

**NEWBERRY COUNTY COUNCIL
MINUTES
September 4, 2024**

Newberry County Council met on Wednesday, September 4, 2024, 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
Robert Shealy, Vice-Chairman
Leon Fulmer Jr., Council Member
Les Hipp, Council Member
Travis Reeder, Council Member
Karl Sease, Council Member
Jeff Shacker, County Administrator
Joanie Winters, County Attorney
Karen Brehmer, Deputy County Administrator
Captain Ben Chapman, NCSO
Debbie Cromer, Finance Director
Sheriff Lee Foster, NCSO
Donna Lominack, Auditor
Melinda Long, Deputy Auditor
Liz McDonald, Assessor
Eric Nieto, I.T. Director
Josh Rowe, Public Works Director
Andrew Wigger, Clerk to Council/PIO

ABSENT: Johnny Mack Scurry, Council Member

MEDIA: Kelly Duncan, The Newberry Observer

Mr. Johnson called the meeting to order at 6:00 p.m.

Mr. Sease led the invocation and Pledge of Allegiance.

1. Adoption of Consent Agenda:

- a. Newberry County Council Work Session – August 21, 2024.
- b. Newberry County Council Meeting – August 21, 2024.

- Mr. Shealy made a motion to accept the minutes as presented; Mr. Fulmer provided the second and the motion carried 6-0.

2. Additions, Deletions & Adoption of the Agenda.

- Mr. Shealy made a motion to accept the agenda as presented; Mr. Reeder provided the second and the motion carried 6-0.

3. Public Appearances:

- a. Newberry County Auditor Donna Lominack – Setting of 2024-25 Tax Levy.

- Prior to setting the 2024-25 tax levy, Ms. Lominack thanked Ms. Cromer for being an asset, she further thanked Ms. Brehmer, Ms. Karen Lindler Smith and Mr. Shacker for their expertise. She further thanked her staff members in the Newberry County Auditor's Office.
- Ms. Lominack announced the tax levy as follows:
Newberry County: General Fund 128.6 mills, General Obligation Bonds 2.2 mills, Community Services 6.2 mills.
Newberry County School District: General Fund 180 mills,

General Obligation Bonds 53 mills. This is for a total 2024 tax levy of 370 mills.

- Ms. Lominack announced the anticipated value of a mill as follows: County Purposes and Community Services \$174,190, School Purposes (Bonds) \$180,895, School Purposes (School Operating) \$118,466.
- Mr. Johnson said with next year being a reassessment year, he thinks they need to be proactive in their approach that people understand that reassessment is mandated by the state and several members of council agreed to a one-year extension due to staffing, but it will happen next year. He added that this is mandated by the state, and he renews the request that staff is very proactive in their approach to that.
- Mr. Reeder said he appreciates the job they do every year, and he knows next year will be a pretty tough year.

4. Resolution No 05-24. A Resolution Recognizing and Honoring K9 Coba for His Ultimate Sacrifice During the Pursuit of Justice in Newberry County.

- Mr. Hipp made a motion to accept the Resolution; Mr. Shealy provided the second and the motion carried 6-0.
- Mr. Fulmer thanked the members of SLED and the Newberry County Sheriff's Office for their service to South Carolina and specifically the residents of Newberry County. He said they wanted to recognize the sacrifice this K9 made in the line of duty.
- Mr. Hipp said this was a tragic loss and any loss of any law enforcement officer at any time in this country is tragic. He said what occurred in Georgia (earlier in the day), he cannot fathom how a 14-year-old has that much hate and that much anger and it is hard to believe. He said thank God that they have law enforcement out there putting their lives between innocent victims and evil people.

