



Minutes
Sumter County Council Regular Meeting
Tuesday, August 8, 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 County Council's Meetings, And Seating Is On A First Come First Serve Basis.

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/UCAHjjqzPaonQ9LFS2kO37tA>) 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, 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 8, 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 Force Veteran Lamon Oneal who served our country from May 1969 to Oct 1990. He is a Vietnam and Operation Desert Storm Veteran, and he is the past Commander of the American Legion Post 202. He currently lives in County Council District 3. Thank you for your 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 8, 2023, meeting agenda.

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

APPROVAL OF MINUTES: Sumter County Council Regular Meeting Tuesday, July 25, 2023
Chairman McCain called for a motion on the approval of the minutes of July 25, 2023.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to approve the minutes as presented.

LAND USE MATTERS AND REZONING REQUESTS:

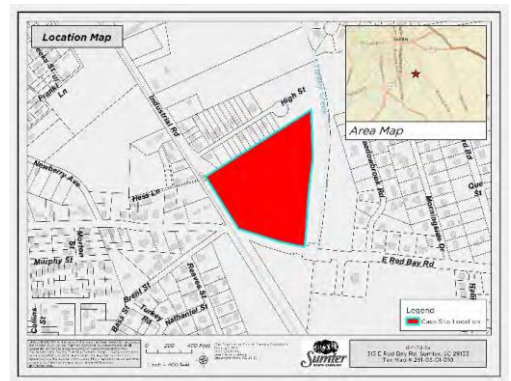
Planned Development/Rezoning Requests:

*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) – First Reading -- 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.**

Mrs. Helen Roodman, the Planning Director, presented this request from Duke Energy, requesting that this 15.59 acres of property be rezoned from General Residential to Light Industrial-Warehouse. This is a request to rezone a +/- 15.56-acre tract from General Residential (GR) to Light Industrial-Warehouse (LI-W) zoning.

She stated that the property has direct frontage on E. Red Bay Rd. and is immediately to the west of Turkey Creek. The subject property is shown in red on the location map to the right. Per staff’s understanding of the request, the applicant is seeking to rezone the property to the LI-W district with the intent of replacing the existing non-conforming telecommunications tower with a new tower. While the existing tower is non-conforming not subject to discontinuance (grandfathered), a new tower would require full compliance with the Sumter County Zoning and Development Standards Ordinance, which does not currently permit telecommunications towers of the desired height in the GR zoning district.



The site has been used primarily as an electric utility substation since 1985. The 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. While the site lies in a general area of industrial development that utilizes an existing rail line that lies adjacent to the tract on the west, there is a residential enclave located between the subject site and the closest industrial developments, specifically Florence Concrete and Giant Resource Recovery (GRR), which are approximately 900 ft. to the north. The residential enclave, located on High Street, consists of 27 lots that are zoned General Residential (GR), with approximately 16 structures that are a combination of site-built homes and mobile homes.



Mrs. Roodman also presented the following background on this rezoning request as listed below:

1. 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.
2. 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.
3. 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-built homes and mobile homes.
4. Property has direct frontage on E. Red Bay Rd. and is immediately to the west of Turkey Creek.
5. The applicant is seeking to re-zone the property to the LI-W district with the intent of replacing the existing non-conforming telecommunications tower with a new tower.
6. The site has been used primarily as an electric utility substation since 1985.

It was also noted by Mrs. Roodman that the Sumter 2040 Comprehensive Plan shows the property within the Suburban Development Planning Area, with a small portion of the eastern edge of the property in the Conservation Planning Area. 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 request to rezone the property to the LI-W district is consistent with applicable Sumter 2040 Comprehensive Plan policies. The property is an existing development located in a corridor of other existing industrial developments.

Lastly, Mrs. Roodman said that the Planning staff and the Planning Commission at its meeting on Wednesday, July 26, 2023, voted to recommend approval of this request as presented.

After comments, Chairman McCain called for a motion on this ordinance; however, before action was taken, Councilman Washington asked Mrs. Roodman if the vote by the Planning Commission was unanimous on this proposed rezoning request. Mrs. Roodman stated that she believes it was unanimous.

