



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

Social Distancing Is Encouraged At All of County Council's Meetings, And Seating Is On A First Come First Serve Basis.

<https://www.youtube.com/channel/UCAHjiqzPaonQ9LFS2kO37tA>

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

COUNCIL MEMBERS ABSENT: None

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

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

PUBLIC PRESENT: Approximately 18 members of the public attended this meeting.

CALL TO ORDER: Chairman Or Vice Chairman Of Sumter County Council
Chairman James T. McCain, Jr. called to order Council's meeting of March 28, 2023.

INVOCATION: Council Member Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: Led by US Army Veteran Jerry Washington who served our country from August 1985 to May 1988. He is the Commander of American Legion Post 202 in Sumter. He currently lives in County Council District 2. Thank you for your service.



APPROVAL OF AGENDA: Regular Meeting Tuesday, March 28, 2023
Chairman McCain asked the Clerk to Council if there were any changes to the March 28, 2023, agenda. Mrs. Blanding stated that there were no changes to the agenda. Then the Chairman called for a motion on the agenda.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman McGhaney, and unanimously carried by Council to approve the agenda as presented.

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

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Edens, and unanimously carried by Council to approve the minutes of March 14, 2023, 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-23-01 – 3221 Camden Highway – (County) – Second Reading/Public Hearing – A Request To Rezone Three (3) Separate Parcels Of Land Totaling +/- 20.12 Acres From Residential-9 (R-9) To Agricultural Conservation (AC). The Property Is Located At 3221 Camden Highway And Is Represented By Tax Map #'S 189-00-03-006, 189-00-03-023, & 189-00-03-024. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Rezoning Request.)**

Mrs. Helen Roodman, the Planning Director, presented this proposed rezoning request to Council for second reading and public hearing. She stated that the applicant, Christopher Raffield, is the property owner. He hopes to have three parcels of land, totaling 20.12 acres rezoned from Residential-9 (R-9) to Agricultural Conservation. The property is located at 3221 Camden Highway. Mr. Raffield is requesting rezoning to allow for the placement of mobile homes in accordance with applicable County requirements. The current zoning designation (R-9) does not permit mobile homes. Also, it was mentioned by Mrs. Roodman that the property is part of a larger area of R-9 zoning bounded by W. Brewington Road and Camden Highway to the south, Queen Chapel Road to the north, Ebenezer Road to the east, and Thomas Sumter Highway to the west. The property is situated almost directly in the center of this area.



The property is divided into four different “chunks” which includes a piece that is .65 acres, two acres where the home is currently located, and an 8.0-acre parcel, then the remainder of the 20.12 acres. It is the desire of the applicant to replace the current dwelling that is on the property with a manufactured home. The current home that was built in 1938 and requires extensive repairs for the applicant to live in the home is much more expensive than the owner can afford to do at this time. Mrs. Roodman noted that the property is in close proximity to public water but is not near existing public sewer infrastructure. Lot size is limited by the capacity of the land to carry a private septic system. She also said that NWI wetland and topographic data strongly suggests that a Carolina Bay is located over a sizable portion of the property. Carolina Bays are shallow elliptical depressions found in unconsolidated sediments throughout the Atlantic Coastal Plain.



The Planning Director informed Council that the primary goal of the 2040 Land Use Plan Military Protection Planning area is intended to protect Shaw AFB and Poinsett Electronic Combat Range from encroachment of incompatible land uses and reduce the accident and noise potential to citizens in areas adjacent to these two military installations. The request before County Council to bring the property into the AC Zoning District is reasonable and is in general alignment with the Sumter 2040 Comprehensive Plan.

Mrs. Roodman stated that this request is in alignment with the policies of the Sumter 2040 Comprehensive Plan. Specifically, the Agricultural Conservation district has a one (1) acre minimum lot size requirement, where the R-9 district permits a significantly higher degree of density. Also, a

significant portion of the property appears to be within a Carolina-Bay wetland area. She reminded Council that such areas are not conducive to the intensity of development allowed under the R-9 District and may not be viable locations for private septic tanks. The Planning Commission recommends approval of this request.

After Mrs. Roodman's presentation, Councilman Baker asked if there is anyway that a "trailer park or mobile home park" can be placed on this property. Mrs. Roodman stated that the Agricultural conservation does not allow a Mobile Home Park. In order to develop the said property for mobile home subdivision which means it would have to be a series of one-acre lots. Each of the mobile homes would have to be on a public road that is paved, and all the lots would have to be able to perk for a septic tank. She also stated that the dollars and cents to allow for a mobile home subdivision will not make sense on this property and is not practical. The size and shape of the property does not lend itself to a mobile home subdivision or mobile home park or any type of home.

Chairman McCain convened a public hearing on this rezoning request. The following people spoke during the public hearing.

