



Minutes
Sumter County Council Regular Meeting
Tuesday, July 11, 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.

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

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Gary Mixon, Mary W. Blanding, Johnathan Bryan, Joe Perry, Valerie Brunson, Helen Roodman, Terrance Colclough, and three Sheriff Deputies.

MEDIA PRESENT: Shelbie Goulding, The Item Newspaper, and Tyler Fedor, Post and Courier, were in attendance.

PUBLIC PRESENT: There were 21 members of the public in attendance at this meeting.

CALL TO ORDER: Chairman Or Vice Chairman Of Sumter County Council
Chairman James T. McCain, Jr. called to order Council's meeting of July 11, 2023.

INVOCATION: Councilmember Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the American Flag was led by Retired US Air Forces Veteran Deborah J. Engermann who served our country from March 1972 to March 1992. She served as an Administrative Specialist. Veteran Engermann currently lives in County Council District 1. Thank you for your service.



APPROVAL OF AGENDA: Regular Meeting Tuesday, July 11, 2023
Chairman McCain asked the Clerk to Council if there were any changes to the July 11, 2023, agenda. Mrs. Blanding stated that there were no changes to the agenda for this meeting. Then Chairman McCain called for a motion on the proposed amended agenda.

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

APPROVAL OF MINUTES: Regular Meeting Tuesday, June 27, 2023
Chairman McCain asked for a motion concerning approval of the minutes of June 27, 2023.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to approve the minutes of June 27, 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.

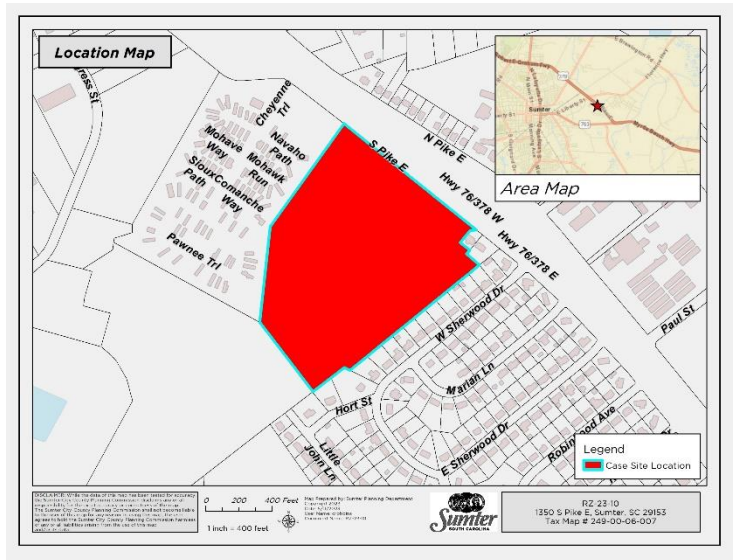
AC = Agricultural Conservation As Applicable In Sumter County Zoning and Development Standards.
 NC = Neighborhood Commercial As Applicable In Sumter County Zoning and Development Standards.
 LI-W = Light Industrial-Warehouse As Applicable in Sumter County Zoning and Development Standards.

(1) **RZ-23-10 -- 1350 S. Pike E. (County) - First Reading -- A Request To Rezone A +/- 26.60-Acre Portion Of TMS# 249-00-06-007 From Residential-6 (R-6) To General Residential (GR). The Property Is Located At 1350 S. Pike E. And Is Represented By Tax Map # 249-00-06-007 (Portion).**

Ms. Roodman presented this proposed rezoning request to Council for first reading. She stated that the applicant and property owners, Wafa Investments, LLC represented by A. Paul Weissenstein, Jr., hopes to have this 26.60-acre tract of property rezoned from Residential-6 to General Residential. The property is located on S. Pike E; see location map. It was noted by Mrs. Roodman that 2.4 acres of the 29-acre property is already located within the General Residential District. Also, Mrs. Roodman informed Council that the applicant is seeking to rezone the property to the General Residential District with the intent of establishing or expanding a mobile home park.

The Residential-6 District and the General Residential District are essentially the same, with the primary exception that mobile homes and mobile home parks can only be established in the General Residential District.

Mrs. Roodman displayed the Zoning Map which showed that there are mixed uses in this area which include General Commercial, Heavy Industrial, Light Industrial, Single Family, Single Family Residential, and General Residential as indicated on the map. Additionally, Mrs. Roodman said that water and sewer service is instrumental concerning the future development of this property. She added that it will require significant investment by the potential developer because this development will require tie into the sewer pressure main located along the rear of the subject property and the establishment of one or more lift stations. It was noted by Mrs. Roodman that the property is located between Iris Winds Mobile Home Park and Sherwood Forest Subdivision. Currently, the property is vacant.



Lastly, Mrs. Roodman stated that the property is within the Suburban Development Planning Area as sited in the 2040 Land Use Plan. She also stated that the primary goal of the Suburban Development Planning Areas 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. Also, Mrs. Roodman stated that this request to rezone the property to the General Residential zoning is in general alignment with applicable Sumter 2040 Comprehensive Plan Policies.

