



NEWBERRY COUNTY COUNCIL MINUTES AUGUST 20, 2014

Newberry County Council met on Wednesday, August 20, 2014, at 7:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

PRESENT: **Henry H. Livingston, III, Chairman**
Kirksey Koon, Vice Chairman
John E. Caldwell, Councilman
Bill Waldrop, Councilman
Leslie (Les) Hipp, Councilman
Steven C. Stockman, Councilman
Scott Cain, Councilman
Wayne Adams, County Administrator
A.J. Tothacer, County Attorney
Laurie Renwick, Clerk to Council
Debbie Cromer, Finance Director

MEDIA: **Andrew Wigger, Newberry Observer**
Tammy Kitchen, WKDK

The meeting was duly advertised as required by law.

Chairman Livingston called the meeting to order and determined a quorum present.

Mr. Adams led the invocation followed by the Pledge of Allegiance.

1. Adoption of Consent Agenda

Mr. Cain motioned to adopt the consent agenda; seconded by Mr. Stockman. The vote was unanimous.

2. Additions, Deletions and Adoption of Agenda

Mr. Hipp motioned to adopt the agenda; seconded by Mr. Cain. The vote was unanimous.

3. Newberry County Service Awards

Chairman Livingston presented the following service awards: David Parnell, Director of Veteran Affairs – 5 years; Charles Verner, Public Defender (absent) – 10 years; and Janice Allen, Clerk of Court’s Office (absent) – 20 years.

4. Ordinance #07-11-14: An Ordinance authorizing the execution of an Equipment Lease-Purchase Agreement in the amount not exceeding \$1,265,000 relating to the purchase of certain equipment by Newberry County, authorizing the execution of other necessary documents and papers, and other matters relating thereto.

Chairman Livingston declared this the Public Hearing.

Having received no comments from the public, Chairman Livingston declared the Public Hearing closed.

Mr. Adams reported that the county has utilized lease purchase funding for a number of items over the past four years; rolling stock relating to public safety to include fire trucks, ambulances, and rescue trucks. This particular lease purchase will involve upgrades to the fire radio system, purchase of twenty-four (24) self-contained breathing apparatuses for fire fighters, fifteen (15) solid waste compactors for use in single stream recycling, and two (2) modular ambulances. He said all of these items were approved as part of the annual budget.

Mr. Koon motioned to approve second reading of Ordinance #07-11-14; seconded by Mr. Hipp. The vote was unanimous.

5. Consideration of Bids for Creek Crossings at Lynches Woods Park

	<u>Base Bid</u>	<u>Alt #1</u>	<u>Alt #2</u>	<u>Total</u>
Capital Construction, LLC	\$76,300.00	\$42,000.00	\$42,000.00	\$160,300.00
Martin & Son Construction	\$94,400.00	\$47,040.00	\$47,040.00	\$188,480.00

Mrs. Waldrop reported that bids were received on June 12, 2014, and were brought before County Council on June 18, 2014. It was decided at that meeting that more information was needed. Staff met with the Lynches Woods Committee on August 7, 2014, and it was determined that actual stones will be used for the facades rather than synthetic material. She said staff recommends the low bid from Capital Construction,

LLC in the amount of \$160,300.00 which includes the base bid of \$76,300.00 and two alternates at \$42,000.00 each.

Mr. Adams noted that the base bid was for two crossings and each alternate was for an additional crossing; a total of four crossings.

Mr. Hipp motioned to approve the low bid from Capital Construction in the amount of \$160,300.00; seconded by Mr. Koon. The vote was unanimous.

