

**NEWBERRY COUNTY COUNCIL  
MINUTES  
April 17, 2024**

Newberry County Council met on Wednesday, April 17, 2024, at 6:09 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 N. Shealy, Vice-Chairman  
Leon Fulmer Jr., 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  
Captain Ben Chapman, NCSO  
Karen Brehmer, Deputy County Administrator  
Debbie Cromer, Finance Director  
Rick Farmer, Economic Development Director  
Donna Lominack, Auditor  
Tommy Long, Emergency Services Director  
Eric Nieto, I.T. Director  
Katie Werts, Director of Planning and Development Services  
Andrew Wigger, Clerk to Council/PIO

**MEDIA:** Orion Griffin, The Newberry Observer

**ABSENT:** Todd Johnson, Chairman

Mr. Shealy called the meeting to order at 6:06 p.m.

Mr. Reeder led the invocation and Pledge of Allegiance.

1. Adoption of Consent Agenda:

- a. Newberry County Budget Work Session – April 1, 2024
- b. Newberry County Council Work Session – April 3, 2024.
- c. Newberry County Council Meeting – April 3, 2024.

- Mr. Hipp made a motion to accept the minutes as presented; Mr. Sease provided the second and the motion was approved 6-0.

2. Additions, Deletions & Adoption of the Agenda.

- Mr. Reeder made a motion to adopt the agenda as presented; Mr. Hipp provided the second and the motion was approved 6-0.

3. Recognitions:

a. Employee Service:

- |                   |            |                     |
|-------------------|------------|---------------------|
| • Heather Chapman | 5 years    | NCSO                |
| • Clarence Turner | 10 years   | Facilities          |
| • Andrew Stout    | 20 years   | NCSO                |
| • Bridget Fain    | Retirement | Planning and Zoning |
| • Carolyn Tobe    | Retirement | Auditor's Office    |
- Mr. Shacker recognized the employees listed above for their service to Newberry County, highlighting their accomplishments and pivotal moments while working for Newberry County.

- Mr. Shealy said it is always a good when Newberry County Council can recognize employees and they hate to lose such valued employees, but they served the county well and they appreciate their hard work and hope they enjoy retirement.

#### 4. Public Appearances:

##### a. Keith Avery, President and CEO of Newberry Electric Cooperative – Presentation of Economic Development Grant.

- Mr. Avery said one of their seven core principles (of NEC) is commitment/community and he wanted to talk about that principle.
- Mr. Avery said they started their economic development journey together, between Newberry Electric, Newberry County Council and the City of Newberry, in 2016 with the first large commercial industry to come into the county, MM Technics. He said they were able to win that job above the recommendation of the consultants they had, but MM Technics loved Newberry County.
- Mr. Avery said a big part of why Newberry County is so successful with economic development is because of Economic Development Director Rick Farmer. He said a lot of it started after Mr. Farmer came to the county. The other part is everyone understands what it takes to do economic development. He added that they are proud to be a part of that team effort.
- Mr. Avery presented numbers, from 2016-2024, regarding Core Funds which are Incentive Funds that the NEC gives to help the county incentives industries coming into the county. Since 2016, they have had \$6.2 million in incentive funds, of that, the NEC has committed \$2,375,000.



- Mr. Avery said in addition to that, they have Site Readiness Funds they were using to get Mid-Carolina Commerce Park up and going, together. Since then, they have committed \$2,125,000 into the park itself. Part of that was to put in a pad-ready site, encouraging representatives to come in and look at the park and that is where MM Technics came, next to where they put in that pad.
- NEC also has Site Advancement Funds that were utilized on studies for environmental controls and for the enhancement for the Newberry County Economic Development website; in total, \$72,350 since 2016.
- In addition to this, the NEC also provides scholarships for economic development, contributing \$3,000 for South Carolina Economic Developer's Association certification for Kara Cannon when she was with the county.
- Separate from that, and what was being recognized during the meeting, are RDA Funds, these are funds available to NEC through the Rural Development Act. In lieu of paying taxes to the state, electric cooperatives have the opportunity to contribute that money into the counties. Mr. Avery said they've contributed to Newberry County and Newberry County Water and Sewer to help projects (must be a defined project to receive these funds). This is a contract between the county and the NEC that they must enter into to be able to receive them.
- Since 2016, NEC have contributed RDA Funds to the total of \$1,559,309.
- All of these add to a total contribution to economic development since 2016 of \$9,984,659. This does not include property taxes. Since 2016, NEC has paid over \$13 million in property taxes. This totals over \$23 million NEC has invested since 2016.
- Mr. Avery said NEC is proud to serve four counties, they predominantly serve Newberry County, but they also

serve Laurens County, Fairfield County and Lexington County.

