



MINUTES
Sumter County Council
Regular Meeting
Tuesday, November 9, 2021 -- Held at 6:00 p.m.
Sumter County Administration Building
Third Floor, County Council Chambers
13 E. Canal Street, Sumter, SC

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Social Distancing Is Required At All of County Council's Meetings And Seating Is On A First Come First Serve Basis.
<https://www.youtube.com/channel/UCAHjiqzPaonQ9LFS2kO37tA>

COUNCIL MEMBERS PRESENT: James T. McCain, Jr., Chairman; James Byrd, Jr., Vice Chairman; Artie Baker, Eugene R. Baten, Charles T. Edens, Vivian Fleming McGhaney, and Carlton B. Washington.

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Gary Mixon, Mary W. Blanding, Helen Roodman, Johnathan Bryan, Joe Perry, Gary Hawkins, Valerie Brunson, and two Sheriff Deputies.

MEMBERS OF THE PUBLIC PRESENT: Approximately 28 members of the public attended the meeting.

MEDIA PRESENT: The Item Newspaper, Shelby Goulding.

CALL TO ORDER: Chairman James T. McCain, Jr., called the meeting to order.

INVOCATION: The invocation was given by Councilman Vivian Fleming McGhaney.

PLEDGE OF ALLEGIANCE: The Clerk to Council read the background of the Military Order of the Purple Heart Chapter 817. Then the Pledge of Allegiance was led by Members of the Military Order of the Purple Heart Chapter 817 - Council District #6. The Military Order of the Purple Heart Chapter 817 was established by the National Military Order of the Purple Heart (MOPH) during 2011 in Sumter, SC. Re-chartered in 2014 as the General George L. Mabry, Jr. Chapter 817 to honor General Mabry, a World War II hero and Medal of Honor recipient from Sumter. Our Chapter supports programs to aid veterans in need of assistance, participates in parades and attends city and county patriotic functions such as the Memorial Day and Veterans Day ceremonies. The entire Council would like to thank all of the Purple Heart Medal recipients that live all over the County for their military service! Afterwards, the Chairman presented the group a certification of appreciation. It was also mentioned by the members that they now have their first female as a Purple Heart recipient. She was also present at this meeting.



APPROVAL OF AGENDA: Regular Meeting Tuesday, November 9, 2021

Chairman McCain asked the Clerk to Council if there were any changes to the agenda. Mrs. Blanding stated that there were no changes. Then the Chairman asked Council for a motion on approving the agenda.

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by Council to grant approval of the agenda as presented.

APPROVAL OF MINUTES: Regular Meeting Tuesday, October 26, 2021

Chairman McCain asked Council if there were any changes to the minutes; there were no changes offered; therefore, the Chairman asked for a motion to approve the minutes of October 26, 2021.

ACTION: MOTION was made by Councilman Edens, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant approval of the minutes as presented.

LAND USE MATTERS AND REZONING REQUESTS:

Planned Development/Rezoning Requests:

NOTE RZ = Rezoning Of Property As Applicable In Sumter County Zoning and Development Standards.

AC = Agricultural Conservation As Applicable In Sumter County Zoning and Development Standards.

NC = Neighborhood Commercial As Applicable In Sumter County Zoning and Development Standards.

LI-W = Light Industrial-Warehouse As Applicable in Sumter County Zoning and Development Standards.

- (1) **RZ-21-20 -- 6830 Fish Road (County) - First Reading -- A Request To Rezone +/- 2.71-Acre Tract From Agricultural Conservation (AC) To Residential-15 (R-15). The Property Is Located At 6830 Fish Rd. And Is Represented By Tax Map # 093-00-01-115.**

Mrs. Helen Roodman, the Planning Director, presented this proposed rezoning request to Council for first reading consideration. She stated that the property owner, Mrs. Charlene Avant, hopes to rezone the 2.71 acre tract from Agricultural Conservation (AC) to Residential-15 (R-15) at 5830 Fish Road. Ms. Avant is requesting this rezoning in order to facilitate future subdivision of the lot into multiple single family residential units. Ms. Roodman stated that the 2040 Land Use Map has the property located within the Rural Development Planning Area. It was also stated that as a matter of policy, the Rural Development Planning Area is supportive of low-density (1 acre minimum lot size or greater) residential development, in accordance with minimum development standards. However, due to the size of the property, this development will only yield four lots for this development. The smallest lot will be 1/2 acre and the others will be larger.



