



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

Newberry County Council met on Wednesday, November 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
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
Laurie Renwick, Clerk to Council
Debbie Cromer, Finance Director

PRESS: Natalie Netzel, Newberry Observer
Tammy Kitchens, WKDK

The meeting was duly advertised as required by law.

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

Bill Waldrop led the invocation followed by the Pledge of Allegiance.

1. Adoption of Consent Agenda

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

- 2. Ordinance #10-20-13:** 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 real

estate parcel which comprises a one (1.00) acre parcel designated as TMS Parcel No. 419-21 from Single Family Residential RS-1) to Single Family Residential (RS-3).

Chairman Livingston declared this the Public Hearing for Agenda Items #2, 3, 4 & 5 and asked if anyone wanted to address these items.

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

Mr. Waldrop motioned to approve third reading of Ordinance #10-20-13; seconded by Mr. Cain. The vote was unanimous.

3. **Ordinance #10-21-13:** 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 real estate parcel which comprises a one (1.00) acre parcel designated as TMS Parcel No. 419-31 from Single Family Residential (RS-1) to Single Family Residential (RS-3).

Mr. Koon motioned to approve third reading of Ordinance #10-21-13; seconded by Mr. Stockman. The vote was unanimous.

4. **Ordinance #10-22-13:** 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 real estate parcel which comprises a one (1.00) acre parcel designated as TMS Parcel No. 419-35 from Single Family Residential (RS-1) to Single Family Residential (RS-3).

Mr. Cain motioned to approve third reading of Ordinance #10-22-13; seconded by Mr. Koon. The vote was unanimous.

5. **Ordinance #10-23-13:** 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 real estate parcel which comprises a one (1.00) acre parcel designated as TMS Parcel No. 419-52 from Single Family Residential (RS-1) to Single Family Residential (RS-3).

Mr. Cain motioned to approve third reading of Ordinance #10-23-13; seconded by Mr. Hipp. The vote was unanimous.

6. **Consideration of Herrington Drive into the County Road System.**

Mr. Pisano reported that this item involves Herrington Drive in the Waters Edge Subdivision at Lake Greenwood. This matter was discussed in the Public Works and

Planning Committee meeting on March 11, 2013. We have received all of the right-of-way grants for 100% of the property owners on this road. The road is paved and in good condition and it meets the specs to be brought into the County system.

Mr. Waldrop motioned to accept Herrington Drive into the County Road System; seconded by Mr. Cain. The vote was unanimous.

7. Consideration of Capital Outlay for Rescue Squads in the amount of \$60,000.00.

Mr. Tommy Long reported that Council has a list of the items for the rescue squads and stated that they would like to go ahead and purchase these items. He said he would answer any questions that Council may have.

Chairman Livingston commented that this request is under a proviso that is required and the money is already budgeted for this year.

Mr. Hipp noted that we have estimates here and a budgeted amount of \$60,000.00. He said his understanding is that regardless of the estimates, they will have to adjust to stay within the \$60,000.00 when the actual amounts come in.

Mr. Long responded that they will not go over \$60,000.00; however, if they have any extra funding they would like to purchase the items listed at the bottom of the request form.

Mr. Waldrop inquired about some of the equipment that has been purchased for the squads over the years and asked whether they are still using it or is it obsolete.

Mr. Long said some of the Hurst tools they will be purchasing for Station 13 and Station 18 will go to replace some extremely old tools and the chain saws will be replacing those that are past their useful life.

Mr. Waldrop asked if there was a program to sell the old and obsolete equipment.

Mr. Long said by the time they replace equipment it is not worth anything and they give it to the maintenance shop for use as extra parts.

Mr. Waldrop asked about the status of the pontoon that was donated by Mr. Greisser. He said the County furnished some money for a trailer for the pontoon and they were looking to acquiring a pumper to provide fire protection around the lake area.

Mr. Long responded that to his knowledge they are working on re-flooring the pontoon. They do not have the fire suppression on it because it cost \$17,000.00 and they did not have the funding but they are using it as a rescue vehicle to do rescues on the lake.

Mr. Waldrop motioned to approve the \$60,000.00 Capital Outlay for the Rescue Squads; seconded by Mr. Cain. The vote was unanimous.

8. Consideration of Holiday Gift Cards for Employees

Chairman Livingston stated that the county has 230 employees and if we do a gift card for \$40.00 each that is roughly a \$9,200.00 expenditure. He said this is just a small token of our appreciation to our employees for what they have done and how they maintain our budget.

Mr. Caldwell motioned to approve \$40.00 Gift Cards; seconded by Mr. Cain. The vote was unanimous.

Chairman Livingston noted that Council members were not included in the gift cards.

9. Appointments

Mr. Hipp nominated the reappointment of Mr. Byrd Smith to the Airport Commission; seconded by Mr. Koon. The vote was unanimous.

Chairman Livingston stated that Central Midlands Development Corporation is a 501c3 non-profit organization affiliated with Central Midlands Council of Governments. The board of directors voted to reappoint Rep. Walt McLeod as a member of the board subject to ratification by County Council.

Mr. Waldrop motioned to ratify the reappointment of Rep. Walt McLeod to the Central Midlands Development Corp. Board of Directors; seconded by Mr. Caldwell. The vote was unanimous.

