



**NEWBERRY COUNTY COUNCIL
MINUTES
OCTOBER 1, 2014**

Newberry County Council met on Wednesday, October 1, 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. Hipp led the invocation followed by the Pledge of Allegiance.

Chairman Livingston recognized Boy Scout Troop #370 and thanked them for attending.

1. Adoption of Consent Agenda

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

2. Additions, Deletions and Adoption of Agenda

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

3. Ordinance #09-12-14: An Ordinance acting on a request to amend the Official Zoning Map established pursuant to Zoning Ordinance No. 12-24-01, codified in Chapter 153 of the Newberry County Code of Ordinances, so as to rezone a two (2.0) acres portion of a real estate parcel totaling twenty-one and five tenths (21.5) acres designated as TMS Parcel No. 586-6 from Rural (R2) to Limited Commercial (LC).

Chairman Livingston declared this the Public Hearing.

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

Mr. Cain motioned to approve third reading of Ordinance #09-12-14; seconded by Mr. Hipp. The vote was unanimous.

4. Resolution #08-14: A Resolution Honoring Mr. Todd Lever

Mr. Adams read Resolution #08-14 into the record:

“WHEREAS, Mr. Todd Lever is a citizen of Newberry County; and

WHEREAS, on April 3rd, 2014 four individuals who were wanted as suspects in a murder that occurred in Tennessee entered Newberry County and eventually trespassed across Mr. Lever’s farm and ran into a wooded area located on his property; and

WHEREAS, Mr. Lever initially approached these individuals and advised them to remain in their location and they fled towards the woods and Mr. Lever gave chase while contacting 911 to report the location of these individuals; and

WHEREAS, Mr. Lever ceased his pursuit but remained on the phone in the general area and guided the SLED helicopter to their last known location and the helicopter was able to guide law enforcement authorities on the ground resulting in the suspects being taken into custody without incident; and

WHEREAS, Mr. Lever’s quick thinking and response prevented the suspects from further eluding detection and saved additional taxpayer dollars from additional pursuit and quite likely prevented the suspects from committing further crimes.

NOW, THEREFORE BE IT RESOLVED THAT NEWBERRY COUNTY COUNCIL HEREBY JOINS THE SHERIFF IN EXPRESSING CONGRATULATIONS AND RECOGNIZING MR. LEVER FOR HIS HEROIC EFFORTS AND SERVICE TO THE COMMUNITY.

AND BE IT FURTHER RESOLVED, that this Resolution shall be published in the official minutes of the

Newberry County Council.

AND IT IS SO RESOLVED this 17th day of September, 2014.”

The Honorable Walt McLeod stated that during the past Legislative Session, the General Assembly recognized the Newberry County Sheriff’s Office for apprehending four (4) out of state fugitives from Tennessee including one murder suspect. Having discussed the matter with Sheriff Foster, it was noted that Mr. Todd Lever was the person responsible for this apprehension and he introduced a Resolution in the House of Representatives in commendation of Mr. Lever’s actions. Mr. McLeod read a portion of the Resolution into the record.

“In a moment of crises, Todd Lever displayed courage and cool-headed thinking that enabled him to assist law enforcement. At the risk of his own safety, Todd Lever acted bravely to prevent possible loss of life and the House of Representative takes great pleasure in saluting Mr. Lever for his intricate actions.” The Honorable Walt McLeod congratulated and thanked Mr. Lever for his outstanding actions.

5. Consideration of Central SC Alliance (FY14/15) 2nd Quarter Invoice in the amount of \$18,000.00

Mr. Waldrop motioned to approve the 2nd Quarter Invoice; seconded by Mr. Stockman.

Chairman Livingston asked if there was any discussion.

Mr. Hipp wanted to make County Council aware that the Economic Development Committee discussed this item with some reservation. He said they are continuing to access the effectiveness of Central Alliance in assisting with our Economic Development efforts; however, based on some ongoing assistance received from Central on our trip to Japan and Korea the committee recommends approving this amount which does comes with a caveat.

Having received no further discussion, the motion passed by vote of 6-1; Mr. Koon opposed.

6. Appointments

No appointments.

7. Committee Reports

a. Economic Development 9/18/14

Ms. Powers, Economic Development Director, stated that the committee met on Monday, September 8, 2014 and items on the agenda included the following:

- The committee received a written report from Central Alliance reporting the active projects they are pursuing and marketing activity since our last meeting. The committee recommended approval of the 2nd Quarter Invoice brought before Council tonight.
- Ms. Powers provided an update on the Mid-Carolina Commerce Park. We are working on transferring the property for the power substation from the County to Newberry Electric Cooperative.
- Ms. Powers briefed the committee on the status of the I-26 Mega Site. We have received official certification from McCallum Sweeney Consulting and the SC Department of Commerce and are the first site in SC to be approved under the mega site standards. We continue to work on wetlands mitigation on this site.
- Ms. Powers gave a marketing update to the committee. She noted that she attended the Southeastern Development Conference in Tennessee where she had good interaction with site consultants. The committee discussed the recent trip to Japan and Korea where they attended the SEUS Japan Conference and met with companies.
- The committee went into Executive Session to discuss matters relating to proposed location and expansion of services and no action was taken in that session.

Mr. Adams stated that Mr. Hipp and Ms. Powers made a very dynamic team representing Newberry County to foreign companies and you would be proud of the way they sold your community while on this trip.

Mr. Koon commented that he traveled through Japan a couple of times as a Military Policeman in service and spent 14 months and 11 days in Korea. He said we are fortunate to have Koreans here with the Kiswire Facility in Newberry County; they are remarkable people who work hard and are honest and trustworthy.

Mr. Adams reported that the group met with Kiswire Officials on this trip and they were treated very nicely. We also met with Mr. Ise, who owns an egg production facility in Newberry County; he is a very fascinating individual and they too were extremely kind to them.

8. Public Comments

No comments.

9. Executive Session

Mr. Adams stated that staff would like an Executive Session under §30-4- 70(a)(2) of the SC Code of Laws pertaining to discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property.

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

EXECUTIVE SESSION [7:17 p.m. – 7:34 p.m.]

Chairman Livingston returned the meeting to Open Session and asked Mr. Adams to report out.

Mr. Adams reported that Council met in Executive Session for the stated purpose above and no action was taken in that session.

10. Comments/Request from County Administrator

No comments.

11. Comments/Request from Council Members

Mr. Koon recognized Mr. Charles E. Bowers who passed away last year and noted that he and his wife will be brought back to Newberry to be buried this Sunday. Mr. Bowers was an organizer of WKDK Radio Station and served from 1952-1957 as Newberry County Clerk of Court.

Chairman Livingston thanked the group that went to Japan and sacrificed time away from their families.

12. Future Meetings

- a. Finance Committee – 10/06/14 @ 6:00 p.m.
- b. County Council – 10/15/14 @ 7:00 p.m.
- c. Public Safety and Courts – 10/20/14 @ 6:00 p.m.

13. Adjournment

Chairman Livingston adjourned the meeting at 7:35 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council