

#### Agenda Sumter County Council Regular Meeting

#### Tuesday, September 28, 2021 -- 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:
  - 1) Led By Veteran, Peter St Onge, Council District #4
- 4. APPROVAL OF AGENDA: September 28, 2021
  - 1) Regular Meeting Tuesday, September 28, 2021
- 5. APPROVAL OF MINUTES: Regular Meeting Held On
  - 1) Regular Meeting Tuesday, September 14, 2021, and Special Meeting of County Council, September 14, 2021

#### 6. LAND USE MATTERS AND REZONING REQUESTS:

- 1) <u>RZ-21-19, 301 E. Hunter St. (County)</u> -- First Reading A request to rezone +/- 3.76-acre tract from Residential-9 (R-9) to Agricultural Conservation (AC). The property is located at 301 E. Hunter St. and is represented as a portion of Tax Map # 248-00-01-002 (Part).
- 2) OA-21-05, Drinking Places and Special Events Facilities (County) First Reading 21-963 -- (Ordinance A Request To Amend Article 3, Section 3.F.3, 3.G.2, 3.G.4, 3.H.2, 3.H.4, 3.I.2, 3.I.3, 3.I.4, 3.J.2, 3.J.3, 3.J.4, 3.K.3, 3.K.4, 3.M.3, 3.M.4, 3.N.3, & 3.N.4; Article 3, Exhibit 5; Article 5, Section 5.B.1; Article 5, Section 5.B.2; Article 5, Section 5.B.3; Article 8, Exhibit 23, And Article 10, Section 10.B.1 To Establish Clear Definitions For Drinking Place Uses, Bottle Club Uses, Night Club Uses, And Special Event Facility Uses, Establishing That Bottle Club Uses And Night Club Uses Require The Same Approval Process As Drinking Place Uses In Applicable Zoning Districts, Establishing That Special Event Facility Uses Require Conditional Use Approval In Applicable Zoning Districts, Establishing Use Specific Conditional Use Criteria For Special Event Facility Uses, Establishing Minimum Off-Street Parking Requirement For Special Event Facility Uses, And To Correct Other Minor Zoning Ordinance Text Inconsistencies.

#### 7. OTHER PUBLIC HEARINGS:

1) None

#### 8. NEW BUSINESS:

1) R-21-09 – A Resolution Authorizing The Negotiation, Execution, And Delivery Of Lease No. 004-0605904-

Agenda – Regular Meeting - Sumter County Council September 28, 2021 Page 2 of 3

- 101 Dated August 19, 2021, (The "Lease"), Between Sumter County dba Crystal Lakes Golf Course, 13 E. Canal Street, Sumter, SC 29150 And VGM Financial Services, A Division Of The Huntington National Bank, 11100 Wayzata Blvd, Suite 801, Minnetonka, MN 55305; And Prescribing Other Details In Connection Therewith.
- 2) 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.

#### 9. OLD BUSINESS:

1) Ordinance #21-959 – Third Reading -- An Ordinance Authorizing The Issuance And Sale Of A Waterworks System Refunding Revenue Bond (Wedgefield-Stateburg Rural Community Water District), Series 2021, Or Such Other Appropriate Series Designation, In The Principal Amount Of Not Exceeding \$1,300,000; Fixing The Form And Details Of The Bond; Authorizing The County Administrator To Prescribe Certain Details Relating To The Bond; Providing For The Payment Of The Bond And The Disposition Of The Proceeds Thereof; And Other Matters Relating Thereto.

#### **10. COMMITTEE REPORTS:**

- 1) Land Use Committee Meeting Scheduled For Tuesday, September 28, 2021, at 4:00 p.m. In County Administration Conference Room, 13 E. Canal Street, Sumter, SC (Edens, Baten, and Baker)
- 2) Public Safety Committee Meeting Scheduled For Tuesday, September 28, 2021, at 4:30 p.m. In County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Washington, Baten, Byrd)
- 3) Fiscal, Tax, and Property Committee Meeting Scheduled For Tuesday, September 14, 2021, at 5:00 p.m. In County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (McCain, Edens, and McGhaney) Fiscal, Tax, and Property Meeting Will Begin Immediately After The Public Safety Committee Meeting Concludes Or At 5:00 P.M.)
- 4) Special Meeting Of Sumter County Council Scheduled For Tuesday, September 28, 2021, at 5:30 p.m. In County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (All Council Members) The Special Meeting Of Sumter County Council Will Begin Immediately After The Fiscal, Tax, and Property Committee Meeting Concludes Or At 5:30 P.M.)
- 5) Report From Council Members On Other Meetings, Trainings, And/Or Conferences.

#### 11. MONTHLY REPORTS:

- 1) Public Works Department August Report
- 2) Building Department Monthly Report

#### 12. COUNTY ADMINISTRATOR'S REPORT:

#### 13. PUBLIC COMMENT:

Agenda – Regular Meeting - Sumter County Council September 28, 2021 Page 3 of 3

#### 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 <a href="www.sumtercountysc.org">www.sumtercountysc.org</a> under Our Council Agenda/Minutes. In addition, the agenda electronically sent to newspapers, radio stations, television, and concerned citizens

#### **Veteran Biography**

Retired U.S. Air Force Veteran Peter St Onge served our Country for over 22 years. He supported Operation Desert Shield and Desert Storm; he also served in the Persian Gulf War, supporting Operation Enduring Freedom and the war in Afghanistan. Veteran St Onge is currently the Area Commander for the Sumter County American Legion, Commander of American Legion Post 15, and the Assistant Department SSg-at-Arms for the State American Legion. He is married to Toshia St Onge and they have 5 children and 6 grandchildren. He currently lives in County Council District 4. Thank you for your Service!





#### Minutes

#### Sumter County Council Regular Meeting

Tuesday, September 14, 2021 -- Held at 6:00 p.m. Sumter County Administration Building Third Floor, County Council Chambers 13 E. Canal Street, Sumter, SC

 $\label{thm:condition} \begin{tabular}{ll} Social Distancing Is Required At All of County Council's Meetings And Seating Is On A First Come First Serve Basis. \\ $$\underline{$\rm https://www.youtube.com/channel/UCAHjiqzPaonQ9LFS2kO37tA}$ \\ \end{tabular}$ 

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

**COUNCIL MEMBERS ABSENT: None** 

**STAFF MEMBERS PRESENT:** Gary Mixon, Mary W. Blanding, Helen Roodman, Lorraine Dennis, Keysa Rogers, Johnathan Bryan, Joe Perry, Gary Hawkins, Valerie Brunson, The Honorable Laureatha McCants, Les Vandervander, Kathy Ward, Major Randall Steward, Patricia Ray, Detention Center Director, Chanea Lumpkins, and two Sheriff Deputies.

MEMBERS OF THE PUBLIC PRESENT: Approximately 21 members of the public attended the meeting.

MEDIA PRESENT: The Item Newspaper, Shelby Goulding.

CALL TO ORDER: Councilman James T. McCain, called the meeting to order.

INVOCATION: Councilwoman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: Led By Veteran Harry L. Thompson, Council District #3 U.S. Marine Corp Veteran Harry L. Thompson served our Country in Vietnam, he was wounded in battle in 1968, and received the Military Purple Heart medal. He continued to serve for over ten years and received an honorable discharge. He is now the commander of the military order of the Purple Heart Chapter #817 in Sumter. He is married to Odell Harvin Thompson for over 50 years, and they have one son, one daughter-in-law, and one beautiful granddaughter who is the joy of his life. He currently lives in County Council District 3. Thank you for your Service!



APPROVAL OF AGENDA: Regular Meeting Tuesday, September 14, 2021

Chairman McCain asked if there were any changes or deletions to the agenda. The Clerk to Council, Mary Blanding, asked Council to allow for item #1 under New Business to be moved up on the agenda immediately after action on the minutes of August 24, 2021. The Chairman called for a motion on the agenda as recommended by the Clerk to Council.

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and approved by Council to move Item #1 under New Business immediately after action on minutes of August 24, 2021.

**APPROVAL OF MINUTES:** Regular Meeting Tuesday, August 24, 2021, and Special Meeting of County Council, August 24, 2021

Chairman McCain asked for a motion on approval of the Minutes of Council's Regular Meeting and Special Meeting held on August 24, 2021.

**ACTION:** MOTION was made by Councilman Baten, seconded by Councilman Baker, and approved by Council to approve the Regular Meeting Minutes and the Special Minutes of Sumter County Council of August 24, 2021.

#### **NEW BUSINESS:**

(1) Recognition Of Lt. Audrey Benjamin as S.C. Jail Administration Supervisor Of The Year.

Director Patricia Ray of the Sumter County Detention Center read the information provided to the S. C. Jail Administration that was used to consider Lt. Audrey Benjamin for the award of S. C. Jail Administration Supervisor of the Year. (See information below). After Director Ray read the

information, Chairman McCain presented Lt. Benjamin with a gift from the County and took pictures with the Lieutenant.

