



**NEWBERRY COUNTY COUNCIL
MINUTES
APRIL 1, 2015**

Newberry County Council met on Wednesday, April 1, 2015, 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
Bill Waldrop, Councilman
Leslie (Les) Hipp, Councilman
Steve Stockman, Councilman
Scott Cain, Councilman
Travis Reeder, Councilman
Wayne Adams, County Administrator
A.J. Tothacer, County Attorney
Laurie Renwick, Clerk to Council
Debbie Cromer, Finance Director

ABSENT: Kirksey Koon, Vice Chairman

MEDIA: Andrew Wigger, Newberry Observer
Samie Truong, WKDK

The meeting was duly advertised as required by law.

Chairman Livingston called the meeting to order.

Chairman Livingston led the invocation followed by the Pledge of Allegiance.

Chairman Livingston noted that Councilman Koon was out with the flu.

1. Additions, Deletions and Adoption of Agenda

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

2. **Ordinance #01-01-15:** An Ordinance authorizing the execution and delivery of a Fee In Lieu of Taxes Agreement between Newberry County and Project Speed Racer; the inclusion of real property located in Newberry County in a Multi-County Business Park; and the execution and delivery of any documents necessary to effect the intent of this ordinance; and other related matters.

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 #01-01-15; seconded by Mr. Hipp.

Mr. Adams reported that Newberry County has reached an Incentive Agreement with the company that involves a Fee-In-Lieu of Taxes which will reduce the assessment ratio from 10.5% to 6%. The company is investing 3.46 million in machinery and equipment and looks to hire 168 people over the next 5 years. The county is also providing a \$500,000.00 grant with the contingency that the company must remain in operation through December 31, 2022.

Having received no discussion, the vote was unanimous to approve third reading of Ordinance #01-01-15.

3. **Ordinance #04-03-15:** An Ordinance to provide for the issuance and sale of General Obligation Bonds of Newberry County, South Carolina not exceeding \$1,900,000 in aggregate principal amount, to prescribe the purposes for which the proceeds of said bonds shall be expended, to provide for the payment of said bonds, and other matters relating thereto.

Mr. Waldrop motioned to approve first reading of Ordinance #04-03-15; seconded by Mr. Stockman.

Mr. Adams reported that this ordinance authorizes the payment for the accumulated lease purchase/installment purchase debt for FY15-16 and FY16-17. The installment debt was used to finance the Public Works Complex. The lease purchase obligations are used to purchase the emergency services vehicles.

Having received no discussion, the vote was unanimous to approve first reading of Ordinance #04-03-15.

4. **Ordinance #04-04-15:** An Ordinance authorizing the execution of an Equipment Lease-Purchase Agreement in an amount not exceeding \$700,000 relating to the purchase of certain equipment by Newberry County, authorizing the execution of other necessary documents and papers, and other matters relating thereto.

Mr. Cain motioned to approve first reading of Ordinance #04-04-15; seconded by Mr. Hipp.

Mr. Adams stated that this lease purchase ordinance pertains to the emergency services equipment purchases for the upcoming fiscal year. We will need to monitor the \$700,000.00 budget number as we go through the budget process; it may possibly change at second or third reading.

Mr. Hipp wanted to clarify that we would not have third reading on this until we have third reading on the budget ordinance so that any adjustments can be made.

Having received no further discussion, the vote was unanimous to approve first reading of Ordinance #04-04-15.

5. **Ordinance #04-05-15:** 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 two contiguous real estate parcels totaling three and two hundredths (3.02) acres designated as TMS Parcels No. 399-52 and 399-109 from Rural (R2) to General Commercial (GC).

Mr. Cain motioned to approve first reading of Ordinance #04-05-15; seconded by Mr. Waldrop.

Anne Peters, Zoning Administrator, identified the parcel for members of Council and stated that the parcel is located on SC Hwy 76 (Wilson Road) between Wise Street and Newberry Arms Road.

Mr. Hipp asked if there were any objections from any of the contiguous landowners.

Mrs. Peters noted that there have been no objections but we have not had the public hearing yet.

Mr. Waldrop commented that most of the land in this area was commercial anyway.

Chairman Livingston asked if general commercial allowed for government subsidized housing.

Mrs. Peters responded that she will find out and report back.

Having received no further discussion, the vote was unanimous to approve first reading of Ordinance #04-05-15.