- Jody Raffield, Chris Raffield's sister-in-law, asked Mrs. Roodman if a person hauls enough dirt on his/her property, will the property perk? Mrs. Roodman stated that the question is not in her field of expertise. Mrs. Raffield also stated that she lives next door to Mr. Raffield and if he places a mobile home on the property, it will cause her property value to go down and she cannot afford to take a hit on the value of her home. It was also stated by Mrs. Raffield that the property in question should have maintenance and upkeep on the property, you must take care of your property.
- Amber Bochette, daughter of Jody Raffield and stepdaughter of Johnny Raffield, and potential heir to the property that her mom and stepdad live on which is near Chris Raffield's property said she is against the rezoning. She further stated that if she is to inherit something, it is her hope that it will be of more value than it is now. However, placing a mobile home near the potential inheritance is not financially suitable. Ms. Bochette asked if Mr. Raffield would be placing the mobile home on the property where he currently lives; if so, she hopes he will tear down the home where he currently lives.

Mrs. Roodman stated that if he plans to put the mobile home where he currently lives, the house will have to be torn down. It was also noted by Mrs. Roodman that there are other parcels where the mobile home can be placed.

Ms. Bochette also asked if Mr. Raffield did not take the house down and was granted the privilege to place the mobile home on the two acres where he currently lives, then what would happen to the house as it continues to deteriorate. Mrs. Roodman stated that County Codes would manage that matter.

- Ricky Denmus stated that his family has law directly diagonal to the proposed rezoning request. He also said that his family has other property right down the road from this property. He stated that he has lived in this town for over ten years and has noticed an increase in crime. He said he is against a trailer park being developed in this area and he mentioned that he is against someone bringing dirt on the property that will try to have the area perked for a septic tank which may cause issues for adjacent properties. Mr. Denmus also said that the 1,000-year flood had that area completely covered

with water and then came the mosquitoes. He asked Council to take his comments into consideration when it is time to vote on second reading.

- Brian Davis said that he lives on General Drive in Hatfield Estates. The house was purchased over 20 years ago and has been paid off. He informed the County Council of the many other subdivisions near Hatfield Estates. Mr. Davis said that he and other people living in the different subdivisions do not want a mobile home in this area because it will open a flood gate for other mobile homes to be placed in this area and even the possibility of a mobile home park or subdivision on some of the property as is wooded at this time. He asked Council not to support this request.
- Mr. Everett Mercer spoke on behalf of the applicant due to the applicant's medical issue. Mr. Mercer said that most of what he has heard during the public hearing is speculations on property value. He stated that he does not know if anyone has put forth the effort to find out if this rezoning and the placement of a mobile home on the property would cause a decline in the property value of anyone's property. Mr. Mercer also stated that anyone that would drive by the current property will not be able to see the dwelling that is on the property at this time. This is based on the fact that you must drive down the long driveway to see the structure. Therefore, the property being torn down is not an issue. He also noted that the Planning and Zoning Commission has recommended approval of this request. Also, speculation of the number of manufactured homes that will be put out on the property is not accurate based on the zoning regulations. Mr. Mercer stated that it is not practical to create new roadways on the property. Lastly, he stated that Mr. Raffield is asking that Council allows him to place a single structure on this property and allow him to continue to remain on the property without spending excessive amount of money.
- Danielle Walton stated that she purchased a home down from Mr. Raffield's house about two years ago. She said that she grew up in this community her entire life. It was also stated by Ms. Walton that the property was beautiful with greenery and horses, etc. However, now the trees are overgrown, and it was noted that she thought the people that used to live in the home were too old to take care of the home and property. Ms. Walton also said that now you can see the home because trees have been cut down and that dirt has been placed on the property; work is being done on the property. Mrs. Walton added that she does not understand why he cannot fix the house that is there instead of purchasing a mobile home and spending money to have it placed on the property.
- Mr. Charles Neil of Hatfield Estates asked if Mr. Raffield only needs one lot for the mobile home, why is he asking to rezone twenty acres of property.

Mrs. Roodman commented that the applicant requested for the 20+ acres of property be rezoned; however, Council has the choice to change the request to two acres which will not be considered spot zoning. It was also stated by Mrs. Roodman that if the applicant needed more property so that the mobile home would be placed on the property according to guidelines, then that would be acceptable as well.

There being no further comments from the public, Chairman McCain closed the public hearing and asked Council if they had any further questions. Councilwoman McGhaney asked Mrs. Roodman if it is possible for Council to change the rezoning request at this time to coincide with what Mr. Charles Neil asked during his comments. Mr. Roodman stated that it is the pleasure of Council to allow of a lesser amount since Council is holding this public hearing at this meeting. Mrs. Roodman also stated that she

spoke to Mr. Raffield on March 27, 2023, and he informed Mrs. Roodman that he is open to the idea of a lesser amount of acreage for the rezoning than what was originally applied for this request. Mrs. Roodman also stated that his primary goal is to get to a place where he could put one manufactured home somewhere on the property so that he could move out of the house.

