



Minutes
Sumter County Council Regular Meeting
Tuesday, January 10, 2023 -- Held at 6:00 p.m.
Sumter County Administration Building
Third Floor, County Council Chambers
13 E. Canal Street, Sumter, SC

NOTE: **County Council Members Baker, Edens, and McCain will be sworn in at 5:45 p.m. before Council's meeting on January 10, 2023.**

<https://www.youtube.com/channel/UCAHjjqzPaonQ9LFS2kO37tA>

Immediately after the approval of Council's minutes of December 13, 2022, Council will elect its officers.

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

COUNCIL MEMBERS ABSENT: None

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

MEDIA PRESENT: The Item Newspaper, Shelbie Goulding.

MEMBERS OF THE PUBLIC PRESENT: Approximately 17 members of the public were present.

CALL TO ORDER: Councilman McCain called the meeting to order.

INVOCATION: Councilman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: Led By **Veteran Douglas C. Lyvere**, Council District #5 Retired US Marine Douglas C. Lyvere served our Country from August 1963 to October 1993. He is a Vietnam and Gulf War Service Veteran with over 30 years of Honorable Service. He currently lives in County Council District 5. Thank you for your service.



APPROVAL OF AGENDA: Regular Meeting Tuesday, January 10, 2023

Councilman James T. McCain, Jr. called for a motion on the approval of the agenda for Council's January 10, 2023, meeting.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Byrd, and unanimously carried by Council to grant approval of the agenda as published.

APPROVAL OF MINUTES: Regular Meeting Tuesday, December 13, 2022

Councilman James T. McCain, Jr. called for a motion on the approval of the minutes for County Council's, December 13, 2022, meeting.

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by Council to grant approval of the minutes as presented.

NEW BUSINESS

- (1) Election of Officers For Sumter County Council. *(NOTE: This matter will be held immediately after action on minutes of December 13, 2022.)*

ELECTION OF CHAIRMAN:

Prior to the election of Council’s Officers, Councilman McCain chaired the meeting of Sumter County Council. He declared that the seats for Chairman and Vice Chairman were vacant and asked Council members for nominations for Chairman of Sumter County Council.

Councilman Baker nominated Councilman James T. McCain, Jr. for Chairman. Councilman McCain asked if there were any other nominations; there be being no other nominations; Councilman Byrd made a motion to close the nomination on the name of James T. McCain, Jr.

Councilman McCain called for a show of hand votes for Councilman McCain to be Chairman of Sumter County Council for 2023-2024. The following votes were recorded:

In Favor: Council Members Washington, Baker, Byrd, McCain, Edens, and McGhaney

In Opposition: Councilman Baten

The motion carried for Councilman James T. McCain, Jr. to serve as Chairman.

ELECTION OF VICE CHAIRMAN:

Then Chairman McCain asked for nomination for Vice Chairman of Sumter County Council.

Councilman Baker nominated Councilman James R. Byrd for Vice Chairman of Sumter County Council. Councilman Eden seconded the nomination of James R. Byrd.

Then Chairman McCain called for a show of hand votes for Vice Chairman of Sumter County Council for 2023-2024. The following votes were recorded:

In Favor: Council Members Baker, Byrd, McCain, Edens, and McGhaney

In Opposition: Councilman Baten

Abstained: Councilman Washington

The motion carried for Councilman James R. Byrd to serve as Vice Chairman.

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-22-13 -- 1700 Peach Orchard Road -- (County) - First Reading -- A Request To Rezone +/- 0.22-Acre Portion Of TMS# 133-15-02-036 From Agriculture Conservation (AC) To General Commercial (GC). The Property Is Located At 1700 Peach Orchard Road, And It Is Represented By TMS # 133-15-02-036 (Part).

Mrs. Helen Roodman introduced this proposed rezoning request for first reading approval. She stated that the applicant and property owner, Gayle Langan, hopes to have approximately larger than .22 of a

0.96-acre tract located at 1700 Peach Orchard Road be rezoned from Agricultural Conservation (AC) to General Commercial (GC). The property is currently split zoned, with +/- 0.74 acres currently designated as General Commercial (GC) and +/-0.22 acres currently designated as Agricultural Conservation (AC). The purpose of this request is to bring the entire property into the General Commercial designation.

The property is shown in red on the location map. The applicant indicated her intent is to establish a Garden Center Nursery (SIC 526) on the property. The property is located at Glenn Street and Peach Orchard Road in Dalzell, SC.

