



MINUTES
Sumter County Council
Regular Meeting
Tuesday, August 24, 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, Karen Hyatt, Johnathan Bryan, Joe Perry, Gary Hawkins, Valerie Brunson, Chief Deputy Hampton Gardner, Deron Brown, Kathy Ward, and two Sheriff Deputies.

MEMBERS OF THE PUBLIC PRESENT: Approximately 12 members of the public attended the meeting.

MEDIA PRESENT: The Item Newspaper, Shelby Goulding.

CALL TO ORDER: Chairman Or Vice Chairman Of Sumter County Council

INVOCATION: Council Member, Staff Member, Or Local Citizen

PLEDGE OF ALLEGIANCE: Councilman Baker asked the Clerk to read Veteran Rodgers Greenawalt 's Biographical information (see information below). After the Clerk read the information, all attendees repeated the Pledge of Allegiance to the American Flag.

Retired Air Force LT. Colonel Rodgers Greenawalt served our Country in both Vietnam and Southwest Asia as a Fighter Pilot with more than 2,000 flying hours and 24 years of active duty military service and his last duty assignment was Shaw AFB. After retirement, he decided to make Sumter his home, so he went on to teach JR ROTC at Sumter High School for 15 years which allowed him to wear the uniform for a total of 43 years! He is a Past Commander and current member of the American Legion Post 15. He is married to Katie and they have 2 children and 5 beautiful granddaughters. He currently lives in County Council District 2. Thank you for your Service!



APPROVAL OF AGENDA: Regular Meeting Tuesday, August 24, 2021

Chairman McCain asked the Clerk if there were any changes to the agenda; she stated that there were no changes to the agenda. Then the Chairman called for a motion on approving the agenda.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Edens, and unanimously carried by Sumter County Council to approve the agenda as presented.

APPROVAL OF MINUTES: Regular Meeting Tuesday, August 10, 2021

Chairman McCain called for a motion on approving the minutes for August 10, 2021.

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by Sumter County Council to approve the minutes of August 10, 2021, 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-21-14, 614 Floride St. (County) – Second Reading/ Public Hearing --A Request To Rezone +/- 0.62-Acres Of Land From Residential-9 (R-9) To Light Industrial-Warehouse (LI-W) Zoning. The Property Is Located At 614 Floride St. And Is Represented By Tax Map # 203-05-03-028. (Prior to action on second reading, Council Will Hold A Public Hearing On This Rezoning Request.)**

Ms. Roodman, the Planning Director, stated that this rezoning request was requested by the applicant, Mr. Jay Davis. The property currently abuts Sumter Utilities which is a Light Industrial-Warehouse. Mr. Davis hopes to rezone his property from Residential-9 to Light Industrial-Warehouse. Sumter Utilities hopes to acquire this property to add to their exiting property which will allow the business to deal some of their non-conformity issues and to secure access to the front of their property. The property is located near Jefferson Road and Broad Street. There is no habitable house on Floride Street. The Planning Commission recommends approval of the request.

Chairman McCain asked Council members if they had any questions; there were no questions from Council members. Then the Chairman convened a public hearing on this matter. He asked if anyone wished to speak in favor of or opposition to this rezoning request. The following person spoke during public hearing.

- **Mr. Jay Davis** spoke in support of the rezoning request. He said that he hopes that Council will support the rezoning request to allow for Sumter Utilities to bring the property into better conformity.

There were no further comments from the public; therefore, the Chairman closed the public hearing and Council took action on second reading.

ACTION: MOTION was made by Councilman McGhaney, seconded by Councilman Baker, and unanimously carried by Sumter County Council to grant second reading approval as presented.

- (2) **OA-21-04, Minimum Setback Requirements For Communications Towers And Antennae In Residential Zoning Districts (County) – Second Reading/Public Hearing – (#21-958) -- Amend Article 5, Section 5.B.E.10.A. & Article 5, Section 5.B.F To Allow Engineered Fall Zones For Communication Towers And Antennae In Residential Zoning Districts And To Correct Conflicting And Duplicative Provisions. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Proposed Ordinance Amendment.)**

The Planning Director, Helen Roodman, also presented this request to Council for second reading and public hearing. She stated that the applicant for this proposed Ordinance Amendment is the Planning Commission. The proposed amendment, if approved, would allow engineered fall zones for communication towers and antennas in residential zoning districts. She also stated that this amendment would correct conflicting and duplicative provisions in the existing ordinance. Ms. Roodman stated that the ordinance amendment was initiated based on a nonconforming usage that is located on St. Paul Church Road which carries communications to the general public and for emergency communications. In order to permit use of engineered fall zones less than the full height of the tower as certified by a South Carolina licensed engineer in residential zoning districts of the County, the Planning staff reviewed the standards and recognized that there was a need for some changes to the existing ordinance.

