

**NEWBERRY COUNTY COUNCIL  
MINUTES  
July 19, 2023**

Newberry County Council met on Wednesday, July 19, 2023, at 6:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

Notice of the meeting was duly advertised, as required by law.

**PRESENT:** Todd Johnson, Chairman  
Les Hipp, Vice Chairman  
Mary Arrowood, Council Member  
Karl Sease, Council Member  
Robert N. Shealy, Council Member  
Johnny Mack Scurry, Council Member  
Travis Reeder, Council Member  
Jeff Shacker, County Administrator  
Karen Brehmer, Deputy County Administrator  
Debbie S. Cromer, Finance Director

**Absent:** Joanie Winters, Interim County Attorney

**MEDIA:** Orion Griffin, Newberry Observer

Mr. Johnson called the meeting to order at 6:00 p.m. and determined a quorum to be present.

Ms. Arrowood led the invocation followed by the Pledge of Allegiance.

**1. Adoption of Consent Agenda**

**a. Newberry County Council Meeting Minutes – June 21, 2023**

Mr. Shealy made the motion to accept the minutes as submitted, which was seconded by Mr. Scurry and then unanimously approved.

## 2. Additions, Deletions & Adoption of the Agenda

Mr. Hipp made a motion to adopt the agenda as presented, which was seconded by Ms. Arrowood and then unanimously approved.

## 3. Recognitions:

### a. Employee Service

i. Tommy Long	15 years	Public Safety
ii. Robert Alexander	25 years	Public Works
iii. Richard Attaway	10 years	Sheriff
iv. Corey Cook	10 years	Sheriff

Mr. Shacker recognized the above employees for their service to Newberry County.

Mr. Johnson stated that the employees are such an important part of Newberry County Government, and that Newberry County is fortunate to have such great and special employees.

### b. Resolution No 08-23 – A resolution honoring Council Member Mary Arrowood

Mr. Johnson read and presented the resolution as part of the official minutes.

All members of council thanked Ms. Arrowood for her hard work and dedication to the County. The council stated that Mary was always prepared.

Ms. Arrowood thanked the Council for the opportunity to serve. It was a hard decision, but she felt that it was the right decision.

**4. Presentations:**

- a. Newberry County Economic Development Strategic Plan - CEO Crystal Morphis, *Creative. It's a good thing.***

Mr. Rick Farmer introduced Crystal Morphis, CEO, Creative. A copy of the presentation is attached to the minutes and is part of the official minutes.

Ms. Morphis stated it was a pleasure to work with Rick and the County. She wanted to thank the Council for making the investment. She said, it was also a pleasure to work with the task force.

Mr. Johnson stated Council will have one more opportunity to review the plan before it is put on the agenda for adoption.

- 5. Ordinance No. 06-01-2023. An Ordinance authorizing the execution and delivery of a Fee-In-Lieu of Ad Valorem Taxes and incentive agreement by and between Newberry County, South Carolina, and Project Rubicon to provide for payment of a Fee-In-Lieu of Taxes; authorizing certain infrastructure credits; and other related matters.**

**a. Public Hearing**

Mr. Johnson declared the public hearing open. There being no one signed up to speak. Mr. Johnson then declared the public hearing closed.

**b. Third Reading**

Mr. Shealy made a motion for third and final reading, which was seconded by Mr. Hipp and then unanimously approved by council.

- 6. Resolution No. 09-23. A resolution amending the employee handbook of the County of Newberry to provide employee longevity awards and recognitions.**

Mr. Shacker stated that, if approved by council, this resolution would revise the current policy in place for the recognition of Newberry County employees for their years of service and would be retroactive to July 1. As proposed in the resolution, Newberry County would reward employees on every fifth (5<sup>th</sup>) employment anniversary with a certificate, pin, and a one-time longevity payment in the following amounts:

5 years	\$250.00
10 years	\$300.00
15 years	\$350.00
20 years	\$400.00
25 years	\$450.00
30 years	\$500.00 (max for years thereafter)

Mr. Reeder made a motion to approve the resolution, which was seconded by Mr. Sease, and then approved by a unanimous vote of County Council.

