

Agenda Sumter County Council Regular Meeting

Tuesday, November 26, 2019 -- Held at 6:00 PM. Sumter County Administration Building - County Council Chambers Third Floor, 13 E. Canal Street, Sumter, SC

1. CALL TO ORDER:

- 1) Chairman Or Vice Chairman Of Sumter County Council
- 2. INVOCATION: Council Member, Staff, or Member of the Public
- 3. PLEDGE OF ALLEGIANCE:
- 4. APPROVAL OF AGENDA: November 26, 2019
- 5. APPROVAL OF MINUTES: Regular Meeting Held On
 - 1) Regular Meeting Tuesday, November 12, 2019

6. LAND USE MATTERS AND REZONING REQUESTS:

1) **19-911 – Second Reading --** An Ordinance Of The Sumter Council Adopting The Sumter 2040 Comprehensive Plan.

7. OTHER PUBLIC HEARINGS:

- 1) 19-913 An Ordinance Authorizing (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Sumter County, South Carolina (The "County") And A Company Identified For The Time Being As Project Combine, Acting For Itself, One Or More Affiliates, And/Or Other Project Sponsors (Collectively, The "Company"), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities In The County (The "Project"); (2) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company And The Project; (3) Certain Special Source Revenue Credits In Connection With The Project; And (4) Other Matters Relating Thereto. (Council Will Take Action On Third Reading Immediately After Public Hearing Or During Old Business.)
- 2) 19-914 -- An Ordinance Authorizing The Conveyance Of Property And The Granting Of Permissions On Property Located On Manning Avenue, Sumter, SC. (Council Will Take Action On Second Reading Immediately After Public Hearing Or During Old Business.)

8. NEW BUSINESS:

1) 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.

9. OLD BUSINESS:

- 1) **19-914 Second Reading** -- An Ordinance Authorizing The Conveyance Of Property And The Granting Of Permissions On Property Located On Manning Avenue, Sumter, SC.
- 2) 19-913 Third Reading -- An Ordinance Authorizing (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Sumter County, South Carolina (The "County") And A Company Identified For The Time Being As Project Combine, Acting For Itself, One Or More Affiliates, And/Or Other Project Sponsors (Collectively, The "Company"), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities In The County (The "Project"); (2) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company And The Project; (3) Certain Special Source Revenue Credits In Connection With The Project; And (4) Other Matters Relating Thereto.

10. COMMITTEE REPORTS:

- 1) (NOTE: If any of the committee meetings end early, the succeeding meeting may begin immediately after the previous meeting.)
- (1) Internal Affairs Committee Meeting, November 26, 2019, 4:30 p.m. In County Council's Conference Room, Sumter County Courthouse 141 N. Main Street, Room 301. (Byrd, Baker, Sumpter)
- 2) Land Use Committee Meeting, November 26, 2019, 5:00 p.m. In County Council's Conference Room, Sumter County Courthouse 141 N. Main Street, Room 308. (Edens, Baten, Baker)
- 3) Fiscal, Tax, and Property Committee Meeting November 26, 2019, 5:30 p.m. In County Council's Conference Room, Sumter County Courthouse 141 N. Main Street, Room 301. (McCain, Edens, McGhaney)
- 4) Report From Council Members On Other Meetings, Trainings, And/Or Conferences.

11. MONTHLY REPORTS:

- 1) Council Christmas Gathering
- 2) County Christmas Events
- 3) Chamber Retreat 2019
- 4) Legislative Breakfast

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12. COUNTY ADMINISTRATOR'S REPORT:

13. PUBLIC COMMENT:

14. ADJOURNMENT:

In compliance with ADA/Section 504, Sumter County Is Prepared To Make Accommodations For Individuals Needing Assistance To Participate In Our Programs, Services, Or Activities.

Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda was posted on the bulletin board at the County Administrative Office, 13 East Canal Street, Sumter, SC and the Sumter County website www.sumtercountysc.org under Our Council Agenda/Minutes. In addition, the agenda electronically sent to newspapers, radio stations, television, and concerned citizens



Minutes Sumter County Council

Regular Meeting

Tuesday, November 12, 2019 -- Held at 6:00 p.m. **Sumter County Courthouse, Third Floor, Room 308** County Council's Chambers – 141 North Main Street, Sumter, SC

COUNCIL MEMBERS PRESENT – James T. McCain, Chairman; James R. Byrd, Vice Chairman; Artie Baker, Eugene R. Baten,

COUNCIL MEMBERS ABSENT -- None

STAFF MEMBERS PRESENT – Gary Mixon, Mary Blanding, Johnathan Bryan, Joe Perry, Lorraine Dennis, Anthony Dennis, Deputy McCauley, Allen Daily, Terrance Colclough, Hampton Gardner, and two other Sheriff Deputies.

MEDIA PRESENT – The Item Newspaper

MEMBERS OF THE PUBLIC IN ATTENDANCE: Approximately sixteen people from the public were present at the meeting.

CALL TO ORDER: Chairman Or Vice Chairman Of Sumter County Council Chairman McCain called the meeting to order.

INVOCATION: Council Member, Staff Member, Or Local Citizen Councilwoman Vivian Fleming McGhaney called the meeting to order.

PLEDGE OF ALLEGIANCE

Everyone in attendance repeated the Pledge of Allegiance to the American Flag

APPROVAL OF AGENDA: Regular Meeting Tuesday, November 12, 2019

Chairman McCain asked the clerk if there were any additions or deletions to the agenda. Mrs. Blanding, the Clerk to Council stated that if Council would approve adding the

✓ Sumter-Emerging Leaders – From Lakewood High School, Sumter High School, Crestwood High School, and Lee Central High School to the agenda immediately after the approval of the minutes of October 22, 2019.

ACTION: MOTION was made by Councilman McGhaney, seconded by Councilman Sumpter, and unanimously carried by Council to add the Emerging Leaders to the agenda immediately after action on the Minutes of October 22, 2019.

APPROVAL OF MINUTES: Regular Meeting Tuesday, October 22, 2019

Chairman McCain stated that he would entertain a motion to approve the Minutes of County Council's meeting held on October 22, 2019.

ACTION: MOTION was made by Councilman Sumpter, seconded by Councilman Baker, and unanimously carried by Council to approve the minutes of October 22, 2019, as presented by the Clerk.

