



**NEWBERRY COUNTY COUNCIL  
MINUTES  
JULY 17, 2013**

Newberry County Council met on Wednesday, July 17, 2013, 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**  
                  **Debbie Cromer, Finance Director**

**PRESS:**     **Elyssa Parnell, 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. Cain led the invocation followed by the Pledge of Allegiance.

**1.     Adoption of Consent Agenda**

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

## 2. Newberry County Service Awards

Chairman Livingston recognized the following employees for their years of service: Tommy Long, Emergency Services Coordinator – 5 years; Shane Kitchen, Sheriff's Office – 10 years; and Robert Alexander, Public Works – 15 years (absent).

3. **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).**

Mrs. Peters identified the parcels on a map for members of Council.

Chairman Livingston declared this the Public Hearing.

Mr. Marvin Yost came to the podium and introduced himself and stated he lived on Wicker Road. He said he was glad to see something going on that will benefit their community and he is in favor of the rezoning.

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

Mr. Waldrop motioned to approve third reading of Ordinance #06-14-13; seconded by Mr. Hipp. The vote was unanimous.

4. **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).**

Mrs. Peters identified the parcel on a map for members of Council.

Chairman Livingston declared this the Public Hearing.

Kevin Mulcahey came to the podium and stated that he lived at 499 Lakeview Dr., Fort Mill, S.C. He said he is the owner of this piece of property and wanted to keep his options open for the future growth of Newberry and/or the church for a small business or a single house; however, because of the church he would not want a gas station.

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

Mr. Koon motioned to approve third reading of Ordinance #06-15-13; seconded by Mr. Cain. The vote was unanimous.

5. **Ordinance #07-16-13: 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 five and seventy-three hundredths (5.73) acres real estate parcel designated as TMS Parcel No. 751-4 from Rural (R2) to Limited Commercial (LC).**

Mrs. Peters identified the parcel on a map and stated that it is located at the intersection of Broad River Road and Parr Road. It is currently in the R2 Rural zoning district and is being proposed for rezoning under LC Limited Commercial.

Mr. Hipp motioned to approve second reading of Ordinance #07-16-13; seconded by Mr. Waldrop. The vote was unanimous.

6. **Ordinance #03-06-13: An Ordinance authorizing pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a Fee Agreement between Newberry County, South Carolina and Georgia-Pacific Wood Products LLC; the application of a Special Source Revenue Credit to Fees-In-Lieu Of tax payments; and providing for 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.

7. **Resolution #09-13: A Resolution to Commission a Code Enforcement Officer for Newberry County pursuant to the authority granted in Section 4-9-145 of the Code of Laws of South Carolina, 1976 as amended.**

Mr. Adams stated that by statue County Council has to approve the appointment of Code Enforcement Officers. We use these officers in the building department, animal control, and planning and zoning. Lori Perkins who is the subject of this Resolution works for the planning department.

Mr. Hipp motioned to approve Resolution #09-13; seconded by Mr. Waldrop. The vote was unanimous.

8. **Consideration of proposal for redundant servers and operating system for the 911 system from AT&T and Encore Technology.**

Chief Deputy Todd Johnson reported that the state has recently changed the reimbursement rate for 911 calls from 40% to 70%. The state went back retroactive for two years and we have received a windfall that went into our 911 ledger to be used for 911 projects. The state has agreed to reimburse us at 70% for the addition of a new AT&T server for the 911 calls and a new CAD server. The cost for AT&T is \$116,950.00; our portion being \$35,000.00 and the state's portion being \$81, 860.00. The cost for the CAD server is \$68,742.74; our portion being \$20,622.82 and the state's portion being \$48,119.92. The total investment we are asking for is \$185,629.00 with the county's portion being \$55,707.82 and the state's portion being \$129,984.92. All of the money for the county's portion will come from our 911 ledger fund; no county ordinary funds will be needed to accomplish this task.

Mr. Waldrop asked Chief Deputy Johnson if he was satisfied with AT&T's service.

Chief Deputy Johnson responded that they own the dial tone and it really does not matter if he is satisfied with them or not.

Mr. Cain motioned to approve the purchase of the redundant servers and operating system for the 911 system from AT&T and Encore Technology; seconded by Mr. Hipp. The vote was unanimous.

## **9. Appointments**

No Appointments.

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

Mr. Sam Ziady, County Library Director, spoke in reference to the proviso regarding the increase in the library allocation of \$22,500.00. He said the Whitmire Library is having a computer lab constructed and right now it is under asbestos abatement. Furniture is what will be purchased with the entire allocation of \$22,500.00; however, he will come back quarterly to talk about the progress.

Mr. Hipp and Chairman Livingston stated that this can be placed on an upcoming agenda and be voted on at that time.

Mr. Waldrop commented that Mr. Ziady had mentioned that the city went up on their electrical rates and asked how much it had increased.

Mr. Ziady stated that electrical rates went up 6.7%.

Mr. Waldrop said that we need to know this for all of the county buildings that we have in the city.

**11. Executive Session (if needed)**

No Executive Session.

**12. Comments from County Administrator**

Mr. Adams shared that on July 26<sup>th</sup> he will be attending a mediation in Columbia concerning the Hobby, West, and Fretwell lawsuits. If any tentative agreements are reached in that meeting, they will be brought before Council for consideration.

**13. Comments/Request from Council Members**

Mr. Koon shared that Prosperity Metal Recycling II has opened a Junk Mans Store on Adelaide Street that handles old furniture, farm equipment and antiques. The owners wanted County Council to be aware of the new store.

Chairman Livingston thanked Council for everything they do. He recognized and welcomed Elyssa Parnell with the Newberry Observer who sat in tonight for Natalie Netzel.

**14. Future Meetings**

- a. County Council – 8/7/13 **CANCELLED**
- b. Public Safety and Courts Committee – **RESCHEDULED** 8/12/13 @ 6:00 p.m.
- c. Public Works and Planning Committee – 8/19/13 @ 6:00 p.m.
- d. County Council – 8/21/13 @ 7:00 p.m.

**15. Adjournment**

Chairman Livingston adjourned the meeting at 7:25 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Henry H. Livingston, III, Chairman**

**APPROVED:**

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**Laurie N. Renwick, Clerk to Council**