



**NEWBERRY COUNTY COUNCIL  
MINUTES  
SEPTEMBER 6, 2017**

Newberry County Council met on Wednesday, September 6, 2017, 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  
Bill Waldrop, Councilman  
Steve Stockman, Councilman  
Travis Reeder, Councilman  
Dr. Harriett Rucker, Councilwoman  
Wayne Adams, County Administrator  
A.J. Tothacer, County Attorney  
Laurie Renwick, Clerk to Council  
Debbie Cromer, Finance Director

**ABSENT:** Scott Cain, Councilman

**MEDIA:** Andrew Wigger, Newberry Observer

The meeting was duly advertised as required by law.

Chairman Livingston called the meeting to order at 7:00 p.m.

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

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

Vice Chairman Koon motioned to delay adoption of consent agenda to next meeting; seconded by Mr. Stockman. The vote was unanimous.

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

Vice Chairman Koon motioned to delete evaluations under executive session due to Mr. Cain's absence; seconded by Mr. Waldrop. The vote was unanimous.

Mr. Reeder motioned to adopt the agenda as amended; seconded by Vice Chairman Koon. The vote was unanimous.

3. ***Ordinance #07-18-17: An Ordinance approving the acquisition of certain property located in Newberry County; authorizing the transfer of certain real property; authorizing the execution and delivery of one or more license or lease agreements; authorizing the provision of a county grant and administration of a state grant; and other matters related thereto.***

Dr. Rucker motioned to approve third reading of Ordinance #07-18-17; seconded by Mr. Reeder.

Ray Jones reported that this ordinance will be the first in a series of several that will come before County Council related to the Samsung Project and deals with property related transfers and two different grants. He said there are many different pieces of property around the facility that Samsung occupies and they have indicated an interest in acquiring them. An aerial map has been included as part of the ordinance that identifies each piece of property that will ultimately comprise the Samsung facility or in some way be involved in the project. Mr. Jones said the county has been cautious in how it transfers property or allows Samsung to use the property until intentions have been fulfilled; however, it is our understanding there is a lot of activity going on in the building and they are trying to do everything they want to do. Without having full details, this ordinance enables the county to lease, license or transfer the properties to Samsung and grants the chairman and administrator the authority to work out the details of those agreements consistent with the goals of the project. The ordinance also authorizes the county to be the conduit for which the SC Department of Commerce Grant is administered and that the grant from Newberry County be available so dollars needed to support the project can be expended now.

Having no further discussion, the vote was unanimous to approve third reading of Ordinance #07-18-17.

4. ***Ordinance #08-19-17: An Ordinance enacting and adopting 2017 S-13 Supplement to the Code of Ordinances for the County of Newberry, South Carolina.***

Mr. Stockman motioned to approve second reading of Ordinance #08-19-17; seconded by Vice Chairman Koon. The vote was unanimous.

5. ***Resolution #10-17: A Resolution authorizing the extension of the term of the December 27, 1996, Lease Purchase Agreement by and between Newberry County, South Carolina, and Kraft Foods, Inc.***

Mr. Adams reported that this is referred to as a Lease Agreement because that was the way the FILOT Agreements were handled back then. The 1996 agreement with Kraft Foods, Inc., is expiring and we would like extend that by one year for two reasons. It will allow for negotiations of a new fee deal without a lapse and it will prevent a delay in the collection of property taxes in the current budget year.

Dr. Rucker motioned to approve Resolution #10-17; seconded by Mr. Reeder. The vote was unanimous.

6. ***Proclamation: A Proclamation declaring September 2017 “Recovery Month”***

Mr. Adams read Proclamation into record:

**“WHEREAS**, behavioral health is an essential part of health and one’s overall wellness; and

**WHEREAS**, the prevention of mental and/or substance use disorders works, treatment is effective, and people recover in our area and around the nation; and

**WHEREAS**, we must encourage relatives and friends of people with mental and/or substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

**WHEREAS**, an estimated 2,500 people in Newberry, South Carolina are affected by these conditions; and

**WHEREAS**, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), and Westview Behavioral Health Services (WBHS) invite all residents of Newberry, South Carolina to participate in National Recovery Month;

**NOW THEREFORE**, Newberry County Council, does hereby proclaim the month of September 2017 as **RECOVERY MONTH IN NEWBERRY COUNTY**

And call upon the people of Newberry to observe this month with appropriate programs, activities, and ceremonies to support this year’s Recovery Month and join the voices for recovery: Our Families, Our Stories, Our Recovery!

