



**Minutes**  
**Sumter County Council Regular Meeting**  
**Tuesday, April 25, 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, Kent Hall, 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 Retired Veteran Jason Stoddard served our country from May 1993 to August 2018. He is currently Project Manager for the City of Sumter. He currently lives in County Council District 4. Thank you for your service.



**APPROVAL OF AGENDA:** Regular Meeting Tuesday, April 25, 2023

Chairman McCain asked the Clerk to Council if there were any changes to the April 25, 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 Edens, and unanimously carried by Council to approve the agenda as presented.

**APPROVAL OF MINUTES:** Regular Meeting Tuesday, April 11, 2023

Chairman McCain asked for a motion concerning approval of the minutes of April 11, 2023.

**ACTION:** MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by Council to approve the minutes of April 11, 2023, as presented.

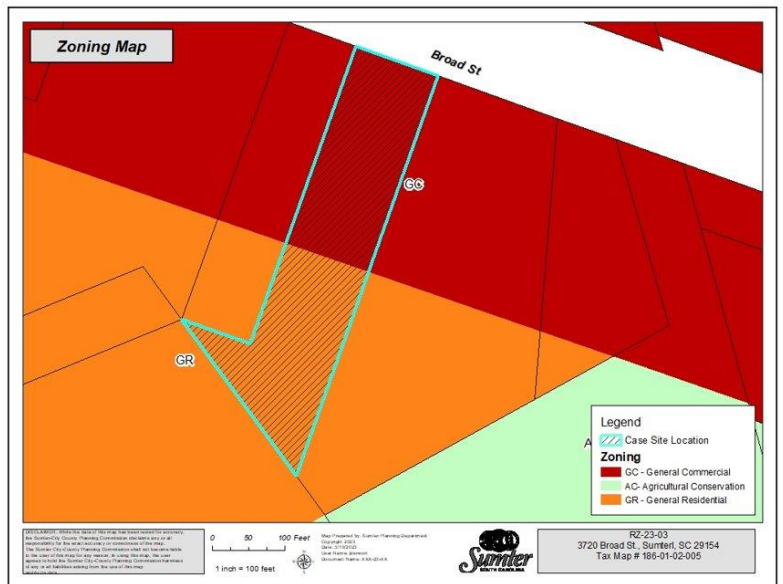
**LAND USE MATTERS AND REZONING REQUESTS:**

Planned Development/Rezoning Requests:

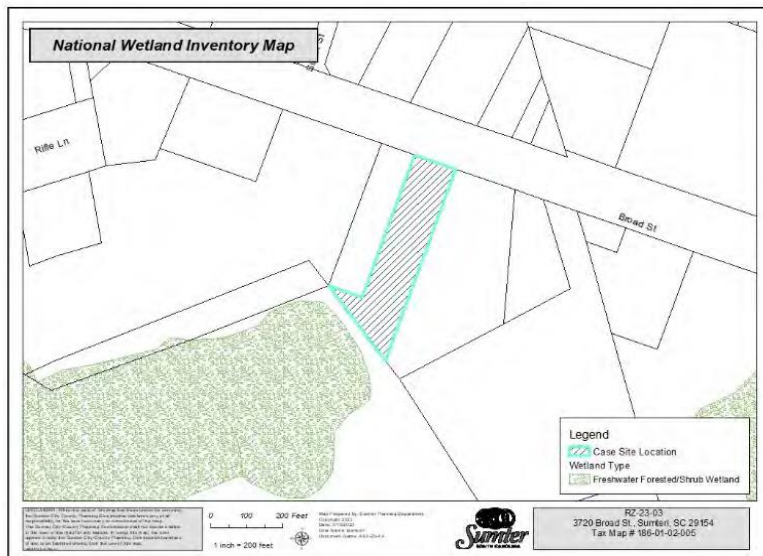
**NOTE:** RZ = Rezoning Of Property As Applicable In Sumter County Zoning and Development Standards.  
AC = Agricultural Conservation As Applicable In Sumter County Zoning and Development Standards.  
NC = Neighborhood Commercial As Applicable In Sumter County Zoning and Development Standards.  
LI-W = Light Industrial-Warehouse As Applicable in Sumter County Zoning and Development Standards.