The Planning staff and Commission recommended approval of the request as presented by Mrs. Roodman and listed on the staff report.

After Mrs. Roodman’s presentation, the Chairman accepted a motion from Council on this rezoning request.

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

(2) **OA-22-12 -- Convert Industry Reference Codes From Standard Industrial Classification (SIC) To North American Industry Classification System (NAICS) (County) – First 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 this particular Ordinance Amendment, OA-22-12 is being brought forth to County Council by the Planning Staff on behalf of Sumter County. She stated that if this ordinance is approved at third reading this will allow for the staff to Convert Industry Reference Codes from Standard Industrial Classification (SIC) to North American Industry Classification System (NAICS) (County). The request include amendment to Articles 1, 2, 3, 4, 5, 6, 7 8, and 10 to convert previous references to Standard Industrial Classification (SIC) reference Codes to the NAICS Classification and to make additional clarification and organizational updates for Industry Reference Codes.

Mrs. Roodman stated that when the City and County Adopted the Zoning Ordinances back in 1999, they were virtually the same ordinance but formatted for each government with minor variations. When the ordinances were approved, the City Ordinance/Codes had reference to the County and the County Ordinance/Codes had references to the City Ordinance/Codes. Mrs. Roodman mentioned that earlier this year, the Planning Staff presented the Industry Reference Codes to the City and the City Council approved the amendments and removed the County Ordinances/Codes references from the City Ordinances/References which makes things much easier to read. This amendment, if approved by Sumter County Council, will allow for the removal of the City Ordinances/Codes from the County’s information.

Mrs. Roodman pointed out the following to Council members:

- ❖ Sumter County has initiated an amendment to replace the existing reference system used for business classification with the current system used to classify and compare business entities and statistics across North America.
- ❖ While this conversion is being made, staff members have identified areas of Article 1 and 7 which

must be updated to reflect City and County Ordinance’s respective roles.

- ❖ The North American Industry Classification System (NAICS) is the standard used by the U.S. Government in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.
- ❖ NAICS replaced the Standard Industrial Classification (SIC) in 1997. The U.S., Mexico, and Canada all use NAICS for the collection, tabulation, presentation, and analysis of economic statistics.
- ❖ The SIC was last updated in 1987, and there will be no further revisions to the SIC. New forms of technology and business types are not part of the SIC system.
- ❖ The County currently uses SIC to classify uses by zoning districts. Sumter previously kept the SIC system in place to maintain compatibility between the zoning function and business licensing function, which must work together to regulate and enforce land use laws according to the Ordinance.
- ❖ In 2020, the SC General Assembly passed the *South Carolina Business License Tax Standardization Act (Act 176)*. *Act 176* streamlines the business license process, creating the same process for taxing jurisdictions across the state.
- ❖ All jurisdictions in South Carolina with a local business license tax must comply with the law, with all businesses categorized by NAICS.

Mrs. Roodman also informed Council that NAICS is a 2 through 6-digit hierarchical classification system, offering five levels of detail. Additionally, a complete and valid NAICS Code contains 6 digits. She also informed Council that each digit is part of a series of progressively narrower categories.

The Planning Director explained each digit:

- ✓ The first 2 digits identify a major Economic Sector,
- ✓ The 3rd digit designates an Economic Subsector,
- ✓ The 4th digit designates an Industry Group,
- ✓ The 5th digit designates the NAICS Industry, and
- ✓ The 6th digit is the National Industry.



Additionally, Mrs. Roodman stated that the Planning staff created a SIC to NAICS “crosswalk” by

reviewing each of the 250+ permitted and conditional uses in the Ordinance and matching them to an appropriate NAICS code using a tool offered by the U. S. Census Bureau.

It was also mentioned by the Planning Director that a full review of the current use classifications based on SIC codes, effect of NAICS on those classifications, and opportunities to combine uses in industry groups was completed via a “Committee of the Whole” work group of the Planning Commission. Following the meeting, adjustments were incorporated into the proposed Exhibit 5 Use Table in Article 3.

Mrs. Roodman stated that the following proposed amendment would:

- ❖ Remove all text references to uses in each zoning district found in Article 3.b. - 3.o.
- ❖ Replace and merge Exhibits 4 and 5 as the single reference point for use requirements across all zoning districts.
- ❖ Update all existing SIC references in *Articles 4, 5, 6, 8, and 10* to corresponding NAICS code for that use type based on the adopted master table.
- ❖ Make other changes throughout the entire Ordinance for consistency, clarity, and ease of use.

It was also stated by Mrs. Roodman that while transition from SIC to NAICS is the primary purpose of this Ordinance amendment, other items are included:

- ✓ Remove zoning designations not used in the unincorporated areas of Sumter County, including AC-10, MUI, and CBD.
- ✓ Removal of ordinance provisions related to the Design Review Board, Design Review Overlay Districts, and related authorizations/procedures/processes.
- ✓ Non-substantive revisions to naming and code references.
- ✓ Other changes to improve clarity and ease of use.

