



**Minutes**  
**Sumter County Council**  
**Regular Meeting**  
**Tuesday, December 8, 2020 – Held at 6:00 p.m.**  
**Sumter County Administration Building, Third Floor**  
**13 E. Canal 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.**

<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 Chris Sumpter.

**COUNCIL MEMBERS ABSENT:** None

**STAFF MEMBERS PRESENT:** Gary Mixon, Mary W. Blanding, Helen Roodman, David Shadoan, Johnathan Bryan, Joe Perry, and two Sheriff Deputies.

**MEMBERS OF THE PUBLIC PRESENT:** Two members of the public attended the meeting.

**MEDIA PRESENT:** The Item Newspaper

**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, December 8, 2020

Chairman McCain asked the Clerk, Mrs. Blanding, if there were any changes to the agenda. Mrs. Blanding stated that there were no changes to the agenda.

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

**APPROVAL OF MINUTES:** Regular Meeting Tuesday, November 24, 2020.

Chairman McCain asked for a motion to approve the minutes for County Council's November 24, 2020, meeting as prepared by the Clerk to Council.

**ACTION:** MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by Council to approve the minutes as presented for November 24, 2020, 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.**

- (1) **RZ-20-14 – Third Reading -- 1810 Pinewood Road (County) -- A Request To Rezone A Parcel Totaling +/- 4.13-Acre Tract From Agricultural Conservation (AC) To Neighborhood Commercial (NC). The Property Is Located At 1810 Pinewood Road And Is Represented By Tax Map # 181-00-05-086.**

Prior to this item being presented by Mrs. Helen Roodman, Councilman Charles Edens recused himself from the meeting due to a conflict of interest.

Mrs. Roodman introduced this item and stated that there were no changes to this rezoning request since first reading. After all comments, the Chairman stated that he would entertain a motion on third reading.

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant third reading approval of this proposed rezoning request as presented.

**NOTE:** Mr. Mixon announced that Mrs. Roodman has been appointed as the new Planning Director for the City County Planning Department. Council then congratulated Mrs. Roodman and asked her if she had any comments. Mrs. Roodman stated that she accepted a position in the Planning Department over fifteen years ago and thought she would be in Sumter for only two years. However, as life would have it, she is still here and now the Planning Director. She thanked Council for the opportunities that she has received from the County and its staff. Mr. Mixon also stated that a formal announcement concerning the appointment of Mrs. Roodman will be in the Item Newspaper in the next few days.

**PUBLIC HEARINGS: None**

**NEW BUSINESS:**

- (1) **R-20-08 -- A Resolution Of Sumter County Council Urging That Face Coverings Or Masks Be Worn In Public In The Unincorporated Areas Of Sumter County During The Covid-19 Public Health Emergency And Recovery.**

Mr. Johnathan Bryan presented the proposed resolution to Council for consideration. He stated that this resolution is a replica of a former resolution that County Council considered in July of this year. The only change to the resolution is the definition listed in the verbiage under Definitions item #2 -- *All persons entering an Establishment in the County or any building open to the public are encouraged to wear a Face Covering while inside the enclosed area of the Establishment, public place or building including religious establishments.* See entire resolution listed below.

After the resolution was presented, the following motion was offered.

**ACTION:** MOTION was made by Councilman Edens and seconded by Vice Chairman Byrd to grant approval of the resolution as presented.

Prior to calling for the vote, the Chairman asked if there were any comments or questions.

Councilman Baten asked was this resolution to “encourage people to wear masks and face coverings” or is it a “mandate informing the public that they must wear masks and or face coverings.”

The Chairman stated that this is not a mask mandate.

