



Minutes  
Sumter County Council Regular Meeting  
Tuesday, July 26, 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/UCAHjiqzPaonQ9LFS2kO37tA>

**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, Jeff Dewort, and Joe Perry.

**MEDIA PRESENT:** The Item Newspaper, Shelbie Goulding.

**MEMBERS OF THE PUBLIC PRESENT:** Approximately 22 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 of July 26, 2022, to order.

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

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led By Veteran David Scott, Council District 2.

**APPROVAL OF AGENDA:** Regular Meeting Tuesday, July 26, 2022

Chairman McCain asked the Clerk if there were any changes to the agenda. Mrs. Blanding, the Clerk to Council, 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 Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by County Council to approve the agenda as presented.

**APPROVAL OF MINUTES:** Regular Meeting Tuesday, July 12, 2022

Chairman McCain stated that he would entertain a motion on the approval of the minutes of July 12, 2022.

**ACTION:** MOTION was made by Councilman Baker, seconded by Councilman Baten, and unanimously carried by County Council to approve the minutes of July 12, 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) – Second Reading/Public Hearing - 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. (Council Will Take Action On Second Reading After The Public Hearing.)**

Mr. Jeff Dewort, the Zoning Administrator, presented this proposed rezoning request to Council for second reading and public hearing. He indicated that this request is to rezone +/- 6.0 acres of land located at 1651 N. Kings Hwy. (herein referred to as the property) from Residential-15 (R-15) to Agricultural Conservation (AC). The property is shown on the location map to the right. The applicant, Kaylei Prevard, has indicated it is her intent to place a manufactured home on the property and conduct some farming operations of unspecified scale. Manufactured homes are permitted in the AC zoning district but are not allowed within the R-15 zoning district.



Mr. Dewort also stated that the Sumter 2040 Comprehensive Plan shows that the property is influenced by the Rural Development Planning Area future land use designation. Inasmuch as the County wants to preserve its rural and agricultural heritage, 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. The development of large lots (1.0 acres or larger) is compatible with the Sumter 2040 Comprehensive Plan. The absence of sewer service in the area of the site supports the applicant's request to rezone the property to a less intensive zoning district more in keeping with the intent of the Sumter 2040 Comprehensive Plan.

It was stated by the Zoning Administrator, that based on the amount of road frontage, the lot can only be subdivided once; however, based on manufactured homes in the AC District, the road requirements would be infeasible. Therefore, it would be impossible to place more than one mobile home in this area. Mr. Dewort also stated that there are eight tracts of Residential-15 property near the proposed rezoning request. The property is consistent with the County's Comprehensive Plan. He also stated that the Planning Commission recommended approval of this request. Then Mr. Dewort stated that he would answer any of Council's questions.

Councilman Baker stated that he feels sure that several of the citizens in this area may be concerned about whether or not a trailer park can be placed on this proposed rezoning property; he stated that to his knowledge, the property is not large enough to allow for a mobile home park. Mr. Dewort stated that Councilman Baker was correct in his statement that a mobile home park cannot go in this location.

Councilman Edens asked if the property could be subdivided into two lots, then there could be two mobile homes on the property. Mr. Dewort stated that the property is not wide enough to meet all requirements for it to be subdivided into two lots and have the required frontage, etc.

After Mr. Dewort's presentation, the Chairman called for a public hearing. He asked if anyone wished to speak in favor of the public hearing. No one spoke in support of the public hearing. Then the Chairman asked if anyone wished to speak in opposition to the public hearing. The following people spoke in opposition to the public hearing.