The property is in the Military Protection Area which is supportive of such development and the request is generally consistent with the 2040 Comprehensive Plan.

The Planning Commission recommended approval of the request as presented by Mrs. Roodman.



After all comments from Mrs. Roodman, the Chairman called for a motion on first reading of this rezoning request.

ACTION: MOTION was made by Councilman Edens, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant first reading to this proposed rezoning request as presented.

OTHER PUBLIC HEARING:

- (1) **Ordinance #22-983 -- An Ordinance Authorizing The Sale Of The Property Located At 205 And 215 North Magnolia Street To C&C Property Holdings, LLC. (Previously Identified In The First Reading As Being Connelly Development, LLC). (County Council Will Act On Second Reading For This Ordinance Immediately After The Public Hearing Or During Old Business.)**

The County Attorney, Mr. Johnathan Bryan, presented this proposed ordinance to Council for public hearing and second reading. He stated that this ordinance would allow for the sale of property located at 205 and 215 North Magnolia Street better known as the former Mental Health Building. The Company, C&C Property Holdings, LLC hopes to develop the property by constructing apartments for low to moderate income. The company will invest approximately \$14,000,000 into this project. This will increase the tax base for the City and County of Sumter.

After comments from the Attorney, the Chairman convened a public hearing on this proposed ordinance as presented at second reading. He asked if anyone wished to speak in favor of or opposition to the ordinance as presented. No one spoke to this matter; therefore, the Chairman closed the public hearing and Council acted on second reading as listed under Old Business.

- (2) **Ordinance #22-984 -- An Ordinance Authorizing The Sale Of The Property Located At 1987 Durant Lane To Adams Property Group, LLC. (County Council Will Act On Second Reading For This Ordinance Immediately After The Public Hearing Or During Old Business.)**

Mr. Bryan also presented this proposed ordinance to Council and the public during public hearing. He stated that the County's property known as the Spectrum off Pinewood Road in Sumter, is under negotiations with Adams Property group, LLC. He also stated that at this point in the negotiations, Adams Property Group, LLC hopes to purchase the property at a price of \$327,600. However, negotiations are continuing.

Chairman McCain asked about the designation marker that is located just before the fence on that property which indicates the area as a former "Colored School." Mr. Bryan stated that the proposed purchaser is aware of the marker, and it is written in the contract that the marker will be placed at a prominent location on the property. After all comments the Chairman convened a public hearing on this proposed ordinance. No one spoke during public comment concerning this ordinance; therefore, the Chairman closed the public hearing and Council acted on second reading as listed under Old Business.

NEW BUSINESS CONTINUED:

- (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) Ordinance #22-982 - Third Reading -- An Ordinance Amending Ordinance 22-973 Of Sumter County, South Carolina (The 2022-2023 Sumter County Budget Ordinance) By Changing The Amount Of Anticipated Funds, Moneys And Revenues Estimated To Be Received By Sumter County From All Resources And Changing The Amount To Be Allocated Toward The 2022-2023 Budget Of Sumter County.

The County Administrator, Mr. Gary Mixon, presented this proposed ordinance to Council for third reading consideration. Mr. Mixon stated that this ordinance, if approved, will allow for staff to use \$700,000 from the County's Reserve Fund for the purpose of renovations at the Magnolia Place Building. After all comments, Council acted on third reading of this ordinance as presented.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant second reading to this proposed ordinance as presented.

- (2) Ordinance #22-983 -- Second Reading -- An Ordinance Authorizing The Sale Of The Property Located At 205 And 215 North Magnolia Street To C&C Property Holdings, LLC. (Previously Identified In The First Reading As Being Connelly Development, LLC.)

This ordinance was presented by County Attorney Johnathan Bryan. After his presentation and public hearing, the Chairman called for a motion on second reading as presented.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant second reading to this proposed ordinance as presented.

- (3) Ordinance #22-984 - Second Reading -- An Ordinance Authorizing The Sale Of The Property Located At 1987 Durant Lane To Adams Property Group, LLC.

This ordinance was presented by County Attorney Johnathan Bryan. After his presentation and public hearing, the Chairman indicated that there should be a marker on the property designating this area as a former “Colored School”.

