



Minutes
Sumter County Council
Regular Meeting
Tuesday, November 10, 2020 -- Held at 6:00 p.m.
Sumter County Administration Building
13 E. Canal Street, Sumter, SC

.....

**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/UCAHjiqzPaonQ9LFS2kO37tA>

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

COUNCIL MEMBERS ABSENT: Chris Sumpter

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

MEMBERS OF THE PUBLIC PRESENT: Approximately four members of the public attended the meeting.

MEDIA PRESENT: The Item, Shelbie Goulding

CALL TO ORDER: Chairman 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, November 10, 2020
Chairman 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

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

APPROVAL OF MINUTES: Regular Meeting Tuesday, October 27, 2020.
Chairman McCain asked for a motion to approve the minutes for County Council's October 27, 2020, meeting as prepared by the Clerk to Council.

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by Council to approve the minutes as presented for October 27, 2020, 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-20-14 - First Reading -- 1810 Pinewood Road (County) -- A Request To Rezone A Parcel Totaling +/- 4.13-Acre Tract From Agricultural Conservation (AC) To Neighborhood Commercial (NC). The Property Is Located At 1810 Pinewood Road And Is Represented By Tax Map # 181-00-05-086.**

Mrs. Helen Roodman presented this proposed rezoning request to Council for first reading. She stated that the request is just beyond the round-about on Pinewood Road. The request is to rezone approximately 4.13 acre tract from Agricultural Conservation (AC) to Neighborhood Commercial (NC). Mrs. Roodman also stated that application has indicated that this property will be developed with a 9,100 square feet general merchandise store, specifically a Dollar General.

The Planning staff recommended approval of this request. Mrs. Roodman also stated that allowing the application of a Neighborhood Commercial Zoning District to the subject property is consistent with the intent of the 2040 Comprehensive Plan to develop commercial mixed-use nodes in designated places in Sumter County where development patterns support such uses.



After all comments, the Chairman called for a motion on this rezoning request.

NOTE: Councilman Edens recused himself from discussion and voting on this ordinance.

ACTION: MOTION was made by Council Baker, seconded by Councilman McGhaney, and unanimously carried by Council to grant first reading approval of this proposed rezoning request as presented.

PUBLIC HEARINGS:

- (1) **Ordinance #20-939 - An Ordinance To Authorize The Sale Of The Building Located At 1160 North Wise Drive And Approximately 12.50 Acres Of Property. (Council Will Take Action On Third Reading Immediately After Public Hearing Or During Old Business.)**

The County Attorney, Johnathan Bryan, presented that this ordinance to Council third reading and public hearing. He stated that the Company, Thompson Construction Group Incorporated, hopes to purchase the land, approximately 12.50 acres of property for \$2,700,000. The Contract for the property includes a contingency that the purchaser hopes to engage in a long-term contract with a third party tenant to lease the building. The purchaser also hopes to receive a Fee-In-Lieu of Tax Agreement which has not yet been negotiated prior to the closing.

After comments from Mr. Bryan, the Chairman convened a public hearing on this ordinance. He asked if anyone wished to speak in favor of or opposition to the ordinance as presented by the County Attorney. No one spoke to this issue; therefore, the Chairman closed the public hearing. Council took action on third reading as listed under Old Business.

- (2) **Ordinance #20-940** – 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 A Company Identified For The Time Being As Project Lisa, 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 Connections With The Project; And (4) Other Matters Relating Thereto. (Council Will Take Action On Third Reading Immediately After Public Hearing Or During Old Business.)

Chairman McCain introduced Mr. Brian Rauschenbach, Economic Development Project Manager for Sumter Economic Development Board. Mr. Rauschenbach then introduced Mr. Blake Tannery, Vice President of Manufacturing and also the Site Leader of Santa Cruz Nutritionals. Mr. Tannery thanked Sumter County for allowing Santa Cruz Nutritionals to expand its business here in Sumter.

The company, Sumter Nutritionals, formerly known as Project Lisa, will invest approximately \$84,000,000, and add around 164 new jobs for the Sumter Community. The Company will receive a Fee In Lieu of Agreement and a Special Source Revenue Credit. After all comments, the Chairman convened a public hearing on this matter. He asked if anyone wished to speak in favor of or opposition to the ordinance as presented. No one spoke to this public hearing; therefore, the Chairman closed the public hearing and Council took action on third reading, which is listed under Old Business.

NEW BUSINESS:

- (1) **Ordinance #20-941** -- An Emergency Ordinance To Require Individuals To Wear Face Coverings In Certain Circumstances And Locations In The Limits Of The County Of Sumter, South Carolina And Providing For Severability And An Effective Date.

Mr. Bryan presented this ordinance to Council for approval. Because this is an Emergency Ordinance, only on reading of the ordinance was required. Mr. Bryan also stated that the ordinance would be in effect for 61 days, unless Council took action to reduce or extend the time. Chairman McCain noted that South Carolina Governor extended the state of emergency for South Carolina another 15 days from November 8, 2020. It is projected that the Governor will make further extensions of Emergency on 15 days at a time. After the attorney's presentation. Council took action on the approval of the ordinance.