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

- (2) **RZ-23-16 - 1600 South Pike East (County) - First Reading - 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.**

Mrs. Roodman also presented this rezoning request to Council for first reading consideration. She stated that the applicant, Terry Dinkins, is the representative of property owner. The property is located at 1600

South Pike East, and it is requested to rezone approximately 3.62 acres from Light Industrial-Warehouse to Neighborhood Commercial.

The property is currently the location of a religious organization, The Revelation Sanctuary Church Ministries, Inc. The property is located on the southwest side of S. Pike East, which is a frontage road for Robert E. Graham Freeway. The property is shown in red on the location.



The property is adjacent to LI-W properties on three sides, with single-family residential zoning to the northwest. The LI-W properties to the south and east are undeveloped. The LI-W property to the northeast, across the US Highway 378 Bypass, contains a warehouse.

Mrs. Roodman stated 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. Thus, rezoning is required to accommodate the proposed additional use to the property. NC Zoning District was requested by the applicant after consultation with City-County Planning staff. The NC Zoning District allows for the proposed residential use without burdening adjoining LI-W property with more restrictive setback requirements like a Residential Zoning District would and serves as a buffer between the LI-W Zoning and the R-9 Zoning applied to the Sherwood Forest subdivision.

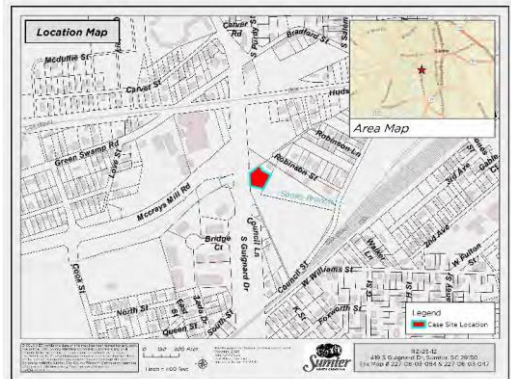
Mrs. Roodman said that the applicant intends to build a parsonage house to the south of the main building. Residential uses are not permitted in the LI-W zoning district. Rezoning the property NC would give the church the ability to build a parsonage along with adding additional buildings and signage in the future. This specific commercial district is focused on neighborhoods serving commercial uses and represents a reduced potential for future impacts to surrounding residential property than the current LI-W district does. Rezoning the property to the NC designation is consistent with Sumter 2040 Comprehensive Plan.

Lastly, Mrs. Roodman stated that the Planning staff and Planning Commission recommended approval of the request as presented. Then the Chairman called for a motion on first reading.

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

- (3) RZ-23-12 -- 419 And 429 South Guignard Drive (US-521) (County) - First Reading -- 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.

Ms. Roodman presented this request to Sumter County Council from the applicant, Ms. Mary Robinson Grayson. The Planning Director stated that the request is to rezone two separate parcels of land located on S. Guignard Dr. (US-521) from General Residential (GR) to General Commercial (GC). These parcels, in their entirety, are hereinafter referred to as the “property.” The total land area subject to this request is +/- 0.53 acres. The property is located on the east side of S. Guignard Dr. (US-521), south of the intersection of S. Guignard Dr. and McCray’s Mill Rd. The property is shown in red on the location map on page 1 of this report.