EMERGING LEADERS:

Erika Williams stated that there are 22 students this year in the Emerging Leaders Program sponsored by the Development Board through the LINK Alliance. The program exposes high school juniors to what the Sumter, Lee, and the surrounding region has to offer them as they embark on their future. This is the second year for the program and is in conjunction with the University of South Carolina Sumter Campus. Upon completion of the program, the students will earn three credit hours and will then be eligible to sever on Boards, Commission, and Committees throughout Sumter and Lee Counties. Students are from Sumter High School, Crestwood High School, Lakewood High School and Lee Central High School. Eight students attended the meeting. Council members gave the students a gift and took pictures with them.

Ms. Williams stated that the group participated in a budget simulation project where they had to decide how the Municipalities would spend their funds for the upcoming year. She stated it was eye opening what the student wanted to spend the taxpayers' dollars versus how the adults would spend funds.

Councilman McGhaney asked if Sumter County Council could get a copy of the funding process from the simulation project so that Council can review what the future leaders are thinking about funding for the future.

The fourteen students that were in the first Emerging Leaders class are currently serving on boards and committees.

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

(1) OA-19-09 -- Stand-Alone Truck Parking In The Agricultural Conservation (AC) District (County) (19-910) - Third Reading -- A Request To Amend Article 3 Section 3.N.3: Agricultural Conservation District (Conditional Uses) And Exhibit 5: Permitted And Conditional Uses In The Agricultural Conservation District Of The Sumter County Zoning & Development Standards Ordinance In Order To Include Commercial Truck And Trailer Parking Lots (SIC Code 752) As A Conditional Use (C-500) In The Agricultural Conservation (AC) Zoning District.

Mr. George McGregor, the Planning Director, stated that there have been no changes to this proposed ordinance amendment since first reading; the Planning Commission and Planning staff recommend approval of the request as presented. After all information presented, the Chairman called for a motion on this ordinance amendment.

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

(2) <u>19-911 – Second Reading -- An Ordinance Of The Sumter County Council Adopting The Sumter 2040 Comprehensive Plan.</u>

Councilman Edens, who is the Chairman of the Land Use Committee, stated that the Land Use Committee discussed this matter in detail during it Committee meeting held earlier today. The Planning Commission staff will review the issues that were discussed during the Committee meeting. After all comments, the Chairman called for a motion on this proposed ordinance.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Sumpter, and unanimously carried by Council to defer action on second reading of this ordinance as presented.

OTHER PUBLIC HEARINGS: None

NEW BUSINESS:

(1) R-19-04 -- A Resolution To Opt Out Of The Nationwide Class Certified For Negotiation Purposes In *In Re National Prescription Opiate Litigation*, MDL 2804.

The County Attorney, Johnathan Bryan, presented this proposed ordinance to Council for consideration of approval. He stated that the resolution would allow of Council to Opt Out of the Nationwide Class Certified Law Suite in the Northern District of Ohio. Council needs to Opt Out of the Settlement Class of the Law Suite.

After review of the ordinance, Council to action on the resolution as presented below.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Sumpter, and unanimously carried by Council to approve the resolution as presented and directed the Chairman and the Clerk to Council or their designee to execute and deliver the resolution on behalf of the County.

WHEREAS, Sumter County (the County) is a plaintiff in the consolidated South Carolina state court action *In re: South Carolina Opioid Litigation* and is represented in that action by John B. White, Jr. of Harrison White, PC (South Carolina Opioid Counsel);

WHEREAS, a class has been certified under Rule 23 of the Federal Rules of Civil Procedure (the Class) in the multidistrict litigation *In Re: National Prescription Opiate Litigation* that is intended to encourage and facilitate negotiations between opioid defendants and Class members;

WHEREAS, the Class encompasses all cities and counties in the United States, including the County;

WHEREAS, membership in the Class allows the County to share in any approved nationwide settlement reached with the Class (an Approved Settlement) and binds the County to any such settlement;

WHEREAS, opting out of the Class foregoes the County's right to share in an Approved Settlement and prevents the County from being bound by any such settlement;

WHEREAS, the deadline for opting out of the Class is November 22, 2019 (the Opt-Out Deadline), after which there is no guarantee that the County will be permitted to change its position relative to the class;

WHEREAS, the failure to affirmatively opt out of the class by the Opt-Out Deadline will result in the County remaining a member of the Class;

WHEREAS, the County recognizes that it could choose to be a member of the Class but desires to opt out of it;

NOW, THEREFORE, BE IT RESOLVED by the Sumter County Council (the Council) that the County will opt out of membership in the Class. BE IT FURTHER RESOLVED THAT the Council will sign the appropriate exclusion request form, thereby affirmatively opting out of the Class, and the Council's attorney shall communicate the Council's decision and deliver the exclusion request form to South Carolina Opioid Counsel as soon as is practicable after the adoption of this resolution, and by November 19, 2019 at the latest, to ensure the County's decision to opt out of the Class is effectuated.

(2) <u>19-914 -- First Reading -- An Ordinance Authorizing The Conveyance Of Property And The Granting Of Permissions On Property Located On Manning Avenue, Sumter, SC.</u>

Mr. Bryan also presented this ordinance to Council. He stated that current there is construction Roadwork on Manning Avenue; some of the property along Manning Avenue is owned by the County and jointly owned by

the City and County. However, the South Carolina Department of Transportation (SCDOT) owns Manning Avenue. Therefore, in order to have the construction work completed as it is designed, some of the property will need to be conveyed to SCDOT. After discussion on this ordinance, the Chairman called for a motion on the approval of first reading.

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

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 NPDES¹ 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).

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¹ National Pollutant Discharge Elimination System

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

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.

(3) <u>Discussion And Possible Action Concerning Adjustment Of Pay For The Sumter County Sheriff's Office Employees.</u>

The Chairman asked if there is a motion this agenda item.

Councilman Baten made the following motion:

ACTION: MOTION was made by Councilman Baten and seconded by Councilman McGhaney for Council to take action increasing the salaries of the Sheriff's Office Employees and those of the Sumter Lee Detention Center Officers by adopting an Emergency Budget Ordnance to fund the increase.

The Chairman asked if there are any discussions on the motion made by Councilman Baten. The following comments were made. (Note: Councilman McGhaney said she second the motion to allow for discussion. However, due to a conflict of interest, she is not allowed to participate in the discussions or vote of this matter as it relates to the detention center.)

