



**NEWBERRY COUNTY COUNCIL
MINUTES
SEPTEMBER 18, 2013**

Newberry County Council met on Wednesday, September 18, 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 (Arrived at 7:15 p.m.)
 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

PRESS: **Natalie Netzel, Newberry Observer**

The meeting was duly advertised as required by law.

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

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

1. Adoption of Consent Agenda

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

2. Newberry County Service Awards

Chairman Livingston presented the following service awards: Michael Weathers, Sheriff's Office – 5 years; Mildred Simpkins, Sheriff's Office – 10 years; Matthew

Dickert, Sheriff's Office – 10 years; Wendy Wise, Delinquent Tax Collector – 15 years; and Danny Gilliam (absent), Sheriff's Office – 20 years.

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

Mr. Koon motioned to approve third reading of Ordinance #08-17-13; seconded by Mr. Cain. The vote was unanimous.

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.

Chairman Livingston declared this the Public Hearing.

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

Mr. Caldwell motioned to approve third reading of Ordinance #08-18-13; seconded by Mr. Cain. The vote was unanimous.

5. Ordinance #09-09-13: An Ordinance to amend the Budget Ordinance for the 2013-2014 Fiscal Year, Ordinance Number 04-07-13, to provide for revised appropriations pertaining to capital expenses for repairs to the Newberry County Courthouse.

Mr. Waldrop motioned to approve first reading of Ordinance #09-09-13; seconded by Mr. Cain.

Mr. Adams reported that this ordinance works within the amounts appropriated in the budget for Courthouse repairs. It takes \$258,000.00 from the waterproofing line item and repurposes it for interior repairs and carpeting in the amount \$140,680.00; a new HVAC control system in the amount of \$35,000.00; exterior wall waterproofing in the amount of \$60,000.00 and increases contingency by \$23,120.00. Any future work on waterproofing the basement will be additional funding over and above what is funded for FY13/14.

Having received no discussion, the vote was unanimous to approve first reading of Ordinance #09-09-13.

6. Consideration to approve 1st Quarter Appropriation (FY13/14 Proviso) for the Newberry Soil and Water Conservation District in the amount of 4,250.00.

Mr. Jason Bishop, NSWCD, commented that Mr. Setzler was unable to attend and he thanked Council for the money awarded to them this year. He said for the first quarter they would like to spend \$1,250.00 for a part-time employee to work approximately one (1) day a week (8 hours) to help with the Keep Newberry County Beautiful (KNCB) program; \$650.00 to be used for upcoming projects that they've talked about but do not have anything in concrete at this time; \$500.00 for marketing KNCB and some other projects; \$350.00 for transportation and operational expenses for a vehicle and a couple trailers; and the remaining \$500.00 towards education. He said they would like to get into the schools and maybe come up with a couple of scholarships for some high school seniors on the agricultural/forestry side.

Mr. Waldrop commented that the county has a recycling coordinator and asked if this would be a duplication of services.

Mr. Bishop said they want a part time employee to help get the Keep Newberry County Beautiful Program more established in the county. He said Doug Heydt works directly with the KNCB program and could probably tell you exactly what the part-time employee would be doing.

Mr. Wayne Satterwhite, NSWCD, briefed Council on the proposed work of the part time employee but his comments were clearly audible; he was not at the podium when speaking.

Mr. Waldrop responded that essentially this is for some of the same programs you have had in the past but you need extra money to do it.

Mr. Koon asked if the county or the NSWCD will be paying the employee.

Mr. Bishop said his understanding is that they would use the money allocated for paying the employee.

Mr. Cain said this was discussed in the subcommittee and the part time employee is not going to take any load off Annette but add to the capabilities of the Soil and Water Conservation. We will cut them a check, they will disburse it, and they will come every quarter and give an explanation of how the money is going to be spent.

Mr. Waldrop commented that he understood that but this is \$1,500.00 and no one has even been hired yet. He asked if they had advertised for the position.

Mr. Bishop said they had not.

Mr. Satterwhite stated that they are in the process of advertising. It will be a contract position and they will take care of paying the part time employee.

Mr. Caldwell asked what qualifications they were looking for.

Mr. Bishop said they really haven't talked about it and they did not even know they were going to be able to do this until two weeks ago. We did talk about advertising in the newspaper to see if there was an interest but that is as far as we have gotten with it.

Mr. Cain motioned to approve the 1st quarter appropriation in the amount of \$4,250.00; seconded by Mr. Stockman. The motion was approved by vote of 6-1 with Mr. Koon opposed.

7. Consideration to approve bid in the amount of \$21,706.80 for Newberry County Sheriff's Office Landscaping Project.

Mr. Ervin West reported that the bids for this project were advertised in SCIBO, the local newspaper and the website. He said the City of Newberry is requiring that we landscape the property line as identified on the Landscaping Compliance Plan provided to members of Council.

Mr. Waldrop asked if we were going back to the entrance of Lynches Woods.

