



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

Newberry County Council met on Wednesday, December 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
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.

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

- 1. Resolution #14-13: A Resolution authorizing the execution and delivery by Newberry County, South Carolina of an Inducement Agreement with West Fraser, Inc., whereby, under certain conditions, Newberry County will execute a Fee In Lieu Of Tax Agreement with West Fraser, Inc. with respect to an industrial project in the county whereby the project would be subject to payment of certain fees in lieu of taxes, and**

an Infrastructure Finance Agreement whereby West Fraser, Inc. will be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.

Mr. Galloway with Haynsworth Sinkler Boyd reported that this is an Inducement Resolution and Agreement with respect to West Frazier's expansion with a minimum capital investment of 27 million dollars. The inducement requested is a 20 year Fee-In-Lieu-Of Tax Agreement with a 6% assessment ratio and a locked millage rate. In addition, there will be a Special Source Revenue Credit for 5 years at 15% as required when placing the project in a Multi-County Industrial Park.

Mr. Hipp motioned to approve Resolution #14-13; seconded by Mr. Cain. The vote was unanimous.

2. Resolution #15-13: A Resolution declaring the intention of Newberry County, South Carolina to reimburse itself for certain expenditures with the proceeds of debt to be incurred by Newberry County, South Carolina.

Mr. Adams reported that this will allow the county to make certain cash expenditures in the Mid-Carolina Commerce Park. It will enable us to reimburse ourselves in late 2016 with the Capital Project Sales Tax proceeds. The county would be taking cash intended for the Sheriff's Office building and putting it into the road infrastructure at the Mid-Carolina Commerce Park to locate a power substation in the back of the industrial park rather than near the front.

Chairman Livingston stated that this was discussed and recommended by the Economic Development Committee on Monday night.

Mr. Hipp questioned at the committee meeting how this would affect our available debt limit.

Mr. Adams responded that the county will be well within its debt limit. We are three (3) years into the capital project tax collection cycle and can gauge pretty accurately that we are going to pay off the bonds in 2016. This will leave plenty enough time to collect the revenue for that second tier project of crossing the creek at the industrial park.

Mr. Hipp commented that if we want to fill up this industrial park we obviously need additional power available.

Mr. Cain motioned to approve Resolution #15-13; seconded by Mr. Hipp.

Chairman Livingston asked if there was any additional discussion.

Mr. Koon stated that although the \$930,000.00 is earmarked for the Sheriff's Office building this will have absolutely nothing to do with the completion of the Sheriff's Office building.

Having received no further discussion, the vote was unanimous to approve Resolution #15-13.

3. Consideration to transfer .55 acres of County Property located at Dixie Drive and Wilson Road.

Mr. Pisano distributed copies of the plat to members of Council and stated that this item was brought before the Public Works and Planning Committee on November 15, 2013. It is for the transfer of .55 acres to Mr. Tommy Amick located at the Dixie Drive recycling site. This portion of land abuts Hwy. 76 at the corner of Hwy. 34. The value of the property is slightly degraded because of problems with egress and ingress as well as a sewer line that runs down it. The Assessor's Office determined that a fair market price for the property is \$35,000.00 per acre which equates to \$19,250.00 for the .55 acre parcel. Mr. Amick expressed his desire at the committee meeting to purchase the property at that price.

Mr. Stockman motioned to approve transfer of .55 acres; seconded by Mr. Waldrop.

Chairman Livingston asked if there was any discussion.

Mr. Koon commented that we should allow Mr. Amick to cut and remove the timber off this parcel so that his property will be clearly visible at the intersection but he felt the county should hold onto the property. It will grow in value in the near future and felt this would work for Mr. Amick.

Mr. Cain said with such limited access he did not know how much value it would be for the county to keep it as opposed to letting Mr. Amick buy it. That way he can clear it off and maintain it.

Mr. Stockman stated that he agreed with Mr. Cain. With the sewer line there and providing we are getting a fair value, he did not see any benefit to the county to keep the parcel and we can put it on the tax books.

Mr. Hipp commented that he did not have a problem either way; whether we let him clear the trees for visibility or out right sell him the property. He does not; however, want the county to sell itself into a liability issue with the sewer lines and be obligated to go in and make corrections after the sale.

Chairman Livingston stated that we could sell it as is if that is a concern.

Mr. Adams shared that the Newberry County Water and Sewer Authority would be liable for that infrastructure. We could sell as is or with a release of some kind.

Mr. Tommy Amick approached the podium and said he has had a small business in Newberry since 1985. He would like to have the half acre corner that adjoins his property so that he can clear it out and make it more visible and possibly park some equipment there for display at a later date. He shared a copy of the plat showing the location of the sewer line and an aerial photo with members of Council.

After no further discussion, the vote was unanimous to transfer the .55 acre parcel on Dixie Dr. to Mr. Tommy Amick.

4. Consideration of Central SC Alliance 2nd and 3rd Quarter (FY13-14) Invoices in the amount of \$36,000.00.

Chairman Livingston reported that this disbursement was recommended by the Economic Development Committee on December 12, 2013.

Mr. Hipp motioned to approve Central SC Alliance invoices in the amount of \$36,000.00; seconded by Mr. Waldrop. The vote was unanimous.

5. Consideration of County Council's 2014 Committee Meeting Schedule.

Mr. Hipp motioned to approve County Council's 2014 committee meeting schedule; seconded by Mr. Cain. The vote was unanimous.

6. Appointments

Mr. Hipp nominated Mr. Victor Terrana for reappointment to the Joint Planning Commission; seconded by Mr. Cain. The vote was unanimous.

Mr. Hipp nominated Mr. Jeff Smith for reappointment to the Library Board; seconded by Mr. Koon. The vote was unanimous.

Mr. Hipp nominated Mr. Robert Kneece for reappointment to the Board of Zoning Appeals; seconded by Mr. Koon. The vote was unanimous.

7. Committee Reports

a. Public Works and Planning Committee 11/25/13

Mike Pisano stated that the following was discussed at the meeting:

- The land transfer with Mr. Amick
- Update on the Public Works and Animal Shelter buildings

- Update on road paving (Boyd Rd.; Lon Stoudemire Rd.; Eureka St.; Hill Trace ; Blackberry Ln.; Pineland Rd.; and the parking lot at the Pomaria Fire Station)
- Drainage projects on Wessinger Rd. and Hamm Dr.
- Pavement Management System whereby a method/projected plan be used to evaluate our current paved roads (90 miles)

Mr. Koon inquired about the yard lighting for both the Animal Shelter and Public Works.

Mr. Pisano responded that yard lighting will be installed at both the Animal Shelter and Public Works.

b. Economic Development Committee 12/02/13

Ms. Powers reported that the following was discussed at the Economic Development Committee meeting on December 2, 2013.

- Presentation of Quarterly Report by Central SC Alliance
- Substation at Mid-Carolina Commerce Park
- Update on Spec Building
- Certification of Mega Site
- Marketing Update
- Executive Session; no action taken

8. Public Comments (by those who signed up at meeting)

No Comments.

9. Executive Session

No Executive Session.

10. Comments from County Administrator

No Comments.

11. Comments/Request from Council Members

No Comments.

12. Future Meetings

- a. Personnel and Intergovernmental Relations Committee (Special Called)
12/09/13 @ 6:00 p.m.
- b. County Council 12/18/13 @ 7:00 p.m.

NO COUNCIL MEETING ON JANUARY 1, 2014

13. Adjournment

Chairman Livingston declared the meeting adjourned at 7:30 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, III, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council