



**NEWBERRY COUNTY COUNCIL
MINUTES
JUNE 17, 2015**

Newberry County Council met on Wednesday, June 17, 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
Kirksey Koon, Vice 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

MEDIA: Andrew Wigger, Newberry Observer
Samie Truong, WKDK

The meeting was duly advertised as required by law.

Chairman Livingston called the meeting to order.

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

1. Additions, Deletions and Adoption of Agenda

Mr. Hipp motioned to amend the agenda by moving item #8 to #1a to present the City with a Resolution; seconded by Mr. Stockman. The vote was unanimous to adopt the agenda as amended.

1a. Resolution #09-15: A Resolution Commending the City of Newberry

Mr. Adams read Resolution #09-15 into the record:

“WHEREAS, the City of Newberry has invested in storefront upgrades, way-finding signage, landscaping and sidewalk improvements, added benches and bike racks – all improving the appearance of downtown Newberry, as well as the experience of visiting the downtown area; and

WHEREAS, the City has fostered a positive business environment, resulting in additional private-sector investment, including a new restaurant; and

WHEREAS, the city has invested in the arts and education, including the funding of a downtown art space, as well as programs, classes, and educational conferences; and

WHEREAS, the City has implemented a parks improvement program, resulting in renovations and upgrades to Vincent Street Park, Kendall Stadium, Glenn Street Baptist Ball Field, Dr. Julian Grant Park, and Memorial Park, and at Community Hall, making the City’s parks and public spaces more enjoyable for residents and visitors; and

WHEREAS, the City has partnered with West Development and Newberry County in the revitalization of the Oakland Mill neighborhood; and

WHEREAS, the City has partnered with SCDOT and the County Transportation Committee on the College Street Corridor upgrades, which have helped beautify one of the main entrances into the City, further complementing recent improvements made by Newberry College to its campus;

NOW, THEREFORE BE IT RESOLVED THAT NEWBERRY COUNTY COUNCIL COMMENDS THE CITY OF NEWBERRY FOR THESE AND RELATED EFFORTS.

AND BE IT FURTHER RESOLVED, that this Resolution shall be published in the official minutes of the Newberry County Council and a framed copy provided to the City.

AND SO IT IS RESOLVED this 17th day of June, 2015.”

Mr. Hipp conveyed his thanks and appreciation and presented a framed copy of Resolution #09-15 to members of the City of Newberry present; Mr. Al Harvey, Mr. Matt DeWitt, Mr. Thomas Boyd, Mr. Foster Senn, and Mr. David Force.

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

Mr. Koon motioned to amend Ordinance #04-04-15 by deferring the purchase of a fire truck in the amount of \$280,000.00 included in this lease purchase and use this funding for upgrades to the simulcast fire radio services; seconded by Mr. Hipp. The vote was unanimous to approve the amendment to Ordinance #04-04-15

Having received no further discussion, the vote was unanimous to approve third reading of Ordinance #04-08-15 as amended.

3. **Ordinance #04-08-15: An Ordinance to provide appropriations for the fiscal year beginning July 1, 2015, and ending June 30, 2016, 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.**

Mr. Adams reported that at second reading this budget was balanced at \$23,116,011.00. Council has had extensive discussions on at least nine amendments to be considered and there may be more.

Mr. Koon motioned to approve third reading of Ordinance #04-08-15; seconded by Mr. Hipp.

Mr. Cain offered an amendment to the budget to include \$30,000.00 for the Whitmire Fire Department for upgrades to the bay area, lighting, and HVAC system.

Mr. Adams stated that this will be amendment #10 and will come from fund balance.

Mr. Koon offered an amendment to the budget to include a 1% pay increase for employees in the amount of \$98,000.00.

Mr. Adams stated that this will be amendment #11 with \$70,000.00 coming from the school portion of the forestry money and the balance coming from contingency. He said this funding will have stipulations and will apply to employees making less than \$40,000.00 per year; ½ will be used for merit and ½ for reclassification.