Prior to the vote, Councilman Baten stated that *“medical experts in South Carolina, in America, and around the world have stated that wearing a mask saves lives. This is not an issue between red or blue, Donkey or Elephant, Republican or Democrat, rich or poor, or urban or rural. It is a health issue. This is an issue that affects all Americans; white, black, Asian, Hispanic, and native Americans. We are a nation under God. We must treat other like we want to be treated. We must value the lives of others the same way we value our lives and the lives of our spouses and children. We must value the lives of our Military Veterans the men and women who served our country and are now living with underlying health Issues. Tonight we can thanked them for their service. As we cast our votes, may God be in your hearts and the other day a U. S. Veteran died from COVID 19 in Sumter County.*

ACTION: MOTION was made by Councilman Baten, seconded by Councilman McGhaney to grant approval of the Emergency Ordinance as presented by the Attorney, Mr. Johnathan Bryan.

Yea: Council members Baten, McGhaney, and McCain

Nay: Council members Baker, Byrd, and Edens

The motion failed; the ordinance did not pass.

- (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 #20-937 - Third Reading - An Ordinance To Extend The Agreement With Waste Management Of South Carolina, Inc. For Transportation And Disposal Of Municipal Solid Waste In A "Subtitle D" Landfill Facility. (Public Hearing Is Not Required.)

Mr. Johnathan Bryan stated that this ordinance will allow for the existing agreement between Sumter County and Waste Management of South Carolina, Inc. to be extended for the transportation and disposal of municipal solid waste in a "Subtitle D" Landfill facility. This extension is for five years.

Chairman McCain called for a motion on third reading. Prior to action on third reading, Councilman Edens asked about the type of formula used to determine the allowable yearly increases in the agreement. Mr. Bryan stated that during the negotiations, Waste Management wanted to use the WST Index (Waste, Sewer, and Trash Index) instead of the CPI (Consumer Price Index) which are not the same. However, the County encouraged the Company to continue using the Consumer Price Index for the annual adjustment as it exists in the current contract. The Company consented to the request; therefore, there is no to the index which issued to adjust the fee that the County pays annually.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to grant approval of the ordinance as presented by the County Attorney, Johnathan Bryan.

- (2) Ordinance #20-938 - Third Reading - An Ordinance To Extend The Contract With Waste Management Of South Carolina, Inc. For Convenience Center Operation, Collection And Disposal Of Municipal Solid Waste. (Public Hearing Is Not Required)

Mr. Bryan stated that this is a related contract; Waste Management operates the Convenience Centers that are owned by the County. This ordinance will extend the existing contract with Waste Management of South Carolina, Inc. for the purpose of operating the Convenience Centers and disposal of Municipal Solid Waste for and additional five years with no changes to the contract except for the term of the contract.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman McGhaney, and unanimously carried by Council to grant approval of the ordinance as presented by the County Attorney, Johnathan Bryan.

(3) Ordinance #20-939 - Third Reading - An Ordinance To Authorize The Sale Of The Building Located At 1160 North Wise Drive And Approximately 12.50 Acres Of Property.

The County Attorney, Mr. Bryan presented this matter to Council as listed above under Public Hearing. After the public hearing; the Chairman called for a motion on third reading.

Councilman Edens stated that because this is such a big economic development project for this Council, he hopes that the Item Newspaper will treat this announcement with a great write up. Also, Councilwoman McGhaney thanked Mr. Tannery for looking favorably at Sumter County and entrusted their expansion with Sumter. Lastly, Chairman McCain thanked Mr. Rauschenbach and other members of the Economic Development team for working favorably with Santa Cruz Nutritionals that will increase job opportunities for the citizens of Sumter and surrounding counties.

The following motion was offered.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant third reading to this ordinance as presented by the Attorney, Mr. Johnathan Bryan.

(4) Ordinance #20-940 - Third 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 A Company Identified For The Time Being As Project Lisa, 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 Connections With The Project; And (4) Other Matters Relating Thereto.

After the introduction of this ordinance by the County Attorney, Mr. Bryan, and the public hearing convened by the Chairman of Sumter County Council, members of Council took action on third reading of this ordinance.

ACTION: MOTION was made by Councilman Edens, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant third reading to this ordinance as presented by the Attorney, Mr. Johnathan Bryan.

COMMITTEE REPORTS:

1. Fiscal, Tax, and Property Committee Meeting, Tuesday, November 10, 2020, At 5:30 p.m. In The County Administration Building, County Council Chambers, Third Floor, 13 E. Canal Street, Sumter, SC. (McCain, Edens, and McGhaney)

Chairman McCain, Chairman of the Fiscal, Tax, and Property Committee, reported that the Committee meet at 5:30 p.m. on November 10, 2020; however, the items discussed were in executive session and no action was taken.

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

No report given.

MONTHLY REPORTS

1. Sumter County Sheriff's Office.

COUNTY ADMINISTRATOR'S REPORT

The County Administrator gave the following COVID-19 Update:

- As of today Sumter County has had 3,765 cases of COVID
- Since October 27, 2020, the County has had 206 New Cases of COVID
- This is a daily average of 14.7 % which is up from the last two weeks which was 13.6
- Four additional deaths as reported by Sumter County Coroner: Two white males, and two white females, and one of the persons was a Veteran.

ADJOURNMENT

After all discussions, motion was made by Vice Chairman Byrd, seconded by Councilman Sumpter to adjourn the meeting of Sumter County Council at 6:38 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: November 24, 2020

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 bulletin board on third floor of the Administration Building.
- Date Posted: November 9, 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: November 6, 2020

Respectfully submitted,
Mary W. Blanding
Mary W. Blanding