



Minutes
Sumter County Council
Regular Meeting
Tuesday, April 27, 2021 -- 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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County Staff Members, Council Members, And The Public Will Be Required To Wear A Facemask And Have Temperatures Checked Upon Arrival To The Meeting. Social Distancing Is Required And Seating Is On A First Come First Serve Basis.

<https://www.youtube.com/channel/UCAHjiqzPaonO9LFS2kO37tA>

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

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Gary Mixon, Mary W. Blanding, Lorraine Dennis, Keysa Rogers, Helen Roodman, David Shadoan, Les Vandevander, Johnathan Bryan, Joe Perry, Allen Daily, Valerie Brunson, and two Sheriff Deputies (Walker and Cabbage).

MEMBERS OF THE PUBLIC PRESENT: Approximately 19 members of the public attended the meeting.

MEDIA PRESENT: The Item Newspaper, Shelby Goulding.

CALL TO ORDER: Councilman James T. McCain, called the meeting to order.

INVOCATION: Councilwoman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: County Council was led in the Pledge of Allegiance to the American Flag by Veteran Larry Huff, who served our Country in the United States Air Force as an Automatic Flight Control Systems Technician and Aircraft Maintenance Manager. Veteran Huff is a Vietnam War Veteran and some of his achievements include The Vietnam Service Medal, The Vietnam Campaign Medal, The Air Force Good Conduct Medal w/4 Oak Leaf Clovers, The Air Force Longevity Medal w/4 Oak Leaf Clovers, and the National Defense Medal. He retired from the Air Force after 20 years of Honorable service in 1978 and is he is currently a member of the Knights of Columbus and The Chairman of the Sumter County Veterans Association. He is married to Mrs. Carmelita Huff, they have 2 daughters, 4 grandchildren, and 5 great grandchildren. He currently lives in Sumter County District 1. Councilman Washington presented Mr. Huff with a certificate for his participation in Council's meeting.



APPROVAL OF AGENDA: Regular Meeting Tuesday, April 27, 2021
Chairman McCain asked the Clerk if there were any changes to the agenda for Tuesday, April 27, 2021. Mrs. Blanding stated that there were no changes to the agenda; therefore, Council took action on approving the agenda.

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

APPROVAL OF MINUTES: Regular Meeting Tuesday, April 13, 2021 Budget Workshop Tuesday, April 13, 2021 **NOTE:** Council Held A Budget Workshop On Tuesday, April 20, 2021; however, no action was taken at the meeting.

Chairman McCain stated that he would entertain a motion concerning the approval of the minutes for the regular meeting of Sumter County Council held on April 13, 2021.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to grant approval of the Regular Meeting Minutes of Sumter County Council held on April 13, 2021.

Then, Chairman McCain asked for a motion on Council's Budget Workshop/Special Meeting Agenda which was held on April 13, 2021.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to grant approval of the minutes of Council's Budget Workshop/Special Meeting Minutes held on April 13, 2021.

LAND USE MATTERS AND REZONING REQUESTS:

Planned Development/Rezoning Requests - None

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-21-05 -- 1765 N. Main Street -- (County) - Second Reading/Public Hearing -- A Request To Rezone +/- 2.23-Acres Of Land From Agricultural Conservation (AC) And Neighborhood Commercial (NC) To General Commercial (GC). The Property Is Located At 1765 N. Main St. And Is Represented By Tax Map # 246-00-02-015. (Prior To Action On Second Reading Council Will Hold A Public Hearing On This Rezoning Request.)**

Mrs. Helen Roodman, the Planning Director, stated that Mr. Leroy Lane, the property owner, hopes to rezone 2.33 acres of land from Agricultural Conservation and Neighborhood Commercial to General Commercial. Mr. Lane hopes to rectify the split zoning of the property to one zoning which would be the General Commercial. Mrs. Roodman stated that the Planning staff reviewed this request by looking at the Comprehensive Plan. This particular area has general commercial (a motel), educational, S. C. Vocational Rehabilitation Office and Training Center. She also stated that just south of Mr. Lane's property is a tree service business which is a "grandfathered-non-conforming home occupation, several other businesses, and two homes just across the street from Mr. Lane's property along with a special events venue. The Planning Commission does recommend approval of the request.

After Mrs. Roodman's presentation, Chairman McCain convened a public hearing on this matter. He asked if anyone wished to speak in favor of or opposition to this proposed rezoning request. No one spoke to this issue; therefore, the Chairman closed the public hearing and Council took action on second reading.

