



Minutes
Sumter County Council Regular Meeting
Tuesday, August 22, 2023 -- Held at 6:00 p.m.
Sumter County Administration Building
Third Floor, County Council Chambers
13 E. Canal Street, Sumter, SC

NOTE: This meeting of Sumter County Council has been videoed and can be found on Sumter County's YouTube Channel (<https://www.youtube.com/channel/UCAHjqzPaonQ9LFS2kO37tA>) for all verbatim comments from Council members and the public.

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, Lorraine Dennis, Valerie Brunson, Johnathan Bryan, Joe Perry, Helen Roodman, Greg Hawkins, and two Sheriff Deputies.

MEDIA PRESENT: Bryn Eddy, The Item Newspaper

PUBLIC PRESENT: There were approximately 18 members of the public in attendance at this meeting.

CALL TO ORDER: Chairman McCain called Sumter County Council's August 22, 2023, meeting to order.

INVOCATION: Councilman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: The Pledge Of Allegiance was led by Retired US Air Forces Veteran Harry Bausman. He served our country from January 1954 to February 1974. He is a Vietnam War Veteran, and he is the past Commander of the VFW Post 3034. He currently lives in County Council District 4. Council thanked him for his service.



APPROVAL OF AGENDA: Chairman McCain asked the Clerk to Council if there were any changes to the agenda; Mrs. Blanding said that there were no changes; then the Chairman called for a motion concerning the approval of the August 22, 2023, meeting agenda.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to approve the agenda of August 22, 2023, as presented.

APPROVAL OF MINUTES: Sumter County Council Regular Meeting Tuesday, August 8, 2023. Chairman McCain called for a motion on the approval of the minutes of August 8, 2023.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to approve the minutes of August 8, 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-23-15 -- 315 East Red Bay Road -- (County) – Second Reading/Public Hearing -- A Request To Rezone +/- 15.59-Acres Parcel From General Residential (GR) To Light Industrial-Warehouse (LI-W). The Property Is Located At 315 E. Bay Road And Is Represented By Tax Map # 251-03-01-010. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Rezoning Request.)**

Mrs. Roodman presented this proposed rezoning request to Council for second reading consideration. She stated that this request is from Duke Energy Progress, LLC who is the owner of the property. The request is to allow for 1.59 acres of the parcel to be rezoned from General Residential to Light Industrial-Warehouse. The following were noted by Mrs. Roodman:

- ❖ Existing site development pattern is more consistent with LI-W zoning than with GR zoning, though public utility infrastructure is permitted as a special exception use in the GR district.
- ❖ The site is in a general area of industrial development that utilizes an existing rail line that lies adjacent to the tract on the west. The closest industrial developments are Florence Concrete and Giant Resource Recovery (GRR), which are approximately 900 ft. to the north.
- ❖ There is a residential enclave located immediately to the north of the site, with 27 lots that are zoned General Residential (GR), with 16 structures that are a combination of site-build homes and mobile homes.

Mrs. Roodman also stated that the tower substation that is currently on the property has been there since the 1980's and the company hopes to install new towers. She also said that the purpose of the requested LI-W district is to accommodate wholesaling, distribution, storage, processing, and light manufacturing in an environment suited to such uses and operations while promoting land use compatibility both within and beyond the boundaries of such districts. The current uses on the site, specifically electric utility substations and cell towers, would be permitted by-right in the LI-W district. She also provided a picture of the current site.



Lastly, Mrs. Roodman mentioned that rezoning the subject property to the LI-W designation is found to be generally consistent with the Sumter 2040 Comprehensive Plan based on the property's location and existing development pattern.

Chairman McCain asked Mrs. Roodman if it is safe to say that the current towers are not up to standards of the modern towers which are collapsible due to a fall of the tower. Mrs. Roodman commented that a representative from Duke Energy was present to provide additional information if needed. However, she stated that the towers on the property now have reached their useful life and the Company wants to replace them with more efficient towers. After Mrs. Roodman's comments, the Chairman convened a public hearing on this proposed rezoning request. The following person spoke during public hearing.

