



Minutes
Sumter County Council Regular Meeting
Tuesday, July 12, 2022 -- Held at 6:00 p.m.
Sumter County Administration Building
Third Floor, County Council Chambers
13 E. Canal Street, Sumter, SC

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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. Seating Is On A First Come First Serve Basis.

<https://www.youtube.com/channel/UCAHjqzPaonQ9LFS2kO37tA>

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 Blanding, Johnathan Bryan, Keysa Rogers, Helen Roodman, and Joe Perry.

MEDIA PRESENT: The Item Newspaper, Shelbie Goulding.

MEMBERS OF THE PUBLIC PRESENT: Approximately 18 members of the public were present.

CALL TO ORDER: Chairman Or Vice Chairman Of Sumter County Council
Chairman James T. McCain, Jr. called County Council's meeting to order.

INVOCATION: Council Member, Staff Member, Or Local Citizen
Councilman Vivian McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: Led by Veteran Darryl Witherspoon, Council District 1. Darryl Witherspoon is a US Army Veteran that served our Country supporting the War in Iraq and Afghanistan. He is a member and Trustee of Jehovah Missionary Baptist Church, and he is also a proud member of the Kappa Alpha Psi Fraternity, Inc. He is married to Denise Witherspoon, and they have two sons and one grandson. He currently lives in County Council District 1. Thank you for your service.



APPROVAL OF AGENDA: Regular Meeting Tuesday, July 12, 2022
Chairman McCain asked the Clerk if there were any changes to the agenda. Mrs. Blanding stated that there were no changes to the agenda; therefore, Chairman McCain said he would entertain a motion to act on approving the agenda.

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

APPROVAL OF MINUTES: Regular Meeting Tuesday, June 28, 2022
Chairman McCain stated that he would entertain a motion on the approval of the minutes of June 28, 2022.

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by County Council to approve the minutes of June 28, 2022, as presented.

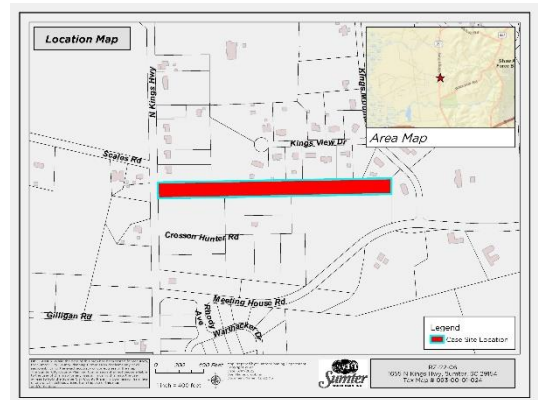
LAND USE MATTERS AND REZONING REQUESTS:

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-22-06 -- 1651 N. Kings Highway -- (County) – First Reading - A Request To Rezone +/- 6.0-Acres From Residential-15 (R-15) To Agricultural Conservation (AC). The Property Is Located At 1651 N. Kings Hwy. And Is Represented By Tax Map # 093-00-01-024.**

The Planning Director, Helen Roodman, presented this proposed rezoning request to members of Sumter County Council. She stated that the applicant, Kaylei Pervard, hopes to have the 6.0 acres rezoned from Residential-15 to Agricultural Conservation in hopes to place a manufactured home on the property and to conduct some farming operations of unspecified scale. The property is located on N. Kings Highway which is between Scales Road and Meeting House Road. The property is heavily wooded, 130 feet wide, and is approximately one-third of a mile long. It was also noted by Ms. Roodman that the property was previously rezoned from Agricultural Conservation in 2007 to allow for a single-family residential development; however, that was not developed. Ms. Roodman provided a 2022 Aerial Photography Map as well as a Zoning Map for Council’s review. A 2040 Land Use Map was reviewed by Council in which Ms. Roodman indicated that the property is influenced by the Rural Development Planning Area future land use designation. Also, it was noted that the primary goal of the Rural Development Planning Area is to support low-density residential development and selected non-residential and agricultural uses in a relaxed regulatory climate. Ms. Roodman stated that the request is consistent with the Comprehensive Plan’s future land use element.



