

NEWBERRY COUNTY COUNCIL

MINUTES

June 15, 2022

The Newberry County Council met on Wednesday, June 15, 2022, at 6:00 p.m. in Council Chamber 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, Chair (District 1)
Les Hipp, Vice-Chair (District 5)
Mary Arrowood, Council Member (District 2)
Henry H. Livingston, III, Council Member (District 3)
Johnny Mack Scurry, Council Member (District 6)
Travis Reeder, Council Member (District 7)
A.J. Tothacer, Jr., County Attorney
Christopher Inglese, County Administrator
Debbie S. Cromer, Finance Director
Jacquelyn R. Lawrence, Clerk to Council

ABSENT: Robert N. Shealy, Council Member (District 4)– (surgery)
Karen Brehmer – Deputy County Administrator – (vacation)

MEDIA: Andy Husk, Newberry Observer

Mr. Johnson called the meeting to order and determined a quorum to be present.

Mr. Livingston had the invocation followed by the Pledge of Allegiance.

1. Additions, Deletions and Adoption of the Agenda.

Mr. Hipp moved to adopt the Agenda as written; seconded by Mr. Livingston. Vote was unanimous.

2. Public Appearance:

Andy Husk from the Newberry Observer presented Mr. Johnson with an award for Best Local Politician.

Jessie Long, Director of Parks and Recreation presented a video and slides regarding a potential new exercise park for Newberry. The possible location would be in the Piedmont Tech area. The cost of the full project ranges from \$127,000 to \$157,000. There are grants available potentially. This project is only in the discussion phase currently. Council agrees that it is a great concept however, more information is needed.

Brenda Williams from Newberry County Memorial Hospital and Dr. Jerry Alewine from Newberry College presented a video regarding the Nursing BSN program and their partnership to hopefully have many of the students that graduate from the College to then be hired by the hospital.

3. Proclamation – Declaring June 19, 2022, as Juneteenth in recognition of the abolition of slavery in the United States of America.

Mr. Johnson read the Proclamation into the record. A copy of the Proclamation is attached hereto and incorporated herein.

After reading the Proclamation, Mr. Johnson then presented a framed Proclamation to the Juneteenth Committee.

Jackie Holmes, Committee Chairwoman, spoke regarding their thanks for Proclamation and invited everyone to attend the Juneteenth celebration on June 18, 2022 in Newberry.

4. Council to approve recommendations from the Accommodations Tax Committee – Tourism related and Promotional related

Mr. Reeder moved to approve the recommendation, seconded by Mr. Hipp. There being no discussion Mr. Johnson called for the vote. Vote was unanimous.

5. Ordinance No. 04-07-2022 - An Ordinance to provide appropriations for the fiscal year beginning July 1, 2022, and ending June 30, 2023, 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.

a. Third and Final Reading

Mr. Hipp move to adopt the third and final reading, seconded by Mr. Scurry. Mr. Johnson called for discussion amongst Council.

Mr. Reeder asked if anything had changed.

Mr. Livingston answered that nothing has changed within the budget but that there were somethings unforeseen that are of concern. The building permit procedure is something that has come to surface. For example, there is an increase in permits showing that a permit that was once a \$1000.00 will now be estimated to be \$3200.00. All permits based on the value of the build to now being based on the square footage.

Mr. Hipp asked to hear from the Building Department Director for further clarification.

Ron Powell spoke stating that the proposed increase is based upon the square footage at \$148 a square foot which the ICC (International Code Council) recommends. The hope is to come up with a number that will balance across the board. The Building Department is trying to come up with a standardized method to calculate permit fees. The Plan Review for residential housing also has a fee that is currently in an Ordinance but has not been put into action. That fee will need to start being paid when a permit is requested.

Mr. Johnson stated that this current budget should be passed and later an amendment can be done regarding these fees once more information has been presented.

Mr. Johnson stated that the additional change to the budget is that the copying fee is going up county wide from \$.35 to \$.50. As of July 1, 2022, all courthouse records will be on-line.

Mr. Johnson called for further discussion. With no further discussion the vote was called. Vote was unanimous.

Mr. Johnson abstained from portions of the budget regarding Law Track and WTH Technologies.

6. Ordinance No. 04-08-2022 - An Ordinance to provide appropriations for the fiscal year beginning July 1, 2022, and ending June 30, 2023, for Newberry County Library, Piedmont Technical College and the Newberry Agency for 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.

a. Third and Final Reading

Mr. Livingston moved to adopt the Third and Final reading, seconded by Mr. Hipp. With no further discussion Mr. Johnson called for the vote. Vote was unanimous.

7. Ordinance No. 05-17-2022 – An Ordinance acting on a request to amend the official zoning map established pursuant to the zoning Ordinance No. 12-24-01 as revised and amended by zoning Ordinance No. 6-11-16 and codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classification and districts so as to rezone one (1) real estate parcel totaling seven hundred and seventy-nine hundredths (.779) acres designated as TMS parcel no. 395-39 from RS – single family residential to R2 – rural.