**7. Consideration and approval of proposals for on-call environmental testing services for CPST and potential county projects (RFP#2013-08) – Crystal Waldrop, Director of Purchasing**

Ms. Waldrop stated that the county received five (5) proposals for on-call environmental testing services for CPST projects and for other possible county projects. Those proposals were reviewed and ranked by an evaluation committee consisting of Mac Bartley, Ron Powell, and Crystal Waldrop.

The committee respectfully requested authorization to negotiate with two of the highest rated firms. Those two firms are EAS Professionals and ECS Southeast.

Mr. Hipp made a motion for staff to negotiate with the two firms. His motion was seconded by Mr. Shealy and then unanimously approved by County Council.

**8. Consideration and approval of proposals for on-call debris monitoring and debris removal management services (RFP# 2023-10) – Crystal Waldrop, Director of Purchasing**

Ms. Waldrop stated that the county received five (5) proposals for on-call debris monitoring and debris removal management services. Those proposals were reviewed and ranked by an evaluation committee consisting of Tommy Long, Mike Pisano, and Crystal Waldrop.

The committee respectfully requested authorization to negotiate with Thompson Consulting Company, which was the highest rated firm.

Mr. Hipp expressed concern that the Florida location of the recommended company may result in slower on-site mobilization for debris removal in the event of a disaster than a company located closer to Newberry. He asked if the location of the proposers was an evaluation criterion and if the evaluation committee is confident that the responsiveness of the recommended firm will meet the needs of the county should a disaster event occur.

Ms. Waldrop stated the location of the responding firms was not a criterion used to compare the proposals and that the evaluation committee feels that the recommended company, if needed, will meet expectations.

Mr. Sease asked if the County will be required to pay a retainer.

Ms. Waldrop responded that there is no fee to retain the services of the recommended firm because their services will be delivered only on an as-needed basis.

Mr. Shealy then motioned for approval of staff's recommendation. Mr. Scurry provided a second and the motion was approved unanimously by County Council.

**9. Consideration and approval of proposals for on-call debris removal and disposal services (RFP# 2023-11)- Crystal Waldrop, Director of Purchasing.**

Ms. Waldrop stated that the county received five (5) proposals for on-call debris removal and disposal services, which were reviewed and ranked by an evaluation committee consisting of Tommy Long, Mike Pisano, and Crystal Waldrop.

Southern Disaster Recovery, based in Greenwood, South Carolina, was the firm that received the highest ranking by the committee and was recommended for selection.

Mr. Sease made a motion to approve the recommendation of the committee and Mr. Scurry provided a second. County Council then approved the motion unanimously.

**10. Consideration and approval of proposals for engineering services for the Subertown Road/Gary Street, Whitmire, S.C. Sidewalk Project – CDBG Project #4-CE-22-09 (RFP# 2023-12)- Crystal Waldrop, Director of Purchasing.**

Ms. Waldrop stated Newberry County received three (3) proposals for engineering services for the proposed sidewalk project on Subertown Road and Gary Street, which will be funded with a Community Development Block Grant. The three engineers which responded to the RFP were AECOM, Rogers & Callcott and The Landplan Group. Their proposals were reviewed and ranked by an evaluation committee consisting of Gregory Sprouse (Central Midlands Council of Governments), Mike Pisano, and Crystal Waldrop.

The Committee requested that County Council allow staff to negotiate with the top-ranked firm AECOM.

Mr. Hipp made a motion authorizing staff to negotiate with the highest ranked architectural and engineering firm using a procedure that complies with state and federal guidelines for Community Development Block Grants. He added the caveat that if the negotiated fee exceeds the approved budget for project engineering services, staff must come back to council for approval of the higher amount and authorization to proceed with project design. The motion was then seconded by Mr. Shealy and unanimously approved by council.

