

**NEWBERRY COUNTY COUNCIL  
MINUTES  
APRIL 16, 2014  
7:00 P.M.**

Newberry County Council met on Wednesday, April 16, 2014, 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 Kitchen, 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. Adoption of Consent Agenda**

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

**2. Ordinance #03-04-14: An Ordinance to Amend Chapter 96 of the Newberry County Code of Ordinances relating to Animal Control matters.**

Mr. Cain motioned to approve third reading of Ordinance #03-04-14; seconded by Mr. Waldrop. The vote was unanimous.

3. **Ordinance #04-05-14: : 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 fifty-nine hundredth (2.59) acres real estate parcel designated as TMS Parcel No. 651-60 from Rural (R2) to General Commercial (GC).**

Mr. Hipp motioned to approve second reading of Ordinance #04-05-14; seconded by Mr. Stockman. The vote was unanimous.

4. **Ordinance #04-06-14: 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 (2.0) acres real estate parcel designated as TMS Parcel No. 5-3-101 from Single Family Residential (RS1) to Single Family Residential (RS1A).**

Mr. Hipp motioned to approve second reading of Ordinance #04-06-14; seconded by Mr. Cain. The vote was unanimous.

5. **Ordinance #04-07-14: An Ordinance to provide appropriations for the Fiscal Year beginning July 1, 2014, and ending June 30, 2015, 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. Adams reported that the operating portion of the budget is balanced at \$21,700,781.00 and the capital budgets are balanced at \$2,355,000.00 all of which were included in transmittal documents presented to the Finance Committee on Monday, April 7, 2014. He said there will be a Budget Work Session on Monday, April 21, 2014, at 6:00 p.m. to discuss all aspects of the proposed budgets.

Mr. Waldrop motioned to approve first reading of Ordinance #04-07-14; second by Mr. Cain. The vote was unanimous.

6. **Ordinance #04-08-14: An Ordinance to provide appropriations for the Fiscal Year beginning July 1, 2014 and ending June 30, 2015, for the Newberry County Library, Piedmont Technical College and the Newberry Agency for**

**the 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. Adams reported that this Ordinance will provide \$403,881.00 for the Newberry County Library System, \$397,132.00 for Piedmont Technical College, and \$22,606.00 for the Newberry County Disabilities and Special Needs.

Mr. Caldwell motioned to approve first reading of Ordinance #04-08-14; seconded by Mr. Cain. The vote was unanimous.

**7. Consideration of Request for Proposal for Cleaning of Record Books for Clerk of Court's Office**

Mrs. Waldrop reported that they received one proposal from ECS Conservation for the cleaning of approximately 765 volumes of court related documents. The Clerk of Court has checked references and she is comfortable with ECS doing the work and has suggested that the balance of 1V-D funds remaining at the end of the year be used for the book cleaning.

Mr. Hipp motioned to approve the proposal from ECS; seconded by Mr. Cain.

Chairman Livingston asked if there was any discussion.

Mr. Koon asked Mrs. Bowers which records were included in this proposal.

Mr. Bowers responded that these were deed and mortgage records, financial statements, and indexes.

Mr. Koon commented that some of our records are at the SC Department of Archives and History but they do not like to accept records postdating 1950. He asked Mrs. Bowers if these records could be put on microfilm.

Mrs. Bowers said it would be more expensive to have them microfilmed.

Having no further discussion, the vote was unanimous to approve the proposal from ECS for cleaning record books in the Clerk of Court's Office.

Mrs. Bowers requested that the 1V-D funding (\$80,000-\$100,000) be turned over to the county at the end of the year to be used for the book cleaning and the restoration of the Courthouse.

**8. Consideration of Bids for Whitmire Fire Department Improvements**

Mrs. Waldrop reported that they received three (3) bids and W.E. Baker & Sons was the apparent low bidder in the amount of \$94,219.00.00. Mr. West asked members of the fire department to remove some items as the bid was over budget. After some value engineering, the bid amount was reduced to \$86,400.00 which still leaves a shortfall of \$7,580.00.

Mr. Michael Thomas, Whitmire Fire Department Chief, thanked Council for considering and budgeting for the renovations to the fire department. He said they are just trying to get the building up to code because it is also used as a voting precinct. The members of the fire department are going to do some of the work to offset the cost and save the county money.

Mr. Cain motioned to approve the bid of \$86,400.00 with the \$7,580.00 shortfall coming from contingency; seconded by Mr. Waldrop. The vote was unanimous.

**9. Consideration of 3<sup>rd</sup> Quarter Appropriation (FY14/14 Proviso) for Library in the amount of \$5,625.00**

Mr. Sam Ziady, Library Director, reported on the Summer Reading Program and the Little Learner Program at the Newberry County Library. He stated that they were very pleased with the new computer lab addition at the Whitmire Library. He said Adult Ed is currently offering GED classes to 16 students at the Whitmire Library. He said they appreciated Councils support.

**10. Appointments**

No appointments.

**11. Committee Reports**

No committee reports.

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

Mr. Charles Allen, Silverstreet resident, introduced himself and shared his concerns about Jacksonville Lane and the need for it to be serviced. He said four (4) families live on the road and the last time it was serviced was in September of 2010. He was told that the road was taken out of the county road system.

Chairman Livingston asked Mr. Allen to meet with the County Administrator the next day to discuss the options available.

**13. Executive Session**

Chairman Livingston reported that Council would like an Executive Session pursuant to the following:

- a. §30-4-70(a)(5) SC Code of Laws: Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.
- b. §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.

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

***EXECUTIVE SESSION [7:22 p.m. – 8:42 p.m.]***

Mr. Adams reported that Council met in Executive Session to discuss two matters. The first was an Economic Development matter and no action was taken by Council in that session. The second was a personnel matter to evaluate the job performance of the County Administrator and the Clerk to Council.

Chairman Livingston reported that the county is well served by the Administrator and the Clerk to Council. He said Council appreciates all that they do for the county.

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

No comments.

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

All of members of Council wished everyone a Happy Easter.

**16. Future Meetings**

- a. Budget Work Session 4/21/14 @ 6:00 p.m.
- b. Public Safety and Courts Committee 5/05/14 @ 6:00 p.m.
- c. County Council 5/07/14 @ 7:00 p.m.
- d. Public Works and Planning Committee 5/12/14 @ 6:00 p.m.
- e. County Council 5/21/14 @ 7:00 p.m.

**17. Adjournment**

Chairman Livingston declared the meeting adjourned at 8:45 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Henry H. Livingston, III, Chairman**

**APPROVED:**

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