Mrs. Roodman stated that the Planning Commission recommends **approval** of this request.

- This Ordinance amendment will address the need for modernization of references to various industries and businesses in the Ordinance.
- The amendment will also allow for removal of several internal inconsistencies and duplicative text in the document.
- Review and develop suggested small area plans and appropriate commercial designations, i.e., Dalzell, Rembert, and develop some specific overlays for these small areas and possibly other areas throughout the County.

Mrs. Roodman suggested that County Council’s Land Use Committee may want to meet and discuss any concerns about these proposed changes at one of its meetings.

After all comments from Mrs. Roodman, the Chairman called for a motion on first reading.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant first reading approval.

- (3) **RZ-23-11 -- 1449 & 1485 Oswego Highway -- (County) - Third Reading -- A Request To Rezone +/- 9.97-Acres Of Property Spanning Two Tracts From Agricultural Conservation (AC) To General Commercial (GC). The Property Is Located At 1449 And 1485 Oswego Hwy. And Is Represented By Tax Map #'S 270-00-02-064 And 270-00-02-065.**

This third reading rezoning request was presented by Mrs. Roodman. She said there were no changes to this request during first and second reading and there are no changes suggested at this reading. The Chairman called for a motion on third reading.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Edens Byrd, and unanimously carried by Council to grant third reading approval.

OTHER PUBLIC HEARINGS: None

NEW BUSINESS:

- (1) Discussion And Possible Action Concerning Protocol For Sumter County Council's Meetings.

Chairman McCain stated that since this matter was placed on the agenda by Councilman Baten, he recognized Councilman Baten to introduce this item. Councilman Baten thanked the Chairman and proceeded with his comments. *(Note: Councilman Baten called the Clerk to Council on late Monday morning, July 10, 2023, requesting that this matter be placed on the agenda for the July 11, 2023, meeting.)*

Councilman Baten said that he placed this item on the agenda because he felt that it was necessary for Council members to discuss what went on at the last meeting. Councilman Baten said that before he gets into those comments, there was discussion in the Special Meeting that the Chairman called today to talk about this same matter, and it was a statement made about Council's meeting in 2012. Councilman Baten noted that during 2011-2012 he was the Chairman of Sumter County Council and those were the greatest two years in the County's history. In 2011, Sumter County was able to attract Continental Tire, which was a \$500,000,000 investment, providing 1,600 jobs, paying above minimum income. Councilman Baten further stated that he does not want to brag, but the deal was shaky and at the end he had to go out and negotiate with some landowners to ensure that the company had all the property that they needed. He continued his comments in stating that the reason that he was able to negotiate the sale of the project is because he is Black; he added that diversity got that deal sealed for the County. Then he said in 2012, the County had one of the best financial situations it ever had; the bond rating was rated the highest that it ever had. Also, that was mentioned in the Special Meeting held earlier on this day, the meeting with the School District. Because there were so many people that wanted to attend this meeting, approximately 300 people attended that meeting, it was held at Central Carolina Technical College Nursing Building on Main Street. He also said that at that time, he did not have a contentious meeting, although it was a crowded meeting, he did not address people and tell them what they could say and not say. If they wanted to speak, they could speak. Council at that time did not want anyone to walk out of the meeting and say that they were not allowed to

