

**NEWBERRY COUNTY COUNCIL
MINUTES
February 19, 2025**

Newberry County Council met on Wednesday, February 19, 2025, at 6:01 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: Robert Shealy, Chairman
Karl Sease, Vice-Chairman
Leon Fulmer Jr., Council Member
Todd Johnson, Council Member (virtually)
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Stuart Smith, Council Member
Jeff Shacker, County Administrator
Karen Brehmer, Deputy County Administrator
Debbie Cromer, Finance Director
Captain Ben Chapman, NCSO
Eric Nieto, I.T. Director
Josh Rowe, Director of Public Works
Andrew Wigger, Clerk to Council/PIO

Mr. Shealy called the meeting to order at 6:01 p.m.

Mr. Reeder led the invocation and Pledge of Allegiance.

1. Adoption of Consent Agenda:

- a. Newberry County Council Work Session – February 5, 2025.
- b. Newberry County Council Meeting – February 5, 2025.

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

2. Additions, Deletions & Adoption of the Agenda.

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

3. Recognitions:

- a. Katrina Bouknight 10 years Animal Control
- b. Arvid D. Lominick Jr. 15 years Corrections
- c. Debbie Cromer 50 years Finance

- Mr. Shacker recognized the employees listed above for their service to Newberry County, highlighting their accomplishments and pivotal moments while working for Newberry County.

4. Personal Appearances:

- a. Antwan Harris – Public Affairs Specialist, U.S. Small Business Administration.

- Mr. Harris was not present.

- 5. Ordinance No. 02-01-2025. An Ordinance acting on a request to amend the official zoning map established pursuant to Zoning Ordinance No. 12-24-01 as revised and amended by Zoning Ordinance No. 06-11-16 and codified in Chapter 153 of the Newberry County Code of Ordinances, establishes Zoning Classifications and Districts so as to rezone one (1) real estate parcel totaling three and nine hundredths (3.09) acres

designated as TMS No. 295-7 from RS-Single Family Residential to R2-Rural.

a. Public Hearing.

- Mr. Shealy declared the Public Hearing open.
- Mr. Dwain Morris said he wanted to urge council to support the rezoning to allow for an affordable, manufactured home. He said home ownership should not be exclusive to stick built homes. He said his daughter is facing relocation, due to divorce, with her two children, one of which is disabled. He said based on her income, she can only afford a manufactured home and is unable to obtain a job outside of the home, so that she can provide for one of her grandsons. He said they own a three-acre parcel, which they plan to divide for the home, and will require an acre and a quarter, or more, to meet the distance requirements from the property lines. He said there is no intention to place more than one manufactured home on the property. He said several manufactured homes are near the property and while they may not be occupied, they do exist. He said as a property owner, he should be able to use his property as he sees fit, within reason and this is within reason.
- Ms. Tracie Turner said she has lived in this community for 56 years and raised her family there as well. She said the land, and this portion of their community, has been in the Epting and Longshore families for about 150 years. She asked would the county gain by rezoning this piece of property for one person when they have rows of people who showed up to protest the rezoning and all they have to gain is preserving their community.
- Mr. Tyler Turner provided a comparison on resident types and showing comparable square footage, and comparable amounts of acres on the land to compare those values. Mr. Turner said Carolina Home Outlet spoke last time about

the homes in the area that are manufactured homes, Mr. Turner showed data that shows the number of manufactured homes in 2021 was 24% in the county. He said they are profiteers and the only standing they are gaining is the money from the manufactured home and that does not matter where it is placed. He said the proposed manufactured home that is going to be put in there does not fit with the existing community. Mr. Turner discussed alternative options, that does not require rezoning, that the family could take instead of rezoning this property.

- Ms. Leesha Wessinger said she would never have dreamed she'd be here advocating in this capacity. She said life circumstances are beyond their control. She said it has been proposed the land across the street be used to place the manufactured home and this is a first for her, other people telling her where to place her home but how to spend the little bit of money she does have, she then asked if that was fair. She said it is her understanding that a manufactured home has been placed within 225-feet of the proposed location, in 2011, and it has been moved now that a home could be built. She is asking for the option to be made available for her family. She also provided to council a letter from her son's case manager with Bright Start.
- Ms. Khristie Metts owns the land adjoining this property, she said they are asking for rezoning of the entire three acres, and it is zoned for RS and does not allow mobile homes and if it is rezoned it would lower the value of her properties. She said they have concerns of the long-term issues if it is rezoned, as it will forever be R2. She said any others that may have this property will be allowed to put other mobile homes, regardless of their intent they cannot see the future any more than they can. She said they are not insensitive to their situation, but they cannot

understand why they would not want their family to live on the same side of the main highway with them, allowing them to visit back-and-forth much quicker.

