



Minutes
Sumter County Council Regular Meeting
Tuesday, November 8, 2022 -- Held at 6:00 p.m.
Sumter County Administration Building
Third Floor, County Council Chambers
13 E. Canal Street, Sumter, SC

.....
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 W. Blanding, Johnathan Bryan, Greg Hawkins, Joe Perry, Valerie Brunson, and two Sheriff Deputies.

MEDIA PRESENT: The Item Newspaper, Shelbie Goulding.

MEMBERS OF THE PUBLIC PRESENT: Approximately 9 members of the public were present.

CALL TO ORDER: Chairman of Sumter County Council, the Honorable James T. McCain, Jr. called the meeting to order at 6:00 p.m.

INVOCATION: Councilman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: Led By Veteran Fred H. Gordon, Jr., Council District 2. Retired US Air Force Veteran Fred H. Gordon, Jr. served our Country from June 1982 to December 2002. He is a Persian Gulf War Veteran and is currently a Sumter County Magistrate Court Judge. Veteran Gordon lives in County Council District 2. Thank you for your service.

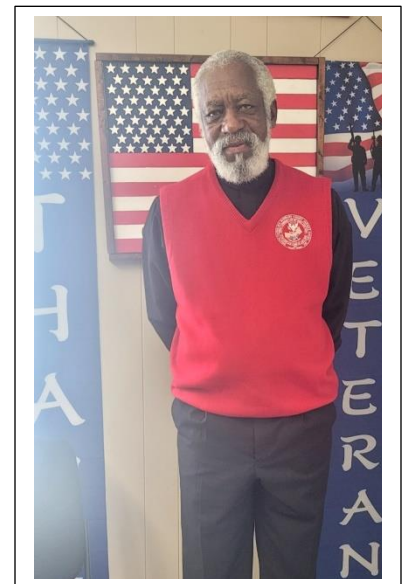
APPROVAL OF AGENDA: Regular Meeting Tuesday, November 8, 2022
Chairman McCain called for a motion on the approval of the agenda.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to approve the agenda for November 8, 2022.

APPROVAL OF MINUTES: Regular Meeting Tuesday, October 25, 2022
Chairman McCain called for a motion on the approval of the October 25, 2022, meeting of Sumter County Council.

ACTION: MOTION was made by Councilman Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to approve the minutes of Council's October 25, 2022, meeting as presented by the Clerk to Council.

LAND USE MATTERS AND REZONING REQUESTS:



Planned Development/Rezoning Requests:

NOTE: RZ = Rezoning Of Property As Applicable In Sumter County Zoning and Development Standards.

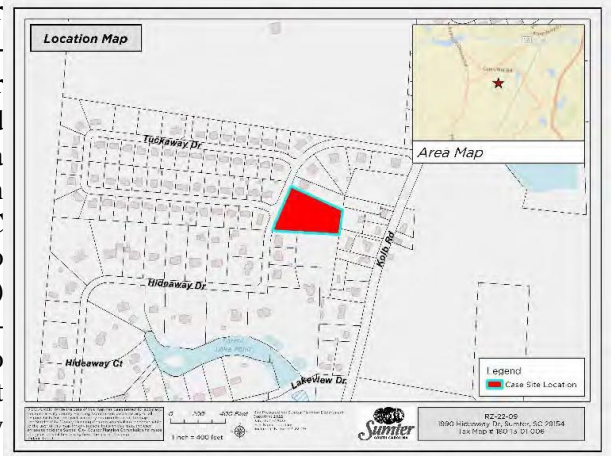
AC = Agricultural Conservation As Applicable In Sumter County Zoning and Development Standards.

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-22-09 – First Reading -- 1990 Hideaway Dr. (County)** -- A request to rezone a +/- 2.65 acres from Agricultural Conservation (AC) to Residential-15 (R-15). The property is located at 1990 Hideaway Dr. and is represented by Tax Map # 180-13-01-006.