Councilman Baten stated his concern about the letter that Sheriff Anthony Dennis sent to all Council members as it relates to the salaries of his detention center and sheriff office employees. He further stated that he will use the quote from former president Barack Obama, the Urgency of Now, is how Council needs to look at the need for a pay raise for these officers. Violent crime is up in Sumter County as stated by the *Item Newspaper* and the County's Coroner. Therefore, it is imperative that the County support the Sheriff in his request. Councilman Baten also reminded everyone that there was a July 25, 2019; riot at the Detention Center where three of the officers were hurt with one was being stabbed in the back. He also stated that the person that started the riot, and escaped, was a murder and harden criminal.

Councilwoman Vivian Fleming McGhaney noted that she would not be participating in the discussion on this matter due to a conflict of interest.

Chairman McCain stated that all Council members are favor of providing an increase in pay to the Detention Center Officers, the Sheriff's Office Officers, and all of Sumter County Employees. The Chairman asked where would Councilman Baten suggested that the fund be secured from to handle this increase in the middle of a fiscal year.

Councilman Baten responded that Sumter County Council always finds money to do just what it wants; therefore, Council can be creative to get funds to handle this need. He further stated that when the Sheriff came to Council several years ago, Council pity-paddy around with the pay increase and wanted to only give funds needed funding. This then only caused issues; however, a small increase was eventually given to these offices.

The Chairman stated that he has talked with the fellow Council persons about the needs for the Sheriff's Office and the Detention Center; however, it should be done during the budget cycle. Councilman Baten then asked the Chairman that would he support a pay increase for these employees and the Chairman agreed and stated that it all depends on if Council members pass the increase in the budget as a whole.

Councilman Edens stated that he has not seen or heard of a salary increase proposal. He further stated that he could not say what he will do without seeing a proposal to know what is needed for the increase.

Sheriff Dennis can come up with a proposal

ACTION: MOTION was restated to have a budget amendment to allow for salary increases for the Sheriff's Office and the Detention Center employees. Councilman Baten voted in the affirmative, Councilman McGhaney did not vote due to a conflict of interest, and the following council members voted in opposition, Baker, Byrd, Edens, McCain, and Sumpter. The motion failed and did not carry.

(4) <u>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.</u>

No executive session was held.

OLD BUSINESS:

(1) <u>19-912 – Third Reading An Ordinance Authorizing The Transfer Of Property On Wedgefield Road To Wedgefield Baptist Church.</u>

The County Attorney presented this proposed ordinance to Council for third reading consideration. He stated that first reading was by title only; however, second reading was on a marked up contract for consideration. Third reading is listed below at a purchase price of \$30,000.

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

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to grant third reading and adoption on the ordinance as presented.

WHEREAS, Sumter County owns property on Wedgefield Highway which has an address of 1 Coulter Drive and is shown on the tax maps for Sumter County as parcel number 099-06-04-006; and

WHEREAS, Wedgefield Baptist Church is interested in purchasing the property to enhance its mission in that community; 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:

That Sumter County enter into the Real Estate Purchase Contract which is attached hereto as Exhibit A, the terms of which are incorporated herein by reference.

This Ordinance shall be effective upon Third Reading.

Proceeds of the sale shall be used to offset expenses of the Wedgefield-Stateburg Water System.

That the County Administrator is authorized to sign the Real Estate Purchase Contract, the deed and any other documents necessary to convey the property to the Buyer.

CONTRACT FOR SALE OF REAL PROPERTY

THIS IS A BINDING LEGAL DOCUMENT. ALL PARTIES ARE ADVISED TO READ AND BE SURE TO UNDERSTAND THIS DOCUMENT, AND TO CONSULT AN ATTORNEY CONCERNING OBLIGATIONS UNDER THIS CONTRACT.

This contract made and entered into this _______ day of October, 2019 by and between Sumter County ("SELLER") and Wedgefield Baptist Church ("PURCHASER"). Property shall be deeded in the name(s) of Wedgefield Baptist Church.

The Seller(s) agrees to sell, and the Purchaser(s) agrees to buy the following described property: All that certain piece, parcel and lot of land, with the improvements thereon, if any, lying, being and situate in Sumter County, South Carolina, shown on plat recorded in Plat Book Z-39 at Page 323, Sumter County records. This is the same property known as I Coulter Drive, Sumter County, SC Tax Parcel No. 099-06-04-006.

The terms and conditions of this contract of sale are as follows: Total purchase price (\$30,000.00), payable as follows: Earnest money Deposit in the amount of \$\sum_{N/A}\$_Dollars; Purchase price (\$ 30,000.00) to be paid in full at closing, in cash or certified funds.

- Loan processing and application: This contract is NOT contingent upon Buyer obtaining any financing.
- Consideration: The mutual promises of the parties and obligations contained herein, together with the earnest money deposit paid by Purchaser to Seller.
- The Seller covenants and agrees to convey the said property to the purchaser in fee simple by quit claim deed, free and clear from any encumbrances, liens or defects to title.

Upon receipt of the full purchase price, Seller agrees to convey title by quit claim deed as set forth above, with title to be in the name(s) of Wedgefield Baptist Church; possession of said property will be given to the Buyer at the time of closing.

Closing Costs: Buyer and Seller agree to pay customary closing costs. Sellers'
closing costs shall include cost of deed preparation, documentary stamps, and all other customary
Seller's closing costs.

Buyers' closing costs shall include attorney's closing fee, title examination, title insurance and recording fees, together with other customary Buyer's closing costs.

*See estimate of closing costs at end of contract.

Taxes and assessments will will will not be prorated to date of completion of sale. (Pro rated taxes for 2019 shall be calculated as of date of closing, based on the current information available from the Sumter County Assessor's Office. (NIA if 2019 taxes abated)

- Wood Infestation Report: Not applicable. Property being purchased "As Is."
- 6. Inspection: Not applicable. Property being purchased "As Is."
- Seller's Obligation to Make Repairs: The Seller has no obligation to make any repairs to any structures upon the property.
- 8. Disclaimer: The parties acknowledge that South Carolina law provides for various disclosure statements (by way of illustration and not limitation, Megan's Law, Lead Based Paint Disclosure and other statutory); however, both parties waive all disclosure requirements, and the Buyer acknowledges that he/she has had full opportunity to inspect the property before closing.

