



Minutes
Sumter County Council Regular Meeting
Tuesday, January 23, 2024 -- 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.

<https://www.youtube.com/channel/UCAHjiqzPaonQ9LFS2kO37tA>

"Verbatim information on this meeting can be reviewed on Sumter County Council's January 23, 2024, YouTube Recording."

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, Johnathan Bryan, Greg Hawkins, and three Sheriff Deputies.

MEDIA PRESENT: Bryn Eddy, The Item Newspaper and Jalen Tart, WIS-TV.

PUBLIC PRESENT: There were 60+ members of the public in attendance at this meeting.

CALL TO ORDER: Chairman James T. McCain, Jr. called County Council's January 23, 2024 meeting to order.

INVOCATION: Councilman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by U.S. Army Veteran Michael A. Choice served our country from 1978 to 2004 with 26 years of Honorable Military Service. He is an Iraq and Afghanistan war Veteran, and he is also one of our brave Sumter County Sheriff Deputies. He currently lives in County Council District 2. Thank you for your Service.



APPROVAL OF AGENDA: Chairman McCain called for a motion on the approval of the agenda as listed below.

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by Council to approve the agenda of January 23, 2024, as presented.

APPROVAL OF MINUTES: Regular Meeting -- Tuesday, December 12, 2023, and Special Meeting -- Sumter County Council, Wednesday, December 20, 2023.

December 12, 2023 - Minutes

Chairman McCain called for a motion concerning action on the December 12, 2023, minutes of County Council's regular meeting.

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Edens, and unanimously carried by Council to approve the minutes of Sumter County Council's meeting of December 12, 2023, as presented.

December 20, 2023 - Minutes

Chairman McCain called for a motion concerning action on the December 20, 2023, Special Meeting minutes of County Council's.

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Edens, and unanimously carried by Council to approve the minutes of Sumter County Council's Special meeting of December 20, 2023, as presented.

LAND USE MATTERS AND REZONING REQUESTS:

(1) **None**

OTHER PUBLIC HEARINGS:

(1) **Ordinance #23-991 -- An Ordinance Authorizing An Amendment To That Certain Fee Agreement By And Between Sumter County, South Carolina And A Company Currently Identified As Project Mole To Extend The Investment Period Thereunder, To Provide For Additional Special Source Revenue Credits, And To Address Other Matters Related To A Proposed Expansion. (County Council Will Take Action On Third Reading For This Ordinance Immediately After Public Hearing Or During Old Business.)**

Mr. Johnathan Bryan, the County Attorney, presented this proposed ordinance to Council for public hearing and third reading consideration. The original agreement between this Company and the County provided that Nova Molecular (now Nova Molecular Recovery QOZB Holdings, LLC) would:

- invest at least \$14,742,000 in real property and equipment and
- create at least 25 jobs.

Mr. Bryan further stated that in return of what the company would provide, Sumter County agreed to reduce the assessment ratio from 10.5% to 6% on any new property and equipment for 30 years and provide a 20% Special Source Revenue Credit for payments one through ten and a 7% Special Source Revenue Credit for payments 11 through 20 on the new real and personal property. Additionally, per Mr. Bryan, Sumter County agreed to provide a 35% Special Source Revenue Credit for used property (because it would be taxed at 10.5%), and that used property would be subject to a 20% Special Source Revenue Credit for payments one through ten.

He also mentioned that Nova Molecular has invested \$29,600,000 in new real property and equipment and has created 23 of the required 25 jobs as of June 30, 2023.

Nova Molecular is considering an expansion of their existing real property that would require an investment of an additional \$17,000,000 in new real property and equipment and that would create 10 more new jobs. As an incentive to go forward with the proposed expansion, it is asking Sumter County to amend the original FILOT Agreement to:

- extend the investment period from five years to 10 years; and
- change the special source revenue credit for any new real property and equipment to a 25% special source revenue credit for years two through 20.

After Mr. Bryan's comments, Chairman McCain introduced Mr. Brian Rauschenbach to introduce the company's representatives. He stated that the company was established in Sumter during 2014, and in 2020, Nova Molecular moved to Racetrack Road. Mr. Rauschenbach stated that Nova Molecular is

investing an additional \$17,000,000 in new real property and equipment and will create ten additional new jobs. He further stated that this company's expansion will produce a payroll for the next 15 years of \$39,000,000, therefore, beyond the 15 years the payroll will continue to expand. Also, the salaries average \$32 per hour. Mr. Rauschenbach then introduced Mr. Gregg Hoffman and Will Johnson, Sinkler and Boyd, Law Firm.

