



Minutes
Sumter County Council
Regular Meeting
Tuesday, August 25, 2020 -- Held at 6:00 p.m.
Patriot Hall - Auditorium
135 Haynsworth Street, Sumter, SC

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**Council members and the public will be required to wear a face mask
and have temperatures checked upon arrival. Social Distancing is also required.**

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

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Gary Mixon, Denise McLeod, Helen Roodman, Lorraine Dennis, David Shadoan, David Shoemaker, Johnathan Bryan, Keysa Rogers, and Joe Perry.

MEMBERS OF THE PUBLIC PRESENT: Approximately five members of the public were in attendance.

MEDIA PRESENT: The Item, Shelbie Goulding

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

INVOCATION: Councilwoman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: Everyone in attendance repeated the Pledge of Allegiance to the American Flag.

APPROVAL OF AGENDA: Regular Meeting Tuesday, August 25, 2020
Chairman McCain asked for a motion to take action on the approval of the August 25, 2020, agenda of Sumter County Council.

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Sumpter, and unanimously carried by Council to approve the agenda as presented.

APPROVAL OF MINUTES: Chairman McCain said he would entertain a motion to take action on the approval of County Council Regular minutes held on August 11, 2020.

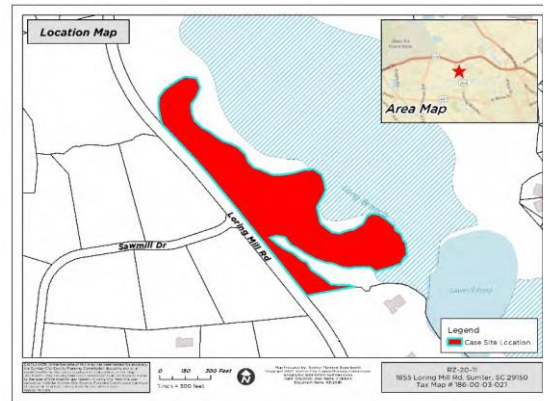
ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Sumpter, and unanimously carried by Council to approve the agenda as presented.

LAND USE MATTERS AND REZONING REQUESTS:
Planned Development/Rezoning Requests

NOTE: *RZ = Rezoning Of Property As Applicable In Sumter County Zoning and Development Standards*
 OA = Ordinance Amendment As Applicable In Sumter County Zoning and Development Standards

(1) RZ-20-11 - 1855 Loring Mill Road - (County) - Second Reading/Public Hearing - A Request To Rezone A Parcel Totaling +/- 12.1 Acres Of Land From Residential-15 (R-15) To Agricultural Conservation (AC). The Property Is Located At 1855 Loring Mill Road And Is Represented By Tax Map #186-00-03-027. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Proposed Rezoning Request.)

Mrs. Roodman introduced this rezoning request to Council for second reading approval. She stated that the applicant and authorized agent for the owner, Jeffrey Faw, is present to speak on behalf of the request. Mr. Faw has requested to rezone 12.1 acres of property from Residential-15 (R-15) to Agricultural Conservation (AC). The property is an irregularly shaped 12.1 acre parcel. The tract’s boundary follows the extent of the wetland of Long Branch and Sawmill Pond. Development on the parcel consists of one shed on the easternmost portion of the property.



Photographs of the site follow:

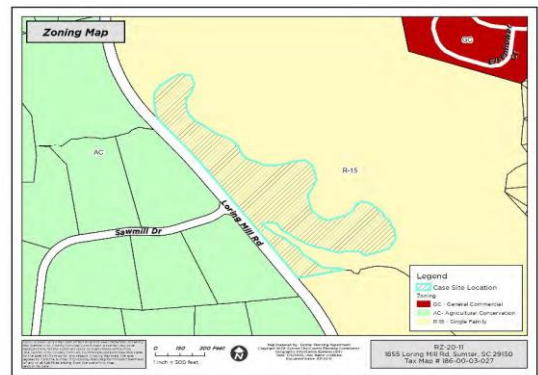


Above: View of the property frontage on Loring Mill Rd (view North)

Below: View of the property frontage on Loring Mill Rd (view South)



Like much of the property on the eastern side of Loring Mill Rd., the subject property is zoned R-15. R-15 zoning is a large lot single-family residential district and is intended to create development patterns that are suburban in nature. Land use on the western side of Loring Mill Road in the area of the site is primarily zoned AC, driven in part by the presence of the Lee’s Preserve Subdivision, which contains +/- 5.0 acre tracts for single family residential development.