- (1) **RZ-23-03 -- 3720 Broad Street -- (County) – Second Reading/Public Hearing -- A Request To Rezone A +/- 0.81-Acre Portion Of A Larger +/- 1.59-Acre Property From General Residential (GR) To General Commercial (GC). The Property Is Located At 3720 Broad Street And Is Represented By Tax Map #186-01-02-005. (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. Mrs. Roodman stated that Mrs. Christine Coker is the applicant and Mrs. Coker has not stated the purpose of the rezoning. It is the thought of the Planning staff that Mrs. Coker would like to rezone the property for future development. The property is located on the south side of Broad Street (US 378) near the midpoint between Suber Street and Teaberry Drive. The property is currently undeveloped. The property is adjacent to single family residential land usages to the immediate east and west. Adjacent property to the rear is undeveloped. The property is in the High Hills Rural Water District service area. Public sewer service is not available to the property.



The property is shown on FEMA Flood Insurance Rate Map (FIRM) Panel: 45085C0283F, Effective Date: October 27, 2022. No part of the property is within a special flood hazard area (SFHA). National Wetlands Inventory (NWI) data from the US Fish & Wildlife Service (USFWS) indicates that there may be areas of wetland located on the adjacent property to the rear, in close proximity to the subject property.



If successfully rezoned, the entire property could be developed for any use of land allowed to be established in the GC zoning district, subject to all applicable development standards and requirements. The use table found at Article 3; Exhibit 5 of the Sumter County Zoning & Development Standards Ordinance (the “Ordinance”) is attached to this report as Exhibit 1. Uses with a “P” are allowed by-right, uses with a “C” require conditional use approval, uses with an “S” require special exception approval by the Sumter City-County Board of Zoning Appeals (BZA), and uses with no letter are not permitted.

The Planning Staff and Planning Commission recommends approval of this request. If approved, this request will bring the property into one zoning district in accordance with zoning best practices. Additionally, changing the GR zoning designation to a non-residential zoning designation is in alignment with the Sumter 2040 Comprehensive Plan, as the GR district permits residential densities much greater than what is recommended within the MPA future land use designation. The adjacent properties to the east and west are also split zoned in the same manner as the subject property. Future residential development on the GR portions of these adjacent properties is unlikely. Further, it is unlikely that future residential development will occur on the large tract of land to the rear, at a location near the subject property, due to the potential presence of wetland areas.

After comments from Mrs. Roodman, Chairman McCain convened a public hearing. He asked if anyone wished to speak in opposition to this proposed rezoning request. The following persons spoke in opposition to this rezoning request.

- **Ms. Thomasina Fishburne** spoke in opposition to the rezoning request. Mrs. Fishburne stated that she has tried to talk to the applicant; however, Mrs. Coker has not yet talked with Ms. Fishburne. It was further stated by Ms. Fishburne that she does not know why Ms. Coker has not talked to her. It was also stated by Ms. Fishburne that her property is General Commercial, and she was grandfathered in. Ms. Fishburne has lived at this location all her life and her parents live in this location too. She also said that she believes that she has the right to know what type of development is planned to be built near her home. It is also her belief that the property owner of the property that will be developed should tell the neighbors what is going on in the neighborhood.
- **Sarah Sheppard** also spoke in opposition to the rezoning request. She said that she and her family live on the right side of the property requesting to be rezoned. Her father purchased this property so that when he was traveling with the military, they would have a safe place to live. Also, she said her family has been at this location for over 100 years if you search her family history. Ms. Sheppard said that her concern is that if the property is zoned General Commercial, it would be in the middle of the property and that the undeveloped property around the proposed rezoning piece of property could cause issues for others in the future that would like to build residential homes. She said that it is her hope to keep her family heritage alive and not be forced out by commercial development.

After all comments, the Chairman closed the public hearing. Councilman Edens asked about the zoning at the front of the property. Mrs. Roodman said that the property to the front is about 250 feet that is already General Commercial. If the rezoning is approved, it would allow for the back portion to be used a General Commercial. If this request is not approved, it would create a situation where the property owner could only use half of the property that is currently used as General Commercial.

Councilman Washington stated that at this juncture, there are a number of unknowns for the development of the property. He also said that he knows how important it is for property owners to know what will be developed in their area, especially rural areas. Therefore, because of the unknowns, he will not be supportive of the rezoning request.

Councilman Edens asked Ms. Fishburne to clarify her statement about whether or not the property owner would or would not meet with her.

Ms. Fishburne stated that what happened was that they sold the property to another man, then when she found out that the property was sold, she contacted the man that owned the property, but he was not very nice to her. Then that gentleman sold it to someone. Ms Fishburne said that her problem with all of this is that the Planning Commission is recommending approval and they do not know what will be going on with the property nor how it would impact the citizens. She said that we are supposed to be one “County.” Ms. Fishburne said she is finding out more and more that it is not what you know, but who you know.