Mr. Adams presented the following amendments:

❖ AMENDMENT ONE

REVENUE INCREASES AMENDMENT

- Increase Homestead Exemption revenue (010-004-00040-00406) by \$6,069, from \$953,326 to \$959,395
- Increase MCIL revenue (010-004-00040-00414) by \$8,031, from \$101,000 to \$109,031
- Increase Vehicle revenue (010-004-00040-00415) by \$71,592, from \$1,790,000 to \$1,861,592
- Increase Fee In Lieu revenue(010-004-00040-00424) by \$67,720, from \$968,980 to \$1,036,720

Mr. Waldrop motioned to approve Amendment #1; seconded by Mr. Cain. The vote was unanimous.

❖ AMENDMENT TWO

EMERGENCY SERVICES AMENDMENT

- Decrease Contingency appropriation (010-005-15000-02011) by \$83,029
- Decrease Shared Revenue Municipalities appropriation (010-005-07500-02030) by \$36,721, from \$156,721 to \$120,000
- Increase Fire Training appropriation (010-005-07500-02370) by \$8,000, from \$2,000 to \$10,000
- Increase Contracted Maintenance appropriation (010-005-07500-02050) by \$47,000, from \$5,500 to \$52,500
- Increase Nominal Reimbursement to Fire Volunteers appropriation (010-005-07500-02104) by \$45,000, from \$ -0- to \$45,000
- Increase Nominal Reimbursement to Rescue Squad Volunteers appropriation (010-005-07300-02104) by \$17,500, from \$ -0- to \$17,500
- Increase Nominal Reimbursement to Haz Mat Volunteers appropriation (010-005-07400-02104) by \$ 2,250, from \$ -0- to \$2,250

Mr. Koon motioned to approve Amendment #2; seconded by Mr. Cain. The vote was unanimous.

❖ AMENDMENT THREE

RECREATION DEPARTMENT AMENDMENT

- Decrease Miscellaneous Recreation appropriation (010-005-14300-02020) by \$10,000, from \$90,000 to \$80,000
- Decrease Contingency appropriation (010-005-15000-02011) by \$6,121
- Increase Part Time Personnel appropriation (010-005-14300-01024) by \$16,121, from \$-0- to \$16,121

Mr. Reeder motioned to approve Amendment #3; seconded by Mr. Cain. The vote was unanimous.

❖ AMENDMENT FOUR

PUBLIC WORKS DEPARTMENT AMENDMENT

- Decrease Contingency appropriation (010-005-15000-02011) by \$27,500
- Increase Public Works Contracted Maintenance appropriation (010-005-08100-02050) by \$16,000, from \$42,000 to \$58,000
- Increase Public Works Utilities appropriation (010-005-08100-02100) by \$10,000, from \$17,031 to \$27,031
- Increase Public Works Telephone appropriation (010-005-08100-02360) by \$1,500, from \$3,600 to \$5,100

Mr. Koon motioned to approve Amendment #4; seconded by Mr. Reeder. The vote was unanimous.

❖ AMENDMENT FIVE

ECONOMIC DEVELOPMENT AMENDMENT

- Decrease Personnel appropriation (010-005-09310-01010) by \$25,145, from \$115,145 to \$90,000
- Decrease Social Security appropriation (010-005-09310-01110) by \$1,924, from \$11,869 to \$9,945
- Decrease Retirement appropriation (010-005-09310-01120) by \$2,781, from \$17,159 to \$14,378
- Decrease Workers Compensation appropriation (010-005-09310-01200) by \$916, from \$5,527 to \$4,247
- Increase Insurance appropriation (010-005-09310-01130) by \$6,394, from \$10,742 to \$17,316
- Increase Memberships and Dues appropriation (010-005-09310-02240) by \$450, from \$800 to \$1,250

- Increase Telephone appropriation (010-005-09310-02360) by \$1,400, from \$1,600 to \$3,000
- Increase Council Contingency appropriation (010-005-15000-02011) by \$22,522

Mr. Waldrop motioned to approve Amendment #5; seconded by Mr. Cain. The vote was unanimous.

