

NEWBERRY COUNTY COUNCIL WORK SESSION
MINUTES
March 5, 2025

Newberry County Council met on Wednesday, March 5, 2025, 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, Chairman
Karl Sease, Vice-Chairman
Leon Fulmer, Council Member
Todd Johnson, Council Member (virtually)
Johnny Mack Scurry, Council Member
Stuart Smith, Council Member
Jeff Shacker, County Administrator
Joanie Winters, County Attorney
Eric Nieto, I.T. Director
Andrew Wigger, Clerk to Council/PIO

ABSENT: Travis Reeder, Council Member

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

1. 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 zoning ordinance and land development regulations and the establishment of a temporary moratorium on the approval of residential subdivisions of five or more lots 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 carried 6-0. Newberry County Council went into Executive Session at 5:02 p.m.
 - Mr. Fulmer made a motion to come out of Executive Session; Mr. Smith provided the second and the motion carried 6-0. Newberry County Council came out of Executive Session at 5:40 p.m.
 - Mr. Shealy said Newberry County Council went into Executive Session for the aforementioned reasons and no action was taken.
2. Review and discussion of proposed revisions to the Land Development Regulations of Newberry County codified in Chapter 154 of the Code of Ordinances of Newberry County.
- Mr. Shacker discussed the Land Development Regulations, recapping past discussions and options Newberry County Council could take during the 6 p.m. meeting.
 - Mr. Shacker said there is a need to make a motion to bring it off the table at this meeting. He said there were three courses of action, one of which being they could vote it down. He said staff recommends considering either removing it from the table (a motion, second and a vote of council) and to approve second reading or, a vote to remove it from the table and a vote to postpone.
 - Mr. Shacker asked council if there was anything they'd like to see changed in the ordinance. He said he knows from past discussions that the Land Development Review Committee was of interest and that is a form of concurrency using a body of entities that need to be at the table to provide input.

- Mr. Shealy asked if they did pass second reading would that give staff the opportunity to make changes before third reading; to which Mr. Shacker answered in the affirmative.
- Mr. Fulmer asked based on comments at the last meeting, and discussions since then on several of these issues, did Mr. Shacker feel, if they did have second reading, that staff has enough time in order to address those questions and concerns. He said he did not want to put an overburden on staff in order to be scrambling to get back to us with answers. Mr. Shacker said he thinks staff could get that done for them before the March 19 meeting, but if Council did not object, they could do second reading on April 2, if staff needs a little more time.
- Mr. Shacker added that they have had a situation with a subdivision that is currently under construction where there is a significant amount of space between the back of the curb and sidewalk and there is some landscaping there and there is irrigation. He said they want language in this ordinance that would not allow irrigation systems in the public right-of-way.
- Mr. Sease said he'd like input from solid waste collection, even though that is under Public Works, to identify what kind of burden that would put on the county. He said in the Ordinance it discusses flag lots and at first it discourages flag lots and does the county want flag lots or to do away with them. He also said something in there about what effect the subdivision would have on the infrastructure for the whole county and how they are going to provide those services and pay for them.
- Mr. Fulmer said Ms. Winters discussed development agreements and if they could include that.
- Mr. Fulmer said this is not something they need to rush and if they need extra time, this is the time.
- Mr. Shacker said a motion to postpone the ordinance would give staff that time and they could come back with recommendations for the ordinance.
- Mr. Johnson asked Mr. Shacker to discuss the confusion during the last meeting and how this and the moratorium that will be considered at the 6 p.m. meeting are linked together. Mr. Shacker said some of

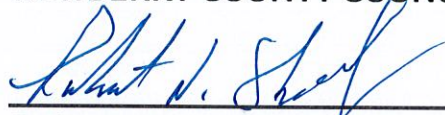
the confusion at the last meeting they encountered related to the proposed development on 773, and in actuality the Land Development Regulations are about standards, like the standards the roads have to be built to in a major subdivision, etc. The question with 773 was a zoning question, if it moves forward, rezoning would be necessary, and other zoning matters. The proposed moratorium applies to subdivisions of five lots or more with lots two acres or smaller in size. If the goal is to apply higher standards to subdivisions going forward, the moratorium would give them nine months to refine the ordinance and explore everything in the zoning ordinance.

- Mr. Fulmer asked Mr. Shacker if he thinks Council would be okay to make a motion to postpone, without setting an actual date. Mr. Shacker said he thinks that would be wise in this case. He said if they make significant changes they should send it back to the Joint Planning Commission for review.

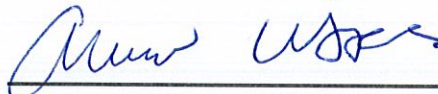
3. Adjournment.

- Mr. Smith made a motion to adjourn; Mr. Scurry provided the second and the motion carried 6-0.
- The Newberry County Council Work Session adjourned at 5:55 p.m.

NEWBERRY COUNTY COUNCIL



Robert "Nick" Shealy, Vice-Chairman



Andrew Wigger, Clerk to Council

Minutes Approved: 3-19-2025