



Minutes
Sumter County Council Regular Meeting
Tuesday, February 22, 2022 -- Held at 6:00 p.m.
Sumter County Administration Building
Third Floor, County Council Chambers
13 E. Canal Street, Sumter, SC

.....

Council Members, Staff, And The Public Will Be Asked To Wear A Facemask At The Meeting. 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/UCAHjqzPaonQ9LFS2kO37tA>

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

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Gary Mixon, Mary Blanding, Joe Perry, Helen Roodman, Lt. Hawkins, Valerie Brunson, and two other members of the Sheriff's Staff.

MEDIA PRESENT: The Item Newspaper; Shelby Goulding.

MEMBERS OF THE PUBLIC: Approximately 34 members of the public were present.

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

INVOCATION: Councilman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: Led By Veteran William Gaymon, Council District #7. Mr. William Gaymon served our country in the US Army Reserves for twelve years from 1980 to 1992. After his Honorable discharge from service, he worked at National Health Care until he was medically retired. He is an active member and Deacon at Jehovah Missionary Baptist church. He is married to Cynthia Brunson Gaymon, and they have 2 children, William Jr. and Ericka. He lives in County Council District 7. Thank you for your service.



APPROVAL OF AGENDA: Regular Meeting Tuesday, February 22, 2022.

Chairman McCain stated that he would entertain a motion to approve the agenda as presented.

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, February 8, 2022, and Special Meeting for County Council On February 8, 2022.

Chairman McCain said he would entertain a motion to act on the February 8, 2022, Regular Meeting minutes of Sumter County Council. The following motion was made.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by County Council to approve the minutes for Council regular meeting held on February 8, 2022, as presented.

The Chairman McCain called for a motion on the minutes for the Special Meeting of County Council held on February 8, 2022.

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by County Council to approve the minutes for Council Special meeting held on February 8, 2022, 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-21-26 - 4065 Country Lane -- (County) - Second Reading/Public Hearing -- A Request To Rezone A +/- 5.81-Acre Tract From General Residential (GR) To Agricultural Conservation (AC). The Property Is Located At 4065 Country Lane And Is Represented By Tax Map # 159-00-02-007. (Council Will Take Action On Second Reading Immediately After The Public Hearing For This Rezoning Request.)**

Mrs. Helen Roodman stated that this rezoning request at 4065 Country Lane is requested by the applicant and property owners, Mr. James Erin Dyson, who was present on behalf of the rezoning request. Mr. Dyson hopes to have the property rezoned from General Residential to Agricultural Conservation so that he can construct a mini warehouse building. The primary frontage of the property is on St. Paul Church Road with some limited frontage on Country Lane. The property is currently heavily wooded. Ms. Roodman also said that Mr. Dyson purchased the property several years ago with the intent to build residential houses on the property. However, after finding out that the property would not perk for septic tanks use; he changed his plans to develop a public warehouse business.

Ms. Roodman also informed Council that if the property was rezoned, it would have to be subdivided because a mini-warehouse site cannot be more than four acres in size. Also, access to the property could only be from St. Paul Church Road based on the Comprehensive Plan not allowing commercial businesses to have egress and ingress into and from a residential area. The property can only be used for personal or professional storage, no parking of vehicles, boats, etc. There is also a requirement that there must be vegetation between the residential and commercial property.

In addition, Ms. Roodman stated that the property owner must have stormwater permitting which requires a stormwater management plan so that any stormwater run-off from the site would not impact any of the other property owners.

The Planning Commission is recommending approval of the rezoning request because the property is generally supported by the Comprehensive Plan. The property would also have go through a site plan review process.

After comments from Mrs. Roodman and members of County Council, the Chairman convened a public

hearing and the following persons spoke during public hearing.