Councilman McGhaney stated that the citizens talked about a home being on the property; however, it was not clear on the map where a home would be on the property. Mrs. Roodman pointed out where there are dwellings on the property including an old recreational vehicle. Mrs. Roodman also stated the soil is not the best in this area and the location of the mobile home will be determined by what the rules are for the mobile home on the property and what property is best for the mobile home to be located.

Councilman McGhaney also asked Mrs. Roodman whether there was enough vegetation on the property that it can be used as a buffering for the neighbors. Mrs. Roodman stated that the Zoning Standards Ordinance does not require landscape buffering for a single dwelling. The front part of the mobile home would have to be placed parallel to the road. Also, it was noted that there has been some timber harvesting on the property due to the age of the trees.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd to defer second reading at this time to allow the Planning staff and the Applicant to determine which two acres would be feasible to place the mobile home on the property.

Councilman Baten and Councilman Edens voiced their concerns about the two acres and where it would be located on the property to not be a concern for the neighbors. Councilman Washington voiced his concern about the number of mobile homes that would be approved to be located on the property, one or more which would impact the homes around the property. Also, several council members wanted to know if it would be a detriment to the homes around the neighborhood to allow for this mobile home to be placed in this area. Mrs. Roodman stated that she has no answer for that question; it is beyond her expertise.

After all comments, the Chairman called for action on the previous motion.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd to defer second reading at this time to allow for the Planning staff and the applicant to determine which two acres would be feasible to place the mobile home on the property. The motion was unanimously carried by members of Sumter County Council.

OTHER PUBLIC HEARINGS:

- (1) None

NEW BUSINESS:

- (1) **R-23-03 - A Resolution To Approve The Five National Opioid Settlements With Defendants Teva, Allergan, CVS, Walgreens, And Walmart And The South Carolina Opioid Settlement Allocation Agreement As Amended.**

The Chairman presented this proposed resolution to Council for action. He informed the public that Council discussed this resolution in detail during an executive session in Fiscal, Tax, and Property, Committee meeting. This resolution is in conjunction with the five national opioid settlements as listed in the heading above. Also, it was noted by the attorney that additional resolutions will be presented to Council as other opioid settlements are brought forth. The action needed by Council is to approve the five National Opioid Settlements and to approve the allocation of the South Carolina Opioid Settlement Allocation agreement as amended. After Council reviewed the resolution, the Chairman called for a motion on its adoption.

ACTION: MOTION Vice Chairman Byrd, seconded by Councilman Baker, and unanimously approved by Council to direct the Chairman and the Clerk to execute and deliver the resolution as presented and directed the County Administrator and other County staff to process and administer these actions as appropriate.

Whereas, five national settlements have been reached in the opioid litigation with Teva, Allergan, CVS, Walgreens, and Walmart (the "New National Opioid Settlements");

Whereas, the South Carolina Opioid Settlement Allocation Agreement as Amended provides for an allocation of settlement funds that alters the default allocation under the New National Opioid Settlements;

Whereas, Sumter County will receive direct payments for opioid-remediation efforts as a result of the New National Opioid Settlements and the South Carolina Opioid Settlement Allocation Agreement as Amended;

Now, Therefore, be it resolved by the Sumter County Council in meeting duly assembled that:

1. *Upon receiving and reviewing information, advice, and the recommendation of litigation counsel, Sumter County accepts and approves the New National Opioid Settlements and the South Carolina Opioid Settlement Allocation Agreement as Amended, which provides for an intra-state division of funds obtained in South Carolina as a result of such settlements.*

2. *The County Council further directs Johnathan W. Bryan, Sumter County Attorney, to execute any and all documents necessary for Sumter County to participate in the New National Opioid Settlements.*

3. *This Resolution shall take effect upon its adoption, this 28th day of March 2023.*

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

No executive session was held.

OLD BUSINESS

- (1) None

COMMITTEE REPORTS:

- (1) Fiscal, Tax, and Property Committee Meeting To Be Held On Tuesday, March 28, 2023, At 5:30 p.m. In The County Administrator's Conference Room, 13 E. Canal Street, Sumter, SC 29150. (McCain, Edens, and McGhaney)

The Chairman of the Fiscal, Tax, and Property Committee Meeting, Chairman McCain gave a report from the Committee meeting stating that the Committee met in executive session to discuss a tax roll matter and the other was a personnel matter. No action was taken on either of the executive session matters.

