

**NEWBERRY COUNTY COUNCIL  
MINUTES  
MARCH 6, 2013**

Newberry County Council met on Wednesday, March 6, 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  
John E. Caldwell, Councilman  
Bill Waldrop, 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:** Leslie (Les) Hipp, Councilman  
Kirksey Koon, Vice Chairman

**PRESS:** Cindy Pitts, Newberry Observer  
Tammy Kitchen, WKDK

Chairman Livingston called the meeting to order and determined a quorum present.

Mr. Waldrop 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. Cain. The vote was unanimous.

**2. Personal Appearances**

**a. Voices for Pride Officers (NCDSN) – Disabilities Awareness Day at State House**

Mr. Adams read the following proclamation into the record declaring March 2013 as Disabilities Awareness Month in Newberry County:

“WHEREAS, more than 500,000 South Carolina citizens and families are impacted by severe lifelong disabilities, with no distinction as to race, culture, geography, age, sex or economic class; and

**WHEREAS,** the South Carolina Department of Disabilities and Special Needs serves people with the severe, lifelong disabilities of mental retardation and related disabilities, autism, traumatic brain injury, and spinal cord injury; and

**WHEREAS,** the Newberry County Disabilities and Special Needs Board works with families to provide support services which promote economic self-sufficiency and independence; and

**WHEREAS,** people with lifelong disabilities are productive citizens, neighbors, and family members deserving of respect and opportunities for economic self-sufficiency, independence and personal growth; and

**WHEREAS,** the 2013 statewide observance of Disabilities Awareness Month celebrates the successful partnership between people with and without disabilities and the increasing involvement of people with disabilities in education, employment and community activities.

**NOW, THEREFORE, NEWBERRY COUNTY COUNCIL,** does hereby proclaim March, 2013, as

**DISABILITIES AWARENESS MONTH IN NEWBERRY COUNTY**

and encourages our citizens to work together to promote increased opportunities for people with disabilities; to recognize the many contributions made by people with disabilities to our community; and to honor the dedication of the caregivers who bring support and hope to their fellow citizens

**ADOPTED** by Newberry County Council in meeting duly assembled in Newberry, South Carolina, this 6th day of March, 2013.”

Cindy Farr introduced Connie Coleman, Leon Gallman, Carla Creekmore and Crystal Carnes and stated they are members of Voices for Pride, their Self Advocacy Council. Connie is our administrative assistant at the board; Carla and Crystal work at Newberry Industries on a mobile enclave that goes out every day; and Leon works at Newberry Industries too. Through determination and empowerment, these folks are a valuable part of our community. She thanked Council for their continued support.

Leon and Crystal distributed packets to members of County Council.

Carla introduced herself and said today self advocates across the state rallied at the State House for disabilities. This day is about respect and being a part of the community. We rallied to keep our service from being cut and we appreciate your help.

Connie introduced herself and said that the packets were a small token of appreciation from the board and the Ruth S. Pugh Foundation of which she is a board member. She thanked Council members for supporting them.

Chairman Livingston presented Carla, Leon, Connie and Crystal with the proclamation

**b. Tom Perry – Community Action for a Safer Tomorrow (CAST) Prevention Coalition**

Mr. Perry stated that they have been a part of the community since 2010 through a federal grant awarded to the County of Newberry because of the realization of our problem with

underage drinking. He said there are several counties within our state that are operating under this grant and many people in this room have participated. One of the things that we are most proud of is the Charles Weathers training sessions (Cultivating Community) we have held since last August. We hope that by working with law enforcement, local government and citizens this problem can be brought to the forefront and we can find ways to control it and make Newberry County safer. We need to be proactive on an ongoing basis rather than reactive when something bad happens. If you have a heart for this ministry, we hope that you will come join us and share in our work.

Chairman Livingston thanked Mr. Perry for his presentation and the literature he provided to members of Council. He said underage drinking can have some detrimental consequences; a lot of which he sees first hand working with students.

3. **Ordinance #03-02-13: 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 two abutting parcels A and B totaling six and six hundred and sixty-seven thousandths (6.667) acres, both a portion of a real estate parcel totaling twenty two and eight hundred and twenty-eight thousandths (22.828) acres designated as TMS Parcel No. 284-1-1 from Rural (R2) to General Residential (RG).**

Mr. Caldwell motioned to approve first reading of Ordinance #03-02-13; seconded by Mr. Stockman.