Councilman Baten further stated that he has some heartburn with this and he feels that Sumter County Council members are not holding to their duties as County Council members. Not only are Council members required to bring jobs and economic development to Sumter, Council members are also required to look out for the health, safety, and welfare of all the citizens of Sumter County. He further stated that he thinks that by having this resolution that only urge people to wear a mask or face covering is not looking out for the health and welfare of the people of Sumter County. Councilman Baten also stated that he thinks that Council is being derelict in its duties as Council members and is not consistent with what is going on in our country. Councilman Baten further commented that President Elect Joe Biden spoke on television today (December 8, 2020) about a program that he is going to implement when he becomes President. One of the programs is for people to wear masks for 100 days which will be required of all federal buildings throughout the United States. Councilman Baten added that the President Elect is also going to ask Governors and Local Governments to do the same by passing a mask ordinance for 100 days. Additionally, the President Elect mentioned the 100,000,000 vaccines he will have available for the first 100 days. It was also mentioned by Councilman Baten that President Elect Biden hopes to open all schools. Councilman Baten said that when Council members need to start looking locally at what is going on in this community. Councilman Baten then gave statistics as to the number of cases South Carolina is having per day (2,300); the death rate is climbing to approximately 30 per day, and he provided other information concerning this matter from a newspaper article. Lastly, Councilman Baten stated that if this resolution is not a mandate, then Council is wasting its time.

Councilman Edens asked Councilman Baten if he has any documentation showing where these recent increases are located and if they are due to not wearing a mask or face covering. Councilman Edens also stated that he is wearing a mask and everywhere he goes everyone has on a mask whether it is upstate, lower state, or the midlands. Councilman Baten stated that the problem is that many people are not wearing masks. After all comments, the Chairman called for the vote on this matter and restated the motion.

**ACTION:** MOTION was made by Councilman Edens, seconded by Vice Chairman Byrd, and carried by Council to grant approval of the resolution and directed the Chairman and the Clerk to execute the resolution as presented. Councilman Baten voted in opposition. The motion carried.

### **Resolution - R-20-08**

#### **WHEREAS:**

1. The 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person; and

2. The World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and on March 11, 2020, the World Health Organization declared a world-wide pandemic; and
3. The Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States; and
4. On January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States as a result of COVID-19 under Section 391 of the Public Health Service Act; and
5. On March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020; and
6. On March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order 2020-08, declaring a State of Emergency based on a determination that the COVID-19 poses an actual or imminent public health emergency for the State; and
7. On March 13, 2020, the Governor of the State of South Carolina Henry McMaster declared a State of Emergency for the State of South Carolina; and
8. The Governor of the State has subsequently declared a continued State of Emergency in Executive Orders 2020-15 (March 28), 2020-23 (April 12), 2020-29 (April 27), 2020-35 (May 12), 2020-38 (May 27), 2020-40 (June 11), and 2020-44 (July 11); and
9. Health authorities, including the CDC, the Surgeon General of the United States, and DHEC have recommended the use of face coverings as a means of preventing the spread of COVID-19; and
10. Sumter County Council has determined, based on the recommendations of public health experts and responsive to a serious threat to the public health, safety, and welfare of its citizens, that although it would be within Sumter County’s police powers under Home Rule and S.C. Code § 4-9-30 to require by ordinance that individuals wear face coverings in certain situations and locations, but at this time the Council chooses instead to pass this Resolution urging the wearing of face coverings in public; and
11. COVID-19 has spread across the State with the South Carolina Department of Health and Environmental Control (“SCDHEC”) confirming the localized person-to-person spread of COVID-19 in South Carolina, which indicates a significantly high risk of exposure and infection creating an extreme public health risk; and

12. Sumter County has received a strong message from the medical community, that unless citizens curb the rising spread of COVID-19 through wearing facemasks and following social distancing protocol established by the CDC and included in the Executive Order of the Governor of South Carolina, community medical facilities could be faced with more patients than any one institution can accommodate; and,
13. The Centers for Disease Control and Prevention (“CDC”) and SCDHEC advise the use of face coverings to slow the spread of COVID-19; and
14. Taking measures to control outbreaks minimizes the risk to the public, maintains the health and safety of the County’s residents, and limits the spread of infection in our communities and within the healthcare delivery system; and
15. In order to protect, preserve, and promote the general health, safety and welfare and the peace and order of the County, the County is taking steps to try to protect the citizens and employees of the County from increased risk of exposure; and
16. In light of the foregoing, County Council deems it proper and necessary to adopt this Resolution, effective immediately.