Currently, Section 5.b.e.10.a of the *Sumter County Zoning and Development Ordinance* requires communications towers and antennae placed on residentially zoned properties to be set back from all lot lines by distances equal to the zoning district's setback requirement or 100% of the tower height, whichever is greater. While the Ordinance does allow towers built in non-residential zoning districts to utilize an engineered fall zone to reduce the minimum setback requirement, this allowance does not extend to residentially zoned districts.

Cell phone towers are structures built on specific parcels of land that are designed to accommodate wireless tenants. Wireless tenants utilize cell towers to deploy various technologies to a subscriber base, such as telephony, mobile data, television and radio. Cell towers are typically built by tower companies or wireless carriers.

The Planning Director stated that there are five main types of towers:

1. **Monopole Tower** - Single tube tower. It typically stands between 100-200 ft. with antennas mounted on the exterior of the tower. Its primary use is telephony.
2. **Lattice Tower** - Sometimes referred to as "self-support" or SST because it is free-standing. It stands 200-400 ft. tall with a triangular base and three-four sides. It is typically used for telephony.
3. **Guyed Tower** - Essentially a straight rod supported by wires that attach to the ground as support. It's cheapest to construct, especially at heights of 300 ft. and beyond. Some guyed towers reach as high as 2,000 ft. typical uses are: telephony, radio, television, and paging.
4. **Concealed and Stealth Towers.** Stealth towers are a particular brand of concealed towers. Concealed towers are deployed to satisfy zoning regulations, and can range in size to accommodate their surroundings. They are more expensive than other types of towers because they require additional material to create a "concealed appearance," yet at the same time, they provide less capacity to tenants than other towers do.
5. **Broadcast Towers** - Provide mounting space for FM radio, AM radio, and television (TV) antennas. Their antennas are massive, weighing anywhere from 1,000 pounds to 15 tons depending upon the type of service they provide and the coverage they are purposed to deploy. Most broadcast towers are guyed towers with three or more guy wires attached to grounded anchors. Broadcast towers can take up a great deal of ground space - up to 300 acres, which is why they are typically found in rural areas or where natural elevation provides the best means of transmitting signals.

Mrs. Roodman also stated that cell towers are typically manufactured from steel. The cell site transmission equipment is installed in the lease area or compound area at the base of the tower and is connected to the antennas installed on the tower via coaxial or hybrid cables. Each tower design is engineered to behave a certain way under stress in the environment, typically weather related challenges such as high winds or ice storms. The ‘fall zone’ is the area within which there is a potential hazard from falling debris (such as ice) or collapsing material of the tower itself.

The Planning Commission recommended approval of the request. After Mrs. Roodman’s comments, the Chairman asked if any Council member had comments or questions. No comments were made by Council members.

Then the Chairman convened a public hearing; he asked if anyone wished to speak in support of or opposition to the proposed ordinance amendment. No one spoke during public hearing; therefore, the Chairman closed the public hearing and Council took action on second reading.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman McGhaney, and unanimously carried by Sumter County Council to grant second reading approval as presented.

OTHER PUBLIC HEARINGS: None

NEW BUSINESS:

- (1) Ordinance #21-959 -- First Reading -- An Ordinance Authorizing The Issuance And Sale Of A Waterworks System Refunding Revenue Bond (Wedgefield-Stateburg Rural Community Water District), Series 2021, Or Such Other Appropriate Series Designation, In The Principal Amount Of Not Exceeding \$1,300,000; Fixing The Form And Details Of The Bond; Authorizing The County Administrator To Prescribe Certain Details Relating To The Bond; Providing For The Payment Of The Bond And The Disposition Of The Proceeds Thereof; And Other Matters Relating Thereto. (Title Only)

The County Attorney, Johnathan Bryan, presented this proposed ordinance to Council for first reading and by Title Only. He stated that this ordinance, if approved, would allow for the issuance and sale of a Waterworks System refunding revenue bond series 2021 for (Wedgefield-Stateburg Rural Community Water District). This ordinance would also allow for the County Administrator to prescribe certain details relating to the bond and allow for the payment of the bond and the deposition of the proceeds.

After the Attorney’s presentation, the Chairman asked if there were any questions from Council members; there were no questions from members of Sumter County Council.