Mr. Hoffman re-emphasized the investment, employment, and expansion information that will happen at the Racetrack Road facility. He also stated that this company will continue to help pharmaceutical, agricultural, and other companies through the efforts at this company. Mr. Hoffman thanked Council members for their continued support in developing and growing a relationship with Nova Molecular.

Mr. Johnson said that he is with Haynesworth Sinkler Boyd Law Firm, and he is representing the Company on this new expansion. Mr. Johnson thanked the County Attorney, Mr. Bryan, for his work in this matter and reiterated the comments made by Mr. Bryan and Mr. Hoffman.

Then Chairman McCain convened a public hearing on this matter; the following person spoke.

- Dr. Elayne Brunson spoke in concern about this ordinance being tabled until a later time because she believes that \$17,000,000 of revenue credit is not appropriate for 10 jobs. She based her thoughts on the belief that hundreds of minority small businesses are at home wondering if their business licenses will be revoked. She asked Council, on behalf of the Black Chamber of Commerce, to table or deny this ordinance until such time that the small business will be able to discuss and resolve issues concerning the business license issues.
- Mr. Johnson said a point of clarification that the \$17,000,000 is a capital investment and not a part of the Special Source Revenue Credit. He further said that Special Source Revenue Credit will not be close to the amount used for capital investment.

After all comments during public hearing, Chairman McCain called for action on second reading.

ACTION: MOTION was made by Councilman Edens and seconded by Councilman Baker to grant third reading to this ordinance as presented.

Chairman McCain asked if there were any questions, Councilman Washington asked if there was any reason why Council could not table this or not act at this time. Chairman McCain stated that this ordinance does not have anything to do with the Business License Ordinance. Councilman Washington stated that it would be good to accommodate the request of the people; Chairman McCain asked Nova Molecular their thoughts on this request.

Mr. Johnson informed Council that the Company has certain documents that must be signed and that the Sumter Development Board and Nova have worked together to coordinate an announcement for this company on Thursday. Mr. Johnson graciously asked Council to consider acting on third reading.

ACTION: MOTION was made by Councilman Edens and seconded by Councilman Baker to grant third reading to this ordinance as presented.

Councilman Washington offered the following motion.

ACTION: MOTION was made by Councilman Washington and seconded by Councilman Baten to carry over third reading of this ordinance until Council’s next meeting in February. Council members Baten, McGhaney, and Washington voted in the affirmative and Council members McCain, Edens, Byrd, and Baker voted in opposition. The Motion was denied. Then Council acted on the original motion.

RESTATED -- ACTION: MOTION was made by Councilman Edens and seconded by Councilman Baker to grant third reading to this ordinance as presented. Council members Baker, Byrd, McCain, McGhaney, and Edens voted in the affirmative; Baten and Washington voted in opposition. The motion carried to grant third reading and adoption of this ordinance as presented.

NEW BUSINESS:

(1) Presentation By Mr. Jed Jacob By *Mauldin And Jenkins CPAs And Advisors* Concerning Sumter County’s 2022-2023 Audit Report.

- Our Responsibility Under Auditing Standards Generally Accepted in the United States of America (GAAS) and *Government Auditing Standards* (GAS)
 - Our audit was performed in accordance with GAAS and GAS.
 - We considered the internal control structure for the purpose of expressing our opinion on the County’s basic financial statements and not for the purpose of providing assurance on the internal control structure.
 - Our objective is to provide reasonable—not absolute—assurance that the basic financial statements are free from material misstatement.
 - The basic financial statements are the responsibility of the County’s management.
- Report on 2023 Basic Financial Statements
 - Unmodified (“clean”) opinion on basic financial statements.
 - Presented fairly in accordance with accounting principles generally accepted in the United States of America (GAAP).
 - Our responsibility does not extend beyond financial information contained in our report.
- Report on Internal Controls Over Financial Reporting and on Compliance in Accordance with GAS
 - No material weaknesses or significant deficiencies in internal control reported.
 - No instances of noncompliance reported.
 - One (1) Material Weakness in internal control identified relative to the Sumter County Library.
- Single Audit Report for the Year Ended June 30, 2023
 - Conducted Single Audits in accordance with the Uniform Guidance over two (2) major programs:
 - U.S. Department of Transportation - Airport Improvement Program (\$4.0 million)
 - U.S. Department of Treasury - Coronavirus State and Local Fiscal Recovery Funds or “ARPA” (\$3.2 million)
 - The County did not qualify as a “low risk” auditee per Federal guidelines.
 - Unmodified (“clean”) opinion on compliance for each major program.
 - No material weaknesses or significant deficiencies in internal control over compliance reported.