Mrs. Roodman informed Council that the staff recommends rezoning the 2.71 acre tract to R-15 zoning.

Additionally, the recommendation is made due to the location and characteristics of the property. The property is located at the intersection of two collector roads. Also, the existing pattern of development around the subject site includes single family residential lots as small as 0.65 acre lots. Therefore, based on zoning districts established by the County, R-15 zoning is the least intensive zoning district that allows for single family residential lot sizes of less than once acre in size. She also stated that while not expressly supported by the 2040 Comp Plan, the request is practical and consistent with the existing pattern of development near the subject property. The Planning Commission also recommended approval of the rezoning request.

Councilman Charles T. Edens, asked if the property was in the Military Protection District. Mrs. Roodman stated that the property is in the Rural Development Planning Area. Then Councilman Washington asked Mrs. Roodman if this was the same applicant that recently proposed placing a Dollar General at this same location. Mrs. Roodman stated that Mr. Googer, Developer for Dollar General Stores, was the applicant. However, Mrs. Avant was the property owner on record. Councilman Washington also asked if the request is to develop four, possibly five houses at this site. Mrs. Roodman stated that the request can only be for four houses.

Councilman Washington also asked if there is no area like the proposal for this rezoning on Fish Road. Mrs. Roodman stated that there are lots of this size right across the street from the proposed rezoning. However, Councilman Washington wanted to make sure that there are not just lots being discussed, but houses and lots, since it is suggested that there will be at least four houses or more which would cause stacking of the houses on this property. He also stated that this is the same community that previously expressed that it did not want a Dollar General at this location nor does this community want multiple listing housing at this location. Councilman Washington said that he thinks that they presented a petition to Council from Dr. Ora Spann who spoke in opposition of the Dollar General at this location. He further stated that Council should be aware that the Community is also in opposition of this development. He stated the aesthetics of the neighborhood does not fit with what is being proposed in their opinion.

ACTION: A motion was given by Councilman Baker, and seconded by Vice Chairman Byrd to grant first reading approval.

ACTION: A motion was presented by Councilman Washington and seconded by Councilman Baten to table the motion.

Councilman Baker asked what it means about tabling the motion. The Chairman stated that it would be placed on the table; then Councilman Washington stated that it would be placed as tabled and in order for any further action to be taken, it would have to receive a motion for it to be removed from the table. Councilman Washington also stated that this community does not want to be stampeded into accepting the rezoning at this location. He also said that although this is not a Dollar General Store, the community does not want houses stacked in this area and four houses on 2.7 acre lots is not what they want. There was more dialogue concerning the size of the lot, what the neighbors prefer, and how matters are being handled by the Planning Staff when it comes to rezoning matters down and those that are in the rural areas.

Then the Chairman restated the motion to table and called for the vote:

Roll Call:

Motion In Favor of Tabling First Reading Of RZ-21-20: Councilman Baten, Councilman McGhaney, and Councilman Washington.

Motion In **Opposition** of Tabling First Reading Of RZ-21-20: Councilman Baker, Vice Chairman Byrd, Councilman Edens, and Chairman McCain.

ACTION: The motion failed; it did not carry.

The Chairman called for action on the motion to grant first reading to RZ-21-20.

Roll Call:

Motion In Favor Of Granting First Reading Of RZ-21-20: Councilman Baker, Vice Chairman Byrd, Councilman Edens, and Chairman McCain.

Motion In **Opposition** Of Granting First Reading Of RZ-21-20: Councilman Washington, Councilman Baten, and Councilman McGhaney voted in opposition.

The motion did carried and first reading was granted to RZ-21-20.

Chairman McCain stated that the public will be able to speak at second reading and then Council can make a decision as to what the public wants at that time and also what is good for the community and the property owner.

