



Minutes
Sumter County Council
Regular Meeting
Tuesday, January 26, 2021 -- 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/UCAHjjqzPaonQ9LFS2kO37tA>

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 Carlton B. Washington.

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Gary Mixon, Mary W. Blanding, Helen Roodman, Les Vandevander, David Shadoan, Johnathan Bryan, Joe Perry, Lorraine Dennis, Keysa Rogers, Allen Daily, and two Sheriff Deputies.

MEMBERS OF THE PUBLIC PRESENT: No members of the public attended the meeting.

MEDIA PRESENT: The Item Newspaper

CALL TO ORDER: Councilman 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, January 26, 2021

Councilman 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. Then Councilman McCain called for a motion on the approval of the agenda.

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

APPROVAL OF MINUTES: Regular Meeting Tuesday, January 12, 2021, and Special Meeting on Tuesday, January 12, 2021 of County Council.

Councilman McCain asked for a motion to approve the minutes for County Council's January 12, 2021, Regular Meeting and Special Meeting as prepared by the Clerk to Council.

ACTION: MOTION was made by Councilman Edens, seconded by Vice Chairman Byrd, and unanimously carried by Council to approve the January 12, 2020, Regular Meeting and Special meeting 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.

- (1) **RZ-20-16 -- 475 Myrtle Beach Highway (County) – Second Reading/Public Hearing -- A Request To Rezone +/- 7.00-Acre Tract From Light Industrial-Warehouse (LI-W) To Heavy Industrial (HI). The Property Is Located At 475 Myrtle Beach Hwy. And Is Represented By Tax Map # 268-15-01-041. (Prior to action on second reading, County Council will hold a public hearing on this rezoning request.)**

Mrs. Helen Roodman, the Planning Director, presented this proposed rezoning request before Sumter County Council for second reading and public hearing. Mrs. Roodman informed Council of the following.

- Applicant owns American Auto Sales at 495 Myrtle Beach Highway.
- Business is licensed under SIC Code 5015, Motor Vehicle Parts, Used & SIC Code 5511, Motor Vehicle Dealer (New and Used).
- The sale of Motor Vehicle Parts, Used (SIC Code 5015) is a grandfathered non-conforming use in the LI-W District.
- Extensive site work to include clear cutting the lot was commenced prior to seeking appropriate land development permits/approvals (i.e. stormwater, land disturbance, site plan approval).
- The applicant has indicated this property will be developed and used as a used automotive parts salvage yard – an expansion to the adjacent business at 495 Myrtle Beach Highway.
- Rezoning request is a result of zoning enforcement action.

Mrs. Roodman also informed Council for the following:

- ✓ 6/8/2017 - SIC Code 5015 added to business license at 495 Myrtle Beach Hwy.
- ✓ At the time, SIC Code 5015 was a by-right permitted use in LI-W Zoning.
- ✓ 10/9/2018 - County Council amended the Sumter County - Zoning & Development Standards Ordinance to remove SIC Code 5015 from the LI-W District as a permitted use.



- ✓ Only permitted in the Heavy Industrial District (HI) after 10/9/2018.
- ✓ All existing uses licensed under SIC 5015 outside of the HI District became grandfathered non-conforming uses.
- ✓ 11/22/2019 - TMS# 268-15-01-041 (property under review) was purchased by Brown Investments of Sumter, LLC.
- ✓ 8/5/2020 - Brown Investments applied for a Business License Approval for SIC Code 5015 Use on TMS# 268-15-01-041
- ✓ Use not permitted in the LI-W District – Could not approve the business license.
- ✓ Use of the property for vehicle storage was already being undertaken prior to request of license approval.
- ✓ Enforcement Action followed in an effort to rectify the site issues.

The Planning Director also presented the site information from January 16, 2019, to January 10, 2021.



The Planning Commission recommended denial of the rezoning request. Mrs. Roodman stated that Heavy Industrial Zoning is not consistent with the 2040 Comprehensive Plan commercial/mixed-use designation.