ACTION: No action taken; received as information.

(2) Discussion And Possible Action Concerning The 2024 Capital Penny Sales Tax Referendum.

Mr. Gary Mixon, the County Administrator, presented this proposed calendar for the upcoming process of the Capital Penny Sales Tax Referendum. He asked Council members if they would consider approving the process so that work can begin. Mr. Mixon also mentioned that at the Sumter Chamber of Commerce Retreat which will be held on February 2-4, 2024, the Capital Projects Sales Tax (Penny for Progress) will be one of the main topics at the retreat. After Mr. Mixon’s comments, the Chairman called for a motion on this schedule as listed below. *(If necessary, some dates may change, but Council and the public will be notified of such in a timely manner.)*

Sumter County Government 2024 Proposed Capital Penny Sales Tax Schedule	
January 23, 2024	Action By Council - Approval of Schedule
January 23, 2024-February 27, 2024	County Projects Development
February 3, 2024	Chamber Retreat Presentation
March 12, 2024	Penny Commission Formed
March 18, 2024-April 26, 2024	Commission Project Review
May 14, 2024	County Council 1 st Reading - Referendum
May 28, 2024	County Council 2 nd Reading - Public Hearing - Referendum
June 11, 2024	County Council 3 rd Reading - Referendum
June 28, 2024	Ballot Question Presented To The Sumter County Voter Registration Commission For The November 2024 Ballot

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to approve the 2024 Capital Projects Sales Tax Schedule as presented by the Administrator.

(3) Discussion And Possible Action Concerning Sumter County’s Business License Ordinance.

Councilman Washington thanked the Chairman for allowing this matter to be placed on the agenda and he also thanked the public for coming to the meeting as a matter of interest to current and potential small business owners that must apply for a business license. Dr. Elayne Brunson and the Clerk handed out copies of the budget language that is of concern to several Council members and the public. He also stated that it is his intention not to call for a vote on this ordinance tonight because he and Council would like to hear from the citizens of the County. After Councilman Washington’s introductory statement, he

than read parts of the ordinance which is highlighted. Councilman Washington also explained the ordinance in detail.

se or per accidens;

- C. The applicant, licensee, prior licensee, or the person in control of the business has been convicted within the previous ten years of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods;
- D. The applicant, licensee, prior licensee, or the person in control of the business has engaged in an unlawful activity or nuisance related to the business or to a similar business in the County or in another jurisdiction;
- E. The applicant, licensee, prior licensee, or the person in control of the business is delinquent in the payment to the County of any tax or fee;
- F. A licensee has actual knowledge or notice, or based on the circumstances reasonably should have knowledge or notice, that any person or employee of the licensee has committed a crime of moral turpitude on the business premises, or has permitted any person or employee of the licensee to engage in the unlawful sale of merchandise or prohibited goods on the business premises and has not taken remedial measures necessary to correct such activity; or
- G. The license for the business or for a similar business of the licensee in the County or another jurisdiction has been denied, suspended, or revoked in the previous license year.

A decision of the license official shall be subject to appeal as herein provided. Denial shall be written with reasons stated.

Section 26-37. - Suspension or Revocation of License.

When the license official determines:

- A. A license has been mistakenly or improperly issued or issued contrary to law;
- B. A licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this article;
- C. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, or evasion or suppression of a material fact in the license application;
- D. A licensee has been convicted within the previous ten years of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods;
- E. A licensee has engaged in an unlawful activity or nuisance related to the business; or
- F. A licensee is delinquent in the payment to the County of any tax or fee,

the license official may give written notice to the licensee or the person in control of the business

Councilman Washington then explained that it is his belief that the ordinance is regressive, discriminatory, to those citizens that have overcome legal battles and now may be held back because of this ordinance and its requirements. It was also stated that people who go through the business license process do not go through a local, state, and national background check. He also said it has been stated that no one has ever been denied a business license since its inception in 1989; revised in 2021. Councilman Washington said that if a person goes to apply for a Business License, a person is given a preliminary Commercial Clearance Form with a question on it which asks, *“have you ever been convicted.”* Once a person answers yes on the Commercial Clearance Form, he/she is denied receiving a Business License application. Councilman Washington also stated that he would like to see Section “C” first part stricken and Section “D” second part stricken from the ordinance.