be heard. One of the biggest issues of concern was that the School District asked for 13 mills and the public, not necessarily the public, but the White Business Industry, (*let me be clear*), the White Business Industry, consisting of Chamber Members, the majority, did not want to give the School District a dime. Councilman Baten further stated that the Chamber Members and businesspeople wrote letters to me personally. They indicated in their letters that they did not want to give the School District a penny. These businesspeople and Chamber people said that the School District needed to learn how to manage their money. Additionally, Councilman Baten stated that the gentleman that came on as Superintendent was from Atlanta, Georgia, Mr. Randolph Bynum. When he assumed the new position as superintendent for the newly consolidated School District. He inherited a \$5,500,000 deficit; Mr. Bynum came in under the gun; he could not even make payroll. Councilman Baten stated that Mr. Bynum had to reduce the School District's staff, Consolidate the District, and work with a \$5,500,000 deficit budget by putting staff on furlough. Then some of those in Sumter criticized Mr. Bynum stating that he was a bad manager. However, Councilman Baten defended Mr. Bynum's decisions stating that he had to do the things he did because he had to make payroll. Then during the 2012 budget process, Mr. Bynum came before County Council asking for 13 mills. The Chairman of the school Board at that time, Mr. Larry Addison, had already talked to him. Mr. Addison sated to Councilman Baten that the School District knows that they will not get 13 mills, but the School District would like to get six mills. Councilman Baten noted that the seated Council at that time were only allowed to grant 5 mills with a majority vote, four votes. However, to give the School District six mills, Council needed a supermajority vote which would be five votes in favor of the School District receiving six mills. Councilman Baten said we needed one person, a republican, to join the democrats to grant this for the School District, but the republicans refused. Then the four democrats, Black, gave the School District five mills. In addition, Councilman Baten said that an individual approached him saying, Councilman Baten we do not want to give the School District anything, they need to learn how to manage their money. Councilman Baten said that he looked at the person and said you expect me, a Black Man, to tell this Black man who came in and inherited a \$5,500,000 deficit who represented a School District that was majority Black and low income, and you want me to vote against this man; and here he is coming into this School District saying I want to move from good to great and take this district from the bottom 25% and take this District to the top 25%. This businesses people, businessmen are telling me not to give this Superintendent a dime. Councilman Baten addressed the audience stating that "you need to know the truth behind this." The Councilman then stated, there are things that people do not want to talk about, but he will talk about them." He also said that the reason he can talk about them because I do not depend on anyone for my livelihood; Councilman Baten said he is self-dependent, independent. He further said that he does not need anyone, and he does not regret it if someone has to come behind him. Then Councilman Baten said he never told the people that they had to sign in to talk, he suggested that anyone can reference to the Item Newspaper staff, read the following statement, or read the minutes of the meeting. He said the School Board wanted to request 12.75 mills because that is what the State, Department Of Revenue/Public Affairs said that they, the School District, was entitled to, under law, South Carolina Act 388 asked for that money. The School District came before Council. At this point, Councilman Baten said that at the last meeting of Sumter County Council, there was a majority of Black folks and our Chairman felt that he had to set some rules, it was a very contentious meeting and then Councilman Baten spoke to Council and later read a pre-written statement:

As a member of Sumter County Council, since January 2005, I am highly concerned about the current negative image of this Council. Before the regular Council meeting on Tuesday, June 27, 2023, Chairman McCain addressed the people in attendance (mostly Black). He outlined what conduct and behavior must be displayed by the attendees during the meeting. Also, anyone who wanted to address County Council during the "Public Comment" Section on the Agenda, must sign their names on a sign in sheet.

In my opinion, and the comments made to me after the meeting, many people in attendance felt disrespected by the rules they were told to follow. I, and them, felt that Chairman McCain talked to them as if they were immature, unruly children.

In my opinion, asking people who wanted to speak to sign a roster was not a policy or standard practice at Council meetings. County Council has had many zoning issues that were highly contentious however, people (mostly White) were not required to sign a roster before speaking to Council.

In the last four years, I have been openly attacked. Vice Chairman Byrd blamed me, in front of the Sumter School District Superintendent and Chairman of the Board of Trustees for the School not receiving their millage request. Also, you (Chairman McCain) defamed me in the Sumter Item regarding the two mills (\$375,00) given to Sumter School District. (I decided, based on the advice from the Ethics Commission and our County Attorney, Johnathan Bryan, that I should not vote during the School District Budget matter because he, Councilman Baten, was in litigation, my daughter was in litigation against the School District. I was told by the Ethics Commission that it would be best if I don't vote for the School millage/budget. The vote that was taken and it was tied – 3 to 3 -- three republicans voted against it and three democrats voted against it. They accused Councilman Baten of the failed vote because Councilman Baten said that he refused to vote on the School District's budget due to the Ethics Commission recommendation, and he was blamed for the School District not getting their money.

Councilman Baten sat back in his chair and look and then told the Councilman that he was told that he could not vote on this matter during the litigation as cited earlier, and he decided to uphold his integrity to not go against what was suggest by the Ethics Commission. Yet, he said that he was accused, but he followed the law and he recused himself from participating in the voting on the School District's budget. The School District did not get their money that year, but, he, Councilman Baten, had to take the blame because he did not vote on the budget for the School District because he had recused himself. Then Councilman Baten said that Chairman McCain defamed him regarding the two mills given to the Sumter School District. Councilman Baten said that the Chairman said the Superintendent personally had a conversation with him and asked for just two mills that year and the year coming up. Yet Councilman Baten further said when he talked with Superintendent Martin Knox who came before County Council requesting additional funding, that he was disappointed because he was fighting for every dime that the School District is entitled to and she, Dr. Knox, was making deals behind his back. He further stated that Dr. Martin Knox said to him, "I want to clear this up; at no time did I make a decision for the School Board to anyone that the School District wanted two mills." Councilman Baten thanked Dr. Knox and said because he knows Dr. Knox was for the people, and he noted that he is also for the people. Councilman Baten also said that he has substituted in the School District for seven years. Then he said that he had the opportunity to meet those kids and he mentioned that he is a licensed Master Social Worker still to this day. While he was a substitute teacher he talked to the students, and he saw how the students wanted to improve their lives and get things done. The Councilman also said that he supported the school system and became the top substitute teacher for the Career Center. He emphasized that he got to know the Career Center kids real good. Councilman Baten said that he knew that these students were the future of Sumter County because one of the things that "we" will say is that education is the foundation of Economic Development, and our workforce is going to come from, not private schools, but from the public schools.