6. Consideration of Disbursement of FY13/14 Funding by recommendation of Accommodations Tax Committee

Mr. Ernie Shealy, Accommodations Tax Committee Chairman, reported that the amount of tourism related funding to be distributed for FY13/14 is \$31,549.17; however, requests for these funds came in at an all-time high of \$63,890.00. The committee was faced with reviewing requests from existing projects along with newer projects with no history; however, wanting to encourage these new projects especially in the Town of Whitmire which has not had a lot of activity in years past. After careful consideration, the committee came up with the following recommendation:

Tourism Related:

Newberry Opera House	\$9,250.00
Newberry Co. Law Enforcement	3,000.00
Prosperity's Hoppin'	900.00
Newberry Co. Historical Museum Society	1,899.17
Little Mountain Reunion	3,000.00
Newberry Visitors Center	6,000.00
Party in the Pines	2,000.00
Newberry Community Players	500.00
Ag-Treasure Tour – Whitmire	2,000.00
Palmetto Trail Hike – Whitmire	1,000.00
Antique Car Show and Veterans Salute – Whitmire	2,000.00
TOTAL	\$31,549.17

Mr. Shealy said that the committee would like to also recommend that the funding for promotional related funds be disbursed as in prior years as followings:

Promotional Related

Newberry County Chamber – Lead Agency	40%
Prosperity Business Association	15%
Capital City Lake Murray	45%

Mr. Cain thanked the Accommodation Tax Committee for considering the Town of Whitmire.

Mr. Hipp commented that the amount of funding received this year has dropped and asked if the committee had an idea of why.

Mr. Shealy stated that they have seen a steady decline in tourism funding over the past several years due to the economy.

Mr. Koon motioned to accept the Accommodations Tax Committee's recommendation; seconded by Mr. Waldrop. The vote was unanimous.

Chairman Livingston thanked Mr. Shealy and members of the Accommodation Tax Committee for the great job they do in disbursing of these monies and trying to be fair.

7. Appointments

Mr. Waldrop nominated Mrs. Doriece McMorris for an appointment to the Newberry County Memorial Board to replace Mrs. Jessie Reeder; seconded by Mr. Cain. The vote was unanimous.

Mr. Waldrop thanked Mrs. Reeder for her service on the NCMH Board and stated that she is now a member of the Newberry County School Board and unable to serve on both.

8. Committee Meetings

a. Public Safety and Courts Committee 8/11/14

Mr. Tommy Long, Emergency Services Coordinator, reported that the Public Safety and Courts Committee met on August 11th and presented the following five (5) items on the agenda.

- A committee has been formed to research the paid fire fighter service and to set up goals and objectives. The committee consists of three (3) members on the fire side, three (3) members on the rescue side, the City Fire Chief, Councilman Scott Cain, James Shealy from the City Fire Department, and himself. The committee will have their first meeting on September 4th.
- Mr. DuBose presented funding options available for paid fire fighter positions.
- Mr. Wesley Boland gave an update on the radio system.
- Mr. Long reported that the new mobile morgue has arrived and he is updating the Mutual Aid Agreements with surrounding counties
- Mr. West gave an update on the renovations at the Courthouse, Whitmire Fire Department, Whitmire Rescue, and the Sheriff's Office.

Mr. Cain commented that the committee formed to research the paid fire fighter service is a progressive group made up of fire and rescue board members who are looking at where we are, where we are going, and for ways to better provide services for the citizens of Newberry County.

9. Public Comments

No comments.

10. Executive Session

Mr. Adams reported that staff would like an Executive Session for 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.

Mr. Koon motioned to go into Executive Session; seconded by Mr. Cain. The vote was unanimous.

Executive Session [7:20 p.m. – 7:45p.m.]

Chairman Livingston returned the meeting on Open Session and asked the County Attorney to report out.

Mr. Tothacer reported that Newberry County Council went into Executive Session to receive legal advice and no action was taken in that session.

Mr. Koon commented that after receiving the information and discussion in Executive Session, he motioned that Mr. Adams be given permission to send a letter to Senator Cromer requesting that he go to three (3) full time magistrates and no part-time magistrates; seconded by Mr. Hipp. The vote was unanimous.

11. Comments/Request from Administrator

No comments.

12. Comments/Request from Council Members

No comments.

13. Future Meetings

- a. Public Works and Planning Committee 8/25/14 @ 6:00 p.m.
- b. Council Work Session 8/27/14 @ 6:00 p.m.
- c. County Council 9/3/14 @ 7:00 p.m.

14. Adjournment

Chairman Livingston adjourned the meeting at 8:48 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council