

**MINUTES OF REGULAR MEETING OF NEWBERRY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS, CITY HALL, NEWBERRY, SC  
February 10, 2009 – 7:00 P.M.**

Members Present: Mayor T. Edward Kyzer. Council: R. LeMont Glasgow, Foster Senn, Zebbie D. Goude-lock, Gregg Summer, Thomas Louis Boyd, David E. DuBose.

Also Present: City Manager Eric G. Budds, Assistant City Manager Jeff Shacker, City Clerk Tina P. Wicker, PRT Director Scott Sawyer, Public Works Director Arnold Hiller, Fire Chief Keith Minick. Others Present: Frank Burnside, Boy Scout Troop 1 and others. News Representatives: Leslie Moses, Heather Hawkins.

**CALL TO ORDER**

Mayor Kyzer called the meeting to order and Councilman Glasgow gave the invocation.

**MINUTES**

Councilman DuBose made a motion, seconded by Councilman Boyd, to approve the minutes of the regular meeting of Newberry City Council held on January 13, 2009 as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**FINANCIAL REPORT**

Mayor Kyzer reported that members of City Council had been provided with a copy of the Financial Report for the period ending January 31, 2009. Mayor Kyzer indicated that the report would be attached to and made a part of the minutes.

**RECOGNITION OF EMPLOYEES:**

Mayor Kyzer and City Manager Budds recognized Frank Burnside, Heavy Equipment Operator in the Public Works Department, for his ten years of service and Scott Sawyer, PRT Director, for his ten years of service. Each received a longevity pin and gift from the City.

**MID-YEAR BUDGET:**

**FY08-09 Mid-Year Budget Presentation**

City Manager Budds provided detailed recommendations related to amending the Fiscal Year 2008-2009 Budget, noting a 7% percent increase to a total adjusted budget of \$35,005,339. His written descriptive summary is attached to the official minutes.

City Manager Budds advised that General Fund budget decreased by \$285,966 or -3.5% in the proposed mid-year budget. He noted that the largest revenue shortfall was in court fines and that other significant decreases were seen in the federal/state aid category, interest earnings, business license and building permits. He indicated that revenue increases were forecast in lease/purchase proceeds from the purchase of the automated garbage truck, property taxes and the CNGA contribution.

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City Manager Budds reported that General Fund expenditures were estimated to decrease by \$285,966. He mentioned that personnel savings and associated fringe benefits accounted for the majority of the reduction in expenditures. He noted that the Special Fund budget total was increasing by 22.3% noting the two major changes were a shortfall in the Tax Increment Finance Fund and an addition of a Telecommunications Fund in the amount \$823,286

City Manager Budds reported that the Gross Revenue/Operations & Maintenance budget totals on the revenue and expenditure sides were being adjusted by \$7,773. He proceeded to note the major category changes. He added that in the Utility Capital Fund there was only a slight change at mid-year and provided more explicit information on the changes within this fund.

City Manager Budds announced that he was very pleased with the outcome of the mid-year budget revisions especially in light of current economic conditions. He recommended that City Council proceed with adoption of the Ordinance to amend the Fiscal Year 2008-2009 Budget.

**ORDINANCE (#2009-1000):**

**Amending Fiscal Year 2008-2009 Budget –  
Second and Final Reading**

Mayor Kyzer introduced for second and final reading an Ordinance (#2009-1000) to amend the Fiscal Year 2008-2009 Budget as recommended by the City Manager.

Councilman Boyd made a motion, seconded by Councilman Glasgow, to adopt the Ordinance as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**RESOLUTION:**

**Newberry Housing Authority Board – Increase  
in Members**

Mayor Kyzer explained that the City had received a Resolution adopted by the Newberry Housing Authority Board of Commissioners requesting that the size of the Board be increased from five to seven members. He indicated that if City Council adopts the Resolution the expansion of the Board will occur when the new members are appointed.

Councilman Summer made a motion, seconded by Councilman Boyd, to adopt the Resolution as presented. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

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**AGREEMENT:**

**PMPA – Compliance with Reliability Standards**

City Manager Budds stated that the Energy Policy Act of 2005 requires all owners, users and operators of bulk power systems to comply with mandatory reliability standards. He explained that the Agreement before City Council would allow PMPA to administer the compliance with these standards for each of its member cities. He recommended that Council authorize the City Manager to execute the Agreement with PMPA for assignment of certain members' compliance activities for specific requirements of various reliability standards applicable to load serving entities pursuant to the terms specified in the agreement.

Councilman Goude-lock made a motion, seconded by Councilman Glasgow, to authorize the City Manager to execute the Agreement with PMPA. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

**EXECUTIVE SESSION**

Councilman Goude-lock made a motion, seconded by Councilman Boyd, to enter an Executive Session to discuss a personnel matter related to appointments to the Newberry Housing Authority Board. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

Council returned to open session at approximately 8:40 P.M.

**APPOINTMENTS:**

**Newberry Housing Authority Board**

Councilman Summer made a motion, seconded by Councilman Senn to appoint James A. Hunter, Robin Newton and Perry Threat to the Newberry Housing Authority Board. Mayor Kyzer declared the motion carried following a unanimous vote of members present.

**ADJOURNMENT**

There being no further business before City Council, Councilman Glasgow made a motion, seconded by Councilman Boyd, to adjourn the meeting at approximately 8:42 P.M. Mayor Kyzer declared the motion carried following a unanimous vote of City Council members present.

ATTEST:

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**T. Edward Kyzer**  
MAYOR

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Tina P. Wicker, City Clerk  
Newberry, South Carolina

(SEAL)