Prior to the public hearing, Councilman Edens asked Mrs. Roodman what she knew about the pond on the picture dated January 10, 2021. Mrs. Roodman stated that she knows nothing about the pond because the Planning staff has no permits at all about the pond or any of the other changes made to the land at this address.

Councilman Baten asked why the Planning staff and Planning Commission recommended denial of the rezoning request. Mrs. Roodman stated that the Planning Commission recommended denial

because Heavy Industrial Zoning is not consistent with the 2040 Comprehensive Plan commercial/mixed-use designation.

Councilman Baker asked what does the Planning Commission consider this type of business, Used Auto Parts, Junk Yard, or what? Mrs. Roodman stated that this company has the similar impact of a salvage yard; County Council removed the use of salvage yard in 2018, from all districts except Heavy Industrial.

PUBLIC HEARING:

After all comments from County Council members, Chairman McCain convened a public hearing on this rezoning request. He asked if anyone wished to speak in opposition to the rezoning request. No one spoke in opposition. Then the Chairman asked if anyone would like to speak in support of the rezoning request. The following persons spoke in support of the rezoning request.

- ✓ **Paul Weissenstein**, stated that he is an Attorney in Sumter and has been practicing law in Sumter for approximately 33 years. Mr. Weissenstein stated that he has been asked by Mr. and Mrs. Brown who owns and operates Brown’s Investments of Sumter, LLC to make a presentation to Council on behalf of this Company and the Owners. Brown Investments purchased the property as listed above in 2017 and began operating *American Auto Sales* at that location. They have been and continue to sell used cars, purchase used cars, and store used cars on the property so that they can take the parts from some of the used cars to repair used cars and to sell to their customers.

When they purchased the property in 2017 through a long term contract, they contacted the neighbors on the side of their property and behind their property, stating that if they ever wanted to sell their property to let them know and they would purchase it from them. Mr. Weissenstein stated that in 2019 the Browns had an opportunity to purchase a five acre parcel beside them and a two acre parcel behind them. Eventually the Brown Family engaged a tree company to begin cutting the trees on the property. The company that cut the trees, did clear cutting of the trees on the property; during the tree cutting process, Mr. Brown was in the hospital. Prior to the trees being cut, Mr. Brown informed the company to leave a nice buffer on the front of the property; however, this was not done. Mr. Brown was unable to supervise the cutting and did not find out about what the tree company did until he was released from the hospital. Mr. Brown is trying to screen the front of the property so that the amount of cars would not be seen from the road. However, Sumter has had much rain this winter and the project is not completed and has not gotten very far. Mr. Weissenstein stated that Mr. Brown also plans to put up buffering in front of the property which will include cedar trees, red tips, and other vegetation.

The long-term plan for the property is to store additional vehicles and to recycle some of the auto parts to be used for repairing cars and to sell auto parts to the public. Additionally, Mr. Weissenstein stated that that there are other companies on the Myrtle Beach Highway that have similar operations. The Brown’s are hoping that they will be allowed to expand their business operations that is grandfathered in the Zoning District to be able to store more auto parts and vehicles.

Mr. Weissenstein ended his statements by asking Council to approve this rezoning request.

Then Mr. Brown, the owner of the property spoke on behalf of the rezoning request. He stated that he, as well as his wife and daughter are in support of this rezoning request. Mr. Brown stated that when he purchased the property, there was no license for this business for approximately five years. He spoke with one of the former Planning Staff members about the property not having a business license. Mr. Brown questioned the Planning staff about the property that was also located on Myrtle Beach Highway. He and the Planning staff discussed that the operations of this business had to change, including the buffering.