Public Hearing:

- **Gloria Scriven McFadden:** Mrs. McFadden stated that she is a resident of High Street which is in the area of the proposed development. Mrs. McFadden asked if the new power towers will be higher than the existing power towers. She stated that Council or staff could answer her after the meeting.

There were no further comments from the public; therefore, the Chairman closed the public hearing and Council took action on second reading.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to approve second reading for this rezoning request as presented.

- (2) **RZ-23-16 -- 1600 South Pike East (County) – Second Reading/Public Hearing -- A Request To Rezone A Parcel Of Land Totaling +/- 3.62-Acres From Light Industrial-Warehouse (LI-W) To Neighborhood Commercial (NC). The Property Is Located At 1600 S. Pike E. And Is Represented By Tax Map # 268-15-01-024. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Rezoning Request.)**

Mrs. Roodman stated that this rezoning request is by the property owner’s representative, Terry Dinkins, requesting to rezone a parcel of land totaling 3.62 acres from Light Industrial-Warehouse (LI-W) to Neighborhood Commercial (NC). The property is located just south of S. Pike area, and currently the site of an existing church. The applicant is proposing to rezone the property to the NC Zoning District in order to accommodate the construction of a parsonage house. Residential uses are not permitted in the LI- W Zoning District.



The property is currently the location of a religious organization, The Revelation Sanctuary Church Ministries, Inc., and is adjacent to LI-W properties on three sides, with single-family residential zoning to the NW. The LI-W properties to the south and east are undeveloped and the LI-W property to the northeast, across the US Hwy. 378 bypass, contains a warehouse. Mrs. Roodman also informed Council members that the applicant is proposing to rezone the property to the NC zoning district in order to accommodate the construction of a parsonage house. Residential uses are not permitted in the LI-W Zoning District. She informed Council that the rezoning is required to accommodate the proposed additional use to the property.

Mrs. Roodman also stated that when property is reviewed for rezoning the Planning staff reviews the Comprehensive Plan. This request for Neighborhood Commercial is generally in alignment with the Comprehensive Plan. The primary goal of the Suburban Development Planning Area is to scrutinize and manage existing development patterns, identify appropriate locations for new commercial and industrial developments, to focus on improvements to the form and design of new development, and ensure that land is developed in an orderly and efficient manner.

The Planning Commission recommended approval of this request as presented. Then Chairman McCain convened a public hearing on this rezoning. No one spoke during the public hearing. Therefore, the Chairman closed the public hearing and Council acted on second reading for this rezoning request.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to approve second reading for this rezoning request as presented

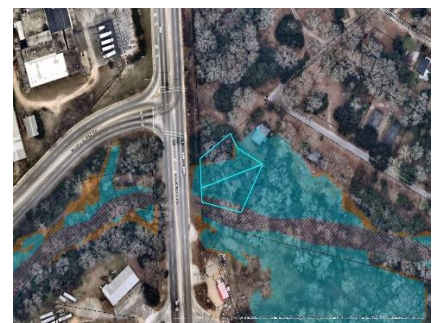
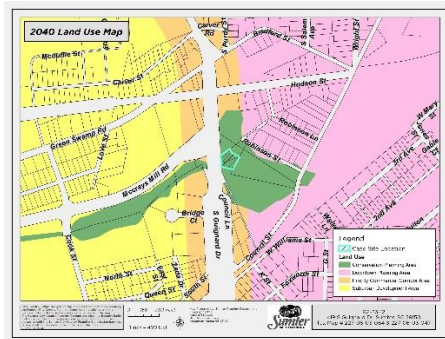
- (3) **RZ-23-12 -- 419 And 429 South Guignard Drive (US-521) (County) – Second Reading/Public Hearing - A Request To Rezone Two (2) Separate Parcels Of Land Totaling +/- 0.53-Acres From General Residential (GR) To General Commercial (GC). The Property Is Located At 419 And 429 South Guignard**

Drive And Is Represented By Tax Map Numbers 227-06-03-064 And 227-06-03-047. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Rezoning Request.)