**SUPPORTING NARRATIVE:** Lt. Audrey Benjamin is assigned as the Lieutenant to oversee Delta Shift. She was promoted to Lieutenant in November 2020 and has taken this responsibility as a top priority as she works diligently each day with her shift members in order to ensure a safe, secure and humane environment for the inmates that are being housed at the Detention Center. Lt. Benjamin has tackled this role head on and has not shied away from her assigned duties. She demonstrates a take charge attitude when it comes to her leadership style and she is always one of the first persons leading the charge if there is an incident in the facility. She does a superb job and demonstrates accurate and responsible attention to detail during the performance of her duties. Her communication skills are superb as she deals well with her fellow co-workers and citizens alike who frequent the Detention Center. Lt. Benjamin works tirelessly in order to assist her fellow co-workers by working overtime on the opposite shifts and she is at the forefront of always making personal sacrifices of her time to make sure that the safety of Officers comes first. I would like to add that Lt. Benjamin comes in before her normal operating hours to prepare for the day making sure every task at hand runs



smoothly and without error. She is always pleasant, dependable, willing to lend a helping hand and has a great deal of respect and passion for the profession of Corrections. Lt. Benjamin has been instrumental over the years in the on-the-job training of countless number of Officers who have been employed with our agency and she takes pride in being able to contribute in this manner. She is weapons certified, NCIC certified, Taser certified, has her CPR certification, attended a victim support services training and she has attended various training classes over the years with one being mid-level management. These are all the reasons why I have nominated Lt. Benjamin for Supervisor of the Year. All of these characteristics embody the standards set forth by the Sheriff's Office and I wholeheartedly believe that she is a wonderful representation of such.

#### LAND USE MATTERS AND REZONING REQUESTS:

#### Planned Development/Rezoning Requests:

NOTE RZ = Rezoning Of Property As Applicable In Sumter County Zoning and Development Standards. AC = Agricultural Conservation As Applicable In Sumter County Zoning and Development Standards. NC = Neighborhood Commercial As Applicable In Sumter County Zoning and Development Standards. LI-W = Light Industrial-Warehouse As Applicable in Sumter County Zoning and Development Standards.

(1) RZ-21-14, 614 Floride St. (County) - Third Reading -- A Request To Rezone +/- 0.62-Acres Of Land From Residential-9 (R-9) To Light Industrial-Warehouse (LI-W) Zoning. The Property Is Located At 614 Floride St. And Is Represented By Tax Map # 203-05-03-028.

Mrs. Helen Roodman, the Planning Director presented this proposed rezoning request to Council for third reading. She stated that there have been no changes to this request since first reading. Therefore, the Chairman called for a motion from Council to act on third reading approval.

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

(2) OA-21-04, Minimum Setback Requirements For Communications Towers And Antennae In Residential Zoning Districts (County) - Third Reading - (#21-958) -- Amend Article 5, Section 5.B.E.10.A. & Article 5, Section 5.B.F To Allow Engineered Fall Zones For Communication Towers And Antennae In Residential Zoning Districts And To Correct Conflicting And Duplicative Provisions.

Mrs. Roodman also presented this proposed ordinance to Council for third reading approval. She stated that there were no changes to this ordinance since first reading. The Chairman called for a motion concerning third reading of this ordinance amendment.

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

#### **OTHER PUBLIC HEARINGS:**

(1) Ordinance #21-959 - An Ordinance Authorizing The Issuance And Sale Of A Waterworks System Refunding Revenue Bond (Wedgefield-Stateburg Rural Community Water District), Series 2021, Or Such Other Appropriate Series Designation, In The Principal Amount Of Not Exceeding \$1,300,000; Fixing The Form And Details Of The Bond; Authorizing The County Administrator To Prescribe Certain Details Relating To The Bond; Providing For The Payment Of The Bond And The Disposition Of The Proceeds Thereof; And Other Matters Relating Thereto. (Council Will Take Action On Second Reading Immediately After The Public Hearing Or During Old. Business.)

Ms. Frannie Heizer, Bond Attorney, presented this proposed ordinance to Council for second reading consideration and public hearing. She stated that the ordinance is before Council for consideration to issue a water works revenue bond that will refinance existing debt for the Wedgefield-Stateburg Rural Community Water District. Ms. Heizer stated that several years ago, at different intervals, County Council took out USDA Loans (1996, 2002, 2003) because the County took over the water district. The loan with USDA at that time was favorable; however, since that time, the interest rates have reduced. Therefore, the County hopes to reduce the interest rates, which will allow for the length of the loan to be reduced, and consolidate the previous loans. Although, the payments will be approximately the same, the County will be saving approximately \$300,000 gross savings and approximately \$200,000 net savings. There will be more efficiency in the operations and this will also be a Revenue Bond and not a General Obligation Bond.

Ms. Heizer also asked Council, if second reading is granted, would Council consider deferring third reading for one or two meetings until such a time that a request for proposal can be prepared and sent out to the banks for the Revenue Bond? After all comments by Ms. Heizer, the Chairman convened a public hearing on this proposed ordinance. He asked if anyone wished to speak in favor of or opposition to the proposed ordinance. No one spoke to this issue; therefore, the Chairman closed the public hearing and Council to action on second reading listed under Old Business.

#### **NEW BUSINESS CONTINUED:**

(2) Sumter County Hazard Mitigation Plan Yearly Progress Report. (Jeff Derwort)

Ms. Roodman presented this proposed yearly progress report to Council. She said that the City and County's Hazard Mitigation Plan has been provided to the South Carolina ISO Auditors who will review the hazard Mitigation Recertification Plan. The report is to come before Council for review; but no action needs to be taken. A copy of the plan is on the City's website under the City County Planning Commission for review by the public. This was presented to Council for information only.

(3) Annual Update Of Midlands Fatherhood Coalition (Terrence Whitfield and Andrew Coston)

Mr. Terrance Whitfield, Site Manager for the Local Fatherhood Coalition and Mr. Andrew Coston said that he is the data person. They presented a PowerPoint to Council. Mr. Coston stated that as far as employment and employability, they were able to work with the fathers and 489 of these fathers gained employment or a better pay job. Also, 282 completed job skills training.

Also, for family Outcome data, 212 fathers increased time spent with child, and 183 improved relationships with the mother. During 2019, 42 fathers participated in DSS programs. And 41 fathers participated with successful outcomes of the DSS programs.

The total number of participants included 958 that were served and 2,437 children were positively impacted. Lastly, the child support paid and money saved totaled \$656,564 of child support paid, and \$5,160,960 saved in ATI program.

**ACTION:** Received as information.

(4) Ordinance 21-960 -- Sumter County Council Declaration Of Public Safety Emergency In Response To Discovery Of One Or More Discrepancies In The Sumter County Zoning And Development Standards Ordinance And The Implementation Of A Moratorium On Applications For "Drinking Place" Uses Under Standard Industrial Classification Code Section 5813 And "Special Event Facility" Uses Under Standard Industrial Classification Code Section 7299 Effective September 14, 2021.

Mr. Johnathan Bryan, the County Attorney, presented this proposed ordinance to Council for considerations.

Mr. Bryan provided information that showed the definition of Drinking Places and Special Event facilities. He also stated that Special Event facilities are not clearly identified in the Standard Industrial Classification Manual. Staff has seen an increased number of Business Licenses for Special Event Facilities. Some Special Event facilities seem to be operating as Night Clubs. People are frequently visiting the facility which seems as though it is not for a birthday, wedding, baby shower, etc. which is the type of event for a Special Event facility. Although the business may not be selling alcohol, the patrons are consuming alcohol at the facility because it is advertised as a BYOB (Bring Your Own Bottle). Council members were given several flyers that had "BYOB" on the flyer for a Special Event facility application. Mr. Bryan added that there is a loop-hole in the County's Zoning and Development Standard Ordinance which allows people to open up as a Special Event, charge people to enter the facility, and permit the persons to bring their own bottle of alcohol.

Mr. Bryan said that the staff would like for Council to put a moratorium on Drinking Places and Special Event places until such a time (60 days) that the staff can provide clear guidelines for each of these places. The process would allow for the Planning Staff to present this information to the Planning Commission and then back to Council for consideration and approval.

Major Stewart from the Sumter County Sheriff's Office provided information to Council and stated that the Sheriff supports the Planning Commission in asking Council to place a moratorium on these facilities until a better description definition can be provided which will aid the Sheriff's Office in patrolling these facilities. Major Stewart handed out some information showing how these businesses are acting as a Defector Night Club.

Vice Chairman Byrd stated that he would like to have this item go to the Land Use Committee prior to making any decision. Councilman Edens asked when would this request be sent to the Planning Commission. It was stated that this item will be on the next Planning Commission meeting which will be prior to the next meeting of Sumter County Council. After discussion by Council and staff and Major Stewart, the following motion was presented and acted upon.