Councilman Baten said that we say that there is no such thing as systemic racism, he then chuckled and said, if you believe that, then you believe in the Easter Bunny and the Easter Bunny is bringing you eggs. He also said that systemic racism is loud and well in this County. Then Councilman Baten said if he is wrong, then 100 clergy, male, female, black, white, young, old, and all denominations in this County are also wrong. Councilman Baten said that these clergy persons have said that systemic racism is a sin and systemic racism exists in Sumter County. He then said to Council members when you look at the mirror, my colleagues love not to give the School District money. This year, they've got the budget the big budget and Reserove Fund, the School District can get their funds out of

their Reserve Fund. Councilman Baten said the people who work for the school, the ones we depend on, the bus drivers the cafeteria workers, the people who clean up the bathrooms behind these kids, they are being paid slave wages, at \$15, \$16, and \$17,000 a year. He stated, come on man, who can live off of that kind of income. Councilman Baten reminded Council members what happened this year with the school budget; we as a Council, we said that on the County's budget, we're going to make sure that no County employee will make under \$25,000 per year. Therefore, Council voted to put money in the budget to raise those salaries that were under \$25,000 per year and that the \$25,000 is an acceptable standard of living in this County. Councilman Baten said it appears that it doesn't apply to everyone. It does not apply to the employees who are working at the School District which includes 1,585 School District employees who make under \$25,000 a year. The Councilman continued with his explanation and said that while talking with the Chief Financial Officer for the School District it was asked how much it would cost to bring the \$1,585 staff members' salaries up to \$25,000 a year; and she replied that it would cost \$4,200,000. Councilman Baten said that the County had the opportunity to give the School District some of that money in this year's request; however, County Council decided to give them nothing, while members of Council kept saying "oh they got money" because the School District built up their reserve this year, that year, etc. Yet nothing was given to the School District this year nor even when Mr. Bynum was the Superintendent, and he had a deficit. Councilman Baten then asked Council and those present, do you want to know what the definition is for systemic racism is, it is a practice when one group is treated fairly and favorably and enjoy everything while the other group is low income, don't get anything that is based on race...that is systemic racism, and you will see it. Councilman Baten said that his colleagues want to sit back and tell him that he is the racist. He further stated that he is the racist because he believes in equality. Then he said that he served 27 years in the military and gave everything he had and would have given his life for this country and left his daughter for a while to go serve. Councilman Baten announced that he is sitting in Council at this meeting, and he is 100 percent disabled, triple bypass surgery, because he went to a foreign country to serve his country and because he believes in equal opportunity and treatment for everyone and he said that Council is not treating the people in this County, the Black people, Council is not treating them fairly. Councilman Baten said that he does not mind standing up and shouting on the top of this building that systemic racism is alive and well and if I am wrong, then 100 Clergy who put out an anti-racism statement about racism are wrong too. This County Council is wrong. He ended his statement by saying that he was not going to mention the rest of his written comments and will let the audience be the judge.

Then Councilman Baten asked those present at the meeting to look around and ask if the Black people in this County are enjoying a good standard of living like everyone else. Yet every morning when the Black kids get up and go to school, they are going to a Title I School. He said that a Title I School is a School with majority low-income families at the school and the families need special assistance. It was also noted by Council Baten that 16 of the 24 schools in the School District are Title I Schools. These students come to school, and they are ready to eat because they may not have been feed in the morning; however, he said at this point, we cannot even get the students to school on time because there are not enough bus drivers in the school system, and they do not have enough salaries for the drivers. It was noted that some of the children are still at the bus stop 9:00 a.m. to 9:30 a.m. in the mornings waiting to get to school and when they arrive, the breakfast meal is over and they are hungry; yet, this Council still wants to deny the School District money. Councilman Baten said that Sumter County Council does not care about the teachers that work there and their standard of living and they don't care about the quality of the education for the Black kids as well as for the low-income White kids in this community. He further stated that people and/or Council members can call him a racist if you want to; but he will wear that badge proudly; however, he said that he is not going to sit back as a Black man and see Black people be treated unfairly in this County.

Then Councilman Washington asked to be heard and he stated that he had a couple of questions which are centered about the notice for the special meeting; the meeting before the Regular Meeting of County Council.

He asked how the information for the Special Meeting of County Council disseminated? Chairman McCain said it, the special meeting agenda, was disseminated the same way that the revised regular agenda was disseminated and got placed on the regular agenda as requested by Councilman Baten and processed by Mrs. Blanding. Councilman Washington said it wasn't on the television screen downstairs, the Item Newspaper did not report it. Chairman McCain said that the Item Newspaper reported about the meeting, and it was on the agenda. Councilman Washington then stated that it was not on the County's Website.

