



**Minutes**  
**Sumter County Council**  
**Regular Meeting**  
**Tuesday, December 10, 2019 -- Held at 6:00 p.m.**  
**Sumter County Courthouse, Third Floor, Room 308**  
**County Council's Chambers - 141 North Main Street, Sumter, SC**

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

**COUNCIL MEMBERS ABSENT:** Councilman Chris Sumpter

**STAFF PRESENT:** Gary Mixon, Mary W. Blanding, Johnathan Bryan, Joe Perry, George McGregor, Jeff Derwort, and two Sheriff's Deputies.

**MEDIA PRESENT:** The Item Newspaper

**PUBLIC IN ATTENDANCE:** Approximately 12 members of the public attended the meeting.

**CALL TO ORDER:** Chairman Or Vice Chairman Of Sumter County Council  
Chairman McCain called the meeting of December 10, 2019, to order.

**INVOCATION:** Council Member, Staff Member, Or Local Citizen  
Councilman Vivian Fleming McGhaney gave the invocation.

**PLEDGE OF ALLEGIANCE**  
All in attendance repeated the Pledge of Allegiance to the American Flag.

**APPROVAL OF AGENDA:** Regular Meeting Tuesday, December 10, 2019  
Chairman McCain asked for a motion to approve the agenda for County Council's December 10, 2019, meeting.

**ACTION:** MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by Sumter County Council to approve the agenda for Council's December 10, 2019, as presented.

**APPROVAL OF MINUTES:** Regular Meeting Tuesday, November 26, 2019  
Chairman James T. McCain stated that he would entertain a motion to approve the minutes for County Council's November 26, 2019, meeting.

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by County Council to approve the minutes for Council's November 26, 2019, meeting, as presented.

**LAND USE MATTERS AND REZONING REQUESTS:**  
**Planned Development/Rezoning Requests**

- (1) **19-911 - Third Reading** -- An Ordinance Of The Sumter County Council Adopting The Sumter 2040 Comprehensive Plan.

Mr. George McGregor, the Planning Director, stated that he and Jeff Derwort, Senior Planning have provided a memorandum that lists the changes that will be made to the 2040 Comprehensive Plan for the County.

**Revisions As Directed By Sumter County Council**  
**Substantive Changes**

- Changes to Future Land Use Map as discussed at 11/26/19 Land Use Committee meeting.
- Revision of Land Use Element Text - 1

Revision of 3<sup>rd</sup> paragraph of pg. LU-7 as follows:

*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 development, to focus on improvements to the form and design of new development, and to ensure that land is developed in an orderly and efficient.*

- Revision of Land Use Element Text – 2

Removal of the following Suburban Development Planning Area policy (Land Use Element – Pg. LU-8) as follows:

1. *The City and County will support an intentional mix of uses at medium densities in order to encourage development that offers residential, commercial, recreational, and employment uses in close or reasonable proximity to one another.*

- Revision of Land Use Element Text – 3

Addition of the following Military Protection Planning Area policy (Land Use Element – Pg. LU-11) as follows:

8. *Military Protection Planning Area boundaries will be reevaluated upon receipt of additional information pertaining to the arrival of the F-35A at Shaw A.F.B. or at the required 5 year update of this document.*

- Revision of Land Use Element Text – 4

Revision of Rural Development Planning Area policy #5 (Land Use Element – Pg. LU-9). This revision includes providing separate policies for water and sewer utility expansion as follows:

5. *Public sewer shall not be extended into the Rural Development Planning Area to support increases in density, except when providing utilities to residential and non-residential uses alike in close proximity (500 feet) to Mayesville and Pinewood.*

6. *Public water should only be extended into the Rural Development Planning Area for the purposes of health and safety, provided commercial and residential uses are being developed consistent with the Planning Area.*

- Revision of Land Use Element Text – 5

Revision to Bullet Point #4 (changes from 2030 Comprehensive Plan) – (Land Use Element – Pg. LU-3) as follows:

- *Expansion of the Rural Development Area based on lack of infrastructure availability.*
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Also note the staff has made the following non-substantive changes in order to finalize the document prior to adoption:

- Correction of typographical, spelling, and unclear wording errors.
- Revisions and adjustments to tables, maps, and graphs for aesthetic purposes.
- Addition of various notes for clarity.

