



Minutes
Sumter County Council Regular Meeting
Tuesday, July 25, 2023 -- Held at 6:00 p.m.
Sumter County Administration Building
Third Floor, County Council Chambers
13 E. Canal Street, Sumter, SC

Social Distancing Is Encouraged At All County Council's Meetings, And Seating Is On A First Come First Serve Basis.

NOTE: This meeting of Sumter County Council has been videoed and can be found on Sumter County's YouTube Channel (<https://www.youtube.com/channel/UCAHjiqzPaonQ9LFS2kO37tA>) for all verbatim comments from Council members and the public.

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Gary Mixon, Mary W. Blanding, Lorraine Dennis, Johnathan Bryan, Joe Perry, Valerie Brunson, Helen Roodman, Greg Hawkins, and two Sheriff Deputies.

MEDIA PRESENT: Shelbie Goulding and Brin Eddy, The Item Newspaper reporters, were in attendance. Ms. Goulding will be leaving, and Brin Eddy will be assuming the position held by Ms. Goulding. Shelbie's last day is August 1.

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

CALL TO ORDER: Chairman McCain called Sumter County Council's July 25, 2023, meeting to order.

INVOCATION: Councilman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: The Pledge Of Allegiance was led by Retired US Air Force Lt. Col Dennie Lee Sides who served our country from March 1959 to March 1981. He served in the Vietnam War and retired from Shaw AFB as a Tactical Fighter Pilot. He and his service dog Sparky enjoy visiting sick and elderly Veterans throughout Sumter County. He currently lives in County Council District 2. Thank you for your service.



APPROVAL OF AGENDA: Chairman McCain asked the Clerk to Council if there were any changes to the agenda; Mrs. Blanding said that there were no changes; then the Chairman called for a motion concerning the approval of the July 25, 2023, meeting agenda.

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

APPROVAL OF MINUTES: Sumter County Council Regular Meeting Tuesday, July 11, 2023
Chairman McCain called for a motion on the approval of the minutes of July 11, 2023.

ACTION: MOTION was made by Councilman McGhaney, seconded by Councilman Edens, and unanimously carried by Council to approve the agenda 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. - Second Reading/Public Hearing -- (County) -- 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). (County Council Will Hold A Public Hearing On This Rezoning Requestion Prior To Action On Second Reading.)**

Mrs. Roodman presented this proposed rezoning request for second reading consideration. She stated that the representative for the property owner is A. Paul Weissenstein, Jr.

The following information was presented by the Planning Director, Mrs. Roodman:

- This acreage represents the R-6 portion of a 29-acre property that the applicant plans to convey, as +/- 2.4 acres of the 29-acre area is already within the GR district.
- The applicant is seeking to rezone the property to the GR district with the intent of establishing or expanding a mobile home park.
- The R-6 and GR districts are essentially the same, with the primary exception that mobile homes and mobile home parks can only be established in the GR district.
- Water and sewer service is instrumental concerning the future development of this property.
- Will require significant investment by the potential developer - requires tie into the sewer pressure main located along the rear of the subject property and the establishment of one or more lift stations.
- The property is within the Suburban Development Planning Area.
- The primary goal of the Suburban Development Planning Area is to scrutinize and manage existing development patterns, identify appropriate locations for new commercial and industrial developments, to focus on improvements to the form and design of new development, and ensure that land is developed in an orderly and efficient manner.
- The request to rezone the property to the GR district is in general alignment with applicable Sumter 2040 Comprehensive Plan policies.

After Mrs. Roodman's comments, the Chairman convened a public hearing, and the following persons were allowed three minutes to speak.

Public Hearing:

1. **Paul Weissenstein** stated that he has been practicing law in Sumter since 1987, and he is present at this meeting to represent the owner of the property, Mr. C. D. Spangler. Mr. Weissenstein gave Council some history on the property dating back to 1959 (Sherwood Forest Subdivision and additional undeveloped property affixed to the subdivision). In 1999, Mr. Bell Lawrence, a local realtor, was contacted by the owner to help develop the remainder of the property which included 13 lots within Sherwood Forest Subdivision and 90 acres of property including property that abuts to Little John Lane which is the back of Sherwood Forest Subdivision. This year Mr. Lawrence was contacted by the owner of Iris Winds Mobile Home Park to purchase the undeveloped property near Sherwood Forest Subdivision. The mobile home park near the Subdivision has been refurbished and fixed up very well with paved roads. The Iris Winds Mobile Home Park is currently paying approximately \$50,000 in real estate taxes and could provide additional revenue to the County. Mr. Weissenstein asked County Council to support second reading for this rezoning request.
2. **Regina Tucker** stated that she is speaking against the rezoning of this property to allow for mobile homes in the area. She stated that the subdivision in this area is a subdivision of homes. Ms. Tucker stated that the homeowners have worked hard to get their homes, and it would be unfair for this rezoning to "look at profit over people." Ms. Tucker also said that she looked up the crime rate in the area and they have had: *five auto thefts, five burglaries, three larcenies, and 15 domestic violence, etc.* The statistics were received from the Sumter County Sheriff's Office. Ms. Tucker stated that she would not like to have the mobile home park in this area because it will just add to additional crime in this location.
3. **Tracy Moore** stated that she has a tight knitted community and one of the things that she and her family were excited about was the that the community had many trees and the animals that lived in the wooded area. She voiced her concern about the mobile home park and asked Council not to support this rezoning.
4. **Chad Snavelly** also spoke in opposition of the rezoning request. He also stated that when he first moved there, many trees were in the area; however, the trees near Little John Lane have been clear cut. Mr. Snavelly said that the wildlife has gone as well as the woodpeckers because of the trees being removed. He asked Council not to support this rezoning request.
5. **Irene Lucky Harris** said that she has lived on Wellington Road since 1981 and she believes that crime rate will increase if the trailer park is approved for this area. She said that she has raised her children there and her home is a comfortable place to be as well as the fact, per Ms. Harris, she is too old to move again. She asked Council not to approve this rezoning request.
6. **Raymond Logan** said that he lives in West Sherwood and that he has lived there a number of years before HUGO. Mr. Logan said he is satisfied there, and his wife is happy there too. Mr. Logan also said that he is fine with seeing the rabbits and the deer in the woods and the wooded area. He also emphasized the need for the trees based on their contribution to the ecosystem.
7. **Tiffany Williams** stated that she also lives in Sherwood Forest Subdivision, and she bought her first home in 2007 and her concern is the mobile home park that is about to be developed. She said that the mobile homes would devalue her home. Also, Ms. Williams said that the subdivision is called "Sherwood Forest" for a reason, and she asked Council to not support this rezoning request.

Chairman McCain asked if anyone else wished to speak. No one else from the public spoke; however, Councilman Washington asked to speak.

Councilman Washington stated that from what he has heard, wetlands, property devaluation, crime rate increase, people over profit, he can assure the public and Council that he, Councilman from Rembert, will not support this rezoning request.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman McGhaney, and unanimously carried by Council to **deny second reading** on this rezoning request.

2. **OA-22-12 -- Convert Industry Reference Codes from Standard Industrial Classification (SIC) to North American Industry Classification System (NAICS) -- Second Reading/Public Hearing -- (County) -- 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). (County Council Will Hold A Public Hearing On This Rezoning Requestion Prior To Action On Second Reading.)**

Mrs. Roodman presented this proposed ordinance amendment to Council for second reading and public hearing. She stated that this change would amend Articles 1, 2, 3, 4, 5, 6, 7, 8, and 10 to convert previous references to Standard Industrial Classification (SIC) reference codes to the North American Industry Classification (NAICS) and to make additional clarification and organizational updates. Ms. Roodman also gave the following information concerning this proposed change.

- ❖ 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 stated that the Sumter City County Business License Tax Department is now in compliance with Act 176; therefore, it is time for the Planning Department to ensure that its department is in line with the Business License Department and Act 176.

- ❖ 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.
- ❖ Remove zoning designations not used in the unincorporated areas of Sumter County, including AC-10, MUI, and CBD.
- ❖ These changes do not impact the Town of Pinewood or the Town of Mayesville.

- ❖ Removal of ordinance provisions related to the Design Review Board, Design Review Overlay Districts, and related authorizations/procedures/processes.
- ❖ Sumter County does not have any historic overlay districts/special design review districts.
- ❖ Non-substantive revisions to naming and code references to correspond to titles used by the NAICS.
- ❖ Other changes to improve clarity and ease of use.
- ❖ i.e., Removal of references to “The City of Sumter”.
- ❖ 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.

Mrs. Roodman stated that the Planning Commission recommends approval of ordinance amendment OA-22-12.

After Mrs. Roodman’s comments, Chairman McCain convened a public hearing. He asked if anyone wished to speak during public hearing. No one spoke to this issue, therefore; the Chairman closed the public hearing and Council took action on second reading.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Baten, and unanimously carried by Council to grant second reading for this proposed ordinance amendment.