At that point, Joe Perry, the Communications Director for the County spoke out and said that the agenda was on the Website. Councilman Washington responded by saying it wasn't earlier. Then Joe Perry said, excuse me, but as soon as Mrs. Blanding gave it (the agenda for the special meeting and the revised Regular Meeting Agenda) to me, it went on the website. Then Councilman Washington addressed the County Administrator and said that it is not appropriate for Mr. Perry to respond to County Council; Mr. Mixon agreed. Councilman Washington asked Mr. Mixon if he could inform Mr. Perry of such. Then Mr. Mixon stated that Mr. Perry was trying to address the question so that the questions could be answered expeditiously. Councilman Washington further stated that County Council members should not be addressed by staff except for the Administrator and the Assistant County Administrator, Mrs. Lorraine Dennis. The County Administrator said that is the correct process and he, as the County Administrator, will straighten this matter out. Councilman Washington further stated that it *wasn't early when the agenda for the special meeting went out*; he further stated that he is curious about that and why is there a meeting before the meeting.

Chairman McCain responded to Councilman Washington that he explained to Council members, prior to Councilman Washington entering the Special Meeting, that he said to Council members that what he was trying to accomplish at the meeting on June 27, 2023. Chairman McCain said that it seemed to be a question of what he did at the beginning of that meeting was somehow nefarious. The Chairman said that he explained the process that he went through prior to the meeting to make sure he was following previous meetings when large crowds came to a meeting. He said that on the mornings of Council meetings, he will meet with the Administrator and staff to include going over the agenda which will include Mrs. Blanding and Mr. Bryan. On June 27, 2023, he did just that. Also, the Chairman explained to Councilman Washington that on the night of July 11, 2023, in the Special Meeting, he explained that we were told to expect a very large crowd; he also said that he asked Mrs. Blanding what has been done in the past to try to expedite the meeting and that's how it came about as it relates to trying to manage the meeting of June 27, 2023. Chairman McCain said he did not come up with the statement for the request to sign in as if it was a vacuum orchestrated by himself. The Chairman said he requested the help of the staff and that is what was recommended and that is what he explained at the beginning of the meeting of July 11, 2023, that Councilman Washington missed.

Councilman Washington responded and said, that he believes that the Chairman is aware by now through demonstration of the audience's applause that maybe the Chairman got some communications or maybe not, but Councilman Washington said he received a lot of communications about the meeting on June 27, 2023, about how disrespected people felt at Council's June 27, 2023, meeting. It was mentioned by Councilman Washington that the way the people felt at the last meeting was not only for Council's refusal to unanimously adopt and not allow people to speak on this issue prior to Council acting on the School Resolution, since it was and is an important issue. He further stated that any time that a janitor at Buckee's Gas Station in Florence is making more than a teacher, that is a serious issue; particularly with the status of our schools. Councilman Washington also said it is a serious issue when the Auditor from the School District informed Council that she needs a four-month reserve instead of a two-month reserve. He further stated

that it is a serious issue because the School District came before Council and told Council what they needed to fund a retention plan and other plans; they laid it out for members of County Council. Councilman Washington said it is the most complete budget he has seen since he has been on Council. He added that not only did Council refuse their request this year; Council has also refused their requests since 2016. He also said that Sumter County Council refused to give the School District anything and then when they don't perform like Council wants them to perform, County Council will run to the Legislative Delegation and say they want to redraw the voting lines so that Council can have more control. Councilman Washington said now that the control has been received, there is a new School District Administration, but yet, no help for the Public Schools, and demonstrated that he was very knowledgeable about these things. Then Councilman Washington said that he attended that same public school. It was further stated by Councilman Washington that it was almost as if the Councilman was saying he was doing folks a favor to work at that public school. Councilman Washington noted that he received a very good education at the public school and while at the public school, all but two teachers looked like him; therefore, he said he takes great exception to someone implying or suggesting, in his opinion, that there was a favor done by them working at the public school. In addition, Councilman Washington said that it was as if the Council member indicated that he knows the students better than anybody else and Councilman Washington said you know folks have a tendency to do that when they spend a little time around people. Councilman Washington said he finds that offensive and he also found it offensive the way the folks were treated in this room. Then Councilman Washington addressed the Chairman and said he found it offensive during the whole meeting on June 27, 2023, because every time some action took place, there was somebody in your ear whispering and I can show it to you on the video or the Chairman can go back and look at it himself. Councilman Washington also said that not only did he see this action taking place, but he also heard it because he is seated two people down from the Chairman. The Councilman further stated that the comments were not nice comments, and he can repeat them if the Chairman would like for him to do so. Councilman Washington injected and stated that he did not think that the Chairman would want him to repeat what he heard the other Council member saying to the Chairman during the June 27, 2023, meeting. It was also stated by Councilman Washington that the previous action taken concerning the School District was not fair yet later Council will come back and ask for money for Patriot Park, Shout Pouch, pump up the Opera House, the Tennis Center, and everything else and still don't want to do any roads of the people in the rural areas that are suffering, they cannot get to the doctor because they cannot get out of their roads because of what the County did in the 1990's...shut them down, the County does not want any more roads in its system; yet, those people look like me. Then it was said by Councilman Washington that Council will turn right around and ask for help with supporting the Penny Tax. Councilman Washington proceeded to say that in the back where Council likes to talk, there was a comment made by a Councilman that he talked to several people who told him that he did exactly right; Councilman Washington said he wonders if those people were people that cannot get out of their roads, or the people that every time they drive down their roads they are fearful that their tires will burst, or those people that are on oxygen and cannot get to emergency services. He asked rhetorically when will Council help those people. It was emphasized by Councilman Washington that there is a totally new School District, new superintendent, new top staff, the School Board has been expanded as Council wanted, and Council still don't want to give kids any money; and private schools are receiving money now...but Council does not want to fund education yet Council wants to push these businesses out and put them up in the front while saying we need our kids to be educated and it is not happening.. blah, blah, blah. Councilman Washington reemphasized that the teachers are struggling, and they cannot even make ends meet; at least the S. C. General Assembly had enough sense to engage and improve the teacher's salaries and provided for some other things for the teachers. However, per Councilman Washington, it seems that the message has not come down to the County level. He also said that he is embarrassed about how his people were treated on June 27, 2023, saying no lengthy conversation