Councilman Baten asked if the Sumter County Comprehensive Plan was identical for the City's Comprehensive Plan. Mr. McGregor noted that the plans are very similar; however, the maps are different and there is language within the County's document that is tailored to meet the County's needs, which can be seen in the information listed above such as the suburban area and mixed uses. The intent is the same for both Comprehensive Plans; it does mirror the City's document very much and there are not conflicts between the two documents.

**ACTION:** MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by County Council to grant approval of the ordinance as presented at third reading and to direct the Planning Director and the Planning Staff to make the appropriate changes to the 2040 Comprehensive Plan as listed above and use it as the attachment to the ordinance.

**Ordinance 19-911**

*Whereas, Sumter County Council adopted the 2030 Comprehensive Plan on December 8, 2009; and*

*Whereas, Sumter County Council finds it appropriate to re-evaluate and revise the 2030 Comprehensive Plan to meet changing conditions; and*

*Whereas, Sumter County Council will consider the adoption of the Sumter 2040 Comprehensive Plan, hereinafter referred to as "the Comprehensive Plan" to provide a long range land use vision for the community's future; and*

*Whereas, the Comprehensive Plan includes all of the planning and mapping elements required by Chapter 29 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended, as follows:*

1. *a population element which considers historic trends and projections, household numbers and sizes, educational levels, and income characteristics;*

2. *an economic development element which considers labor force and labor force characteristics, employment by place of work and residence, and analysis of the economic base;*
3. *a natural resources element which considers slope characteristics, prime agricultural and forest land, plant and animal habitats, parks and recreation areas, scenic views and sites, wetlands, and soil types;*
4. *a cultural resources element which considers historic buildings and structures, commercial districts, residential districts, unique, natural or scenic resources, archaeological, and other cultural resources;*
5. *a community facilities element which considers water supply, treatment, and distribution; sewage system and waste water treatment; solid waste collection and disposal, fire protection, emergency medical services, and general government facilities; education facilities; and libraries and other cultural facilities;*
6. *a housing element which considers location, types, age and condition of housing, owner and renter occupancy, and affordability of housing; and*
7. *a land use element which considers existing and future land use by categories; including residential, commercial, industrial, agricultural, forestry, mining, public and quasi-public, recreation, parks, open space, and vacant or undeveloped; and includes maps of current and desired future land use; and*
8. *a transportation element that considers transportation facilities, including major road improvements, new road construction, transit projects, pedestrian and bicycle projects, and other elements of the transportation network; and*
9. *a priority investment element that analyzes the likely federal, state, and local funds available for public infrastructure and facilities during the next ten years, and recommends the projects for expenditure of those funds during the next ten years for needed public infrastructure and facilities such as water, sewer, roads, and schools; and*

*Whereas, a Community Survey was developed in an effort to solicit public input on a variety of growth, development and quality of life issues; and*

*Whereas, the efforts of Sumter County Council, Sumter City-County Planning Commission and the staff of the Planning Department have resulted in a balanced Comprehensive Plan to guide future growth; and*

*Whereas, the Sumter City-County Planning Commission voted to recommend approval of the Comprehensive Plan to Sumter County Council on August 28, 2019; and*

*Whereas, a public hearing concerning the adoption of the Comprehensive Plan was held on October 22, 2019 after notice of the time and place of the public hearing was published in the Sumter Item newspaper at least 30 days prior to the hearing; and*

*Now, therefore be it resolved by Sumter County Council, having met the requirements of Chapter 29 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended, hereby adopts the Sumter 2040 Comprehensive Plan.*

*Be if further resolved that the 2040 Sumter Comprehensive Plan shall be utilized by Sumter County Council, the Sumter City-County Planning Commission, and all County Departments, agencies and officials as the official policy guide for making decisions concerning the growth and development of Sumter County.*