- Mr. Avery then said they were pleased to present funds to the county, RDA Funds, for economic development for a total of \$189,318. Mr. Avery then presented the check to Mr. Farmer.
- Mr. Farmer said they have no bigger ally in economic development than in Newberry Electric Cooperative and this community is better because of NEC.
- Mr. Shealy said it is a great partnership, and not only does he work for NEC, but it is a great partnership between the county and the NEC, and they've accomplished some amazing things between the two entities, and they hope to be able to continue to move forward in that same path.
- Mr. Fulmer said he thinks Newberry County is a testament, and we see that we are much better when we work together and that is certainly obvious with the relationship between Newberry County and Newberry Electric Cooperative and many entities they work with throughout the county. He added we are much better when we work together and thanked the NEC for attending the meeting.

5. Resolution 02-2024. Recognizing the achievement of Harper Rowe and Ali Chapman, co-authors of *Phoenix and the Town Power Outage*.

- Mr. Hipp made a motion to approve the resolution; Mr. Reeder provided the second and the motion was approved 6-0.

6. Ordinance No. 04-01-2024. 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 classification and districts so as to rezone one (1) real estate parcel totaling seventy-six hundredths (.76) acre designated as TMS No. 741-45 from RS-Single Family Residential to R2-Rural.

a. Public Hearing.

- Mr. Shealy declared the public hearing open. With no one signing up or standing up to speak, Mr. Shealy declared the public hearing closed.

b. Second Reading.

- Mr. Sease made a motion to accept second reading; Mr. Fulmer provided the second and the motion was approved 6-0.

7. Ordinance No. 04-02-2024. 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 classification and districts so as to rezone one (1) real estate parcel totaling two and forty-four hundredths (2.44) acres designated as TMS No. 457-9 from GC-General Commercial to R2-Rural.

a. Public Hearing.

- Mr. Shealy declared the public hearing open. With no one signing up or standing up to speak, Mr. Shealy declared the public hearing closed.

b. Second Reading.

- Mr. Reeder made a motion to accept second reading; Mr. Sease provided the second and the motion was approved 6-0.

8. Ordinance No. 04-03-2024. An Ordinance regulating public nuisances and unfit dwellings within Newberry County and providing procedures for enforcement and penalties for violation and matters related thereto.

a. First Reading.

- Mr. Hipp made a motion to approve first reading; Mr. Sease provided the second.
- Mr. Hipp said they have spent a lot of time on this ordinance, they posted the draft ordinance on the Newberry County website and received positive comments from the public. He added that this is not the end all to controlling nuisance situations in Newberry County, but it is the beginning and as a beginning, he would be in favor of what they have.
- Mr. Reeder said he thinks this is an ordinance that needs to be done, as long as everything is in place like they need it to be and there are no complaints about it. He thinks this is an ordinance they need to put in place.
- Mr. Shealy said they posted this ordinance on the website for about a month and received eight comments and most were in favor of and wanted to add to the ordinance. He added that this is a good place to start.
- The motion was approved 6-0.

9. A Proclamation recognizing National Therapy Animal Day.

- Mr. Shealy read the following Proclamation as follows:  
“Whereas, there are thousands of Pet Partners therapy animal teams serving in communities across the United States; and Whereas, Pet Partners has designated April 30 as National Therapy Animal Day; and Whereas, Pet Partners therapy animal teams in Newberry County play an essential



role in improving human health and well-being through the human-animal bond; and Whereas, Pet Partners therapy animal teams make millions of visits per year in settings such as hospitals, nursing homes, schools and hospice; and Whereas, Pet Partners therapy animal teams interact with a variety of people in our community including veterans, seniors, patients, students facing literacy challenges, and those approaching end of life; and Whereas, these exceptional therapy animals who partner with their human companions bring comfort and healing to those in need. Now, Therefore, Newberry County Council does hereby proclaim April 30, 2024, as *National Therapy Animal Day* in Newberry County, and encourages our citizens to celebrate therapy animals and their human handlers. Further, Newberry County Council publicly salutes the service of therapy animal teams in our community and in communities across the nation.

- Mr. Hipp made a motion to approve the proclamation; Mr. Reeder provided the second and the motion was approved 6-0.

10. Consideration and award of a bid for the purchase and installation of four water points in the Consolidated 5 Fire Department service area (2024-01), a 2016 CPST Project.