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

- (2) 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) **Public Utilities Committee Meeting Scheduled For Tuesday, August 24, 2021, at 4:00 p.m. In County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Edens, Baten, and McCain)**

The Chairman of the Committee, Councilman Edens, stated that the Public Utilities Committee discussed the impending ordinance, #21-959, which was discussed under New Business by Attorney Bryan. There are no further comments.

- (2) **Land Use Committee Meeting Scheduled For Tuesday, August 24, 2021, at 4:15 p.m. In County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Edens, Baker, and Baten) -- (NOTE: Committee Members Will Begin The Land Use Committee Meeting Immediately After The Public Utilities Committee Meeting Concludes Or At 4:15 P.M.)**

The Chairman of the Committee, Councilman Edens, stated that the Land Use Committee met, but no action was taken. More discussion will take place at the next meeting of the Committee. Additionally, the Planning Staff members, representatives of the Public Utilities Committee discussed the impending ordinance, #21-959, which was discussed under New Business by Attorney Bryan. There are no further comments.

- (3) **Special Meeting Of Sumter County Council Scheduled For Tuesday, August 24, 2021, at 4:30 p.m. In County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (All Council Members) (NOTE: Council Members Will Begin The Special Meeting Of County Council Immediately After The Land Use Committee Meeting Concludes Or At 4:30 P.M.)**

The Chairman asked the County Administrator to brief the public on the items that were approved by Council during the Special Meeting of Council. The County Administrator reported that Council members were given a detailed presentation concerning the American Rescue Program Act. Sumter County received \$10,000,000 and is expected to receive another \$10,000,000 next year. Council took action on approving the (1) Priority #1 Items and (2) Revenue Replacement Items as listed below. (See minutes of this meeting for details.

Staff asked Council to consider approving Priority #1 Items as listed below:

| Description | Amount |
|---|-----------|
| Civic Center Use (rental costs for COVID usage)* | \$81,900 |
| Public Building: Art Gallery 9 (HVAC) | 1,000,000 |
| Sheriff/Detention Center: Soter RS full body security scanning system | 127,500 |
| Fire District: 30 Personal protective gear | 80,000 |
| EMS: Ambulances - 5 at \$155,000 | 775,000 |
| EMS: Power Stretchers - 5 at \$15,000 | 75,000 |
| Fire District: Opticom | 320,272 |
| Coroner: Cooler | 11,000 |

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|--|--------------------|
| Coroner: Radios | 10,793 |
| EMS: Payroll Costs | 500,000 |
| Other Agencies: Library - Bookmobile | 69,978 |
| Other Agencies: Sumter County Museum - COVID | 10,000 |
| Other Agencies: Gallery of Art - COVID | 10,000 |
| Sheriff/Detention Center: One Time Pandemic Bonus | 585,000 |
| Revenue replacement - Calculated per GFOA formula* | 1,386,195 |
| Total Priority #1 Request | \$5,042,638 |

The Chairman called for a motion on Priority #1 Items as presented by Mr. Mixon and Mrs. Rogers. The following motion was presented and approved.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baten, and unanimously carried by Council to grant approval of the Priority List as presented and listed above.

Then Chairman McCain called for a motion concerning the Revenue Replacement Items as presented by the staff as listed below.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baten, and unanimously carried by Council to grant approval of the Revenue Replacement Item List as presented and listed below.

| Description | Amount |
|---|--------------------|
| Litter Program: Dump Truck (single axle) | 92,000 |
| Litter Program: Litter equipment | 100,000 |
| Litter Program: Tractor | 90,000 |
| Litter Program: Trailer | 25,000 |
| Litter Program: Truck (pickup F250/Chev 2500 and winch) | 43,000 |
| Sheriff/Detention Center: Building renovations | 126,366 |
| Sheriff/Detention Center: 250 Rip proof mattresses | 19,975 |
| Sheriff/Detention Center: Water heaters | 27,795 |
| Sheriff/Detention Center: Kitchen equipment (Oven, serving counter, etc.) | 27,329 |
| Public Buildings: Judicial Center Surveillance/Video Upgrades | 367,815 |
| FortiGate Firewall | 34,650 |
| O365 Migration | 35,000 |
| Penetration Testing | 25,000 |
| Total Revenue Replacement Request | \$1,013,930 |

The total for these two first priority project lists is a total of \$6,056,568. Lastly, Mr. Mixon stated that the County will be working on developing a process for the Community Non-profits to be able to apply for some of the remaining funds. Staff is currently developing criteria, an application, selecting an

evaluation committee, etc. This information should be ready by the next meeting of Sumter County Council on September 14, 2021.