- Mr. Brent Pokay spoke to Council concerning the rezoning request. He stated that he and his neighbors are totally against the rezoning request. Mr. Pokay said that currently this is a quiet neighborhood and if the building is placed in the neighborhood, it will have more traffic and more people coming into the neighborhood. He further stated that sometimes crime is around warehouses; therefore, he and neighbors would not want crime in the neighborhood. He asked Council not to support this request. Mr. Pokay said that he has not talked with the property owner but he did talk with Mr. Dyson's father. Mr. Pokay further stated that they do not want to have a commercial business in their neighborhood; they are like family and they do not want this business.
- Gerri Wells also spoke to Council about not wanting this rezoning request. She said that it will abut to her backyard. Also Ms. Wells said that an elderly lady lives right next door to her and she stays very sickly, and this company will not be a positive thing for this woman or any of the members of the neighborhood. Her concerns are crime rate, traffic, and buffering that might look like the Dollar General buffering which is not much; it looks horrible. She also said that she was one of the first one persons that purchase a house in this area.
- Ernie Seruya stated that his concern is the way the area floods now and if this property is rezoned, what will be the affects of the flooding after the warehouse is built. The property that is proposed to be rezoned floods all the time and may flood other houses in the neighborhood.

Ms. Roodman also stated that the property is not currently in any special flood hazardous area nor is it in an area that the Planning Commission has oversight of at this time. It is highly likely that this is localized flooding that has not been picked up on in mapping.

- Brent Pokay stated that whenever it rains, there will always be flooding in that area. Flooding is a big issue in this particular area.
- Mr. Dyson said that a six-foot fence is required around the entire area; therefore, there would be no crime from the business. There will also be a timed gate and every person using the warehouse would have a security code. The business will not be a 24-hour business; the latest hours would be until 10:00 p.m. He also said that there will be a dumpster on the facility which will allow those using the warehouse to be able to empty trash from their section of the warehouse and a place the trash or unwanted items in the dumpster on the warehouse property.

After all comments, Chairman McCain called for a motion concerning second reading on this rezoning request.

ACTION: MOTION was made by Councilman Edens, seconded by Vice Chairman Byrd, and unanimously carried by County Council to defer second reading so that Council will have time to review this matter further by visiting the site and to have the County's Stormwater Department to look at this request as it appears now and what is proposed.

OTHER PUBLIC HEARINGS:

- (1) **Ordinance 22-971 –An Ordinance Establishing New Electoral Districts For The Election Of Members Of Sumter County Council Pursuant To The United States Census Of 2020 And In Compliance With Section**

4-9-90, South Carolina Code Of Laws (2021, As Amended). (Council Will Take Action On Third Reading Immediately After Public Hearing Or During Old Business.)

Chairman McCain introduced this proposed ordinance. Then the County Administrator, Gary Mixon, and the Clerk to Council, Mary Blanding provided large size maps (4 x 3 feet) for the public and Council to see. There was a comparison of the maps dated February 7, 2022, which was considered at second reading, and the map dated February 15, 2022, that was considered at third reading. All Council members had reviewed the maps prior to third reading. Councilman Baten asked if the map before Council during this meeting allowed him to maintain Morris College. Mr. Mixon as well as Councilman McGhaney informed Councilman Baten that Council District #7, which Councilman Baten represents, still has Morris College as a part of District #7. After review of the maps, Chairman McCain convened a public hearing and asked if anyone wished to speak in favor of or opposition to the County Council District Map for third reading dated February 15, 2022.

No one spoke to this matter; therefore, Chairman McCain closed the public hearing and Council took action on third reading as listed under Old Business.

NEW BUSINESS:

- (1) 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.

There was no executive session.

OLD BUSINESS:

- (1) Ordinance 22-971 - Third Reading -- An Ordinance Establishing New Electoral Districts For The Election Of Members Of Sumter County Council Pursuant To The United States Census Of 2020 And In Compliance With Section 4-9-90, South Carolina Code Of Laws (2021, As Amended).

After Council members review the maps and the Chairman convened a public hearing, Chairman McCain called for a motion on third reading of this proposed ordinance and approving the redistrict map dated February 15, 2022.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Baten, and unanimously carried by County Council to approve ordinance 22-971, including the map that reflects the adjustments to the new electoral Districts for the election of members of Sumter County Council. The map is dated February 15, 2022, as presented.