Lastly, Councilman Washington talked about one of his constituents that is a former detainee, yet when he was released from prison, he opened his own farming business and has also been a great help to the seniors and needy citizens in Rembert’s food desert especially during COVID when people were in lockdown and could not get out to purchase vegetables.

Councilwoman McGhaney stated that she is in support of the suggestions that Councilman Washington has offered, and she also supports removing the portions of the ordinance as cited by Councilman Washington. Councilman McGhaney also said she knows of people today, that have had former criminal records and have worked hard socially to have those records expunged; therefore, we as Council members should also take the time to remove language from the ordinance which would harm our citizens that are trying to have a new start. Councilman McGhaney also stated that Council is blessed to have this wealth of knowledge from Councilman Washington who has researched all matters relating to the Business License Ordinance.

Councilman Baten said that he was born and reared in the Washington DC area. He also said that he came to Sumter by way of the Air Force in 1970. Then he mentioned that during the 1970’s he visited the “Black Community” on Manning Avenue, and it looked like you went back in time. Yet, he recognized that he wanted to do something for the Community. Upon retirement from the Air Force, he became the Director of the Drug and Alcohol Abuse Commission and worked there until he retired after 20 years with his Master License as a Social Worker. Councilman Baten said that one of the things wrong with Sumter is that there is a lot of poverty and that is because Sumter has a lot of inequality. He stated that it is not that Black people are the only ones that smoke pot or commit crimes; it is how they are processed through the system. Councilman Baten also said in the Business License Ordinance, some of the language says, *“may appeal the decision of denial.”* With that in mind, Councilman Baten said rhetorically, *who are you going to appeal the decision to, may is not explicit.* Councilman Baten also compared the word “may” in Act 388 as it relates to appropriations to the school district and Council “may” grant additional funding. Lastly, he stated that this statement of “may” should be removed from the ordinance.

Then Councilman Washington showed Council members several sheets of paper which were petitions that he received from Dr. Elayne Brunson asking for the language in the Business License Ordinance to be removed. At this meeting, there were approximately 600 names on the petition and more names will be sought after between now and the next meeting.

Councilman Washington said this matter is deeply rooted in this community as well as other “basic needs.”

Chairman McCain said that he did some research on the Business License Ordinance, and the ordinance was not developed to penalize our citizens, it was developed and adopted to protect our citizens. Chairman McCain stated that he and Councilman Washington discussed this matter prior to this meeting and agreed that we need to make everything equal and that we would continue to take a look at this ordinance and to correct what needs to be corrected. Councilman Washington said that the Chairman was correct, and that the conversation was right before this meeting.

Chairman McCain pointed out a couple of things after he did some research on the Business License Ordinance.

1. The intent was not to deny anyone a business license, but to protect our citizens.
2. Statistics was provided by the Chairman as it relates to moral turpitude, the Attorney General's Office has definitions and categories about moral turpitude such as: counterfeiting; forgery; embezzlement; extortion, blackmail; false pretenses; swindling; credit card fraud, impersonation, welfare fraud, identity theft; computer hacking, and computer invasion, and others.
3. SLED's database was reviewed and checked on victimology and the categories that people would fall under the previous mentioned crimes: People that are 55 and over or most likely to be victims of those types of crimes; women more than men or more likely to be victims of these crimes; racially, the victims of these crimes are closely the same between black and white races.
4. The intent of the language was not to deny.

Chairman McCain restated that he will admit that the unintended consequences may penalize instead of protecting the citizens of Sumter County.

- (4) 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

- (1) Ordinance #23-991 – Third Reading -- An Ordinance Authorizing An Amendment To That Certain Fee Agreement By And Between Sumter County, South Carolina And A Company Currently Identified As Project Mole To Extend The Investment Period Thereunder, To Provide For Additional Special Source Revenue Credits, And To Address Other Matters Related To A Proposed Expansion.

This matter was handled immediately after public hearing and all actions are listed under Public Hearing for Ordinance 23-991.

COMMITTEE REPORTS:

- (1) Fiscal, Tax, And Property Committee Meeting Scheduled For Tuesday, January 23, 2024, At 4:15 p.m. In The County Administration Conference Room, Third Floor, 13 E. Canal Street, Sumter, SC (McCain, Edens, and McGhane).