Mrs. Roodman presented RZ-23-12 to Council for consideration of second reading and public hearing. The property owner and applicant, Mary Robinson Grayson, was present on behalf of this rezoning request. Mrs. Roodman stated that the intent of the requested GC District is to accommodate the broadest possible range of commercial uses, determined principally by market conditions, while protecting the environment from potentially objectionable uses. The applicant recognizes that the property is not useful as a residential lot.



It was also noted by Mrs. Roodman that the property is within the Conservation Planning Area. She stated that the Conservation Preservation Planning Areas are intended to protect and preserve environmentally sensitive areas and prime agricultural lands from residential, industrial, and commercial encroachment. Non-agricultural commercial uses are not supported in the Conservation Preservation Planning Area. As a general policy, development should be limited in these areas. Additionally, Mrs. Roodman stated that the request to rezone the property to the GC District is inconsistent with the Sumter 2040 Comprehensive Plan. However, there are some mitigating facts to this rezoning request. The General Commercial Zoning is the only zoning designation this is allowed to be used in this area. This proposed rezoning will further the local goal which is to mitigate any potential flood damage to dwellings. She further stated that with the rezoning of this property to General Commercial will remove that automatic entitlement of Residential Dwellings from the property and allow it to be used for some other purpose. If the rezoning is approved, the development of the property would have to coincide with the full guidelines of the Sumter County Flood Damage Prevention Ordinance.



The Planning Commission recommended approval of the rezoning request as presented. After Mrs. Roodman’s comments, Councilman Washington asked Mrs. Roodman how the Planning Commission voted on this particular rezoning. Mrs. Roodman commented that three members voted in opposition of the request and the other members present voted in support of the request, which carried the motion to approve the rezoning request. Councilman Washington then asked how many voted in support of the rezoning; Mrs. Roodman stated that there were four members that voted in support of the rezoning request.

Then Chairman McCain convened a public hearing; the following person spoke during public hearing.

Public Hearing:

- Mr. Alphozo Grayson spoke in support of the proposed rezoning request. He stated that the reason they have asked for the rezoning is because the property is located on Guignard Drive. He also said it is his hope that they will be able sell the property so that it can be developed for Commercial Use. Additionally, Mr. Grayson said that no one will ever be able to place a residential use on the property, and he and his family do not plan to place a residential building on the property.

No one else spoke during the public hearing, therefore, the Chairman closed the public hearing and Council took action on second reading for this rezoning request.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to approve second reading for this rezoning request as presented.

OTHER PUBLIC HEARINGS: 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, If Necessary, Thereafter In Open Session.

No executive session was held for this meeting.

OLD BUSINESS -- None

COMMITTEE REPORTS:

- (1) Special Meeting Of Sumter County Council Is Scheduled For Tuesday, August 22, 2023, At 5:00 p.m. In The County Administration Conference Room, Third Floor, 13 E. Canal Street, Sumter, SC.

Chairman McCain reported that Sumter County Council had a special meeting concerning discussion on the American Rescue Plan Act Funds, and all members of Council were present. Mr. Mixon reported to Council that most of the ARPA projects have been completed; however, the ARPA projects that have not been completed as of today, will need to be completed by December 31, 2026. Council took action in the meeting to approve paving of Cannery Road, Keystone Road, and Josh Webb Road. Action by County Council in reference to other projects are as follows:

- Water Projects – Wedgefield and Shiloh Water Systems Improvements – Matching Grant \$2,687,963
- Litter Program – Equipment, Flashing Sign and A Gator
- Road Paving Projects (Listed above)
- Bobby Galloway Projects – Patriot Hall received appropriations from the State and Patriot Hall will be closed from June to December 2024, for renovations.

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

- **Councilman Eugene Baten** reported that the Sumter Branch of the NAACP will hold its monthly Membership meeting, on Saturday, August 26, 2023, at 10:00 a.m. at Mt. Pisgah Baptist Church on

Highway 521, in Rembert, SC. There will be a panel discussion concerning Rural Services for the Citizens and The Schools. The panel will consist of NACCP Life Member Carlton B. Washington, Vivian McGhaney, and Eugene Baten. The Panel will be moderated by Attorney Andrea Loney, Director, South Carolina Legal Services agency.