- ✓ Mr. Brown stated that he had no idea that he had to have a permit to move trees, although he had a reputable Tree Company to remove the trees and grind up the stumps. The company also stated that he would place a pond on the back of the property and Mr. Brown said it sounded good and he agreed that the Tree Company could do the work as agreed upon. However, he did not know he had to have a permit or a license to move the dirt, cut the trees, or develop a pond on the property. Mr. Brown also stated that he is trying to handle this matter correctly, but it appears that other people are not being required to have a license to do the same development. Mr. Brown also stated that when he purchased the additional property, he did not realize that the properties were not all zoned the same thing. Lastly, Mr. Brown restated that he had no idea the things that were required concerning developing this property or the zoning of the property.

There were no further comments from the Public; therefore, the Chairman closed the public hearing. Chairman McCain asked what was the pleasure of Council.

Councilman Baten stated that he had a few comments before a motion is made on this rezoning request. He stated that Council invested a lot when it invested in the Comprehensive Plan. County Councilman Baten stated that the Planning Staff members, who are the experts in Planning and Development, developed the Comprehensive Plan with input from the community and Council members. The Planning Staff as the experts about planning matters, brought the document to Council for approval. Councilman Baten then said that it is of his opinion that County Council should adhere to the 2040 Comprehensive Plan as presented by the Planning Commission and approved by Sumter County Council and go along with the recommendation of denial of this request as presented. Councilman Baten said he will not vote in support of this matter.

He also stated that there is residential housing on this street not far from the property that is being requested to be rezoned heavy industrial. Councilman Baten emphasized that that on Mims Road and the corner of Mims Road is property that is owned by some of his relatives. If this property is rezoned it will only devalue the residential property; which is approximately nine acres of residential land.

Councilman Baten stated that the former speakers on this matter talked about a similar facility on Myrtle Beach Highway; he also said that he lives right on Myrtle Beach Highway. The other facility

that was mentioned; Council had to go back and help the people because the owners were doing things that they had no license to do. Council tried to help the owners and let them keep what they had done but they were not allowed to expand further. Councilman Baten said that he is seeing a repeat, but this is an eyesore to the community. It was noted by Councilman Baten that Myrtle Beach Highway is one of the main entrances into Sumter County and the City of Sumter. This road gets a lot of traffic; therefore, Councilman Baten said he will vote to deny this rezoning request.

Chairman McCain then asked what is the pleasure of County Council concerning second reading.

ACTION: MOTION was made by Councilman Baten to deny second reading.

Councilman McGhaney asked if there were any environmental issues that the Planning staff could share with Council concerning the removal of the trees, and other environmental issues that could be on the property and any environmental impact on the community. Mrs. Roodman responded to Councilman McGhaney's request stating that the normal development process was not followed; therefore, she would not be able to answer the question. However, Mrs. Roodman further stated that the development of the seven acres of property did not go through the regular development process which would include a stormwater development process, a wetlands development process, buffering, nor screening, etc. that would be required for the scale and size of a commercial activity such as this.

Councilman McGhaney asked Mrs. Roodman if the request was approved, would the applicant have to comply with the development requirements. Mrs. Roodman stated that the applicant, Mr. Brown and family, would be required to retroactively comply with all the regulations of hiring eight designers, engineers, to address the stormwater regulations, create appropriate buffering and screening plans, deal with any encroachment permits with SCDOT, and implement all buffering. This request would be treated like it is a virgin piece of property that has not been developed.

Councilman Edens asked does the Department of Environmental Control (DHEC) regulate this type of business? Mrs. Roodman said that she is not sure how DHEC regulates this type of business or salvage yards. However, she did comment that there is potential for contamination to the soil as well as to the water due to the type of fluids that would be on the property. Councilman Edens further stated that would be his concern as to how has the property been contaminated and the potential for contamination to the water table in this community. It was noted that it is believed that the section of Myrtle Beach Highway where the rezoning request is located is served by public water.

Councilman Washington asked whether or not the applicant and the neighbors met. Mrs. Roodman stated that she is not aware of any meeting between Mr. Brown and the neighbors. Mr. Brown said that he has met with some of the neighbors.

