

**NEWBERRY COUNTY COUNCIL
MINUTES
October 20, 2021, 6 p.m.**

The Newberry County Council met on Wednesday, October 20, 2021, at 6: p.m. for a regular scheduled meeting in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC 29108

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

PRESENT: Buddy Livingston, Chairman
Todd Johnson, Council Member
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Mary Arrowood, Council Member – zoomed
Johnny Mack Scurry, Council Member
A J. Tothacer, Jr., County Attorney
Les Hipp, Council Member
Karen M. Brehmer, Deputy Administrator
Tony McDonald, Interim County Administrator
Ben Chapman, Sheriff Dept
Katie Werts, Zoning Department
Ron Powell, Building Department
Katherine Cook, Human Resources
Pat Meetze
Recorder – Chuck

MEDIA: Andrew Wigger, Newberry Observer

Mr. Livingston called the meeting to order at 6 p.m.

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

1. Adoption of the consent agenda

Mr. Reeder made a motion to approve the consent agenda; seconded by Mr. Scurry. Vote was unanimous.

2. Additions, Deletions and Adoption of Agenda

Motion by Mr. Hipp to adopt the agenda as presented; second by Mr. Scurry. Vote was unanimous.

3. Employee recognition

- Alyson Jenkins, Probate – 5 years
- Amber Meza, Sheriff's Office – 5 years
- Wesley Blackburn, Sheriff's Office – 5 years
- Betty Boulware, Treasurer's Office – 10 years
- Jessica Attaway, Sheriff's Office – 10 years
- Lisa Davis, Sheriff's Office – 15 years
- Theresa Ammons, Sheriff's Office – 15 years

The above employees are recognized for their years of service.

4. Public Appearance

- a. Billy Morgan, Deputy Director of Workforce Development

Mr. Morgan requested Council appoint Steven Taylor to represent Newberry County on the Workforce Development Board.

Mr. Livingston stated that this appointment will be done at the end of the meeting.

- 5. Ordinance #10-24-21 – An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 30, 2016, so as to amend the zoning map acting on a request to amend the Official Zoning Map established, codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to rezone one (1) real estate parcel totaling eight and ninety-nine hundredths (8.99) acres designated as TMS Parcel No. 523-18 from RS-Single Family Residential to R2-Rural.**
 - a. Second Reading**

Mr. Reeder moved to approve second reading; seconded by Mr. Shealy. Vote was unanimous.

- 6. Ordinance #10-25-21 – An Ordinance amending the Zoning Ordinance of the County of Newberry adopted June 20, 2016, so as to amend the zoning map acting on a request to amend the Official Zoning Map established, codified in Chapter 153 of the County of Newberry Code of Ordinances, so as to rezone two (2) real estate parcels totaling thirteen and thirty-eight hundredths (13.78) acres designated as TMS Parcel No 27-13-44 and 27-13-47 from RS-Single Family Residential to R2 Rural.**
 - a. Second Reading**

Mr. Shealy made a motion to approve seconded reading, seconded by Mr. Scurry.

Mr. Livingston stated that we have six people signed up for public comments. Did Council want them to speak before the vote. It was the consensus of council to allow those signed up to speak.

First speaker was Dan Swenson and Danielle Himsey. A petition was presented to Council of twenty-one people who are not in favor of the rezoning. They had a concern with the smell and water pollution. The property has not been zoned agriculture use in a decade. They requested Council not approve the zoning change from RS-Single Family Residential to R2-Rural.

Second speaker was Donna and Bob Stafford. The Staffords have lived at 615 Cypress Point Drive for 12 years. They are concerned about the smell from a farm, pollution and the water runoff. They are hoping that this will not be approved.

Third speaker was Richard and Rebecca Bazzle. The Bazzles reside at 721 Cypress Drive since 1991. They oppose the rezoning. Concerned with the drainage issue on the property going into the lake. The home is a major investment and rezoning would devalue their property.

