



Minutes
Sumter County Council Regular Meeting
Tuesday, February 28, 2023 -- Held at 6:00 p.m.
Sumter County Administration Building
Third Floor, County Council Chambers
13 E. Canal Street, Sumter, SC

Social Distancing Is Encouraged 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 R. Byrd, Jr., Vice Chairman; Artie Baker, Eugene R. Baten, Charles T. Edens, Vivian Fleming McGhaney, and Carlton B. Washington

COUNCIL MEMBERS ABSENT: None

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

MEDIA PRESENT: Shelbie Goulding, The Item Newspaper, was in attendance.

PUBLIC PRESENT: Approximately 18 members of the public were in attendance at this meeting.

CALL TO ORDER: Chairman Or Vice Chairman Of Sumter County Council
Chairman James T. McCain, Jr. called the meeting of February 28, 2023, to order.

INVOCATION: Council Member Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: Led By US Air Force Veteran Charles N. Webster who served our Country from April 14, 1993, to August 3, 1995. He is a Gulf War Service Veteran that supported the war in Iraq and Afghanistan. He currently lives in County Council District 7. Thank you for your service.



APPROVAL OF AGENDA: Regular Meeting Tuesday, February 28, 2023
Chairman McCain asked the Clerk to Council if there were any changes to the February 28, 2023, agenda; Mrs. Blanding stated that there were no changes; therefore, the Chairman asked for a motion on approving the agenda of February 28, 2023, as presented.

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

APPROVAL OF MINUTES: Regular Meeting Tuesday, February 14, 2023
Chairman McCain asked for a motion concerning approval of the minutes of February 14, 2023.

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

LAND USE MATTERS AND REZONING REQUESTS:

Planned Development/Rezoning Requests:

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

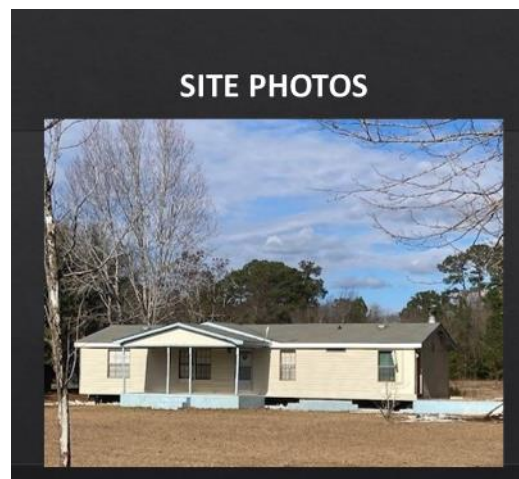
*NC = Neighborhood Commercial As Applicable In Sumter County Zoning and Development Standards.
LI-W = Light Industrial-Warehouse As Applicable in Sumter County Zoning and Development Standards.*

- (1) **RZ-22-14 -- 4605 Patriot Parkway -- (County) – Second Reading/Public Hearing -- Request to rezone +/- 1.89-acres of land from General Residential (GR) to Agricultural Conservation (AC). The property is located at 4605 Patriot Parkway and is represented by Tax Map #'s 156-00-01-009. (Prior to action on second reading, County Council will hold a public hearing on this rezoning request.)**

Mrs. Helen Roodman, the Planning Director, stated that the applicant, Ms. LaToya P. Dubose, hopes to have the property rezoned to Agricultural Conservation, in hopes to place a Beauty Salon at this location. The Beauty Salon a conditional use in the Agricultural Conservation Districts. Also, the property is in the Military Protection Zone (MPZ) which is a permitted use in the MPZ. There is a double-wide mobile home on this property, and Ms. Dubose is currently having the mobile home demolished so that the Salon can be constructed on the property.

Mrs. Roodman also gave the following information concerning the request.

