

**NEWBERRY COUNTY COUNCIL  
MINUTES  
October 7, 2024**

Newberry County Council met on Monday, October 7, 2024, at 6:04 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  
Leon Fulmer Jr., Council Member  
Travis Reeder, Council Member  
Karl Sease, Council Member  
Johnny Mack Scurry, Council Member  
Jeff Shacker, County Administrator  
Karen Brehmer, Deputy County Administrator  
Sheriff Lee Foster, NCSO  
Tommy Long, Emergency Services Director  
Eric Nieto, I.T. Director  
Josh Rowe, Public Works Director  
Brandon Wicker, Emergency Services Coordinator  
Andrew Wigger, Clerk to Council/PIO

**ABSENT:** Robert Shealy, Vice-Chairman  
Les Hipp, Council Member  
Joanie Winters, County Attorney

Mr. Johnson called the meeting to order at 6:04 p.m.

Mr. Fulmer led the invocation and Pledge of Allegiance.

1. Adoption of Consent Agenda:

- a. Newberry County Council Work Session – September 18, 2024.
- b. Newberry County Council Meeting – September 18, 2024.
- c. Newberry County Council Emergency Meeting – September 27, 2024.

- Mr. Scurry made a motion to accept the minutes as presented; Mr. Fulmer provided the second and the motion carried 5-0.

2. Additions, Deletions & Adoption of the Agenda.

- Mr. Fulmer made a motion to accept the agenda as presented; Mr. Sease provided the second and the motion carried 5-0.

3. Ordinance 09-01-2024. An Ordinance Approving the Terms of an Intergovernmental Agreement Between Newberry County and the Newberry County Water and Sewer Authority.

a. Public Hearing

- Mr. Brent Richardson, Manager of the NCWSA, said back in 2021, they began cost estimates for their CPST project (wastewater treatment expansion at the Boines Road facility, a half a million gallon a day expansion that is much needed to supply capacity). He said when this was originally prepared, there was not a real detailed design. When they went into the detailed design, things majorly changed, mainly due to inflation and factors found during detailed design.
- He said they determined the existing motor control building was not going to be able to house the new

equipment, requiring a new motor control building. They were also able to determine the number of cubic yards of fill and cut that were needed for the grading and the building of the basin and they were able to determine their electrical equipment needs.

- Mr. Richardson said he knows the cost estimate went up significantly and there was cause for concern. He said they do feel the project is crucial for the growth of Newberry County and for development of jobs in the county. He said waste treatment capacity is not something you can build once the industry is looking here in Newberry County. He said as of April of 2025, they will have been working on just their environmental permits for two years on this project.
  - Mr. Johnson said his first concern is if they are that far over now, and they haven't gotten to construction how much more over can they get and are they going to turn around and come back and why do this now when there are other projects ahead of this one.
  - Mr. Richardson said that is why they requested this agreement and what it would say there would be no coming back to council or CPST regarding additional funds, that would be capped and the NCWSA would be 100% responsible for funding above the amount. He said they already have a million dollars in the project, as it sits today.
  - Mr. Johnson said if by some strange reason, it did not meet the projected cost and the NCWSA fell short, would they commit returning any overage. Mr. Richardson said yes and that would not be a second thought.
  - Mr. Reeder asked with the way things are developing now, are they sure they will be able



to handle that. Mr. Richardson said yes, they feel like they can. He said they want to make sure they can serve at the Mid-Carolina Commerce Park, when needed.

- Mr. Sease asked if they were currently at 95 million gallons a day in capacity; to which Mr. Richardson said yes and this will take it to 1.5 million gallons a day. Mr. Sease asked what the current average is; Mr. Richardson said it is currently at 350,000, but committed is right at 600,000 and they have right at 400,000 uncommitted. He said every time a permit from DHEC is issued for flow, that number gets lower. He said once you hit a certain capacity, DHEC will stop issuing construction permits and that is what they want to avoid.
- Mr. Fulmer asked about this being needed for the industrial park; Mr. Richardson said it is capacity and they are trying to improve available capacity at the plant to serve whatever the county needs. He said the industries are a focus due to the distance to the commerce park, but it would be available for residential, commercial or industrial.
- Mr. Scott Cain, a board member of the NCWSA, thanked council for their support by putting them on the penny sales tax. He said the issue they are running into is lead time and the scope of work has not changed. He said they are still waiting for DHEC as they have put in for the permits. He said they are trying to stay proactive to help the county have infrastructure ready.
- Mr. Cain said the equipment is special equipment and they have limited suppliers, and they are stuck with

the cost of inflation. He said the costs have just escalated.