- a. Second Reading

Mr. Reeder moved to adopt the Second Reading, seconded by Mr. Livingston. Mr. Johnson called for the vote. Vote was unanimous.

8. Ordinance No. 05-18-2022 - An Ordinance authorizing the expenditure of Capital Project Sales Tax funds and matters relating thereto. (2017 CPST Bonds)

- a. Second Reading

Mrs. Arrowood moved to adopt the Second Reading, seconded by Mr. Livingston. Mr. Johnson called for the vote. Vote was unanimous.

9. Consideration to accept bid from Satterfield Construction for road repairs of Scurry Island Road and Doc Hollow Way, in the Chappells area of Newberry County. Base bid is \$439,412.60.

Mike Pisano stating that bid pavement of the said roads. One bid was received for the paving. Typically, there would be more than one bid, however the current bidder has only changed minimally in their costs and presented a fair bid for the project. This project is financed by the CTC. The approval from SCDOT has already been received.

Mr. Livingston asked how does one know the difference between a State or County road?

Mr. Pisano stated that when a road goes from State to County, there should be sign that states “End of State Maintenance”. Each State Road should have route number sign.

Mr. Johnson asked for any further discussion. With no further discussion, Mr. Surry moved to accept the bid, seconded by Mrs. Arrowood. Mr. Johnson called for the vote. Vote was unanimous.

10. \$88,894 change order request for MCCPI – Road Extension – Alliance Engineering/Lindler Construction

Mr. Johnson stated that no action would be taken regarding this matter until after Executive Session. However, Council would hear from Kyle Clampitt from Alliance Engineering.

Kyle Clampitt, Alliance Engineering spoke regarding a change order request for an additional \$88,894 for MCCPI road extension and unforeseen retaining wall repairs. The current budget has \$304,000 remaining. The requested funds will come from that amount. Mr. Clampitt also stated that construction is currently on hold until this matter can be resolved.

11. Executive Session

Code Section §30-4-70 (a) of the Code of Laws of SC, as amended, 1976

- (1) 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 the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting names of the other employees or clients whose records are submitted for use at the hearing.
- (2) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.
- (3) Discussion of matters relating to the proposed location, expansion, or provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

Mr. Hipp moved to go into Executive Session to discuss the matters as set forth above; seconded by Mr. Reeder. Vote was unanimous.

EXECUTIVE SESSION
7:12 P.M. – 8:12 P.M.

Mrs. Arrowood moved to return to open session; seconded by Mr. Scurry. Vote was unanimous.

Mr. Johnson advised that Council went into Executive Session for the above stated purposes and no action was taken.

12. Adoption of Consent Agenda

a. Newberry County Council Minutes – June 1, 2022

Mr. Reeder moved to adopt the Consent Agenda; seconded by Mrs. Arrowood. Mr. Johnson called for the vote. Voting for the Adoption of the Consent Agenda Mr. Reeder, Mrs. Arrowood, Mr. Johnson, Mr. Scurry, Mr. Livingston. Mr. Hipp abstained due to his absence from the June 1, 2022, County Council Meeting.

13. Appointments

a. Economic Development Task Force –

1. Mr. Livingston nominated Jennifer Birochak, seconded by Mrs. Arrowood. Vote was unanimous.
2. Mrs. Arrowood nominated Buddy Johnson, seconded by Mr. Livingston. Vote was unanimous.
3. Mr. Hipp nominated Michelle Long, seconded by Mr. Reeder. Vote was unanimous.
4. Mr. Johnson nominated Blake Roach, seconded by Mrs. Arrowood. Vote was unanimous.
5. Mr. Reeder nominated Jeff Wicker, seconded by Mr. Livingston. Vote was unanimous.
6. Mr. Scurry nominated Boyd Parr, seconded by Mr. Hipp. Vote was unanimous.
7. Due to Mr. Shealy's absence, Mr. Reeder gave the nomination for Kara Cannon, seconded by Mr. Livingston. Vote was unanimous.

b. Joint Planning Commission – Todd Johnson to appoint Tomekia Means

Mr. Johnson nominated Tomekia Means, seconded by Mr. Reeder. Vote was unanimous.

14. Public Comments

1. Joey Werts from 7034 St. Lukes Church Road, spoke regarding the fiberoptic services in his area. REA is 180 yards from the end of his driveway. The electricity is supplied by Duke power. The logistics of how the service could be

supplied is unknown but not having internet in the area causes many people issues. There is no ability to get services from AT&T or Verizon.

Mr. Inglese offered his card so that everyone takes his card so that he may direct them to the ORS website that uses a survey to see where the needs are.