- Ms. Erin Willis is the owner of the property adjacent to the parcel being discussed. She said she understands the property owner wishes to support his daughter, but this decision not only impacts the present but also the future. She said the owners have only lived in their homes for the last six months and according to tax records, they do not claim the property as their primary residence, instead they claim a primary residence in the City of Newberry. She said they own 13 acres across the road from the parcel in question, and that land is already zoned to allow for a mobile home. She said having them behind their home on that property means they'd be closer. If rezoned, the land could house three mobile homes.
- Ms. Hannah Metts said her family owns property near the tract and they understand about parents helping their children. She said this property has been in the Epting family for over 90 years. She said everyone is sympathetic to the family and housing situation and want them to have a place to live. However, there are already two options available for her and what is the future impact if the property is rezoned. She said the property across the street does not need to be rezoned or the property within the City of Newberry, and they fully support those options. She said manufactured homes deteriorate quickly and depreciates in value. She requested council support the neighbors and deny the rezoning request.
- Mr. Brandon Davis works with Carolina Home Outlet, and he works with a nonprofit, as well. He said they have an interest in their clients, and they do care. He said Carolina Home Outlet is a staple in the community. Mr. Davis said they spoke with Newberry County GIS and a little bit over 80% of Newberry County is zoned manufactured home

friendly. He said he does not see what the issue is because some of those who have spoken previously have had manufactured homes before. He said let's look at the right thing to do and take care of the family.

- Mr. Mitch Howard, who owns Carolina Home Outlet, said he wanted to clarify that it was said that he said 93% of Newberry County was manufactured homes, he said he did not say that and there is no county in South Carolina, that he is aware of, is 93% manufactured homes, but what he said was that 93% of that area was manufactured homes.
- Mr. Shealy closed the public hearing after all of those signed up to speak did so.

b. Second Reading.

- Mr. Reeder made a motion to accept second reading; Mr. Sease provided the second.
- Mr. Johnson said there is no one that is more sympathetic to someone with a child with special needs. However, he thinks there is a better way to approach this and cannot support the rezoning.
- Mr. Reeder said he is sympathetic to the family, but he has to look at the fact that when the family has other property and where they want to put this home is across a busy highway, he thinks it would benefit the child better to be closer to the family, in case of an emergency. He said he is concerned because of the child.
- Mr. Sease said he is sympathetic, but there are other options. He said his concern is the protection of the landowners of the future and if it is rezoned and what could happen.
- Mr. Scurry said he knows all the families present, and he is aware the family has land that is capable of doing what they want to do, and he does not understand that. He said

they are going to do what is best for the entire neighborhood, not just one family.

- Mr. Shealy said he sympathizes with both sides, and he is not going to be one to say what you should do with your property. He said it is just a bad situation, but they will have to vote the way they feel.
- Mr. Shealy and Mr. Smith voted to approve second reading, and Mr. Fulmer, Mr. Johnson, Mr. Reeder, Mr. Scurry and Mr. Sease voted against.
- The motion failed 5-2.

6. Ordinance No. 02-02-2025. An Ordinance acting on a request to amend the official zoning map established pursuant to Zoning Ordinance No. 12-24-01 as revised and amended by Zoning Ordinance No. 06-11-16 and codified in Chapter 153 of the Newberry County Code of Ordinances, establishes Zoning Classifications and Districts so as to rezone one (1) real estate parcel totaling two and seventy-eight hundredths (2.78) acres designated as TMS No. 741-79 from RS-Single Family Residential to GC-General Commercial.

a. Public Hearing.

- Mr. Shealy declared the Public Hearing open, with no one signed up to speak, Mr. Shealy declared the Public Hearing closed.

b. Second Reading.

- Mr. Sease made a motion to approve second reading; Mr. Fulmer made the second and the motion carried 7-0.

7. Ordinance No. 02-03-2025. An Ordinance to amend Chapter 154 of the Code of Ordinances of the County of Newberry, South Carolina, to adopt updated Newberry County Land Development Regulations.

a. Public Hearing.

- Mr. Shealy declared the Public Hearing open.
- Prior to the Public Hearing, Mr. Johnson said this ordinance has nothing to do with the proposed development on Hwy 773, and that was something proposed to the Joint Planning Commission. He said Newberry County Council has not received that, much less had first reading on that issue. Mr. Johnson said he wanted to be clear about that prior to the public hearing and a vote.
- Mr. Steven McKean wanted to speak on a few items discussed in the ordinance. He first mentioned infrastructure, he mentioned a few things that Newberry County does not have or is lacking, including garbage collection. He said he looked over the regulations and it is a good starting point, but he thinks they are missing some things. He said he didn't see anyone associated with the American Planning Association, something he thinks would be key if someone with the county was with the association. He said most people who live in Newberry County like the rural, agricultural living. He said there is a new subdivision on Jollystreet Road, and it looks out of place. He said how to meet those needs, he said 2/3 of Newberry County do not have the opportunity to be on the Newberry County Water and Sewer Authority, and talking about bringing people into Newberry County, can the county provide.
- Mr. Jody Hamm said we need to make sure we are planning for this stuff, you cannot eat a house, agriculture is important in our county, and we need to be careful. He said he knows it was said this was not about a subdivision, but it is about future subdivisions and if they do not plan appropriately, it will affect infrastructure. He said being on the school board for many years, it will

affect the schools. He said he tried to divide his land up to give to his son, but was told he needed to have an acre, but developers come in and they'll put five houses on an acre.