- **Councilman Washington** reported that several citizens were present at this meeting, and most of them are from his County Council District but others are not. He noted that he calls the group the “Rural Mafia.” The following were present at this meeting: *Ms. Gladys Grant, Ms. Evelyn Haynesworth, Ms. Ruth McCaw, Ms. Bertha Wilson, Ms. Shirley O’Quinn, Ms. Elizabeth Kinsley, Ms. Annie Meridith, and Ms. Sarah Williams.* Councilman Washington thanked the group for being present and having an interest in County Government.

Councilman Washington also thanked Councilman Baten for all his efforts in trying to resolve the issues around R. E. Davis College Preparatory Academy. He also mentioned that there are some that feel like School Board issues are not County Council issues; however, Councilman Washington said that the School issues are County Council issues. He further stated that County Council has a responsibility to fund the School District to some extent and when bad things go on in our Council Districts, such as the closing of a school, that will affect Economic Development. Citizens then determine whether or not they want to move to an area where schools are being closed; also, there are quality of life issues that are being affected. In addition, Councilman Washington stated that as leaders, County Council must be concerned about all of Sumter County; whether it is in one Council person area or another, Council must work together.

Lastly, Councilman Washington noted that all of the Cities Middle and High School have athletic facilities for the students. However, the rural schools do not have those facilities; Crestwood has to share a practice field between the football and soccer teams. Not one of the City schools has to deal with these issues. It was also mentioned by Councilman Washington that there is a joke going around in the community that the name of R. E. Davis Preparatory Academy was given to the school, but the school does not have the needed items to be called what it was named.

Councilman McGhaney recognized a former Colleague of hers at R. E. Davis Elementary School, that was present at the meeting, Ms. Lorie Evans. Ms. Evans is a published author.

Councilman McGhaney stated that during the Special Meeting of Sumter County Council, she was please to see the work that is continuing to be completed through the ARPA funds, especially for the road paving projects. She thanked the Public Works Department Director, Karen Hyatt, and staff for all that they did. Councilman McGhaney also thanked Alfred Conyers for all the work he is doing with Water in the rural area.

Councilman Washington stated that he did not notice earlier that Mr. and Mrs. John Colbert and Mr. John Reames were also present in the audience.

Councilman Baten said since he has been on County Council, he has been a strong advocate for Economic Development. He stated that “If We Invest In Ourselves, Others Will Invest In Us” which is a statement he created in 2011 that caught on. He further stated that the County must build a workforce in order to make sure that Sumter County’s students will be ready to apply for jobs that these companies will provide for the workforce. He further stated when County Council fails to

support the school and the students, then Council is failing to support these companies and the County.

MONTHLY REPORTS

- 1) Planning Commission Information
- 2) Building Department - Planning Commission
- 3) Sumter City Council Swearing-In Ceremony and Reception – August 29, 2023
- 4) The Sumter Chamber of Commerce Presents: The State of The Economy – August 30, 2023
- 5) Annual Firefighters Banquet – September 28, 2023

COUNTY ADMINISTRATOR'S REPORT

The County Administrator, Gary Mixon, thanked Council for their favorable comments about the staff and the work that they are doing to support the decisions that Council makes and the needs of the citizens throughout the County.

PUBLIC COMMENT: Citizens Desiring To Speak During Public Comment Are Limited To Up To Three Minutes. Comments Are To Be Made Through The Chairman Of Sumter County Council. If There Are Any Questions, They Will Be Answered After The Meeting.

The Chairman asked if anyone wished to speak during public comment; the follow persons spoke to Council:

- **Michelle Ross** – Spoke to Council members about education. She stated that she worked in China one year teaching English. She then mentioned that teaching in China, the kids had to learn; however, in the United States, children have the right to be ignorant.

Ms. Ross's second comment was about Lottie Spencer's concern about the property on Hospital Street. Ms. Ross said that she is a historian and teaches Folklore at the University of South Carolina. She also said that although the property is very dangerous at this time, it could be cleaned up and then have a monument placed at the location reminding people of the historical Community Hospital that was once located on Hospital Street.