Councilman Washington stated that common curtesy has been extended on this Council by me, particularly in Council members' districts. He further stated that as far as he is concerned, that cooperation has ended tonight. Councilman Washington further stated that whatever he has been asked to do in another person's district I have been agreeable, been compliant, and worked with every one of the Council members who have asked me for something in their districts. He further stated that he came to Council to express what the people of District #2 who live in the community, want for the community and they are not interested in what is being requested in RZ-21-20 – they do not want a stacked house development. The people in this community are country people, seniors and what Council is doing is wrong.

Chairman McCain stated that all that Council is doing is having first reading and Council can hear from the applicant and the community at second reading and public hearing. Chairman McCain also stated that Council has always given first reading to the rezoning requests since he has been chairman to allow for the public to be heard. Councilman Baten said that Council has not always given first reading; he said that some first readings have been denied.

Chairman McCain said that he stand to be corrected; however, for this rezoning we will hear from the public at second reading and public hearing.

OTHER PUBLIC HEARINGS: None

NEW BUSINESS:

- (1) **Ordinance #21-965 -- First Reading -- An Ordinance Authorizing (1) Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Sumter County, South Carolina And A Company Known To The County As Project Honey, As Sponsor, And One Or More Sponsor Affiliates To Provide For A Fee-In-Lieu Of Ad Valorem Taxes Incentive And Certain Special Source Revenue Credits For The Benefit Of A Project In The County; (2) The Enlargement Of The Boundaries Of An Industrial Park Previously Created By Sumter County And Lee County To Include Certain Property Located In Sumter County, South Carolina Now Or To Be Hereafter Owned And/Or Operated By Project Honey, Or One Or More Companies Related Thereto; And (3) Other Related Matters. (Title Only)**

The County Attorney, Johnathan Bryan, stated that this is a new industry known as project Honey. More will be known about this project at second reading. The ordinance is scheduled for public hearing at third reading. After all comments by the County Attorney, the Chairman called for a motion on first reading on this ordinance as presented.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to grant first reading approval as presented.

- (2) **Ordinance #21-966 -- First Reading -- An Ordinance Authorizing An Option To Lease Property To FTC Communications, LLC.**

Mr. Bryan presented this proposed ordinance to Council for first reading consideration. He stated that Farmers Telephone Company known as FTC Communications, LLC, is requesting that Sumter County Council allow for a lease of property owned by Sumter County. Part of the property, if leased to FTC, will allow for a wireless communication facility, including a tower. (See ordinance below.)

The cost for the option of the lease is \$500; if the property is what FTC needs, and the lease is granted, the company will pay the County \$400 a month for leasing the property.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant first reading approval as presented.

WHEREAS, Sumter County owns property at 180 W. Wesmark Blvd identified as TMS number 203-00-06-009; and

WHEREAS, part of that property is desired by FTC Communications, LLC for a wireless communication facility, including a tower; and

WHEREAS, Sumter County does not need the property for any public purpose; and

WHEREAS, it is in the public interest to allow FTC Communications, LLC to construct and maintain a wireless communication facility, including a tower upon the terms most favorable to Sumter County.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AT ITS REGULAR MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

That Sumter County approve the OPTION TO LEASE TO FTC Communications, Inc., the land referenced in the attached OPTION TO LEASE, the terms of which are incorporated herein by reference.

The County Administrator is authorized to sign the Lease and a Memorandum of Lease on behalf of the County of Sumter.

- (3) It May Be Necessary To Hold An Executive Session To Discuss An Employment Matter, An Economic Development Matter, A Legal Briefing, Or Other Matters Pertaining To An Executive Session, And Take Appropriate Actions Thereafter If Required.

No executive session was held.

OLD BUSINESS: None

COMMITTEE REPORTS:

- (1) Internal Affairs Committee Meeting Scheduled For Tuesday, November 9, 2021, at 4:45 p.m. In County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Byrd, Baker, and McGhanev)

The Chairman of the Committee, Chairman Byrd, gave the following report and recommendations:

Sumter County Grievance Committee

Reappoint:

Reginald Felder
Cynthia Gonzalez
Henry "Kent" Hall Jr.
Christopher Hilditch
Veleda Sigler

Appoint:

Emily Banar (to replace Karen Hyatt)
Patty Tindal (to replace Curtis McKenzie)
Theresa "Tess" Duggan (to serve as an alternate)
Mandy Pearson (to serve as an alternate)

ACTION: MOTION and seconded were received from the Committee, and approved by County Council to approve the recommendations as presented by the Committee.

