



**NEWBERRY COUNTY COUNCIL
MINUTES
MAY 4, 2016**

Newberry County Council met on Wednesday, May 4, 2016, at 7:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

PRESENT: Scott Cain, Vice Chairman
Bill Waldrop, Councilman
Leslie (Les) Hipp, Councilman
Steve Stockman, Councilman
Travis Reeder, Councilman
A.J. Tothacer, County Attorney
Laurie Renwick, Clerk to Council
Debbie Cromer, Finance Director

ABSENT: Henry H. Livingston, III, Chairman
Kirksey Koon, Councilman

MEDIA: Andrew Wigger, Newberry Observer

The meeting was duly advertised as required by law.

Vice Chairman Cain called the meeting to order.

Vice Chairman Cain led the invocation followed by the Pledge of Allegiance.

1. Additions, Deletions and Adoption of Agenda

Mr. Hipp motioned to delete the Executive Session (Agenda Item #13) due to two council members being absent and the matter needing their input; seconded by Mr. Reeder. The vote was unanimous to adopt agenda as amended.

2. Ordinance #04-04-16: An Ordinance amending Ordinance Number 04-08-15, the Budget Ordinance for the 2015-2016 fiscal year, to provide for revised revenues and expenditures pertaining to emergency medical services.

Vice Chairman Cain declared this the Public Hearing.

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

Mr. Hipp motioned to approve third reading of Ordinance #04-04-16; seconded by Mr. Reeder. The vote was unanimous.

5. ***Ordinance #04-05-16: An Ordinance to provide for the issuance and sale of General Obligation Bonds of Newberry County, South Carolina not exceeding \$2,100,000 in principal amount, to prescribe the purposes for which the proceeds of said bonds shall be expended, to provide for the payment of said bonds, authorizing the issuance of notes in anticipation of the bonds authorized herein, and other matters relating thereto.***

Vice Chairman Cain declared this the Public Hearing.

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

Mr. Waldrop motioned to approve third reading of Ordinance #04-05-16; seconded by Mr. Reeder.

Vice Chairman Cain asked if there was any discussion.

Mr. Adams reported that the county had originally proposed to the CPST Commission a 3.3 million dollar project concerning renovations at the Detention Center. Of this amount, 1.2 million would have been for increased capacity. Right now, we do not have a capacity issue but we wanted the jail to last for another 10 years. The state is requiring us to make minimum repairs totaling 1.6 million. The CPST Commission included the 1.6 million in the penny sales tax ballot with the understanding that there be no tax increase to deal with the jail issues. To address their concerns, staff would like to offer an amendment to strike references to 2.1 million in this ordinance and insert 1.6 million dollars. Any amount exceeding this total will come from the county's fund balance and not by raising current year property taxes.

Mr. Hipp motioned to strike references to 2.1 million and insert 1.6 million; seconded by Mr. Waldrop. The vote was unanimous for the amendment.

Having received no further discussion, the motion passed unanimously to approve third reading of Ordinance #04-05-16 as amended.

4. ***Ordinance #04-08-16: 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 one and thirty-nine hundredths (1.39) acres real estate parcel designated as TMS Parcel No. 340-1-38 from Single Family Residential (RS-3) to General Commercial (GC).***

Vice Chairman Cain declared this the Public Hearing.

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

Mr. Waldrop motioned to approve third reading of Ordinance #04-08-16; seconded by Mr. Reeder. The vote was unanimous.

5. ***Ordinance #04-06-16: An Ordinance to provide appropriations for the fiscal year beginning July 1, 2016, and ending June 30, 2017, for the Newberry County budget for county ordinary purposes and for other county purposes for which the county may levy a tax and receive revenues; to provide for the levy of taxes on all taxable personal and real property in Newberry County for all county purposes, including sufficient tax to pay the principal and interest on outstanding indebtedness of Newberry County payable during said fiscal year; to provide for matters relating to Newberry County; and to provide for the expenditure of said taxes and other revenues received by the county during said fiscal year, and to provide for borrowing in anticipation of tax collections by the issuance of one or more tax anticipation notes, if necessary.***

Mr. Hipp motioned to approve second reading of Ordinance #04-06-16; seconded by Mr. Waldrop.

Mr. Adams reported that this is second reading of the FY16/17 budget; balanced at \$23,871,762.00. A budget work session is scheduled for May 23, 2016 at which time there will be discussions of amendments. Some amendments are proposed on the agenda tonight; however, Council may include them with others at third reading or take them up tonight.

Mr. Hipp motioned to defer the amendments to third reading because we will have a work session between now and then; seconded by Mr. Waldrop. The vote to defer the amendments was unanimous.

Having received no further discussion, second reading of Ordinance #04-06-16 was approved unanimously.

6. ***Ordinance #04-07-16: An Ordinance to provide appropriations for the fiscal year beginning July 1, 2016 and ending June 30, 2017, for Newberry County Library, Piedmont Technical College and the Newberry Agency for Disabilities and Special Needs; to provide for the levy of taxes on all taxable personal and real estate properties in Newberry County for said purposes; to provide for the expenditure of said taxes and other revenues received by the county during said fiscal year for said purposes.***

Mr. Reeder motioned to approve second reading of Ordinance #04-07-16; seconded by Mr. Hipp.

Vice Chairman Cain asked Mr. Adams to report on this ordinance.