**ACTION:** MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council, to grant approval of the emergency ordinance as presented and directed the staff to schedule a Land Use Committee Meeting to discuss this matter among Council and staff.

WHEREAS, the Sumter County Zoning and Development Standards Ordinance allows "Drinking Place" uses under Standard Industrial Classification (SIC) Code Section 5813 as a special exception in the Neighborhood Commercial (NC), Limited Commercial (LC), General Commercial (GC), Light Industrial-Warehouse (LI-W), and Agricultural Conservation (AC) zoning districts; and

**WHEREAS**, applications for any special exception require approval by the Sumter City/County Board of Zoning Appeals so the procedure for obtaining any special exception is a stringent approval process that requires a public hearing with proper public notification; and

**WHEREAS**, "Drinking Place" uses are subject to the following supplementary requirements: The use shall not be within 300 ft. (measured in a straight line from structure to structure) of a residential use, church, school, or public playground on a separately platted parcel. A six-foot fence that is a visual screen must be installed to separate this use from residential uses; and

**WHEREAS**, "Special Event Facility" uses are classified under SIC Code Section 7299 – Miscellaneous Personal Services, Not Elsewhere Classified - and are permitted uses in the NC, LC, and GC zoning districts and are conditional uses in the Professional Office (PO), LI-W, and AC zoning districts; and

**WHEREAS**, approval reviews for conditional use applications are usually performed administratively at the staff level by the Sumter City/County Planning Staff and obtaining approval for a "Special Events Facility" use is significantly easier than obtaining approval for a "Drinking Place" use; and

WHEREAS, the Sumter City/County Planning Staff has observed that several businesses have obtained approval to operate as a "Special Events Facility" but each essentially operates as a night-club/social club and each circumvents state licensing requirements for on-premises alcoholic beverage sales by allowing patrons to bring their own beverages onto the premises for consumption; and

WHEREAS, the Sumter County Zoning and Development Standards Ordinance does not contain a definition for "Drinking Place" uses or "Special Events Facility" uses. Currently, the definition for

"Drinking Places" is derived from wording in the Standard Industrial Classification Manual (1987) (SIC Manual) which provides that such establishments engage in the retail sale of alcoholic drinks, such as beer, ale, wine, and liquor, for consumption on the premises and the sale of food frequently accounts for a substantial portion of the receipts of these establishments. This wording provides a loophole for a Bring-Your-Own-Beverage (BYOB) establishment which is a more intense use of the property than is appropriate in most instances due to public safety issues associated with BYOB establishments; and

**WHEREAS**, the SIC Manual does not contain any descriptive wording for "Special Events Facility" and the lack of a definition provides a loophole for a BYOB establishment which is a more intense use of the property than is appropriate in most instances due to public safety issues associated with BYOB establishments; and

WHEREAS, Sumter County Council desires to impose a moratorium on applications for "Drinking Place" uses and "Special Event Facility" uses to allow time to develop specific definitions for both "Drinking Place" uses and "Special Event Facility" uses and to determine the appropriate application procedures for those uses in the various zoning districts described in the Sumter County Zoning and Development Standards Ordinance so that applications for those uses will not be permitted as a matter of right and will not be reviewed for either a conditional use or a special exception prior to the effective date of the proposed ordinance amendments; and

**NOW, THEREFORE, BE IT ORDAINED**, in accordance with South Carolina Code of Laws Title 4, Article 9 Section 130, Sumter County declares that a public safety emergency exists, conditions exist which pose a threat to human life and extraordinary emergency measures are deemed necessary to prevent those conditions from coming to fruition and thereby creating unacceptable risk to human life. Sumter County hereby implements the following moratorium on applications for "Drinking Place" uses and "Special Event Facility" uses.

- 1. No applications for a Special Exception for a "Drinking Place" under SIC Code Section 5813 shall be reviewed by the Sumter City-County Board of Zoning Appeals.
- 2. No applications for a "Special Event Facility" under SIC Code Section 7299 either as a matter of right Permitted Use or as a Conditional Use Review shall be processed or approved.
- 3. This Ordinance shall remain in force until emergency conditions associated with the discrepancies in the Sumter County Zoning and Development Standards Ordinance have been resolved through proposed amendments which specifically define "Drinking Place" uses and "Special Event Facility" uses and which prescribe the appropriate application procedures for those uses in the various zoning districts described in the Sumter County Zoning and Development Standards Ordinance and the proposed amendments have been implemented by Sumter County Council after review by the Sumter City-County Planning Commission and the threat to public safety has been mitigated, or upon the sixty-first (61st) day after the effective date of this emergency declaration.

Effective the 14th day of September 2021, in the County of Sumter, South Carolina by the affirmative vote of at least two-thirds of the members of Sumter County Council present at the regularly scheduled meeting for this date.

(5) <u>R-21-08 - A Resolution Supporting The Reaffirmation Of The FILOT Agreement, Between Sumter County And Porter's Group, LLC, Which Is Now Maysteel Porter's LLC.</u>

County Attorney, Johnathan Bryan, presented this proposed resolution to Council for consideration of approval. He stated that Poter's Fabrication Sumter, LLC has a FILOT agreement in affection since November 14, 2006. Several years ago, Porter Fabrication merged with Maysteel Industries, LLC; therefore, the Company would like for the County to reaffirm the FILOT Agreement with the name of Maysteel Porter's LLC.

After all comments, Council took action on adopting the resolution.

**ACTION:** MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council, to grant approval of the resolution as presented and directed the Chairman and the Clerk to Council to execute and deliver the resolution on behalf of the County.

WHEREAS, Sumter County entered into a negotiated Fee in Lieu of Tax Agreement with Porter's Fabrications Sumter, LLC ("the FILOT Agreement") with an effective date of November 14, 2006; and

WHEREAS, Porter's Fabrications Sumter, LLC was a subsidiary of Porter's Group, LLC, a North Carolina Limited Liability Company; and

WHEREAS, Maysteel Porter's LLC, a Delaware Limited Liability Company filed an Application for a Certificate of Authority to Transact Business in South Carolina with the South Caroline Secretary of State on December 19, 2019; and

WHEREAS, Porter's Group, LLC merged with Maysteel Industries, LLC into Maysteel Porter's, LLC on December 23, 2019, and the two sheet metal manufacturing firms now operate as Maysteel Porter's, LLC; and

WHEREAS, the FILOT Agreement provides in Section 10.3:

**Binding Effect**. This Fee Agreement shall inure to the benefit of and shall be binding upon the County and the Company and their respective successors and assigns.

and

WHEREAS, Maysteel Porter's, LLC is the successor by merger to Porter's Fabrications Sumter, LLC,

NOW, THEREFORE, BE IT RESOLVED THAT the Sumter County Council re-affirms the FILOT Agreement, previously referenced, with the effective date of November 14, 2006.

AND, BE IT FURTHER RESOLVED THAT the Sumter County Council acknowledges the assignment of the interest of Porter's Fabrications Sumter, LLC to Maysteel Porter's, LLC, a Delaware Limited Liability Company as a legal consequence of the merger.

AND, BE IT FUTHER RESOLVED THAT the Sumter County Council affirms the validity of the FILOT Agreement, according to the original terms contained therein, so that Maysteel Porter's, LLC has the benefit of the FILOT Agreement originally derived by Porter's Fabrications Sumter, LLC. This Resolution is adopted by the Sumter County Council this 14<sup>th</sup> day of <u>September</u>, 2021.

(6) Ordinance 21-961 - First Reading -- An Ordinance To Require Individuals To Wear Face Coverings In The County Of Sumter, South Carolina And Providing For Severability And An Effective Date. (Title Only)

Councilman Baten stated that the current number of COVID-19 cases are 14,011. There is are 544 hospitalized in South Carolina with COVID-19, and 254 deaths. He also gave Council members other statistical information concerning the effects of COVID on children since school has been in session and masks are not required in the school.

Councilman Baten said that the Center for Disease Control (CDC) our Country still lists getting vacinnated and wearing masks are the most actions need to protect ourselves from this virus. Sumter County Council should consider passing a Mask Mandate Ordinance to reduce the spread of COVID-19 to unvaccinated people.

Councilman Baten also mentioned that Council had a meeting today with the Public Safety Committee. As a result of that Committee Meeting, it was determined that there are some legal matters that need to be cleared and discussed before Council moves forward with this ordinance. Then Councilman Baten offered the following motion for the ordinance to be deferred.

**ACTION**: MOTION was made by Councilman Baten, seconded by Councilman McGhaney, and unanimously carried by Council to defer this ordinance until additional information is provided as it relates to this ordinance.

(7) Ordinance 21-962 - First Reading -- An Ordinance To Require Employees Of Sumter County To Receive The Available Vaccination Against The Covid-19 Virus Prior To January 1, 2022. (Title Only)

No action was taken.