Councilman Baker asked Ms. Fishburne whether or not she would feel more comfortable with the rezoning if she knew what was going to be placed on the proposed piece of property. Ms. Fishburne stated that she would not be comfortable with that because of how she had been treated at this point.

Council asked Ms. Roodman to clarify some of the issues around the property. Ms. Roodman stated that the owner on record is Charles Hodge the applicant is an authorized agent. She added that the information about the property ownership is public record. She also said that if the property has changed hands, it is not yet published in the Register of Deeds Office. If the property purchase was a prior agreement, it has not been published as of the date of this meeting.

After all comments, the Chairman called for a motion on second reading.

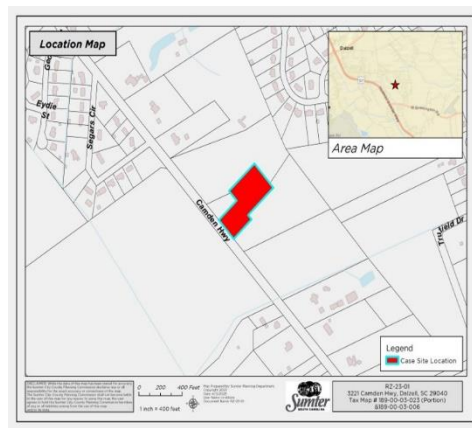
**ACTION:** MOTION was made by Councilman Edens, seconded by Councilman McGhaney, and carried by Council to deny second reading. Vice Chairman Byrd voted in opposition to the motion. Council members Edens, McGhaney, Washington, Baker, Baten, and McCain voted in favor of denying second reading. The motion carried; second reading was denied.

(2) ~~**RZ-23-01 -- 3221 Camden Highway -- (County) -- Third Reading -- 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 Numbers 189-00-03-006, 189-00-03-023, And 189-00-03-024.**~~ *Note: This heading was inadvertently placed on Sumter County Council’s agenda. The corrected heading is listed below. The Planning Director informed County Council and those present at the meeting on April 25, 2023, about the wrong heading for RZ-23-01. Please see corrected information below.*

**RZ-23-01, 3221 Camden Highway -- (County) -- Request To Rezone One (1) Two Acre Parcel And A One-Acre Portion Of A Larger Tract Of Land For A Total Of +/-3.0 Acres From Residential-9 (R-9) To Agricultural Conservation (AC). The Property Is Located At 3221 Camden Hwy. And Is Represented By Tax Map# 189-00-03-006 And 189-00-03-023 (Part).**

This rezoning request was also presented by Mrs. Roodman for third reading consideration. She made the following points as to the request for third reading consideration. Mrs. Roodman stated that the agenda lists the property at 20.12 acres which was presented at first reading and public hearing. However, during the meeting of April 11, 2023, and second reading, the applicant’s amended request was presented to Council to rezone three acres of land.

1. Mrs. Roodman stated that she held a meeting with the applicant and his attorney, and the applicant through his legal



representative submitted an amended request for the three acres which is before Council at this meeting of April 25, 2023. **NOTE:** *The request is for one two-acre tract and a one-acre portion of the larger tract of land for a total of +/- 3.0 acres from Residential-9 to Agricultural Conservation.*

2. Mrs. Roodman also stated that the Planning Commission continues to support this request after the submission of the revised request from 20.12 acres to 3.0 acres.



The Chairman asked Council members if they had any questions or comments. Councilman Baker stated that at the beginning of this rezoning process, the applicant asked for 20.12 acres of property to be rezoned to Agricultural Conservation. He further stated that if the larger piece of property was rezoned Agricultural Conservation, it may have had a negative impact on the value of other properties in the area near this parcel. However, since the revision by Mr. Raffield from 20.12 acres to 3.0 acres and the restrictions of only one dwelling can be on the two acres and no dwelling can be located on the property where the house is still standing unless the house is demolished; Councilman Baker said that he believes that the applicant came back to Council with a reasonable request. Councilman Baker also mentioned that this rezoning does not allow for a trailer park on the properties and the fact that there are mobile homes across the street and near this site, he does not think this rezoning will have a negative effect on the property value near this rezoning request.

**ACTION:** MOTION was made by Councilman Baker and seconded by Vice Chairman Byrd to grant third reading approval.

Chairman McCain asked if anyone had any questions, Councilman Washington stated that he visited the site as well and for him, adding an additional mobile home to this area could be a detriment to the value of the homes in the area; therefore, he said he could not support the rezoning.

**MOTION RECORDED AS FOLLOWS:**

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, to grant third reading approval to this rezoning request. Council members Baker, Byrd, Edens, McGhaney, and McCain voted in favor of the motion. Council members Washington and Baten voted in opposition. The motion carried and third reading was approved.