- ❖ The applicant intends to construct a hair salon on the property if this rezoning request is successful.
- ❖ Commercial hair salons are not permitted in the GR district but can be established via conditional use approval in the AC district.
- ❖ The applicant has started demolition/removal of the permanent manufactured home on the property.
- ❖ If this rezoning is approved, the applicant will have to develop the site in accordance with all applicable County development standards and demonstrate that the conditional use criteria outlined in *Article 5, Section 5.b.1.a –5.b.1.f* of the Ordinance can be achieved. This will include sufficient buffering to adjacent residential uses.
- ❖ This request is in alignment with the policies of the Sumter 2040 Comprehensive Plan.





After Mrs. Roodman’s presentation, Chairman McCain convened a public hearing on this proposed rezoning request. The following persons spoke during the public hearing.

PUBLIC HEARING COMMENTS:

- Teresa Colclough stated that she resides at 4640 Patriot Parkway which is diagonally across the street from this proposed rezoning request. Ms. Colclough stated that at this time she opposes the proposed rezoning request at 4605 Patriot Parkway. Ms. Colclough stated that she has lived in the area since she was six years old and the house that she lives in has been there since 1957. Therefore, for 66 years the area from Eagle Road to this area has been residential. There are store fronts such as a beauty salon being proposed. She stated that the traffic in this area is extremely busy and no there is no median in the street; therefore, it takes her approximately five minutes or more to get on Patriot Parkway to go to work. Ms. Colclough also stated that she believes that opening this area up to commercial will cause more crime in the area, noise, etc. and will cause problems for the residents in this area. She added that she believes this would be spot zoning; then once one commercial area comes in, soon there would be more which will be a negative affect for the community and not for the best interest of the community.
- Patricia Colclough stated that she concurs with Mrs. Teresa Colclough on her comments. She further stated that, she used to walk Patriot Parkway to go to school at Delaine Elementary School. Ms. Colclough stated that she has four acres that she owns behind the proposed property for rezoning. Ms. Colclough further stated that she does not know how the rezoning will impact her property that her grandparents previously owned. It is the intent of the family to place homes in that area.

Note: The Chairman asked the applicant if she would like to speak. The following comments were made by the applicant.

- Latoya P. DuBose spoke in support of the rezoning request. She stated that she understands Ms. Colclough’s concern about noise; however, she informed Ms. Colclough that there need not be any concern about the noise because, she, Ms. Dubose would make sure there was no noise on the property. Ms. Dubose also said that it was her intent to build a salon and clientele that would not have those problems and no drama. Ms. Dubose also stated that she grew up in the neighborhood and that her parents live on Sky Lane; and her aunt and uncle used to own the property until they passed away. Ms. Dubose mentioned that she wants to do something with the property that would be positive to continue her aunt’s legacy. She informed Council that doing hair is her passion and she did not want to continue renting a both from someone else. She wants to own a small salon that she can manage herself with the possibility of one or two other hairstylists working for her. Lastly, Ms.

Dubose promised that there would be no problem from her and her clients or others working in her business if this rezoning is passed, and the Conditional Use is approved.

Chairman McCain asked if anyone else wished to speak during the public hearing; no one else spoke and then the Chairman closed the public hearing.

The Chairman called for a motion on second reading.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker to grant second reading approval. Prior to a final vote, Council further discussed the rezoning.

Councilman Edens asked about the Conditional Use requirements. Mrs. Roodman stated that it will be a staff review and it does not involve input from the neighbors. The Planning Staff will review site access, building placement, buffering, landscaping, parking, traffic flow, safety, and lighting.

Councilman Edens also asked if there would be any retail at this business. Mrs. Roodman stated that the staff will review this request as a salon, but understand that some salons will sell their products to their clients and possibly others. He also asked if selling of wigs, nails, etc. would be acceptable. Mrs. Roodman stated that for her to sell wigs, nails, etc., that would be another type of business and not acceptable at the salon location without further rezoning review.

Councilman Baker asked Ms. Dubose what the operation hours would be; she replied that the hours will be from 9:00 a.m. until 9:00 p.m.

Councilman Washington asked Ms. Dubose if she has had an opportunity to talk to the community members about the development and what their concerns might be. Ms. Dubose said that this is the first time she has heard their concerns. She also said that she is willing to sit down with the community members.