Chairman McCain stated that the Fiscal, Tax, and Property Committee met at 4:15 p.m. and discussed the Business License Ordinance and received the 2023 Audit report. No action was taken on any of these matters.

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

- Councilman Baten presented the following information to Council concerning the U. S. Military Veterans’ Deaths since January 1, 2023, to December 31, 2023. See information adjacent to this information called U. S. Military Veterans Deaths.

US MILITARY VETERANS DEATHS	
FROM JAN 1, 2023 TO DEC 31, 2023	
(SOURCE: THE SUMTER ITEM OBITUARIES)	
TOTAL DEATHS IN SUMTER COUNTY:	132
RACE:	WM 101 BM 26 WF 5 BF 0 OTHER 0
MILITARY BRANCH OF SERVICE:	USAF 53 ARMY 48 NAVY 17 MARINE 10 SC GUARD/RESERVE 4
AGE RANGE:	YOUNGEST 34 OLDEST 98 AVERAGE AGE 77.4
MILITARY CAMPAIGN:	VIETNAM 32 KOREA 15 WWII 4 GULF WAR 2
RETIRED VETERANS:	20+ YEARS OF SERVICE: 49 (37%)

MONTHLY REPORTS

- 1) Sumter County Sheriff's Office Monthly Report and 2023 Annual Report
- 2) Public Works December 2023 Monthly Report
- 3) South Carolina Rural Summit
- 4) Invite From Mayor Merchant - Love Your Neighbor
- 5) Chamber Retreat 2024 Schedule
- 6) Save The Date - Tuskegee Airmen Monument Dedication Ceremony

COUNTY ADMINISTRATOR’S REPORT

No Report.

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 following citizens spoke during public comment.

1. **Dr. Elayne Brunson** thanked Council members Washington, McGhaney, and Baten along with Mr. Leon Wilkerson from the S. C. Small Business Association, the ACLU, and the Sumter Black Chamber of Commerce Chamber of Commerce, and Ms. Elizabeth Kilgore of the NAACP. Dr. Brunson talked to Council members about gentrification and the impact it has on the community, especially negative impact it has on Veterans, felons, low- and moderate-income families, and small business owners. She informed Council members that the attorney, the ACLU, the Black Chamber of Commerce are all watching to see what will happen with this ordinance.
2. **Elizabeth R. Kilgore**, Chairman of the Sumter Branch of the NAACP, spoke on behalf of this organization. She noted that the NAACP is here to ensure that the political, education, social, and economic quality of equality is here for all the citizens of this County. Ms. Kilgore stated that the NAACP hopes that Council will suspend or revoke the language in the Business License Ordinance that could potentially hinder those seeking citizens a new pathway to re-enter society and establish

a viable legitimate economy. She also talked about the new language of the City of Sumter’s Business License Ordinance and the NAACP’s stance on this matter. Additionally, Ms. Kilgore stated that Republican Governor Henry McMaster, recently signed a new law to reduce occupational licensing barriers for people with criminal records. This new law clarifies that applicants may not be denied solely on a prior criminal conviction unless the conviction is directly related to the duties and responsibilities or fitness of the occupation or profession. Lastly, Mrs. Kilgore stated that while the governor is making a way for those that once were criminals, Sumter County has allowed for barriers to be in place for those that are no longer criminals. Yet the County is providing means for large industries to come to the County and then not helping the small business owners. She noted that small businesses play a major role in providing jobs for citizens. Lastly, Ms. Kilgore asked Council to unanimously approve removing all barriers that might impede the quality of life for those that want to have a business license.