- Mr. Shealy said he echoes his co-councilmen, and Coba was not just a pet, but an officer and they lost an officer and that is a terrible day. He added his thoughts and prayers have been with them ever since.
- Mr. Sease thanked law enforcement for all they do to protect the residents of Newberry County and Coba was there that day to protect the other officers, to protect their lives.
- Mr. Reeder thanked all of the officers, and things like this happen too often and he does not know what the solution is going to be and even the youth doing things they have no business doing. He said most parents are handcuffed now due to laws they have, and they need to let parents punish their children. He said these types of things happen too often and his prayers are with them.
- Mr. Johnson recognized the members of SLED who were in the house that night. He said they are here today because of Coba's action and let us not cheapen their bravery for what they did that night, as well. He said they rushed into battle where many would run away, and they stood on the thin blue line, protecting society from those people who come like the enemy to kill, steal and destroy. He said while the legal system has failed you, this council, the community and every law-abiding citizen stands with them and all of law enforcement and public safety every day. He said they thank God for his amazing Grace that they are all safe and alive. He said they grieve at the loss of Coba, but they celebrate them and law enforcement and those in public safety. He said in a day where wrongly called athletes, movie stars and performers are called heroes, they stand tonight to say you gentlemen and ladies of law enforcement are the true heroes in South Carolina. He thanked them and said they applaud them for what they did that night as well.
- Sheriff Lee Foster recognized those from SLED in attendance. He said they could not do what they do here in Newberry County without the assistance of SLED and the

partnering with them and they are critical to their mission. He thanked Newberry County Council, staff and Mr. Shacker for recognizing these heroes tonight. He said this is important that this takes place because so many feel ill toward law enforcement and government. He said they need to recognize the people that suit up and run into the face of danger every day. Sheriff Foster said unfortunately, in this instance, the penalty for killing Coba is only five years. He said he considered Coba a law enforcement officer, he hopes the legislators will recognize that in the future as they have not. He said worst yet in this, for whatever reason, he does not understand, the person who killed Coba and shot at the officers with a shotgun, will not be charged with shooting at those officers. He said what they are doing today, is important to let them know they are appreciated. He then thanked the council on behalf of his staff and SLED.

- Chief Mark Keel, with the South Carolina Law Enforcement Division, thanked council for recognizing the work these men and women at SLED do. He said this is not an unusual sort of case they worked here; they are doing this job every day, putting their lives at risk. He said he is blessed as an agency head to have the people working for him of the caliber that they are. He said they love working with Newberry County and the sheriff is good to them and they are happy to work here in Newberry County. He said they will always be here for the residents of Newberry County.

5. Resolution No 07-24. A Resolution Committing the County of Newberry to Providing a Local Cash Match for a Community Development Block Grant to Fund Streetscape Improvements within the Whitmire Community.

- Mr. Reeder made a motion to approve the Resolution; Mr. Sease provided the second and the motion carried 6-0.

6. Ordinance No. 08-01-2024. An Ordinance authorizing the County of Newberry to sell real property identified as TMS 290-11 and described in Invitation for Bid No. 2024-4.

a. Third Reading

- Mr. Sease made a motion to accept Third Reading; Mr. Shealy provided the second and the motion carried 6-0.

7. Consideration of a motion to approve State Accommodations Tax (State A-Tax) funding recommendations of the Newberry County Accommodations Tax Advisory Committee (ATAC) – Ernie Shealy, ATAC Chairman

- Mr. Shealy announced the recommendation for Promotional-related funding:
 - Capital City Lake Murray (40%) \$11,088.
 - Newberry Chamber (45%) \$12,474.
 - Prosperity Business Assoc. (15%) \$4,158.
- For Tourism-related funding:
 - Little Mountain Reunion \$8,500.
 - Newberry Community Players \$600.
 - Newberry Law Enforcement Assoc. \$2,500.
 - Newberry Opera House \$17,500.
 - County of Newberry Parks and Rec. \$5,855.25.
 - Visitors Center \$10,900.
 - I2I Yard Sale \$300.
 - SC Bottle and Whitmire Museum \$4,113.
 - Prosperity Hoppin' \$5,000.
 - Shoppers Walk \$3,500.
 - The Newberry Museum \$9,000.

- Mr. Hipp made a motion to accept the recommendation as presented; Mr. Fulmer provided the second and the motion carried 6-0.

8. County Council may take action(s) on matters discussed during the 5:00 pm meeting.

- No action was taken.

9. Appointments.

- There were no appointments.