COMMITTEE REPORTS

- (1) Internal Affairs Committee Meeting Scheduled for Tuesday, February 22, 2022, at 4:15 p.m. Held In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Byrd, Baker, and McGhaney).

The Committee Chairman, Vice Chairman Byrd gave the following recommendations from the Committee and County Council ratified the action of the Committee.

Accommodations Tax Advisory Committee: Four names will be forwarded to the City of Sumter stating that members of Sumter County Council are in favor of the joint appointments and ask the City to ratify the appointments and the City Clerk will process the appropriate paperwork.

ACTION: MOTION and second were received from the Committee and approved by members of County Council to direct the Clerk to notify the City Clerk that Council supports the appointment of each of the four proposed appointees and asked the City to ratify the appointments and the City Clerk to process the appropriate paperwork.

County Council Capital Projects Sales Tax Commission Appointees: Recommended to appoint Stevie Randy McCall, Peggy Blanding, and Bob Smith.

ACTION: MOTION and second were received from the Committee and approved by members of County Council to appoint Stevie Randy McCall, Peggy Blanding, and Bob Smith to represent County Council on the Capital Projects Sales Tax Commission.

Sumter County Cultural Commission Appointee: Recommended to appoint Walter S. Wilson.

ACTION: MOTION and second were received from the Committee and approved by members of County Council to appoint Walter S. Wilson to the Cultural Commission.

Sumter County Litter Advisory Board: Recommended to appoint Tasha Gardner.

ACTION: MOTION and second were received from the Committee and approved by members of County Council to appoint Tasha Gardner to the Litter Advisory Board.

- (2) **Public Safety Committee Meeting Scheduled for Tuesday, February 22, 2022, at 4:30 p.m. Held In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Washington, Baten, and Byrd.) This Meeting Will Begin Immediately After The Internal Affairs Committee Meeting Or At 4:30 P.M.**

Councilman Washington, Chairman of the Committee, stated that the Public Safety Committee met this evening to discuss some immediate actions that can be taken concerning some of the safety issues in the Walnut Hill Community to help alleviate the fatal accidents that have been accruing in that community. Councilman Washington stated that the Sheriff's Department is helping with developing some strategic actions for short term actions that can take place to aid in alleviating this problem and further work will be done with other entities for long term resolution of this problem.

Councilman Washington also reported that the Sheriff's Office is developing processes in helping with the County's Litter Campaign.

The Committee will meet again in two weeks.

- (3) **Special Meeting Of Sumter County Council Scheduled For Tuesday, February 22, 2022, at 5:00 p.m. Held In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (All Council Members) This Meeting Will Begin Immediately After The Public Safety Committee Meeting Or At 5:00 P.M.**

The County Administrator, Gary Mixon, gave the following synopsis of the Special Meeting of Sumter County Council. He stated that no action was taken on any of the items for the Special meeting:

1. Uvette Rogers presented Council with the December Financial Statement.
2. Council reviewed the maps for Ordinance #22-971, which Council acted on under Old Business.
3. Council discussed matters relating to proposed property matters as it relates to the Capital Projects Sales Tax Commission. These matters were discussed in executive session and no action was taken.

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

Councilman Baten asked about the COVID Report. The Administrator stated that he was informed last week that the Coroner was unable to provide information for the COVID Report.

Then Councilman Baten gave the following report on deaths of Veterans in Sumter County since December 8, 2020.

241 Veterans have died since December 8, 2020

Average age of veterans is 74, age range is 27-100

Race: Caucasian 159, African Americans 71

Gender: 238 males, 4 females

Division of the Arm Services: Air Force 105, Army 79, Navy 17, Marines 8, National Guard 12, unknown