ACTION: MOTION was made by Councilman McGhaney, seconded by Vice Chairman Byrd, and carried by Council to grant second reading approval as presented by the Planning Director, and recommended for approval by the Planning Commission.

- (2) **RZ-21-06 -- 6815 Claremont Lane -- (County) - Second Reading/Public Hearing -- A Request To Rezone +/- 1.99 Acres Of Land From Agricultural Conservation (AC) To Neighborhood Commercial (NC). The Property Is Located At 6815 Claremont Lane And Is Represented By Tax Map #073-00-05-025. (Prior To Action On Second Reading Council Will Hold A Public Hearing On This Rezoning Request.)**

Mrs. Roodman stated that this request is by CDP Sumter 6, LLC, represented by Mr. Greg Googer who was present during the meeting and is also the Authorized Agent for the request. The request is to rezone approximately 1.99 acres of property at 6815 Claremont Lane from Agricultural Conservation to Neighborhood Commercial. Currently, there is residential property on the north and west of this site which is currently undeveloped, and on the western side of the property there is a convenience store near 6815 Claremont Lane. The applicant hopes to develop the property with a general mercantile store. Mrs. Roodman reminded Council that at its April 13, 2021, meeting, Council approved the reduction in minimum size of free-standing zoning areas consisting entirely of Neighborhood Commercial Zoning to 1.5 acres (OA-21-02). Additionally, it was noted that the property is located at the intersection of a major collector road (Highway 261) and a minor collector road (Claremont Lane.)

After all comments, the Chairman convened a public hearing on this proposed rezoning request. The following persons spoke during public hearing.

- Mr. Greg Googer, owner of CDP Sumter 6, LLC as well as authorized representative for this rezoning request, spoke in support of the rezoning request. He stated that his company is the preferred developers for Dollar General in the lower state of South Carolina. He also mentioned that his company as well as Dollar General have enjoyed a long-term partnership with Sumter County and have brought several general mercantile stores to Sumter County. This is not a speculative venture, this request is based upon the approval of this request and a Dollar General Store will be placed at this location. Approximately 1.5 million dollars will be invested in this project which will increase the property value in the area. Currently Dollar General pays approximately \$14,000 in taxes to Sumter County plus the sales taxes. Approximately six to nine new employees will be hired with benefits from Dollar General Stores.

Mr. Googer also stated that they are sensitive to the fact that this store will be next to residential zoning on one side and a convenience store on the other side. Additionally, Mr. Googer and staff have already reached out to some of the property owners as it relates to screening fencing.

Chairman McCain asked Mr. Googer what the response has been from the neighbors. Mr. Googer stated that the response has been favorable.

Councilman Washington asked Mr. Googer if he has a list of the responses that he has received from the neighbors. Mr. Googer stated that he does not have a written response from the neighbors in a petition format.

Councilman Washington asked Mr. Googer if he was aware of the proposed Dollar General at the Fish Road location and the heavy opposition to the development. Mr. Googer stated that his company and Dollar General went through the public process and talked with those in the community. It appears that what the community is in more objection to is the construction of the Dollar General and not the opening of the store. One of the motor graders was being operated at an unusual time of the day. Mr. Googer stated that it was requested that the operation of the motor grader at that time of day to be stopped immediately. Also, Mr. Googer worked with the neighbor that was close to the Dollar General on Fish Road and through the dialogue with this neighbor a solution was reached that best fit the neighbor.

Councilman Washington also asked Mr. Googer if he has had a formal meeting with the Fish Road community and Mr. Googer stated no he has not. Then Councilman Washington suggested that Mr. Googer meet with the community to get a better understanding on their concerns; Mr. Googer stated that Mr. Washington's statement is duly noted.

- Michell Furman asked Council members if the site study has allowed for a traffic study and if so, what are the results of the traffic study. She also asked Mr. Googer to discuss the traffic study with the community during the meeting he will schedule with the community.
- Charlene Avant stated that she and her son are current owners of the property. She said that she lives in Beech Creek and the store's projected location is in walking distance from her home. Ms. Avant also said that she personally went to poll the neighbors; six houses in each direction to talk to them about the Dollar General coming to the area. The neighbors she spoke to are in support of the new store at this location. She added that she would be willing to get a petition in writing if necessary. Lastly, she stated that she believes this is a positive project and asked Council to support second reading.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Edens, and carried by Council to grant second reading approval as presented by the Planning Director, and recommended for approval by the Planning Commission. Councilman Washington abstained. The request was granted second reading.