10. Public Comments.

- Mr. Forrest Byrd said he doesn't think he quite made his point during a previous meeting. He said he thinks they need to look over what Newberry County does with zoning and reevaluate how to approach it. He said the whole government was set up to secure the blessings of liberty for ourselves and prosperity. He said he listened to Mr. Hipp a couple of meetings ago about not having a neighbor with a loud chipper ruining the pleasure of your yard. He said free people can swing their arms around any way they want to, but you cannot hit someone else in the nose or impact someone else's freedom, so you have to balance swinging your arms around without impacting someone else's freedom. However, this does not mean you can tie someone's arms down and tell them they cannot swing their arms around. He said what it means is they cannot do stuff that comes into your body, your range or your

property. If they are making a lot of noise, it doesn't matter if it stays on their property, but if your noise is interfering with someone else on someone else's property, you cannot do that. He said you get to the point you are free people in a free country, but you tie people down and you can only do what is written down, this is all you permitted to do on your property, how is that free. He said the real issue is no one should be doing things that mess with someone else's property, but what someone does on their property they should be able to do as long as it does not bother someone else. He said he thinks it is that concept they are missing from a lot of their zoning rules. He said they need to look at the zoning rules and how they impact people's freedoms.

11. Comments/Requests from County Administrator.

- Mr. Shacker said they are making good progress in the finance department with the implementation of the new software, and they are targeting spring to early summer for implementation.
- He said the Capital Project Sales Tax projects are making progress.
- Mr. Shacker said council a couple months ago postponed the ordinance related to hen keeping to the second meeting in September. He said council did not specify which meeting and it is his recommendation they discuss this matter at the 5 p.m. meeting for consideration.

12. Comments/Requests from Council.

- Mr. Reeder said he appreciates what everyone is doing and is glad to see everyone out and continue to come to council meetings.
- Mr. Sease thanked everyone for coming out. He said he had a request for an update on a previous issue on the down equipment on EMS and fire service.
 - Mr. Shacker said they had a number of pieces of equipment down, those pieces of equipment were brought back online, but they've had more failures. He said the repairs are of a routine nature, but they are waiting on parts.
- Mr. Johnson said thank you to everyone.
- Mr. Shealy said a lot of information and he appreciates everyone coming out.
- Mr. Hipp thanked Mr. Byrd for his thoughtful comments, he said it is a difficult balancing act between individual freedoms when they conflict with each other. He said sometimes it is a matter of timing, if a chipper mill is there first and someone buys property next to it and complains about the noise, do they have a valid complaint, he doesn't think so. However, if they own a piece of property and a chipper mill builds next to them than they have a valid complaint. He is very much for freedom and individual liberties and that is something they struggle with when it comes to ordinance because they do not want to devalue property and if a neighbor devalues another property, that is taking something from them.
- Mr. Fulmer thanked everyone for coming out. He said he thinks Mr. Hipp hit the nail on the head, there is a hard, tight rope to walk when it comes to zoning. He thinks they have tried to side with liberty instead of regulation and hopes that continues. However, there are issues you have to consider and that is a hard

thing in order to do. However, he said with the great colleagues he has on Newberry County Council, he is sure they can come up with something.

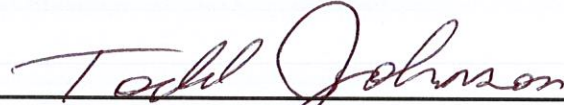
13. Future meetings:

- a. Newberry County Council Work Session – September 18 at 5 p.m.
- b. Newberry County Council – September 18 at 6 p.m.
- c. Newberry County Executive Committee – September 23 at 6 p.m.
- d. Newberry County Council Work Session – October 2 at 5 p.m.
- e. Newberry County Council Meeting – October 2 at 6 p.m.
- f. Newberry County Public Safety and Courts Committee – October 7 at 6 p.m.

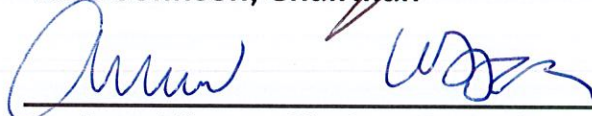
14. Adjournment.

- Mr. Shealy made a motion to adjourn; Mr. Sease provided the second and the motion carried 6-0 at 6:43 p.m.

NEWBERRY COUNTY COUNCIL



Todd Johnson, Chairman



Andrew Wigger, Clerk to Council

Minutes Approved: 9-18-2024