

**NEWBERRY COUNTY COUNCIL  
AGENDA  
NOVEMBER 5, 2008  
7:00 P.M.**

Call to order: Henry B. Summer, Chairman

Invocation and Pledge of Allegiance: John E. Caldwell, Councilman

- 1. Adoption of Consent Agenda.**
  
- 2. Additions, Deletions, and Adoption of Agenda.**
  
- 3. Ordinance #09-29-08:** An Ordinance amending §153.148 of the Newberry County Code of Ordinances to allow for the limited use of recreational vehicles in the RS1-A Zoning District, and to make such other amendments to chapter 153 of the Code of Ordinances, commonly known as the “Zoning Ordinance”, as may be necessary to incorporate such new regulations
  - a. Third Reading
  
- 4. Ordinance #07-24-08:** An Ordinance acting on a Council-initiated request to amend the Official Zoning Map established pursuant to Zoning Ordinance #12-24-01, codified in Chapter 153 of the Newberry Code of Ordinances, so as to rezone one hundred twenty-five (125) tracts containing a total of one hundred twenty-nine and eighty-eight one hundredths (129.88) acres designated as TMS parcel numbers 4-2-1 through and including 4-2-14 and 4-2-12/1 (fifteen parcels); and TMS parcel numbers 4-1-1 through and including 4-1-76 and 4-1-53/1, 4-1-100, 4-16/1,2 and 3 (eighty-one parcels); and parcel numbers 5-2-2 through and including 5-2-30 (twenty-nine parcels) from Single-Family Residential (RS-1) to Single-Family Residential (RS-1A).
  - a. Third Reading

5. **Ordinance #09-30-08:** An Ordinance acting on a request to amend the official zoning map established pursuant to Zoning Ordinance No.12-24-01, Codified in Chapter 153 of the Newberry County Code of Ordinances, so as to rezone a two (2) acres portion of a tract containing a total of 8.34 acres designated as TMS Parcel No. 335-24, from limited commercial (LC) to light industrial (LI).
  - a. Public Hearing
  - b. Third Reading
  
6. **Ordinance #09-31-08:** An Ordinance acting on a request to amend the official zoning map established pursuant to Zoning Ordinance No. 12-24-01, Codified in Chapter 153 of the Newberry County Code of Ordinances, so as to rezone a two (2) acres portion of a tract containing a total of five (5) acres designated as TMS Parcel No. 617-3, from rural (R2) to limited commercial (LC).
  - a. Public Hearing
  - b. Third Reading
  
7. **Ordinance #09-32-08:** An ordinance amending section 91.33 of the Newberry County Code of Ordinances, commonly known as the criteria for acceptance of new roads into the County road system.

**Staff Recommended Amendment to Ordinance #09-32-08:**

Paragraph (A) is modified to read as follows:

(A) The final acceptance of a road by the County does not imply the road will be widened, improved or stabilized at any time. The types of road accepted by the County shall be:

- (1) Triple treatment;
- (2) Asphalt.

Paragraph (G) will have the following inserted:

(G) No road shall be accepted until any and all outstanding liens, including ad valorem taxes, have been paid. The offeror of any road must also clearly establish full legal and legitimate authority to execute the transfer documents to the satisfaction of the County Attorney prior to consideration and acceptance by the County.

- a. Public Hearing
- b. Third Reading

8. **Ordinance #09-33-08:** An Ordinance to accept Glade Springs Road into the County Public Road System, to be maintained as are all other county maintained roads, and matters relating thereto.
  - a. Public Hearing
  - b. Third Reading
  
9. **Committee Reports.**
  
10. **Appointments:**
  - a. District 4:
    - (1) Fairgrounds (Vacant - term expires 6/30/2009)
    - (2) Recreation Commission – two appointments –
      - #1 (Missy Hamm-term expired 6/30/05)
      - #2 (Douglas Hipp-term expired 6/30/05)
    - (3) Westview (Vacant - term expires 6/30/2009)
  - b. District 5:
    - (1) Airport (Vacant – term expires 6/30/2009)
    - (2) Fairgrounds (Vacant – term expires 6/30/2009)
  - c. District 7:
    - (1) Recreation Commission (Vacant – term expires 6/30/2011)
    - (2) Newberry County Water & Sewer Authority (Vacant-term expires 3/23/2009)
    - (3) Board of Rural Fire Control – representative to fill vacancy on board from Friendly Fire Department (term expires 6/30/2011)
  - d. Accommodations Tax Committee:
    - (1) Hospitality Industry (Ernest Shealy-term expired 6/30/2007)
  
11. **Agreement in Principle between the County of Newberry, Town of Prosperity, Jerald F. Drafts, and John Bedenbaugh**

**12. Consideration of bid for Pugh Road Bridge, Bid Number 2008-22 – Crystal Waldrop, Procurement Director.**

Saddlebrook Construction, Inc.	\$179,842.00
Myles Construction Co., Inc.	\$214,414.00
A.M. Tuck, Inc.	\$195,194.60
Republic Construction Corporation	\$247,695.00

As recommended by the engineer for the project; TRC Engineers, Randy Cannon, PE and the Purchasing Director, the bids have been reviewed and the apparent low bidder meets specifications in the Invitation for Bids for this project.

**13. Consideration of bid for Rim Crusher for Collections – Crystal Waldrop, Procurement Director.**

Southeastern Environmental Waste Equipment Company (SEWEC)	\$25,160.00
Tire Service Equipment Mfg. Co., Inc	\$25,550.00
GMC Construction Services	\$27,466.10

Budget Account: 020-014-08111-04100; Grant #36wt09 through DHEC

**14. Consideration of bid for Actuarial Firm to determine Other Post Employment Benefits (“OPEB”) under the Governmental Accounting Standards Board’s (“GASB’s”) Statements 43 and 45.**

Demsey, Filliger & Associates*	\$5,000.00 (includes one visit for presentation if Needed)
Lewis & Ellis	\$6,905.00 (includes one visit if needed)

\*Top ranked firm

The County received ten proposals and conducted telephone interviews with four of the top ranked firms. Of the four; two of the firms were most qualified based on selection criteria. The selection criterion was based on education, experience and price.

15. **Requests by Councilmen**
  
16. **Public Comments (by those who signed up at the meeting).**
  
17. **Vote for Executive Session, When Necessary.**
  
18. **Executive Session.**
  
19. **Necessary Action on Matters Discussed in Executive Session.**
  
20. **Comments from County Administrator.**
  
21. **Comments from Council Members.**
  
22. **Future Meetings:**
  - a. November 19, 2008 at 7:00 p.m.
  - b. December 03, 2008 at 7:00 p.m.
  
23. **Vote to Adjourn.**
  
24. **Adjournment.**

## CONSENT AGENDA

- 1. Minutes:**
  - a. October 1, 2008