Chairman McCain asked Mrs. Roodman if second reading is denied at this point, could Mr. Brown come back before the Planning Commission with a new plan? Mrs. Roodman stated that under the Development Standards guidelines, if the request is denied, the applicant has to wait one calendar year to come back before the Planning Commission with the same request. Mr. Brown would have to come back before Council with the very same request because heavy industrial is the only zoning

that permits the use that Mr. Brown will have on this property. Additionally, Council may decide to entertain a text amendment to change the existing ordinance requirements.

Councilman McGhaney stated that she would not support denying second reading, but to allow the second reading and ask the applicant to handle these matters prior to third reading. She stated that she has a heart for people that have property and cannot use it. Councilman McGhaney stated that if there is no imminent threat to the health of the community, she is fine with that property being rezoned. Also, she stated that if Mr. Brown completes the aesthetic requirements then she could support the rezoning request.

Councilman Washington stated that he would support the applicant and the Community should meeting to try to work out their differences. He further said that many times the meeting between the developers and the community can help mitigate some of the issues that they have. He said that he remembered doing some work for the “Hot Spot” located on Farrow Road located in Columbia had an area that was infested with drugs and prostitution and the community wanted the store closed. The Hot Spot owners meet with the community and worked out their differences. The Hot Spot is still operable today. Therefore, if the community and the company can meet to work out their differences, this may be a viable project for all concerned. Councilman Washington also stated that he would like to see that meeting take place before any action is taken on second reading.

Councilman Byrd asked if Mrs. Roodman knew how many residents received notification about tonight’s meeting. Mrs. Roodman stated that every property owner in 500 feet (east, west, north, and south) of the property boundaries for the rezoning request were sent letters and a sign was placed on the property as well. (The letters were sent to the person that receives the tax notices concerning the property.)

Councilman Baten stated that he lives in the 500 feet radius and he was not notified. He said that he has an interest and part owner of the property right across the street from this proposed rezoning request which is heir’s property. The property previously belonged to his wife and now belongs to his children and other heirs. Councilman Baten further stated that he does not understand why Council would appoint people to a board to handle requests such as this one and then not follow what the board and staff recommend.

ACTION: MOTION was made by Vice Chairman Byrd to approve second reading.

Councilman Baker stated that he is uncomfortable zoning any property within this County to Heavy Industrial other than in an Industrial Park. It is known that once the property is zoned Heavy Industrial, it will remain that way and a person can put any type of Heavy Industrial company on the property even though it sits across the street from residential. Councilman Baker stated that his second concern is that this company has salvage yard and used vehicles, is there any connection with this company and DHEC to make sure that there is no contamination on the property. Councilman Baker said he understands what Councilman Baten is saying, and likewise he, Councilman Baker, would not want anything like that near his home.

Councilman Edens stated that his biggest beef with this request is the owner was already operating on this site when Council made the change of heavy industrial zoning back in 2018. Then the owner

purchases more property knowing that he was going to do the same type of business without doing any homework as to what was needed for his company. Councilman Edens said that he would support Councilman Baten in his motion to deny this request.

Councilman Baker asked who overlooks a salvage yard. Mrs. Roodman stated that it would probably be a State Agency and she would be glad to look into this matter and bring the information back to Sumter County Council.

Vice Chairman Byrd stated that he checked with a friend that has a similar business and DHEC has nothing to do with permitting of the business but that Stormwater permitting is required.

Councilman Baker stated that he would like to request that this request be deferred until an answer can be received about who will permit this location to ensure that the water table and other environmental issues are not happening on the property.

ACTION: MOTION was made by Councilman Baker to defer action on this rezoning request.

Councilwoman McGhaney stated that it would not hurt if second reading was approved since this is not yet at third reading. During second and third reading, the Planning staff can gather information that will help Council with making the right decision about this rezoning request.

Then Chairman McCain asked for clarification on the different motions that were offered and at times during the discussion, several people seconded the different motions.

The Attorney stated that the Chairman of Council will need to make a ruling on the motions. If the members of Council do not like the ruling then the Council members can set aside the Chairman's ruling.