> specified closing date because of reasons beyond the control of either party, the contract closing date may be automatically extended for a period not to exceed fifteen (15) days upon request of either party. Closing shall be at the law offices of Curtis & Croft, LLC, 325 West Calhoun Street, Sumter, South Carolina, Tel (803)778-7404; Facsimile (803)773-5645; email william@curtisanderoft.com 10. Other terms: This contract is contingent upon approval by Sumter County Council as evidenced by passage of an ordinance which requires three (3) readings and a public hearing. В. All terms and conditions of this agreement do not survive closing unless otherwise specified. In witness whereof, this agreement has been duly executed by the parties: Witness: Seller: Date: Witness: Date: Parties' contact: Seller: Sumter County -Contact: Johnathan W. Bryan Phone (803) 774-3877 email: _ibrvan@sumtercountysc.org Mailing address: 13 E. Canal St., Sumter, SC 29150 Buyer: Wedgefield Baptist Church-Contact: Warren S. Curtis, Buver's Attorney Phone (803) 778-7404 email: Warren@curtisandcroft.com

Mailing address: 325 W. Calhoun St., Sumter, SC 29150

 Date of Closing: The parties agree that time is of the essence, and closing shall take place on or November 15, 2019; provided, however, if closing has not occurred on or before this

(2) 19-913 – Second Reading -- An Ordinance Authorizing (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Sumter County, South Carolina (The "County") And A Company Identified For The Time Being As Project Combine, Acting For Itself, One Or More Affiliates, And/Or Other Project Sponsors (Collectively, The "Company"), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities In The County (The "Project"); (2) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company And The Project; (3) Certain Special Source Revenue Credits In Connection With The Project; And (4) Other Matters Relating Thereto.

County Attorney Bryan also presented this ordinance to Council for second reading consideration. He stated that this Economic Development project would allow for the following:

- ✓ a \$26,000,000 investment
- ✓ ten new jobs
- ✓ Twenty Year Fee In Lieu of Tax Agreement
- ✓ Six percent Assessment Ratio

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Sumpter, and unanimously carried by Council to grant third reading and adoption on the ordinance as presented.

COMMITTEE REPORTS:

(NOTE: If any of the committee meetings end early, the succeeding meeting may begin immediately after the previous meeting.)

(1) <u>Public Works Committee Meeting, November 12, 2019, 4:00 p.m. In County Council's Conference Room, Sumter County Courthouse 141 N. Main Street, Room 301. (Baker, Baten, Sumpter)</u>

The Committee Chairman, Councilman Artie Baker, presented the following recommendations for approval by full Council.

• **Infrastructure Account** – It is recommended by the Committee to approve funds of \$56,500 for railroad repairs.

ACTION: MOTION and second were received from the committee, and unanimously approved by Sumter County Council to secure \$56,000 from the County's Infrastructure Account to approve the fund the rail road repair work on behalf of the County.

• Streetlight – The Committee also recommended for approval for an intersection street light to be install at Old Manning Road and Haven Road.

ACTION: MOTION and second were received from the committee, and unanimously approved by Sumter Council to approve the installation of an intersection street light at Old Manning Road and Haven Road.

- Solar Streetlights The Committee discussed the County investigating the possibility of using Solar Intersection Streetlights for future streetlight. This investigation will be continued.
- **Litter Advisory Board** -- It was discussed by to Committee to direct the Administrator to review the possibility of creating a Litter Advisory Board and to possibly include other groups on the committee with membership appointing authority.
- (2) <u>Land Use Committee Meeting, November 12, 2019, 4:30 p.m. In County Council's Conference Room, Sumter County Courthouse 141 N. Main Street, Room 301. (Edens, Baten, Baker)</u>

The Chairman of the Committee, Councilman Edens stated that the Committee discussed the 2040 Plan. There are more questions and discussions that are needed; therefore, the committee is recommending that those Council members that have questions to please meet with the Planning Director prior to the next meeting of this committee. It is also recommended that second reading be deferred on the main agenda for the meeting held tonight.

(3) <u>Fiscal, Tax, and Property Committee Meeting November 12, 2019, 5:30 p.m. In County Council's Conference</u> Room, Sumter County Courthouse 141 N. Main Street, Room 301. (McCain, Edens, McGhaney)

The Chairman of the Committee, Chairman McCain stated that the Committee discussed several items in executive session. However, only one item needed action.

Residential Rural Pick-up – The Committee also recommended for approval to grant the Residential Rural Waste Pick-up to Waste Management effective January 1, 2020.

ACTION: MOTION and second were received from the committee, and unanimously approved by Sumter County Council to award the residential rural waste pick-up franchise for Sumter County to Waste Management (the lowest bidder). The franchise is effective January 1, 2020, for the unincorporated areas of the County.

- (4) Report From Council Members On Other Meetings, Trainings, And/Or Conferences.
 - 1. South Carolina Association of Counties (SCAC) Councilwoman McGhaney reported on the SCAC County Council Coalition and several other Council members attended as well.
 - 2. Councilman Bated reported that he attended the funeral services for Neveah Adams; the young lady that was killed and her body was thrown in a dumpster and found at a Landfill.
 - 3. Veteran's Day Chairman recognized the veterans in the audience and the outstanding Veteran's Day program held on November 11, 2019.

MONTHLY REPORTS

- ✓ Christmas Tree Lighting Program December 6, 2019
- ✓ Zoning Board of Appeals
- ✓ Red Cross
- ✓ Sheriff's Department Monthly Report
- ✓ Gamecock Gazette
- ✓ Chamber Retreat Information

COUNTY ADMINISTRATOR'S REPORT

- ✓ **Veterans Day Events** The Administrator commended the Veterans Office for the outstanding program and parade held on vesterday.
- ✓ **Administration Building Construction Project** It projected that the move back to this building will take place late April or early May 2020.
- ✓ Outside Auditors The Auditors are busy trying to get the County's Audit completed by the end of this year.

PUBLIC COMMENT

- **Bennie Webb** in support of Anthony Dennis and Councilman Eugene R. Baten as it relates to the increase in salaries for the Detention Center and the Sheriff's Office. Mr. Webb also stated that he is aware that there can be an emergency budget meeting to start the process of securing funds for the Sheriff's request.
- > Sheriff Anthony Dennis thanked Council for being willing to discuss the need for more funds to increase the salaries of the Sheriff's Office and the Detention Center. He also clarified the fact that there are more murders across the State of South Carolina and the Nation. Sheriff Dennis also stated that his office has been good stewards of the taxpayer's money. He asked Council if they would consider the salaries around the state, and

compensate the Detention Center offices as well as the Deputies. He added that he is pleased to hear that Council is willing to discuss a proposal from the Sheriff and he will make sure the proposal is given to Council members.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting adjourned at 6:56 p.m. after a motion by Councilman Baker, seconded Councilman Edens, and unanimously carried by Council.

