

**NEWBERRY COUNTY COUNCIL WORK SESSION
MINUTES
July 17, 2024**

Newberry County Council met on Wednesday, July 17, 2024, at 5:01 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a Work Session.

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

PRESENT: Robert Shealy, Vice-Chairman
Leon Fulmer, Council Member
Les Hipp, Council Member
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Karl Sease, Council Member
Jeff Shacker, County Administrator
Joanie Winters, County Attorney
Tommy Long, Emergency Services Director
Eric Nieto, I.T. Director
Brandon Wicker, Emergency Services Coordinator
Andrew Wigger, Clerk to Council/PIO

MEDIA: Kelly Duncan, The Newberry Observer

ABSENT: Todd Johnson, Chairman

Mr. Shealy called the meeting to order at 5:01 p.m.

1. Discussion of proposed purchase of fire engine.

- Mr. Shacker gave an update to the council following a public safety meeting last week about a fire engine available, within

budget. He said a presentation was made to the committee about the purchase.

- Mr. Shacker said something they may want to look at doing is revising the Newberry County Purchasing Ordinance, put in place 20 years ago. He said there is language related to state contract purchasing that, in his opinion, is not ideal. He said his interpretation of the code is that it gives staff the authority to make a purchase, regardless of cost, when council has explicitly budgeted the item. However, he also recognizes that the proposed fire truck purchase is \$850,000 and is the largest single expenditure in this year's budget. He said the ideal thing would be to run that purchase through the council.
- Mr. Shacker said the Public Safety Committee approved the purchase of the truck; staff then provided information to the other members of council related to the purchase of the truck. He said that procedurally, everything was followed pursuant to the code. He said a purchase order was issued and they were able to purchase the truck for \$849,999, this includes the truck and loose equipment. The equipment plus contingency was about \$60,000. Purchasing the truck and equipment together limits the state sales tax to the \$500 cap.
- Mr. Shealy said the purchase is necessary and doesn't think one is enough, but he agreed they needed to move quickly.
- Mr. Hipp said he agreed, but as far as procedures are concerned, anytime they spend \$850,000, even if it is budgeted, the council needs to weigh-in on that expenditure. He said there are things such as, "did it go through the proper bidding process," or "other extenuating items in the county contract." He said he is not questioning anything, but it is interesting it came in one dollar under budget, which could have been a coincidence. He agreed to the purchase this time due to the time constraints, but in the future, staff needs to bring these kinds of purchases to council for approval.
- Mr. Shealy said if he is not mistaken, staff provided the vendor with a purchase order, but the county could back out if

necessary. Mr. Shacker indicated that the county can cancel the purchase, if need be, because a purchase agreement had not been entered into.

- For clarification, Mr. Shacker said the truck itself was \$788,848, an allowance for loose equipment and possible change orders totaled \$60,651, and sales tax of \$500 was applied. He said they may be able to bring the purchase below the price, depending on the loose equipment and change orders.
- Mr. Sease proposed a potential solution, they pass an ordinance that the council will vote in the last meeting in June to approve the purchase of the truck. He said that way the county will be one step ahead.
- Mr. Fulmer said he agrees, anything purchased that large needs council weigh-in in one way, shape or form of how they go about doing it. As an update, he said they heard from Mr. Long several months ago about the critical need for trucks and equipment, and they had an accident that took out one of the county's tankers, fortunately with no injuries. He said what they are discussing now is an engine, but in trying to shuffle around equipment they had a pumper go down, as well. He said they have an immediate need now.
- Mr. Hipp said he agrees, and he spoke with Mr. Shacker prior to the meeting, and they have too many vehicles on the lot to be serviced, including four ambulances. He said they have got to have their primary source of maintenance, but also backup maintenance facilities for when they have overload.
 - Mr. Shacker and Mr. Long said they are working on addressing that now.
 - Mr. Long said they have been working with shops who specialize in emergency vehicles. He said they have six trucks down on the fire side and four EMS trucks out of service. He said they are working on solutions to get the vehicles fixed quicker.
- Mr. Shealy said they may have to get creative with this year's budget as they are in a critical need area.

- Mr. Shealy asked if they are doing preventative maintenance, Mr. Long said they do but they have just had issues that were unforeseen.

2. Discussion of Safe Streets for All (SS4A) grant program and possible submission of funding request.

- Mr. Shacker said before they applied for a grant, he wanted to confirm this was something council wanted staff to pursue. The Safe Streets for All program is a federal program that provides \$1 billion in funding annually. He said there are two types of grants that can be pursued. One is a planning grant that could be used to develop a plan to address road safety in the community. He said it would be a steppingstone to receive funding for implementation, which is the second type of grant that can be pursued.
- Mr. Shacker said that this is an 80/20 program. A \$300,000 project would require matching funds of \$60,000. He said there are a couple of options in terms of matching, one being cash and the other is allowing the local government to match the grant in kind – such as through staff hours or the value of space provided for meetings.
- Mr. Shacker said if council is okay with pursuing this grant, staff would come back to council for formal approval prior to accepting the grant and moving forward with the project.
 - Mr. Shealy added that they could decline if they were awarded.
- Mr. Fulmer asked if staff would apply for a planning grant initially and, once a plan is developed, pursue grants to implement the plan. Mr. Shacker said that was correct and that the implementation of the plan and the pursuit of grants would be at county's discretion.

- Mr. Reeder said that the grant is something they should take advantage of, with Mr. Sease adding that if you can get funding to improve roads, might as well get our share of it.

3. Executive Session:

a. Contractual Matter(s):

- i. Discussion of matters related to the sale of real estate pursuant to SC Code of Laws Section 30-4-70(a)(2).

b. Legal Matter(s):

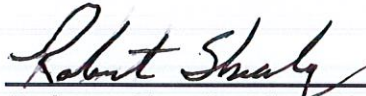
- i. Discussion of matters related to Newberry County's local floodplain management program and participation in the National Flood Insurance Program pursuant to SC Code of Laws Section 30-4-70(a)(2).

- Mr. Sease made a motion to go into Executive Session; Mr. Fulmer provided the second and the motion was approved 6-0.
- Council went into executive session at 5:33 p.m.
- At 6:06 p.m. Mr. Reeder provided a motion to come out of Executive Session; Mr. Sease provided the second and the motion was approved 6-0.

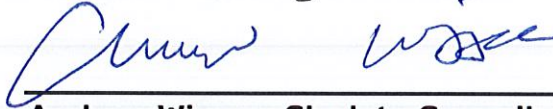
4. Adjournment.

- Mr. Scurry made a motion to adjourn; Mr. Reeder provided the second and the motion was approved 6-0 at 6:07 p.m.

NEWBERRY COUNTY COUNCIL



Robert Shealy, Vice-Chairman



Andrew Wigger, Clerk to Council

Minutes Approved: 08-01-2024