



**Minutes**  
**Sumter County Council**  
**Regular Meeting**  
Tuesday, May 12, 2020 -- 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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**Sumter County Government Offices are currently closed to the public.**  
**Please use the following method to attend County Council's Meeting.**

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

**COUNCIL MEMBERS PRESENT IN COURTHOUSE:** James T. McCain, Jr., Chairman and Councilman Eugene Baten

**COUNCIL MEMBERS PRESENT VIRTUALLY:** James R. Byrd, Vice Chairman, Artie Baker, Charles T. Edens, Vivian McGhaney, and Chris Sumpter.

**COUNCIL MEMBERS ABSENT:** None

**STAFF MEMBERS PRESENT COURTHOUSE/ZOOM:** Kelsey Andrews, Larry Horne, Lorraine Dennis, Mary W. Blanding, Gary Mixon, Keysa Rogers, and Joe Perry.

**PUBLIC PRESENT:** No members of the public were present due to the CORONAVIRUS Pandemic.

**CALL TO ORDER:** Chairman James T. McCain called the meeting to order.

**INVOCATION:** 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:** Chairman McCain stated that he would entertain a motion to approve the agenda for Tuesday, May 12, 2020.

**ACTION:** MOTION was made by Councilman Baten, seconded by Councilman Sumpter and unanimously carried by Council as presented.

**APPROVAL OF MINUTES:** Regular Meeting Tuesday, April 28, 2020

Chairman McCain stated that he would entertain a motion to approve the minutes for Tuesday, April 28, 2020.

**ACTION:** MOTION was made by Councilman Sumpter, seconded by Vice Chairman Byrd, and unanimously carried by Council to approve the minutes of April 28, 2020 as presented.

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

1. None

**OTHER PUBLIC HEARINGS:**

*Those wishing to Comment Through Public Hearing Must Submit Their Comments In Writing To The Clerk To Council (clerk@sumtercountysc.org) by 5:00 p.m. on Friday, May 8, 2020. No one submitted a request to speak during these two public hearings.*

1. 20-923 – An Ordinance To Rescind Ordinance 18-844 Which Established And Created A Special Tax District Within Sumter County, South Carolina, Known As The “Boyles Pond Special Tax District.” (Council Will Take Action On Third Reading Immediately After The Public Hearing, Or During Old Business.)

The County Attorney, Johnathan Bryan, presented this proposed ordinance to Council for third reading to rescind ordinance 18-844 which established and created a Special Tax District. However, Mr. Bryan stated that late this afternoon a letter was received from an attorney representing several members of the Boyles Pond community asking that Council defer third reading. Mr. Bryan asked Council to defer third reading after the public hearing, so that he can discuss this matter in details with the members who originally requested that the former ordinance, 18-844, be rescinded and those members that have sent a letter to Council as of today. After all comments from the Attorney, the Chairman convened a public hearing.

Chairman McCain stated that the Clerk to Council received no comments from the public; therefore, the Chairman closed the public hearing and Council acted on third reading as listed below under Old Business.

2. 20-924 – An Ordinance To Authorize The Sale Of 0.89 Acre Of Property At 1710 South Guignard Parkway. (Council Will Take Action On Second Reading Immediately After The Public Hearing, Or During Old Business.)

Mr. Bryan stated that the former purchaser of this property did not complete the sale of this property; therefore, the County has a new purchaser and this ordinance will allow for the purchase of the property as well as rescinding the previous agreement of purchase to the former purchaser.

After all comments from Mr. Bryan, Chairman McCain stated that the Clerk to Council did not receive comments from the public to be read into the records and considered by County Council. There the Chairman closed the public hearing and Council acted on second reading as listed below under Old Business.

**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 If Required.

No executive session was held.

**OLD BUSINESS:**

1. **20-922 – Third Reading -- An Ordinance To Allow Sumter County Council Members To Participate In County Council Meetings From Remote Locations By Electronic Means In Certain Circumstances.**

Mr. Bryan presented this proposed ordinance to Council for third reading approval. He stated that at the onset of this ordinance, Council members were considering meetings that would require telephone conferencing only. However, the ordinance has been revised to include virtual video meetings such as the meeting Council is holding at this May 12, 2020, meeting. Therefore, Mr. Bryan asked Council to consider granting approval of the ordinance with the changes as presented in the new document. (See revised ordinance below.) After all comments, Council took action on third reading.

*AN ORDINANCE TO ALLOW SUMTER COUNTY COUNCIL MEMBERS TO PARTICIPATE IN COUNTY COUNCIL MEETINGS FROM REMOTE LOCATIONS BY ELECTRONIC MEANS IN CERTAIN CIRCUMSTANCES.*

*WHEREAS, during times of emergency and crisis the Sumter County Council must be able to meet and to take action to address the pending emergency; and*

*WHEREAS, due to the nature of any particular emergency, it may be impossible or imprudent for one or more of the members of Sumter County Council to travel to the Sumter County Council Chambers to participate in the meeting in person; and*

*WHEREAS, due to quorum requirements and to give opportunity to members who cannot or should not travel to the Sumter County Council Chambers to participate in the deliberative meeting in person, Sumter County Council has determined there exists a need to provide for participation by its members from remote locations by electronic means.*

*NOW, THEREFORE, BE IT ORDAINED, Sumter County has implemented the following electronic meeting participation plan and procedures for members who are unable to travel to Sumter County Council Chambers to participate in a regular or called meeting due to illness or impossibility so that they may participate in the meeting and shall be counted in determining whether a quorum exists:*