Respectfully submitted,

James T. Mc Chairman or Vice Cha	Cain, <u>Mary W. Blanding</u> irman Clerk to County Council
Sumter County Counc	Sumter County Council
Approved:	, 2019
*******	*****************************
I certify that public and required by Freedom of	d media notification of the above-mentioned meeting was given prior thereto as follows of Information:
Public Notified:	Yes
Manner Notified:	Agendas posted on bulletin board on first floor of the Sumter County Courthouse.
Date Posted:	November 8, 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:	November 7, 2019
	Respectfully submitted,
	Mary W. Blanding



Sumter City-County

Planning Department

DERON L. MCCORMICK
CITY MANAGER
COUNTY ADMINISTRATOR

GEORGE K. MCGREGOR
PLANNING DIRECTOR

MEMORANDUM

TO: Mary Blanding, Clerk to County Council

FROM: George K. McGregor, AICP, Planning Director

DATE: November 20, 2019

SUBJECT: COUNTY COUNCIL AGENDA - November 26, 2019

The Sumter City-County Planning Commission will have the following land use item(s) for review at County Council on Tuesday, November 26, 2019:

SECOND READING

Sumter 2040 Comprehensive Plan

If you have any questions or need additional information, please contact me at (803) 774-1660.

AN ORDINANCE OF THE SUMTER COUNTY COUNCIL ADOPTING THE SUMTER 2040 COMPREHENSIVE PLAN

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

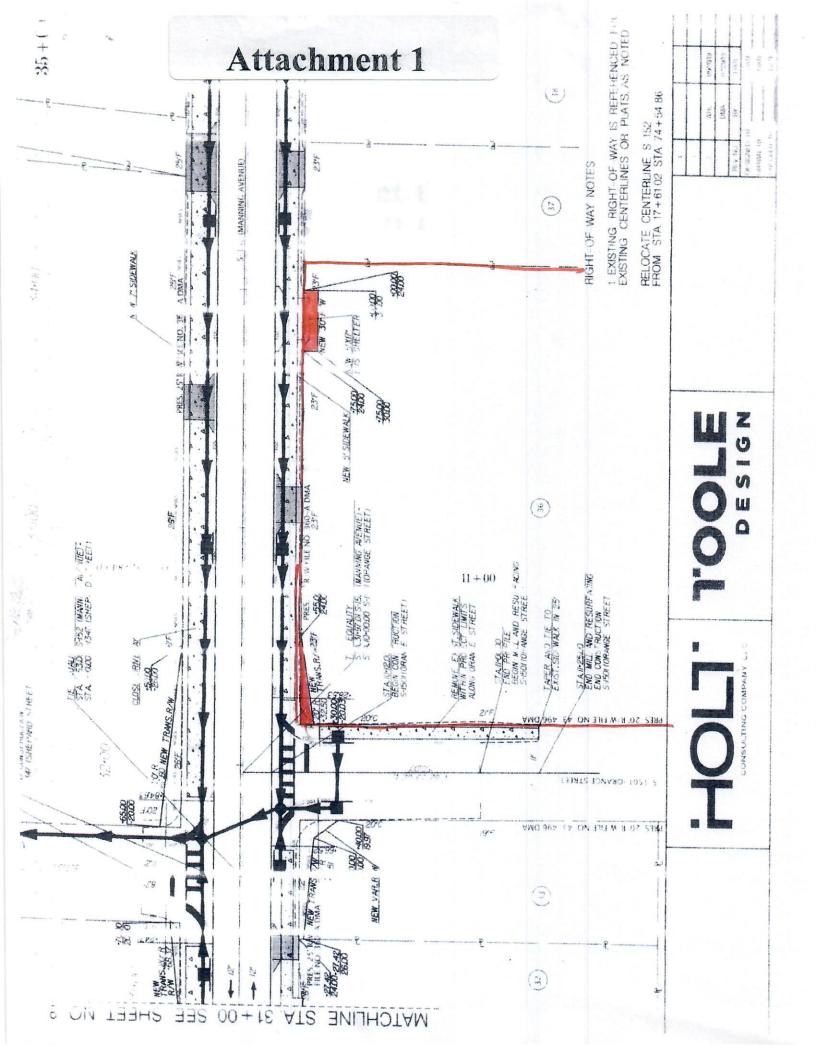
Whereas, a public hearing concerning the adoption of the Comprehensive Plan was held on October 22, 2019 after notice of the time and place of the public hearing was published in the Sumter Item newspaper at least 30 days prior to the hearing; and

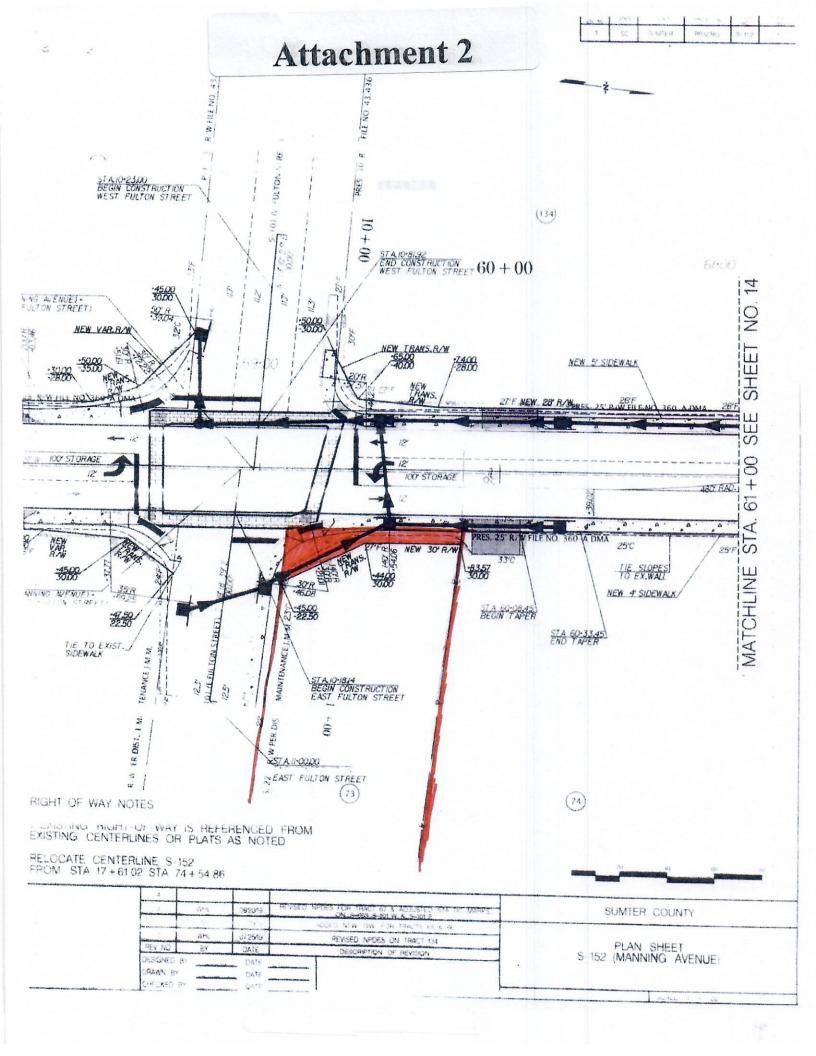
Now, therefore be it resolved by Sumter County Council, having met the requirements of Chapter 29 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended, hereby adopts the Sumter 2040 Comprehensive Plan.