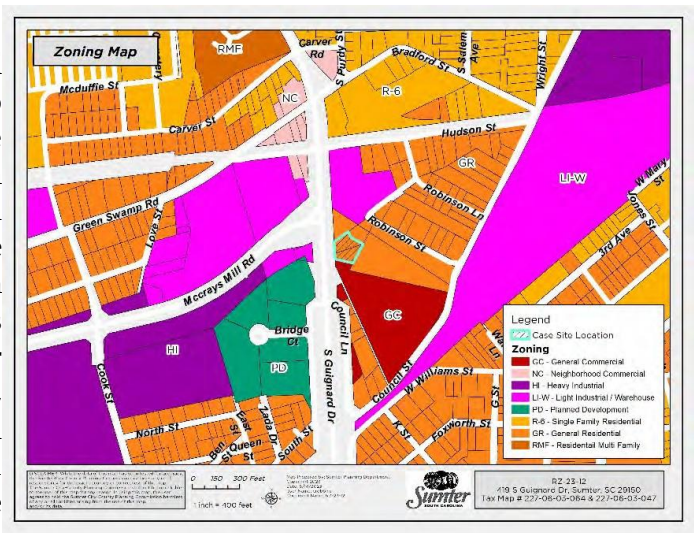
The property is adjacent to Single-Family Residential Zoning to the east (rear) and north (side). The property to the south is zoned General Commercial (GC). While lots on either side of the subject site are zoned GR and GC respectively, they are currently undeveloped. There is a single-family residence immediately to the rear of the site that is zoned GR.



The property is currently within a GR Zoning District and is surrounded on 3 sides by GR Zoning. To the south, property is zoned GC. The purpose of the GR district is to accommodate higher density residential development and a variety of housing types on small lots.

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.

Mrs. Roodman informed Council that Designated Conservation Planning Areas are intended to protect and preserve environmentally sensitive areas and prime agricultural lands from residential, industrial, and commercial encroachment. Throughout the County, these areas should be preserved to ensure the protection of environmentally sensitive natural resources including floodplains, streams, wetlands, water bodies, state parks, historical buildings and sites, gardens, woodlands, and established natural recreational areas. Protection of these natural and agricultural resources contributes to the community’s overall health and sustainability.



Nonagricultural commercial uses are not supported in the Conservation Preservation Planning Area except along the U.S. 378 corridor or as otherwise noted. Conservation areas adjacent to the Downtown and Suburban Planning Areas, which is the case in this instance, are characterized by floodplain, stream

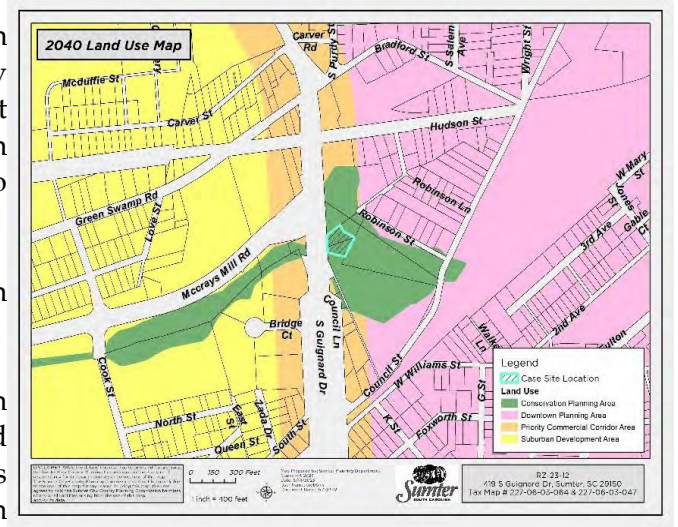
corridors, Carolina Bays, and wetlands. As a general policy, development should be limited in these areas.

The request to rezone the property to the GC district is inconsistent with the applicable Sumter 2040 Comprehensive Plan policies. The GC district allows for a variety of commercial development types principally determined by market conditions, development of which would be incompatible with the County’s Comprehensive Plan, and potentially damaging to the County’s goal of limiting the impact of flooding and natural disasters, as outlined in the County’s Flood Damage Prevention Ordinance.

After Mrs. Roodman’s presentation, Councilman Washington asked if this rezoning was unanimous by the Planning Commission. Mrs. Roodman stated that one of the Planning Commissioners voted in opposition to the rezoning request due to conservation preservation of the property.

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

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and carried by Council to grant first reading to this proposed rezoning as presented. Councilman Washington voted in opposition.



(4) **OA-22-12 – Convert Industry Reference Codes From Standard Industrial Classification (SIC) To North American Industry Classification System (NAICS) (County) – Third Reading – Amend Articles 1, 2, 3, 4, 5, 6, 7, 8, And 10 To Convert Previous References To Standard Industrial Classification (SIC) To North American Industry Classification System (NAICS).**

Mrs. Roodman stated that there have been no changes to this request since second reading. After her comments, the Chairman called for a motion on third reading to this Ordinance Amendment.