- 1. A conference call or video conference shall be arranged and the member(s) participating from remote locations shall call the host number, identify themselves when prompted and be recognized by the presiding officer who shall speak into either a telephone instrument that is set to operate on its speaker or a video conference camera.*
- 2. In either case the speaker on the instrument in County Council Chambers shall be set so that everyone in the room can hear the voice of those participating from remote locations.*
- 3. The first order of business will be a determination, by majority vote of those attending in person and by electronic means, that there is, in fact, an emergency affecting life, health, safety or the property of the people. A motion to make such a determination shall include a declaration that an emergency exists and shall describe the emergency. Only if the motion passes shall the members participating electronically shall be allowed to continue to participate.*

4. *The presiding officer will obtain from the member(s) participating remotely sufficient information to justify, in the opinion of the presiding officer, the reason why each member is not present in person. If the presiding officer has been made aware of that information prior to the meeting, (s)he shall convey that information to those present after the meeting has been opened and it shall be entered in the minutes.*
5. *The presiding officer shall allow those participating from remote locations to participate in the discussion by calling on each remote participant and giving him/her an opportunity to speak during the discussion of any motion.*
6. *If a remote participant desires to be recognized by the presiding officer, the participant shall speak the words, "Mr. Chairman," or "Madam Chairwoman," and shall wait to be recognized by the presiding officer.*
7. *In the case of a video conference, those participating from remote locations will signify their votes by voice and by raising their hands to provide an audible and a visual record of the votes. In the case of a teleconference, votes will be taken from the remote participant(s) by the presiding officer asking him/her how he/she votes on the issue. Each remote participant shall vote by saying, "I vote in favor of the motion," or "I vote in opposition to the motion."*

**ACTION:** MOTION was made by Councilman Sumpter, seconded by Councilman Baten, and unanimously carried by Council to grant third reading approval as presented.

2. **20-923 – Third Reading** -- An Ordinance To Rescind Ordinance 18-844 Which Established And Created A Special Tax District Within Sumter County, South Carolina, Known As The "Boyles Pond Special Tax District."

The Chairman and County Attorney made comments about this ordinance as listed above under Other Public Hearings. Then the Chairman called for a motion on third reading.

**ACTION:** MOTION was made by Councilman Sumpter, seconded by Councilman Baker, and unanimously carried by Council to defer third reading.

3. **20-924 – Second Reading** -- An Ordinance To Authorize The Sale Of 0.89 Acre Of Property At 1710 South Guignard Parkway.

Chairman McCain and Johnathan Bryan, the County Attorney made comments about this ordinance listed under Other Public Hearings. Afterwards, Chairman McCain called for a motion on second reading.

**ACTION:** MOTION was made by Councilman Baker, seconded by Councilman Baten, and unanimously carried by Council to grant second reading approval as presented.

#### **COMMITTEE REPORTS:**

1. **Budget Workshop and Special Meeting Of Sumter County Council Meeting May 12, 2020, 5:00 p.m. In County Council's Conference Room, Sumter County Courthouse 141 N. Main Street, Room 308.**

(All Members of Sumter County Council) (The Budget Workshop-Special Meeting Will Begin Immediately After The 4:45 P.M. Forfeited Land Commission Meeting Or At 5:00 P.M.)

The Chairman stated that there were several items discussed during the Budget workshop:  
(Note: Councilman Baten did not participate in any discussions concerning the budget as it relates to the Sheriff's Office and Detention Center's budgets.)

**Executive Session** – Economic Development Matter; no action was taken.

**Ordinance 20-925** – Council adopted an Emergency Ordinance which will conclude in 21 days; June 9, 2020, to coincide with Executive Orders of the Governor for the State of South Carolina during the COVID-19 Pandemic.

**Fiscal Year Budget 2020-2021:**

- Expenditures by departments; not to include personnel.
- Presentation by Carrie Cavanaugh – Employment Study
- Budget Workshop Schedule

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

None

**MONTHLY REPORTS**

1. Sumter County Forfeited Land Commission Will Hold A Meeting On Tuesday, May 12, 2020, at 4:45 p.m. In County Council's Conference Room, Sumter County Courthouse 141 N. Main Street, Room 308. (All Commission Members) – Information Only.
2. The Palmetto Flyer
3. Sumter County Gazette

**COUNTY ADMINISTRATOR'S REPORT**

1. Reopening – Sumter County will follow the Governor's State Parks Executive Order and will reopen certain parks such as: Dillon Park, Patriot Park, and Mill Creek. Social Distancing will be required as directed by the Governor's Office.
2. Reopening of the County Businesses will start with changing back to a regular schedule from the modified schedule. Then the County will open up to the general public. The reopening will be done in phases to protect the County employees and the public.

**PUBLIC COMMENT**

- A. Public Comment Is Suspended Until Further Notice By Sumter County Council.

**ADJOURNMENT**

After all discussion and all comments from the public, motion was made by Councilman Edens, seconded by Councilman Baker to adjourn the meeting of Sumter County Council at 6:28 p.m.

Respectfully submitted,

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

*Mary W. Blanding*  
Clerk to County Council  
Sumter County Council

Approved: May 26, 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: May 11, 2020
- 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: May 8, 2020

Respectfully submitted,  
*Mary W. Blanding*  
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