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 <u>policy guide</u> for making decisions concerning the growth and development of Sumter County.

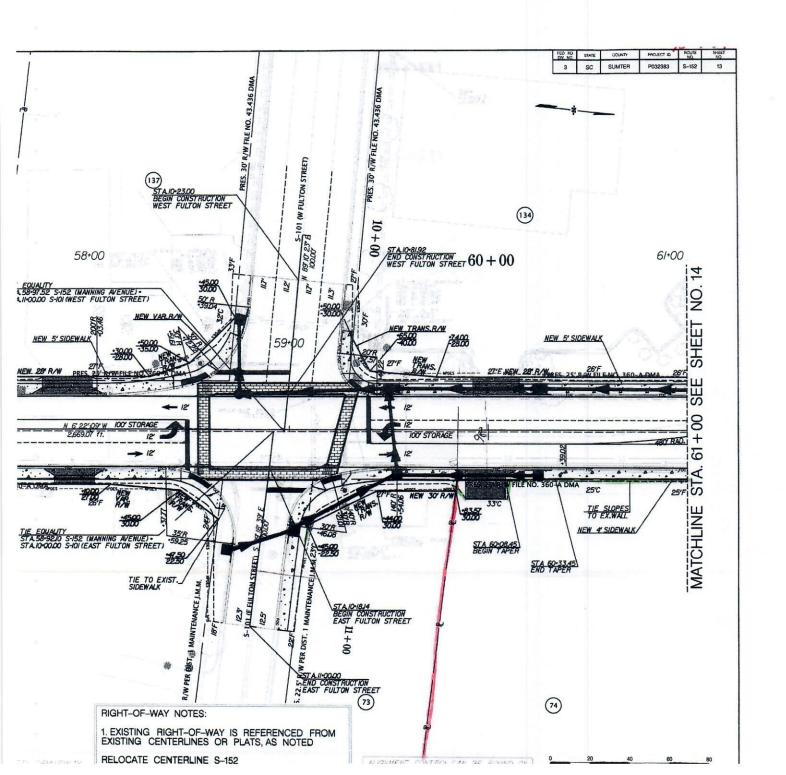
2 01 12 14 11 12		THE CHAIRPERSON AND THE Y OF SUMTER, SOUTH CAROLINA, O
THIS	DAY OF	, 2019.
	COUNTY OF SUMTE	ER, SOUTH CAROLINA
	James T. Mc	Cain, Chairman
ATTEST:		
Mary Blanding		
First Reading: Second reading:		

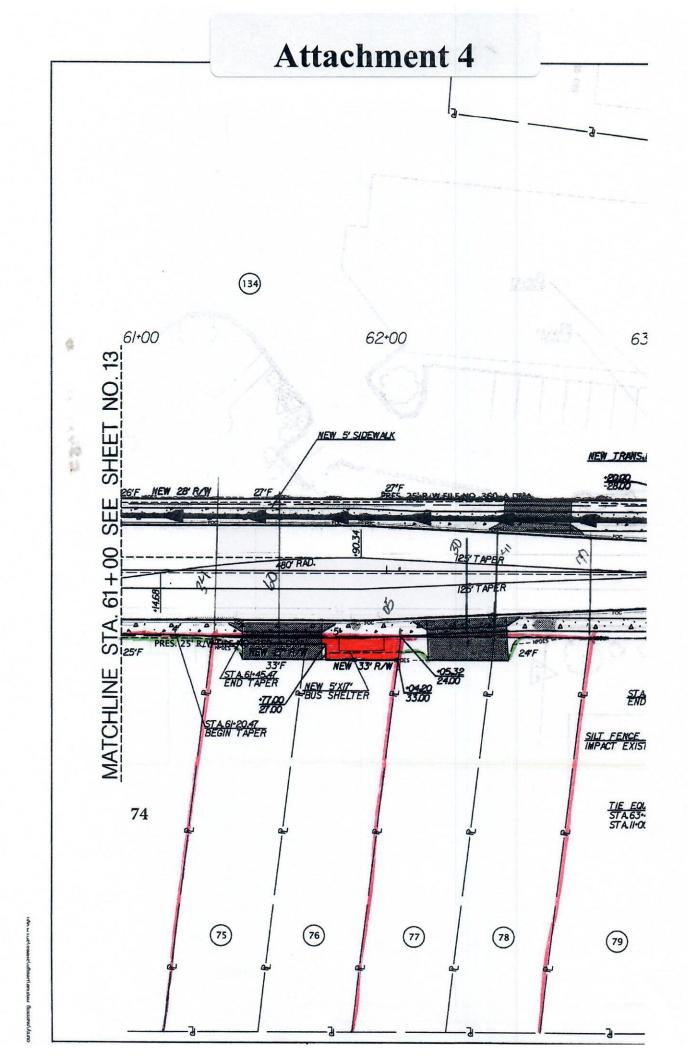
Public Hearing: Third Reading:





Attachment 3





AN ORDINANCE AUTHORIZING THE CONVEYANCE OF PROPERTY AND THE GRANTING OF PERMISSIONS ON PROPERTY LOCATED ON MANNING AVENUE, SUMTER, SC

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

 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 NPDES¹ 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

-

¹ National Pollutant Discharge Elimination System

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

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.

