

**NEWBERRY COUNTY COUNCIL  
MINUTES  
JULY 15, 2009**

Newberry County Council met on Wednesday, July 15, 2009, at 7:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

**PRESENT:** Henry H. Livingston, III, Chairman  
William D. Waldrop, Vice Chairman  
Kirksey Koon, Councilman  
John E. Caldwell, Councilman  
Edgar Baker, Councilman  
Leslie (Les) Hipp, Councilman  
Steven C. Stockman, Councilman  
Wayne Adams, County Administrator  
A.J. Tothacer, County Attorney  
Laurie Renwick, Clerk to Council  
Debbie Cromer, Finance Director

**PRESS:** Cindy Pitts, Newberry Observer  
Heather Hawkins, WKDK

The meeting was duly advertised as required by law.

Chairman Livingston called the meeting to order and determined a quorum present.

Councilman Waldrop led the invocation followed by the Pledge of Allegiance.

**1. Presentation of Newberry County Service Awards**

Chairman Livingston stated it was a pleasure to present the following Newberry County Service Awards: Chris Connelly, Public Works – 5 years; Autrice Griffin, Sheriff's Office – 5 years; Donald "Shane" Kitchen, Department of Corrections – 5 years; Faye Mace, Building Inspection – 5 years; Teresa Powers, Economic Development – 5 years; Laura Lane, Clerk of Court's Office – 10 years, Robert Alexander, Public Works – 10 years; Phillip Reta, Sheriff's Office – 10 years; Thomas Barber, IT Technician – 20 years.

Chairman Livingston thanked the employees for their years of service and stated that their dedication meant a lot to the County.

**2. Adoption of Consent Agenda**

Mr. Koon moved to adopt Consent Agenda; second by Mr. Baker, Vote was unanimous.

### **3. Additions, Deletions and Adoption of Agenda**

Mr. Waldrop moved to adopt the Agenda as presented; second by Mr. Koon. Vote was unanimous.

### **4. Appointments**

Mr. Koon nominated Mr. Joe Trainor and Mrs. Jenny Lee Foster for reappointment to the Newberry County Memorial Hospital Board for a term commencing July, 1, 2009 and ending June 30, 2013.

Mr. Waldrop moved to approve Mr. Trainor and Mrs. Foster's reappointment to the NCMH Board; second by Mr. Baker. Vote was unanimous.

### **5. Consideration of acceptance of bid for Fire Department Generator Installations – Crystal Waldrop, Purchasing Director and Ervin West, Carter, Goble Lee**

Mrs. Waldrop stated that this was bid out by the sealed bid method and the responsive low bid was \$37,327.00 from Mike's Electric for the installation of four generators. The generators will be placed at the Prosperity, Consolidated, Silverstreet and Fairview Fire Departments.

Mr. Hipp asked that given the wide range of bid prices, were there any exceptions taken to any of the clauses in the request for quote.

Mrs. Waldrop replied there were none stated. She said that Grow Electric was the only out of town bidder from Lexington County.

Mr. Hipp asked what the most complete, well defined, response was to this request for quote.

Mrs. Waldrop said Mike's Electric submitted, in addition to the bid, a statement that he would adhere to the specs of the solicitation for each generator at each site. Grow Electric's was more detailed in that they broke their cost down by station; added up being the figure presented to you tonight.

Mr. Hipp commented that the Mike's Electric bid was the closest to the original estimated labor cost presented to Council when the generators were approved. He assumed that each bidder had met all the minimum requirements and these were firm and fixed quotes and we would not be expecting any addendums coming in later requesting additional funding.

Mrs. Waldrop replied that we do not expect any.

Mr. Baker stated that after talking with Mr. Ervin West, Mike's Electric has performed work on several of these stations before and has wired several of these generators.

Mr. Baker moved to approve Mike's Electric as low bidder; second by Mr. Koon. Vote was unanimous.

## **6. Committee Reports**

### **a. Public Works and Planning Committee Meeting – July 13, 2009**

Mr. Adams updated Council on the following items discussed at the Public Works and Planning Committee Meeting held on July 13, 2009:

- Committee members received a draft version of the Solid Waster Management Plan for review. Once ready for recommendation to Council, the plan will have to be adopted by Ordinance.
- A drainage issue on Elisha Church Road causing erosion on church property was discussed. The committee will be bringing Council an easement agreement to the August 5th County Council meeting for approval to do the work to remediate that erosion.
- Committee members also received a draft version of a proposed amendment to the Road Ordinance to amend Chapter 91 making it consistent with the paving requirements recently recommended by the County Transportation Committee and adopted by County Council. Key provisions in the draft are to establish the Circuit Court method, as opposed the Ordinance method, as the sole method for closing County roads. Another provision would allow Council to accept any road into the County system that has been satisfactorily maintained by another public entity (state, federal, or municipal) for at least three ongoing years.
- The removal of some millings from the Mid-Carolina Commerce Park by a sub-contractor due to a misunderstanding has been worked out. Forty-six of the seventy-five loads have been replaced and are now being stored at the Industrial Park on Hwy. 219 and I-20.
- Monitoring wells at the old landfill on Cockrell Road were discussed. Once staff's report is submitted to DHEC, they will determine the number of wells needed to monitor methane gas emissions. Installation of the wells for monitoring water quality is already in the procurement phase.
- The impassable bridge on Cannon Swamp Road was discussed. The owner of the property in which the bridge is situated is planning to petition Circuit Court to have the bridge closed. He would like the bridge removed by the County in the event his court action is successful.
- Residents of Beisel Road would like this road taken into the County system. It has been jointly maintained for several years by the County and the US Forest Service. This will be possible if the proposed amendment to the Road Ordinance mentioned above is approved.

**7. Public Comments (by those who signed up at the meeting)**

No comments

**8. Comments from County Administrator**

No comments

**9. Comments from Council Members**

Mr. Hipp stated that Teresa Powers has already put together an agenda for the Economic Development Committee meeting on July 20, 2009. He asked Teresa to email the agenda to all Council members.

Mr. Baker commented on Public Works and Planning Committee meeting Mr. Adams just briefed Council on and stated that a lot of work was accomplished in that meeting.

Chairman Livingston thanked everyone who participated in the “On the Move with Margaret” program on Monday morning.

**10. Future Meetings**

**11. Vote to Adjourn**

Mr. Waldrop moved to adjourn; second by Mr. Hipp. Vote was unanimous.

**12. Adjourn**

Chairman Livingston declared the meeting adjourned at 7:16 p.m.

**NEWBERRY COUNTY COUNCIL**

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**Henry H. Livingston, III, Chairman**

**APPROVED:**

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**Laurie N. Renwick, Clerk to Council**