Councilman Baker said he would offer the following motion and back off from the motion to defer. (Note: Councilman Edens withdrew his motion to second Councilman Baten's motion to deny second reading; however, Councilman Baten did not withdraw the motion.)

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Washington to deny second reading. Council members Baten, Washington, and McCain voted in support of the motion. Council members Baker, Byrd, Edens, and McGhaney voted in opposition. The motion did not carry.

Then the Chairman called for a motion on second reading of this rezoning request.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Baker to grant second reading to this rezoning request to allow time for the Planning Commission to gather more information about the permits that may be required for this rezoning and to ensure that the community will not be adversely affected due to the proposed Heavy Industrial rezoning, if approved at third reading. Council members Baker, Byrd, Edens, and McGhaney voted in

support of the motion; Council members Washington, Baten, and McCain voted in opposition. The motion carried.

Councilman Baten asked that he be allowed to make a statement for the record. He stated that Council can again go through the motion, and Council members did ask the Planning Commission to come up with a Comprehensive Plan. It takes a lot of work to develop the Plan. When the Comprehensive Plan was completed, Council members voted to accept the Comprehensive Plan. However, once a rezoning request comes before Council, members of Council sit here as a body and say that we are not going to respect or uphold what is in the Comprehensive Plan. Councilman Baten also said he thinks that Council is making a terrible mistake and a terrible precedence. Anyone else that comes before County Council and they do what this gentleman has done, violating the Comprehensive Plan rules, expanding without doing his homework, and doing work without permits or licenses, and then Council just ignores what the applicant has done. Thereby, the Comprehensive Plan is not worth the paper it is written on, because it means nothing.

Councilman McGhaney asked if Mrs. Roodman and or the County administrator can work together in gathering additional information. The motion was approved so that additional work could be done including the neighbors being well informed and receiving additional information about permits, licenses, and other matters relating to the proposed rezoning. She also stated that it would help if there could be a mediator working with the gentleman and the Planning staff to come to a consensus as to what needs to be done.

The County Administrator, Gary Mixon, stated that his concern is if such a practice was started, the County would be setting a precedence, and it may put the County in a very vulnerable position in the future. Mr. Mixon also said that the procedures that are currently in place will allow for additional information to be brought forth.

Councilman McGhaney stated that in the past, there have been times that Ad Hoc Committees are formed to help settle some of these matters.

PUBLIC HEARINGS: None

NEW BUSINESS CONTINUED:

(1) Ratification Of Sumter County Council 2021-2022 Standing Committee Appointments.

Chairman McCain presented the proposed Standing Committee assignments for Council's review and ratification. The proposed list of Committee assignments was sent to all Council members prior to the meeting for review. The Chairman asked if any Council members had any comments; there were no comments. The Chairman called for a motion on approval of the appointments.

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

Insert Standing Committee information.

- (2) 21-942 -- First Reading -- An Ordinance Authorizing (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Sumter County, South Carolina (The “County”) And Thompson Construction Group, Inc., Acting For Itself, One Or More Affiliates, And/Or Other Project Sponsors (Collectively, The “Company”), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities In The County (The “Project”); (2) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company And The Project; (3) Certain Special Source Revenue Credits In Connection With The Project; And (4) Other Matters Relating Thereto.

The County Attorney, Johnathan Bryan, presented this proposed ordinance to Council for first reading consideration. He stated that this ordinance will allow for Sumter County Council to authorize a Fee In Lieu of Tax and Incentive Agreement between Thomson Construction Group, Inc. and a Company to purchase the County’s Specular Building. The ordinance will also allow for the establishment and/or expansion of certain facilities in the County for this Economic Development project. In addition, the ordinance will allow the company the benefits of a Multi-County Industrial or Business Park to be made available to the company and Certain Special Source Revenue Credits connected with this project.

The Business points included the following:

- Assessment Ratio will be 6%
- Assessment Ratio will be adjusted every five years
- The Assessment Ratio will continue for 30 years
- Five-year investment if they invest 5.6 million dollars, in the first five years, then the investment period will extend 10 years.
- Five percent Special Source Revenue Fund for 10 years.