2. Jane Hyman from Clara Brown Road spoke regarding the lack of internet service in the area. Being a schoolteacher, she must stay later at school to get her work done instead of being able to do the work from home where she could be with her family.
3. Madison Hyman from Clara Brown Road spoke regarding the difficulties of being a college student and not having internet. To download or turn in assignments she must drive to someone else's house so that the requirements can be turned in.
4. Jason Long from Colony Church Road reiterated what a struggle it is to not have internet access being a schoolteacher especially on the days when they are required to teach from home.
5. Grayson Long is a college student that is struggling to get his work done for school as well. Having to drive elsewhere to get internet access is time consuming and it takes much longer to get done what needs to be done.
6. Joe Steets spoke regarding the road safety issues on Bethel Church Road. Because the road is so narrow it makes it very difficult to maneuver the road especially when there is a vehicle coming from the opposite direction. He asked that this issue be investigated before someone gets hurt.
7. Randy Turner asked why the County Council gave money for internet to one area but did not allow money for any other areas.

Mr. Johnson explained that the area chosen was by the provider not from the Council and once the provider chooses another area the Council will help that area also. The concern is understood, and the Council will do all it can to advocate for service wherever a provider can install.

8. Myron Cantrell with MC Builders spoke regarding the increase in fees for building permits. Newberry County is one of the best counties to have to pull a permit. Ron Powell is a terrific inspector and is highly valued. The building department needs help. The contractors understand that there must be increases but such a large amount at one time is very difficult to handle. Comparing one square foot house to another square foot house is not really the fair way to increase. It would be much translucent to have the builder bring in the contract signed by the builder and the purchaser so that there is no question of how much the house is being built for. Also, the money from the permits is being put into the general fund. Those monies need to be going back to the Building Department so that they have the funds to get the help they need. Everyone understands increases but we just want to see it done in a fair way.

15. Comments/Request from County Administrator

Mr. Inglese stated that he hoped that everyone with the concern of the internet or lack there of will go onto the ORS website and fill out the survey so that needs are documented. The state is collecting the data by address and prioritizing based upon need. The data will help when the next round of grants come out.

Spartan Races will be coming to Newberry County July 30 – 31, 2022. It will be a 5k and 10k race. The races should bring in about 6000 – 8000 people to town. The races will include a neat obstacle course. It puts a fun spin on regular running races.

Lastly, thank you to Jay Tothacer for his 14 years of service to Newberry County. He has over 40 years of experience and he will be very difficult to replace. He will be retiring June 30, 2022.

16. Comments/Request from Council Members

Mr. Scurry thanked everyone for coming out. Thank you, Mr. Tothacer, for your service. Please keep Mr. Nick Shealy in your prayers.

Mr. Reeder congratulated Mr. Tothacer on his retirement. Thank you to everyone who put in work for the budget. Please come out and enjoy the Juneteenth Celebration.

Mrs. Arrowood thank all the work that has been put into the budget. The goal is to have fair budget and to hopefully keep taxes from being raised. Please keep Nick Shealy in your prayers. Congratulations to Jay on you're the retirement.

Mr. Livingston thanked Ron Powell for his department and the hard work. Putting impact fees on the track builders and let's see what we can do to help the builders with fees. Regarding the internet or lack thereof, please complete the survey so that the needs are documented. Keep Nick in your prayers. Good luck to Mr. Tothacer on the retirement.

Mr. Hipp agrees with what has been said but he reiterated thanks for all the budget work from everyone involved. Good luck to Mr. Tothacer with his retirement.

Mr. Johnson thanked the Auditor, Clerk of Court and the Assessor for their hard work. Good luck to Mr. Tothacer with his retirement. The budget is the most important act that the County does.

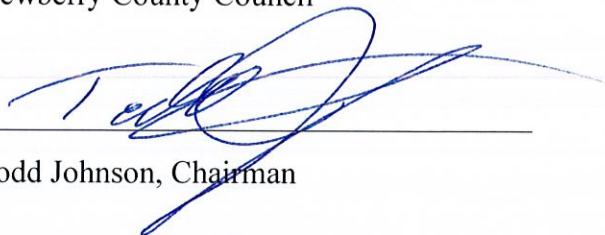
17. Future Meetings

18. County Council	7-6-2022	6:00 P.M.
19. Executive Committee	7-11-2022	6:00 P.M.
20. County Council Meeting	7-20-2022	6:00 P.M.

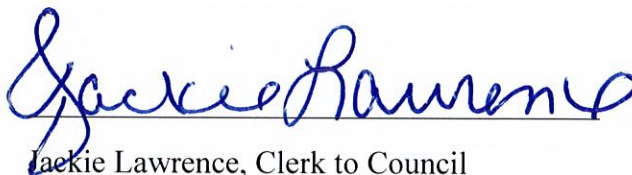
21. Adjournment

Mrs. Arrowood moved to adjourn the meeting, seconded by Mr. Hipp. Mr. Johnson called for the vote. Vote was unanimous. The meeting ended at 8:54 p.m.

Newberry County Council



Todd Johnson, Chairman



Jackie Lawrence, Clerk to Council

Minutes approved: July 6, 2022