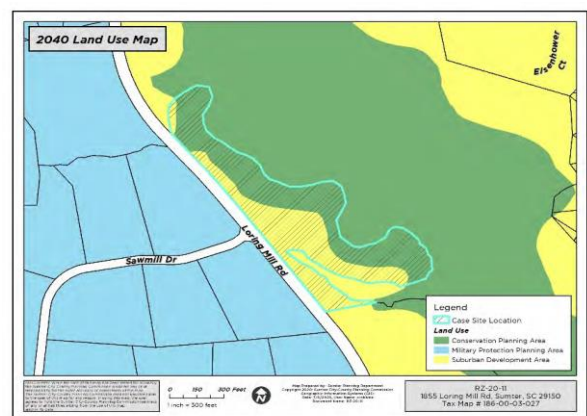
AC zoning is designed to protect and preserve areas of the county which are presently rural or agricultural in character and use. AC parcels are required to be at least one (1) acre in size, and primarily permit single family residential and agricultural uses, with select nonresidential uses permitted with additional conditional and special exception use review.

The parcel’s size, character, and pattern of use are consistent with typical AC properties, and the topography, presence of wetlands, and floodplain in the area suggest that further development surrounding the parcel are unlikely.

Should the parcel be rezoned to AC, the following is a non-exhaustive list of some uses that would be permitted by right, or by conditional use review on the parcel.

Permitted Uses	Conditional Uses
<ol style="list-style-type: none"> 1. Single Family Residential Uses 2. Agricultural Uses 3. Manufactured Homes 4. Parks and Playgrounds 5. Residential Accessory Uses 6. Public Utilities 	<ol style="list-style-type: none"> 1. Mining of Non-Metallic Minerals 2. Mini-Warehouse Uses 3. Retail Nurseries 4. Churches 5. Cemeteries 6. Auto Service

As shown in the 2040 Land Use Map, the property is located in the Suburban Development planning area, with the portion of the property located within the 100-year floodplain categorized as part of the Conservation Planning Area. Additionally, the property lies adjacent to the Military Protection Planning Area, which discourages dense development. One of the primary objectives of this planning area is to scrutinize and manage the existing pattern of development, and to encourage more orderly and efficient land uses.



The Suburban Development Area seeks to promote a mix of higher density commercial and residential uses, although the subject parcel and surrounding properties have been developed at significantly lower density than that allowed by the R-15 zoning and the Suburban Development Planning Area policies. Furthermore, Low density development is appropriate adjacent to the Military Protection Planning Area and in cases where environmental or utility constraints dictate that low density residential is more appropriate.

Designated Conservation Planning Areas are intended to protect and preserve environmentally sensitive areas and prime agricultural lands from residential, industrial and commercial encroachment. Throughout the County, these areas should be preserved to ensure the protection of environmentally sensitive natural resources. Conservation areas adjacent to the Downtown and Suburban Planning Areas are characterized by floodplain, stream corridors, Carolina Bays, and wetlands. As a general policy, development should be limited in these areas. Where development is appropriate, low impact engineering and architectural design practices shall be incorporated into all projects.

Loring Mill Road (SC-204) is an SCDOT-owned and maintained two-lane road, carrying a Major Collector functional classification. The 2019 annual average daily traffic (AADT) volume for Loring Mill Road is 4,400, based on SCDOT count station #571. Any proposed development at the subject property will have its transportation impacts evaluated at time of site plan approval with appropriate mitigation measures required.

Mrs. Roodman stated that the applicant wishes to divide this tract of land into two pieces to facilitate development of two single family homes where accessory structures can be built before the houses are built. The only zoning district in the County that actually permits this is the Agricultural Conservation zoning district on a piece of property that is five acres of size or larger.

Mrs. Roodman stated that the Planning staff recommends approval of this request. Rezoning of the property to AC zoning is consistent with the Sumter 2040 Future Land Use Plan's conservation and military protection objectives. Further, the land use and development pattern surrounding the site is consistent with rezoning to the less intensive AC zoning classification.

After Mrs. Roodman's presentation, a public hearing was held on this request.

Public Hearing

Chairman McCain convened a public hearing on this matter and asked if anyone wished to speak in favor of or opposition to this rezoning request.

- Mr. Jeffrey Faw thanked Council for their consideration of his rezoning request. He also thanked Mrs. Roodman for helping him navigate through the rezoning process and the great job of the Planning Department in analyzing and supporting his request.

After all comments, the Chairman closed the public hearing and Council took action on second reading as presented.

ACTION: MOTION was made by Councilman Byrd and seconded by Councilman Baker, and unanimously carried by Council to grant second reading approval to this rezoning request as presented.

OTHER PUBLIC HEARINGS: None

NEW BUSINESS:

1. Ordinance #20-932 -- An Emergency Ordinance To Require Individuals To Wear Face Coverings In Certain Circumstances And Locations In The Limits Of The County Of Sumter, South Carolina, And Providing For Severability And An Effective Date.

