



**NEWBERRY COUNTY COUNCIL  
MINUTES  
AUGUST 17, 2016**

Newberry County Council met on Wednesday, August 17, 2016, 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**  
                  **Scott Cain, Vice Chairman**  
                  **Bill Waldrop, Councilman**  
                  **Leslie (Les) Hipp, Councilman**  
                  **Steve Stockman, Councilman**  
                  **Kirksey Koon, Councilman**  
                  **Travis Reeder, Councilman**  
                  **Wayne Adams, County Administrator**  
                  **A.J. Tothacer, County Attorney**  
                  **Laurie Renwick, Clerk to Council**

**MEDIA:**     **Andrew Wigger, Newberry Observer**  
                  **Samie Truong, WKDK**

The meeting was duly advertised as required by law.

Chairman Livingston called the meeting to order.

Les Hipp led the invocation followed by the Pledge of Allegiance.

***1. Adoption of Consent Agenda***

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

***2. Additions, Deletions and Adoption of Agenda***

Vice Chairman Cain motioned to adopt the agenda as presented; seconded by Mr. Waldrop. The vote was unanimous.

### 3. *Newberry County Service Awards*

Chairman Livingston presented service awards to the following employees: Jessica Attaway, Sheriff's Office – 5 years; Kara Cannon, Economic Development – 5 years; Georgia Wardlaw, Clerk of Court's Office – 5 years (absent); John Fulmer, Sheriff's Office – 10 years and Crystal Waldrop, Purchasing Director – 15 years.

### 4. *Ordinance #07-12-16: 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 two and thirty-nine hundredths (2.39) acres portion of a real estate parcel totaling fifty three (53.0) acres designated as TMS Parcel No. 55-1-1-3 from Rural (R2) to General Commercial (GC).*

Chairman Livingston declared this the Public Hearing.

Sam Ziady, a resident of Chappells, distributed paperwork to members of Council as well as to the developer of the property. He said this is a very prominent and visible site at the crossroads in Chappells which is the entrance to our county and supports a growing community at Lake Greenwood. He was requesting consideration of an enhancement to the exterior of the building, additional lighting, and improved landscaping to help with the image of this community.

Greg Googer with Patton Development addressed Council and stated that this was a location that Dollar General requested for the Chappells community. It is over a million dollar investment in the county and will bring 6-9 new full-time jobs with benefits and we are very excited about servicing this community. He said in rural areas like this, there is no extra in the budget for extensive upgrades; however, they can try to make it as pretty as possible with lighting and landscaping. He said they have done somethings in other areas to try to blend with the community.

Mr. Hipp asked Mr. Googer how committed they are to putting an aesthetically pleasing front facade because it is a beautiful crossroad in Chappells.

Mr. Googer said they would not be able to enhance all four sides but could look at the front façade; maybe making it brick instead of block to make it blend as much as possible.

Mr. Hipp asked if we could incorporate that commitment into the licensing phase of that construction.

Ron Powell responded that they can certainly look at it when they do the plan review for the building to see if it matches what Council would like to have.

Mr. Waldrop stated that this store will really help the Chappells community.

Mr. Reeder asked if they would be willing to meet with the Chappells community before construction starts.

Mr. Googer said they will be happy to meet with anyone; particularly those people that live immediately around the site.

Council requested that Mr. Googer meet with Mr. Ziady on the proposed enhancements.

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

Mr. Hipp motioned to approve third reading of Ordinance #07-12-16; seconded by Mr. Waldrop. The vote was unanimous.

5. ***Ordinance #07-13-16: 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 one (1) real estate parcel totaling three and four tenths (3.4) acres designated as TMS No. 404-41 from Light Industrial (LI) to Single Family Residential (RS3).***

Chairman Livingston declared this the Public Hearing.

Emory Lester stated that this property adjoins his business property on CR Koon Hwy. He shared his concerns about hearing gun shots from the surrounding area and felt if this property were zoned light industrial it would be less likely we would have incidents like we are having now. He said there are a lot of house trailers back there and this rezoning could add six (6) more to the equation.

Mr. Koon explained to Mr. Lester that this rezoning is to replace two trailers and no more will be added.

Mr. Lester said most of the gunfire that he hears is from a 22 semi automatic rifle and he is concerned about it as well as the customers that come to his business.

Chairman Livingston asked if the gun shots were coming from this property.

Mr. Lester said not necessarily this property but the adjacent property that already has family mobile homes.

Mr. Hipp asked Mrs. Peters if any contiguous land owners voiced objections during the zoning process.

Mrs. Peters responded that they had not.

Chairman Livingston asked if zoning had anything to do with if weapons could be fired.