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

OLD BUSINESS -- None

COMMITTEE REPORTS:

- (1) Fiscal, Tax, and Property Committee Meeting Of Sumter County Council Is Scheduled For Tuesday, August 8, 2023, At 5:30 p.m. In The County Administration Conference Room. (McCain, Edens, and McGhaney)

Committee Chairman McCain reported that the Committee had one matter to discuss in executive session concerning a potential contractual matter; however, no action was taken on this matter. Staff will continue to gather information for Council concerning this potential contractual matter.

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

- Councilman Washington stated that he has had several phone calls about the article that ran in the Sumter Item Newspaper where the Finance Chairman of the School Board wants to move \$400,000 of the School Board's funds that were previously earmarked for the R. E. Davis Preparatory School to build an Athletic Field, because the school does not have one. Councilman Washington stated to the Chairman that he may already know that the school is tagged as R. E. Davis College Preparatory School Academy; however, they do not have an Athletic Field. He further stated that under the leadership of Dr. Penlope Knox, the School District designated the \$400,000 for the athletic field. However, at this time, the students have to travel to Mayewood for practice. School Board member Palumbo, who is the Chairman of the Finance Committee, has recommended to move the \$400,000 citing that it is a dead project. The School District is looking for money and they are looking for funds that will be taken from the rural school. Councilman Washington also said that Chairman McCain's late father was a trailblazer on matters such as this and he would certainly be opposed to the School District doing something like this based on the history that I have read about him, and what I know about Mr. James T. McCain, Sr. Councilman Washington also stated that he is opposed to this action of the School Board. Councilman Washington restated that the School District now wants to label the \$400,000 as a dead project although the school currently does not have an athletic field. Lastly Councilman Washington stated that this seated Council refused to give the School District a dime to help with anything, not teacher recruitment, not teacher retention, not an athletic field for the students at R. E. Davis. He added that the information about the School District and its action can be found in the Item Newspaper.
- Councilman Baten said that what is happening is irritating to him concerning how the School District is treating the people in the District that he represents. He added that Mayewood School was one of the better Schools, however, the School District took those students and jammed them in an elementary school that was identified as a failing Elementary School. Councilman Baten further stated that they did not care if there was proper space or appropriate amenities and technologies for the older students going to an elementary school building. He further stated it was a commitment by the School District to build the stadium, however, due to other shenanigans going on at the School District, the stadium was not built early on; the stadium is still needed. There is unfinished business as it relates to the stadium and he said that for anyone that wants to move the money away from R. E. Davis, that is disrespectful to the parents, students, and citizens that live in this district. Councilman Baten also gave some additional information about the history of how the football team

was treated by the School District. Lastly, he stated that the Chairman of School Board's Finance Committee is trying to cover up things as it relates to find money in the School District because the County did not grant the School District any mill increases.

