



## MINUTES

### Special Meeting

Sumter County Council

Wednesday, December 20, 2023 - Held at **12:15 p.m.**

County Administration Building -- Third Floor

County Council Chamber,

13 E. Canal Street, Sumter, SC

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

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

**COUNCIL MEMBERS ABSENT:** Vivian Fleming McGhaney

**STAFF MEMBERS PRESENT:** Gary Mixon, Mary W. Blanding, and Joe Perry

**MEDIA PRESENT:** The Item Newspaper; Bryn Eddy

**CALL TO ORDER** – Chairman James T. McCain, Jr called the meeting to order.

**INVOCATION** – Mary Blanding, Clerk to County Council, gave the invocation.

**PLEDGE OF ALLEGIANCE** – All present repeated the Pledge of Allegiance to the American Flag.

**APPROVAL OF AGENDA** – Wednesday, December 20, 2023

Chairman McCain asked the Clerk if there were any changes to the agenda. Mrs. Blanding said there were no changes; Council members agreed to accept the agenda as presented.

**NEW BUSINESS:**

- (1) **Ordinance #23-994 – Third Reading -- An Ordinance Amending The Sumter County Code Of Ordinances; Chapter 26 Article II, Licenses, Permits And Miscellaneous Business Regulations, By Amending The Business License Class Schedule To Make Conforming Changes As Required By Act 176 Of 2020.**

Mr. Johnathan Bryan, the County Attorney, presented this proposed ordinance to Council for third reading consideration. He stated that this ordinance will allow for the Business License Ordinance to be updated by amending the Class Schedule to make conforming changes as required by Act 176 of 2020. After Mr. Bryan's presentation, the following motion was given.

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd to grant third reading approval to this ordinance as presented. Councilman Washington voted in opposition.

Council members had discussions on this matter because Councilman Baten originally voted in opposition.

**NOTE:** Councilman Washington stated that he understands that this ordinance is only about making changes to the Business License Class Schedule as required by Act 176 of 2020. He mentioned that he does not want his constituents to be confused as to why he would vote in favor of the ordinance; therefore, he will support his constituents and vote in opposition of the ordinance.

Councilman Baten asked if this was a City Ordinance that County Council is trying to duplicate; Chairman McCain stated that this is not a City ordinance and asked that the County Attorney clarify this matter.

County Attorney Johnathan Bryan stated that the State Business License Standardization Act requires that the Municipal Association of South Carolina address the Business License Class Schedule by NAICS Code. The Municipal Association has amended the NAICS Code and if Sumter County wants to maintain its Business License, it is advised that Council act on its approval.

After all comments, the motion was restated, and Councilman Baten changed his vote. See voting action below.

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and carried by Council to grant third reading approval to this ordinance as presented. Councilman Washington voted in opposition. Note: Councilwoman McGhaney was absent.

(2) **Ordinance 23-986 -- Third Reading -- An Ordinance To Approve A Storm Water Drainage Easement On Property Adjacent To Brewington Road.**

County Attorney Bryan presented this proposed ordinance for third reading approval and adoption. He stated that this ordinance has to do with a stormwater drainage easement on property adjacent to property owned by the County.

Councilman Baker asked if County Council will have any obligation to this proposed ditch that will be constructed for the water to drain off of this citizen's property. Mr. Bryan stated that the County has no obligation concerning the drainage; the County is only providing an easement.

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

(3) **Report From Internal Affairs Committee Meeting; December 20, 2023.**

The Chairman of the Internal Affairs Committee, Vice Chairman Byrd, gave the following report and recommendations for the Internal Affairs Committee's actions.

➤ **Accommodations Tax Advisory Board**

➤ **Appoint:** Recommend to the City of Sumter To Confirm the Appointment of Candidate "A" to the Accommodations Tax Advisory Board.

➤ **Reappoint:** Tracey McLaughlin, Wygelia Palmer, and Michael Brown to the Accommodations Tax Advisory Council.