is going to change the outcome of the vote. Councilman Washington said that as public officials, when information is received that should change our opinion then Council should operate that way, but to come in with that attitude is completely inappropriate and Council should be ashamed.

- (2) It May Be Necessary To Hold An Executive Session To Discuss An Employment Matter, An Economic Development Matter, A Legal Briefing, Or Other Matters Pertaining To An Executive Session, And Take Appropriate Actions Thereafter In Open Session If Necessary.

No executive session was held.

OLD BUSINESS

- (1) Ordinance #23-989 – Third Reading -- An Ordinance Authorizing The Sale Of The Property Located At 14 Law Range.

County Attorney, Johnathan Bryan, presented this proposed ordinance Contract for Sale of property located at 14 Law Range for \$101,000 as is. He said there have been no changes since first reading. After Mr. Bryan's comments Council acted on third reading.

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

COMMITTEE REPORTS:

- (1) Special Meeting Of Sumter County Council Scheduled For Tuesday, July 11, 2023, At 5:30 p.m. In The County Administration Conference Room.

Chairman McCain stated that there was no action at this meeting; however, he reiterated that the discussion was about the process he went through to prepare for the June 27, 2023, meeting which included information from the staff (Johnathan Bryan, Gary Mixon, and Mary W. Blanding.)

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

- ✓ Councilman Washington announced that the High Hills AME Church will be celebrating its 147th Church anniversary on July 17, 2023. Councilman Washington will be the guest speaker during their morning services. He also noted that the AME church is present today as a result of great adversity when the church initially started during the Civil War Period when it was very uncertain for folk that looked like him to engage in any religious activity and frankly not much activity at all. The Councilman further stated that this church has survived, and they are thriving, and he publicly congratulated them for their efforts and their 147th anniversary.
- ✓ Councilman Baten announced that the Sumter Branch of the NAACP had its Freedom Fund Banquet *meeting*, preparing to the 2023 Annual Freedom Fund Banquet. He stated that he would like to see some representation from Council at the Banquet. Councilman Baten added that it is OK for Republicans to attend the banquet; the members of NAACP will not chase the Councilmen away. He also said that it is OK for the Chairman to come to the banquet. Lastly, he mentioned that the Mayor of the City of Sumter and several other Council members from the City and Senator McElveen have

also attended this annual banquet although they are White; everyone gets along. Councilman Baten stated that he would like to see Councilman Baker, Byrd, Edens, and McCain to attend the Freedom Fund Banquet along with Councilman McGhaney and Washington along with him.

MONTHLY REPORTS

- 1) Board Of Zoning And Appeals Meeting
- 2) Book Mobile Ribbon Cutting
- 3) South Carolina Association Of Counties Conference
- 4) Art After Dark

COUNTY ADMINISTRATOR’S REPORT

The County Administrator did not have a report at this meeting.

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.

Chairman McCain asked if anyone wished to speak during the public comment; the following persons spoke during public comment.

1. Dr. Elaine Brunson spoke to Council, and she said that she is the President of the startup Black Chamber of Commerce (BCC). She thanked Council for sending a representative to BCC’s Minority Procurement Program. Dr. Brunson stated that since that time, it has been difficult to get the County out to other events held by BCC. The next Black Expo for the BCC will be held on November 3, 2023, at Morris College for its Business Week Program. Dr. Brunson also said that it is BCC’s desire for the County to join this event in November along with the City of Sumter, Shaw AFB, and other businesses throughout the County.
2. Ms. Elizabeth Kilgore stated that for the first in time many, many years, the Sumter Branch of the National Association for the Advancement of Colored People (NAACP) is having the NAACP’s National Convention in Sumter on October 12-15, 2023. Ms. Kilgore said that there are some embarrassing things that are going on when someone mentions to a hotel, business, etc., that they are working with the NAACP to prepare for its NAACP’s National Convention in Sumter which includes prices being raised for rooms; she has witnessed this herself. She said that she is sick and tired of being sick and tired of trying to maneuver through things in Sumter, although Dalzell is her home and she still lives there, but people are not being fair in doing business. She also said that she is embarrassed at how the hotel industry has treated the NAACP in trying to prepare for this upcoming Convention. Lastly, she mentioned that the discriminatory practices in Sumter are loud. It was also mentioned by Ms. Kilgore that the NAACP planned this event to be in Sumter over seven years ago. Also, she is not aware of what the Sumter Branch of the NAACP will to do make things better, so she has to continue with the plans.
3. Dr. Gloria Deleston stated that she is retired military and has worked with the children from the School District in a summer program. She also asked Council how many of them would be able to