Chairman Livingston nominated Mr. Bradd Wesley Bunce for an appointment to replace Mr. Jimmy Allewine on the Westview Behavioral Board representing District 3; seconded by Mr. Waldrop. The vote was unanimous.

10. Committee Reports

a. Public Safety and Courts Committee 10/21/13 – Tommy Long, Services Coordinator

Mr. Long reported that the Public Safety and Courts Committee met on October 21, 2013, and seven (7) agenda items were addressed.

- Discussion of user fees for deployment of public safety services for out of county residents. This item was tabled pending further research
- Recommendation to purchase Capital Outlay for Rescue Squads
- The committee was updated on two (2) grant awards; \$9,000.00 Citizens Emergency Response Team (CERT) Grant; FEMA Grant to

purchase air packs for Bush River Fire Department in the amount of \$57,656.00 with a 10% match that is already budgeted

- Update on Leitzsey Road Substation
- Major Boland gave a status report on the Narrow Banding Project
- Sheriff Foster gave an update on the Sheriff's Office and EOC construction
- Mr. West gave an update on the Courthouse

b. Personnel and Intergovernmental Relations Committee 11/04/13 – Wanda Hill, Human Resource Director

Mrs. Hill reported that the Personnel and Intergovernmental Relations Committee met on November 4, 2013, and the following was discussed.

- Recommendation to prepare Resolution declaring the Old Library a museum
- Discussion of Holiday gift cards for employees
- Review of Council appointed boards and commissions. Staff to prepare Ordinance abolishing the Community Hall, Fairgrounds, and Parks and Recreation Commissions and reestablish the Parks and Recreation Commission with a 7 member board
- Gerdi Lake gave a recreation update. The committee will discuss at the next meeting the oversight issues associated with camping in Lynches Woods
- Councilman Cain gave an update on his visit with Boyce Shelton concerning the Maybinton ball field. Mr. Tothacer will research the issue of how we can proceed with the maintenance of the ball field by involving citizens in the Maybinton area

Mr. Hipp asked if the commission members had been contacted for their input and commented that as part of the resolution to eliminate these boards we need to define what needs to be done and who is going to do it; no matter how inactive these commissions may have been.

Mr. Koon stated that this was discussed in the committee meeting and he does not have a problem with inviting the commission members for their input.

Mr. Hipp said he felt it would be appropriate to invite the members and stated that there are clearly some needs in the management of these two properties and this needs to be defined.

Mr. Adams responded that there is a Resolution that governs the rental and management of the facilities that specify some of that but it would not hurt to put it in an ordinance as well.

Mr. Hipp said he does not have an issue with eliminating the commissions if they are not active but we do have two properties here that may have needs above and beyond what has been done. We need to define what those needs are and who is going to see to them.

Mr. Adams responded that our property manager does most of the work in regards to those facilities as well as the Helena Community Center.

Chairman Livingston commented that the Ag Expo has identified some the things that need to be done at the fairgrounds and they have done them in kind just to be able to utilize the facility.

11. Public Comments

Chairman Livingston asked Mr. Lane to come to the podium and state his name and address.

Mr. Dwight Lane introduced himself as a Councilman from the Town of Whitmire but was here tonight in the capacity of a citizen. Mr. Lane shared his concerns about the City of Newberry not coming back to Whitmire for recreational games. He did not want the children in Whitmire to be denied the chance for recreation by always have to come to Newberry to participate.

Mr. Adams commented that County Council can not control what the City's Recreation Department does. Ultimately, whether the City of Newberry sends teams to Whitmire is something that the City and Whitmire has to work out.

Mr. Cain offered to set up a meeting with Mr. Lane and the recreation folks in the next week or so to come up with a recommendation best agreeable with Council.

Mr. Lane asked the county, since they are funding it, to look into why the City will not come to Whitmire.

Mr. Caldwell said that good recreation allows kids to do better throughout life than when they are denied of these things. We should not underestimate the importance of recreation for children and he would like to see us do as much as we can to keep this going.

Mr. Koon commented that the City of Newberry has its own recreation department and it is governed by its body of council.

Chairman Livingston said that Mr. Cain has made an offer that we will work with and he can bring the facts back to us. The facts might reveal that you may have to go before City Council. He offered his help to Mr. Cain and Mr. Lane.

12. Executive Session

Chairman Livingston stated that Council will need an Executive Session for 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 as per §30-4-70(a)(5) SC Code of Laws, as amended.

Mr. Cain motioned to go into Executive Session; seconded by Mr. Stockman.
The vote was unanimous.

[Executive Session 7:38 p.m. – 8:19 p.m.]

Chairman Livingston returned to open session and asked Mr. Adams to report out.

Mr. Adams reported that County Council met in Executive Session for the stated purpose and no action was taken.

13. Comments from County Administrator

Mr. Adams shared that the animals have now been moved to the new Animal Shelter so they will not be exposed to the cold winter this year.

14. Comments/Request from Council Members

Chairman Livingston read a thank you note that council received from Mrs. Joyce Vigus concerning the Community Christmas Tree.

Mr. Koon said we lost a very fine lady this week, Ms. Betty Summer. Ms. Betty taught school in Newberry County for many years.

15. Future Meetings

- a. County Council 11/20/13 @ 7:00 p.m.
- b. Public Works and Planning Committee 11/25/13 @ 6:00 p.m.

16. Adjournment

Chairman Livingston declared the meeting adjourned at 8:20 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, III, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council