❖ **AMENDMENT SIX**

FEES AND FINES FOR FY 15-16

- Animal Control Add Low Cost Pet Sterilization
\$30.00
- Probate Court Delete Marriage Ceremonies

Mr. Waldrop motioned to approve Amendment #6; seconded by Mr. Cain. The vote was unanimous.

❖ **AMENDMENT SEVEN**

PROVISOS FOR FY 15-16

- **PROVIDED FURTHER** that, Unless otherwise approved by Council, the per diem allowance for meals for County personnel traveling on official County business shall be fixed at the rate of ~~\$35.00~~ \$50.00 per day (includes tips); per diem for individual meals may be allocated as follows: breakfast, ~~\$6.00~~ \$10.00, lunch, ~~\$8.00~~ \$15.00, dinner, ~~\$21.00~~ \$25.00. Personnel staying for a period of 24 hours or more shall be paid on the per diem rate less any meals that may be provided as a part of the conference/meeting. Agenda must be attached to reimbursement request. Receipts for meals must be provided upon request by County Administrator. Receipts for meals are necessary. Reference Newberry County Employee Handbook “Travel and Subsistence Allowance.”

- **PROVIDED FURTHER** that, if the County is a partner in any contract requiring copies to be made for the completion of the contract there shall be no charge(s) levied from the department or elected official's office (in which the copies are made).

Mr. Koon motioned to approve Amendment #7; seconded by Mr. Hipp. The vote was unanimous.

❖ **AMENDMENT EIGHT**

CAPITAL BUDGETS

OLD LANDFILL GAS EXTRACTION SYSTEM – Deleted by staff from Capital Budgets at meeting.

PUBLIC WORKS STORAGE FACILITY

<u>REVENUES</u>	<u>AMOUNT</u>
LEASE PURCHASE FUNDING	\$ 122,824
TOTAL REVENUES	\$ 122,824
<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ 122,824
TOTAL EXPENDITURES	\$ 122,824

TRANSFER STATION SCALE HOUSE

<u>REVENUES</u>	<u>AMOUNT</u>
FUND BALANCE	\$ 45,000
TOTAL REVENUES	\$ 45,000
<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ 45,000
TOTAL EXPENDITURES	\$ 45,000

OPERA HOUSE

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$ <u>62,999</u>
TOTAL REVENUES	\$ 62,999

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ <u>62,999</u>
TOTAL EXPENDITURES	\$ 62,999

WHITMIRE TOWN HALL ANNEX

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$ <u>52,119</u>
TOTAL REVENUES	\$ 52,119

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ <u>52,119</u>
TOTAL EXPENDITURES	\$ 52,119

COUNCIL ON AGING

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$ 879,340
GO BOND	<u>310,000</u>
TOTAL	\$ 1,189,340

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ 1,047,619
CONTINGENCY	<u>141,721</u>
TOTAL EXPENDITURES	\$ 1,189,340

SUB STATION LEITZSEY

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$ <u>254,830</u>
TOTAL REVENUES	\$ 254,830

<u>EXPENDITURES</u>		<u>AMOUNT</u>
CONSTRUCTION	\$	227,910
TESTING		2,000
ENGINEER/DESIGN		9,380
CONTINGENCY		<u>15,540</u>
TOTAL EXPENDITURES	\$	254,830

SUB STATION INDIAN CREEK

<u>REVENUES</u>		<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$	<u>570,940</u>
TOTAL REVENUES	\$	570,940

<u>EXPENDITURES</u>		<u>AMOUNT</u>
CONSTRUCTION	\$	503,114
TESTING		4,000
ENGINEER/DESIGN		17,215
CONTINGENCY		<u>46,611</u>
TOTAL EXPENDITURES	\$	570,940

SUB STATION BELFAST

<u>REVENUES</u>		<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$	<u>215,800</u>
TOTAL REVENUES	\$	215,800

<u>EXPENDITURES</u>		<u>AMOUNT</u>
CONSTRUCTION	\$	190,600
TESTING		2,000
ENGINEER/DESIGN		9,350
CONTINGENCY		<u>13,850</u>
TOTAL EXPENDITURES	\$	215,800

Mr. Koon motioned to approve Amendment #8; seconded by Mr. Cain. The vote was unanimous.