Mr. Adams reported that this request is to rezone two parcels from R2 Rural to General Residential. The property is located about 500 ft. south of the intersection of Airport Road abutting the city limits of Newberry. His understanding is that this rezoning is for a subsidized housing complex.

Mrs. Peters identified the parcels on a map for members of Council and noted its proximity to Kraft Foods.

Mr. Waldrop noted that years ago a mobile home park was proposed for this area and the land would not perk.

Mrs. Peters said they will have to go before City Council to see if they can access water and sewer.

Mr. Waldrop asked if the residents would be permanent or green-card (temporary) residents.

Mrs. Peters stated that they would be year round residents and the reason for the agricultural (farm labor) housing classification is because of the Kraft Foods facility.

Mr. Roderick Cummings said the proposed project across from Louis Rich will not be for migrant workers; they have to be US citizens. The idea is to capture the Louis Rich staff. There is an influx of people that work at Louis Rich that desire to live here but there is not enough public housing. This project will offer for those individuals that work at the plant to live closer. The USDA will pick up a portion of the rent based on salary to make it affordable to stay in the housing and maintain their jobs. He said if this project is approved, Newberry will be the first in the State of South Carolina to have one of these projects.

Mr. Caldwell said this will offer future employees housing and he thinks it is a grand idea.

Chairman Livingston shared that Councilman Hipp was not in attendance tonight due to some health issues but he called to say that he was not in favor of this. Chairman Livingston shared his own concerns about traffic flow problems that could arise if the entire 20 acre parcel were developed.

Mrs. Peters said that a traffic issue could arise because of all the eighteen wheelers that are using Louis Rich Rd. for transportation. It is only a 66 ft. wide road; not a three lane road and intermingling cars and eighteen wheelers is not good on a narrow road.

Mr. Stockman asked Mrs. Peters what other impacts this project would have on Newberry County.

Mrs. Peters said there is a potential impact on the school system and law enforcement. She said the impact with Phase 1 is not that great but future expansion will present more dense living than Newberry County normally has.

Mr. Stockman said we have to have a budget and asked if this would generate any source of revenue for Newberry County.

Mrs. Peters said if people live here instead of commuting there is potential for revenue but how much is hard to determine at this point.

Mr. Waldrop responded that BGM is a non-profit group out of Greenville and non-profit groups are not taxed like regular property. He said he represents this area and wants to see the county improve and our people have decent jobs but if they are going to be subsidized he didn't think it would generate much tax. We have to have so much tax for law enforcement, roads, and all the other things people want.

Mr. Caldwell asked Mr. Waldrop if he considered this progress or non-progress.

Mr. Waldrop said he is not sure and does not know if it will be good for the county. He said he needed more information about the project to make a decision.

Mr. Cain said he has had a lot of phone calls from folks who want to keep it single family in that area. There are concerns about traffic density and the potential impact on the school system and law enforcement. He said he did not believe this was good for our community at this time. We have a new 40 unit housing complex coming in the city on Wilson Road that will need to fill up before we rush into this.

Chairman Livingston commented that Kraft Foods has been expanding relatively rapid in our community and we are thankful because it provides a lot of jobs and opportunities. If you look at the map, this could potentially limit the property that Louis Rich has to expand on. He said the Comprehensive Plan was adopted featuring that area being for economic development and his mindset is that this area would be for suppliers of Louis Rich or for Louis Rich expansions. He did not know if high density housing outweighs the cost of what it puts on a county in providing fire, police and school services.

Chairman Livingston said that this seems to be a questionable issue and we have two council members missing tonight. He asked if Council wanted to vote as is tonight or withdraw the motion and table.

Mr. Waldrop stated that it can be approved one time.

Mr. Adams said that if it were to fail it would take another year for it to come back up. There will be no second reading if first reading does not pass. As Chairman Livingston stated, Mr. Caldwell will need to withdraw his motion and Mr. Stockman his second; otherwise, there will have to be a vote.

Chairman Livingston asked Mr. Caldwell if he wanted to withdraw his motion or go ahead and carry through with the vote tonight.

Mr. Caldwell wanted to see Council go forward with the vote.

Having received no further discussion, first reading of Ordinance #03-02-13 failed by vote of 1-4; with Caldwell in favor and Stockman, Cain, Waldrop and Livingston opposed. Hipp and Koon were absent from the vote.

