



**NEWBERRY COUNTY COUNCIL
MINUTES
OCTOBER 19, 2016**

Newberry County Council met on Wednesday, October 19, 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
 Travis Reeder, Councilman
 Wayne Adams, County Administrator
 Laurie Renwick, Clerk to Council

ABSENT: **Kirksey Koon, Councilman**

MEDIA: **Andrew Wigger, Newberry Observer**

The meeting was duly advertised as required by law.

Chairman Livingston called the meeting to order.

Mr. Stockman 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*

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

3. *Personal Appearances*

a. Ike Byrd, AT&T – Presentation

Mr. Byrd reported that AT&T signed an agreement with Newberry County to designate the Mid-Carolina Park as AT&T fiber optic ready. He said this will give the county another tool to market the park. He presented Newberry County with \$110,000.00 check to be used to market the Mid-Carolina Commerce Park and the Mega-Site.

Chairman Livingston thanked Mr. Byrd for AT&T's continued partnership and the recognition they bring to Newberry County. Finding funding for our economic development infrastructure is a challenge and said he appreciated AT&T's efforts to help bring economic development to Newberry County.

Chairman Livingston deferred acceptance of the check presentation to Mr. Hipp, Economic Development Committee Chairman, and Mr. Farmer, ED Director.

4. *Resolution #15-16: A Resolution Honoring Senator Ronnie Cromer*

Mr. Adams read Resolution #15-16 into the record.

“WHEREAS, Senator Ronnie Cromer has declared his commitment to public policy that promotes a business-friendly environment that allows businesses to prosper and partner with Newberry County by investing in the County's economic development efforts; and

WHEREAS, Senator Ronnie Cromer has enacted legislation that supports these goals and, therefore, has demonstrated with such action his commitment to free-market principles and the well-being of individuals, families, and businesses of Newberry County and this State; and

WHEREAS, Senator Ronnie Cromer recognizes that private sector investment is an integral component for the advancement and improvement of our towns, cities, and counties in South Carolina; and

WHEREAS, Senator Ronnie Cromer has demonstrated a sustained commitment to understanding and assisting with the interests of the State's businesses and their desire to see the State grow and prosper;

NOW, THEREFORE, be it resolved that Newberry County proclaims Senator Ronnie Cromer to be a “Distinguished Advocate for Economic Development” in South Carolina and expresses appreciation for his outstanding leadership and dedication to education in Newberry County and across the State.

AND BE IT FURTHER RESOLVED, that this Resolution shall be published in the official minutes of the Newberry County Council and a framed copy of this Resolution shall be presented to Senator Cromer.

AND IT IS SO RESOLVED this 19th day of October, 2016.”

Mr. Hipp motioned to approve Resolution #15-16; seconded by Mr. Stockman. The vote was unanimous.

Mr. Hipp presented Senator Ronnie Cromer with the framed Resolution and thanked him for all he does for Newberry County and our economic development efforts.

Senator Cromer responded that the county caught him off guard. He said he thought he was invited to assist with the AT&T check presentation; he knew nothing about this. He thanked the county for the accolades.

5. *Consideration of bids for Courthouse Grounds Grading and Improvements.*

Ervin West, Facilities Manager, reported that the county received bids for the Courthouse grading on September 27th and the following were received:

Henry Chason Landscaping - \$66,120.00;
Martin and Son - \$72,800.00;
JRC Specialty - \$89,900.00.

He said the second lowest bidder, Martin and Son, made a preliminary protest based on the fact that the lowest bidder, Henry Chason Landscaping, was not licensed in the State of South Carolina as a contractor. Based on state code, staff concurs with Martin and Son and recommends that Council award the contract to Martin and Son; the lowest responsive bidder. Funds for this project will come out of the existing Courthouse remediation budget.

Mr. Waldrop motioned to approve low bid from Martin and Son in the amount of \$72,800.00; seconded by Mr. Reeder.

Mr. Hipp asked Mr. West if there a process for staff to have identified this internally without a protest.

Mr. West responded that Henry Chason did not have a CG license number written on our form. He said he referred this to the County Attorney and Administrator for review and his understanding was we do not have anything in place to reject just based on lack of this information; however, we do reject on other things such as a bid bond being require, which Chason did supply.

Mr. Hipp shared his concerns about one of our bidders identifying a code requirement that we did not stipulate and verify during the bidding process.

Mr. Adams responded that staff was concerned and questioned Mr. Chason by phone and he acknowledged that he did not have a license; and simultaneously his competitor raised the code section. The County Attorney investigated the matter and concurs with the code requirement of being licensed in the State of South Carolina. We do have a blanket statement that the selected contractor has to apply by all state and local regulations.