NOTE: Councilman Washington stated that he wanted to reserve his vote for third reading until he meets with the Developer of the property along with community members and the property owners.

- (3) **RZ-21-09 -- 950 & 980 Oswego Highway -- (County) - Second Reading/Public Hearing -- A Request To Rezone +/- 32.11-Acres Of Land From Light Industrial-Warehouse (LI-W) To Agricultural Conservation (AC). The Property Is Located At 950 & 980 Oswego Highway And Is Represented By Tax Map # 248-00-01-005. (Prior To Action On Second Reading Council Will Hold A Public Hearing On This Rezoning Request.)**

Mrs. Roodman stated that the property owner, Mrs. Windy Miller, hopes to have this property rezoned from Light Industrial-Warehouse to Agricultural Conservation. From Mrs. Roodman's presentation, Council could see that the map showed that the property in question was two different parcels but one tax map number.

Mrs. Miller hopes to construct a home on each piece of property; one for her and one for her daughter. Mrs. Roodman stated that the reason for the proposed rezoning to Agricultural Conservation is because the property has intense wetlands on it, and would present challenges for Light Industrial-Warehouse occupancy and/or subdivision development. The Planning Commission recommend approval of the request based on the constraints of the property.

After Mrs. Roodman's presentation, Chairman McCain convened a public hearing on this issue. The following persons spoke during public comment.

Councilwoman McGhaney stated that she is very familiar with this area because constituents have contacted her over the years about the wetland issues including septic tank issues, and others matters, especially after a rain. She wanted Mrs. Roodman's thoughts on whether or not this property would eventually encounter the same problems. Mrs. Roodman stated that Mrs. Miller's property would have to meet standards already established by South Carolina Environmental Control as it relates to a septic tank being able to perk.

Chairman McCain convened the public hearing; the following persons spoke during public hearing.

- ✓ Frank Shuler stated that he is speaking on behalf of his client, Wendy Miller. He told Council that Ms. Miller contacted him earlier during this day and no longer plans to build two homes on the subject property that has been discussed this evening. He also wanted to know what does he and his client need to do to change this rezoning request as it is currently written to satisfy the needs of the Planning Commission and Staff.

Additionally, Mr. Shuler stated that as you look at the two industrial properties located on the frontage of Oswego Road, the owner of the mattress company has a contract on three acres of land right beside her company which will expand her property.

Ms. Miller is now going to build her house and her daughter's house off of Winkles Road instead of Oswego Road and use the current frontage location off Oswego road to expand her day care and create a Children's Day Camp and outdoor adventure business.

Chairman McCain asked if Council needed to defer second reading until this process is clarified. Vice Chairman Byrd stated that he would prefer taking action on second

reading and then defer at third reading if needed which depends on what the Planning Director needs to process all of the new information.

- Gloria Rock asked if the Mattress Business would be moving in another location. The owner of the Mattress Company stated that she would be in the same location.
- Michael Heriot asked questions concerning the zoning of the properties that were discussed during the public hearing; the piece that was purchased by the mattress company, the property currently owned by the mattress company, and the property owned by Wendy Miller. Mr. Shuler and the owner of the Mattress Company clarified the concerns of Mr. Heriot.

After all comments, the Chairman closed the public hearing and Council took action on second reading as currently listed without any changes.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to grant second reading approval as presented by the Planning Director, and recommended for approval by the Planning Commission.

NOTE: Mrs. Roodman will meet with the application, Mr. Frank Shuler, etc., to provide Council with a recommendation at third reading.

OTHER PUBLIC HEARINGS: None

NEW BUSINESS:

- (1) **Ordinance #21-952 - First Reading -- An Ordinance Authorizing The Conveyance Of An Interest In Property To The State Of South Carolina And Then Grant An Easement For Ingress And Egress To The State Of South Carolina.**

The County Attorney, Johnathan Bryan, presented this proposed ordinance to Council for first reading consideration. He stated that the ordinance will help facilitate the construction of a Veteran Nursing Home Building for veterans just north of Dillon Park in Sumter, South Carolina. Sumter County originally thought that it would be best to purchase the property and later sell it to the State of South Carolina. However, the State of South Carolina received money to purchase the property for the Veterans Home. Therefore, Sumter County will not exercise the option to purchase the property since the property can be purchased by the State of South Carolina. This ordinance will allow for a Quitclaim Deed in order to extinguish the option and so that the property can be purchased by the State of South Carolina. (See proposed ordinance below.) After comments from the Attorney, Council acted 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 ordinance as presented.