After all comments from Mrs. Roodman, the Chairman asked Council members if they had any questions concerning the rezoning request. Councilman Washington asked to be heard and the Chairman granted permission for the Councilman to speak. Councilman Washington thanked Mrs. Roodman for talking with him about this rezoning request. Then he mentioned that the property is on Highway 261 which a large part of this highway is in Council District #1 and another part of Highway 261 is in Council District #2. Councilman Washington further commented this this request is NOT in his Council District; therefore, he wanted his constituents to know upfront that the request is not in Council District #1. After all comments from Councilman Washington, the Chairman called for a motion on first reading.

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

OTHER PUBLIC HEARING:

(1) Ordinance #22-977 -- An Ordinance To Approve A Utility Easement Over Property Located On West Wesmark Boulevard. Council Will Take Action On Third Reading Immediately After The Public Hearing Or During Old Business.)

County Attorney Johnathan Bryan presented this proposed ordinance to Council for public hearing and third reading consideration. He stated that prior to third reading, Council will need to hold a public hearing on this ordinance. Mr. Bryan also mentioned to Council that because there are on-going discussions as to where to place the FTC utility line on the property, it is recommended that Council defer third reading until there is a resolution to the location of the utility lines.

Then the Chairman convened a public hearing on this proposed ordinance. He asked if anyone wished to speak in favor of or opposition to the proposed ordinance. No one spoke to this issue; therefore, the Chairman closed the public hearing and Council acted on third reading as listed under Old Business.

NEW BUSINESS:

(1) Recognition of The Honorable James C. Campbell For Being Named The 2022 South Carolina Clerk of Court Of The Year By The S. C. Clerk Of Courts And Register Of Deeds Association.

The Chairman of Sumter County Council recognized the Honorable James C. Campbell for being named the 2022 South Carolina Clerk of Court Of The Year By the S. C. Clerks of Court and Register Of Deeds Association. The award typically recognizes hard work and dedication for the member that has stood out throughout the year for working for the betterment of the Clerk of Court and Register of Deeds Association. Council members were provided with Mr. Campbell's biographical information which noted that Mr. Campbell is active this the association through his work as:

- Co-Chairman Family Court Child Support, Family Court, Single Distribution Unit. This committee oversees the software that Family Court is currently using, which includes Palmetto Automated Child Support System which is known as PACSS. The child support collection system.
- Co-Chairman of the Clerk of Courts and Register of Deeds Legislative Committee.
- Common Pleas Task Force Docket Committee.
- Former President and Vice-President of Clerk of Courts and ROD Association.

Mr. Campbell is also involved in several other local boards and commissions including the Rotary, Habitat for Humanity Board of Trustees, Trinity United Methodist Church member and Parish Relations Committee, and Sumter County Gamecock Club. After comments and photos, Chairman McCain presented Mr. Campbell with a gift from Council and read the plaque that was presented to Mr. Campbell from the Clerk of Courts and Register of Deeds Association.

ACTION: Received as information.

- (2) It May Be Necessary To Hold An Executive Session To Discuss An Employment Matter, An Economic Development Matter, A Legal Briefing, Or Other Matters Pertaining To An Executive Session, And Take Appropriate Actions Thereafter If Required.

No executive session was held.

OLD BUSINESS:

- (1) Ordinance #22-977 - Third Reading -- An Ordinance To Approve A Utility Easement Over Property Located On West Wesmark Boulevard.

After the public hearing on this ordinance, the Chairman called for a motion to defer as recommended by the County Attorney as listed above under Other Public Hearing.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to defer third reading on this ordinance at this time and recommended by the County Attorney.