Adopted by Newberry County Council in meeting duly assembled in Newberry, South Carolina, this 6<sup>th</sup> day of September, 2017.”

Dr. Rucker motioned to approve Proclamation Declaring September 2017 “Recovery Month”; seconded by Mr. Reeder. The vote was unanimous.

**7. Consideration to Purchase Brush Cutter for Public Works in the amount of \$96,740.00**

Mr. Waldrop motioned to approve tractor and brush cutter in the amount of \$96,740.00; seconded by Mr. Reeder. The vote was unanimous.

**8. Consideration to Approve FEMA Funding in the amount of \$280,033.00 for Old Jollystreet Road Bridge**

Mr. Pisano reported that the old Jollystreet Road bridge was washed out in the 2015 flood and we just received approval from FEMA for the replacement of the bridge. They would not approve another timber bridge under current design standards so it will have to be replaced with concrete. The old bridge was a one lane bridge and the proposed plan is to replace it with a two-lane bridge; however, the FEMA funding will not cover the cost replacement which will be approximately \$400,000.00. We have \$374,447.00 in this year's budget so and we could be \$25,000.00 shy of that amount.

There was discussion among Council about the traffic flow and right of way issues on the road.

Dr. Rucker motioned to approve the FEMA funding and bid the project as a two-lane bridge; seconded by Vice Chairman Koon. The vote was unanimous.

**9. Appointments**

Dr. Rucker nominated Scott Bellows for an appointment to the Accommodations Tax Commission representing the Public Sector; seconded by Mr. Reeder. The vote was unanimous.

Vice Chairman Koon nominated Misty West for reappointment to the Airport Commission; seconded by Mr. Waldrop. The vote was unanimous.

Vice Chairman Koon nominated Aubrey Horne, Sr. representing St. Phillips for reappointment to the Board of Rural Fire Control; seconded by Mr. Waldrop. The vote was unanimous.

Vice Chairman Koon nominated Bert Lucas representing Prosperity for reappointment to the Board of Rural Fire Control; seconded by Mr. Waldrop. The vote was unanimous.

Vice Chairman Koon nominated Adam Crouch representing Prosperity for reappointment to the Board of Rescue Squads; seconded by Mr. Waldrop. The vote was unanimous.

Vice Chairman Koon nominated Joe Trainor for reappointment to the Newberry County Memorial Hospital Board; seconded by Mr. Stockman. The vote was unanimous.

Vice Chairman Koon nominated Rev. James Williams for reappointment to the Disabilities and Special Needs Board; seconded by Mr. Stockman. The vote was unanimous.

Vice Chairman Koon nominated Anna Kay Coleman for an appointment to the Library Board; seconded by Mr. Reeder. The vote was unanimous.

Vice Chairman Koon nominated George Piersol for reappointment to the Piedmont Technical College Board; seconded by Mr. Waldrop. The vote was unanimous.

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

No public comments.

**11. Executive Session (if needed)**

a. Section 30-4-70 (a)(1) of the South Carolina Freedom of Information Act: Discussion of matters related to the “employment” of the clerk to council and the county administrator, more specifically, to discuss the annual performance evaluations of these employees. – **DELETED FROM AGENDA; SEE ITEM #2**

b. Section 30-4-70 (a)(2) of the South Carolina Freedom of Information Act: Discussion of a possible amendment to a fee-in-lieu of tax arrangement with an existing industry in Newberry County, South Carolina.

c. Sections 30-4-70(a)(2) and (5) of the South Carolina Freedom of Information Act: Discussion regarding an economic development project known to Newberry County as Project New World and the possible extension of certain incentives to Project New World.

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

***EXECUTIVE SESSION [7:31 P.M. – 8:49 P.M.]***

Mr. Adams reported that Council met in Executive Session to discuss a possible amendment to a fee-in-lieu of tax arrangement with an existing industry and no action was taken. There was also discussion of possible incentives for Project New World and no action was taken on that matter either.

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

No comments.

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

Mr. Waldrop asked for thoughts and prayers for those in Florida affected by Hurricane Irma.

**14. *Future Meetings***

- a. Personnel and Intergovernmental Relations Committee – 9/11/17 @ 6:00 p.m.
- b. On the Move with Margaret 9/18/17 @ 9:00 a.m.
- c. County Council 9/20/17 @ 7:00 p.m.
- d. Economic Development Committee 9/25/17 @ 7:00 p.m.

**15. *Adjournment***

Chairman Livingston declared the meeting adjourned at 8:51 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Henry H. Livingston, Chairman**

**APPROVED:**

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