Councilman Baten requested this emergency ordinance be placed on County Council's Regular Agenda Meeting for August 25, 2020. He has researched the need for wearing a face mask in Sumter County. This emergency ordinance states why a face mask should be worn to decrease the transmittal of COVID-19. Councilman Baten is concerned with the impact that COVID-19 is having on the African-American population in Sumter County. Also, the coroner has 49 confirmed COVID-19 deaths, 20 which are black females, and approximately 73% are African-American deaths. Councilman Baten is also concerned for himself as a veteran, living in a vulnerable population with approximately 15,000 veterans in Sumter County. Many veterans are combat veterans or who have served in a combat zone. Veterans who served in a combat zone, to include Councilman Baten, have been exposed to Agent Orange, a mixture of herbicides that U.S. military forces sprayed in Vietnam from 1962 to 1971 during the Vietnam War for the dual purpose of defoliating forest areas that might conceal Viet Cong and North Vietnamese forces and destroying crops that might feed the enemy. Some common diseases veterans developed were Ischemic Heart Disease, Prostate Cancer, Type 2 Diabetes, etc., and unfortunately Councilman Baten has all three diseases. Other veterans and I are at high risk, and if diagnosed with COVID-19 our chances of survival are not very good. Most people who have died are between the ages of 60-80, and most Vietnam veterans are in their late 60's - early 70's. The Veterans of Foreign War, American Legions, Disabled American Veterans, and Sumter, SC Combat Veteran Group all have veterans with Agent Orange symptoms and are at a higher risk of dying if contracting COVID-19.

Artie Baker was concerned as an owner of a car wash in the County, according to the ordinance the individual would have to wear a mask washing a car.

ACTION: MOTION was made by Councilman Baten and seconded by Councilwoman McGhaney to approve Ordinance #20-932 as presented. The following votes were recorded for this motion.

In Favor of the Motion:

Chairman James T. McCain
Councilman Baten
Councilwoman McGhaney

In Opposition of the Motion

Vice Chairman James Byrd
Councilman Baker
Councilman Edens
Councilman Sumpter

The motion failed.

2. 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. Personnel/Technology Committee Meeting, July 14, 2020, 5:30 p.m. In The Band Room, At Patriot Hall, 135 Haynsworth Street, Sumter, SC.

Committee Chairman Vivian Fleming McCain stated that all the committee members as well as other Council members were present at this meeting. The Committee received a request to add an Animal Control Officer position to the County's Position Control.

Mr. Mixon amended the request to add an Animal Control Secretary position to the County's Position Control.

ACTION: MOTION from Councilman Byrd and seconded by Councilwoman McGhaney to amend the title to Animal Control Secretary, and unanimously carried by Council to approve the addition of an Animal Control Secretary position to the County's Position Control.

Mr. Kent Hall presented/proposed information to the Committee on an EMT training program, at no cost to the County, to decrease the number of vacant positions in the County's EMS department.

ACTION: Received as information, no action was taken.

1. Report From Council Members On Other Meetings, Trainings, And/Or Conferences. No report.

MONTHLY REPORTS - None

COUNTY ADMINISTRATOR'S REPORT

- Mr. Mixon, the County Administrator, stated that the Administration Offices and Finance/Purchasing began moving from the old Courthouse back to the Administration Building the week of August 10, 2020. The Assessor, Auditor, and Treasurer Offices began moving from Magnolia Place back to Administration Building the week of August 24, 2020. Our goal is to open to the public August 31, 2020. County Council meetings will continue to be held at Patriot Hall at least through the end of October 2020, due to the social distancing. A virtual ribbon cutting will be scheduled for the Administration Building in the near future.
- Mr. Mixon was asked by Councilman Baten to give a report at each Council meeting on COVID-19 numbers, etc. Mrs. Dennis gave the following report from the Sumter County Coroner's Office. As of August 17, 2020, there was a total of 49 COVID-19 deaths. Of the 49 deaths, 16 were African-American males, 21 were African-American females, 7 were Caucasian males, 4 were Caucasian females, and 1 other male.

There was discussion as to the discrepancy of COVID-19 deaths recorded in Sumter County versus South Carolina Department of Health and Environmental Control's records.

Mr. Mixon stated the COVID-19 information is rapidly changing, and will be glad to share the websites with Council members to review the information. The COVID-19 numbers are coming down significantly and Sumter County is no longer in the high risk category.

Mrs. Dennis thanked Mrs. Roodman for providing COVID-19 information for Sumter County and the State of South Carolina.

Mr. Baten stated that positive numbers are down because we are not testing residents. Mrs. Dennis stated that Sumter County offered testing at the Sumter Civic Center, Hillcrest Middle School, Rafting Creek Elementary School with low turnouts at each site.

ADJOURNMENT

After all discussions, motion was made by Councilman Byrd, seconded by Councilman McGhaney to adjourn the meeting of Sumter County Council at 6:33 p.m.

Respectfully submitted,

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

Denise P. McLeod
Acting Clerk to County Council
Sumter County Council

Approved: _____

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, 2020, 2020
- 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, 2020

Respectfully submitted,
Denise P. McLeod
Mary W. Blanding