Councilman Baten asked if the community members were sent notices of the rezoning. Mrs. Roodman stated that the community members within 500 feet of the rezoning were notified by the address listed on the tax roll. The Planning Department also posted a sign on the property that is proposed to be rezoned concerning the public hearing.

The Chairman restated the motion:

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker to grant second reading approval.

Then Councilman Washington stated that he would like to offer a substitute motion; Councilman Baker asked Councilman Washington to not offer a substitute motion at this time. Councilman Washington asked Councilman Baker to explain his rationale on his suggestion. Councilman Baker stated that at third reading, all questions from the community and the applicant will be answered; then Council can deny third reading if necessary. Councilman Washington agreed to let the substitute motion die, and he would vote in opposition of second reading.

THE VOTES WERE RECORDED:

In The Affirmative: Council Members McCain, Baker, Byrd, Edens, and McGhaney
In Opposition: Councilman Washington and Councilman Baten

Councilman Washington said it is his hope that the community members will meet to discuss this matter and come to an agreement prior to the next meeting of Sumter County Council. He also asked the applicant if she was willing to meet with the neighbors and she said yes.

OTHER PUBLIC HEARINGS:

(1) None

NEW BUSINESS:

(1) Requesting Approval Of A Proclamation Proclaiming The Month of February Each Year As Black History Month In the County Of Sumter, South Carolina.

Chairman McCain introduced the proclamation as presented. He asked for a motion on the proclamation.

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

Councilman Baten asked to make a statement; the Chairman granted him the opportunity to speak. Councilman Baten said that for the record he wanted it to be known that he is the sponsor of this proclamation and the reason that he asked for the proclamation to be on the agenda is because the City of Sumter has a proclamation, and the County needed a proclamation of such. Additionally, Councilman Baten said that this County has a rich history of African Americans that have contributed to the growth of Sumter County and have done and are doing some outstanding things. Councilman Baten said that every citizen of this County should know the rich history of Sumter County and what Black citizens have contributed to this County in its rich history of African Americans. He thanked everyone for their support of this proclamation.

WHEREAS, each year, Black History month is observed in February; and

WHEREAS, Black History Week was initiated in 1926 by Dr. Carter Godwin Woodson who founded the Association for the study of African American Life and History, and in 1976 Black History Week was expanded into Black History Month which is now celebrated throughout the United States; and

WHEREAS, observing Black History Month provides opportunities to gain a deeper understanding of African American history and acknowledge the centuries of struggles for equality and freedom; and

WHEREAS, the celebration of Black History Month is a positive way of recognizing the culture and history of African Americans in our community; and

WHEREAS, the County of Sumter is proud to recognize and honor the history and countless contributions of African Americans in our community and throughout our state and nation; and

NOW THEREFORE BE IT RESOLVED that, I, James T. McCain, Jr., Chairman of Sumter County Council and on behalf of Sumter County Council, do hereby proclaim the month of February 2023, as

**BLACK HISTORY MONTH
In The
COUNTY OF SUMTER**

BE IT FURTHER RESOLVED that members of Sumter County Council encourage the citizens of Sumter County to observe this month each year by acknowledging the history and challenges faced by African Americans and remember those that contributed to this community by making Sumter a better place to live, learn, work, play, and worship for all Sumter's citizens.

GIVEN UNDER THE SEAL OF SUMTER COUNTY, by members of Sumter County Council, on this this 28th day of February 2023.

- (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 In Open Session If Necessary.

No executive session was held.

OLD BUSINESS

- (1) None

COMMITTEE REPORTS:

- (1) Public Safety Committee Meeting To Be Held On Tuesday, February 28, 2023, At 5:00 p.m. In The County Administrator's Conference Room, 13 E. Canal Street, Sumter, SC 29150. (Washington, Baten, Byrd)

Councilman Washington, Chairman of the Public Safety Committee, gave the following report on the Public Safety Committee meeting.