Councilman Washington asked to be heard. He stated that he has been meeting with citizens in his Council District concerning the Capital Projects Sales Tax referendums in 2008, 2014, and the proposed Capital Projects Sales Tax for 2022. He also stated that he has talked with other people in different areas about issues relating to the Penny Tax. After review of the ballot question for each Capital Projects Sales Tax known as the Penny Tax he discovered some interesting information. The first Penny Tax had zero dollars for county paving or improvements – Not One Penny. In the 2014 Penny Tax, \$8,900,000 was appropriated for paving roads and \$3,100,000 for resurfacing roads. The two different referendums brought in \$154,000,000 and only 5% of the funding was used for paving roads and only 2% for resurfacing. In 2014 a newspaper article quoted the Councilman from Myrtle Beach Highway stated that “every citizen can see a benefit in the tax...the issue with roads has been the most highly requested project from the citizens.” Councilman Washington further stated that, yet only 5% of the funding for the two cycles of the Penny Tax was used for paving and only 2% for resurfacing. It was also noted in the same newspaper article by the Administrator that “it is the number one thing that Council members heard during the meetings, is the citizens want something done with the County’s Road System. Councilman Washington also stated that the County Administrator stated in a recent article in 2021 “that roads will be a priority in the proposed referendum because the need is so great. Councilman Washington continued to read an article about what the citizens thought about the upcoming proposed referendum citing that the citizen did not know what Council was going to spend the funds on for the Capital Projects Sales Tax 2022 Referendum. He also quoted John McCoy said, “fix our roads with the Penny Tax and the Road User Fee which is already collected before you try to tackle more projects and take more money out of our budget for wheels, tires, alignments, and taxes that Sumter County residents have to pay.” Another gentleman was quoted as saying, the County does not need any new projects, he stated that he wants basic services. Councilman Washington said that the County allocated two projects for Patriot Park, one for \$2,000,000 and the Patriot Park Athletic Complex and Activity Center for \$6,000,000, yet the other community centers are in a shamble. Councilman Washington said that a lot of roads could have been paved with \$6,000,000. It was also stated that only \$2,000,000 Cherryvale, Concord, Ebenezer, Spectrum, Rembert, and Mayesville. Councilman Washington stated that it is estimated that every citizen pays up to \$700 per year to repair a vehicle because of the horrible condition the roads are in. Councilman Washington said that he is making these comments because he wants to make sure that

those that are sitting on County Council and City Council understand that roads were left out of the first Penny Tax and it was shortchanged on the second Penny Tax, and residents are looking to be taken care of on the third Penny Tax. Lastly, Councilman Washington stated that he just wanted Council to know this information prior to voting on this issue and what projects to be selected for the Penny Tax. He added to just know that the rural folk are not happy.

MONTHLY REPORTS

- 1) Public Works Department Monthly Report
- 2) SCAC 2022 Mid-Year Conference
- 3) Planning Department and Building Report Information
- 4) S. C. Rural Summit - 2022

COUNTY ADMINISTRATOR'S REPORT

No report from the County Administrator.

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.*

- Mr. James Johnson spoke to Council about the lack of help for Citizens on dirt roads. He also stated that he pays taxes for his home and cars and if he doesn't pay the taxes, Council will take them from him. Yet, he cannot get his road paved. Mr. Johnson said that he supports his County Council representative in trying to help the citizens in Council District #1.
- Ms. Elaine Brunson stated that she is CEO and President of the Sumter Black Chamber of Commerce. She stated that her concern is about the accident and problems on the Pike Road area. Ms. Brunson also thanked Councilman Washington for opening discussion for change in the community. She also added that in other communities there are lighted crosswalks for areas like Pike Road. It was also suggested by Ms. Brunson that opportunities for building stores, restaurants, etc. should be on the other side of Pike Road so that those citizens can have the same privileges. The county should not just sit down and watch people, including children, die trying to cross Pike Road and Highway 76/378.
- Maccou Jose stated that he lives on Colclough Plantation Road. He was told that his road was private; however, since then he has found out that the road is not private. Mr. Jose said that the school bus cannot come on the road to pick-up the children because the road is that bad. He also said that the farmers that live in the area and use the road, ride down the road as if they own it. One of his neighbors put up a sign that says, "Drive On The Road As If You Have Children." Mr. Jose stated that Councilman Washington gave Council the numbers and it appears that County Council members are not spending the funds where it is supposed to be spent. He and his wife are veterans and have lived here since 2009.
- Mr. James Clea stated that he agreed with one of the previous speakers that said that Council should spend the fund on the roads and not some of the other things like the parks when people have bad roads. He also said that he is a veteran, and he is paying a lot of taxes, but nothing is being done for the roads such as Dinkins Mill Road; the potholes on the road gets patched and the patching does not last once a rain comes. Mr. Clea said that Pine Side Drive also needs to be paved. He emphasized that Council is not paying attention to the rural residents and Council is not listening to the people. He also stated that the rural residents will not vote for the 2022 Penny Tax Referendum if there is not a good chunk of those