After all discussions on this matter, the Chairman called for a motion on first reading.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant first reading approval.

- (3) 21-943 - First Reading -- Ordinance To Amend The Master Agreement Governing The Sumter-Lee Industrial Park Dated December 31, 2012, Between Lee County, South Carolina And Sumter County, South Carolina So As To Enlarge The Park To Include Certain Property Owned And/Or Operated By A Thompson Construction Group, Inc.; And Other Related Matters.

Mr. Bryan also presented this proposed ordinance to Council. He stated that this ordinance will allow for the Project as listed above (21-942) to be placed in the Sumter-Lee Industrial Park and the Master Agreement would be updated. After all comments, the Chairman called for a motion on first reading.

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

(4) **21-944 - First Reading- An Ordinance To Create The Sumter City-County Litter Advisory Board.**

Mr. Bryan, the County Attorney, also presented this proposed ordinance to Council for first reading consideration. Mr. Bryan stated that this ordinance will allow for appointments as follows: three appointed by County Council, three appointed by City Council, one appointed by the Development Board, one appointed by the Sumter Chamber of Commerce, one appointed by SCDOT, one appointed by the Sheriff's Office, and one appointed by the Sumter Police Department.

The appointees will discuss matters relating to Litter and then bring those recommendations back to City Council, County Council, law enforcement, and other elected officials. After all comments, Chairman McCain called for a motion on first reading of this proposed ordinance.

ORDINANCE 21-944

WHEREAS, Section 4-9-30, Code of Laws of South Carolina authorizes the different counties in South Carolina:

(6) to establish such agencies, departments, boards, and positions in the county as may be necessary and proper to provide services of local concern for public purposes, to prescribe the functions thereof and to regulate, modify, merge or abolish any such agencies, departments, boards and positions, except as otherwise provided for in this title...; and

WHEREAS, Litter is a hazard to the health of the citizens of Sumter County and it detracts from the appearance of the community; and

WHEREAS, Citizen input concerning the means and methods of reducing and eliminating litter in Sumter County will assist the Sumter County Council's efforts to control and eliminate litter; and

WHEREAS, the County Council for Sumter County finds that it is in the best interest of Sumter County to create the joint Sumter City-County Litter Advisory Board,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AT ITS REGULAR MEETINGS DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. **Sumter City-County Litter Advisory Board created; Members; Terms; Appointments.**

There is hereby created an advisory board in and for Sumter County to be known as the Sumter City-County Litter Advisory Board (hereinafter, "BOARD"), which shall be composed of:

three (3) members to be appointed by the majority vote of the County Council for Sumter County;

three (3) members to be appointed by the majority vote of the City Council for the City of Sumter;

one (1) member to be appointed by the majority vote of the Sumter Development Board;

one (1) member to be appointed by the majority vote of the Board of Directors for the Sumter

Chamber of Commerce;

one (1) representative from the South Carolina Department of Transportation;

one (1) representative from the Sumter County Sheriff's office; and

one (1) representative from the City of Sumter Police Department.

The terms of office shall be for three (3) years and until their successors are appointed and qualified.

The County Council for Sumter County shall initially appoint one member to serve one (1) year, one member to serve two (2) years and one member to serve three (3) years. The City Council for the City of Sumter shall appoint one member to serve two (2) years and one member to serve three (3) years. Any vacancy shall be filled in the manner of the original appointment for the unexpired portion of the term. All appointments to membership on the BOARD shall be transmitted to the Clerk of Sumter County Council who shall properly record the same on the permanent records of his/her office. BOARD members may serve no more than two terms consecutively. After two consecutive terms, BOARD members may not serve as a member of the BOARD for a minimum of one year.

Non-voting "Ex Officio" members of the BOARD shall be:

- one member of the Sumter County Council;
- one member of City Council for the City of Sumter;
- the County Administrator or his delegate; and
- the City Manager for the City of Sumter or his delegate.

