

**NEWBERRY COUNTY COUNCIL
AGENDA
NOVEMBER 18, 2009
7:00 P.M.**

Call to order: Henry H. Livingston, III, Chairman

Invocation and Pledge of Allegiance: Edgar Baker, Councilman

- 1. Presentation of Newberry County Service Awards**
 - Amberlyn Silver, Sheriff's Office – 5 years
 - Rosemarie Dickert, Sheriff's Office – 10 years
 - Natasha Hill, Sheriff's Office – 10 years
 - Nancy Sanchez, Sheriff's Office – 10 years

- 2. Adoption of Consent Agenda**

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

- 4. Personal Appearances**
 - a. Bill Grisby, Director of EMS – Relocation of ambulance to Silverstreet
 - b. Newberry County Historical and Museum Society – Old Library Recommended Use Study Update

- 5. Ordinance #10-20-09:** An Ordinance to amend the budget ordinance for the 2009-2010 fiscal year, Ordinance Number 04-08-09, to provide for revised revenues and appropriations related to the operations of the County and to approve the administrative transfer of certain funds.
 - a. Public Hearing
 - b. Third Reading

6. **Ordinance #04-11-09:** An Ordinance adopting a revised Solid Waste Management Plan pursuant to §44-96-80 of the 1976 S.C. Code of Laws.
 - a. Public Hearing
 - b. Third Reading

7. **Ordinance #07-17-09:** An Ordinance amending Chapter 91 of the Newberry County Code of Ordinances to modify standards for the inclusion, maintenance, and removal of roads within the Newberry County road system.
 - a. Public Hearing
 - b. Third Reading

8. **Ordinance #10-21-09:** 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. (**NOT** recommended by Public Works and Planning Committee)
 - a. First Reading

9. **Ordinance #10-22-09:** An Ordinance to amend the Budget Ordinance for the 2009-2010 fiscal year, Ordinance Number 04-08-09, to provide for revised revenues. (Recommended by Public Works and Planning Committee)
 - a. First Reading

10. **Ordinance #10-23-09:** An Ordinance to limit truck traffic on Lumberyard Road. (Recommended by Public Works and Planning Committee)
 - a. First Reading

11. **Ordinance #10-24-09:** An Ordinance authorizing certain economic incentives, including payment of a fee in lieu of property taxes and other related matters, pursuant to a fee agreement between Newberry County, South Carolina, and Loblolly Green Power, LLC, pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended, for a project involving an investment of not less than \$125,000,000. (Recommended by Economic Development Committee)
 - a. First Reading

12. **Resolution 12-09:** A Resolution to establish that Newberry County shall petition to close Cannon Swamp Road Bridge pursuant to Section 57-9-10 of the Code of Laws of South Carolina, 1976 as amended. (Recommended by Public Works and Planning Committee)

13. **Resolution 13-09:** Identifying a certain economic development project to be located and constructed in Newberry County, South Carolina by Loblolly Green Power, LLC, a limited liability company organized and existing under the laws of the State of Delaware, and authorizing a fee agreement by and between Loblolly Green Power, LLC and Newberry County, South Carolina whereby, under certain conditions, Newberry County will provide certain economic development incentives to Loblolly Green Power, LLC to induce Loblolly Green Power, LLC to locate a wholesale renewable power generation facility in Newberry County, South Carolina. (Recommended by Economic Development Committee)

14. **Proclamation** declaring the month of November as:
“National Home Care Month” and “National Hospice Month”.

15. **Appointments**

- 16. Consideration of proposed rate increase at JF Hawkins/Springfield Place - Glenn Wicker, CFO, JF Hawkins/Springfield Place (Recommended by Finance Committee)**

- 17. Consideration of proposed \$50 gift card for employees – Debbie Cromer, Finance Director (Recommended by Finance Committee)**

- 18. Committee Reports**
 - a. Public Works and Planning Committee – November 9, 2009

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

- 20. Vote for Executive Session, When Necessary**

- 21. Executive Session**

To discuss 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.

- 22. Necessary Action on Matters Discussed in Executive Session**

- 23. Comments from County Administrator**

24. Comments from Council Members

25. Future Meetings

- a. County Council – December 2, 2009 @ 7:00 p.m.
- b. County Council – December 16, 2009 @ 7:00 p.m.
- c. Public Safety and Courts Committee – November 23, 2009 @ 6:00 p.m.
- d. “On the Move with Margaret” – December 14, 2009 @ 9:30 a.m.
WKDK
- e. Finance Committee – December 14, 2009 @ 6:00 p.m.
- f. Economic Development Committee – December 21, 2009 @ 6:00 p.m.

26. Vote to Adjourn

27. Adjournment

CONSENT AGENDA

- 1. Minutes:**
 - a. October 21, 2009