1. Mr. Jim Jones spoke in opposition to this rezoning request. He stated that he lives in the Historic Hills Subdivision and owns two lots in this area. He is adjacent to the property that is up for rezoning. Mr. Jones stated that in his review of the rezoning of this property is contrary to the guidelines with the rezoning ordinance. He also stated that he has concerns about safety issues, types of agricultural possibilities that could be on the property, such as a pig farm, and this would be right behind his home. The rezoning request, if approved, could seriously be detrimental to the property that is already developed in this area.
2. Tom McClothy spoke in opposition to this rezoning request. He stated that he lives across from Mr. Jones in Historic Hills. Mr. McClothy also said that in 2008 he and other neighbors came before Council asking for Council to deny the request to place a multi-family complex in that area. Now it appears that what is happening is the request is lowering the standards of this area. Mr. McClothy said that not only is Historic Hills in this area, but there is a new subdivision, Ellerbe Estates, is located in this area. He further stated that some of his neighbors are present at the meeting, and he is willing to get a petition from his neighbors that they are against this rezoning request. Mr. McClothy also said that he is concerned about where the planning Department placed the public hearing sign. He asked Council not to support this rezoning request.
3. Mr. Tommy DuBose spoke in opposition to this rezoning request. Mr. DuBose said that the property is heavily wooded. The property in this area has nice homes especially in the Ellerbe Estates are which have homes located in the subdivision that are worth over \$200,000 per home. Allowing for this property to be rezoned, would lessen the home values of Historic Hills and Ellerbe Estates and that does not seem to be a reasonable measure for the County to want less tax revenue. Mr. DuBose stated that if this strip of property is left as is, it offers a great buffer to the entire area and maintain the good tax base that that County has from these subdivisions.
4. Keith Ham stated that he is in opposition to this rezoning request. He also mentioned that he has lived in the Historic Hills subdivision since 1986. He stated that this is not a good move. There are homes in the area that are worth from \$200,000 to \$500,000 and this one strip of property is located right by these homes and the owners of the proposed rezoning could put whatever kind of farm on the property which would devalue the existing homes.
5. Debra Pearson spoke in opposition to the rezoning request. Ms. Pearson said that she moved in this area in 2001 when Ellerbe Estates was a mobile home park. Things have changed since they made Ellerbe Estates a R-15 Subdivision. She added that although it is suggested that only one mobile home will go on the property, intents can change. Ms. Pearson also said that currently her home is worth \$300,000 and she does not want a mobile home in this area. She is concerned for the safety of the neighborhood and the value of the homes in the neighborhood.
6. Benny Bradley stated that he is retired Army and grew up with Charles Edens. Mr. Bradley further stated that he has lived in these areas since 1992 and has reared eleven kids in his home and now he has seventeen grandchildren that are in and out of his home. This area provides comfort for his family. His home is currently worth \$333,000 and his house is right in the middle of this circle right next to the rezoning request. The community is quiet and safe for the families in this area.
7. Adam Burnett spoke on behalf of his family that they are opposed to this rezoning request. He said that he can speak to this issue as it relates to farming, small scale, and large scale. Mr. Burnett stated that if there is a farm on the property, it could be a pecan tree farm or an oak tree farm, but not any

other type farms because a person would flood too much water on Highway 261. He said that he would not want a livestock farm in the area because of the odor is not something he would wish on anyone. He mentioned that his other concern would be if the farm came in the area and the owners do not manage the farm correctly, they how would that effect his land and his property. Lastly, Mr. Burnett said that he would not what his new home to have an upside-down value due to a farm being located next to his property.

8. Paulette Underwood stated that she and her husband reside in Historic Hills and her husband is the Chaplin at Shaw AFB. He is at a meeting tonight and she is here to speak on behalf of her family and their neighbors. She and her husband appreciate their homes and neighbors. They want the betterment for all the families that live in Historic Hills. She asked Council to look at the need of the whole community and not just one family.
9. Kim Farmer stated that she in opposition of this rezoning request. She stated that she does not understand why the family cannot build a house on the property so that they will not hurt the environment with having a mobile home in the area. Ms. Farmer stated if there is livestock on the property there will be a problem with the livestock and the many wild animals that are in the area.
10. Mr. Adam Burnett translated sign language for his wife Lois Burnett. He stated that he is not a professional translator, just a husband. It was translated from Mrs. Burnett that she does not want a farming operation in her neighborhood which will be right behind her house. She mentioned that she wants to have the trees and the animals that they have the luxury of watching to remain untouched. Ms. Burnett also signed that she enjoys the quietness at night that they get to experience of where they work and where they live. It was also signed by Ms. Burnett that the area is safe and environmentally friendly place for their soon to be children. She added that she and her family do not want the potential noise of a farming operation. It was further signed by Ms. Burnett that they decided on this location to live because it is low stress and a peaceful environment. Additionally, it was mentioned that she does not want her dog to be potentially hurt because of a farming operation next to their home.