- Councilman Baker stated that he agrees with Councilman Baten that he could not and still cannot believe that the School District did what they did in closing Mayewood and put Junior High Students at an elementary school. He stated that the kids should have been kept at Mayewood.
- Councilman Washington also stated that he would bet the Chairman all the money that he has in his pocket at this meeting, that the School District would not have done that to Sumter High School or Alice Drive Middle School. However, it can happen at R. E. Davis School, which is called a College Preparatory School. Then Councilman Washington said it is a shame what the School District is trying to do, and they ought to know better. He ended his comments by stating that if you know better, you should do better.
- Councilman McGhaney stated that she could not sit quiet on this item because she previously taught students at R. E. Davis School. She said it breaks her heart to see what has happened. It was also noted by Councilman McGhaney that she does not have an elementary school in her Council District at this time; they are all closed (St. John and Mayesville). She also stated that the people in the area were hurt by the fact that the schools closed in that area. Councilman McGhaney further stated that County Council members are not the only ears that need to hear this concern; and the funding issue is water under the bridge. However, Council's voting on the School District's budget has impact in this area and she mentioned that she sees it all the time. Councilman McGhaney said that she is "down where the bushes are beaten," yet they are saying that they cannot find money for this or money for that. She restated that more conversations need to be had and more ears need to be listened to, and more hearts need to be softened towards the school. It was also stated that the rural kids have to be on the bus longer than the kids in town. Councilman McGhaney said that in her earlier years, she had to ride the bus early in the mornings and late in the afternoons. She did not understand why she was dizzy at times while on the buses, but she later learned that it was motion sickness because you cannot be riding that long distance and trying to do homework. Councilman McGhaney said there is a lot to this; in education there are good years and bad years, but there were years when R. E. Davis received the silver and/or gold awards because of their performance. Some years some schools do have a slump. The kids that the R. E. Davis School prepared went to Mayewood and that is why Mayewood was a passing school, due to the preparedness of the kids from R. E. Davis School. Councilman McGhaney said that it is not just the athletic field, it is how those students are jammed into the school. They were not treated correctly.

MONTHLY REPORTS

- 1) Tandem Health -- National Health Center Week Luncheon
- 2) Board of Zoning Appeals and Adjustments - August 9, 2023
- 3) Art After Dark - August 12, 2023

COUNTY ADMINISTRATOR’S REPORT

Mr. Mixon stated that Council members and several members of the staff attended the South Carolina Association of Counties Conference. He mentioned that the classes, speakers, and overall conference information was very appreciated.

Mr. Mixon then mentioned that one of the great takeaways at the Conference was that County Council’s Clerk, Mary Blanding reached the Master Clerk level for the State of South Carolina Clerk’s to Council Association.

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.

- **Lottie Spencer** stated that she lives at 14 Hospital Street. She mentioned that this has turned out to be a very dangerous place, especially since it was burned. She stated that people are going in and out of the building and she does not feel safe in her community since the building burned last year. Ms. Spencer said that she found out that Mr. Ben Griffin owns the building but has not done anything about cleaning up the building since it burned. She asked Council to require that the owners of these type buildings to clean up the area. Lastly, Ms. Spencer said if she must march, she will march because this building should not be sitting there in such poor condition. Ms. Spencer noted that she has called Chief Roark because of the shootings in the area and the bad condition of the building. Lastly, she asked Council members not to be just a listener be a doer.
- **Michael Norman** said he represents the Ellerbee Estates HOA on Kings Highway. He mentioned that the developer turned over some horrible roads to the County and a drainage problem. The drainpipe drains on the road and has caused giant potholes in the road. The developer came out and fixed the pothole which only lasted for two days. Mr. Norman said the subdivision is mainly military active and retired people. He also said that when he comes home from work, and drives on the roads in his subdivision, his car bounces around on the road. He asked the Council for help for the Ellerbee Estates HOA. Mr. Norman said that he has talked with Public Works and the staff is very polite, but nothing has changed for the roads in the subdivision.
- **Brenda Williams** said she is so proud of Mrs. Spencer, she is a warrior, and has been working in the community for years, including working to ensure people register to vote. Dr. Williams said that the community that Mrs. Spencer is speaking of is in a low to moderate income. It was also stated by Dr. Williams that they want the Codes Enforcement to ensure that the rich folks pay their fines and clean up the area. Dr. Brenda also asked that when the Highway 378 Project comes into fruition, please make sure that the people that live in the community and walk across 378 be the main force.
- **Jackie Hughes** stated that she listened to the information about R. E. Davis during this meeting and remembered that when she attended the meetings concerning the future of R. E. Davis including the football field, the property was not large enough for the football field. She then suggested that someone from Council could go out in the community to see if any of the neighboring landowners would like to swap, trade, or sell some property to the School District including selling or trading some property for the Mayewood property. Lastly, she stated that Council’s meeting is not the place to discuss this matter, but the school Board may accept the suggestion.

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: August 23, 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 4, 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 4, 2023

Respectfully submitted,
Mary W. Blanding
Clerk To County