- Mr. Tyler Johnson said he was speaking on behalf of the concerned citizens of Newberry County and they are concerned about the infrastructure in Newberry County regarding development. They are not against development, but the strain brought on to infrastructure by these developments and a lot of meetings about development they hear about available about electricity, water, sewer and their willingness to cover those costs, but they don't hear about other aspects of infrastructure, like first responders, waste collection, schools, etc. He said this puts a financial burden on the county and taxpayers. He suggested a buffer zone around the entire property line around these developments, establishing concurrency to better understand and address the added strains on infrastructure by these developments and more stringent definition of green space that allow developers to build on smaller lots than what is stated in our current zoning ordinances. He said these would just be a starting point and hopefully they can expand upon.
- Mr. Randy Suber said coming out of Columbia the other day, he came up on the Peak exit at 5 p.m. and there was a mile long line of traffic. He said all of this land development, do we really want that, do we want houses built 10 feet apart. He said taking trash off, he doesn't mind doing that and please take all that into consideration.
- Mr. Tom Kistora said he lived in cities and when he retired he wanted property, and he came here. He said they need to think about the impact on structural services, like the schools and they are going to pay for them, not someone

else. They should be required to implement a plan to fund emergency services.

- Mr. Shealy closed the public hearing after all of those signed up to speak did so.

b. Second reading.

- Mr. Fulmer made a motion to table the second reading to a later date, to give staff an opportunity to address comments and concerns heard tonight and come back to address those issues; Mr. Sease provided the second.
- Mr. Shacker said what is before Newberry County Council are Land Development Regulations (which is reworking what Newberry County currently has on the books) and they don't decide where subdivisions go, how big the lots are, how far apart the lots have to be, what dictates are what the infrastructure requirements are if there is a major subdivision. A major subdivision in Newberry County is five or more lots, when property is split into that, or when property is split into less than five lots, but a road is required and that triggers a major subdivision review process. That review and plat requirements are designed to ensure infrastructure is installed to support the subdivision and that infrastructure meets county standards. In many cases, the county has adopted state standards. He said what determines where development can occur, and the intensity is the zoning ordinance. What council is looking at are design standards and requirements that would apply if a piece of property was zoned correctly where it could be developed as a subdivision and what the requirements would be for that subdivision.
- Mr. Shacker said he can appreciate the comment made about the American Planning Association, they have a certification program called AICP, and while the county

does not have an AICP member of staff, we have two planning consultants that do, and they drafted this ordinance. He also mentioned concurrency being brought up and he said this is where you have agencies that review development proposals and provide feedback and that is in this ordinance, as it develops a Land Development Review Committee.

- Mr. Shacker mentioned a few changes that were made to the regulations between first and second reading.
- Mr. Johnson said he thinks Mr. Fulmer is right to postpone, but he wants to make sure they separate this from the proposed housing development. He added that this ordinance does not allow that subdivision, and he is against that subdivision, but he does think we need growth in Newberry County.
- Mr. Reeder said he thinks when they start talking about housing developments, those entities they brought up need to be invited to answer those questions.
- The motion to postponed carried 7-0.

8. Ordinance No. 02-04-2025. An Ordinance to amend the text of the official zoning ordinance of Newberry County, South Carolina, as codified in Chapter 153 of the Code of Ordinances of Newberry County, South Carolina, to establish regulations for the issuance of permits for the keeping of chickens on a non-commercial basis on residential properties in Newberry County as an accessory use.

a. First Reading.

- Mr. Sease made a motion to approve first reading; Mr. Fulmer provided the second.
- Mr. Johnson said they worked really hard to create this ordinance and if anyone has issues with the ordinance, to bring those concerns to council before third reading.

- Mr. Shacker gave a brief history of the ordinance and how it was created as an attempt to allow residents to have chickens (not roosters) who are currently unable to do so (any residential zoning district that is not R2-Rural).
- Mr. Johnson lost connection prior to the vote.
- The motion carried 6-0.

