

**NEWBERRY COUNTY COUNCIL
MINUTES
JULY 21, 2010**

Newberry County Council met on Wednesday, July 21, 2010, at 7:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

PRESENT: William D. Waldrop, Vice Chairman
Kirksey Koon, 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

ABSENT: Henry H. Livingston, III, Chairman
John E. Caldwell, Councilman

PRESS: Heather Hawkins, WKDK
Cindy Pitts, Newberry Observer

The meeting was duly advertised as required by law.

Vice Chairman Waldrop called the meeting to order and determined a quorum present. He commented that Chairman Livingston was out of town and Councilman Caldwell was attending the National Association of Counties Annual Meeting representing Newberry County.

Mr. Koon led the invocation followed by the Pledge of Allegiance.

1. Additions, Deletions and Adoption of Agenda

Mr. Baker motioned to adopt the agenda as presented; seconded by Mr. Hipp. The vote was unanimous.

2. Newberry County Service Award Presentations

Mr. Waldrop recognized William C. Keller with the Sheriff's Office for his 5 years of service and Sherri C. Scott with the Sheriff's Office for her 20 years of service.

3. Ordinance #04-06-10: An Ordinance amending Chapter 153 of the Newberry County Code of Ordinances amending special exceptions requirements for the location of commercial campgrounds, and for other matters related thereto.

Mr. Hipp motioned to approve third reading of Ordinance #04-06-10; seconded by Mr. Baker.

Mr. Waldrop asked if there was any discussion.

Mr. Hipp said third reading on this Ordinance was delayed due to some text changes and asked if that was correct.

Mr. Adams stated that third reading was delayed for the Planning Commission to have a 30 day comment period.

Ms. Powers reported that the Planning Commission has recommended some changes since second reading which are highlighted on your copy of the Ordinance.

Mr. Koon asked that the highlighted portion be read into the minutes.

Mr. Adams read the following: (2) Improvements are a minimum of two hundred (200) feet from all property lines except where continuous properties are zoned for Commercial (LC or GC) and/or industrial (LI or BI) uses; (3) All improvements and man-made uses are to be surrounded by a minimum twenty (20) foot wide opaque buffer meeting the requirements of Section 153.129 (A)(2) herein, whether existing, planted or installed.

Mr. Hipp asked how we defined an opaque buffer.

Ms. Powers stated that Section 153.29 (A)(2) actually describes an opaque buffer and is part of the ordinance. This portion of the zoning code reads that this type functions as an opaque screen from the ground to a height of at least 8 feet, excludes visual contact between uses, and creates a strong impression of spatial separation. Composition of the type A landscaping may include a wall, wood fence, landscape earth and berm, planted vegetation, existing vegetation or any appropriate combination of these elements. Interment planting of deciduous and evergreen trees shall obtain a height at maturity of no less than 20 feet and have no unobstructive openings wider than 10 feet between tree canopies upon maturity. Shrub planting shall have minimum height of 3 feet at installation and have no unobstructive openings wider than 4 feet. At least 50% of the required trees and at least 75% of the required shrubs shall be evergreen species locally adapted to the area.

Having received no further discussion, the motion to approve third reading of Ordinance #04-06-10 was passed unanimously.

4. **Ordinance #05-15-10: An ordinance to provide for the issuance and sale of not exceeding two million nine hundred seventy thousand dollars (\$2,970,000) General Obligation Refunding Bonds of Newberry County, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto.**

Mr. Baker motioned to approve third reading of Ordinance #05-15-10; seconded by Mr. Hipp. The vote passed unanimously.

5. **Ordinance #06-16-10: An Ordinance authorizing the amendment of the agreement for development for Joint County Industrial Park executed on October 18, 1995, by and between Newberry County, South Carolina and Fairfield County, South Carolina, providing for the development of a Joint County Industrial and Business Park so as to include additional property in Newberry County as part of the Joint County Industrial Park, and other matters relating thereto.**

Mr. Hipp motioned to approve third reading of Ordinance #06-16-10; seconded by Mr. Koon. The vote passed unanimously.

6. **Ordinance #06-17-10: An Ordinance repealing Ordinance No. 06-06-02, relating to the establishment of a classification and a compensation plan for Newberry County and to provide for comprehensive personnel policies for the employment and dismissal of all county employees and to set forth the working conditions and benefits for those employees, to provide for equal employment opportunity and affirmative action goals and anti-discrimination provisions and amendatory ordinances thereto.**

Mr. Baker motioned to approve third reading of Ordinance #06-17-10; seconded by Mr. Stockman. The vote passed unanimously.

7. **Resolution #04-10: A Resolution adopting the Newberry County Employee Handbook**

Mr. Hipp motioned to approve Resolution #04-10; seconded by Mr. Baker. The vote passed unanimously.

8. **Appointments**

No appointments.

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

No public comments.

10. Vote for Executive Session, When Necessary

Mr. Adams reported that staff request an Executive Session under SC Code §30-4-70 (a)(2) with regards to discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.

Mr. Stockman motioned to go into Executive Session; seconded by Mr. Hipp. The vote passed unanimously.

Ms. Pitts with the Newberry Observer stated that she objected due to reasons not being specific enough.

Mr. Adams replied that her objection would be noted for the record by the Clerk.

11. Executive Session

[7:12 p.m. – 7:37 p.m.]

12. Necessary Action on Matters Discussed in Executive Session

Mr. Hipp motioned to return to Open Session; seconded by Mr. Baker. The vote passed unanimously.

Mr. Adams reported that no action was taken during Executive Session

13. Comments from County Administrator

No comments from County Administrator

14. Comments/Request from Council Members

No comments from Council Members

15. Future Meetings

- a. ~~County Council – August 4, 2010~~ CANCELLED
- b. County Council – August 18, 2010 @ 7:00 p.m.
- c. Finance Committee– July 26, 2010 @ 6:00 p.m.
- d. Economic Development Committee – August 9, 2010 @ 6:00 p.m.
- e. Public Safety and Courts Committee– August 23, 2010 @ 6:00 p.m.

16. Vote to Adjourn

Mr. Koon motioned to adjourn; seconded by Mr. Baker. The vote was unanimous.

17. Adjournment

Mr. Waldrop declared the meeting adjourned at 7:38 p.m.

NEWBERRY COUNTY COUNCIL

William B. Waldrop, Vice-Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council