Mr. Adams stated that this ordinance will fund the Newberry County Library, Piedmont Technical College and Newberry Agency for Disabilities and Special Needs for FY 16/17. It is balanced at \$862,262.00 and will be discussed at the budget work session on May 23, 2016.

Mr. Hipp commented that PTC made a presentation at which time they gave us information on all county funding levels. He asked is staff recommend PTC's request for an increase in funding or will it be addressed at the work session.

Mr. Adams responded that staff is not recommending any changes; Newberry County was among the strongest counties in the seven county region in terms of funding Piedmont Tech at the required formula levels.

Having received no further discussion, second reading of Ordinance #04-07-16 was unanimously approved.

7. ***Resolution #08-16: A Resolution calling for the Foxbriar STD Creation Election***

Jay Tothacer, County Attorney, reported that we had called for an election to be held on April 12, 2016; however, upon further review, the advertising was not sufficient to meet the statutory requirements. Staff is recommending that we hold a new election date of June 21, 2016.

Mr. Waldrop motioned to approve Resolution #08-16; seconded by Mr. Reeder. The vote was unanimous.

8. ***Resolution #09-16: A Resolution honoring the efforts of RSVP Volunteers in Newberry County***

Mr. Adams read Resolution #09-16 into the record:

“WHEREAS, the Retired and Senior Volunteer Program (RSVP) is a program of the Corporation for National and Community Service for persons 55 and older who are looking to positively impact their community; and

WHEREAS, RSVP in Newberry County, operating under the auspices of Senior Resources in Columbia, SC, is comprised of nine active stations and 125 volunteers; and

WHEREAS, between April 1, 2015, and March 31, 2016, RSVP volunteers in Newberry County provided more than 10,000 hours of service in numerous capacities, including assistance to nursing homes, medical facilities, food banks, charitable entities, homeless persons, homebound seniors, and veterans; and

WHEREAS, a recognition program will be held on May 6, 2016, at Colony Evangelical Lutheran Church to honor the many important efforts of these volunteers; and

WHEREAS, Newberry County Council also desires to recognize RSVP of Newberry County and its volunteers, who give selflessly of their time for many important community causes.

NOW, THEREFORE BE IT RESOLVED THAT NEWBERRY COUNTY COUNCIL CONGRATULATES THE RSVP VOLUNTEERS AND EXPRESSES APPRECIATION FOR THE ORGANIZATION’S EFFORTS IN THE PAST YEAR.

AND BE IT FURTHER RESOLVED, that this Resolution shall be published in the official minutes of Newberry County Council, and that a framed copy shall be presented to the organization at the May 6, 2016, recognition program.”

AND IT IS SO RESOLVED this 4th day of May, 2016.

Mr. Hipp motioned to approve Resolution #09-16; seconded by Mr. Stockman. The vote was unanimous.

9. *Proclamation designating May 15, 2016 as Peace Officer’s Memorial Day*

Mr. Adams read Peace Officer’s Memorial Day Proclamation into the record:

“WHEREAS, The Congress and President of the United States have designated May 15, 2016, as Peace Officers’ Memorial Day; and

WHEREAS, the members of the law enforcement agencies of Newberry County play an essential role in safe guarding the rights and freedoms of the citizens of our community; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement officers, and that law enforcement officers recognize their duty to serve the people of this community, by protecting them against violence and disorder; and

WHEREAS, the law enforcement officers of Newberry County unceasingly provide a vital public service;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that the County Council of Newberry County directs that all flags on County buildings be flown at half-staff on May 16, 2016, in recognition of Peace Officers' Memorial Day and in memory of those law enforcement officers, who through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and to honor those law enforcement officers presently serving the community."

Mr. Reeder motioned to approve Peace Officer's Memorial Day Proclamation; seconded by Mr. Hipp. The vote was unanimous.

10. *Appointments*

Mr. Stockman nominated Kathy Eargle for an appointment to the Recreation Commission; seconded by Mr. Waldrop. The vote was unanimous.

11. *Committee Reports*

a. Public Safety and Courts 4/25/16

Tommy Long, Emergency Services Coordinator, reported that the committee met on April 25, 2016 and the only item of discussion was the noise ordinance. The owner of Buffalo Creek and his attorney requested that the noise ordinance be reviewed. The committee forwarded this request to staff for further review.

b. Public Works and Planning 5/2/16

Mike Pisano, Public Works Director, reported that the committee met on May 2, 2016 and the following items were discussed:

- Update on FEMA reimbursements from the October flooding
- Update on Old Jollystreet Bridge
- Status of scale replacement at Transfer Station
- Ron Powell gave an update on the new proposed Zoning Ordinance
- Under public comments, residents of Coggins Road and Fawn Court at Lake Greenwood requested acceptance of their roads into the county system. This item was differed to the August meeting.

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

No comments.

13. *Executive Session*

a. §30-4-70(a)(1) SC Code of Laws: Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client

has the right to demand that the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.

Executive Session deleted from agenda.

14. *Comments/Request from County Administrator*

No comments.

15. *Comments/Request from Council Members*

Mr. Hipp encouraged County Council to attend the Toast of the Town next Tuesday which is our annual event for recognizing our local industry.

16. *Future Meetings*

- a. Personnel and Intergovernmental Relations – 5/16/16 @ 6:00 p.m.
- b. County Council – 5/18/16 @ 7:00 p.m.
- c. Budget Work Session – 5/23/16 @ 7:00 p.m.

17. *Adjournment*

Chairman Livingston declared the meeting adjourned at 7:26 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council