(8) To Hold An Executive Session To Discuss An Employment Matter, An Economic Development Matter,

Minutes – Regular Meeting - Sumter County Council Tuesday, September 14, 2021 Page 7

<u>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) Ordinance #21-959 - Second Reading -- An Ordinance Authorizing The Issuance And Sale Of A Waterworks System Refunding Revenue Bond (Wedgefield-Stateburg Rural Community Water District), Series 2021, Or Such Other Appropriate Series Designation, In The Principal Amount Of Not Exceeding \$1,300,000; Fixing The Form And Details Of The Bond; Authorizing The County Administrator To Prescribe Certain Details Relating To The Bond; Providing For The Payment Of The Bond And The Disposition Of The Proceeds Thereof; And Other Matters Relating Thereto.

The ordinance was presented to Council during Other Public Hearings by Frannie Heizer. After discussion on this matter, the Chairman convened a public hearing. Once the public hearing was closed, Chairman McCain called for a motion on second reading.

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council, to grant second reading approval of the ordinance as present and to allow Sumter County Council to defer third reading for several meetings until an RFP is received from banks for the Revenue Bond.

#### **COMMITTEE REPORTS:**

(1) <u>Public Safety Committee Meeting Scheduled For Tuesday, September 14, 2021, at 3:45 p.m.</u> In County <u>Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Washington, Baten, and Byrd)</u>

The Chairman of the Committee, Councilman Washington, stated that the Committee met and received information from the Sheriff's Office concerning matters relating to Mask Mandates in connection with COVID-19 increase in cases.

**ACTION:** It was unanimously agreed among the Committee Members to explore this issue more and have the County Attorney bring information back to the Committee in order for the Committee members to come to some conclusion information which will guide Council with further actions.

(2) <u>Internal Affairs Committee Meeting</u> Scheduled For <u>Tuesday</u>, <u>September 14</u>, <u>2021</u>, <u>at 4:30 p.m.</u> In <u>County Administration Conference Room</u>, 13 E. Canal Street, Sumter, SC. (*Byrd*, *Baker*, *and McGhaney*) The <u>Fiscal</u>, Tax, and Property Committee Meeting Will Begin Immediately After The Internal Affairs Committee Meeting Concludes Or At 4:45 P.M.)

Chairman of the Committee, Vice Chairman James Byrd, stated that the Committee Members had recommendation for Council's action. The Committee recommended to appoint R. Kevin Robinson on the Crystal Lakes Golf Course Advisory Board. (Note: Mr. Robinson will replace a member that is now deceased.)

**ACTION:** MOTION and second were received from the Committee, and unanimously carried by Council to appoint R. Kevin Robinson to the Crystal Lakes Golf Course Advisory Board.

(3) Fiscal, Tax, and Property Committee Meeting Scheduled For Tuesday, September 14, 2021, at 4:45 p.m. In County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (McCain, Edens, and McGhaney)

The Technology/Personnel Committee Meeting Will Begin Immediately After The Fiscal, Tax, and Property Committee Meeting Concludes Or At 5:00 P.M.)

The Chairman of the Committee, Chairman James R. McCain, stated that all the Committee members were present and they received a briefing in executive session from the Economic Development Board staff members; no action was taken.

(4) <u>Technology/Personnel Committee Meeting</u> Scheduled For <u>Tuesday</u>, <u>September 14</u>, <u>2021</u>, <u>at 5:00 p.m.</u> <u>In County Administration Conference Room</u>, 13 E. Canal Street, Sumter, SC. (<u>McGhaney</u>, <u>Byrd</u>, <u>Washington</u>) (The Special Meeting Of County Council Will Begin Immediately After The Technology/Personnel Committee Meeting Concludes Or At 5:30 P.M.)

The Chairman of the Committee, Councilman McGhaney, stated that the Committee members and all other Council members meet to receive a briefing in executive session. There is no action to be taken at this time.

(5) Special Meeting Of Sumter County Council Scheduled For Tuesday, September 14, 2021, at 5:30 p.m. In County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (All Council Members)

Chairman McCain stated that County Council had a Special Meeting and received a report from Lorraine Dennis and Uvette Rogers concerning the Mini Grant Application And Funding through the ARPA Funds received by the County. Council approved the application and the process for 501c3 agencies to apply for these funds. The application will be available for the public by Monday, September 20, 2021.

Also, Council approved a request from the County Attorney to send a letter to the S. C. Attorney General in reference to the Opioid Litigation Funds.

- (6) Report From Council Members On Other Meetings, Trainings, And/Or Conferences.
  - Councilman Washington stated that Council members have heard his concern about the 51 miles of dirt road in District #1, his district. He also stated that he receives several calls per day and he has talked with the Administrator about the calls. Councilman Washington further stated that he has meet with the Administrator about this issue and has recognized that the there is a public relation issue in his district relating to the dirt road issue. Councilman Washington stated that many of the calls that he receives should be going to Public Works; but they have not been. He also said that he is happy to say that there is a new Public Works Director and hopefully some of the problems will be resolved. He and the County Administrator will be meeting with the new Director of Public Works to discuss how the responses can be handled in a different manner. Councilman Washington said that he will be coming back to Council with a proposal on how the responses can be handled; however, the new process may cause some money. Some decisions may need to be made by moving personnel, or machinery, etc. This will help with the basic services needs of the community. nese Minute

#### MONTHLY REPORTS

- 1) Airport Commission
- 2) Sheriff's Office Monthly Report
- 3) Community Update September 21, 2021
- 4) 2021 Veterans Day Information
- 5) COVID-19 Report As Of Monday, September 13, 2021
- 6) Sumter Green 2021 Fall Feast
- 7) Sumter County Sheriff's Office Newsletter

#### COUNTY ADMINISTRATOR'S REPORT

- Council approved the Community Mini Grants through ARPA funds. There will be a total of \$500,000, used for this Mini Grant program and thee grants will be in the amount of \$15,000. Additionally, the staff will evaluate the applications. The application will be online at the beginning of next week.
- > Ordinance 21-962 Councilman Baten asked the Administrator to expound on this ordinance; no action was taken at this time. The Administrator stated that in South Carolina, OSHA is the leading agency to decide whether or not mandating a COVID-19 vaccination of those in South Carolina is feasible or not. Therefore, OSHA's staff is reviewing this matter as it relates to what the President of the United States has required of Federal Employees. Additional information is forthcoming within the next few weeks. All action has been deferred on the ordinance until additional information can be received.

PUBLIC COMMENT -- Citizens Desiring To Speak Are Limited To No More Than Three (3) Minutes; Comments Are To Be Made Through The Chairman Of Sumter County Council.

The following citizens spoke to Council during public comment.

- Rodney Brunson spoke to Council about his need for help on his home. He stated that he lives in a mobile home that is over 20 years old. He is disabled and on a fixed income that is not enough to fix his mobile home.
- Eloise McGee stated that she too is disabled and needs some assistance to help fix her home.
- Frank Kelly spoke to Council about the poor road conditions on Arthur Dale Road and Tiverton Church Road. He asked Council for some assistance to upgrade these roads.

Minutes – Regular Meeting - Sumter County Council Tuesday, September 14, 2021 Page 9

• Dr. Brenda C. Williams stated that she and her husband Dr. Joseph Williams have been active in Sumter County for over 39 years. She also stated that they have an organization that is a 501c3 called the Family Unit Incorporated. She and her husband have been blessed enough to help impoverished citizens throughout the County with funds from their pocket. However, she said that there are so many concerns of those that need help. Dr. Williams said that the United Ministries was named tonight as an organization that helps those that are in need. She said that the do; however, the Family Unit Incorporated has been doing some of the same work for those that are in desperate need for help. Dr. Williams asked Council members to provide help for those that have needs throughout this community and are disable and cannot afford to repair their homes.

#### **ADJOURNMENT**

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:37 p.m. after a motion by Councilman Baker, seconded by Vice Chairman, Byrd, and unanimously carried by Council.

Respectfully submitted,

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

Mary W. Blanding
Clerk to County Council
Sumter County Council

Approved: \_\_\_\_\_

I certify that public and media notification of the above-mentioned meeting was given prior thereto as follows required by Freedom of Information:

Public Notified: Yes

Manner Notified: Agendas posted on Television on the first floor of the Administration Building.

Date Posted: September 10, 2021

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: August 20, 2021

Respectfully submitted, Mary W. Polanding

Clerk to County Council



#### **MINUTES**

#### **Special Meeting**

# Sumter County Council Tuesday, September14, 2021 - Held at 5:30 p.m. County Administration Building -- Third Floor County Administration Conference Room 13 E. Canal Street, Sumter, SC

Social Distancing Is Required 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, Vivian Fleming McChaney, and Carlton B. Washington.