THE COUNTY COUNCIL FOR SUMTER COUNTY SOUTH CAROLINA

	BY: ITS:	James T. McCain, Jr. Chairman			
	ATTI				
	BY:				
	ITS:	Mary W. Blanding Clerk to County Council			
First Reading:		, 2019.			
Second Reading:		, 2019.			
Notice of Public Hearing p	oublished in				

The Item:	, 2019.
Public Hearing Held:	, 2019.
Third Reading and Adoption:	, 2019.



Agenda Sumter County Council

Committee Meeting: Internal Affairs

Tuesday, November 26, 2019 - Held at 4:30 p.m. Sumter County Court House, Third Floor, Room 301 141 N. Main Street, Sumter, SC

Revised 11-24-19

- I. Call to Order: Committee Chairman, The Honorable Jimmy Byrd
- II. Invocation: Council Member, Staff, or Local Minister
- III. Action On Agenda November 26,2019
- IV. New Business
 - 1. **Executive Session Matters** -- Discussions And Possible Appointments Or Reappointments To The Following Boards And Commissions:
 - 1. Accommodations Tax Advisory Board
 - 2. Alcohol and Drug Abuse Commission
 - 3. Cultural Commission
 - 4. Development Board
 - 5. Zoning Board Of Adjustment And Appeals
 - 6. Additional Boards/Commissions
- V. Old Business
 - 1. None
- VI. Adjournment

Committee Members: Byrd, Baker, and Sumpter

In compliance with ADA/Section 504, Sumter County is prepared to make accommodations for individuals needing assistance to participate in our programs, services, or activities.



Agenda Sumter County Council

Committee Meeting: Land Use Committee Tuesday, November 26, 2019 - Held at 5:00 p.m. Sumter County Courthouse, Third Floor, Room 308

County Council's Chambers – 141 North Main Street, Sumter, SC

- I. Call to Order Committee Chairman Charles T. Edens
- II. Invocation: Council Member, Staff, or Citizen
- III. Action On Agenda: Tuesday, November 26, 2019
- IV. New Business
 - 1. Discussion And Possible Action Concerning The Sumter County 2040 Comprehensive Plan.
 - 2. **Executive Session** If Necessary, The Committee May Hold An Executive Session To Discuss: Contractual Matters, Receive A Legal Briefing, Discuss A Potential Economic Development Matter, Property Matters, Or Other Related Executive Session Issues, And Take Appropriate Actions Thereafter.
 - 3. Additional Information: ______.
- V. Old Business
 - 1. None
- VI. Adjournment

Committee Members – (Edens, Baten, and Baker) Appropriate Staff and Community Members Media



Agenda Sumter County Council

Committee Meeting: Fiscal, Tax, And Property
Tuesday, November 26, 2019 - Held at 5:30 p.m.
Sumter County Courthouse, Third Floor, Room 301
County Council's Conference Room -- 301
141 North Main Street, Sumter, SC

I. Call to Order: Committee Chairman, The Honorable James T. McCain, Jr.

II. Invocation: Council Member, Staff, or Citizen

III. Action On Agenda: Tuesday, November 26, 2019

IV. New Business:

- 1. **Executive Session**: It Is Necessary To Hold An Executive Session To:
 - A. Discuss An Economic Development Matter.
 - B. Discuss Any Other Items That Are Appropriate For Executive Session And To Take Action Thereafter If Necessary On Any Of The Items Listed For Executive Session.
- 2. Receive and Discuss Information Concerning A Veteran's Retirement Center.
- 3. Sumter County Financial Information.

V. Old Business

1. None

VI. Adjournment

cc: Committee Members – (McCain, Edens, McGhaney) Council Members Staff Media

In compliance with ADA/Section 504, Sumter County is prepared to make accommodations for individuals needing assistance to participate in our programs, services, or activities

Interim Financial Information

Sumter County, South Carolina Fund 101 - General Fund Budgetary Comparison Schedule

100 % of Fiscal Year

For the period July 1, 2018 to June 30, 2019

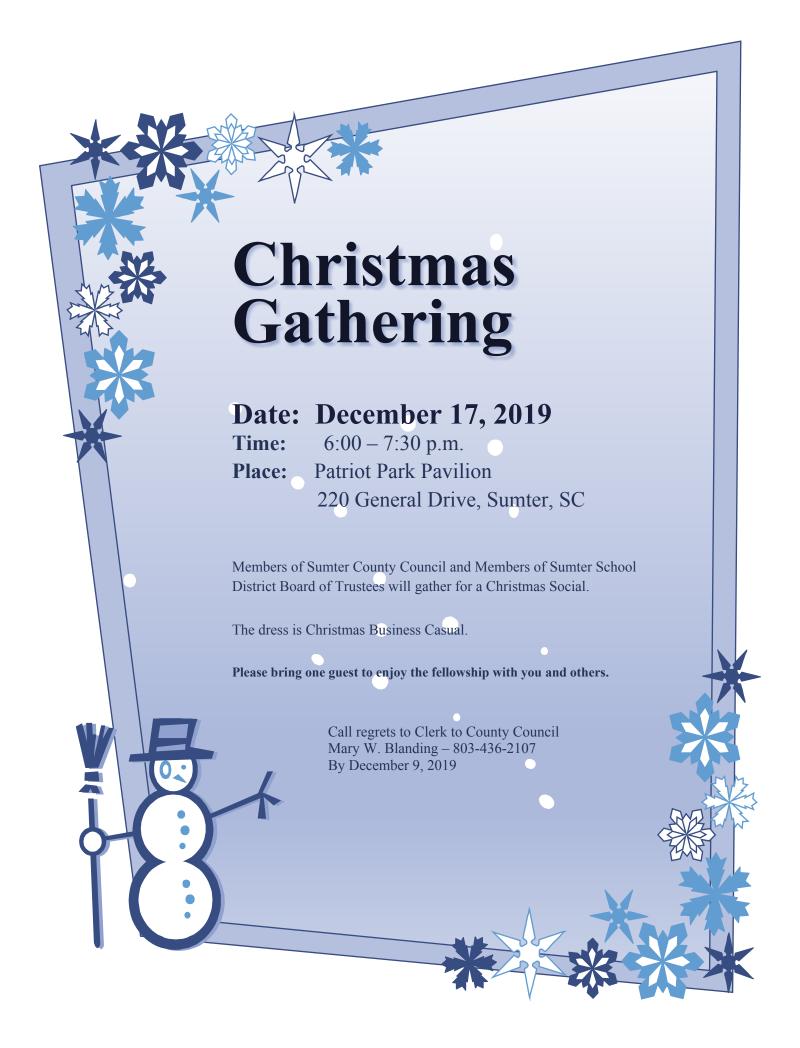
	Fiscal Year 2019								
	Fiscal Year 2018 Fiscal Year 2019			Adjusted		Year to date		Percentage	
	Actual		Original Budget		Budget		Actual		of Budget
Inflows									
Taxes	\$	31,528,367	\$	32,491,612	\$	32,491,612	\$	30,566,763	94.08%
Licenses and Permits		4,049,477		2,491,500		2,491,500		3,008,942	120.77%
Intergovernmental Revenue		8,241,118		8,006,835		8,343,161		8,041,314	96.38%
Service Rev and Charges		8,503,680		6,798,860		6,849,560		5,108,054	74.57%
Fines & Forfeitures		1,480,343		1,661,000		1,661,000		1,396,599	84.08%
Miscellaneous		583,893		530,545		530,545		482,196	90.89%
Other Financing Sources		920,610		766,931		766,931		857,735	111.84%
Total Inflows		55,307,488	_	52,747,283		53,134,309		49,461,603	93.09%
Outflows									
General Govt Administration		15,105,130		16,070,246		16,110,246		14,840,654	92.12%
Public Safety		20,646,298		21,585,934		21,949,128		20,789,519	94.72%
Health & Human Services		4,690,118		5,756,703		6,374,127		5,580,725	87.55%
Recreation		4,114,460		4,107,398		4,097,881		3,735,602	91.16%
Transportation		1,345,181		794,314		869,909		317,706	36.52%
Appropriations for other Agencies		2,838,329		2,872,629		2,922,629		2,917,628	99.83%
Other General expenditures		2,590,895		3,060,059		2,905,692		2,487,027	85.59%
Total outflows	_	51,330,411	_	54,247,283	_	55,229,612		50,668,861	91.74%
Change in fund balance	\$	3,977,077	\$	(1,500,000)	\$	(2,095,303)	\$	(1,207,258)	