**OTHER PUBLIC HEARINGS:**

- (1) **Ordinance 23-985 – An Ordinance Authorizing (1) Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Sumter County, South Carolina And A Company Known To The County As Project Ignis, As Sponsor, And One Or More Sponsor Affiliates To Provide For A Fee-In-Lieu Of Ad Valorem Taxes Incentive And Certain Special Source Revenue Credits For The Benefit Of A Project In The County; (2) The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between The County And Project Ignis With Respect To Certain Real Property In The County, Whereby Such Real Property Will Receive Certain Special Source Revenue Credits; And (3) Other Related Matters (Council Will Take Action On Third Reading Immediately After The Public Hearing, Or During Old Business.)**

Mr. Johnathan Bryan presented this proposed ordinance for a public hearing and third reading. Mr. Bryan stated that there are four investors for Project Ignis, which is SEM Wafertech Inc. The investors are SEM Wafertech, Inc., Solar4America Technology Inc. (and affiliate company), and Lucky Sumter, LLC (the landlord of the property). The building that the company will use is APEX and the landlords will invest \$25,335,000 of improvements to the property. The company will rent from Lucky Sumter, LLC. Currently there are some APEX activities still at the facility. SEM Wafertech, Inc will not be renting the entire facility, but the vast majority of the building. In addition to the \$25,335,000 worth of improvements, the Company will invest \$36,555,000 worth of equipment; the total investment will be \$61,890,000. Also, Mr. Bryan stated that there are two agreements for this company; (1) Special Source Revenue Credit Agreement which will apply to real property. The real property has not been subject to ad valorem taxes as of yet; the property is not eligible for a Fee In Lieu of Tax Agreement. Mr. Bryan informed Council that the details of the Special Revenue Credit and (2) the Fee In Lieu of Agreement is outlined in each agreement. After Mr. Bryan's statements, Bryan Rauschenbach from the Development Board introduced officials from SEM Wafertech (the Chief Legal Officer and the Operations Manager for the Company), and representative from Parker Poe. It is projected that this company will employ three hundred people with an average wage ranging from up to \$20 per hour.

After comments from those associated with this matter, the Chairman convened a public hearing for this ordinance. However, no one spoke during public hearing; therefore, the Chairman closed the public hearing and Council acted on third reading as listed under old business.

#### **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 In Open Session If Necessary.

No executive session was held.

#### **OLD BUSINESS**

- (1) **Ordinance 23-985 – Third Reading** -- An Ordinance Authorizing (1) Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Sumter County, South Carolina And A Company Known To The County As Project Ignis, As Sponsor, And One Or More Sponsor Affiliates To Provide For A Fee-In-Lieu Of Ad Valorem Taxes Incentive And Certain Special Source Revenue Credits For The Benefit Of A Project In The County; (2) The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between The County And Project Ignis With Respect To Certain Real Property In The County, Whereby Such Real Property Will Receive Certain Special Source Revenue Credits; And (3) Other Related Matters.

Mr. Johnathan Bryan presented this ordinance to Council during public hearing, see information listed above. After comments and the public hearing, Council acted on third reading.

**ACTION:** MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to grant third reading and adoption to this ordinance as presented at this meeting.

**COMMITTEE REPORTS:**

- (1) **Internal Affairs Committee Meeting Scheduled For Tuesday, April 25, 2023, At 4:45 p.m. In The County Administrator’s Conference Room, 13 E. Canal Street, Sumter, SC 29150. (Byrd, Baker, McGhanev)**

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

- **Stormwater Management and Sediment Control Board:** It was recommended by the Committee to recommend approval of **Candidate A** to City Council for approval.

**ACTION:** MOTION and second were received from the Committee and unanimously carried by County Council to approve the appointment of Candidate A, for ratification by City Council.

- **Housing Authority Board:** Appoint Latoya Moore to the Housing Authority Board

**ACTION:** MOTION and second were received from the Committee and unanimously carried by County Council to approve the appointment of Latoya Moore to the Housing Authority Board as a County representative on the board.