2. Purpose and Powers. The BOARD is created to promote reduction of litter along the publicly maintained roads in Sumter County. The BOARD shall make recommendations to Sumter County Council and the City Council for the City of Sumter regarding funding of the litter reduction operations.

3. Officers, Meetings, Records. The BOARD shall elect one (1) of its members as Chairman and one (1) of its members as Vice Chairman. Meetings of the BOARD shall be held at the call of the Chairman and at such other times as the BOARD may determine. The BOARD shall keep minutes of its proceedings and shall make records of all official actions, which minutes and records shall be available for inspection at all times by the County Council for the County of Sumter and the City Council for the City of Sumter.

4. Cooperation with other Agencies. For the purpose of carrying out the other provisions of this Ordinance, the BOARD is authorized to cooperate with the South Carolina Department of

Transportation, United States Department of the Air Force, the South Carolina Department of Commerce, the Sumter School District, the Sumter Development Board, the Sumter City-County Planning Commission, all towns and municipalities in Sumter County, all churches and civic groups and chambers of commerce, all business leagues and other similar organizations in Sumter County and all other agencies and organizations within Sumter County with which the BOARD may desire to cooperate in the furtherance of the development and advertisement of litter abatement in Sumter County.

5. Saving Clause. If any provision of this Act shall be held invalid for any reason, such holding should not affect the remainder thereof.

6. Effect. This Ordinance shall take effect upon third reading of the Ordinance.

ACTION: MOTION was made by Vic Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to grant first reading approval of this ordinance as presented.

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

MONTHLY REPORTS

- Public Safety Awards Annual Program – January 28, 2021, at 1:00 p.m. at the American Legion Building on Artillery Drive.
- Sheriff’s Monthly Report For December
- Sheriff’s Annual Report For 2020
- South Carolina Economic Development School Registration
- Planning Department Report
- Building Department Activity Report

COUNTY ADMINISTRATOR’S REPORT

The County Administrator stated that the COVID report is in Council’s packet and he would be glad to discuss that with any Council member that would like to discuss with him after the meeting. The veteran’s information is not on the report but will be available through the Coroner.

| Administrator Report | | | | | | | | |
|--|-----|-----|--|------------------|---|----------------------------------|------------------|-----|
| Sumter County COVID-19 Update | | | | | | | | |
| January 9, 2021 through January 22, 2021 | | | | | | | | |
| Total Number of Sumter County Positive Cases: | | | | | | 7036 | | |
| Total Number of Cases Over the Past 14 Days: | | | | | | 934 | | |
| Daily Average Number of Cases Over Past 14 Days: | | | | | | 67 | | |
| Previous 14 day Daily Average (December 26, 2020-January 8, 2021): | | | | | | 65 | | |
| Deaths: | | | | | | | | |
| Confirmed Number of Deaths In the Past 14 Days: | | 4 | Recent Death Demographics (last 14 days): | | | Death Demographic Totals: | | |
| Total Number of Confirmed Deaths: | | 122 | Age Group | 61+ | 6 | Age Group | 61+ | 111 |
| Total Number Suspected & Confirmed Deaths: | | 133 | | 31-60 | 1 | | 31-60 | 20 |
| (includes deaths under investigation) | | | | 30 & Below | 0 | | 30 & Below | 0 |
| Age Statistics all Deaths: | | | Race | African-American | 1 | Race | African-American | 57 |
| Average Age: | 73 | | | Caucasian | 2 | | Caucasian | 43 |
| Maximum Age: | 103 | | | Other | 5 | | Other | 31 |
| Median Age: | 74 | | Gender | Male | 3 | Gender | Male | 67 |
| Minimum Age: | 23 | | | Female | 5 | | Female | 65 |
| | | | Veterans | | | Veterans | | |
| NOTE: Data suppressed for categories with less than 5 individuals in aggregate data. Some numbers may not be comparable from category to category as a result of rounding (i.e. gender versus total number of deaths). | | | | | | | | |

It was also announced that Mr. Ken Bell, one of the deputy coroners, passed away from COVID; therefore; the Coroner’s office is currently understaffed and will get the COVID information to Council as soon as possible.