Mr. West said yes; the ordinance states you have to go from property line to property line or until you hit existing landscaping. He said we will not get a Certificate of Occupancy unless we have met their landscaping requirements. Although we would like to have it awarded now, we do not plan on starting until the cooler weather (November) and there is a one year guarantee on all of the plants.

Mr. Waldrop said his problem is that we are trying to build some new fire stations and we do not have the money. He did not see the need to put this much shrubbery on the road because of it obstructing the view of officers leaving at the light.

Mr. West responded that nothing is going to be planted at the corner near the light.

Mr. Hipp said he could see the need for some requirements with the new portion of the building but the armory has been there for awhile and is not being modified on the exterior. Now we are required to have all these shrubs along Walter Cousins Blvd. which has nothing to do with the new building and asked how all this came into play.

Mr. West stated that this requirement is in City's landscaping ordinance. He ran into it the first time with the Rescue 14 building. We had no plans on landscaping and it was brought to our attention by the city building official that if we wanted to get a Certificate of Occupancy we had to meet their landscaping ordinance. Most of the time, you will not even get a building permit unless you have a landscaping drawing in your submittal packet. Piedmont Tech had to submit a landscape drawing in order to get their building permit.

Mr. Hipp asked if this amount was included in the Sheriff's building budget.

Mr. West said \$20,000.00 was included in the budget but \$1,706.00 will have to come out of contingency because initially he did not plan on going all the way down to Lynches Woods. He said if Council will agree, he will ask the City for some leniency which could result in picking up at least ¼ (\$5,000.00) of that amount that could be used somewhere else.

Mr. Hipp felt all of the building landscaping needs should be met by stopping at the drive that runs parallel to Hwy. 76 before the field. To landscape along a field and dirt road seems a little excessive. He said we needed to go back on this one. Before you know it, we will be putting landscaping all the way around Lynches Woods to the other side.

Mr. Waldrop commented that the county's personnel is going to have to keep this up; not the city.

Chairman Livingston said there was another government entity that chose to build outside of the city limits and with stuff like this it makes you want to go outside of the city limits. He said his understanding is that we know we are going to have to do part of this but Council would like for Mr. West to go and ask for some consideration from the second drive back to the property line.

Chief Deputy Todd Johnson stated for the record that the Sheriff's Office had no part in requesting this because it is taking money from an already extremely tight budget.

Mr. Cain motioned to table until additional information is provided; seconded by Mr. Waldrop. The vote was unanimous.

8. Consideration to approve bid in the amount of \$45,900.00 for Crown Tonka Cooler/Freezer for Jail.

Mr. Adams reported that administration and the Sheriff's Office asked that this item be postponed to a future date as we are re-examining some procurement issues.

9. Consideration to approve Request for Proposal (RFP) from Advance for Detention Center Health Care Services.

Lieutenant Ben Chapman reported that an RFP was prepared and we received five (5) responses. The evaluation committee scored the proposals with Advance scoring the highest, providing a cost savings and also offering better coverage and services for the Detention Center. This is a huge expense but due to the liability issues it is necessary and we have negotiated the best possible solution for a total of \$135,962.00.

Mr. Hipp asked how this compared with our previous year's contract.

Lt. Chapman said that it is actually a better service with about a \$2,000.00 cost savings.

Mr. Waldrop motioned to approve the RFP from Advance for Detention Center Health Care Services; seconded by Mr. Cain. The vote was unanimous.

10. Appointments

No appointments.

11. Committee Reports.

a. Personnel and Intergovernmental Relations Committee/Council Work Session

Mrs. Hill reported that the Personnel and Intergovernmental Relations Committee met on Monday, September 9, 2013 and the following items were discussed.

- The committee approved a \$2,000.00 request from Mrs. Joyce Vigus for the Community Christmas Tree project.
- Mr. Boisy Shelton inquired about the completion of the Maybinton Ball Field. Councilman Cain and Waldrop agreed to meet with Mr. Shelton to see what can be done to make the ball field more usable.
- Mrs. Gerdi Lake gave the summer season recreation update and complimented SORBA for their work on the bike trails in Lynches Woods.
- Mr. West gave an update on the Courthouse.

12. Public Comments

No public comments.

13. Executive Session

No executive session.

14. Comments from County Administrator

No comments.

15. Comments/Request from Council Members

Mr. Cain thanked Newberry County Memorial Hospital for all they did for him several weeks ago when he was having trouble with his heart.

Chairman Livingston thanked WKDK, Jimmie Coggins, and Mrs. Brackett for sponsoring "On the Move with Margaret". We had a good program Monday morning and it was a great opportunity to get some information out to our community.

16. Future Meetings

- a. Economic Development Committee 9/23/13 @ 6:00 p.m.
- b. County Council 10/2/13 @ 7:00 p.m.
- c. Finance Committee 10/07/13 @ 6:00 p.m.

- d. County Council 10/16/13 @ 7:00 p.m.
- e. Public Safety and Courts Committee 10/21/13 @ 6:00 p.m.

17. Adjournment

Chairman Livingston declared the meeting adjourned at 7:37 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, III, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council