- **Detention Center:** Director Ray provided information to Council concerning the need for beds at the Detention Center. She also said that the employment of new Detention Center Officers is still a challenge. The two main reasons for a lack of new employees are salaries and applicants not being able to pass the background check. Director Ray also informed the Committee that the Detention Center has nine inmates that are qualified to help with litter pick up. The Detention Center will be working during March to pick up litter with these qualified detainees. Councilman Washington stated that he has several areas that need to be picked up and he stated that he would coordinate those area with Director Ray and asked Council members to send him the street names that need pick up and he would coordinate with Director Ray. During the meeting the Administrator emphasized the importance of

coordinating the litter pick-up with the Public Works Department so that records can be maintained, as well as documentation of who may be doing the littering.

- **Litter and Litter Around Recycling Centers:** Councilman Washington reported that the Committee discussed the issues about litter and the possibility of the County hiring a private company to assist with picking up the litter. Also, Councilman Washington stated in the Committee that it must be clear that litter around the recycling centers will require pick-up in some areas at least a three to five mile radius around a recycling. However, it was noted by Vice Chairman Byrd that all recycling centers do not have the same issues. Councilman Washington noted in the meeting that what he is hearing from members is that *Council is flexible for what is necessary as far as litter pick-ups around recycling centers.* Those Council members at this meeting agreed. It was also stated by Councilman Washington that the Litter issue will be on the next Public Works Committee and possibly the next Public Safety Committee meeting. The Public Works Director will provide information concerning the Recycling Center Contract Clean-up, Detention Center Hot Spots pick-ups, Litter Quadrant #2 Kick-Off, and a review of the budget needs as it relates to the Litter problems. Councilman Washington also stated that once a report is received from staff, the County will be implementing procedures to solve the litter issues.
- **Private Roads:** The Committee Chairman, Councilman Washington, stated that the Committee discussed the issues concerning private roads and the inability for commercial vehicles such as FED Ex, Lowes, the electric/oil company to drive on some of these roads which are in poor condition. (**Note:** There were two representatives from Darrin Skinner’s Family present at this meeting.) Councilman Washington also provided notations about the needs of the family, and they also commented about how bad the road is where their mother lives. He further stated his concerns about the safety issues relate to people not having electricity to their homes, medicine cannot be delivered, and even supplies cannot be delivered, and other issues. The Committee discussed ways to help the citizens on these roads throughout the County, and especially the roads in the Rembert, Wedgefield, and Pinewood areas. Council is reviewing several ordinances; one ordinance will give Council emergency power to help alleviate issues as previously mentioned. The other ordinance would allow for Council to create a tax district for those that live on private roads. Financial review is being conducted concerning the private road issues as well and will be discussed again in the near future. Councilman Washington provided Council with a Draft Emergency Ordinance concerning the *County Performing Emergency Road Maintenance On Private Property For The Purpose Of Maintaining Public Health Or Safety.*

Councilman Washington also asked if it was ok for him to report on one of his Community Meetings; the Chairman agreed.

It was noted by Councilman Washington that the last of a series of meetings for District #1 was held earlier today. The meetings covered the areas of Pinewood, Wedgefield, Rafting Creek, Rembert, and Pisgah Crossroad. The meetings involved SCDOT in addressing safety issues as

it relates litter, road conditions, trees on the right-of-ways, etc. He added that there are 137 state roads in County Council District #1. He further explained to those present what the differences are between the County Roads and the State Roads. Lastly, he said that the State Roads are responsible for the State Roads. Also, he mentioned that citizens can contact their House and Senate representatives concerning State roads as well as the S. C. Department of Transportation.

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

After the public hearing, Councilman Baten asked the Chairman to allow him to cite several people that have made an impact in the American history and are African American. He stated that the reason he did not bring this forward earlier because he thought that the public hearing might be long. Since it was not, he requested the time for some historical information. The Chairman allowed Councilman Baten to speak.