**11. Consideration of a motion to authorize the County Administrator to execute a Memorandum of Understanding with Greenwood County, Laurens County, Greenwood Commissioners of Public Works, and Laurens County Water and Sewer Authority to jointly fund an update to the Lake Greenwood Master Plan.**

Mr. Shacker stated that Greenwood County approached the County about participating in this project several months ago and county staff are excited to do so. The total cost of the project, which the consulting firm Arnett-Muldrow is coordinating, is \$108,000. Greenwood County has requested that Newberry County fund \$5,000 of that cost, which is funded in the county's FY2023-2024 General Fund budget.

Mr. Sease motioned to authorize Mr. Shacker to execute the memorandum of understanding, which Ms. Arrowood seconded. The motion was then unanimously approved by County Council.

## **12. APPOINTMENTS**

### **a. Clerk to Council**

Mr. Sease made a motion to appoint Andrew Wigger to the position of Clerk to Council / Public Information Officer. Mr. Hipp provided a second. The motion was then unanimously approved.

### **b. Board of Rural Fire Control (Council District 2)**

Ms. Arrowood stated that she had received the resignation of Mr. Rodney Bedenbaugh from the Board of Rural Fire Control. She thanked him for his many years of service.

Ms. Arrowood then made a motion to appoint Mr. Paul Cromer to the Fire Board. That motion was seconded by Mr. Shealy and approved unanimously by County Council.

Mr. Johnson also thanked Mr. Bedenbaugh for his dedicated service.

### **c. Other Appointments if necessary and desired by Council.**

No other appointments were made by County Council.

### 13. PUBLIC COMMENTS

Mr. Gregg spoke about short-term rentals.

Mr. Gregg stated that they have a problem in his neighborhood on Lake Greenwood with short-term rentals, including those facilitated by Airbnb. He said that in his neighborhood they have three single-family residences which are currently being utilized as short-term rentals and that the residents of the neighborhood anticipate that two additional short-term rental uses will soon be established.

Mr. Gregg indicated that in his neighborhood short-term rentals are creating public nuisances related to noise, trash, and vehicular speeding, and that short-term renters are not familiar with state boating laws and regulations including the no wake buffers which must be observed by boaters when operating near docks.

Mr. Gregg requested that County Council consider limiting the ratio of short-term rentals within subdivisions and/or communities to no more than one (1) per one hundred (100) housing units. He also requested that short-term rentals be regulated and taxed like a business and made more specific reference to the application of state and local accommodations taxes, local business licensing, and building, fire and safety codes.

Mr. Gregg also requested that the Sheriff be given the authority to deem short-term rentals, when they create nuisance conditions, a nuisance business and to require their closure or to recommend their closure to County Council for consideration and action. them down or come to County Council and let me shut them down. Mr. Gregg also stated he would like to have an ordinance to say they are a business. Mr. Gregg stated he had also talked to Joe White regarding this situation.



Mr. Johnson stated that he also has received complaints concerning short-term rentals on Lake Murray and asked Mr. Shacker look into the problem and research solutions.

**14. EXECUTIVE SESSION:**

**a. Contractual Matter(a):**

- i. Discussion of matters related to lease agreement with Newberry Pistol Club pursuant to SC Code of Laws Section 30-4-70 (a)(2)

**b. Economic Development Matter (s):**

- i. Discussion of matters related to *Project Viking* pursuant to SC Code of Laws Section 30-4-70(a)(5)

Mr. Shealy moved to go into Executive Session for the above-stated reasons, which Mr. Reeder seconded. There being no discussion, Mr. Johnson called for the vote, which was unanimous.

**EXECUTIVE SESSION**

**7:08 PM - 7:32 PM**

Mr. Shealy motioned to return to open session; seconded by Ms. Arrowood. There being no discussion, Mr. Johnson called for the vote, which was unanimous.

**15. Ordinance No. 07-01-2023. An Ordinance for the purpose of leasing county property located as a part of the Fairgrounds Property (TMS No. 399-39-2) to the Newberry Pistol Club.**

**a. First reading**

Mr. Shealy made a motion this be first reading; seconded by Mr. Reeder. The motion was unanimous with Mr. Sease recusing himself.