Prior to the public hearing, Councilman Edens inquired about the assessment of this property. It was noted that the price of the property is still in negotiations. It was stated by the Administrator, Gary Mixon, and the County Attorney that the appraisal by the Deputy Assessor was higher than the proposed cost as suggested by Adams Property Group, LLC.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to grant second reading to this proposed ordinance as presented.

COMMITTEE REPORTS:

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

Councilman Washington stated that on January 3, 2023, he attended a meeting with about 100 residents at the Rafting Creek Community Center. Some of the officials that were in attendance included Senator Thomas McElveen, Representative Wheeler, School District Representative Publambo, and SCDOT Representative. Councilman Washington stated that the reason for the meeting was due to complaints that he has received about roads in his district, Council District #1, which extends from Rembert to Pinewood and many of them are State Roads. He further stated that there are 137 State Roads in Council District #1. Also, during the meeting, it was noted that people have many issues such as road conditions, trash, litter, tree hangover, ditch problems, etc. The meeting was about two hours long, and it was agreed that there will be four more meetings. One will be held in Wedgefield, Pinewood, Catchall, and Pisgah Cross Roads.

Secondly, Councilman Washington stated that his Council District also have problems with County Roads; therefore, he will duplicate the same type of meeting with those involved with County Roads. The County roads are in horrible condition; Council has to figure out a way to address these issues other than saying “No.” Councilman Washington stated that it appears that Senator McElveen is committee to trying to address this issue as it relates to State roads. He also stated that it is hard to get citizens to support the things that we do when their road system is not passable.

Thirdly, Councilman Washington addressed the issues concerning private roads. He added that private road issues are in other districts other than his area which include the areas of Vice Chairman Byrd, Councilman Baker, Councilman McGhaney, etc. Some of the roads are so impassable that family members are forced to drive in neighbor’s yards to simply get back and forth. Of course if they are having problems in the cars, then it is impossible for the emergency services to have good passage on these roads. Then Councilman Washington asked for the road issues to be placed on the next agenda to address these issues.

Lastly, Councilman Washington stated during the meeting on January 3, 2023, it was communicated to him that the Litter program is not working. He further stated that he wrote a litter plan, but the Litter problem still exists. He said that the litter has to be cleaned up and the enforcement has to happen. The issue is also, how is the County dealing with the litter issues because what is happening is not helping clean up the litter.

Vice Chairman Byrd stated that the litter issue is in the Public Works Department and should be handled through the Public Works Committee. Councilman Washington said that he is amendable to Vice Chairman Byrd's recommendation, however, he would like for the Litter Officers to come before Council to give a report on what is going on with the litter situation for Sumter County.

It was suggested that enforcement is going to be the key including cameras, etc. Councilman Baker asked how many people have been arrested for this litter problem. It was noted that as of this meeting only one person has been arrested. Councilman Washington stated that he will agree to this being handled through the Public Works Committee.

Councilman Baten asked to be heard, and he asked that the Statement *“The Fight School Millage versus Penny for Progress, November 2024”*, be included in the minutes.

For the past seven years Sumter County Council has neglected public education in Sumter County. Council members often states that “education is the foundation of economic development.” However, from 2016-2022, County Council only invested \$375,000 in public education. County Council denied the Sumter School District over five million dollars in funds that the South Carolina Department of Revenue said the School District was entitled to by law under South Carolina Act 388.

Four members of Sumter County Council have demonstrated, by their consistent votes, that they have little concern, if any, for improving the quality of education for the children of low income families who are attending public schools. Also, these same members show little concern about the low salaries (near poverty rates) of essential employees (food services workers, bus drivers, maintenance, and custodians) that are needed to ensure the efficient operation of the Sumter School District.

To understand the urgency to improve the quality of education in public schools and the need to receive all entitled funds, we must be aware of, and willingly accept, certain facts about education in the United States, South Carolina, and Sumter County.

First, of the ten States with the worst public school system, in 2021, South Carolina ranked third. Also, South Carolina ranked 48 in the quality of education and 38 in the percent of people with high school or college degrees.

Second, South Carolina is the ninth poorest State in the United States. South Carolina ranks 40th in Poverty Rate at 16.6%. The national average is 14.6%. The poverty rate in Sumter County is 20.5%. The Sumter County rate is 5.9% higher than the national average and 3.9% higher than South Carolina's rate.

Poverty in Sumter County (20.5%) is a very serious problem. Poverty is about not having enough money to meet basic needs including food, clothing, and shelter. However, poverty is more, much more than just not having enough money. The World Bank Organization describes poverty in this way: “Poverty is hunger.”