Mrs. Helen Roodman, the Planning Director, presented this proposed request to Council for first reading consideration. Ms. Roodman stated the applicant is Gainey Construction Company and Louis Tisdale is the company's representative for this rezoning request. The property is shown on the location map. She also stated that the applicant has indicated that their intent is to subdivide the property, in accordance with R-15 zoning district minimum development standards, for the purposes of constructing attached or detached single-family housing units. The property currently contains a duplex and is adjacent to other properties with duplexes on them. While duplexes are non-conforming uses in both the AC and R-15 zoning districts, single-family attached units (two units with a property line dividing the units along a shared wall) can be established via Conditional Use approval. The single-family attached housing type must meet the standards for patio homes/zero lot line homes outlined in the Development Standards for Uses in the R-6 District of the Sumter County Zoning and Development Standards Ordinance (the Ordinance). The property is greater than 2 acres in size and meets the size threshold for the establishment of the single-family attached housing type. Staff notes that the area is not served by public sewer, thus minimum lot size and the maximum amount of housing units will be primarily dictated by the size of the septic tank drain field and repair area required by DHEC pursuant to soil conditions and type.



The intent of the R-15 zoning district is to recognize the suburban living character of significant portions of Sumter County where low and medium density single-family residential development is the predominant living environment of the existing and future population.

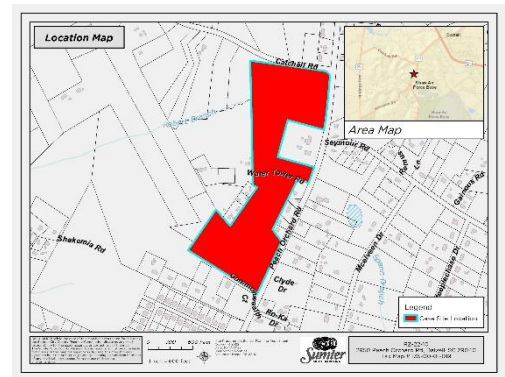
Mrs. Roodman stated that the Planning Commission recommended approval of the rezoning request. After all comments from Mrs. Roodman, the Chairman called for a motion on first reading of this proposed rezoning request.



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

- (2) **RZ-22-10 – First Reading -- 2590 Peach Orchard Rd. (County)** A request to rezone a +/- 51.90 acre tract from Agricultural Conservation (AC) to Residential-15 (R-15). The property is located at 2590 Peach Orchard Rd. and is represented by Tax Map # 135-00-01-019.

Mrs. Roodman stated that this rezoning request is by Dunlap Properties, LLC, Tyler B. Dunlap, Jr., who is the authorized agent. This request is for 51.90 acres of property to be rezoned from Agricultural Conservation to Residential-15. As shown on the zoning map to the right, the property is currently zoned Agricultural Conservation (AC) and is adjacent to Agricultural Conservation (AC) zoning in all directions. There is an existing Residential-15 (R-15) subdivision (“Pershing Hills”) located +/- 450 ft. south of the site. The intent of this district is to protect and preserve areas of the county which are presently rural or agricultural in character and use and are uniquely suited to agricultural use. Ms. Roodman further stated that where urban development is permitted within the district, strict quality standards should be required. The subject property is not within the boundaries of any of the Airfield Compatibility Zoning Overlay Districts centered on Shaw Air force Base. Peach Orchard Rd. is the boundary of the Noise Attenuation (NA) Overlay District, where notification of potential noise impacts from Shaw Airforce Base is required.



Single-Family residential uses are a permitted uses in the AC zoning district, per the *Sumter County Zoning & Development Standards Ordinance* (the *Ordinance*). However, AC district development standards require a minimum lot size of 1.0 acre per parcel, as well as a minimum of 60 ft. of public road frontage. The applicant has expressed a desire to subdivide the property into lots smaller than that permitted in AC zoning, necessitating a rezoning request. If the request is approved, the applicant would be permitted to develop all uses indicated for the R-15 zoning district.