**16. Resolution No 10-23. An Inducement Resolution committing to negotiate a Fee-In-Lieu of Ad Valorem Taxes agreement between Newberry County and Project Viking; identifying the project; and other matters related thereto.**

Mr. Hipp motioned for approval of the resolution, which was seconded by Ms. Arrowood. The motion was then unanimously approved by County Council.

**17. Ordinance No. 07-02-2023. An Ordinance authorizing the execution and delivery of a Fee -In-Lieu of Ad Valorem Taxes and incentive agreement by and between Newberry County, South Carolina, and Project Viking to provide for payment of a Fee-In-Lieu of Taxes, authorizing certain infrastructure credits; and other matters.**

**a. First Reading**

Mr. Hipp made a motion this be first reading. The motion was seconded by Ms. Arrowood; the motion was unanimous.

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

Mr. Shacker informed the council that:

- a. An overview of the first group of elements of the proposed Comprehensive Plan will be presented by the county's planning consultant Cheryl Matheny at the August 16<sup>th</sup> council meeting. Mr. Shacker indicated that staff will request that council consider approving the first group by motion and vote at the August 16<sup>th</sup> meeting with additional elements to follow at future meetings. Once all ten (10) elements have been presented to council and approved by motion, County Council will be asked to consider an ordinance to adopt the entire plan following a public hearing advertised in the newspaper a minimum of 30-days in advance of the date of the hearing. Additionally, staff will reach out to council to schedule a council work session with Cheryl Matheny to discuss the proposed future land use map, which will become a component of the land use element of the new comprehensive plan.

- b. The Greenwood Master Plan project will soon kick-off and that staff will keep council informed on progress.
- c. Newberry County Parks and Recreation has secured a Recreation Trails Program (RTP) from the S.C. Department of Parks, Recreation and Tourism to make improvements to Lynch's Woods Park. The project budget is approximately \$45,000 and is being managed by Parks and Recreation Director Jessie Long.
- d. Department Heads Rick Farmer, Jessie Long, Liz McDonald and Eric Nieto are coordinating the design of a new website for Newberry County government. As the design and layout of the site takes shape, staff will share it with council for feedback and suggestions.
- e. IT Director Eric Nieto has secured a new domain for the county's website and email. That domain is newberrycounty.gov. The .GOV domain provides enhanced security, is exclusively reserved for governmental entities, and is free-of-charge.
- f. Staff would like to begin the pursuit of the branding project, which would include the development of a county logo system and some branding. The project was budgeted by council in the non-departmental division of the FY2023-2024 General Fund budget.
- g. Staff has solicited and received proposals for architectural and engineering services for the 2022 CPST projects. Staff has also solicited proposals for construction management services. Those proposals are due back on July 26<sup>th</sup>. Staff is hopefully that a recommendation to award a contract for construction management services will be ready for council to consider at the August 16<sup>th</sup> meeting.

**19. COMMENTS/REQUESTS FROM COUNCIL MEMBERS**

Ms. Arrowood stated she enjoyed working with the Council.

Mr. Sease thanked staff for their teamwork and helping move the county in the right direction.

Mr. Shealy also thanked the staff and welcomed Andrew Wigger to the county.

Mr. Hipp stated he would like staff to look at the county's ordinances and bring recommendations to Council.

**20. FUTURE MEETINGS:**

- a. SCAC Annual Conference/Institute of Government–July 31–August 3, 2023,
- b. Finance Committee Meeting – August 14, 2023, at 6:00 p.m.
- c. County Council Meeting – August 16, 2023, at 6:00 p.m.
- d. County Council Meeting – September 6, 2023, at 6:00 p.m.

**21. ADJOURNMENT**

There being no further business, Mr. Shealy moved to adjourn; seconded by Ms. Arrowood. The vote was unanimous.

Mr. Johnson declared the meeting adjourned at 7:45 p.m.

**NEWBERRY COUNTY COUNCIL**



**Todd Johnson, Chairman**



**Debbie S. Cromer, Finance Director**

Minutes Approved: 8-16-2023