Mrs. Peters stated that gun shots would be a Sheriff's Office issue.

Mr. Koon encouraged Mr. Lester to call the Sheriff's Office the next time he heard gunshots so they could investigate where it is coming from.

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

Mr. Koon motioned to approve third reading of Ordinance #07-13-16; seconded by Mr. Reeder. The vote passed by vote of 6-1; Mr. Waldrop opposed.

6. ***Ordinance #07-14-15: 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 portion of real estate parcel which comprises a total two and two tenths (2.20) acres (Parcels B and C) designated as TMS Parcel No. 464-2 from Single Family Residential (RS-1) to Single Family Residential (RS3).***

Chairman Livingston declared this the Public Hearing.

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

Mr. Koon motioned to approve third reading of Ordinance #07-14-16; seconded by Vice Chairman Cain. The vote was unanimous.

7. ***Ordinance #07-15-16: An Ordinance to create the Fox Briar Subdivision Special Tax District.***

Chairman Livingston declared this the Public Hearing.

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

Vice Chairman Cain motioned to approve third reading of Ordinance #07-15-15; seconded by Mr. Reeder. The vote was unanimous.

8. ***Ordinance #08-16-16: An Ordinance to repeal Newberry County Code Section 34.45 "Petty Cash Expenditures Revolving Fund" and to revise and restate the section to address affirmative action.***

Mr. Adams reported that this ordinance will strike reference to the "petty cash" fund and insert language to address affirmative action.

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

**9. Resolution #12-16: A Resolution to commission a Code Enforcement Officer for Newberry County pursuant to the authority granted in Section 4-9-145 of the Code of Laws of South Carolina, 1976 as amended.**

Vice Chairman Cain motioned to approve Resolution #12-16; seconded by Mr. Hipp. The vote was unanimous.

**10. Consideration of bids for Winding Jolly and Rollin Road Paving.**

Crystal Waldrop, Purchasing Director, reported that staff received bids on these two roads on August 11, 2016 and we had two (2) responses; Satterfield Construction in the amount of \$232,405.00 and Lindler's Construction Company in the amount of \$269,140.75. She said staff would like to recommend the low bid from Satterfield which comes within the County Transportation Committee's budget of \$251,650.00.

Mr. Koon motioned to approve bid from Satterfield Construction in the amount of \$232,405.00; seconded by Vice Chairman Cain. The vote was unanimous.

**11. Consideration of bids for Wessinger and Sexton Road Paving.**

Crystal Waldrop, Purchasing Director, reported that staff received bids on these two roads on August 11, 2016 and had two (2) responses; Satterfield Construction in the amount of \$123,739.00 and Carroway Construction in the amount of \$242,615.00. She said staff would like to recommend the low bid from Satterfield which comes within the County Transportation Committee's budget of \$129,549.00.

Vice Chairman Cain motioned to approve the low bid from Satterfield Construction in the amount of \$123,739.00; seconded by Mr. Reeder. The vote was unanimous.

**12. Appointments**

No appointments.

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

Larry Dehart commented that several people have contacted him about the hold up on the completion of the new fire stations. He said it was his understanding that these were projects in the last one cent tax money that were held over until appropriated. We are now asking for more money on the new sales tax and there is opposition in these areas where these buildings are not being completed.

Vice Chairman Cain invited Mr. Dehart to the Public Works and Planning Committee meeting on Monday where the committee will be updated on the construction of all county buildings.

**14. Executive Session**

No Executive Session.

**15. Comments/Request from County Administrator**

Mr. Adams reported that the penny sales tax catalog of projects is now on the county's website. He encouraged anyone interested in information on these projects to view the website.

**16. Comments/Request from Council Members**

Mr. Reeder commented that this is an election season and asked folks to leave the campaign signs alone regardless of how you feel about a candidate.

Mr. Koon recognized Mrs. Betty Accord, a volunteer for many years at Newberry County Memorial Hospital, who passed away on July 22, 2016. He said she was a fine lady and used to be his mother-in-law.

Mr. Hipp thanked everyone for attending the meeting.

Chairman Livingston dittoed Mr. Hipp's comment and thanked the media for the job they do reporting county news.

**17. Future Meetings**

- a. Public Works and Planning Committee – 8/22/16 @ 7:00 p.m.
- b. Zoning Ordinance Work Session – 8/24/16 @ 7:00 p.m.
- c. County Council – 9/07/16 @ 7:00 p.m.

**18. Adjournment**

Chairman Livingston declared the meeting adjourned at 7:40 p.m.

**NEWBERRY COUNTY COUNCIL**

---

**Henry H. Livingston, Chairman**

**APPROVED:**

---

**Laurie N. Renwick, Clerk to Council**