**OTHER PUBLIC HEARINGS:** No public hearing was held.

**NEW BUSINESS:**

- (1) **19–915 –First Reading – An Ordinance Authorizing The Transfer Of Hideaway Court To The Adjoining Property Owners.**

Mr. Johnathan Bryan, the County’s Attorney, presented this proposed ordinance to Council for first reading. Hideaway Court is a paper street in the area of Forest Lake Subdivision. This area should have been a cul-da-sac, but it was never developed. Mr. Bryan showed Council members a map that outlined the area of Hideaway Court. The two families that live on this street, the Pelletire’s and the Richardson’s would like for the County’s interest to be conveyed to them since this is only a paper street. (See map which is Exhibit A of the ordinance as listed below.)

*WHEREAS, Hideaway Court is an unimproved cul-du-sac in the Forest Lake Subdivision that was planned to provide access to residential building lots from Hideaway Drive and appears on Sumter County Tax Map Sheet 179-04; and*

*WHEREAS, Roger Richardson and Carolina Richardson own the property on the north side of Hideaway Court identified as Sumter County Tax Parcel 179-04-03-010 and Gerald J. Pelletier and Norma A. Pelletier own the property on the south side of Hideaway Court which property is identified as Sumter County Tax Parcel 179-03-03-006; and*

*WHEREAS, Sumter County has never accepted Hideaway Court for maintenance; and*

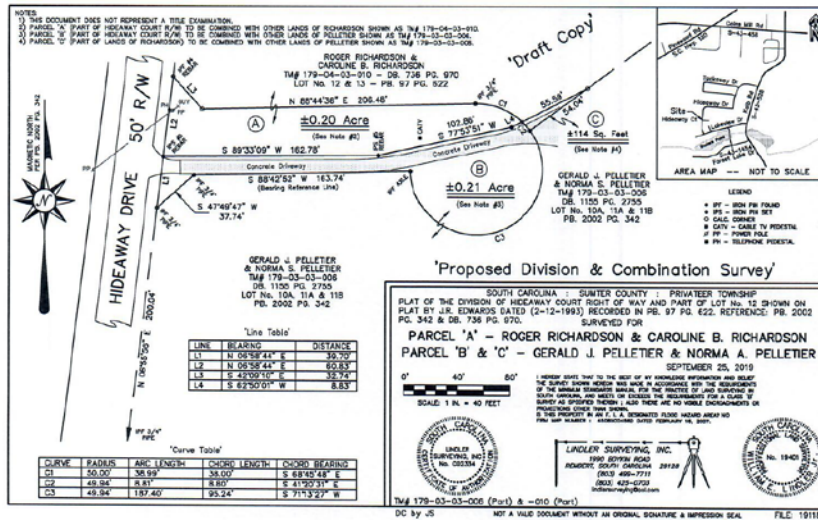
*WHEREAS, Sumter County does not currently need the property for any public purpose,*

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AT ITS REGULAR MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:**

1. *That Sumter County hereby abandons its interest in Hideaway Court.*
2. *That the Sumter County Administrator has complete authority to execute any deeds or other legal instruments necessary to carry out the provisions of this Ordinance.*
3. *That Sumter County convey to the adjoining property owners by quitclaim deeds, its interest in the part of the right-of-way of Hideaway Court where their respective parcels adjoin the street as shown on the “Proposed Division and Combination Survey of William E. Lindler attached hereto as Exhibit “A.”*

After all comments, the Chairman called for a motion on first reading of this ordinance.

**ACTION:** MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by County Council to grant first reading approval of the ordinance as presented.



(2) A Proclamation Proclaiming January 11, 2020, as National Human Trafficking Awareness Day -- #WearBlueDay – In Sumter County, South Carolina.

Councilwoman McGhaney presented this proposed proclamation to Council. She stated that the U. S. Department of Homeland Security has a website that is very informative about Human Trafficking. Although Human Trafficking is known to be about women, it also includes men, children, and about trafficking for labor or commercial wrong doings.