Having received no further discussion, the motion to approve bid from Martin and Son in the amount of \$72,800.00 passed unanimously.

6. *Consideration for bids for Public Works Salt Shed*

Mike Pisano, Public Works Director, reported the county received bids on September 30, 2016 for the construction of a rock salt storage shed at the Public Works Facility and the following bids were received:

Henley Construction - \$73,875.00;

JF Contractors - \$87,812.00;

JRC Specialty - \$105,000.00

He said staff requests that Henley be awarded the contract at \$73,875.00 as the lowest bidder and the only one under budget.

Vice Chairman Cain motioned to approve low bid from Henley Construction in the amount of \$73,875.00; seconded by Mr. Waldrop.

Mr. Waldrop shared his concerns about the cost of the salt shed and the need for such a building.

Mr. Pisano responded that the state supplier for rock salt is located in Ohio and if we have a storm, there is a 2-3 week lead time for delivery. He said we currently have about 30 tons of salt in the parking lot of Public Works covered with a tarp as required by DHEC; however, the salt has to stay dry.

Having received no further discussion, the motion to approve bid from Henley Construction in the amount of \$ \$73,875.00 passed unanimously.

7. *Consideration of Requests for Proposals for Information Technology Managed Services.*

Ervin West reported that Request for Proposals were advertised and staff received six proposals . The committee rated all 6 firms and the top three were interviewed. They were:

VC3 Communications scoring 89 out 100 points;

Encore - 81 out of 100; and

Gregory Technologies - 78 points out of 100.

Mr. West said the solicitation specified a three year pricing and contract period.

Mr. Adams reported on the departure of our IT Director, Dylan Snyder, and the fact that he was a single person department who did a great job for the county while he was here.

He and staff felt that an IT Managed Services Contract was a better deal for the county versus filling Mr. Snyder's position. We get the effects of specialized 24 hour monitoring and response for problems when we need that response; this is becoming a common arrangement among small and medium companies.

Mr. Adams reviewed the Requests For Proposal results with members of Council and gave a thorough comparison of the top three interviewed companies.

Vice Chairman Cain motioned to approve RFP from VC3; seconded by Mr. Waldrop. The vote was unanimous.

8. *Consideration of bids for Mid-Carolina Commerce Park Grading and Concrete Pad.*

Mr. Adams reported on the bid results and stated that Coogler Construction, Inc. was the low bidder in the amount of \$717,500.95; significantly lower than the budget amount of \$933,650.00 for this work. He said all of this is being funded through grants with the Department of Commerce and the electric cooperative and is due for completion in 60 days. He suspended the 10 day protest period for this bid because the county has an economic development prospect very interested in the property and the completion date of this work is non-negotiable.

Vice Chairman Cain motioned to approve low bid in the amount of \$717,500.95 from Coogler Construction; seconded by Mr. Reeder. The vote was unanimous.

9. *Appointments*

No appointments.

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

Mr. Donnie Berry signed up and addressed members of Council about his delinquent property taxes and his right to due process. He presented Council with a packet for review and continued to convey that the county was cutting off his right to due process under the 14th Amendment.

Chairman Livingston responded that last year Mr. Berry approached Council the day before the 5:00 deadline the next day and now has waited an entire year when he knew this was coming. He said Council will have our attorney review for validity and get back with him.

Mr. Berry asked Council for this in writing and if they could get back with him within two weeks prior to his property sells.

Mr. Adams indicated that the county was not going to get into an argument with Mr. Berry about legal processes and noted that the law in which he was referring applies to all citizens of Newberry County.

11. *Executive Session*

No executive session.

12. *Comments/Request from County Administrator*

No comments.

13. *Comments/Request from Council Members*

Mr. Hipp complimented Rick Farmer's children who recited the Pledge of Allegiance with much heart at the beginning of the meeting.

Chairman Livingston offered encouragement to Mr. Koon who was home battling flu like systems.

14. *Future Meetings*

- a. Governmental Association Meeting 10/24/16 @ 6:30 p.m. – Community Hall
- b. Economic Development Committee 10/25/16 @ 7:00 p.m.
- c. County Council 11/02/16 @ 7:00 p.m.
- d. County Council 11/16/16 @ 7:00 p.m.
- e. Personnel and Intergovernmental Relations Committee 11/21/16 @ 6:00 p.m.

15. *Adjournment*

Chairman Livingston declared the meeting adjourned at 7:50 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council