The Planning Commission recommended approval for the rezoning request. After all comments, Council took action 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 rezoning request.

OTHER PUBLIC HEARINGS:

- (1) None

NEW BUSINESS:

- (1) 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 #22-981 – Second Reading -- An Ordinance (1) Amending 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 Boundaries Of The Park To Include Certain Property Owned And/Or Operated By Honey Solar, LLC; And (2) Authorizing Other Matters Related Thereto. (Public Hearing Will Be Held At Third Reading.)**

Mr. Johnathan Bryan, the County Attorney, presented this proposed ordinance to Council for second reading consideration. He stated that this ordinance will allow for amendment to the Master Agreement Governing the Sumter- Lee Industrial Park to enlarge the boundaries of the park. Mr. Bryan also stated that this ordinance also authorizes other matters relating to this park. After all comments and no questions from Council, the Chairman called for a motion on second reading of this ordinance.

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

COMMITTEE REPORTS:

- (1) **Fiscal, Tax, and Property Committee Meeting To Be Held On Tuesday, November 8, 2022, At 5:30 p.m. on the Third Floor of the County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (McCain, Edens, McGhaney)**

The Chairman of the Fiscal, Tax, and Property Committee, stated that the Committee had two matters, the following action was received and acted upon by the Committee for recommendation of approval by Sumter County Council.

Executive Session: After the executive session the Committee made a recommendation to Authorize the County Administrator to act on the behalf of Sumter County by executing and delivering the Settlement Agreement financial settlement with FTC, Inc.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to approve the recommendation as presented by the Committee authorizing the County Administrator to sign the settlement agreement with FTC, Inc.

Request For Funds From Sumter County's Fund Balance: The Committee made a recommendation to authorize the Administrator to use up to \$700,000 from Sumter County's fund balance to award a contract to Hawkins And Kolb to renovate the Magnolia Building including asbestos abatement. Once the renovation is completed, Probation and Parole, Department of Juvenile Justice, Clemson Extension, and Voter Registration will be housed in the building. Additionally, there will be extra space for storage for Voter Registration and future office space for other areas. Currently there is \$19,000,000 in the fund balance. However, there was a request to use \$1,000,000 of the fund balance to help balance the budget. Therefore, if the request for \$700,000 is approved by Council, then there will be approximately \$17,341,000. In order to receive the funds, there will need to be a budget adjustment which requires an ordinance with three readings and a public hearing. The bid is good for 30 days and the project should be finished within eight months.

ACTION: MOTION and second were received from the Committee (Councilman Edens made the motion and Councilwoman McGhaney seconded the motion) and carried by Council to approve the recommendation as presented by the Committee to allow \$700,000 from the Reserve Fund to be used in the renovation project at Magnolia Place. Inc. Councilman Baten voted in opposition. (*Note: A*

three reading ordinance with a public hearing will be scheduled for the next meeting of Sumter County Council in reference to securing the \$700,000 from the County's Reserve Fund.)

After the vote was carried, Councilman Baten asked to state why he voted in opposition. He Baten stated that he was very concerned about the amount of money that is in excess in the County's Reserve Fund which may be close to twice as much as needed. He further stated that in the County we have county employees that are underpaid and some of them may be paid \$2,000-\$3,000 more than the poverty level, if they are making that much. While we have this money just sitting there that we can use for salaries, the Reserve Fund is almost twice of what we need for a county this size. He asked the question, why are we not looking at raising the employee's salaries. Some of the money could be used to raise the salaries. Councilman Baten also stated that it will take some concern by members of this Council to look at the fact that the County has employees that are just barely making it. It was also stated by Councilman Baten that some of the Council members probably have six-figures or more salaries, therefore, they do not feel the hard times. It was also said by Councilman Baten that he would like for Council to have some discussion and consideration on how to use some of Reserve Funds to help increase the salaries of the County employees.