She also said that it is the intent of the County to host a #WearBlueDay in Sumter County on January 10, 2020; the national #Wear Blue Day is January 11, 2020. Councilwoman McGhaney stated that it is her hope that the Assistant County Administrator, Mrs. Lorraine Dennis, will be able to involve the County, City, School District, Clergy, and businesses.

After the proclamation was presented to everyone, Council took action on its adoption.

**ACTION:** MOTION was made by Councilman McGhaney, seconded by Councilman Baker, and unanimously carried by County Council to adopt the proclamation as presented and directed the Chairman and the Clerk to execute and deliver the proclamation as appropriate.

#WearBlueDay Proclamation

*WHEREAS, The U. S. Department of Homeland Security (DHS) has defined Human Trafficking as a means in which force, fraud, or coercion is used to obtain some type of labor or commercial sex act from men, women, and children worldwide including the United States of any age, race, gender, or nationality;*

*WHEREAS, Traffickers might use violence, manipulation, or false promises of well-paying jobs or romantic relationships to lure victims into trafficking situations; and traffickers may also use language barriers and fear of law enforcement officers to keep victims from seeking help; and*

*WHEREAS, These ruthless traffickers look for victims who are susceptible to psychological or emotional vulnerability, economic hardship, lack of a social safety net, natural disasters, or political instability; and*

*WHEREAS, The Department Of Homeland Security works jointly with other agencies and law enforcement to stop the modern day slavery of Human Trafficking.*

*NOW THEREFORE BE IT RESOLVED THAT, I, James T. McCain, Jr., on behalf of members of Sumter County Council do hereby acknowledge the need to provide awareness of Human Trafficking by proclaiming*

*Saturday, January 11, 2020, as*  
**A BLUE CAMPAIGN DAY**  
*in*  
*Sumter County, South Carolina*

*BE IT FURTHER RESOLVED THAT, all members of Sumter County Council and the citizens of this County are encouraged to participate in this day by wearing the color Blue and participating in any DHS event on January 11, 2020, to show your support in alleviating Human Trafficking.*

*In WITNESS WHEREOF, I have hereunto set my hand and caused the seal of Sumter County to be affixed during Council's meeting on the **10th** Day of **December** 2019.*

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

No executive session was held on this matter.

**OLD BUSINESS:**

- (1) **19-914 - Third Reading -- An Ordinance Authorizing The Conveyance Of Property And The Granting Of Permissions On Property Located On Manning Avenue, Sumter, SC.**

Mr. Bryan, County Attorney, stated that there have been no changes to this ordinance since first reading. He said that the ordinance will allow for conveyance of property and the granting of permission on property located on Manning Avenue here in Sumter by South Carolina Department of Transportation for the revitalization project on this street.

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

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

*WHEREAS, Sumter County, currently owns, either solely or jointly with the City of Sumter, property along Manning Avenue, identified as TMS numbers 250-16-01-039, 250-08-01-025, 250-08-01-027, 250-08-01-028, 250-08-01-029, 250-08-01-030 and 250-08-01-031; and*

WHEREAS, *the South Carolina Department of Transportation needs title to part of that property and certain permissions regarding some of the property that fronts on Manning Avenue for the Manning Avenue Revitalization Project; and*

WHEREAS, *Sumter County does not need the property for any public purpose; and*

WHEREAS, *it is in the public interest for Sumter County Council to convey its interest in certain property and to grant permissions regarding other property fronting on Manning Avenue because the Manning Avenue Revitalization Project is desirable to Sumter County.*

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AT ITS REGULAR MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:**

*That the Sumter County convey its interest in the land located along Manning Avenue, waive the requirement for any appraisal that would normally occur when right-of-way is acquired, waive any right of reimbursement for any right-of-way acquired and grant permissions as follows:*

***Sumter County Parcel***

1. *Manning Avenue Revitalization Project Tract 36 (See Attachment 1)  
645 Manning Avenue  
Parcel ID: 250-16-01-039  
Requirements:
  - a. *Permissions for Construction Slope and NPDES<sup>1</sup> compliance; and*
  - b. *Right of Way Acquisition (0.006 acre / 256.807 square feet).**