3. **Derick Gamble** said that he is the executive director of Clean Slate Re-entry Program in Sumter, SC. Mr. Gamble stated that he has housed hundreds of returning citizens from incarceration in this program which is connected to the State of South Carolina Department of Corrections and Probation, Work Force Development Program at Central Carolina, a former City of Sumter Councilman candidate in 2022, a custodial parent of two young boys ages 8 and 15. Mr. Gamble also said that back in the day, he was Derick Gamble the cocaine dealer with 13 felonies. He further stated that he sold hot dogs to help support him and his children. Although it has been over ten years since he had his troubles with the law and was able to receive a business license, he wants to help those that may be in trouble now and the 10 years look back may hinder some of them.
4. **Quan Glover** stated that he lives in Rembert, and he owns and operates a State Regulated Farmers Market. Mr. Glover said that he is a convicted felon and did ten years in prison. He stated that he wants to help those that are coming out of prison so that they will not have to go through the things he went through. He asked Council to consider allowing the law to give people a chance who want to do right and not to hinder them. Mr. Glover said those that have completed their time for the wrong they committed, should not have Council still putting their feet on the previous felon’s neck indicating that the person cannot do this or that when having a business is the American dream.
5. **Nathaniel Toney** stated that he is not originally from this area; however, he has been a resident of Sumter County/City for over ten years. Mr. Toney said that he too found himself in a very dark place during an earlier part of his life and he became a felon. However, he realized that he had to come to terms with what needed to be done to survive and to take care of his eight children. Mr. Toney informed Council that they must do right for the people and the verbiage in the ordinance will not help those that were once in trouble.
6. **James Clark** stated that in his past, he was convicted of federal crimes; however, he did turn his life around. He showed Council members his federal ID that he can go on any federal installation in the United States because the federal government believes in him. Mr. Clark challenged Council to not try to override the government with this Business License Ordinance. He also mentioned that he has a truck driving business; however, when he first started the business, he made money but did not know how to make his business profitable; then he worked at how to operate a profitable business. He asked Council to please do away with this ordinance.
7. **Tyrone Peoples** said that he is a former felon; however, he has turned his life around. He has a family, and he operates a barber shop. Mr. Peoples said that when he was released from prison, he

was unable to get a job in Sumter because of his past issues with the law. He asked Council to please stop holding our past against us and try to help us.

8. **Corey Robinson** said that he was born and reared in Pinewood, South Carolina, and as of February 5, 2024, it marks 17 years that he has been released from federal prison. Mr. Robinson said he was incarcerated for three years in federal prison and then a year and a half on federal parole. His crime is over 21 years old; yet he now owns Drive Now Motors in Sumter, SC at 3171 Broad Street. He mentioned that most people in power don't care for him at all and have told him that he will always be considered as a drug dealer. Mr. Robinson also said that he has hired many more people in Sumter County than the industry that was talked about in this meeting. He further stated that his mother, who was in the audience asked him why he moved back to Sumter, he told her that he will not let anyone run him. He also informed Council that the Federal Prisons will help you learn a trade while you are in prison so that when you leave, you can be gainfully employed. Mr. Robinson also informed Council that he purchased a building in downtown Sumter, and he pays \$3,000 per month, but he is afraid to try to open the business because of this ordinance and he believes that the higher ups will try to shut him down. He ended his comments by saying that he is not worried because God favors him.
9. **Raymond Charles** stated that Councilman Washington is the change that is needed in every community. He asked Council members to give him their attention for a few minutes. Then he asked if Council members have ever made a mistake (*this was a rhetorical question*). Mr. Charles also made comments that included information about: (1) upcoming elections, (2) South Sumter Gym being closed; (3) the way the Council members run for office, but once seated on Council, they are not helping the people. Lastly, Mr. Charles reminded Council that they work for the people and the people's votes matter.
10. **Dr. Juanita Britton** stated that she is from Rembert, SC and is a businessperson. She mentioned to Council that as a businessperson, it is hard to hire people. She has a home health program and an after-school program. She gave Council members an example of how the law works against people. Dr. Britton said that the background check that she did on one of her potential employees would not clear the person for the job because of something that the lady did 17 years ago. Also, she mentioned that several other people that have applied for jobs at her businesses have small offenses, but they do not have the wherewithal to go through the process of having their records expunged. She stated that Council should look at helping the citizens clear their records.
11. **Linda Hastie** stated that she is an advocate for her street and the areas of Morgan, Jackson, and Broad. Ms. Hastie said there are people (White, Black, and/or Hispanic) who are scared of this law. She further stated that this ordinance that was approved back in 1989 is just like the 1940's and 1950's between the White and Black people at that time. Lastly, she said that the Constitution states that everyone is entitled to life, liberty, and the pursuit of happiness. This ordinance does not allow fairness to everyone.
12. **Brian Austin**, a former school board trustee in Sumter County, stated that he did not intend to speak during this meeting, but decided to talk on behalf of the people that did not attend the meeting. He quoted Dr. Martin Luther King, "Injustice anywhere is a threat to Justice everywhere." Mr. Austin also said that the business license ordinance is injustice to everyone. He reminded Council members that if a 17-year-old in school commits a crime and tried as an adult, then when the student has served his time, "may" not be able to get a job in a County that declares that it is a great place to live, learn,