The Chairman closed the public hearing, then he recognized Councilman Washington. The Councilman stated that although this property is located in District 2, it is right across the street from District 1. Councilman Washington also stated that he and Councilman Baker work hand-in-hand on matters that concern their districts, and they are both pro-communities. He also stated that not only did citizens from District 2 express concern about this rezoning request, citizens from District 1 also expressed concerns about this rezoning request. Additionally, he stated that he cannot support this rezoning request.

Councilman McGhaney stated that she is concerned about the rezoning request. She listened to the community, and it appears that the property is a great buffer for the Community. It was also mentioned by Mrs. McGhaney that it may be an opportunity to purchase the property from the family that owns this property.

Councilman Baten also stated that when he is listening to the rezoning requests, he asks the question, how would he feel if this is happening to him. He added that he would want to know if the request would negatively impact him and his family. However, he would also want to know what will happen to the rezoning request as it relates to the applicant. Councilman Baten stated that after listening to those that spoke during public hearing, he could not support this rezoning request.

After all comments, the following motion was given.

**ACTION:** MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to deny second reading to this rezoning request as presented.

**NOTE:** Prior to the motion being carried, Vice Chairman Byrd stated that he was in support of this rezoning request until the applicant did not show up for the public hearing. Based on that, he will have to support the motion of that has been ordered by Council.

**OTHER PUBLIC HEARING: None**

**NEW BUSINESS:**

- (1) **Ordinance #22-978 - First Reading -- An Ordinance Authorizing The Conveyance Of The Property Located At 645 Manning Avenue To The City Of Sumter.**

Mr. Johnathan Bryan presented this proposed ordinance to Council for first reading. He stated that a letter from City Manager Deron McCormick stated that representative David Weeks is working on a community art park and would like to use this property for the art park. See sketch below. After review of the letter and the sketch, Council took action on first reading.

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



- (2) **Ordinance # 22-979 - First Reading - An Ordinance Authorizing The Conveyance Of The Property Located At 538 South Sumter Street To The Sumter County Community Development Corporation.**

The County Attorney, Mr. Johnathan Bryan, stated that the owner contacted the County to donate this property to Sumter County. Mr. Chris Hilditch, the County's Property Manager, realized that the property is next to other property owned by the Sumter County Community Development Corporation.

If approved, the CDC could place low to moderate income families in a home on the property. Therefore, this request is before Council for first reading consideration.

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

- (3) 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) Internal Affairs Committee Meeting Scheduled To Be Held On Tuesday, July 26, 2022, At 4:45 p.m. Held In The County Administration Conference Room, 13, E. Canal Street, Sumter, SC. (Byrd, Baker, and McGhaney)

The Committee Chairman, Vice Chairman Byrd, presented the following recommendations for appointments and reappointments for the following boards and commissions.

- **Iris Festival Committee:** Recommended to reappoint Karen Gaines and Holly Chase to this committee:
- **Zoning Board of Appeals:** Recommended to appoint Claude Wheeler, Jr. and reappoint Jason Lee Reddick to the Zoning Board.
- **Historical Commission:** Recommended to reappoint Barbara Pitts, Deborah A. Picou, John H. Gurtcheff, Debbie Durant, Pat DuBose, Joseph S. Stutz, Jr., and William Sanders to this Commission.
- **Library Board:** Recommended to appoint Dr. Nate Brock and Mr. Travon Johnson to the Library Board.

**ACTION:** MOTION and second were received from the Committee and unanimously carried by Council to approve all appointments as presented.

- (2) Public Safety Committee Meeting Scheduled To Be Held On Tuesday, July 26, 2022, At 5:00 p.m. Held In The County Administration Conference Room, 13, E. Canal Street, Sumter, SC. (Washington, Baten, and Byrd) (The Public Safety Committee Will Meet Immediately After The Internal Affairs Committee Meeting Concludes, or at 5:00 p.m.)

Committee Chairman Councilman Washington reported on the following items:

- Ms. G. C. Floyd requested that the new Dollar General schedule its trash pick-up at another time other than 3:00 a.m. in the mornings which causes much noise.

The Dollar General also promised to erect a fence around the store and to provide aesthetic appeal for the community, which has not been completed yet.

It was also noted that there are speeding issues in this area and the Sheriff, and his staff will look into this matter.

Councilman Washington stated that the County will work with Dollar General to ensure that the first two concerns will be handled.