9. Ordinance No. 02-05-2025. An Ordinance amending Section 152.04 of the Newberry County Code of Ordinances, Chapter 152, Flood Damage Prevention, to clarify the date of the Flood Insurance Study of the Federal Emergency Management Agency identifying areas of special flood hazard within Newberry County, South Carolina and referenced therein.

a. First Reading.

- Mr. Sease made a motion to approve first reading: Mr. Smith provided the second.
- Mr. Shacker said staff was notified by FEMA that the ordinance needed to be dated, and this would provide that date.
- The motion carried 6-0.

10. Appointments.

- Mr. Sease made a motion to appoint Mr. Tom Crowe to the Joint Planning Commission for the Town of Little Mountain (as recommended by Mayor Jana Jayroe); Mr. Reeder made the motion to approve Mr. Crowe; Mr. Smith provided the second and the motion carried 6-0.

11. Public Comments.

- Mr. David Adams said he was here about the chickens, he has five acres and had chickens for a few months, his neighbor found out it was not legal, and his neighbor turned him in. He said he has five acres of land but can't have chickens, but someone can have them in downtown Newberry. He asked council to allow him to have chickens.
- Mr. Forrest Byrd said he looked at some of the development stuff recently and it has been over \$14,000 per kid that they send to school, so they put a little small house in and the rest of the community and these developments that are multi family houses, and they have two kids, that is almost \$30,000 we are spending on that house for school taxes. He said they are not going to make up that amount paying \$2,000 a year in property tax, so all the rest of the county will have to cover it. He said he agrees they need housing for our people to live here that is affordable, but bringing in a bunch of people in low-income houses is basically robbing us all because we all have to cover that extra expense. He said nobody seems to be able to put all the numbers out at the same time, but if you look at what it costs per kid to educate, we all have to come up with it.

12. Comments/Requests from County Administrator.

- Mr. Shacker did not have any comments.

13. Comments/Requests from Council.

- Mr. Fulmer thanked staff, he said they do an excellent job putting these ordinances together. He said going back to some of the ordinances they voted on tonight, he thanked everyone for coming out and giving feedback. He said the Land Development Ordinance is near and dear to a lot of folks, and this is a start, and they have to start somewhere. He said they enjoy a tremendous quality of life in Newberry

County that is unseen in the Midlands area, and they need to do everything they can to protect that. Mr. Fulmer asked to keep all first responders in their prayers following an incident where a young man lost his life, he said a lot of entities pulled together to be on that scene.

- Mr. Reeder said he was glad to see everyone out and he said he knows when they make decisions it is not going to be good for everyone, but that is the way it is. He said when residents provide feedback, it gives them ideas. He also said he wanted to send prayers to Lt. Michael Hawkins, with the City of Newberry Police Department, who recently passed away. He also thanked the employees recognized for their years of service and it is truly deserved. He also thanked administration for all the things they do, as it is not easy, but those decisions need to be made.
- Mr. Smith concurred with Mr. Fulmer, and he said they have a lot of work to do. He said his thoughts and prayers to out to the family of the young man that lost his life and to the family of Lt. Hawkins.
- Mr. Scurry said he was glad to see everyone at the meeting and recognized Ms. Cromer for 50 years with Newberry County.
- Mr. Sease thanked everyone who came out and participating in county government. He said he cannot say enough for the county employees who have served for so long, he said Ms. Cromer has helped him and continues to do so. He added that hopefully they investigate that accident to help prevent something like that from happening again.
- Mr. Shealy said council has to make tough decisions sometimes, but they are here to listen to the residents. He said Newberry County is going to grow, but they want to make sure it grows the way they want it to grow not the way developers want it to be.

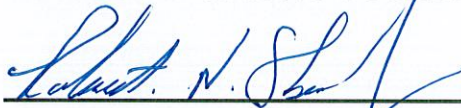
14. Future meetings:

- a. Newberry County Executive Committee – February 24 at 5 p.m.
(CANCELLED)
- b. Newberry County Council Work Session – March 5 at 5 p.m.
- c. Newberry County Council Meeting – March 5 at 6 p.m.
- d. Newberry County Economic Development Committee – March 10
at 5 p.m.
- e. Newberry County Council Work Session – March 19 at 5 p.m.
- f. Newberry County Council Meeting – March 19 at 6 p.m.

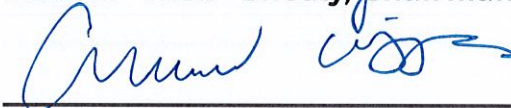
15. Adjournment.

- Mr. Scurry made a motion to adjourn; Mr. Sease provided the second and the motion carried 6-0.
- Newberry County Council adjourned at 7:52 p.m.

NEWBERRY COUNTY COUNCIL



Robert "Nick" Shealy, Chairman



Andrew Wigger, Clerk to Council

Minutes Approved: 3-5-25