**COUNCIL MEMBERS ABSENT: None** 

**STAFF MEMBERS PRESENT**: Gary Mixon, Mary Blanding, Johnathan Bryan, Lorraine Dennis, Uvette Rogers, Keysa Rogers, and Joe Perry.

MEDIA: The Item Newspaper, Shelby Goulding

**MEMBERS OF THE PUBLIC:** Approximately eight members of the public were present at this meeting.

**CALL TO ORDER:** Chairman Of County Council, the Honorable James T. McCain, Jr., called the meeting to order.

**INVOCATION**: Invocation was given by Clerk to Council, Mary W. Blanding, during an earlier Committee Meeting.

APPROVAL OF AGENDA: Chairman McCain stated that he would entertain a motion to approve the agenda as presented.

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant approval of the agenda as prepared.

#### **NEW BUSINESS:**

(1) <u>Discussion and Possible Action Concerning A Presentation Regarding The American Rescue</u> Plan Act.

County Administrator, Gary Mixon, introduced this item to Council. Mr. Mixon said that this is a community He stated that Mrs. Lorraine Dennis, Assistant County Administrator, and Uvette Rogers, Finance Director, worked diligently to prepare this document for Council's consideration. Mr. Mixon said that this portion of the ARPA Funds is called the Mini Grant program and it is Phase I of the grant process. It is recommended by staff that each grant applicant can apply for up to \$15,000 during this phase. There is \$500,000 from the ARPA Funds which has been set aside for the grant application process for local 501c3 organizations.

Minutes - County Council Special Meeting September 14, 2021 Page 2

Mrs. Lorraine Dennis stated that the application packet was developed with information from what was already developed by Clarendon County with input from Councilman Washington from an application process that he developed and it also included information from Clarendon County.

- 1. Federal Employee Identification Number and Information from IRS.
- 2. The Project must be located in Sumter County.
- 3. Project requests must not exceed \$15,000.
- 4. There will be one application for each 501c3 organization.
- 5. The application questions can use these funds as matching funds to obtain funds from other Federal or State grants.
- 6. An organization must divulge whether or not they have received other ARPA funds.
- 7. There must be an estimated start date for the project and a completion date.
- 8. The application will be placed on the Website by Monday, September 20, 2021.
- 9. The approval process will be handled through the Finance Department of Sumter County (Grants Coordinator).

Council members voiced their concerns about the number of applications a non-profit organization could apply for and the amount that was limited to each organization. It was suggested that each 501c3 's application is evaluated whether or not it is for \$15,000, more or less, and then allow a decision to be made about the need for those funds.

Mr. Mixon stated that the staff can do that; however, it is still necessary to set a cap so that each organization can be working with the same number and if there is a need for more funds, the staff can evaluate that during the evaluation process.

It was suggested by Mrs. Dennis to allow for the application process to be capped at \$15,000; and if an organization needs more funds and the staff evaluation of the application is that it is worthy of more funds, the project would be brought to Council to ask for permission of the additional funds.

**ACTION:** MOTION was made by Councilman McGhaney, seconded by Councilman Baker, and unanimously carried by Council to approve the grant application and the grant application process as discussed during this meeting.

#### (2) Request To Send A Letter To S. C. Attorney General - Reference S. C. Opioid Litigation.

Johnathan Bryan, the County Attorney, provided a letter to Council in reference to the S. C. Opioid Litigation. The Law Firm, Harrison White PC, has requested that those County's that are a part of the South Carolina Opioid Litigation to write a letter to the S. C. Attorney General to express the County's support for a South Carolina Term Sheet between the political subdivisions and the Attorney General. The letter expresses the County's support for an allocation whereby the political subdivisions will receive the majority of any opioid settlement dollars directly. A template of the letter was provided (see template below). After review of the letter, Council took action on the request from the Attorney.

**ACTION:** MOTION was made by Vice Chairman Byrd, seconded by Councilman Edens, and unanimously carried by Council to authorize the Chairman of Council to prepare and deliver a letter to the Attorney General as requested by the Harrison White Law Firm based on the South Carolina Opioid Litigation.

Dear Attorney General Wilson:

We write regarding the opioid litigation in South Carolina. As you know, in addition to the lawsuits filed by your Office, forty-one counties and five municipalities in South Carolina have opioid lawsuits pending in state court.

We, in our roles as leaders of your local governments of South Carolina, filed these lawsuits because we have been on the frontlines of the opioid epidemic. Our police, emergency personnel, and EMTs are the first to respond when there are problems. Our jails and medical personnel are on the frontlines of caring for individuals who are addicted. Our communities have been directly impacted by this scourge in so many ways.

We have already incurred millions of dollars in costs, efforts, and man hours associated with combating the epidemic, and funds are desperately needed at the local level to replace what has been spent. Therefore, we are strongly in favor of the local governmental entities receiving a large majority of the settlement proceeds directly.

Within the state court opioid proceedings, there are three bellwether cases that are conducting discovery and actively moving their eases toward trial. As you know, the litigation of these cases is an expensive and time-consuming undertaking for all involved, including our local governments who felt an obligation to pursue these cases. We also understand that your Office has been involved in litigating against some of these defendants and thereby creating pressure and driving settlement. We are so thankful for your efforts.

With respect to settlement, we know that lawyers representing the local governments have been involved in discussions with your Office regarding a proposal for how to allocate any dollars received in South Carolina from any global resolutions with opioid defendants, and we want to also thank you for those efforts. It would be in the best interests of all involved for the State and the local governments in South Carolina to reach such an agreement. We are counting on you to help us recover what our communities and citizens have lost and continue to lose.

We understand there have been discussions about creating an abatement fund. We are against this proposal. A system whereby funds are awarded by a grant-type process could become too political and bureaucratic, and it would not focus on the fundamental fact that the local governments have already been damaged and deserve to be compensated by those who caused the damages.

We respectfully ask that the vast majority of the proceeds recovered through the various litigation efforts be allocated to the local governments where the costs have been and are being incurred. We understand that the lawyers have discussed appropriate language requiring that the funds be used for opioid-related purposes.

We appreciate the work you have done on these cases and for engaging with the local governments about how opioid funds should be allocated. We are hopeful that your Office and the local government representatives will reach an agreement in the near future that will inure to the benefit of all and will provide for any opioid payments to quickly flow to the local communities where the costs and damages continue to occur.

Minutes - County Council Special Meeting September 14, 2021 Page 4

> If we can assist or if you would like to talk about this issue, please do not hesitate to contact us.

(3) It May Be Necessary To Hold An Executive Session For Council To Discuss One Or All Of The Following: Contractual Matter, Legal Briefing, Employment/Personnel Issue, etc. And Take Appropriate Actions After The Executive Session As Necessary.

No executive session was held.

#### OLD BUSINESS

(1) There was no old business.

#### **ADJOURNMENT**

After all comments and discussions, MOTION was made by Councilman Baten, and seconded by Vice Chairman Byrd to adjourn the meeting at 6:06 p.m.

Respectfully submitted,

Mary W. Blanding anter Contribution on the Action on the Contribution on the Contribution on the Contribution of the Contri Mary W. Blanding

Clerk to Sumter County Council

### American Rescue Plan Act of 2021 Sumter County Community Grant Program Application

(AMERICAN RESCUE PLAN ACT 2021)



THIS APPLICATION REQUEST IS NOT TO EXCEED \$15,000 IN FUNDS PROVIDED BY SUMTER COUNTY COMMUNITY GRANT PROGRAM MADE POSSIBLE BY THE AMERICAN RESCUE PLAN ACT OF 2021 (ARPA). INORDER TO APPLY, APPLICANTS MUST BE A 501 (C) (3) ORGANIZATION OR OTHER RECOGNIZED RELIGIOUS OR CHARITABLE ORGANIZATION IN GOOD STANDING. NOT ALL APPLICATIONS WILL BE APPROVED.

Please type and answer each question as thoroughly as possible. You may include additional pages if necessary. Please provide relevant documentation to support responses and requested by Sumter County. An incomplete application will not be considered. Please submit one original application and two copies.

Organization Name Trade name or "doing business Federal Employer Identification (FEIN) (Please attach a copy of 501 (c) (3) determination letter or other proof of charitable/ religious status and 2020 IRS 990 Form) **Primary Address** Street Address or PO Box City State Zip Code **Contact Address** Street Address or PO Box City State Zip Code **Authorized Contact Person** Telephone **Email Address** Mission Statemer Overview of Organization

September 14, 2021	
Page 6	
Project description and proposed use of funds (Project	t Must Be in Sumter County)
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Explanation of request (explain why project is good use	e of taxpayer funds)
20	CS CS
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(a)	
Grant Funds Requested \$	(Must Not Exceed \$15,000)
W.	•
Project Budget (Please submit as an attachment)	
,	

Budget Narrative (Please provide a detailed explanation of how you arrived at the figures in each line item of the budget and demonstrates that all listed costs are justified and reasonable. \*Amounts listed in Budget section and Budget Narrative Must match.