- Mr. Long said they received four different bids on this project, and McClam and Associates (who did the last water points) was the low bidder at \$964,111. He said they bid out each site and that is the combined total.
- Mr. Shacker said in the adopted budget for the current year, the county has \$1,158,686 budgeted to complete two projects – the four water points and a project in Whitmire.



- Mr. Sease made a motion to accept the bid from McClam and Associates; Mr. Hipp provided the second and the motion was approved 6-0.

11. County Council may take action(s) following executive session on matters discussed during executive session.

- No action was taken.

12. Appointments.

- There were no appointments.

13. Public Comments.

- Mr. Michael Tumm spoke regarding the proposed chicken ordinance. He said he was given the current changes and regarding item 14, he said there was a big problem. He read where it states, "chicken enclosures shall be located no more than 50 feet from the 360 contour." He said the only problem with that is, he has a 75-foot buffer and that means Newberry County would allow for a chicken coop within a federally mandated FERC Buffer and that needs to change and needs to include, in his opinion, at least 100 feet from that environmental buffer. He said he also thinks the county should look at getting permission from FERC. Mr. Tumm said he represents Lake Murray Watch, and they are a watch group for Lake Murray. He said he agrees with the rest of the ordinance except for one other issue, he said Lexington County, in their ordinance, mandates screenings for chicken coops and he thinks the neighbors should have screening and somebody, like him, who

doesn't want to hear them, smell them, or see them, and that screenings should be mandated. He said those are the things he'd like to see addressed in the document going forward.

#### 14. Comments/Requests from County Administrator.

- Mr. Shacker said Jessie Long, director of Newberry County Recreation, her department received an Urban and Community Forestry Grant through the S.C. Forestry Commission used to do a tree risk assessment. The estimated cost of the project is \$75,000 and that is in the proposed budget, the grant would be \$60,000.
- Mr. Shacker provided an update on the Capital Project Sales Tax, he said they have been going through the design phase for the projects and working with the project leads to see if there are any scope alterations that need to be made. What also has been occurring, the bond attorney is working on all the disclosures for the bonds. He said it appears they are in a position to issue the bonds and receive the money in July. He added while this has been occurring, they've continued to collect sales tax and they should be well positioned to fund the initial project with cash.

#### 15. Comments/Requests from Council.

- Mr. Reeder thanked everyone who was celebrated during the meeting and said he appreciated all the jobs done over the years and those in retirement can enjoy retirement. He also wanted to congratulate Harper Rowe and Ali Chapman and said they made the Newberry County School District proud and Newberry County residents proud. He said they can



say they started their work life now and who knows what tomorrow brings. He also thanked administration for all the budget work and said hopefully they can move right on through it.

- Mr. Sease thanked everyone for coming out and participating in the meeting and helping the county go in the right direction. He also thanked all county employees for their service and retirement; Harper Rowe and Ali Chapman on writing their book; and staff for doing a great job keeping them straight and their work on the budget.
- Mr. Fulmer said it is a pleasure working with everybody on council and it is a pleasure to serve the residents of Newberry County.
- Mr. Hipp said it is always great to see a crowd of people come out and observe and be involved in decision making for Newberry County. He thanked Ms. Lorraine Bradley for bringing to his attention National Therapy Animal Day. He said we live in a wonderful county and sometimes we don't stop to think about that enough and we are fortunate.
- Mr. Shealy thanked everyone for coming out tonight and he enjoyed celebrating employees and retirees.

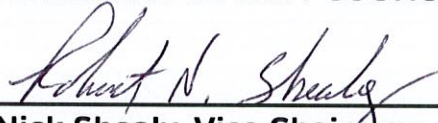
#### 16.Future meetings:

- a. Newberry County Council Work Session – May 1 at 5 p.m.
- b. Newberry County Council – May 1 at 6 p.m.
- c. Newberry County Economic Development Committee – May 6 at 6 p.m.

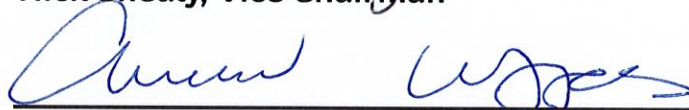
17. Adjournment.

- Mr. Fulmer made a motion to adjourn the meeting; Mr. Sease provided the second and the motion was approved 6-0.

**NEWBERRY COUNTY COUNCIL**



**Nick Shealy, Vice Chairman**



**Andrew Wigger, Clerk to Council**

**Minutes Approved:** 5-01-2024