The Sumter School District depends on loyal and dedicated food service workers to faithfully report to work in the early morning hours. They are tasked to prepare healthy meals to feed all Title 1 students so that they can eat and concentrate on their classroom assignments. Although these workers are being paid poverty wages, four Council members still voted to deny them a pay increase that they have not received in two years.

Sumter School District ranks 64 out of 81 School Districts in South Carolina. If the District is to move from the bottom 25% to the top 25%, in order to prepare the workforce needed to attract high paying businesses and

industries, Sumter County Council and the Sumter County Legislative Delegation must change their attitude about educating children from low income families. They must realize the mission of public schools is to develop a productive workforce with the skills and knowledge to improve and sustain economic development.

In November 2022, Sumter County Council asked the citizens to vote for a referendum to continue the One Cent Capital Projects Sales Tax. The elected officials and community leaders in Sumter County knew this was sure winner. However, they were in shock when the citizens rejected the tax by less than 500 votes. County Council members want to justify this defeat by saying it was due to poor advertisement.

In November 2024, County Council will have another opportunity to submit another One Cent Sale Tax for citizens approval. Now is the time for the four members on County Council to STOP disrespecting public education, low-income School District employees, and Title 1 students in public schools. They must realize that Sumter County has a 20.5% poverty rate (over 22,000 citizens live in poverty). County Council cannot expect low-income people to voluntarily put a tax on themselves when, for seven years, County Council refused to pass the millage to improve their quality of life and the quality of education for their children.

This past Mid-Term Election showed low-income people the power of their votes. They realized that the vote is their voice. Their message is loud and clear. “NO SCHOOL MILLAGE NO PENNY TAX.” In Short, “NO MILLAGE NO TAX”.

The insanity is Sumter County loss \$107,000,000 in Capital Projects for refusing to give the Sumter School District \$5,000,000 of entitled money.

MONTHLY REPORTS

- SCAC County Connect and SCAC Institute Of Government Courses.
- S. C. Rural Summit
- Public Works Department Monthly Report
- Sheriff’s Office Monthly Report
- Sumter Chamber Of Commerce Retreat

COUNTY ADMINISTRATOR’S REPORT

The County Administrator, Gary Mixon gave the following information:

- Council’s meeting on January 24, 2023, the County’s external auditors will provide Council with the 2021-2022, audit report.
- Mr. McCoy, the new litter officer, will be brought before Council at some point. He has been employed for several weeks and Mr. McCoy has done several great things already.
- The City and County are working together to have a large litter clean up in early February.
- There will be several groups working together to help develop a strong strategy as it relates to the passage of the 2024 Capital Projects Sales Tax Referendum.

PUBLIC COMMENT: Citizens Desiring To Speak Are Limited To No More Than Three (3) Minutes; Comments Are To Be Made Through The Chairman Of Sumter County Council.

Chairman McCain asked if anyone from the public wished to speak during public comment. The following persons spoke:

- Kimberly Blanding spoke to Council about Fellow Lane, a private road off Highway 261. She stated that when it rains, the road is impassable. She asked Council for help.

Councilman noted that there are drain lines in that area and people are trying to be careful not to bother those lines as they are working

- Lewis Watkins stated that one of the reasons that there is not as much participation from citizens is because of a lack of civic concern and civil concerns. He also mentioned that recently a homeless person was in a building on Broad street and the building burned down because the person was trying to stay warm during the extreme cold that Sumter County was experiencing. The history about the building is not well known; the building was the first Black hospital in the State of South Carolina. It is a historic landmark; however, it has never been designated as such. The fire itself was not that devastating, but putting the fire out cause more damage to the building than the fire. Mr. Watkins further stated that the building will probably be torn down which will be another “erascial” issue. He also stated that he can see that there is a movement in Sumter to “erase” the civil rights movement in Sumter. Mr. Watkins stated that on a previous visit to Louisville, Kentucky that in certain areas there would be a sign in the window or a marker at the location stating the historical significance of the building. He further said that developers should know the history of the property and buildings before they begin to develop and be required to provide a space for the historical significance of the property or building. Lastly, he stated that if nothing is done about preserving the Black Culture of Sumter, it will be totally erased.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:59 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: January 24, 2023

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 Television on first floor of the Administration Building.

Date Posted: January 6, 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: January 6, 2023

Respectfully submitted,

Mary W. Blanding

Clerk To County Council