- The Honorable Ernest Finney, Jr. was the first African American appointed as the S. C. Supreme Court Justice since Reconstruction from 1994-2020.
- The Honorable James E. Clyburn, born in Sumter County, is the U. S. House Representative (1993-to present), and has been the Majority Whip for the U. S. House of Representative (2007-2010 and 2019-2022). He graduated from South Carolina State University and is an Omega Psi Phi Fraternity.
- Leroy Bowman, one of the first Tuskegee Airman, grew up in Sumter. He became a pilot in 1941 when he joined the U. S. Army Air Force and became an aviation cadet training at Tuskegee Army Air Field, Alabama. He graduated in 1943 as a second lieutenant as was assigned the 332nd Fighter Group which escorted bombers in Germany. The Tuskegee group were known as the “Red Tail Angels.”
- Mary McLeod Bethune from Mayesville established the Bethune Cookman College, National Council of Negro Women.
- Russell “Crazy Leg” Patterson was a member of the Negro Baseball Team. He toured around the Country speaking about the Negro Baseball League. He lives in Council District #7.

MONTHLY REPORTS

- Sheriff’s Office Monthly Report

COUNTY ADMINISTRATOR’S REPORT

County Administrator, Gary Mixon, gave the following report:

1. The budget process has begun; department heads are asked to have their departmental budget to the Finance Department by March 1, 2023. Finance will compile all the budget information.
 - a. First Reading, May 9, 2023
 - b. Second Reading, May 23, 2023, and Public Hearing
 - c. Third Reading, June 13, 2023

Budget Workshops will begin in early April and as needed in May and June.

2. The Finance Director, Uvette Rogers has tenured her resignation as of Friday, March 3, 2023. Mr. Mixon thanked Uvette for her service as a valued employee of the County. Mrs. Rogers has future plans in the Columbia area. It was also announced that Mrs. Kelsey Andrews has agreed to accept the position as Finance Director. Mrs. Andrews served as the Interim Director prior to Mrs. Rogers becoming the Finance Director. Mrs. Andrews also has had the opportunity of working during the budget process as the sole finance contact person while she was Interim Finance Director.

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.

The following citizens spoke during public comment.

1. Dr. Brenda Williams stated that she and her husband, Dr. Joseph Williams, have been in Sumter for over 41 years providing medical assistance to the citizens of Sumter County. After closing their medical practice, they now have a 501c3, free medical clinic in Sumter. They see all persons that will come to the clinic including those from Sumter, Lee, Richland, Kershaw, etc. The clinic is open every first and third Saturday from 9:00 a.m. – 2:30 p.m.

Dr. Williams stated that the Family United Incorporated is concerned about the needs of the people that live in the Walnut Hill Community; Highway 76/378. She further stated that she has talked with Lottie Jones, Director of Santee Wateree Regional Transportation Authority, about the need for transportation for the citizens in the Walnut Community. Mrs. Jones informed Dr. Williams that there are Federal Funds that can be used for a new route; however, in order to receive the Federal Funds, the City and County would need to provide matching funds. Dr. Williams asked County Council to please provide these funds for the citizens in the Walnut Community so that Mrs. Jones can create a new route for the safety of these citizens. Dr. Williams said that she is asking for \$2,000,000 from the City and County to be budgeted for transportation to help all the citizens.

2. Rev. Padmore asked for an update as to what the City and County have done to help alleviate the problem on 378/76 since the young child was killed last year while crossing the highway. Rev. Padmore said that two community members were present with her, Mr. Vaughn who has had two family members killed while trying to cross Highway 76/378 and Mrs. Norvaline lives in the same area. Lastly, Rev. Padmore said that last year WIS-TV reported that the City and County would be investigating what can be done to make the community safe. Rev. Padmore asked Council for an answer to the question. Chairman McCain stated that he would see her after the meeting.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:39 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 14, 2023

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

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Public Notified: Yes

Manner Notified: Agendas posted on Television on first floor of the Administration Building.

Date Posted: February 24, 2023

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 Cable.

Date Notified: February 24, 2023

Respectfully submitted,
Mary W. Blanding
Clerk To County Council