- Tasha Gardner, a member of the Litter Advisory Board and local citizen spoke to the Committee about a possible solution to a safety issue on Pike Road. Councilman Washington reported that Ms. Gardner stated that if the County, City, and State would work together to erect a fence that would deter the residents from crossing over Pike Road and Highway 378, that lives would be saved. This request will be investigated for immediate help with this issue and will be updated by the Public Safety Committee at a later date.



- Fireworks proposed ordinance was presented to the Committee. The Sheriff would like to see some type of ordinance, like an ordinance being considered by Richland County, to be developed to gauge the time when fireworks can be used, types of fireworks, and the safety of fireworks. Councilman Washington and the committee appointed Vice Chairman of Council, Councilman James Byrd to work with the Sheriff to come up with a solution to this problem and bring information back to the Committee with recommendations for review.
- A Legal briefing was held in executive session.

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

- Councilman Washington reported that he attended the 2022 National Association Of Counties Conference and was provided with a wealth of knowledge. He mentioned that NACO reported that the ARPA funds were sent directly to the counties which was a first for the Counties. Previously, the federal government would send funds to the State Government and then the State Government would hand out appropriations.
- There needs to be a continued connection between local government and the federal government so that the funds that come from the Federal Government can be sent directly to the local government instead of being appropriated through the State jurisdiction.
- Lastly, Councilman Washington stated that there are a number of large pots of funds that can assist the Counties such as the department of transportation, department of agricultural, etc. that can assist with infrastructure needs and other needs in the County. Councilman Washington stated that he will meet with the Administrator to discuss these opportunities for Sumter County.
- Councilman Baten reported on the deaths of Veterans in Sumter County. He stated that his last report was given on March 21, 2022. Forty more veterans died bringing the total to 305 deaths in the last 595 days, which started on December 8, 2020. Councilman Baten stated that the source of his

information comes from The Item Newspaper obituary. He also stated that every 36 hours a military veteran dies.

### **MONTHLY REPORTS**

- 1) Sumter County Sheriff's Office Monthly Report
- 2) Building Department Monthly Report
- 3) Planning Department Monthly Report
- 4) Ribbon Cutting - Tandem Health Business Center
- 5) 2022 Air Force Ball Golf Tournament
- 6) South Carolina Association Of Counties Annual Conference

### **COUNTY ADMINISTRATOR'S REPORT**

No report from the 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.

The following persons spoke during public comment.

1. One of the members of the community from Historic Hills mentioned that there was an offer to purchase the property at 1615 N. Kings Highway in Sumter (RZ-22-06). However, the offer was turned down.
2. Louis Watkins spoke to Council about the rezoning issues. He stated that he agrees that Government must take action on the greater good for the public. He also stated that he agreed with Councilwoman McGhaney where a person could purchase the property to help the owners. He also voiced his concern about the process in which the Planning Commission notifies people about the public hearings and that the public hearings are held at second reading. Mr. Watkins believes that the public should be made aware of these proposed rezonings prior to coming to County Council.
3. Pamela Denise Robinson spoke to Council about a legal issue that she is having with Enterprise, the County Detention Center, the County Sheriff's Office, Clarendon County Sheriff's Office and Detention Center, her bank, and Hertz Rental Car. She stated that County Council is responsible for all the laws within the County, and no one has helped her, and she is just finding out which office is responsible for all the laws in the city and county. She further accused the Chairman of Council for knowing all that was going on with her; Chairman McCain tried to clarify her statements after she had spoken for six minutes. He informed her that he has only spoken to her once when she called him. The Chairman reminded her that he told her then that he does not know her or anything about her life or any of the things that have been happening to her. She became belligerent and was removed from Chambers.

### **ADJOURNMENT**

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 7:19 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: August 9, 2022**

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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 21, 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 21, 2022

**ADA Information: In compliance with ADA/Section 504, Sumter County Is Prepared To Make Accommodations For Individuals Needing Assistance To Participate In Our Programs, Services, Or Activities.**

**Press:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda was posted on the bulletin board at the County Administrative Offices, 13 East Canal Street, Sumter, SC, and the Sumter County website -- [www.sumtercountysc.org](http://www.sumtercountysc.org) under Our Council Agendas/Minutes. In addition, the agenda was electronically sent to newspapers, radio stations, television stations, and concerned citizens.