Notes:

Original budgeted deficit per Section XXIII of Ordinance 18-888 appropriating Fund Balance for EMS, Detention Center, and Training Center Building projects

Adjusted budget is the result of grant awards and rollover of unfinished Airport project into FY 2019







Major General Chad P. Franks Commander, Ninth Air Force and his wife Kim

cordially invite you and a guest

to a

Holiday Social at their home

Sunday, the fifteenth of December from 2pm until 4pm

7506 Dogwood Place Shaw Air Force Base

Please return the enclosed card by 10 Dec to RSVP

Dress: Holiday Casual





Friday, December 6, 2019 4:30 p.m.

Front Steps of Sumter County Courthouse

- 1. Beverly George from Millwood Elementary
- 2. Linda Beck from Furman Furman
- 3. Erin Gutshall from Wilder Elementary
- 4. Christie English from Rafting Creek Elementary
- 5. LaCharles Harris from Lemira Elementary
- 6. Michelle Blassingale from Kingsbury School
- 7. LaTonya Alston from Pocalla Springs



Sumter County Recreation Department Patriot Hall & Sumter County Library



Gingerbread House Contest

Gather your family, friends, and/or co-workers together and craft your own beautiful gingerbread house delight creation!

Houses Can Be Built

- Homemade or From a Kit
- Must be on a Sturdy Base that is Durable and can be moved for the display.

Judged On

- Overall Appearance
- Originality & Creativity
- Difficulty
- Use of Details
- Use of Decorations

Entries Must Be Delivered To

Sumter County Library Monday, December 2nd or Tuesday, December 3rd 9:00am - 7:00pm

People's Choice Award Voting

Wednesday, December 4th thru Friday, December 6th 9:00am –5:00pm &

Saturday, December 7th 2:00pm - 3:00pm

@ The Sumter County Library

Entries Will Be on Display

December 4th - 19th

Categories

- Family
- Schools/Day Care
- Business/Organization

Trophies Awarded For

- 1st Place
- 2nd Place
- 3rd Place
- People's Choice Award

Recognition

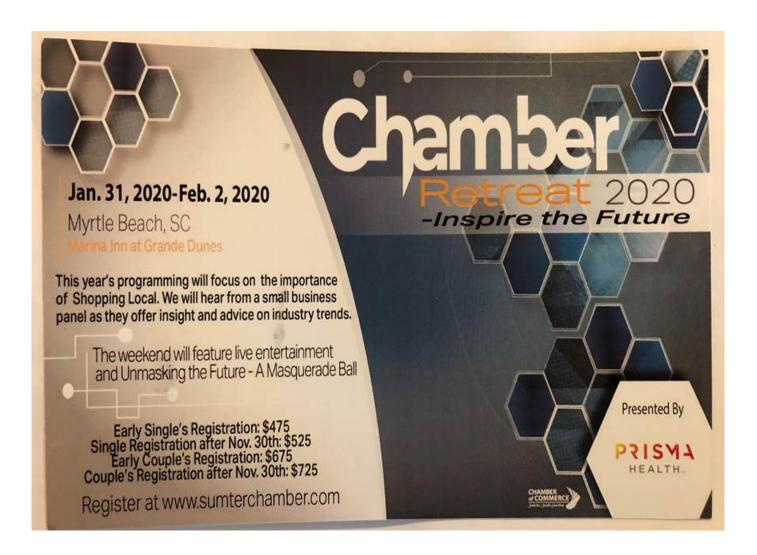
For All Entries

Winners to be announced on Saturday, December 7th
The Sumter County Library @ 4:00PM
111 North Harvin Street, Sumter, SC



Additional Information Contact

Recreation Department: (803) 436-2143 Patriot Hall: (803) 436-2260 Sumter County Library: (803) 773-7273 Email: lchambers@sumtercountysc.org; amaple@sumtercountysc.org or sumchild1@gmail.com



Are You Looking To Be Heard?



Legislative Breakfast

The annual Legislative Breakfast allows attendees to interact directly with our Legislative Delegation.

After brief comments about the accomplishments of the previous year and the plans for the upcoming Legislative Session, attendees are then allowed to submit questions about issues that are important to them that they would like to see addressed by our delegates in the State House.

If you have questions or topics you would like to address, we welcome you to join us.

Executive, President's Club, and Chairman's Club members receive a set number of complimentary tickets to this event. Contact the Chamber of Commerce for more details at 803-775-1231 or by emailing jillian@sumterchamber.com



CCTC Iris Room 133 S Main St. Sumter, SC

Tickets \$10/members \$15/non-members