Has (is) the proposed use of funds been (being) funded from any other sour	rce Yes No
If yes, please list other funding source (s) and why additional funds are being	ng requested from Community Grant
Program	
	J)r
	201
Have you received any other Federal or State COVID Relief Funding	YesNo
If yes, please explain the use of those funds	
	CEX
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O.	
Estimated start date Estimated co	mpletion date

#### **APPLICANT REPRESENTATIONS:**

Under penalty of perjury, the undersigned, authorized representative of the applicant, for and on behalf of the applicant, certifies that:

- (a) He or she is sufficiently familiar with the requirements of the Sumter County Community Grant Program and all related materials, including, for example, Exhibit A with its exhibit(s), which includes guidance from the United States Department of Treasury ("Treasury Guidance"), to be able to complete this Application;
- (b) He or she has appropriate authority to bind, and does hereby bind, the applicant to the requirements of the Sumter County Community Grant Program and all related materials, including, for example, Treasury Guidance;
- (c) He or she is sufficiently familiar with the applicant's operations to be able to make the representations about the applicant contained in this Application and any attachments to this Application;

Minutes - County Council Special Meeting September 14, 2021 Page 8

- (d) The information contained in this Application and any attachments to this Application are true and correct in all respects and conform in all respects to the applicant's information, including the applicant's books and records;
- (e) The applicant's books and records are available for inspection by an authorized agent(s) of Sumter County, the United States Department of Treasury, and the United States Internal Revenue Service, or any combination of the same;
- (f) He or she understands that the applicant's failure to comply in all respects with the requirements of the Sumter County Community Grant Program and all related materials, including, for example, Treasury Guidance, may result in recoupment of grant funds with penalties, criminal prosecution, and other sanctions;
- (g) He or she understands that the Sumter County Community Grant Program is a discretionary program, on a first-come, first- served basis, based on available financial resources provided by ARPA as allocated by the County;
- (h) He or she understands that the decision regarding whether to make a grant award and how much to award, if any, remain discretionary with Sumter County; and
- (i) He or she understands that Sumter County is entitled to discontinue this Community Grant Program at any time even if and after an application has been approved for a grant award.

Name of Organization:		
Authorized Signature:	- CSC >	
Printed Name:		
Title:	Ott	
Date:	ion	
	CC	

RETURN TO: Sumter County Administration Building
Sumter County Finance Department
Attention: Christin Russell, Grants Administrator
13East Canal Street
Sumter, South Carolina 29150

#### **SUMTER COUNTY FINANCE DEPARTMENT USE ONLY**

	EXHIBIT A	
Application Number:	Date/ Time Received:	

Minutes - County Council Special Meeting September 14, 2021 Page 9

### FORM OF SUMTER COUNTY ARPA SLFRF COMMUNITY GRANT PROGRAM SUB-RECIPIENT AGREEMENT

(With Exhibit A) {33 PAGES}



### SUMTER COUNTY ARPA SLFRF COMMUNITY GRANT PROGRAM SUB-RECIPIENT AGREEMENT

{Recipient Entity Name- To be updated prior to execution}

Sumter County Counc	il
Sumter, South Carolin	a

Sumter County Administrator Sumter, South Carolina

Dear Members of Sumter County Council and Mr. Gary M. Mixon, Administrator:

			<b>5</b>		
The undersigned entity	y is authorized to execute	e this Sub-Re	cipient Agree	ement ("Agreem	ent")
	to Sumter County, South				
written below. This	Agreement relates to t	the receipt,	acceptance,	and expenditur	re of
community grant fund	s, which have been recei	ived by the (	County accord	ding to the Ame	rican
Rescue Plan Act of 202	1 ("ARPA"), and which hav	e been appro	oved by the Si	umter County Co	uncil
on	("Grant Program"). Yo	u are entitled	l to rely on th	is Agreement wi	th no
duty to investigate or	confirm the information o	contained in t	this Agreeme	nt and no liabilit	y for
any misstatements con	tained in this Agreement.	Each capital	ized term use	d, but not define	ed, in
this Agreement has th	e meaning ascribed to th	at term in th	ie US Departi	ment of the Trea	asury
Guidance (Part 1 and P	art 2), a copy of which is a	attached as Ex	khibit A ("Trea	asury Guidance")	).
	DC.				

In this regard, in exchange for Sumter County's grant in the amount of \$\_\_\_\_\_ under the Grant Program, the undersigned entity acknowledges and agrees:

- 1. The undersigned entity is a 501 (c) (3) organization or other recognized religious or charitable organization in good standing and shall remain so through the final expenditure of any funds awarded pursuant to the Grant Program.
- 2. The County's award of funds pursuant to the Grant Program constitutes a sub award of SLFRF.
- 3. The undersigned entity constitutes a "pass –through" entity as defined under 2 CFR § 200.1.
- 4. The undersigned entity shall comply with all requirements of the SLFRF pursuant to CFR § 200.332.

- 5. The undersigned entity shall comply with, and assist Sumter County in complying with, the Treasury Guidance.
- 6. The undersigned entity shall otherwise satisfy all compliance requirements for use of SLFRF.
- 7. The undersigned entity shall otherwise satisfy all reporting requirements for use of SLFRF.
- 8. The undersigned entity shall not use, directly or indirectly, or permit others to use, directly or indirectly, funds supplied by the Grant Program for any purpose that would violate any Grant Program requirements, including the use of SLFRF.
- 9. The undersigned entity has never been delinquent, in any respect, in its management of state, federal, or private grant and/or other funds.
- 10. The undersigned entity has never received an audit of its financial statements that resulted in less than an unqualified opinion from its external auditor.
- 11. The undersigned entity has never been subject to an audit of state, federal or private grant and/ or other funds that were not resolved in favor of the undersigned entity.
- 12. The undersigned entity maintains internal controls, policies, and procedures to ensure appropriate oversight of fiscal management and physical money handling, including, for example, for the avoidance of fraud, negligence, and mismanagement of funds.
- 13. The undersigned entity's books and records are and shall remain available for inspections by any authorized agent (s) of Sumter County, the US Department of Treasury, and the US Internal Revenue Service (IRS), or any combination of the same.
- 14. The undersigned entity's failure to comply in all respects with the requirements of the Grant Program and the use of SLFRF may result in recoupment of any grant funds, with penalties, criminal prosecution, and other sanctions.
- 15. The undersigned entity shall maintain all records related to the Grant Program and the use of SLFRF for no less than seven (7) years from the date of receipt of Grant Program funds.
- 16. The undersigned entity shall provide additional information Sumter County may, from time to time request.

[Name of Entity]

Minutes - County Council Special Meeting September 14, 2021 Page 11

Executed Date:	Signature:
	Printed Name:
	Title

EPARTM'

US DEPARTMENT OF THE TREASURY GUIDANCE (Part 1 and Part 2)

(See attached 34 pages)

### Sumter County Council

#### FIRST READING September 29, 2021

#### **RZ-21-19, 301 E. Hunter St. (County)**

#### I. THE REQUEST

**Applicant:** William Hayes

**Status of the Applicant:** Authorized Agent for Property Owner

**Request:** A request to rezone a +/- 3.76 acre tract (portion of TMS# 248-00-

01-002) from Residential-9 (R-9) to Agricultural Conservation

(AC).

**County Council District** District 5

**Location:** Fairfax St. between Laverne Ave and E. Hunter St.

**Size of Property:** +/- 3.76 acres

**Present Use/Zoning:** Undeveloped / Residential-9 (R-9)

**Proposed Use of Property:** Agricultural Conservation (AC)

**Tax Map Reference:** 248-00-01-002 (Part)

**Adjacent Property Land** 

**Use and Zoning:** 

North – Undeveloped / R-9 South – Undeveloped / R-9 East – Undeveloped / AC

West – Single-Family Residential / R-9

#### II. BACKGROUND

This is a request to rezone +/- 3.76 acres of land located on Fairfax St. between E. Hunter St. and Laverne Ave. (herein referred to as the property) from Residential-9 (R-9) to Agricultural Conservation (AC). The property is shown on the location map to the right.

The applicant is considering placing a manufactured home on the subject property, which is currently undeveloped.



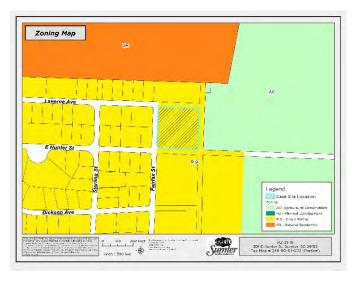
#### **Zoning**

The property is currently zoned Residential-9 (R-9), and is adjacent to R-9 zoning to the north, west, and south, and AC to the east.