Council then had a motion and a second hearing. Discussion included. Mr. Hipp asked why the landowner was not present. Mr. Livingston stated that the public hearing would be at the next meeting, and they would wait until that meeting. Mr. Hipp stated he felt it should go to Public Hearing and third reading.

Mr. Johnson stated that his family had property on Holloway Cove. Mr. Johnson believes that the rezoning is inconsistent with the area. He was not in favor of the rezoning.

Ms. Arrowood stated that the land was platted as a subdivision. Ms. Arrowood believes that this would be going backwards.

After general discussion, the motion passed 5 to 2 in favor. Those in favor of the motion were Mr. Reeder, Mr. Livingston, Ms. Arrowood, Mr. Hipp and Mr. Shealy. Those opposed were Mr. Scurry and Mr. Johnson.

7. Resolution 09-21 - A Resolution adopting the All Natural Hazards Risk Assessment and Mitigation Plan for the Central Midlands Region of South Carolina.

Mr. Reeder made a motion to approve the resolution; seconded by Mr. Hipp. Vote was unanimous.

8. Resolution 10-21 – A Resolution to establish Newberry County Council’s Procedures and Criteria for considering and recommending projects to the Capital Project Sales Tax Commission for Inclusion in the 2022 Sales and Use Tax Ballot Questions.

Motion by Mr. Reeder to approve resolution; seconded by Mr. Shealy. Vote was unanimous.

9. Executive Session – part I

Code Section §30-4-70 (a)(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. Discussion of matters incident to proposed contractual arrangements, and related to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other business in the area served by the public body.

Mr. Hipp made the motion to go into executive session for the above referenced code section; seconded by Mr. Reeder. Vote was unanimous. Executive Session at 6:50 p.m.

At 7:15 p.m., Mr. Hipp stated that no action was taken in executive session.

Mr. Hipp made a position to approve first reading of Ordinance #10-26-21 – An Ordinance approving the transfer of certain property located in Newberry County, South Carolina. Mr. Reeder seconded the motion. Vote was unanimous.

Mr. Hipp made a motion to authorize and direct the County Administrator to proceed with the sale of TMS #397-26. Mr. Reeder seconded; motion was unanimous.

Executive Session – part II

Code Section §30-4-70 (a)(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 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. Hipp made a motion to go into executive session for Code Section §30-4-70 (a)(1); seconded by Mr. Scurry. Executive session at 7:18 pm.

Back into open session at 8:48.

Mr. Hipp reported that Council had went into executive session for Code Section §30-4-70 (a)(1); no action was taken.

10. Appointments

Mr. Hipp made the motion to appoint Mr. Steven Taylor to the Upper Savannah Workforce Development Board; seconded by Mr. Reeder. Vote was unanimous.

11. Public Comments

Pat Meetze had several questions about part one of the executive session regarding the Cavanaugh Tract. He wanted to know how many acres and what the property was zoned. He also asked if when the land was given to the county were there any restrictions on what it could be used for. He just wanted to make sure they considered his questions.

12. Committee/Requests from County Administrator

No comments from County Administrator

13. Comments/Request from Council Members

No comments from council members

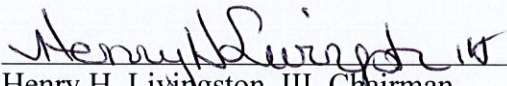
14. Future Meetings

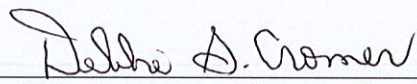
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|----------------------------------|------------|-----------|
| a. Public Works & Planning | 10-25-2021 | 6:00 p.m. |
| b. Personnel & Intergovernmental | 11-01-2021 | 6:00 p.m. |
| c. County Council | 11-03-2021 | 6:00 p.m. |

15. Adjournment

Meeting adjourned at 8:56 p.m.

NEWBERRY COUNTY COUNCIL


Henry H. Livingston, III, Chairman


Debbie S. Cromer, Finance Director

Approved: 12-1-2021