



**NEWBERRY COUNTY COUNCIL
MINUTES
JUNE 5, 2013**

Newberry County Council met on Wednesday, June 5, 2013, at 7:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

PRESENT: Kirksey Koon, Vice Chairman
John E. Caldwell, Councilman (Arrived at 7:05 p.m.)
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

ABSENT: Henry H. Livingston, III, Chairman (Attending Whitmire Graduation)

PRESS: Tammy Kitchen, WKDK

The meeting was duly advertised as required by law.

Vice Chairman Koon called the meeting to order and determined a quorum present. He stated that Chairman Livingston would not be in attendance tonight due to his participation in Whitmire's graduation.

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

1. Adoption of Consent Agenda

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

2. Ordinance #05-10-13: An Ordinance to provide for the issuance and sale of General Obligation Bonds of Newberry County, South Carolina not

exceeding \$1,215,000 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. Stockman motioned to approve third reading of Ordinance #05-10-13; seconded by Mr. Waldrop. The vote was unanimous.

- 3. Ordinance #05-11-13: An Ordinance enacting and adopting 2013 S-10 supplement to the Code of Ordinances for the County of Newberry, South Carolina.**

Mr. Cain motioned to approve third reading of Ordinance #05-11-13; seconded by Mr. Stockman. The vote was unanimous.

- 4. Ordinance #06-12-13: 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 three (3.0) acres portion of a real estate parcel totaling fifteen (15.0) acres designated as TMS No. 695-44 from Single Family Residential (RS-1) to Rural (R2).**

Mr. Waldrop motioned to approve first reading of Ordinance #06-12-13; seconded by Mr. Cain.

Mrs. Peters reported that this is a 15 acre parcel on the Little Mountain side of Hwy. 202 and identified the parcel on a map for members of Council.

Having received no discussion, the vote was unanimous to approve first reading of Ordinance #06-12-13.

- 5. Ordinance #06-13-13: 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 six and one tenth (6.1) acres designated as TMS No. 695-27 from Single Family Residential (RS-1) to Rural (R2).**

Mr. Caldwell motioned to approve first reading of Ordinance #06-13-13; seconded by Mr. Cain. The vote was unanimous.

- 6. Ordinance #06-14-13: 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 thirty-eight and forty-three hundredths (38.43) acres portion of a real estate parcel totaling forty and forty-eight hundredths (40.48) acres**

designated as TMS Parcel No. 633-3 from Rural (R2) to Single Family Residential (RS-1).

Mr. Cain motioned to approve first reading of Ordinance #06-14-13; seconded by Mr. Stockman.

Mrs. Peters identified the parcel on a map for members of Council and reported that it is located on Hwy. 773 across from St. Paul's Lutheran Church and the owner would like to subdivide for the building of site built houses.

Mr. Hipp noted that no manufactured homes would be allowed in the requested RS-1 zoning.

Having received no further discussion, the vote was unanimous to approve first reading of Ordinance #06-14-13.

- 7. Ordinance #06-15-13: 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 and six hundredths (2.06) acres portion (Lot 7) of a real estate parcel totaling forty and forty-eight hundredths (40.48) acres designated as TMS Parcel No. 633-3 from Rural (R2) to Limited Commercial (LC).**

Mr. Waldrop motioned to approve first reading of Ordinance #06-15-13; seconded by Mr. Stockman.

Mrs. Peters reported that this parcel is located across from St. Paul's Lutheran Church and the owner is requesting Limited Commercial zoning in order to keep his options open.

Having received no discussion, the vote was unanimous to approve first reading of Ordinance #06-15-13.

- 8. Ordinance #04-07-13: An Ordinance to provide appropriations for the Fiscal Year beginning July 1, 2013, and ending June 30, 2014, for the Newberry County budget for county ordinary purposes and for other county purposes for which the county may levy a tax and receive revenues; to provide for the levy of taxes on all taxable personal and real property in Newberry County for all county purposes, including sufficient tax to pay the principal and interest on outstanding indebtedness of Newberry County payable during said fiscal year; to provide for matters relating to Newberry County; and to provide for the expenditure of said taxes and other revenues received by the county during said fiscal year, and to provide for borrowing in anticipation of tax collections by the issuance of one or more tax anticipation notes, if necessary.**

Vice Chairman Koon declared this the Public Hearing.

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

- 9. Ordinance #04-08-13: An Ordinance to provide appropriations for the Fiscal Year beginning July 1, 2013, and ending June 30, 2014, for the Newberry County Library, Piedmont Technical College and the Newberry Agency for the Disabilities and Special Needs; to provide for the levy of taxes on all taxable personal and real estate properties in Newberry County for said purposes; to provide for the expenditure of said taxes and other revenues received by the county during said fiscal year for said purposes.**

Vice Chairman Koon declared this the Public Hearing.