**NOW, THEREFORE, BE IT RESOLVED BY THE SUMTER COUNTY COUNCIL ON THIS DATE THAT:**

County Council urges all persons in Sumter County to wear facial coverings or masks in public places and public buildings within the County to slow the spread of the novel coronavirus disease, known as COVID-19 as follows:

1. Definitions. As used herein, the terms below shall have the following meanings:
  - a. “Establishment” means a Foodservice Establishment or Retail Establishment.
  - b. “Face Covering” means a uniform piece of cloth, fabric, or other material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands. Face Coverings include, but are not limited to, bandanas, medical masks, cloth masks, scarves, and gaiters, provided that they are worn such that they securely cover the person’s nose and mouth.
  - c. “Foodservice Establishment” means any establishment within the unincorporated areas of Sumter County that sells prepared food on a dine-in, delivery, carry-out, or drive-through basis, and includes Drinking Places where beer, wine, liquor or other alcoholic beverages are served for on-premise consumption.
  - d. “Responsible Person,” with respect to an Establishment, means any individual associated with the Establishment who has the authority and ability to enforce the requirements of the Ordinance within the Establishment, such as an owner, manager, or supervisor. “Responsible Person” may also include an employee or

other designee who is present at the Establishment but does not have the title of manager or supervisor, but who has the temporary or designated authority and ability to ensure that the requirements of this Ordinance are met while the Establishment is open to the public.

- e. “Retail Establishment” means any retail business, organization, establishment, or facility open to the public within the unincorporated areas of Sumter County, including without limitation:
    - i) grocery stores, convenience stores, and any other establishment engaged in the retail sale of non-prepared food;
    - ii) commercial stores engaged in the retail sale of goods or services to the public including without limitation sporting goods stores; furniture and home-furnishings stores; clothing, shoe, and clothing-accessory stores; jewelry, luggage, and leather goods stores; department stores; hardware and home-improvement stores; book, craft, and music stores; florists and flower stores; and all other stores that sell supplies for household consumption or use;
    - iii) pharmacies and other stores that sell medications or medical supplies;
    - iv) alcoholic beverage stores; and
    - v) laundromats.
  - f. “Dining” means the actual transfer of food or beverage to the mouth.
2. All persons entering an Establishment in the County or any building open to the public are encouraged to wear a Face Covering while inside the enclosed area of the Establishment, public place or building including religious establishments.
  3. All Establishments in the County should require staff to wear Face Coverings while working in areas open to the general public and areas in which interactions with other staff are likely in which social distancing of at least six feet cannot be observed.
  4. All persons are encouraged to wear a Face Covering:
    - a. when walking in public where maintaining a distance of six (6) feet between other members of the public at all times is not possible;
    - b. while providing or utilizing public transportation including but not limited to taxis, Uber or Lyft;
    - c. when participating in a permitted or allowable gathering; and
    - d. while interacting with people in outdoor spaces, including but not limited to, curbside pickup, delivery and service calls.
  5. Any person who is unable to safely wear a face covering due to age, an underlying health condition, or is unable to remove the face covering without the assistance of others would be excused from complying with this request.