live on a \$25,000 a year salary. She proceeded to let Council know that the money for the School District is for the children and without the children we have no future.

4. Myra Washington stated that she is a citizen of Sumter and lives in Council District 1. She addressed Council concerning three matters. First, she said that the Chairman used the word nefarious which means evil, wicked, criminal, and malicious. Mrs. Washington further stated that the Chairman used the word repeatedly during the previous meeting prior to this meeting stating that the action that he took two weeks ago was not nefarious. Secondly, she said that the meeting at 5:30 was not made known to the public and that she was able to attend the meeting because her husband is a Council member, and she was made aware of the meeting that way. Also, she stated that she has the screenshots from the Sumter Item and the County's website including the agenda page, the calendar page, and the television downstairs. Mrs. Washington further stated that the Chairman said that he wanted that opportunity to have the Special Meeting Of County Council so that Council could talk amongst themselves to clear the air outside of the public. Then Mrs. Washington stated that there was something nefarious about the meeting, just prior to this meeting, the public was not notified according to the Freedom of Information Act as required. Mrs. Washington said that a Special Meeting would be called because there are extenuating circumstances or something special has come up. Lastly, Mrs. Washington said she would think that something special would be deserving of time and attention, and she further commented that she has observed at least four Council members consistently don't listen to whoever is speaking. They hold their heads down or they are on their individual phones (*She also said she thought Mr. Baker was on his phone as she was speaking.*) Mrs. Washington then said that is what she calls poor decorum which includes the *facial expressions, the way a person holds their hands and the shaking of your head*; proper decorum is exemplified by interaction including actively listening.
5. Dr. Alexandra Baten stated that she is Councilman Baten's daughter. She said that in the efforts of transparency, she is the person that had the lawsuit against the School District and the Sheriff's Office. Both of those cases were settled. Dr. Baten also mentioned that everyone does not know her father's dedication and at that moment it brought her to tears because in 2011 when he was out going around door-to-door trying to get Continental Tire deal sealed; she was in Tuomey Hospital with 12 blood clots in both of her lungs, she could have died. Yet her dad, Councilman Baten continued to do his job and took care of her, and that is the type of person he is.
 1. NOTE: The Clerk to Council, Mary Blanding, asked the Chairman could she speak. The Chairman recognized Mrs. Blanding and she made the following statement: *Council members, I feel obligated to speak to you to give some insight on the process I did for the meetings held on today. When I received a call from Councilman Baten that he wanted to add something to the agenda, I informed him that I would add it to the agenda; however, since the Chairman is the person who will chair the meeting, I would let him know that Councilman Baten wanted something added to the main agenda. After calling the Chairman and mentioning to him in detail what Councilman Baten and I decided, Chairman McCain asked me to add the Special Meeting to the agenda. I started the process of preparing the agenda because I am required by law (FOIA) and the County Attorney always tries to help me with what needs to be done, to meet the FOIA requirement. Nonetheless, for the 32 years that I've been in this position, I have never deliberately not sent out an agenda. The Special Meeting Agenda along with the revised Regular Agenda were sent out around 3:40 p.m. I am sorry if someone did not receive it or see it. The Item Newspaper as well as the last person that I just added to my agenda distribution list may not have published it; however, Mr. Tyler Fedor, from the Post News and Courier was at the meeting, and he is the last person that I added to the email distribution list which has over*

300 people or businesses on the list. Please accept my apology, but the email went out in time to meet the FOIA requirements.

- 6. Lorraine Muhammad spoke to Council about the School funds and the roads. However, she said she thanked Council for what they have done on the road. Additionally, she talked about the needs of kids and how much money is needed to educate these kids.
- 7. Siddiq Musa spoke to Council about the road conditions. He said that the work that was done on the road (Cannery and Keystone) recently is patch work and when a large rainstorm comes, it will be right back where they started from. He asked for Council’s help to fix the road.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 7:23 p.m. after a motion by Vice Chairman Byrd, seconded by Councilman Baker 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: July 25, 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.
- Date Posted: July 7, 2023 – Revised Agenda Posted On July 10, 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, Post News And Courier, and Spectrum Cable.
- Date Notified: July 7, 2023 – Revised Agenda Posted July 10, 2023

Respectfully submitted,
Mary W. Blanding
Clerk To County Council