❖ AMENDMENT NINE

COURTHOUSE BASEMENT WATERPROOFING

<u>REVENUES</u>		<u>AMOUNT</u>
FUND BALANCE		
TOTAL REVENUES	\$	500,000 575,000

\$

<u>EXPENDITURES</u>		<u>AMOUNT</u>
CONSTRUCTION (AREA WAY)	\$	450,000 525,000
ENGINEERING/DESIGN		20,000
TESTING		8,000
CONTINGENCY		<u>22,000</u>
TOTAL EXPENDITURES	\$	500,000 575,000

Mr. Hipp stated that the only way he would approve this is to not identify any kind of construction so there will no disagreement in the future as to whether or not we are approving the areaway, the membrane, or the fill process. We have not obligated or selected the method by which we will mitigate moisture.

Mr. Hipp motioned to strike the word “areaway” and replace with construction to be determined; seconded by Mr. Cain. The vote was unanimous.

❖ **AMENDMENT TEN**

WHITMIRE FIRE DEPARTMENT

Mr. Adams reported that this amendment will take \$30,000.00 from fund balance for improvements to the Whitmire Fire Department to include bay unit heaters, lighting, and a HVAC system for the kitchen and assembly area.

Mr. Cain motioned to approve Amendment #10; seconded by Mr. Koon. The vote was unanimous.

❖ **AMENDMENT ELEVEN**

EMPLOYEE PAY INCREASE

Mr. Adams reported that this amendment will appropriate all forestry funds exclusively for the county by adding \$70,000.00 and by taking \$28,000.00 from contingency for a total of \$98,000.00. This funding will be distributed as salary increases in the form of merit and reclassification for employees making less than \$40,000.00; ½ being used for merit and ½ being used for reclassification.

Mr. Reeder motioned to approve Amendment #11; seconded by Mr. Cain.

Mr. Hipp commented that this was discussed in our work session and this is not the way we left it. This is the first time he has seen the amendment allocating the 1% for those making less than \$40,000.00; using ½ for merit and ½ for position classification. We agreed at the work session to set aside \$98,000.00 in

contingency and further evaluate whether we would do the pay increase right now or in the future and make it retroactive or active at the time we decide.

Mr. Hipp motioned to approve the appropriation with how it will be dispersed to be determined; seconded by Mr. Stockman. The vote was unanimous.

Chairman Livingston called for the question and third reading of Ordinance #04-08-15 was approved unanimously as amended.

4. ***Ordinance #04-09-15: An Ordinance to provide appropriations for the fiscal year beginning July 1, 2015 and ending June 30, 2016, 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.***

Mr. Adams reported that this budget was balanced at second reading at \$862, 262.00 with no amendments anticipated tonight.

Mr. Cain motioned to approve third reading of Ordinance #04-09-15; seconded by Mr. Waldrop. The vote was unanimous.

5. ***Ordinance #05-11-15: An Ordinance enacting and adopting 2015 S-12 supplement to the Code of Ordinances for the County of Newberry, South Carolina.***

Mr. Cain motioned to approve third reading of Ordinance #05-11-15; seconded by Mr. Reeder. The vote was unanimous.

6. ***Ordinance #06-12-15: 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 one real estate parcel totaling two and twenty-five hundredths (2.25) acres designated as TMS Parcel No. 592-46 from Single Family Residential (RS-1) to General Commercial (GC).***

Mr. Cain motioned to approve second reading of Ordinance #06-12-15; seconded by Mr. Reeder. The vote was unanimous.

7. ***Resolution #08-15: A Resolution to ratify and approve Mutual Aid Agreements and/or other Inter-Jurisdictional Agreements entered into by the Newberry County Sheriff's Office***

Mr. Koon motioned to approve Resolution #08-15; seconded by Mr. Reeder. The vote was unanimous.