***Sumter City & County Parcels***

2. *Manning Avenue Revitalization Project Tract 73 (See Attachment 2)  
5 E Fulton Street  
Parcel ID: 250-08-01-025  
Requirements:
  - a. *Permissions for Construction Slope and NPDES compliance; and*
  - b. *Right of Way Acquisition (0.017 acre / 722.130 square feet).**
3. *Manning Avenue Revitalization Project Tract 74 (See Attachment 3)  
337 Manning Ave  
Parcel ID: 2500801027  
Requirements:  
*Permissions for Construction Slope, NPDES compliance, and Drive Entrance.**
4. *Manning Avenue Revitalization Project Tracts 75 & 76 (See Attachment 4)  
333 & 335 Manning Avenue  
Parcel ID: 2500801028 and 2500801029*

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<sup>1</sup> National Pollutant Discharge Elimination System



*Requirements*

- a. *Permissions for Construction Slope, NPDES compliance, and Drive Entrance; and*
- b. *Right of Way Acquisition (0.008 acre / 378.442 square feet).*

5. *Manning Avenue Revitalization Project Tracts 77 & 78 (See Attachment 4)  
329 & 331 Manning Avenue  
Parcel ID: 2500801030 and 2500801031*

*Requirements:*

*Permissions for Construction Slope, NPDES compliance, and Drive Entrance.*

*The County Administrator is authorized to sign any Deeds or other documents regarding the referenced parcels and the requirements described on behalf of the County of Sumter. The County Administrator is also authorized to waive the requirement for an appraisal and to waive reimbursement for any right of way acquisition in this instance.*

**COMMITTEE REPORTS:**

*(NOTE: The County's Forfeited Land Commission Will Meet At 5:00 p.m. In County Council's Conference Room. If The Commission meeting ends early, the succeeding meeting may begin immediately after the Forfeited Land Commission Meeting.)*

- (1) Fiscal, Tax, and Property Committee Meeting December 10, 2019, 5:30 p.m. In County Council's Conference Room, Sumter County Courthouse 141 N. Main Street, Room 301. (McCain, Edens, McGhaney)

Chairman McCain gave the following report and recommendation from the Committee Meeting.

**Sale Of Property – Ordinance 17-872** – The Committee discussed the sale of property owned by Sumter County on South Guignard Parkway (Tax Map #225-00-03-020) which was to be sold to Edward Tiller. Due to a lack of payment by Mr. Tiller, ordinance #17-872 will be rescinded and a new ordinance will be developed for the sale of this property to another person. The Committee recommended approval of this matter from staff.

**ACTION:** MOTION was and second were received from the Committee and unanimously carried by the County Council to approve the recommendation by rescinding ordinance 17-872 and to create a new ordinance to allow for the purchase of this property by another person.

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

**MONTHLY REPORTS**

1. 2019 Legislative Breakfast
2. Calendars for 2020
3. Sumter School District – National Board District
4. Christmas Gathering
5. Chamber Retreat
6. Board of Adjustment and Zoning meeting

**COUNTY ADMINISTRATOR'S REPORT**

**Audit Team** – Webster Rogers should have the External Audit completed by or before December 31, 2019. The audit should be ready for Council’s review at the first or second meeting in January 2020.

**PUBLIC COMMENT**

- **George Bates** stated that he is a citizen of the Wedgefield Community. Mr. Bates asked Council to support the Sheriff by purchasing new cars and hiring new deputies in the county area.
- **Evelyn Brown** stated that she is having a hard time getting anyone to help clean the area on Murphy Street in the Boulevard area. She stated that no one is helping; the house roof is falling in.

**ADJOURNMENT**

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:24 p.m. after a motion by Councilman Baker, seconded Vice Chairman Sumpter, and unanimously carried by Council.

Respectfully submitted,

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

Mary W. Blanding  
 Clerk to County Council  
 Sumter County Council

Approved: January 14, 2020

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 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 bulletin board on third floor of the Administration Building.
- Date Posted:            December 9, 2019
- 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 Time Warner Cable.
- Date Notified:         December 6, 2019

Respectfully submitted,

Mary W. Blanding