- Additional Boards/Commissions - none

- (2) **Budget Workshop Scheduled For Tuesday, April 25, 2023, At 5:00 p.m. In The County Administrator’s Conference Room, 13 E. Canal Street, Sumter, SC 29150. (The Budget Workshop will begin immediately after the Internal Affairs Committee Meeting or at 5:00 p.m.) (All Council Members Are Asked To Attend.)**

Mr. Gary Mixon, the County Administrator presented a synopsis of the Budget Workshop. He stated that this was the first review of the budget by County Council members. The following information was presented:

- General Fund Projected Revenue: \$58,288,334
- General Fund Projected Expenditures: \$59,862,197
- Budget is currently at a negative balance of \$1,573,863
- Built into the budget is the following:
  - a) Employee Health Insurance Increase
  - b) Employee Retirement Increase
  - c) COLA Adjustment for Employees
  - d) Salary Adjustment for any employee making less than \$25,000 per year.
  - e) No decision was made on the Capital Bond, but it was suggested to continue with the 15 mills for the bond. The County’s Capital Bond has been \$3,500,000; as of this meeting, the Administrator has received capital request for over \$8,000,000.
- The next budget meeting is scheduled for May 2, 2023, at 5:00 p.m. During that meeting Council will discuss the personnel requests, capital requests, County Funds, and Elected Officials will come before County Council.

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

- Councilman Washington reported that on Thursday, April 24, 2023, at 6:00 p.m. at St. Paul A. M. E. Church Dr. William Wright will be the speaker to answer any questions from the Community; the NAACP is sponsoring this event.

**MONTHLY REPORTS**

- Airport Commission
- Planning Commission
- Mayor’s Prayer Breakfast – May 4, 2023
- Pinewood Site – Safety Clean - May 11, 2023
- Festival On The Avenue
- Memorial Day Activities

**COUNTY ADMINISTRATOR’S REPORT**

- Emergency Management Director was introduced by the County Administrator – Mr. Kent Hall.

**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 to Council during public comment; he also stated that if there are any questions from the public, those questions would be answered after the meeting. The following citizens spoke:

**Mr. Matthew Williamson**, Shuler Law Firm, spoke to Council briefly about the Land Use Matter Rezoning Request, RZ-23-01, at 3221 Camden Highway. He stated that he is present on behalf of his client, Mrs. Martha Raffield and her daughter. Mr. Williamson said that Mrs. Raffield owns property right across the street. Her concern about the rezoning request in regard to the applicant first due to his criminal history. The charges are for possession of substance, 1, 2, or 3, first offense (he received probation for that – large amount of marijuana plants). He stated that they believe that there is potential for criminal activity in the area if this rezoning is allowed to go forward. Mr. Williamson stated that his client is concerned about the value of the land in the surrounding area because multiple mobile homes could be placed on the property because of the rezoning to Agricultural Conservation. He also said that his client is concerned about the current dwelling on the property and its condition, that it could easily catch fire and cause problems for others in the area. Lastly, he asked Council to reconsider their action of approving the rezoning request.

**Ms. Martha Raffield** said that as she mentioned at the last meeting for Mr. Chris Raffield to be allowed to leave a two-story house up, that would be dangerous, the roof could collapse. She further stated that her main concern is the building being caught on fire. She mentioned that Mr. Raffield has seven judgments on him; therefore, you cannot get blood out of a turnip. Mrs. Jody Raffield said that Council is allowing for a trailer to move in on Mr. Raffield’s property, which will affect all of the community’s property.

Mrs. Amy Bochette commented on the RZ-23-01 rezoning request. She said that she is trying to do her due diligence by contacting multiple agencies such as Animal Control, Codes Enforcement, and Planning Commission to actually go out to the property to look at what is on the property. Mrs. Bochette stated that when Mr. Raffield’s aerial view of the property is on the big screen, it is clearly shown that there are other structures that are not supposed to be there. Mrs. Bochette asked why that was not being addressed.



**Brian Davis** also spoke to Council about the RZ-23-01 rezoning request. He said that if Mr. Raffield places a single mobile home on the parcel where the house is located which already has two dwellings on the property. Mr. Davis said that he worked on the mobile home in 2018 on the same property. He asked for clarity about how many dwellings would be on one parcel. Mr. Davis said that it is his understanding that the rezoning will allow for three dwellings on one parcel. Chairman McCain said that questions would be answered after the meeting.

Dr. Brenda Williams, Family Unit, Inc., asked Council for help for the senior citizens of Sumter who need help with repairing their homes. She also stated that funds need to be appropriated from the County to help these needy citizens by appropriating at least 10% of the budget to help the low-income citizens. Dr. Williams also mentioned that the Sumter School District has not been good stewards of their funds and the County must be mindful of appropriating funds to the Sumter School District.

**ADJOURNMENT**

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:52 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: May 9, 2023**

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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 first floor of the Administration Building.

Date Posted: April 21, 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: April 21, 2023

Respectfully submitted,

*Mary W. Blanding*  
Clerk To County Council