After Ms. Ross's comments, the Chairman mentioned to Ms. Ross that he was born in Community Hospital. Also, Ms. Ross stated that it is notable that many citizens that are active in the community were born there, and it should not be forgotten.

- **Sandy Meyer** spoke to Council concerning a cost-of-living adjustment by definition it is an increase to help employees maintain the value of their compensation against inflation. She stated that on June 13, 2023, County Council approved a three percent cost of living adjustment for County employees. She further stated that on June 27, 2023, County Council approved those minutes making that effective July 1, 2023. Ms. Meyer stated that on June 15, 2023, the Item ran an article that was published on the front page above the fold of the paper saying that the County approved a three percent cost of living for County Employees. Ms. Meyer stated that she kept looing for her raise and on July 28, 2023, she asked why it was not on her pay stub. She was contacted by Payroll and was told that the raise was for full-time non-probational employees only. Ms. Meyer informed Payroll about the article that she had seen in the newspaper and the Payroll staff informed her that the

County is not responsible for what the Item newspaper wrote in the paper. Then Ms. Meyer said that she emailed the Human Resources person and asked for the policy and/or the rule in writing and the Human Resources person told her that there is nothing. It was further stated by the Human Resources person, Ms. Meyer, that the decision comes from the County Administrator, Mr. Mixon, who was not in the office at the time. Ms. Meyer and Human Resources decided to talk again later next week. Then Ms. Meyer stated that on August 10, 2023, she contacted her Councilman, Charles Edens, and sent him an email regarding making him basically aware of the situation that part-time employees did not receive the COLA. Ms. Meyer said that Councilman Edens was not aware of that fact. Councilman Edens forwarded the email to Mr. Mixon, per Ms. Meyer, and Mr. Mixon's comments were, it is our policy and sorry we cannot make everyone happy. Ms. Meyer stated that she feels unfair and discriminated against because she is a part-time employee. She further stated that she pays the same price of gas, etc., as every full-time person that she works with and she then asked Council to consider a resolution to include all employees, part-time and full-time for any future cost-of-living increase.

- **Ruth McKinney** stated that she lives at 412 Sanders Drive in Sumter and she is from the Crosswell neighborhood. However, she knows that all the neighborhoods are in the County. She also stated that she represents the north side and the voice too of the South side of Sumter. She has become the voice for those that are not at the meeting tonight. She talked about the ditches that run along the streets, especially the one that runs out of Pike Road, they are neglected quite frequently. Ms. McKinney said that right before the pandemic, the ditches were cleaned out, but since that time the flow of water is not happening properly because the ditches have trash in them including wood where someone was building a house and threw the wood in the ditch. Ms. McKinney said that if there is at least 15 minutes of rain, the street is flooded. She also said the streets are Mathis, Bagnel, and Pheiffer due to the amount of trash that goes into the drainage system. Ms. McKinney said that she can see that the City and County are working together to try to clean up the community; however, the public must be educated to help alleviate the litter problem. She asked Council to place signs on billboards in more communities and to place information at convenience stores, grocery stores, and other public locations to try to impact the feelings of a lot people because they are creating a lot of problems for people by putting trash where it ought not be.
- **Lorraine Muhammad** spoke to Council about the apartment that will be built downtown. However, she asked who will be able to afford these apartments. Ms. Muhammad also asked Council what happened to all the stores that were downtown, the shoe stores, the clothing stores, etc.? She also spoke on what has happened to this County especially the things that the Black people, slaves, have helped to build in this County and Country. Ms. Muhammad said that she came to Sumter in 1982 when she was in the military and was afraid to go any further than Kmart store because of the things they heard about Sumter. She reminded Council that she couldn't go on Broad Street and could not go in restaurants on Broad Street. She had to be escorted by the secretary at her job to get her in place in Sumter. Lastly, she said she is old now and wants to know when will Black people be brought up to where they need to be, they didn't come here ignorant, they helped to build this country too, and she wants her children and grandchildren to benefit from this County too.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 7:38 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: September 12, 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.
August 18, 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: August 18, 2023

Respectfully submitted,

Mary W. Blanding
Clerk To County