- Mr. Fulmer asked if this includes any additional line installation. Mr. Richardson said no, there will be onsite piping on the plant site, and this does not include offsite piping.

#### b. Second Reading

- Before they had the second reading, Mr. Johnson asked Mr. Shacker to discuss the financial side of this and his anticipation of the project.
- Mr. Shacker said all of the CPST projects in the current iteration have had cost overruns. He said they have identified a little over \$9.6 million in overruns to implement the projects. He said they are recommending to council that they fund these overruns on the front end, and some of these projects are not viable without secured funding for cost overruns. He said the NCWSA project is in the middle, with projects below them, and the advantage of the agreement is that the NCWSA is waiving a claim to additional revenue beyond the \$9.6 million, positioning the projects below an enhanced stake to cost overrun funding.
- Mr. Shacker said something to consider is that this revenue is restricted, if it is not spent on these projects, it can be carried forward to a future referendum or allocated by council for eligible uses.
- Mr. Sease asked regarding the excess funding if they could use that toward other purchases, like fire trucks, ambulances; Mr. Shacker said those would not be eligible. Mr. Shacker said the excess is a little bit of insurance if the numbers are off or carried off to

the next CPST. Mr. Johnson said that funding is for these projects only, or similar projects.

- Mr. Scurry made a motion to accept second reading; Mr. Reeder provided the second.
- Mr. Sease said he had some concerns and had constituents who had concerns about spending that money but were unable to attend due to Hurricane Helene recovery. He said that is a lot of money and it almost doubled compared to the others.
- Mr. Johnson requested another public hearing during third reading.
- Mr. Fulmer said he has received a lot of phone calls about concerns involving such a high increase, but based on what he is seeing on funding, it will still be funded with what was originally planned, capitalizing on high interest rates to cover it.
- Mr. Johnson said they have to do these projects right and meet residents' expectations.
- The motion carried 5-0.

4. County Council may take action on matters discussed during the 5 p.m. Work Session.

- There was no action taken.

5. Further discussion of Newberry County's storm recovery efforts, if desired by council.

- There was no further discussion.

6. Appointments.

- There were no appointments.



## 7. Public Comments.

- There were no public comments.

## 8. Comments/Requests from County Administrator.

- Mr. Shacker did not have any comments.

## 9. Comments/Requests from Council.

- Mr. Fulmer said the response of the residents and employees of Newberry County really should not surprise him, he said Newberry County has a close-knit strong community and that is what makes Newberry County special. He said anyone coming into the community, that is something they look for and Newberry County is a gem. He said he appreciates emergency response folks spearheading the efforts that they have made.
- Mr. Reeder said he appreciates the help of everyone, and it takes a village, and Newberry has a strong village.
- Mr. Sease thanked all the first responders of Newberry County, all of the utility providers, Public Works, SCDOT, and all of the volunteers that came out and it was a great joint effort by everyone.
- Mr. Johnson said blessed beyond measure are not the words. He said thoughts are out for Mr. Shealy as he is out trying to restore power, and Mr. Hipp and his family during his wife's recovery. He also recognized first responders as they continue to serve. He said on a smaller scale, Newberry County Council as they pulled together an emergency meeting to

approve a State of Emergency Ordinance, he said no one had power that day and for everyone to stand up and do what they did makes it fun to be on council.

10. Future meetings:

- a. Newberry County Council Work Session – October 16 at 5 p.m.
- b. Newberry County Council – October 16 at 6 p.m.
- c. Newberry County Council Work Session – November 6 at 5 p.m.
- d. Newberry County Council – November 6 at 6 p.m.
- e. Veterans Day – November 11 – Newberry County Offices Closed.
- f. Newberry County Council Executive Committee – November 12 at 6 p.m.

11. Adjournment.

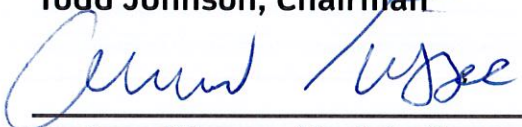
- Mr. Sease made a motion to adjourn; Mr. Fulmer provided the second and the motion carried 5-0. The meeting adjourned at 6:39 p.m.

**NEWBERRY COUNTY COUNCIL**



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**Todd Johnson, Chairman**



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**Andrew Wigger, Clerk to Council**

Minutes Approved: 10-16-24