- (2) Special Meeting Of Sumter County Council Scheduled For Tuesday, November 9, 2021, at 5:00 p.m. In County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (All Council Members) The Special Meeting of County Council Meeting Will Begin Immediately After The Internal Affairs Committee Meeting Concludes Or At 5:00 p.m.)

The County Administrator stated that an update on the Phase I projects was given to Council members. Afterwards, Council was given information concerning Phase II projects and Council took action on approving Phase II projects as listed below.

Phase II

| | |
|------------------------------------|-------------|
| Mobile Home Repair Program | \$ 500,000 |
| EMS Ambulance Contract | \$1,500,000 |
| Premium Pay | \$ 625,000 |
| Heise (DHEC – DSS) Building Repair | \$1,825,000 |

Total Phase 2 Request **\$4,450,000**

The Mini-Grant Program is being reviewed by staff and Council will receive an update on the program at its November 23, 2021, meeting.

A Financial Report was given for the County by the Finance Director, Mrs. Uvette Pope-Rogers.

(3) Report From Council Members On Other Meetings, Trainings, And/Or Conferences.

- Councilman Baten spoke to Council concerning the COVID-19 report. He stated that six out of ten residents of Sumter County are not vaccinated. When we look at hospitalization, those that are in intensive care, and those on ventilators are people that are unvaccinated. He further stated that he would ask that people encourage their neighbors, family, and friends to get vaccinated.

MONTHLY REPORTS

- Board Of Zoning Appeals Meeting On November 10, 2021
- Veterans Annual Parade On November 11, 2021
- COVID-19 Report

COUNTY ADMINISTRATOR’S REPORT

No report.

PUBLIC COMMENT -- Citizens Desiring To Speak Are Limited To No More Than Three (3) Minutes; Comments Are To Be Made Through The Chairman Of Sumter County Council.

- **Yvonne China** spoke to Council about Scotts Branch Road in Rembert. She stated that they have lived on this road for over 40 years and it has been 30 years since she first started working on having the road repaired. Ms. China also stated that she worked with the former Councilperson, Chris Sumpter, and she is now working with her representative for Council District #1, Councilman Carlton B. Washington. Ms. China said that there is work that must be done on the road; however, it appears that Mayrant Road took the place of Scotts Branch Road to be paved. She also asked Council if Scotts Branch Road is on the Penny Tax to be paved. Ms. China said that when her daughters were going to school, there were times that the busses would not come on the road. She also said that if the road is in the Penny For Progress or other funds to repair the road, they would like to see the road widened, paved, and have a shelter place on the road for the kids that are riding the busses.
- **Dr. Brenda Williams** spoke and thanked County Council as well as City Council for what they are doing to help the poor people in this community. It was also stated by Dr. Williams that the funds from ARPA

are like Mana from Heaven to help the poor. She then stated that the Psalms 41 states: *Blessed are ye that consider the poor.*

- **Tommy English** stated that he is present on behalf of Council providing for a historic marker on behalf of the 521-All Stars Baseball Team of Rembert, South Carolina. Mr. English allowed Council members to look at a book that was published about the players and coaches.

Councilman Baker stated that he has seen the book and he knows several of the players. He asked Council and the Administrator to look at what Council can do to get a marker for this baseball team.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:48 p.m. after a motion by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council.

Respectfully submitted,

James T. McCain, Jr.
 Chairman or Vice Chairman
 Sumter County Council

Mary W. Blanding
 Clerk to County Council
 Sumter County Council

Approved: November 23, 2021

 I certify that public and media notification of the above-mentioned meeting was given prior thereto as follows required by Freedom of Information:

- Public Notified: Yes
- Manner Notified: Agendas posted on bulletin board on third floor of the Administration Building.
- Date Posted: November 5, 2021
- Media Notified: Yes
- Manner Notified: Agenda Information is listed on Sumter County’s Home Page, and E-mailed to The Item, The Chamber, WIS-TV, WBTW, and Time Warner Cable.
- Date Notified: November 5, 2021

Respectfully submitted,
Mary W. Blanding

Clerk to County Council