OTHER PUBLIC HEARINGS: None

NEW BUSINESS:

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

No executive session was held at this meeting.

OLD BUSINESS -- None

COMMITTEE REPORTS:

- (1) Land Use Committee Meeting Of Sumter County Council Scheduled For Tuesday, July 25, 2023, At 5:00 p.m. In The County Administration Conference Room. (Edens, Baten, and Baker)

The Chairman of the Committee, Councilman Edens, noted that the Committee met and had a very detailed discussion on OA-22-12 which was granted second reading by Council earlier during this meeting.

Secondly, the Committee discussed the approval and decommissioning of Solar Farms within the County. However, South Carolina Department of Health and Environmental Control (DHEC) has taken these concerns under its jurisdiction. Therefore, Council will wait and see what DHEC rules will be sometime during the next legislative year. South Carolina Association of Counties’ staff members are

also reviewing this matter and will be working in conjunction with the S. C. General Assembly. Committee Chairman Edens also stated that if any Council member has any concerns about this or suggestions to please give him a call or send the information and/or concerns to him.

No action was taken.

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

Chairman McCain reported that he, Councilman Washington, and Gary Mixon met with Colonel Smith who is the Wing Commander at Shaw Air Force Base concerning ground water contamination which is happening on and around Shaw AFB. The meeting was held on July 14, 2023, and the Commander's engineering team was also at the meeting. The Commander and his staff provided information concerning the mitigation plans for this problem. It was noted that there will be three phases to this mitigation plan. The first will identify the chemicals that were used to put out fuel fires, burn pits, etc. The second phase will identify the PFAS releases and build the water filters to remove the PFAS chemical from the water and then release the water back into the ground water system. Thirdly, provide a prevention and protection process for the prevention of water contamination. Councilman Washington concurred to the Chairman's report.

Councilman Baten stated that it is good that this meeting was held with Shaw AFB. He further stated that a lot of the people that live in the areas around Shaw AFB are concerned about the time this problem occurred. Councilman Baten said he was on the Base during the 1970's until 1982 and people have been talking about the water contaminations since the 1970's. Councilman Baten said some people feel that the Base is trying to cover up the problem and say that this contamination started in 2016 and not back in the 1970's.

Chairman McCain said that he does not feel that way but then the Chairman asked Councilman Washington to comment on this meeting.

Councilman Washington said that the group is still trying to "peel" the apple back. He further stated that the initial meeting was to try to understand what Shaw AFB is doing about this problem now and for Sumter County to get its arms around that process first, then explore out. Councilman Washington stated that Councilman Baten's point was well taken. Also, Councilman Washington said that he would love for Councilman Baten to join the subsequent meetings that will be held.

Councilman Washington also said that the group talked about contacting the Legislative Delegation; however, the group is in the fact-finding process at this point.

MONTHLY REPORTS

- 1) Planning Commission Monthly Meeting/Report
- 2) Unveiling -- Sumter School District Event 07-26-2023
- 3) Sumter County Sheriff's Office Monthly Report
- 4) Public Works Monthly Report

- 5) SCAC Conference -- Clerk to County Council, Mary W. Blanding, noted that Council members along with the County Administrator, County Attorney, the Assistant County Administrator, and the Clerk to Council will be attending the South Carolina Association of Counties Conference on Monday, July 31-August 3, 2023.

COUNTY ADMINISTRATOR'S REPORT

Mr. Mixon stated that he is giving project updates:

- ✓ **Judicial Center Audiovisual System Upgrade:** There was some electrical damage to the Judicial Center Audiovisual System and to replace the unit throughout the building especially in the Court rooms will cost \$574,202. There are still delays in the delivery of parts and equipment; therefore, the project may not be completed until January of 2024.
- ✓ **Capital Sales Tax 2014 Road Paving Projects:** Over the next three weeks, the County will issue "Request For Bids" for the last 4.2 miles of dirt roads for paving which were in the 2014 Penny For Progress also known as the Capital Projects Sales Tax at an estimated cost of \$3,400,000 of road improvements. After the bids have been awarded, the company(s) will have eight months to complete the project(s).
- ✓ **Magnolia Apartment Complex Project:** This project is located on the property that was formerly the old S. C. Mental Health facility. Johnathan Bryan and the Administrator had a conversation with Mr. Connely, the Project Director, who stated that the entire process (tax credits) was delayed by one year. The preliminary applications process is due by December and the scores will be provided in January 2024. The grant awards for the project should be provided in July 2024. The County has combined the building property (the old Mental Health Office Building) and the old Mental Health parking lot property to provide a larger parcel for the project. This company will also meet with the City of Sumter to ask for a letter of support for an abandoned building site which will also provide additional points for the grant application.
- ✓ **Library Transition:** The transition of the library's staff under the County's operation has gone smoothly with its staff meeting with the Human Resources Department. The Information Technology needs for the Library have presented some issues since the Library's IT needs were provided by the State of South Carolina. The coordination of the Information Technology is being reviewed and the County's staff is staying on top of this matter. Also, the Bookmobile grand opening was a great success for the community and the Library.
- ✓ **Airport Commission Project:** Mr. Johnathan Bryan, the County's Airport Liaison, provided a slide presentation concerning the reconstruction of a new ramp at the Airport because of the poor condition of the previous ramp. The project's total cost was \$4,468,000 and the FAA will fund 90% of the cost, 5% of the expenses will be paid for by the South Carolina Aeronautics Association, and 5% from Sumter County. Sumter Airport receives commercial, business, and personal types of flights at the airport on a daily basis. This project will make the airport safer.
- ✓ **Shelbie Goulding:** Chairman McCain thanked Ms. Goulding for her work with the County.

PUBLIC COMMENT:

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

Prior to the public speaking, Councilman Washington announced that Ms. Regina Tucker who spoke during the public hearing for RZ-23-10, is the president of the Sheriff's Advisory Council.

The following persons spoke during public comment.

1. **Shelia Grant** – Ms. Grant stated that she and other Happy Homes Development residents have not had their road paved since they moved into the subdivision. She asked for County Council's help to have the roads paved.
2. **George Bates** – Mr. Bates talked to Council about the ground well problems at Shaw and affecting the surrounding areas of the community. He asked Council to ask Shaw how far back they are testing, the radius they are testing, and the depth of the testing. He also asked for Council to ask Shaw will they go back as far as in the early 1970's to make sure that everything is tested.
3. **Debbie Sission** – Ms. Sission stated that at the last two meetings of Sumter County Council, Council members shared some of their information concerning the Sumter School District. She said that she wants to share some of her information about the School District and noted that the shortage of teachers in the School District is not because of a lack of money. Ms. Sission stated that the shortage comes from the lack of hiring by the Human Resources Director and issues with the behavior of the students, their parents, and the district. She also made other comments about the inequities in the School District.
4. **Jackie Hughes** – Spoke to Council about the last two meetings and comments made by Council members. Ms. Hughes commented on comments made about poverty, students not having breakfast and other needs such as book bags, etc. Also, she mentioned that there were discussions about signing in at Council's meetings. She compared it to what is now required by the School District to speak at its meetings. Ms. Hughes also said that this Country has become a society of victims. Lastly, she stated people may not understand what unruly behavior is and that is why deputies must be in Chambers. She said she wished that County Council could get back to "We the people business.... including people that look like her."
5. **Lorraine Muhammad** – Ms. Muhammad said that she sent an email which was intended to go to Councilman Baten, and it was about the Willie Lynch Letter. However, she was told that everyone on Council received the letter since it was a letter that was emailed to "Council." She also said that the Willie Lynch Letter was a letter that was written about Black people before they were brought to America to control the mind and the indoctrination of Black people. Additionally, she said that the letter was obtained from the Library of Congress. Ms. Muhammad said that she wants to help the Black people to know the law. It is like the Black people are caught in a fog; they must learn the law. The Willie Lynch Letter tries to put the light skinned against the dark skinned, the women against the men, the young against the old, just a lot of indoctrination.
6. **Dr. Brenda C. Williams** - She said that she and her husband have been in Sumter for 42 years practicing healthcare. Then she applauded Council for allowing all people to talk to Council during public comments. She stated that the City Council will not allow such. Dr. Williams also asked Council to allow for additional funds to go to Santee Wateree Regional Transportation Authority, better known as RTA to aid in the transportation needs of the needy.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 7:38 p.m. after a motion by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council.

Respectfully submitted,

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

Mary W. Blanding
Clerk to County Council
Sumter County Council

Approved: August 8, 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.
July 21, 2023
- Media Notified: Yes
- Manner Notified: Agenda Information is listed on Sumter County's Home Page, and E-mailed to The Item, The Chamber, WIS-TV, WBTW, and Spectrum Cable.
- Date Notified: July 21, 2023

Respectfully submitted,
Mary W. Blanding
Clerk To County