6. Face coverings would generally not be worn by individuals in the following circumstances:
  - a) in outdoor or unenclosed areas appurtenant to Retail Establishments or Foodservice Establishments in which social distancing of at least six feet is possible and observed;
  - b) for people whose religious beliefs prevent them from wearing a face covering;
  - c) for those who cannot wear a Face Covering due to a medical or behavioral condition where the Face Covering causes or aggravates a health condition (i.e., asthma or the like);
  - d) for children under the age of eight years old, provided that adults accompanying children age eight or older shall use reasonable efforts to cause those children to wear Face Coverings while inside the enclosed area of any Establishment;
  - e) when patrons of Food Service Establishments are dining, seated or socially distanced consuming food or beverage;
  - f) in private, individual offices, and for employees where they are separated from customers by a plexiglass or glass shield;
  - g) when complying with directions of law enforcement officers;
  - h) in settings where it is not practical or feasible to wear a Face Covering, including when obtaining or rendering goods or services such as the receipt of dental services or while swimming;
  - i) while exclusively with members of a family or the same household, and no person other than such family or household is within the same enclosed area.
  - j) by anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance;
  - k) in personal vehicles;
  - l) during outdoor physical activity, provided the active person maintains a minimum distance of six (6) feet from other people at all times;
  - m) when a person is alone or only with other household members; and
  - n) by Police officers, Fire Fighters, EMS or other First Responders when it is not practical while engaged in a public safety matter or any emergency matter.

- (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. Internal Affairs Committee Meeting December 8, 2020, 5:00 p.m. In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC.

Vice Chairman James R. Byrd, Chairman of this Committee, gave the following report for the Internal Affairs Committee:

- 1. Accommodations Tax Advisory Board:** The Committee recommended to send three names to the City of Sumter because the Accommodations Tax Advisory Board is a joint board with the City of Sumter. The motion from the Internal Affairs Committee is to recommend approval of the candidates for the Accommodations Tax Advisory Board upon ratification by the City of Sumter.

**ACTION:** MOTION and second were received from the Internal Affairs Committee, and unanimously carried by Council to approve the recommendation to send three names to the City of Sumter and upon ratification of the three names, those persons will be either appointed or reappointed to the Accommodations Tax Advisory Board.

- 2. Airport Commission:** The Committee recommended to appoint Mr. Julian Hill and Mr. Bill Lynam to the Airport Commission.

**ACTION:** MOTION and second were received from the Internal Affairs Committee, and unanimously carried by Council to approve the recommendation to appoint Julian Hill and Bill Lynam to the Airport Commission

- 3. Alcohol and Drug Abuse Commission:** The Committee recommended to appoint Lorra Bailey to replace Linda Clark and to reappoint Margaret Carpenter, Brandi Hall, Matthew Wilkie, Ivan Sanders, Mary Sheridan, Albert L. Davis, and Ronald C. Price to the this Commission.

**ACTION:** MOTION and second were received from the Internal Affairs Committee, and unanimously carried by Council to approve the recommendation to appoint Lorra Bailey to replace Linda Clark and to reappoint Margaret Carpenter, Brandi Hall, Matthew Wilkie, Mary Sheridan, Albert L. Davis, and Ronald C. Price to the Alcohol and Drug Abuse Commission.

- 4. Crystal Lakes Golf Course Advisory Board** – No action was taken.

- 5. Cultural Commission:** The Committee recommended to appoint Yanet Alvarez and Zachariah Lowe and to reappoint Inez Cruz, and Cheryl Moye to the Cultural Commission.

**ACTION:** MOTION and second were received from the Internal Affairs Committee, and unanimously carried by Council to approve the recommendation to appoint Yanet Alvarez and Zachariah Lowe and to reappoint Inez Cruz, and Cheryl Moye to the Cultural Commission.

- 6. Development Board:** The Committee recommended to reappoint Earl Wilson to the Development Board.

**ACTION:** MOTION and second were received from the Internal Affairs Committee, and unanimously carried by Council to approve the recommendation to reappoint Earl Wilson to the Development Board.



7. **Housing Authority Board:** The Committee recommended to appoint Dr. Ora Spann to the Housing Authority Board.

**ACTION: MOTION** and second were received from the Internal Affairs Committee, and unanimously carried by Council to approve the recommendation to appoint Dr. Ora Spann to the Housing Authority Board.

8. **Library Board:** No action taken.