The intent of the AC zoning district is to protect and preserve areas of the county which are presently rural or agricultural in character and use, and are uniquely suited to agricultural use. Where urban development is permitted within the district, strict quality standards should be required.

#### Permitted and Conditional Uses:

Manufactured housing uses are permitted by-right in the AC zoning district, per the



Sumter County Zoning & Development Standards Ordinance (the Ordinance). However, if the request is approved, the applicant would be permitted to develop all uses indicated for the AC zoning district as shown on the use table found at *Article 3, Exhibit 5* of the Ordinance in accordance with the indicated process. This use table is attached to this report as <a href="Exhibit 1">Exhibit 1</a>. Uses with a "P" are allowed by-right, uses with a "C" require conditional use approval, uses with an "S" require special exception approval by the Sumter City-County Board of Zoning Appeals (BZA), and uses with no letter are not permitted.

#### III. COMPATIBILITY WITH THE 2040 COMPREHENSIVE PLAN

The Sumter 2040 Comprehensive Plan shows that the property is influenced by the Suburban Development Planning Area.

The Suburban Development Planning Area is characterized by the influences of modern suburban development: the separation of distinct commercial, residential, and industrial areas. Functionally, this pattern of development amounts to a strict separation of homogeneous residential enclaves; strip commercial corridors and finite, stand alone, employment centers.



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 manner.

#### IV. TRANSPORTATION REVIEW

The property has frontage on Fairfax St., an SCDOT-owned and maintained road. In the area of the site, Fairfax Rd. is a 2-lane road with one travel lanes in each direction. Fairfax Rd. is functionally classified as a local access road. There are no current traffic counts for Third Ave.

The site is located in Traffic Analysis Zone (TAZ) #07001.

#### V. STAFF RECOMMENDATION

While rezoning property from R-15, R-9, or R-6 designated residential districts to an AC classification is generally rare, the primary motive for this request is to change the zoning designation to a district that allows for a manufactured house to be placed on this property.

The existing development pattern and zoning in the vicinity of the property indicates that there was a plan to extend the Lafayette Heights single-family residential subdivision on the subject parcel and the parcels adjacent to it. However, the subdivision was never extended east of Fairfax St. Additionally, there is no sewer service in the area to support R-9 zoning densities and the primary soil classification of the property (Lynchburg Soil) does not accommodate on-site septic systems well.

Given these considerations, a rezoning of the property to Agricultural Conservation (AC), which has a one-acre minimum lot size requirement, is appropriate in this location.

#### VI. DRAFT MOTION

- 1) I move that the Planning Commission recommend <u>approval</u> of RZ-21-19, rezoning +/-3.76 acres from Residential-9 (R-9) to Agricultural Conservation (AC).
- 2) I move that the Planning Commission recommend <u>denial</u> of RZ-21-19, rezoning +/- 3.76 acres from Residential-9 (R-9) to Agricultural Conservation (AC).
- 3) I move an alternate motion.

#### VII. PLANNING COMMISSION – September 22, 2021

Sumter Planning Commission at its meeting on Tuesday, September 22, 2021, recommended approval of this request.

#### VIII. SUMTER COUNTY COUNCIL – SEPTEMBER 28, 2021 – FIRST READING

PERMITTED & CONDITIONAL USES	РО	NC	LC	GC	CBD	LI	НІ	M-U-I	AC	AC-10	CP	SIC CODE
Agriculture, Farming				С		P	Р		Р	Р	Р	01, 02, 021, 0212, 0214, 0219, 024, 027, 0271, 0272, 0273, 0279, 029
Stockyards						S	S		S			0211
Poultry Houses									S	S		025
Swine Farms									S	S		0213
Soil Preparation Services/Crop Services				P	P	P	P		P	P	P	071, 072
Veterinary Services	C			P		P	P		P	P		074
Vet Services for Animal Specialties [Small Animals Only]	C		P									0742
Animal Services (except veterinary)				С		С		С	C-500	С		075
Commercial Kennels				S		S	S		S	S		0752
Farm Labor & Management Services				P	P	P	P		C-500			076
Landscape & Horticultural Services				P	P	P	P		P	P	P	078
Landscape Counseling & Land Planning			P									0781
Forestry						P	P		P	P	P	08
Fishing, Hunting & Trapping						P	P		P	P	P	09
Administrative Offices	P	P	P	P	P	P	P	C	C-200			1 Auxiliary Code
Metal Mining							S		S			10
Oil & Gas Extraction							P		C1000			13
Mining & quarrying of non-metallic minerals							C		C	C		14
Building Construction-general contractors				P		P	P	C	C-500			15
Heavy Construction-other than building construction contractors							P	C	C-500			16
Construction-Special Trade Contractors				С		P	P	C	C-500			17
Research, Development testing labs	P		P	P	P	P	P	С	C-500			2 Auxiliary Code
Food & Kindred Products							P	С				20
Slaughter Houses							S					2011/2015
Tobacco Products		_					P	C				21

PERMITTED & CONDITIONAL USES	РО	NC	LC	GC	CBD	LI	НІ	M-U-I	AC	AC-10	СР	SIC CODE
Textile Mill Products							P	C				22
Apparel & Other Finished Products made from Fabric							P	С				23
Lumber & Wood Products, except furniture						P	P	С				24
Furniture & Fixtures						P	P	С				25
Paper and Allied Products							P	С				26
Printing & Publishing				P	P	P	P	С	C-500			27
Chemicals & Allied Products							P	С				28
Petroleum Refining							P					29
Warehouses				P	P	P	P	С				3 Auxiliary Code
Rubber and Misc. Plastic Products							P	С				30
Leather and Leather Products							P	C				31
Stone, Clay, Glass, and Concrete Production							P	C				32
Primary Metals Industries							P	C				33
Fabricated Metal Products, Except						P	P	С				34
Machinery & Transportation Equipment												
Industrial & Commercial Machinery & Computer Equipment							P	С				35
Electronic & Other Electrical Equipment and					P	P	P	С				36
Components Except Computer Equipment Transportation Equipment							P	С				37
Truck Trailers						P	P	C				3715
Optical Goods Stores/Misc. Manufacturing					P	P	P	C				38/39
Optical Goods Stores/Misc. Manufacturing					Г	Г	Г	C				40, 41, 42, 44, 4493
Transportation Communications				C	С	P	P	С				(only in AC) 4212, 46
Mini-Warehouses			С	С		С	С	С	С			4225
U.S. Postal Services	P	P	P	P	P	P	P	С	P			43
Transportation by Air							P	С	С			45
Transportation Services				P	P	P	P	С	C-500			47

EXHIBIT 3-5
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL,
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

PERMITTED & CONDITIONAL USES	РО	NC	LC	GC	CBD	LI	НІ	M-U-I	AC	AC-10	СР	SIC CODE
Travel Agencies, Tour Operators,			P									472
Arrangement of Transportation												
Telephone Utility	P	P	P	P	P	P	P	P	P	P	P	48
Communications				P	P	P	P	С	C	С		48
Communication Towers	S	S	S	S	S	S	S	S	S	S	S	48
Cable Services	P	P	P	P	P	P	P	P	P	P	P	484
Electric, Gas, & Sanitary Services				S		S	S	S	S	S		49
Electrical Services	P	P	P	P	P	P	P	P	P	P	P	491
Photovoltaic Solar Energy System, Primary						С	C		С	С	С	4911
or Accessory						C				C		
Gas Production & Distribution	P	P	P	P	P	P	P	P	P	P	P	492
Combination of Electric & Gas	P	P	P	P	P	P	P	P	P	P	P	493
Water Supply Facilities	P	P	P	P	P	P	P	P	P	P		494
Sewerage Systems	P	P	P	P	P	P	P	P	P	P	P	4952
Manned Convenience Centers			С	С	С	С	C		С			4953
Poultry Incinerators									S	S		4953
Wholesale Trade						P	P					50/51 (Except 5015,5093 & 5194)
Motor Vehicle Parts, Used							P					5015
Scrap Metal							P					5093
Animal Auctions						S	S		S	S		5154
Building Materials				P		P	P		C-500			52
Paint, Glass, and Wallpaper				P	P	P	P		C-500			523
Paint and Wallpaper – Not Glass			P									523
Hardware Stores		P	P	P	P	P	P		C-300			525
Retail Nurseries & Lawn Garden Shop			P	P	P	P			С	С		526
Mobile Home Dealers				С		С						527
General Merchandise Stores				P	P	C		С	C-500			53
Grocery Stores		P	P	P	P	C		C	C-500			54
Convenience Stores		P	P	P	С	P	P	C	C-500			541

EXHIBIT 3-5
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL,
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