**ACTION:** MOTION and second were received from the Committee, and unanimously approved by Council for the appointment and reappointments as presented above.

➤ **Alcohol And Drug Abuse Commission**

➤ **Appoint:** Robert Blair

**ACTION:** MOTION and second were received from the Committee, and unanimously approved by Council to appoint Robert Blair to the Alcohol and Drug Abuse Commission.

➤ **Cultural Commission**

➤ **Appoint:** John Perry

**ACTION:** MOTION and second were received from the Committee, and unanimously approved by Council to appoint John Perry to the Cultural Commission.

➤ **Library Board**

No action taken.

Councilman Baten asked that the following statements from him be made a matter of record. *The County has a policy that was adopted in either 2006 or 2007 that the County's Boards and Commissions would reflect the population that Council serve in race and gender. The reason why that policy was adopted is because a survey was done by a Sumter Item Reporter, Leslie Cantu. She found out that on the County's Boards and Commission during the 2000 census, recognized that Sumter County's population of white males was only 25%. Yet, white males represented 48% of people on the County's Boards and Commissions. Councilman Baten also stated that the Late Rev. William Randolph who is the Mayor Pro-Tem of the City of Sumter, made a statement that the City's Boards and Commissions population of White Males on Board and Commissions were 55%, and he felt that that was wrong and that there were other people who were qualified to serve and were not being appointed. Councilman Baten said that was why Sumter County Council came up with that policy because decisions were being made about the citizens of Sumter and the citizens were at the table when important decisions were being made. Sumter County Council has gotten away from that practice; particularly when it comes to a commission or an agency that I served as the Executive Director twelve years and worked at the agency a total of twenty years. One of the criteria we had to meet in order to*

*receive National Accreditation by the Commission On Accreditation of Rehabilitation Facilities was that the Board represented the people in race and gender and also, the majority of the people that were served. Councilman Baten stated that currently this Board, Alcohol and Drug Abuse Commission (Behavioral Health Services), does not meet that requirement. He further stated that he wanted it to be made known that Sumter County needs to get back to that policy to make sure that every County citizen realizes and knows that they can serve on Boards and Commissions. Councilman Baten further stated that the question back then was that citizens did not know that they were even qualified or could serve on a Board or Commission. He asked that his statements be made a matter of record that he is not opposed to the current appointments that were made during this meeting. However, during action on future appointments, the County needs to stick to the policy.*

Chairman McCain also stated that he wants to make a statement for the record: *he said that in order for the appointments to be made there must be applications filled out by the citizens and sent into Council members or to Mrs. Blanding, so that the applications can then be presented to the Chairman of the Internal Affairs Committee. If there are no Black citizens that are filling out forms and sending them in to the Council members or Mrs. Blanding, then Council has no choice but to appoint citizens that have filled out the forms. Chairman McCain further stated that it is incumbent upon Council members that if Council wants to get back to the policy that Mr. Baten is talking about then Council needs to search out the minorities that are willing to serve on Boards and Commissions and make sure they have a volunteer form.*

Councilman Baten stated that he is not trying to make this a racial issue; he said that he is trying to make sure that the citizens of this County realize that they can serve on Boards and Commissions; which for many years they didn't believe they could serve. Then he said that it is incumbent upon Council to make sure that information is provided to the public concerning vacancies on Boards and Commissions. Councilman Baten further stated that the County's administrative staff should be responsible for informing the public.

- (4) **Executive Session: It May Be Necessary To Hold An Executive Session To Discuss Matters Appropriate For Executive Session And Take Necessary Actions After The Executive Session As Necessary.**

No executive session was there.

#### **OLD BUSINESS**

- (1) None

#### **ADJOURNMENT**

After all comments and business of Sumter County Council, motion was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to adjourn the meeting of Council at 12:41 p.m.

Respectfully submitted,

Mary W. Blanding

Approved: January 23, 2024