- **Sumter County Library Request:** The Chairman stated that in open session, a report was received from the Administrator concerning the Sumter County Library being placed in the Sumter County Government System as requested by the Sumter County Library Board. The Committee and other members of Council that were present at the meeting are in agreement with the request. The Administrator stated that he needs to inform the State by the end of June that the County will allow the Library into the County's system effective July 1, 2023. The Administrator will keep Council informed of this process.
- **Request For American Recure Plan Act (ARPA) Funds:** The Committee received a request to purchase public safety equipment from ARPA Funds that are currently assigned to Broadband for the following:

One Fire Truck: Up To \$395,000

Two Ambulances: Current Purchase Price of \$404,000

NOTE: *Farmers Telephone Company has been awarded Broadband Funds from the State of South Carolina and Sumter County which reduces the need for Sumter County Government's funding for Broadband.*

ACTION: MOTION and a second were received from the Committee and unanimously carried by County Council to approve the recommendation to use up to \$395,000 to purchase one fire truck, and to use \$404,000 to purchase two ambulances from funds formerly assigned to ARPA Broadband Funds.

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

The Chairman asked Council members if they had any reports, from meetings, trainings, etc. The following Council members spoke.

- Councilman Washington reported that on Thursday, March 23, 2023, the Wedgefield Community hosted a meeting in reference to the F. J. Delaine Elementary School. There were over two hundred in attendance at the meeting. He also stated that the community members feel strongly about this school being maintained in the community as a school and that the members of the community are able to use the school.
- Chairman McCain reported on "Stash The Trash Campaign" on Saturday, March 25, 2023. There was 100% participation from the school in Quadrant Two. It was also stated that there will be articles in the Item Newspaper for four weeks to bring more attention to the Litter Campaign.
- Councilman Baker stated that the pick-up on Saturday, March 25, 2023, on Thomas Sumter Highway was great and it looked like an army of people picking up. Chairman McCain stated that those litter pick-up efforts on Thomas Sumter Highway were by South Carolina Department Of Transportation.

- Councilman Washington stated that the County will be collaborating with contractors around the Recycling Centers to pick up trash in a one-, two-, or three-mile radius (to be determined) from the Recycling Centers.
- Councilman Edens stated that he also attended the “Stash The Trash Campaign” on Saturday, March 25, 2023, at the Civic Center and it was well attended. The young people had poster contests as well as “litter jingle/cheer contests” and many other events for the participation of the children.
- Councilman Baten informed Council members that some industries are not taking litter seriously. He stated that he followed a mobile home that was being moved by a company from Kershaw County to Golden Arrow Mobile Home Park in Sumter County. From the Rembert, SC area until the haulers stop moving, trash was coming out of the mobile home and the driver would not stop. He added that the truck that was following the mobile home, did not try to stop the other driver to stop and solve the problem from the debris flying from the truck.
- Councilman Washington commented on Councilman Baten’s statements. He mentioned that at the last Public Works and Public Safety Committee meetings, this subject was brought up by Councilman Edens who also said that the company should be fined and that trucks should be required to have tarps to cover the truck/trailer area where there is material and or debris that may fly off the truck.

MONTHLY REPORTS

- 1) Mayor's Prayer Breakfast - May 4, 2023
- 2) Sheriff's Office Monthly Report
- 3) Chamber Of Commerce Events
 - Annual Gala
 - State Of Healthcare
- 4) South Carolina Association Of Counties Annual Conference

COUNTY ADMINISTRATOR'S REPORT

The County Administrator, Gary Mixon thanked Sumter School District and the Independent Schools have participated 100% in the Litter Campaigns. The kick-off is on March 25, 2023. Mr. Mixon also thanked Shelby Goulding for her work from the news media perspective. They will make sure that the public is aware of all the activities for the Litter Campaign in print media as well as social media.

Mr. Mixon asked Mr. Joe Perry, Communications Director for the County, to update County Council about the litter and the Court System. Mr. Perry stated that there were seven or eight classes on Monday, March 27, 2023, and of those, each one was fined up to \$500; however, they were given the choice of eight hours of community service and \$250. All the offenders agreed to eight hours of community service and paid a \$250 fine. If they do not work with the County for the eight hours of community service, they will be facing jail and/or additional fines.

Mr. Mixon also said that the industries are collaborating with Council to find out how they can better assist in combating the litter problem. He added that the whole purpose is to change the mindset about not littering.

It was noted that the Sheriff is not ready to post pictures and names of people that litter since currently he is not posting pictures of people that commit other crimes.

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 wished to speak during public comment. No one spoke during public comment.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:58 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: April 11, 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: March 24, 2023

Media Notified: Yes

Manner Notified: Agenda Information is listed on Sumter County's Home Page, and E-mailed to The Item, The Chamber, WIS-TV, WBTW, and Spectrum Cable.

Date Notified: March 24, 2023

Respectfully submitted,
Mary W. Blanding
Clerk To County Council