WHEREAS, *Sumter County owns an Option to Purchase 68.0 acres, more or less, from Black River Economic Development Corporation, which Option is recorded in the Office of the Register of Deeds for Sumter County in Volume 1279 at page 1125; and*

WHEREAS, *the State of South Carolina intends to purchase that same property, and more, for the purpose of constructing a Nursing Home for South Carolina Veterans; and*

WHEREAS, *Sumter County does not currently need the property for any public purpose; and*

WHEREAS, *The State of South Carolina needs an Easement for Ingress and Egress to the same property from Airport Road by McMillan Circle to accomplish its development plans; and*

WHEREAS, *The location of a Nursing Home for South Carolina Veterans promotes economic development in Sumter County,*

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AT ITS REGULAR MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

That Sumter County authorizes the grant of its interest in the property described in the Option recorded in the Office of the Register of Deeds for Sumter County in Volume 1279 at page 1125 to the State of South Carolina by Quitclaim Deed in the form attached hereto as Exhibit A, the terms of which are incorporated herein by reference.

That Sumter County authorizes the conveyance to the State of South Carolina an easement for ingress and egress from the subject property to Airport Road over McMillan Circle by deed in the form attached hereto as Exhibit B, the terms of which are incorporated herein by reference.

That the County Administrator is authorized to sign the Quitclaim Deed and the Easement Deed, the forms of which are attached hereto as Exhibit A and Exhibit B.

This Ordinance shall be effective upon Third Reading.

- (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 at this meeting.

OLD BUSINESS: None

COMMITTEE REPORTS:

- (1) Report: Public Safety Committee Meeting Held On Tuesday, April 20, 2021, 5:00 p.m. Held In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Washington, Baten, and Byrd)

Councilman Washington, the Chairman of the Public Safety Committee, thanked the Committee members for their work on the Public Safety Committee. He also thanked those persons that helped developed the Litter Plan which included Sheriff Anthony Dennis, Chief Deputy Hampton Gardner, Valerie Brunson, and Dr. Fred Fagen who serves on the Sheriff's Advisory Council.

The Litter Plan was reviewed by the Committee and Council members and County staff that were present during the meeting. Two recommended amendments were added to the Plan. It was also approved by the Committee that the Proposed Plan, along with the two amendments, be forwarded to the City County Litter Advisory Board as "a guide" for possible inclusion to the policies for the Litter Advisory Committee.

Committee Chairman Washington also stated that the Proposed Litter Plan includes information concerning the following:

1. Job Litter Control Officers - Job Description
2. Recommendation for High Volume Vacuum Truck
3. Veterans To Help With Litter Issue
4. Litter Campaign, Education, Marking, Hot Line, etc.
5. Court Order Litter Pick-up
6. Sumter County Sheriff's Office - Trustee Program, Increase Control, and other Programs
7. Community Involvement - Churches, Fraternities

The Two Amendments were offered by Councilman Baker and Councilman McGhaney

- A. Illegal Dumping
- B. Litter Hot Spots, I-95 Corridor, Surveillances, etc.

After the report, Committee Chairman Washington offered the following motion which was acted upon by Sumter County Council.

ACTION: MOTION and second were received from the Committee as recommended to approve that the Litter Plan is allowed to move forward as a guide to the City-County Litter Advisory Board and other litter work that Sumter County Council will be engaging in to address the litter problems in Sumter County. The motion unanimously carried.

- (2) **Report: Budget Workshop Held On Tuesday, April 20, 2021, 6:00 p.m. Held In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (All Council Members Are To Attend The Budget Workshop.)**

The County Administrator reported that during the April 20, 2021, Budget Workshop, Council members received presentations from four department heads requesting positions for the upcoming budget year. Although no action was taken, the cost to fund the positions with benefits would add \$342,600 to the expenditures for the budget if approved. The positions were in the following departments:

- ✓ Solicitor - Two Full Time Senior Attorney's
- ✓ Treasurer - One Position

- ✓ Veterans Affair – One Position
- ✓ Coroner – On Part-time Position

Action on these positions will be discussed at a future budget workshop.

(3) **Internal Affairs Committee Meeting To Be Held On Tuesday, April 27, 2021, 4:20 p.m. In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Byrd, Baker, and McGhaney)**

The Chairman of the Committee, Vice Chairman Byrd, gave the following report and recommendations from the Committee meeting.

