



**NEWBERRY COUNTY COUNCIL
MINUTES
SEPTEMBER 4, 2013**

Newberry County Council met on Wednesday, September 4, 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
Bill Waldrop, Councilman
Leslie (Les) Hipp, Councilman (Arrived at 7:10 p.m.)
Steven C. Stockman, Councilman
Wayne Adams, County Administrator
A.J. Tothacer, County Attorney
Laurie Renwick, Clerk to Council
Debbie Cromer, Finance Director

ABSENT: John E. Caldwell, Councilman
Scott Cain, Councilman

PRESS: Natalie Netzel, 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. Adams led the invocation followed by the Pledge of Allegiance.

Chairman Livingston welcomed everyone to the meeting. He shared that Councilman Cain had a heart attack and had a stent put in last week and asked for everyone's thoughts and prayers. He also noted that Councilman Caldwell was away on a cruise.

1. Adoption of Consent Agenda

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

2. Personal Appearances

- a. Donna Lominack, Auditor – FY2013/2014 Tax Levy

Mrs. Lominack officially set the 2013 Tax Levy for County and School Bonded Indebtedness as follows:

County Ordinary	128.7
County General Obligation Bonds 2007	.6
County General Obligation Bonds 2007A	.9
County General Obligation Bonds 2010A	1.3
County General Obligation Bonds 2010B	1.9
County Lease Purchase 2013B	3.9
Santee Cooper Loan 2013A	.2
Community Services	6.7
Reserve Fund	0.0
TOTAL	144.2

The Newberry County Board of Education has levied the following for school purposes:

School Ordinary	186.8
School General Obligation Bonds 2013	53.0
TOTAL	239.8

The total 2013 tax levy for both County and School purposes is set at 384.0 mils.

3. Ordinance #08-17-13: An Ordinance repealing Ordinance No. 227, relating to Careless Operation of a Motor Vehicle.

Mr. Waldrop motioned to approve second reading of Ordinance #08-17-13; seconded by Mr. Koon.

Mr. Waldrop asked Mr. Adams to explain this new law.

Mr. Adams reported that the Sheriff would like to have this ordinance repealed because it no longer serves its original purpose. The intent was to provide the Sheriff with a means of ticketing drivers (speeding) in a manner that would not be reflected on their driver’s insurance. His understanding is that the insurance companies do pick up these tickets so this ordinance is superfluous.

Having received no further discussion, the vote was unanimous to approve second reading of Ordinance #08-17-13.

4. Ordinance #08-18-13: An Ordinance amending Chapter 153 of the Newberry County Code of Ordinances amending nonconforming structures

or uses to permit changes on lots containing less than two (2) acres, and for other matters related thereto.

Mr. Waldrop motioned to approve second reading of Ordinance #08-18-13; seconded by Mr. Hipp. The vote was unanimous.

5. Resolution #11-13: 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 #11-13; seconded by Mr. Hipp.

Mr. Adams reported that state law requires that the governing body ratify and approve all Mutual Aid Agreements among law enforcement departments. The particular one has to do with a change in the terms with the Saluda Law Enforcement Agency.

The vote was unanimous to approve Resolution #11-13.

6. Consideration to approve 1st Quarter Appropriation (FY13/14 Proviso) for the Library in the amount of \$5,625.00.

Mr. Sam Ziady, Library Director, reported on the success of the summer reading program. As for the proviso, he stated that Council has in their packet two receipts for furniture ordered under the state contract for the Whitmire Library for a total of \$21,000.00. We hope to re-open the Whitmire branch on October 4th.

Mr. Hipp said that this basically uses the additional appropriation of \$22,500.00 for this year.

Mr. Ziady stated that they were grateful to have these funds available because these kinds of expenses only happen once in a generation.

Mr. Koon motioned to approve the 1st Quarter appropriation for the Library in the amount of \$5,625.00; seconded by Mr. Waldrop. The vote was unanimous.

Chairman Livingston thanked Mr. Ziady for his report and for the summer reading efforts.

7. Consideration to approve recommendation from Newberry County Accommodations Tax Committee for disbursement of funds for Fiscal Year 2012/2013.

Mr. Ernest Shealy, Accommodations Tax Committee Chairman, stated that the committee respectfully requests that Council approve the following disbursement of

FY12/13 tourism related funds in the amount of \$39,470.83 and the promotional funds as they become available.

Tourism Related:

Newberry Opera House	\$12,000.00
Newberry Co. Law Enforcement	5,000.00
Prosperity's Hoppin	1,800.00
Newberry Co. Historical Museum Society	3,350.00
Newberry Visitors Center	14,555.00
Party in the Pines	2,000.00
Newberry Community Players	500.00
TOTAL	\$39,205.00

Mr. Shealy said this is probably the first time that the requested amount was short of the amount available. We are asking that these funds be given out leaving a balance of \$265.83 for next year and also for the disbursement of promotional related funds as follows:

Promotional Related:

Newberry County Chamber of Commerce	40%
Prosperity Business Association	15%
Capital City Lake Murray	45%

Mr. Hipp commented that the Chamber of Commerce was the lead agency and is receiving 40% and asked what we were getting from Capital City Lake Murray to warrant giving them 45%.

Mr. Shealy stated that we are featured in national advertisements that we have been unable to get from the Chamber.

Mr. Hipp asked for an example.

Mr. Shealy responded that Capital City Lake Murray promotes fishing tournaments and Newberry is represented in those ads. We are also represented in national magazine ads and several cable television ads

Mr. Hipp asked if Mr. Shealy was satisfied that Newberry was getting adequate recognition even though Capital City Lake Murray also represents Saluda, Lexington, and Richland County.

Chairman Livingston commented as a member of the Capital City Lake Murray Board of Directors that the big bass tournament they are having on Lake Murray will get national coverage and be quite a display. We are already getting some national publicity before the tournament is even occurring. He felt Capital City Lake Murray is doing more than we can imagine.

Mr. Waldrop shared that they will be launching the tournament out of Billy Dreher and this is a big promotion for Newberry County. A lot of the fishermen stay in our motels during this time.

Mr. Waldrop motioned to approve the Accommodation Tax disbursement as recommended by the committee; seconded by Mr. Stockman. The vote was unanimous.

Chairman Livingston thanked the Accommodations Tax Committee and asked that they stand and be recognized.

8. Appointments

Mr. Waldrop nominated Mrs. Vina Abrams for reappointment to the Central Midland COG; seconded by Mr. Stockman. The vote was unanimous.

9. Public Comments

No comments.

10. Executive Session

- a. §30-4-70(a)(5) SC Code of Laws: Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

Mr. Koon motioned to go into Executive Session, seconded by Mr. Waldrop. The vote was unanimous.

Executive Session [7:25 p.m. – 8:15 p.m.]

Mr. Tothacer reported that Newberry County Council went into Executive Session to discuss and economic development matter and no action was taken in that session.

11. Comments from County Administrator

Mr. Adams reported that he talked with Mrs. Margaret with “On the Move with Margaret” and she is very adamant about having a full house on September 16th.

12. Comments/Request from Council Members

No comments.

13. Future Meetings

- a. Personnel and Intergovernmental Relations Committee/Work Session 9/9/13 @ 6:00 p.m.

- b. "On the Move with Margaret" 9/16/13 @ 9:30 a.m.
- c. County Council 9/18/13 @ 7:00 p.m.
- d. Economic Development Committee 9/23/13 @ 6:00 p.m.

14. Adjournment

Chairman Livingston declared the meeting adjourned at 8:16 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, III, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council