6. **Ordinance #04-06-15:** 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 four and five tenths (4.5) acres portion of a real estate parcel totaling nine and ninety three hundredths (9.93) acres designated as TMS Parcel No. 652-32 from Single Family Residential (RS-3) to General Commercial (GC).

Mr. Waldrop motioned to approve first reading of Ordinance #04-06-15; seconded by Mr. Reeder.

Mrs. Peters identified the parcel for members of Council and stated that it was located at the intersection of State Park Road and Rader Road.

Mr. Stockman asked if this was recommended by the Joint Planning Commission to which Mrs. Peters replied that the JPC did recommend this rezoning and the current owner and buyer were here to answer any questions of Council.

Having received no questions or further discussion, the vote was unanimous to approve first reading of Ordinance #04-06-15.

7. **Ordinance #04-07-15:** An Ordinance authorizing the execution and delivery of a Fee-In-Lieu of *Ad Valorem* Taxes and Incentive Agreement by and between Newberry County, South Carolina, and Metal Masters, Incorporated, as sponsor, to provide for a fee in lieu of *ad valorem* taxes incentive, and other matters related thereto. **(TITLE ONLY)**

Mr. Cain motioned to approve first reading of Ordinance #04-07-15; seconded by Mr. Stockman.

Mr. Adams reported that at second reading the contents of the ordinance will present that the company will receive a FILOT with a 6% assessment ratio with the millage locked for 20 years at the current rate of ad valorem taxation. The proposed expansion is 4 million and 20 jobs.

Mr. Waldrop thought that in order to do this the investment had to be 5 million and 50 jobs.

Mr. Adams responded that there was a time when the statue required a 5 million investment to get a FILOT but now it is 2.5 million with a no minimum job requirement.

Mr. Hipp commented that while Metal Masters expansion increases by adding 20 jobs, they currently have many more employees they have been a good corporate citizen of Newberry County for many years.

Having received no further discussion, the vote was unanimous to approve first reading of Ordinance #04-07-15.

8. **Resolution #03-15:** A Resolution designating the month of April 2015 as Fair Housing Month.

Mr. Adams read Resolution #03-15 into the record:

WHEREAS, Newberry County desires that all its citizens be afforded the opportunity to attain a decent, safe, and sound living environment; and

WHEREAS, Newberry County rejects discrimination on the basis of race, religion, color, sex, national origin, disability and/or familial status in the sale, rental, or provision of other housing services; and

WHEREAS, the State of South Carolina enacted the South Carolina Fair Housing Law in 1989; and

WHEREAS, April is recognized nationally as Fair Housing Month;

NOW, THEREFORE, BE IT RESOLVED that Newberry County does hereby designate the month of April 2015 as Fair Housing Month.

ADOPTED, by Newberry County Council in meeting duly assembled this 1st day of April 2015, at which a quorum was present and voting.

Mr. Cain motioned to approve Resolution #03-15; seconded by Mr. Reeder. The vote was unanimous.

9. **Appointments**

No appointments.

10. **Public Comments (by those who signed up at meeting)**

No comments.

11. Executive Session

a. §30-4-70(a)(1) SC Code of Laws: 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 commented that this Executive Session is regarding the evaluation of the Clerk to Council and the County Administrator.

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

Executive Session [7:24 p.m. – 8:10 p.m.]

Chairman Livingston returned the meeting to Open Session and stated that both the Clerk to Council and the County Administrator scored extremely high on their evaluations and Council feels very blessed to have the quality of employees and the leadership that they provide.

12. Comments/Request from County Administrator

No comments.

13. Comments/Request from Council Members

Mr. Hipp asked that the proposed Resolution by SCAC regarding the maintenance of state roads be placed on the next agenda. He also encouraged all of Council to attend “The Toast of the Town” next Thursday, April 9th. This is our annual appreciation event for our existing industry and it will be held at Community Hall.

Mr. Waldrop wished everyone a happy and safe Easter.

14. Future Meetings

- a. Finance Committee 04/06/15 @ 6:00 p.m.
- b. Zoning Work Session 04/13/15 @ 6:00 p.m.
- c. County Council 04/15/15 @ 7:00 p.m.
- d. Budget Work Session 04/20/15 @ 6:00 p.m.

15. *Adjournment*

Chairman Livingston declared the meeting adjourned at 8:15 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council