- ✓ **Cultural Commission:** Appoint Nicole Bailey and Maureen Dunton.
- ✓ **Planning Commission:** Appoint Candidate “M” for the joint appointment on the Planning Commission. *(The Clerk to Council will follow-up with the City Clerk on this appointment.)*

ACTION: MOTION and second were received from the Committee to approve the recommendations of the Committee as recommended by the Committee, and unanimously carried by Council.

(4) **Public Works Committee Meeting To Be Held On Tuesday, April 27, 2021, 4:30 p.m. In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Baker, Baten, and Washington)**

Chairman of the Committee, Councilman Artie Baker, stated that the Committee received information concerning the Policies and Procedures for road work through the County Public Works Department including paving, grading, rocking, etc.

Also, the Committee acted on approving two intersection streetlights at the intersection of Anburn and Longleaf, and Trinity Road and Fullard Road.

ACTION: MOTION and second were received from the Committee to approve the installation of intersection streetlights at Anburn and Longleaf and Trinity Road and Fullard Road as recommended by the Committee, and unanimously carried by Council.

(5) **Budget Workshop/Special Meeting To Be Held On Tuesday, April 27, 2021, 5:00 p.m. Held In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (All Council Members Are To Attend The Budget Workshop.)**

Mr. Mixon, the County Administrator reported that during the Budget Workshop, Council discussed the proposed new Litter Program and its proposed expenses and responsibilities. The Litter staff and equipment will be housed through the Public Works Department.

The following costs were discussed concerning the \$318,000 for operations; and \$350,000 for capital equipment.

- ✓ Employees: Two Litter Officers and Three Litter Technicians.

- ✓ Equipment: Dump truck, Litter Rack, Towing Truck, and a Small Vehicle Truck.

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

Councilman Baten reported that he attended the Veterans Upward Bound Program at Central Carolina Technical College concerning Vet Talk. One Veteran talked about his battle with COVID-19. Another Veteran asked Councilman Baten about when would Council act on the needs of the school district and would the district get additional funding this year. Council Baten informed the Veteran that one of the Council persons that has historically voted against the school district receiving additional funding did not win the election; however, the new Council member that has replaced the former Council person is in favor of providing funds for the school district. Therefore, it looks like the County may have four votes to provide funding for the school district. It was further stated by the Veteran that the employees look to the school for work force and the schools need the funds to help with training the students to meet the needs of local businesses. Additionally, Councilman Baten stated that it looks like the District will have an opportunity to receive the funds that they should be able to receive the funds that are entitled to them through ACT 388; although they have not received those funds for the last four years.

Then Councilman Baten gave the following report about the deaths of Veterans in Sumter County. He stated that four more veterans have died; 92 total have died in past 140 days since December 8, 2020. Therefore, every one and one-half day a Veteran dies. He requested that Council support Mrs. Valerie Brunson on her request for additional help in her office. The Veterans have dedicated their lives to keep and protect all of us.

Chairman McCain provided a Flyer to the public - Veterans Focus Vaccine Clinic at the Civic Center - Veterans and their families. RTA will provide transportation for the Veterans and their families to and from the Civic Center during the period of May 10-14, 2021. The Veteran's Clinic will not interfere with other citizens receiving vaccinations at the Civic Center.

MONTHLY REPORTS

- ✓ Bluegrass and Barbeque Flyer
- ✓ Vaccination Sites Throughout Sumter County
- ✓ Veteran's Day Vaccination Flyer

COUNTY ADMINISTRATOR'S REPORT

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 citizen spoke during public comment.

- **Michael Heriot** thanked Council for all the work that they do in their positions. He stated that at one point in his life his career involved similar work. He also stated that sometimes it may appear to Council members that no matter what you do, someone is not pleased. Mr. Heriot encouraged Council members to continue doing the good work they are doing

although being a Council person may at times take them away from their friends and families. The work of a Council members can be hard at times, but it is worth it. Lastly, he stated that Sumter County has a good staff; he knows some of the staff members, and they do a great job for the County.

ADJOURNMENT

After all business of Sumter County Council and comments, motion was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to adjourn the meeting of Sumter County Council at 7:08 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: May 11, 2021

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 first floor of the Administration Building.

Date Posted: Friday, April 23, 2021

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: Friday, April 23, 2021

Respectfully submitted,

Mary W. Blanding
Clerk to County Council