work, play and worship as they raise their families. He also mentioned that when he was a staff member for the Governor’s Work Force Development Board there was this big influx of Federal Bonding dollars that allowed employers to see this money to secure employees that have criminal backgrounds. Mr. Austin further stated that what Council members are telling people is that it is ok for you to work for us, a systematic and systemic racism, but you dare not be a business owner and think that you are on the same level or the same playing field as the higher ups. He also stated that if “we” as Sumter leaders want to see Sumter grow and we really want to be Team Sumter, then the playing field must be leveled.

13. **Dr. Alex Baten** stated that her PhD is in Criminal Justice and her father is Councilman Baten. She mentioned that she had the opportunity to teach at the Sumter County Regional Detention Center. Her job was to help the students to take the “Work Keys Test” so that upon release from the Detention Center, they could go and apply for jobs. Dr. Baten stated that her students scored the highest scores in the history of the program; yet they could not get a job. Therefore, they wanted to start a business. Yet there are hurdles they had to encounter with that too. She challenged Council members by stating that Council is all about growth and Economic Development. Then help those that need help to continue to develop Sumter County with small businesses. Lastly, she said that the business ordinance language is setting up people to reoffend, which will raise the crime rate, and cause other issues for the County and the citizens.

14. **Desiree Clemmons** spoke to Council members about Kangaroo Road. She stated that they talked to Council members about two years ago and that they were told that the road is a private road; however, their plats indicate that the County will maintain a 50-foot right-of-way.

Councilman Washington mentioned that he believes that the County Administrator is looking into this matter.

15. **John Rend** stated that he lives in the Beckwood neighborhood of Sumter. He mentioned that five years ago, County Council said that they would widen Beckwood roads with sidewalks when the new subdivision was to be developed. Also, since that time, St. Judes Catholic Church is now open, and the traffic is bad in that area. He said that he has talked to Mrs. Dennis and, several Council members. He also said, the next accident at the Beckwood intersection is on County Council from this day forward.

16. **Calvin Bennett** stated that this discussion about the Business License Ordinance is very emotional for him. He also said that if it was not for criminality, this Nation would not be; he also said that this nation was built on criminality; men got together and made this Union start. Mr. Bennett further said that people are trying to push citizens out of this nation and now trying to push them out of their jobs. The ordinance is not needed. He also asked why is it that Council is scratching something that doesn’t have an itch. Lastly, he said the people here have signed the petitions do not want this so-called protection that Council members claim is necessary.

17. **Jackie Hughes** spoke to Council and stated that she has wondered what it was like to have a criminal record and try to find a job. She stated that she supports the request from the public about the Business License Law. She further stated that everybody should have a chance to better their lives.

Then Ms. Hughes informed Council that an invitation was placed at their desk concerning the upcoming American Legion Awards Banquet, which will be held on Monday February 5, 2023, at

6:30 p.m. at the American Legion building on Artillery Drive, Sumter, SC. Presentations will be made for the

- Firefighter of the Year
- Police Officer of the Year
- Detention Officer of the Year
- EMS Technician of the Year
- Sheriff's Deputy of the Year
- The American Legion Post 15 Law Enforcement Officer of the Year

18. **Jamal Jones** stated that he is retired from the military. He added that the United States military will waive your felony history and give you an opportunity for a second chance in life. He asked County Council if the government will allow for a person to be given a second change, then County Council should be willing to provide the citizens of Sumter with the same chance.

19. **Andrea Loney**, *Attorney At Law*, made the following request for as soon as possible, Councilman Washington or any of the Council members, please do some research and tell us, the public, the following:

- a) How many of those Business License applications and the clearance forms that people were required to fill out actually had convictions on them?
- b) How many Business License applications were denied or were they denied at that point?

Ms. Loney stated that the public needs more information about the very first step in this process to be sure that people are not being initially denied and then become afraid to go to the next step. She added that if they are afraid to go to the next step, then this "rule" doesn't matter at all because they have been stopped in their tracks. Ms. Loney said that she believes the public needs to be sure that the initial process is fair. Also, it was asked by Ms. Loney:

- c) What happens when we need to know as a community, when they fill out those forms and they acknowledge that they have a record, then what happens to the forms, where are they directed, at any place or person?
- d) Are the applicants directed to get a pardon or get an expungement; what information is given to them to help them.