**4. Ordinance #03-03-13: An Ordinance for the purpose of leasing county property located as a part of the fairgrounds property (TMS No. 399-39-1).**

Mr. Adams reported that there are two organizations (Jaycees and Pistol Club) whose lease terms expired. These were originally 10 year leases and the two organizations were notified and they came to the committee meeting last Monday to talk about some of the provisions they had concerns about. Some were concerned about having a year to year lease and making improvements which would lose value under a short term lease. The lease of county property requires three readings of an ordinance and also a public hearing.

Mr. Waldrop motioned to approve first reading of Ordinance #03-03-13; seconded by Mr. Cain.

Chairman Livingston asked if there was any discussion.

Mr. Cain commented that we are working with the two organizations and have made a lot of headway. He would recommend that we get through first reading and then offer amendments at second reading for discussion.

Having received no further discussion, the vote to approve first reading of Ordinance #03-03-13 was unanimous.

**5. Ordinance #03-04-13: An Ordinance for the purpose of leasing county property located as a part of the fairgrounds property (TMS No. 399-39-2).**

Mr. Adams reported that the leases are virtually identical; the first one voted on was for the Jaycees and this one is for the Pistol Club. Each lease has the same provisions at first reading.

Mr. Cain motioned to approve first reading of Ordinance #03-04-13; seconded by Mr. Waldrop. The vote was unanimous.

**6. Resolution #04-13: An Inducement Resolution for Fee-In-Lieu-Of- Property Taxes and Special Source Revenue Credit for Project Optimus.**

Mr. Adams reported that this Inducement Resolution indicates that the company intends to invest 64 million dollars and create 39 jobs. To induce this investment and job creation, the county will be providing a Fee In Lieu of Taxes which would reduce the assessment ratio from 10.5% to 6% and lock the current millage rate for 20 years. Additionally, the county is providing a 15% Special Source Revenue Credit against the fee stream for the first 5 years in the amount of 15% of the fees due.

Mr. Cain motioned to approve Resolution #04-13; seconded by Mr. Waldrop. The vote was unanimous.

**7. Consideration to approve name of “Mayer Creek” for unnamed creek in Little Mountain, S.C.**

Mr. Adams commented that there are three options for council to consider and they are to approve, disapprove or take no position at all.

Mr. Cain motioned to approve the naming of Mayer Creek; seconded by Mr. Waldrop. The vote was unanimous.

## **8. Appointments**

No appointments.

## **9. Committee Reports**

- a. Personnel and Intergovernmental Relations Committee – 2/25/13

Mrs. Hill reported that the Personnel and Intergovernmental Relations Committee met on February 25, 2013, and the following was presented.

- Councilman Stockman was voted Chairman for the new term
- Gerdi Lake gave quarterly recreation update
- Mike Pisano gave update on repairs to bridges in Lynches Woods and the committee recommended moving forward with bids for engineering services.
- Discussion of the Jaycees and Newberry Pistol Club lease agreements
- Discussion of proposed name of Mayer Creek for creek in Little Mountain, SC

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

Mr. Jimmy Morris introduced himself and stated he resided near the airport and was speaking on behalf of his community and voiced their disapproval of any more low income subsidized housing. He said “gangs” seem to nest in these apartment complexes. He said 12 years ago a mobile home park was voted down for this area and they would like for the zoning to stay the way it is. They would not mind if anyone from Louis Rich wanted to build a house in the area but we don’t need subsidized apartments. This will be a burden on the taxpayer, a traffic problem, a crime problem and will present health care and school issues. He told Council he appreciated the way they voted tonight and thanked them for hearing him out.

Ms. Amber Kneece introduced herself as President of the Jaycees and shared with Council some of things they do in the community. Each year we adopt a highway and do quarterly clean-ups; help with fundraising and events for the Boys Farm; raise money for March of Dimes and Relay for Life; and sponsor the annual Christmas parade and the kids shopping spree.

## **11. Executive Session**

No Executive Session.

## **12. Comments from County Administrator**

Mr. Adams thanked Cindy Pitts for her long dedication to reporting the undertakings of County Council. He said she handles complex issues with fairness and clarity and that is something very important to the community.

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

Chairman Livingston thanked Cindy for her years of service to Newberry County as a reporter for the Newberry Observer. He wished her the best of luck.

## **14. Future Meetings**

- a. Public Works and Planning Committee – 3/11/13 @ 6:00 p.m.
- b. “On the Move with Margaret” – 3/18/13 @ 9:30 a.m.
- c. County Council – 3/20/13 @ 7:00 –p.m.

## **15. Adjournment**

Chairman Livingston adjourned the meeting at 7:52 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**