9. **Planning Commission:** The Committee recommended to appoint Mike Walker and Chris Sumpter (with Mr. Sumpter’s appointment to start in January 2021) to the Planning Commission replacing Tyler Dunlap and Sandra McBride respectfully, and to send one name to the City of Sumter for a joint appointment with the City of Sumter, which will be approved upon ratification by the City of Sumter.

**NOTE:** Councilman Sumter recused himself from voting on this matter.

**ACTION: MOTION** and second were received from the Internal Affairs Committee, and unanimously carried by Council to approve the recommendation to appoint Mike Walker and Chris Sumpter to the Planning Commission replacing Tyler Dunlap and Sandra McBride respectfully, and to send one name to the City of Sumter for a joint appointment with the City of Sumter, which will be approved upon ratification by the City of Sumter.

10. **Zoning Board Of Adjustment And Appeals:** The Committee recommended to appoint Sam Lowery to the Zoning Board of Adjustment and Appeals to replace Harold B. Johnson.

**ACTION: MOTION** and second were received from the Internal Affairs Committee, and unanimously carried by Council to approve the recommendation to appoint Sam Lowery to the Zoning Board of Adjustment and Appeals.

2. **Fiscal, Tax, and Property Committee Meeting December 8, 2020, 5:30 p.m. In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC.**

The Chairman of the Committee, Chairman James T. McCain, stated that all Committee members were present. The following recommendations were received from the Committee for action by Sumter County Council.

- **Executive Session:** A motion and second were received from the Committee to authorize County staff to negotiate the price for the purchase of a parcel of land that was presented during executive session.

**ACTION: MOTION** and second were received from the Fiscal, Tax, and Property Committee, and unanimously carried by Council to approve the recommendation as presented to authorize County staff to negotiate the purchase price for a parcel of land as presented during executive session.

- **Construction Of A New Airport Hangar And Other Related Structures To Receive Some Funding Through the County’s Infrastructure Fund:** A motion and second were received from the Committee to authorize the use of \$50,000 from the County’s Infrastructure Fund in order to match funds to build new structures at the Airport.

**ACTION:** MOTION and second were received from the Fiscal, Tax, and Property Committee, and unanimously carried by Council to approve the recommendation to secure \$50,000 from the County’s Infrastructure account to fund the projects as listed above.

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

Councilman Vivian Fleming McGhaney stated that there is an abundance of information that will be coming forth from the Santee Lynches Regional Council on Government. She will provide this information to Council at a later date.

**MONTHLY REPORTS**

- The Board of Zoning Appeals
- SUATS Meeting Calendar 2021
- COVID-19 Report – As seen below under Administrator’s Report

**COUNTY ADMINISTRATOR’S REPORT**

Mr. Mixon asked Council, and received their approval, to provide the COVID-19 Update in written form instead of a verbal report starting in December 2020.

The County Administrator gave the following COVID-19 Update:

- As of today Sumter County has had 4,103 cases of COVID.
- Since November 24, 2020, the County has had 364 New Cases of COVID.
- This is a daily average of 26% which is up from the last two weeks which was 24%.
- Four additional deaths as reported by Sumter County Coroner: Two African American and two Caucasians; three males, one female, and one Veteran.

Councilman Baten thanked the Administrator for what he has already done. However, Councilman Baten would also like to know the total number of people that have died in Sumter County. He further asked the Administrator for a breakdown of how many African American males, females; how many Caucasian males, females, others, and veterans.

Councilman Baten stated that he would like to have the cumulative numbers on all demographics as it relates to the COVID-19 pandemic in Sumter, South Carolina.

**ADJOURNMENT**

After all discussions, motion was made by Vice Chairman Byrd, seconded by Councilman Sumpter to adjourn the meeting of Sumter County Council at 6:31 p.m.

Respectfully submitted,

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

Mary W. Blanding  
Clerk to County Council  
Sumter County Council

Approved: January 12, 2021

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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: December 4, 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: December 3, 2020

Respectfully submitted,  
*Mary W. Blanding*  
Mary W. Blanding