of local school budgets, these funds are used to ensure the most disadvantaged in our county receive a fair and appropriate education and dissolution of the department will put an end to those services. Discussing safety, he said his concern there are 12,000 employees at the Savannah River site (power plant) half are federal and with the arbitrary removal of federal employees he is concerned about the safety and containment of that radioactive material will be in jeopardy. He said letting the bird flu run rampant will kill chickens and jobs. He said South Carolina is home to four automobile manufactures – importing materials from all over the world and tariffs will shut down the automobile industry in the United States. He said he communicated these concerns to state representatives, and he wanted to make sure Newberry County Council was aware.
- Mr. Ross McLeod said he moved to Prosperity when he was 13 years old, and he is now 79. He said he's been told his property is zoned residential and he guesses he falls under the new rules. He said he has chickens and has had them for quite some time, and they are in an enclosed pin. He said he only has three and one rooster. He said he has not had any complaints.

- Ms. Vanessa Patrick asked for information about the subdivision moratorium, Mr. Shealy told her to speak with Mr. Shacker following the meeting.
- Mr. Forrest Byrd said he likes hearing Mr. McLeod's rooster, and it lets him know he is in a rural county. He said he moved to a rural county to be out of town, to be away from the city and have nature and wildlife and creatures around him. He said he didn't move into a subdivision or neighborhood to have people tell him what he could or couldn't do on his property. He said he believes they should all respect each other as neighbors, but if it is your property, it is your property. He said there is a different concept that has gone on in the last few decades, to the Socialist concept where everyone decides what you get to do, and it has crept into a lot of different areas. He said there is a point to them being out in the county, wanting to be left alone, that they never asked to be zoned residential.

11. Comments/Requests from County Administrator.

- Mr. Shacker said he appreciated the time given during the 5 p.m. Work Session to begin review of the budget.
- He said the process has started, in terms of an evaluation, to zoning and the revisions to the Land Development Regulations.

12. Comments/Requests from Council.

- Mr. Fulmer thanked everyone for coming out and making comments to them, adding they want to hear community comments on everything they do. He said he'd be remiss not to extend a thank you to their volunteers and they make up the backbone of emergency services in Newberry County and a huge thank you to what they do. As far as the chicken ordinance, he said as the administrator mentioned there are options for variances, he said they tried to make it as least impactful on everyone, and as it currently fits, it was not an allowable use in

those areas. He thanked staff for everything they did with the ordinance, as well as the budget.

- Mr. Johnson thanked staff, county administrator for the presentation for the capital portion of their budget. He also thanked Mr. Shacker for help with constituent concerns, and it is a blessing when he picks up and calls. He also thanked everyone for coming and their voice is heard. He said they put the chicken ordinance off for about a year to go back and get it right.
- Mr. Reeder thanked staff and county administrator for what they have done with the budget so far. He added every year they do an excellent job. He also gave condolences to Ms. Verna Kohn Cavanaugh, who was instrumental in getting the library built and served on the board.
- Mr. Smith thanked everyone for participating in local government and they take their concerns into consideration with their decisions. He also congratulated Ms. Kennedy for her retirement and Ms. Long for her years of service. He also thanked the county volunteers for their hard work. He also thanked staff for their hard work on the budget.
- Mr. Scurry said it was good to see everyone out tonight. He said they will listen to everyone and try and solve the problems and they are on the side of the public.
- Mr. Sease thanked everyone for coming out, thanked staff for doing a great job for putting their packages together. Regarding chicken ordinance, he said if someone needs a variance that is what the Board of Zoning Appeals is for and encourages residents to go there if they need a variance. He said county volunteers do a great job and they've been taxed for the last six months, and the county could not do without them.
- Mr. Shealy thanked staff for putting together a great budget presentation. He thanked everyone for coming out and using their voice. He said not all of their decisions are easy, but they have to be made and hopefully for the betterment of the county as a whole.


13. Future meetings:

- a. Newberry County Finance Committee – March 24 at 5 p.m. --
CANCELLED
- b. Newberry County Budget Work Session – March 25 at 4 p.m.
- c. Newberry County Budget Work Session – March 26 at 4 p.m.
- d. Newberry County Council Work Session – April 2 at 5 p.m.
- e. Newberry County Council Meeting – April 2 at 6 p.m.

14. Adjournment.

- Mr. Smith made a motion to adjourn; Mr. Scurry provided the second and the motion carried 7-0.
- Newberry County Council adjourned at 6:43 p.m.

NEWBERRY COUNTY COUNCIL



Robert "Nick" Shealy, Chairman



Andrew Wigger, Clerk to Council

Minutes Approved: April 2, 2025