Mr. Mixon attended the S. C. City County Manager and County Administrators virtual meeting. He stated that the big topic at the meeting is the upcoming roll out of COVID Vaccinations. There will be a better call center that is currently being used.

The City Managers are also working with local locations to have “Mass” Vaccinations in hopes of doing at least 500 vaccinations per day, then, they hope to have a follow-up within a month to ensure that the second round of vaccination is scheduled.

Councilman Baker asked that when the Mass Vaccinations are implemented that the County include areas within the rural areas.

Councilman Washington stated that he joins the Councilman from Dalzell to ensure that rural locations are able to have vaccinations ‘sites in the rural areas. He added that there are a number of seniors that are afraid to travel outside of their normal scope. Therefore, it is important to make sure that there is an area to host the vaccinations in the rural areas.

Councilwoman McGhaney asked for Mr. Mixon and those scheduling the vaccinations to not forget about the Shiloh Community.

Mr. Mixon introduced the new IT Director: Mr. Les Vandevander.

COVID Information From Councilman Baten: On January 18, 2021, Sumter City Council extended its Mask Mandate Ordinance for another 60 days. It is now set to expire on March 21, 2021. Once again, I ask that Sumter County Council pass a Mask Mandate Ordinance in the County of Sumter that is similar to the City of Sumter’s ordinance. “A life in the County Sumter is equal to a life in the City of Sumter.”

Mr. Baten also stated that today, January 26, 2021, an article was on the front page of The Sumter Item entitled, “*Locally, Sumter Also Strained In Surge Of Virus.*” It was stated that Sumter County recorded nearly 960 new cases in the last two weeks. Mr. Louis Smith, Interim CEO, Prisma Health Tuomey said on Friday (January 22, 2021) that Sumter is seeing a surge in hospitalizations because of COVID-19 complications. Smith also said the volume of increases is a continued burden on hospital staff. Councilman Baten also said that during the period of December 8, 2020 to January 2021, the Sumter Item Obituaries reported that 37 military veterans passed away. Thirty of these veterans were over the age of 70. COVID-19 Numbers as of January 25, 2021:

- Number of positive COVID-19 Cases - 7,146
- Number of COVID-19 Deaths - 122

Planning Session Request From Councilman Washington: Councilman Washington stated that he has completed two orientation classes for new Council members from the South Carolina Association of Counties Institute of Classes. He also stated that one of the things that was discussed is that Council’s roles must be identified and that Strategic Planning should be on Council’s things to do. It was also noted that Sumter County is the 6th largest County within the State. Councilman Washington said that he noticed during the first two meetings that each Council member operates concerning their own jewels of interest. He added that it would be good if Council could have a workshop where each Council member could freely discuss the needs of the County and several basic needs that the citizens are not receiving (litter, veterans, and road issues). Councilman Washington stated that if this Planning Session was held prior to the budget, it would help the process before Council is required to start slicing and dicing. He also stated that at the appropriate time he would like to put it in form of a motion. Councilman Washington stated that he has had conversations with several County Council members and they seem to have some of the same issues, which includes trash around Shaw AFB which is a matter of concern of District #1 and District #2. Councilman Washington said that at the next meeting, he will put the request in a form of a motion and will discuss his concerns with the Chairman at the Chair’s convenience.

ADJOURNMENT

After all discussions, motion was made by Councilman Baker, seconded by Councilman Byrd, and unanimously carried by Council to adjourn the meeting of Sumter County Council at 7:10 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: _____

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

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Tuesday, January 26, 2021

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Manner Notified: Was posted on bulletin board on the first floor of the Administration Building.

Date Posted: January 25, 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: January 22, 2020

Respectfully submitted,

Mary W. Blanding

Mary W. Blanding