funds put aside for roads. He informed Chairman McCain that the rural citizens want Council to do something; Mr. Clea said the citizens want to be heard.

- Gwendolyn Floyd asked Council what do they do with the Road User Fee. She added that when a construction truck comes by her house near North Kings Highway, her alarm clock comes on because of the loud sound that is made once the tires hit the potholes in the road.
- Maggie Smith stated that she lives out in the rural area also. She mentioned that she has three grandchildren and when it rains, the bus cannot come on the road to pick-up the children. She asked Council to pave some of the dirt roads in the County so that the rural community can have more conveniences for the children.
- Michael Miller stated that he lives in Horatio on Sumter Landing Road and the road has not been paved since 1970; right now, it appears that the County is only putting a Band-Aid on the road instead of fixing the road. Mr. Miller also said if he gives Council money for a pie, he does not want the scrapes that fall on the floor, he wants a piece of the pie because he gave the County money for a piece of the pie. He then informed Council about all the things he sees in the urban area of Sumter such as sidewalks, tennis court, and other amenities. However, the only thing that he sees in his area from the Penny Tax is the fire station. He stated that if nothing is being done for the rural areas, then the rural people should take this to the churches and ask the members not to vote for the Penny Tax.
- Dr. Brenda Williams spoke to Council about the ARPA funding for second cycle of funds to come to Sumter County. She asked if there is a process for her to apply again for the funds because her agency received funds before and they are helping many people with these funds. (*Information will be provided to the Community once the funds are received.*) She also stated her concerns about Manning Avenue Bridge.
- Roland Robinson stated that he was in full support of the 2008 and 2014 Capital Projects Sales Tax. He said he wants to be on board and wants to support Council for the upcoming Penny Tax. However, if the rural community is not getting help with roads and sidewalks, etc., they will not support this upcoming Penny Tax. Council should set aside half of the projected funds to roads and sidewalks.
- Mr. Clea thanked Deacon Washington for speaking on behalf of the community.

Councilman Baten stated that he wanted to share something with the audience. There are different types of road as follows:

- State Roads – SCDOT handles the funding and maintenance on these roads.
- County Roads – County Government handles the funding and maintenance on these roads.
- Private Roads – The Citizens living on those Roads must handle the funding and maintenance on these roads.

Councilman Baten said that sometimes we must be educated about the roads. Sometimes people talk to him about State Roads and Private Roads. The County is not required to maintain private roads.

Councilman Baten said that several people have said they will not support the Penny Sales Tax. However, per Councilman Baten, if people do not vote for it, Sumter will lose. If the 2022 Penny Tax Referendum is approved, the County will receive approximately \$80,000,000 and there will be a large sum of funds set aside for the paving and resurfacing roads; however, there are also other needs within the County, City, and Townships (Pinewood and Mayesville.) Councilman Baten also asked the County Administrator to provide information to the Item and other media about the differences between the roads and additional information on how the Penny Tax works. He ended his comments by saying he hears the citizens and know that they want a piece of the pie.

Councilman Washington stated that he had to respond to Councilman Baten’s comments. He said that the people in Council District #1 understands the differences between the roads and they understand math that

in the first Penny Tax roads were not funded and the second penny the roads got 5% for paving and 2% for resurfacing. He ended his statement that his constituents are very bright. They understand what is going on and they talk to him regularly.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 7:32 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: March 8, 2022

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: February 18, 2022
- 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 Spectrum TV.
- Date Notified: February 18, 2022

Respectfully submitted,
Mary W. Blanding
Clerk To Sumter County Council