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

- 10. Consideration to accept Market Place Avenue into the County Maintenance System.**

Mr. Adams reported that this acceptance was conditionally granted by Council on February 16, 2011, contingent upon three requirements. One, that the developers open a \$50,000.00 CD in the name of Newberry County to be used as match money for SCDOT to align this road with Hwy. 773; two, that the adjacent property owner, Wilco Hess, grant property necessary for the realignment of the road and, three, that the developers assume all realignment and relocation costs not paid by SCDOT. He said the developers have met these requirements.

Mr. Hipp motioned that he was in favor of accepting this short road into the county's maintenance system; we gave them some caveats and they have taken the necessary steps to meet those requirements; seconded by Mr. Stockman.

Vice Chairman Koon asked if there was any discussion.

Mr. Waldrop noted that SCDOT is requesting that we maintain some of the right of way.

Mr. Adams responded that what they are asking is for the county to add additional ROW to this property for drainage purposes.

Mr. Pisano reported that SCDOT is expanding the drainage system coming off of Market Place and will tie it into the existing system on Hwy.773. They would like for us to take this in; however, we are still in the discussion stages on this issue.

Mr. Hipp asked what benefit would there be for the County to accept the parcel.

Mr. Pisano said it is a small sliver of the corner of the Wilco Hess property. It goes from our existing ROW and expands out into a pie shape. SCDOT stated that they will need that ROW in order to expand and tie into their existing system. It is a different issue as to whether the county takes it from DOT.

Mr. Hipp asked if we are just talking about the maintenance of the additional ROW primarily for mowing operations.

Mr. Pisano stated that we would be maintaining the underground drainage piping associated with Market Place. We already assume the ROW with the existing drainage but this would be expanding and deviating from the drainage already there because they will be widening the mouth of the road.

Mr. Waldrop commented that he was concerned in the event of heavy rains and the county having to keep it from becoming stopped up and causing problems.

Mr. Hipp asked what would be the maintenance cost to the county associated with this if we accept DOT's request.

Mr. Pisano said he did not think that it would be much more than what we are accepting with the whole road. It is a small portion of the overall project.

Having received no further discussion, the vote was unanimous to accept Market Place Avenue into the county maintenance system.

11. Committee Reports

a. Personnel and Intergovernmental Relations Committee – 6/03/2013

Mrs. Hill reported that the Personnel and Intergovernmental Relations Committee met on June 3, 2013 and following was presented.

- Heather Hawkins requested the use of the Community Hall for the Community Players upcoming Dinner Theatre.
- Ron Powell briefed the committee on the conditions of the buildings leased by the Newberry Pistol Club and the Newberry Jaycees.
- Mrs. Hill presented the current status of the County's Worker's Compensation Insurance Premium. The committee suggested the need to develop a better plan to educate department heads and provide additional training to employees.

Mr. Cain reported that the county inspector has a good many issues with the Pistol Club building and as soon as he gets the list of deficiencies, he plans to go over all of them with the Pistol Club to see what can be done. He said he went out to the building and these are real safety issues and felt the building needed to be brought up to code.

Mr. Waldrop asked if the Pistol Club was still using the building and asked the Administrator if the County was covered liability wise.

Mr. Adams stated that the County is covered by TORTE insurance. The club is aware of the shortcomings and the goal now is to move forward with getting these items fixed as soon as possible rather than shut down the Pistol Club who has occupied this building for many years.

12. Appointments

Mr. Waldrop recommended the reappointment of George Piersol to the Piedmont Technical College Commission; seconded by Mr. Stockman. The vote was unanimous.

Mr. Koon nominated Mr. Joe Trainor for reappointment to the NCMH Board. Mr. Waldrop motioned to approve; seconded by Mr. Cain. The vote was unanimous.

Mr. Koon nominated Mrs. Jenny Lee Foster for reappointment to the NCMH Board. Mr. Waldrop motioned to approve; seconded by Mr. Stockman. The vote was unanimous.

13. Public Comments (by those who signed up at the meeting)

No comments.

14. Executive Session (if needed)

No Executive Session.

15. Comments from County Administrator

No comments.

16. Comments/Request from Council Members

Mr. Caldwell suggested that the zoning maps be displayed in a way that both the public and County Council can view. This will allow citizens the opportunity to comment or make recommendations.

17. Future Meetings

- a. Budget Work Session – 6/10/13 @ 6:00 p.m.
- b. “On the Move with Margaret” – 6/17/13 – 9:30 a.m.
- c. County Council – 6/19/13 – 7:00 p.m.
- d. Economic Development Committee – 6/24/13 @ 6:00 p.m.

18. Adjournment

Chairman Livingston adjourned the meeting at 7:30 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, III, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council