COMMITTEE REPORTS

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

- Councilman Washington thanked the Clerk for preparing a proclamation for Mrs. Beatrice Walker Sumpter who reached the age of 107. He along with the Pastor of Joshua Baptist Church, Rev. Dennis, Sheriff Anthony Dennis, and Chief Deputy Hampton Gardner went to visit Mrs. Sumpter at her home and presented the proclamation to her. Ms. Walker is still able to communicate, and they had the very best time with her. The Sheriff also presented a gift to Mrs. Sumpter.
- Councilman Washington stated that several Council members and other members of the community have asked him whether he has secured a meeting date with the new superintendent. Councilman Washington reported to Council that he has not heard from the School District Superintendent for Council and the School District to meet. Councilman Washington further stated that he is waiting to hear from the Superintendent. He also said that there is much to talk about in terms of education particularly when it comes to the rural areas of the County. Councilman Washington also said that several of the Council members have that same concern. He also said that when he hears from the School District, he will report back to Sumter County Council and Councilman McGhaney will be joining him in that meeting.

MONTHLY REPORTS

- Public Works Monthly Report.

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.

Chairman McCain asked if anyone from the public wished to speak to Council. He reminded those present that they would have to follow the rules of speaking during public comment. The following person spoke to Council.

1. Ms. Patricia Lynn Fowler spoke to Council concerning problems in, on, and around the Beech Creek Drive area. She stated that she purchased a home in that area on April 6, 2022, physically local 5685 Beech Creek Drive. She moved into her new home on April 30, 2022, and was very excited. On June 13, 2022, her neighbor Mr. Brown had his land surveyed. Ms. Fowler stated that Mr. Brown said he spoke to the builder and the surveyor numerous times who purchased the land where her home was being built. Mr. Brown informed them that they were building on his land. Mr. Brown said he was threatened with lawyers, and he decided to back off and let them build the house. He confided in Ms. Fowler that if one part of the house was built on his property that he would have made them tear it down. She stated that she concurred with Mr. Brown, that if the house was on his property that would be the right thing to do. The builders did put part of the property on his land, and they did not obtain a current survey. They used a survey dated 1985. Ms. Fowler stated that she contacted building and planning and spoke to a Mr. Philips that gave her the measurements for the proper setbacks which should have been 35 feet front, 50 feet back, and 12 feet on each side. Mr. Philips informed Ms. Fowler that she was “good to go” as long as she was not on Mr. Brown’s property. She informed Mr. Philips that it was not the case because the building inspector should have caught that the setbacks were all wrong. Mr. Philips told her that he would call her back; however, Ms. Fowler said she had to call Mr. Philips back several days later. She said that it was told to her by Mr. Philips that someone went out to the property, and they informed Mr. Philips that the measurements for the proper setbacks were all correct. Ms. Fowler said she told Mr. Philips that what he was saying was a lie. Ms. Fowler then talked about immanent domain, and that Mr. Fowler’s property could be taken to establish the correct setbacks. Ms. Fowler said there is a reason for building codes, and if the County has building codes, those codes should be enforced in every situation. Ms. Fowler said that she also had a survey done on July 9, 2022, and the results of that survey should be completed and delivered to her on tomorrow, July 13, 2022. Ms. Fowler said she has been told that if she steps off her patio, she will be on Mr. Brown’s property.

Ms. Fowler also talked to Council about builders building homes on contaminated property. Ms. Fowler said that it is a slap in the face of her neighbors when a new home was built, and others cannot afford the full value of their new home if they decided to sell, based on contamination of the property. She gave Council future examples of the property being devalued based on contaminated property. Ms. Fowler also stated that she has been told that the water is safe, and the water comes from High Hills Water Company. However, she had further concerned about High Hills Water and the company not turning in certification documents since 2020. She also asked Council to not allow properties to be built on contaminated land, to offer more to those residents that have homes built on contaminated land, and to enforce the building codes so that people such as herself would not have to spend their last dime on lawyers.

2. George Bates spoke to Council about dilapidated homes that have been burned-out but not torn down. He also voiced his concern about overgrown weeds and vegetation growing in abandoned homes including mobile homes near the Wedgefield Post Office and just off Cougar Way. Mr. Bates also talked about feral cats and the possibility of drug dealers using some of the delapidated homes to deal drugs.

ADJOURNMENT

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There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:27 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: July 26, 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 Television on the first floor of the Administration Building.

Date Posted: July 8, 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 Time Warner Cable.

Date Notified: July 8, 2022

Respectfully submitted,
Mary W. Blanding

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:27 p.m. after a motion by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council.

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Approved: _____