Lastly, Ms. Loney stated that she will be back to get the information and then she will provide some suggestions. It was also stated by Ms. Loney that she has devoted her entire life, 45 years, to representing low-income people and she knows the negative impact of convictions. She also said, as a State, we are trying to give people a second chance, Ms. Loney emphasized that the State Governor and the Department of Corrections are doing.

20. **Dr. Juanita Britton** spoke again and stated that she hopes that Council will work to get Highway 521 widened, a place for cars to park on the side of the road, and sidewalks in the Rembert Community.

21. **First Sgt. William Bowen** stated that he has been in Sumter for 23 years and 10 years ago he asked for railing on Highway 521. He said it took him 10 years to get railing near Spencer Road and Bordon Road which is right where the four lanes turn into two lanes. He also gave Council members photos of how bad the road is and the many accidents that have been on the road during these past 23 years. Lastly, Mr. Bowen reiterated that the young men should be helped.

Councilman Baker stated that since he has been on County Council, he has done what he could to help with Highway 521 being upgraded to four lanes. Sumter County was almost to the point of having it done; however, the funds were routed to Kershaw County. He also mentioned that the Speaker of the House of Representatives is trying again to help Sumter County get its portion of 521 widened but needs some seed money. Councilman Baker also said that it is hopeful that if the Penny passes this year, we could place this project on the referendum and use the seed money from the Penny.

Councilman Carlton Washington also provided information about Highway 521. He stated that he and others from the Rembert area have met with Senator McElveen and Representative Wheeler. Initially it was thought to widen the shoulder of Highway 521. He also stated that there are 126 landowners between Spencer Road and the Kershaw County line. Councilman Washington further stated that the County has no jurisdiction over the State Roads. He also explained to the public about the difference between the State Road, County Road, Private Roads, etc. He also reemphasized the comments from Councilman Baker.

Chairman McCain said that at the Santee Lynches Council on Governments Representative Smith has a feasibility study for Highway 521. However, at Kershaw County Council's recent meeting they voted not to make Camden Highway from Sumter to I20 a four-lane highway. He also said that Sumter County can only pave up to the Kershaw County line.

Councilman Vivian McGhaney said that she along with Chairman McCain and Councilman Baten are members of the Regional Council on Government and they were made aware that Kershaw County has obtained an attorney to help them protect 521 from being paved from the Sumter line up to the current four lanes near I-20. She also stated that there are Transportation Improvement Plan funds and hopefully some of the funds can be used for such a project like this. She encouraged the public to attend these meetings. She also mentioned that in years past, Councilman Edens was also on the Council of Governments.

Councilman Carlton Washington said that he thinks it is important to tell people when they do something that is wrong and when they do something that is right. He thanked Chairman McCain for giving the public leverage in speaking to Council during this meeting as a community. Councilman Washington further stated that Council and the public were not speaking at each other but were speaking with each other. Lastly, he said that is how he likes to see this Council operate. He further stated that the decorum of the meeting was carried out under the Chairman's leadership, and he congratulated Chairman McCain and thanked him for the handling of this meeting.

Councilman Baten thanked the public for being at the meeting and expressing their thoughts and desires concerning the Business License Ordinance and other matters that were presented.

NOTE: *One of the members of the public asked for Council to give the School District money; Chairman McCain responded that he knew that the School District would have extra funds projected at approximately \$5,000,000; however, the additional revenue that the School District received was \$16,200,000. Councilman Washington stated that this will need to be discussed at a later time.*

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 8:31 p.m. after a motion by Councilman Baker, seconded by Councilman McGhaney, and unanimously carried by Council to adjourn this meeting.

Respectfully submitted,

James T. McCain, Jr.
Chairman or Vice Chairman
Sumter County Council

Mary W. Blanding
Clerk to County Council
Sumter County Council

Approved: February 13, 2024

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 are posted on Sumter County’s Website and as a message on the Television Located on the first floor of the County Administration Building.

Date Posted: January 18, 2023

Media Notified: Yes

Manner Notified: Agenda Information is listed on Sumter County’s Webpage, and E-mailed to The Item, The Chamber, WIS-TV, WBTW, Spectrum Cable, and others that have requested to receive County Council’s agenda.

Date Notified: January 18, 2023

Respectfully submitted,

Mary W. Blanding
Clerk to County Council