Councilman Baten said that he knows that there is a terrible situation at the Jail; the employees are being paid \$33,000 a year, and it's hard to try to hire more employees. The Detention Center is 40% manned, and it is a danger. He also added that there could be a breakout, a riot, or anything with the Center being 40% manned. The Reserve Funds should be used to help the County employees instead of coming up with different ideas of how the money can be used.

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

- **Councilman Eugene R. Baten** announced that the NACCP held its annual Freedom Fund Banquet on November 4, 2022, with Majority Whip James E. Clyburn, United States House of Representatives. Congressman Clyburn talked about the history of voting in the United States and referred to the 15th Amendment to the Constitution as it relates to voting, and it was signed in 1870, per Councilman Baten. The 15th Amendment gave people the right to vote, even former slaves. Congressman Clyburn talked about the difficulty people were having to vote, particularly Black people. He mentioned that history can repeat itself if we are not aware of the things that happened during the Jim Crow era. During that time, people were killed, lynched, etc. when they were trying to vote. Councilman Baten also stated that some things are happening today when people are trying to vote. In an election recently, a person was standing in a long line, if someone tried to give the person water to drink, they will be arrested. There were many tactics that were used when people were trying to vote, including men with firearms, trying to intimidate those that were voting.

He also mentioned that it was very few people from Sumter County Council at the Freedom Fund Banquet.

- **Councilman Washington** introduced his son, Jarred, who is a Senior at Winthrop University was present at the meeting.

MONTHLY REPORTS

- 1) Planning Commission Meeting November 17, 2022
- 2) Building Department Report
- 3) State of Education 2022
- 4) eSTEAM 2022

COUNTY ADMINISTRATOR'S REPORT

- Stash The Trash Program was held Saturday, November 5, 2022, approximately 300 people were present. Councilman Washington, the Council person for Quadrant One was present along with Chairman McCain and Councilman Edens. There are six school in Quadrant One and there were students from each school as well as Thomas Sumter. During the entire month of November there will be other litter pick-ups orchestrated by the public in Quadrant One as well as the City and County. Quadrant Two is the next Stash The Trash which will be held in February. This Quadrant covers the area from Highway 378 to Pinewood; there are more schools in this Quadrant which includes elementary, middle, and high schools. Mr. Mixon noted that Stash The Trash litter pick-up will also contact churches throughout this Quadrant to get them involved.

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. The following persons spoke.

- George Bates spoke to Council, especially Councilman Washington, saying thank you for the work on the roads in the County. He also voiced his concerned about the need for the Sheriff's Deputies and Detention Center Officers to receive more salary since it was reported that there are funds in the County's Contingency Fund.

Mr. Bates also presented another concern that the deportation around the Poinsett Bombing Range happens once a month on Fridays. He stated that when old ammunition, bombs, etc. are exploded and the shock waves have become unlivable for those in the area. The problem has intensified because so many trees are being cut down. He asked Council to talk to those at Shaw AFB about what the citizens are going through with this matter. Mr. Bates said that a reevaluation needs to be made of the impact of the explosive waives when Shaw demolishes old explosives. It was noted by Mr. Bates that he lives three miles from the Bombing Range.

- Michael Miller from Horatio stated that he retired from the Department of Corrections and started to return when they announced a pay increase and bonus. Then Mr. Miller voiced his concern about the fact that there are many improvements being made in Sumter as it relates to the Penny For Progress Referendum; however, there are not a lot improvements in the County. He also asked Council to put a Gymnasium in Rafting Creek School area. Lastly, he voiced his concern about mosquito control and the fact that he called and never received a response.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:29 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: November 22, 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 first floor of the Administration Building.

Date Posted: November 4, 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 Spectrum Cable.

Date Notified: November 4, 2022

Respectfully submitted,

Mary W. Blanding

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] under Our Council *Agendas/Minutes*. In addition, the agenda was electronically sent to newspapers, radio stations, television stations, and concerned citizens.