8. Resolution #09-15:

Moved to agenda item #1a.

9. Consideration of bids for Courthouse Areaway Construction

Chairman Livingston recommended deleting this item based on previous discussions.

Mr. Reeder motioned to delete agenda item #9; seconded by Mr. Cain. The vote was unanimous.

10. Consideration of bids for Convenience Center Modifications

Mrs. Waldrop reported that bids were received on June 11, 2015 to modify the existing convenience centers to accommodate the new compactors. Five (5) bids were received and staff recommends the low bid from WE Baker & Sons in the amount \$127,950.00.

Mr. Hipp motioned to approve the low bid from WE Baker and Son in the amount of \$127,950.00; seconded by Mr. Cain. The vote was unanimous.

11. Consideration of Request for Proposal (RFP) for Fleet Maintenance and Services

Mrs. Waldrop reported that on June 10, 2015 staff received three (3) proposals and the evaluation committee's overall highest ranked firm was Vector Fleet Services.

Mr. Cain motioned to approve RFP for fleet maintenance and services from Vector Fleet Services; seconded by Mr. Waldrop. The vote was unanimous.

12. Appointments

Mr. Hipp nominated Mr. Curtis Haltiwanger for reappointment to the Westview Behavioral Board; seconded by Mr. Cain. The vote was unanimous.

Mr. Hipp nominated Ms. Ambreia Lanteigne for reappointment to the Accommodations Tax Board; seconded by Mr. Cain. The vote was unanimous.

Mr. Stockman nominated Mr. Wayne Boland for appointment to the Board of Zoning Appeals; seconded by Mr. Koon. The vote was unanimous.

Mr. Cain nominated Rev. Edward Jeter for reappointment to the Westview Behavioral Board; seconded by Mr. Reeder. The vote was unanimous.

Chairman Livingston nominated Ms. Melissa Mendenhall for appointment to the Recreation Commission; seconded by Mr. Reeder. The vote was unanimous.

Chairman Livingston nominated Ms. Diane Lominack for reappointment to the Disabilities and Special Needs Board; seconded by Mr. Koon. The vote was unanimous.

Chairman Livingston nominated Mr. Larry Longshore for reappointment to the Board of Zoning Appeals; seconded by Mr. Koon. The vote was unanimous.

Chairman Livingston nominated Mr. Les Hipp for reappointment to the Central Midlands COG Board; seconded by Mr. Waldrop. The vote was unanimous with Mr. Hipp abstaining from the vote.

Chairman Livingston nominated Mr. Jerry Allewine for reappointment to the Newberry County Hospital Board; seconded by Mr. Koon. The vote was unanimous.

Chairman Livingston nominated Mr. Barry Richardson for reappointment to the Newberry County Hospital Board; seconded by Mr. Hipp. The vote was unanimous.

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

No comments.

14. *Executive Session*

No Executive Session.

15. *Comments/Request from County Administrator*

Mr. Adams thanked Debbie Cromer and Karen Brehmer along with all department heads, the Auditor, the Treasurer and County Council for help with the budget.

Mr. Adams shared that he will be in Athens, Greece for the next three (3) weeks.

16. *Comments/Request from Council Members*

Mr. Hipp thanked everyone for the hard work on the budget.

Mr. Koon commented that he was proud to say that he voted in favor of the budget because he has not for the past two years. He wished all fathers a Happy Father's Day.

Chairman Livingston thanked all county employees who worked very hard on the budget and he commended County Council for being a collaborative and cooperative group to work with.

17. Future Meetings

- a. Economic Development Committee 6/22/15 @ 6:00 p.m.
- b. County Council 7/1/15 @ 7:00 p.m.
- c. Finance Committee 7/13/15 @ 6:00 p.m.
- d. County Council 7/15/15 @ 7:00 p.m.

16. Adjournment

Chairman Livingston declared the meeting adjourned at 8:00 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council