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

Councilman Eugene R. Baten said that he had not given a COVID Report on the deaths' of Veterans for the past two to three months. Therefore, he provided Council with the following information.

- Last Report – July 13, 2021, seven veterans have died during the last 143 days since December 8, 2020.
- The source of his information is the Item Newspaper of Sumter, SC.
- A Veteran dies in Sumter every 48 hours.
- The number of veterans 20 veterans die by suicide
- How many Viet Nam Veterans passed away during December 8, 2020 and the last time that he (Councilman Baten) reported -- 26 Viet Nam Veterans passed away of the 143 Veterans.
- It was announced that Mrs. Ann August, former Director of Santee Wateree Regional Transportation Authority, passed away from COVID-19 and her husband also has the virus.

Councilman Carlton B. Washington thanked the Administrator and staff concerning the information that they have prepared for Council to take action on concerning the ARPA Funds and the forthcoming information that the staff is working on for the Community to apply for grant funding from the ARPA Funds.

MONTHLY REPORTS

- 1) Planning Commission Meeting and Building Report
- 2) Unveiling Of Crossroads Sign.
- 3) Catchall Shaw Community Meeting – 6:00 p.m.
- 4) COVID REPORT August 20, 2021

COUNTY ADMINISTRATOR'S REPORT

Mr. Mixon had no further 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.

Chairman McCain asked if anyone wished to speak during public comment. He reminded the citizens that they were limited to three minutes and that they must speak at the microphone and speak through the Chairman of Sumter County Council. The following persons spoke during public comment.

- **William Jones** spoke to Council stating that he has a business near Shaw Air Force Base and has been providing services to the veterans and the enlisted members of Shaw for over 20 years. He also said that he has a comedy club and has not been involved with anything that is derogatory in any way. Never has he had an issue and he is trying to work to better Sumter County. Mr. Jones said that he wants to have casual drinking privileges at the club because normally, during a comedian's performance, people want to have a cocktail. He also mentioned that he is trying to do good things in a great way to bring business to Sumter; he is a part of the comedian franchise that is in Columbia which is the closes place that a person can go for a comedy performance. Mr. Jones said that the Sheriff's Department stood against his business

for a liquor license. He asked Council members to support him by not stopping good people to do good things for Sumter. Mr. Jones said that he is well vested in Sumter County and he would be glad to talk to anyone about his business and what he is trying to do to help Sumter County.

- **Sabrina Belcher** spoke on behalf of the parents, students, and a non-profit organization stating that they are concerned about the health and welfare of the children of Sumter School District. She stated that no child should be forced to in-person learning, nor should any parent be forced to make a decision about what they should during these trying times. Ms. Belcher was concerned about the kids coming into contact of COVID-19 cases. She stated that Sumter School District has multiple schools, multiple bus routes, 1,337 positive cases, 134 employee positive COVID-Cases. She asked for immediate school closure. Ms. Belcher also asked Council to write a letter to the Governor for the State of South Carolina asking the Governor to declare a state-of-emergency in the State of South Carolina so that the students can go back to virtual learning. Also, the children that are IEP and Special Needs Children should be given a choice of what they need.
- **Brittney Martin** stated that she is the founder of Sisters United and that she would speak on the issue concerning Mr. Jones and about the school concerns. Ms. Martin said that the business that Mr. Jones owns is a very classy place and that she has been at the facility several times. She said that she does not “party-much”; however, she likes to have good clean fun. She asked Council to support Mr. Jones in getting the appropriate documents so that he can provide alcoholic beverages such as wine to his customers. She stated that she enjoys a glass of wine when she is at one of the comedy shows.

Ms. Martin said that although she does not have children in Sumter School District, she is concerned about the lives of the children. Ms. Martin informed Council that she knows what it feels like to lose a child. One of her children died three years ago. Since the death of her child, Ms. Martin said that she has been home schooling her children for three years. She also said that she believes that the children attending these schools are at risk to contract COVID-19 and the variances. Ms. Martin asked Council to stand-up and fight to have mandates for everyone to wear masks and to go back to virtual classes.

- **Crystal Bryan** said that on the first day of school, the parents of Cherryvale Elementary School were called about COVID-19 at the School. There is no division between the children when they are eating lunch. Ms. Bryan asked why have the school district not close the schools down with the increase in the COVID-19 cases.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:37 p.m. after a motion by Councilman Baker, seconded by Vice Chairman, 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: September 14, 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: August 20, 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: August 20, 2021

Respectfully submitted,
Mary W. Blanding
Clerk to County Council