PERMITTED & CONDITIONAL USES	РО	NC	LC	GC	CBD	LI	НІ	M-U-I	AC	AC-10	СР	SIC CODE
Automotive Dealers		С	С	P	С	С		С				55
Fuel Dealers							P					5541
Apparel & Accessory Store		P	P	P	P	С		С	C-500			56
Home Furniture, Furnishing Stores		P	P	P	P	С		С	C-500			57
Eating Places		P	P	P	P	P		С	С			5812
Drinking Places		S	S	S	S	S		S	S			5813
Drug & Sundry Stores	P	P	P	P	P	C		С	C-500			591
Liquor Stores		S	S	S	S	S						592
Used Merchandise & Pawn Shops				P	P	C			C-300			593
Flea Markets				C		C			C-300			593
Sporting Goods & Bicycle Shops		P	P	P	P	C		С	C-300			5941
Book Stores		P	P	P	P	C		С	C-300			5942
Stationary Shops		P	P	P	P	C		C	C-300			5943
Jewelry Stores		P	P	P	P	C		C	C-300			5944
Hobby, Toy, Game Shop		P	P	P	P	C		С	C-300			5945
Camera, Photo Supply Houses		P	P	P	P	C		C	C-300			5946
Gift, Novelty, Souvenirs Shops		P	P	P	P	C		C	C-300			5947/5948
Sewing, Needle & Piece Goods		P	P	P	P	C		C	C-300			5949
Catalog & Mail Order Houses		P	P	P	P	C		C	C-300			5961
Automatic Merchandising Machine		С	С	С		С	С		С			5962
Operators		C		C		C	C		C			3902
Fuel Dealers				P		P	P					598
Florist		P	P	P	P	С		C	C-300			5992
Tobacco Stores		P	P	P	P	С		C	C-300			5993
Optical Goods Store	P	P	P	P	P	С		С	C-300			5995
Misc. Retail (i.e. artist supplies, Antenna rooms, stamps, & Telephone stores)		P	P	P	P	С		С	C-300			5999
Firewood Shops				P		P			P	P		5999
Pet Shops		P	P	P	P	С		С	C-300			5999
Fireworks				P		P	P		C-300			5999

EXHIBIT 3-5
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL,
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

PERMITTED & CONDITIONAL USES	РО	NC	LC	GC	CBD	LI	НІ	M-U-I	AC	AC-10	СР	SIC CODE
Monuments & Tombstones				P		P	P		С			5999
Depository & Non-Depository Institution	P	P	P	P	P	С		С	C-300			60, 61
Security & Commodity Brokers	P	P	P	P	P	С		С	C-300			62
Insurance Carriers & Agents	P	P	P	P	P	C		C	C-300			63, 64
Real Estate, Holding Investment	P	P	P	P	P	C		C	C-300			65
Hotel & Motels				P	P	C		C	C-300			701
Rooming & Boarding Houses	C	C	C	C	C			C				702
Recreational Vehicle Parks and Camps				C		C		C	C-300		C	703
Organization Hotels & Lodges	C	C	C	P	C			C	C-300			704
Power Laundries / Dry Cleaning Plants			C	C		P	P	C	C-500			7211/7216
Agents for Laundry & Dry Cleaners, Linen Supply		P	P	P	P	P	P	С	C			7212/7213
Coin Operated Laundries		P	P	P	С	P		С	C-300			7215
Carpet & Upholstery Cleaning, Other				P		P	P	С	C-300			7217/7219
Industrial Laundries				C	C	P	P	С				7218
Photographic Studios	P	P	P	P	P	P		С	C-300			722
Beauty & Barber Shops	P	P	P	P	P	P		С	C			723, 724
Shoe Repair, Shoe Shine, Hat Cleaning		P	P	P	P	P		C	C-300			725
Funeral Homes & Crematories			P	P		P			C-500			726
Miscellaneous Personal Services	С	P	P	P	P	С		С	C-300			729
Massage Parlors and Spas	С			С		C		С				7299
Adult Uses				S								7299
Tattoo Parlor				S		S						7299
Business Services				P	P	С		С				73
Advertising Agencies			P									7311
Credit Consumer Reporting			P									732
Mailing Reproduction, Art & Photography			P									733
Commercial Art / Graphic Design			P									7336
Secretarial / Court Services			P									7338

PERMITTED & CONDITIONAL USES	РО	NC	LC	GC	CBD	LI	НІ	M-U-I	AC	AC-10	СР	SIC CODE
Disinfecting and Pest Control Services including the following:  Bird proofing; deodorant servicing of rest rooms; disinfecting service; exterminating service; fumigating service; pest control in structures; rest room cleaning service; termite control; and washroom sanitation						P	Р					7342
Heavy construction equipment rental and leasing including the following:  Bulldozer rental and leasing; construction equipment, heavy: rental and leasing; crane rental & leasing; earth moving equipment rental & leasing						P	P					7353
Equipment Rental & Leasing, Not Elsewhere Classified including only the following: Airplane rental and leasing; appliance rental & leasing; coin-operated machine rental & leasing; electronic equipment rental & leasing, except medical and computer; industrial truck rental & leasing; oil field equipment rental and leasing; oil well drilling equipment rental & leasing; toilets, Portable: rental & leasing; tool rental and leasing; vending machines, rental only						P	P					7359
Employment Agencies	P		-	P	P	С		С				7361
Help Supply Services Computer Programming Services			P P									7363 7371, 7376, 7379,
Detective Agencies [except rental of dog for protective service & armored care services			P									7381
Security System Services			P									7382

PERMITTED & CONDITIONAL USES	РО	NC	LC	GC	CBD	LI	НІ	M-U-I	AC	AC-10	СР	SIC CODE
Salvage of Damaged Merchandise							S					7389
Business Services [not elsewhere classified] Specifically listed below:     Agents & Brokers for Authors and Nonperforming Artists; Appraisers[except real estate]; Arbitration and Conciliation Services; Artists' Agents and Brokers [except performing artists]; Authors' Agents and Brokers; Business Brokers[buying and selling business enterprises]; Decoration Service for Special Events; Drafting Services; Fundraising on a Contract or Fee Basis; Handwriting analysis; Interior Decorating Consulting Service [except painters and paper hangers]; Interior Designing services [except painters and paper hangers]; Lecture Bureaus; Map Drafting Service, Map Making-including aerial; Message Service/Telephone Answering[except beeper service]; Notary Public, Paralegal Service; Photogrammetric mapping Service[not professional engineers] Photography Brokers, Playwrights' Brokers; Process Serving Service; Recording Studios on a Contract or Fee Basis; Speakers' Bureaus; Tax Collection Agencies: collecting for a city, county or state; and Translation Services;			P									7389
Auto Rental & Leasing			P	P	P	P		С	C-300			751
Automotive Parking				С	С	P	P	С				752
Commercial Truck and Trailer Parking				С	С	P	P	С	C-500			752
Auto Repair Shop				С	С	P	P	С	C-300			753

EXHIBIT 3-5
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL,
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

PERMITTED & CONDITIONAL USES	РО	NC	LC	GC	CBD	LI	ні	M-U-I	AC	AC-10	СР	SIC CODE
Automotive Tops (Canvas or plastic), installation, repair, or sales and installation; and upholstery repair, automotive ONLY			С									7532
Auto Service Except Repair			P	P	P	P		С	С			754/7549
Car Washes		С	P	P		P			C-300			7542
Miscellaneous Repairs				P	P	P	P	С	C-300			76
Watch, Clock & Jewelry Repair			P									7631
Motion Picture Dist.				P	P	P		<u>C</u>				782
Motion Picture Theaters			С	P	P	С		<u>C</u>				783
Video Tape Rentals		P	P	P	P	P		C	С			784
Dance Studios			P	P	P	С		С	С			791
Bowling Alleys / Theatrical Producers				P	P	С		С	C-500			793/792
Professional Sports Clubs & Promoters				P	P	P			C-500			7941
Racing Track and Operations				S		S						7948
Bingo Parlor / Pool Hall				S		S						7999
Physical Fitness Facilities		P	P	P	P	P	С	С	C-300			7991
Physical Fitness Facilities		P	P	P	P	P	С	C	C-300			7991
Golf Courses, Public				P		P		C	С		С	7992
Coin Operated Amusement Devises		C	С	P	P	P		С	C-300			7993
Amusement Parks				P		P		<u>C</u>				7996
Membership Sports & Rec. Clubs				P	P	P		C	C			7997
Amusements & Rec. (Not Classified)		S	S	S		S		S	S			7999
Electronic Gaming Establishments				S		S						7999
Outdoor Pistol, Rifle and Skeet Ranges		S	S	S		S	S	S	S			7999
Medical & Dental Offices	P		P	P	P	C		C	C			801, 802, 804
Doctors of Osteopathy	P		P	P	P	C		C	C			803
Nursing Care Facility	P	P	P	P	P	C		C	C-500			805
Hospitals				P	P	C		C				806
Medical & Dental Laboratories				P	P	P		C	C-300			807
Home Healthcare Services/Misc.	P		P	P	P	P	C	C	C			808

EXHIBIT 3-5
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL,
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

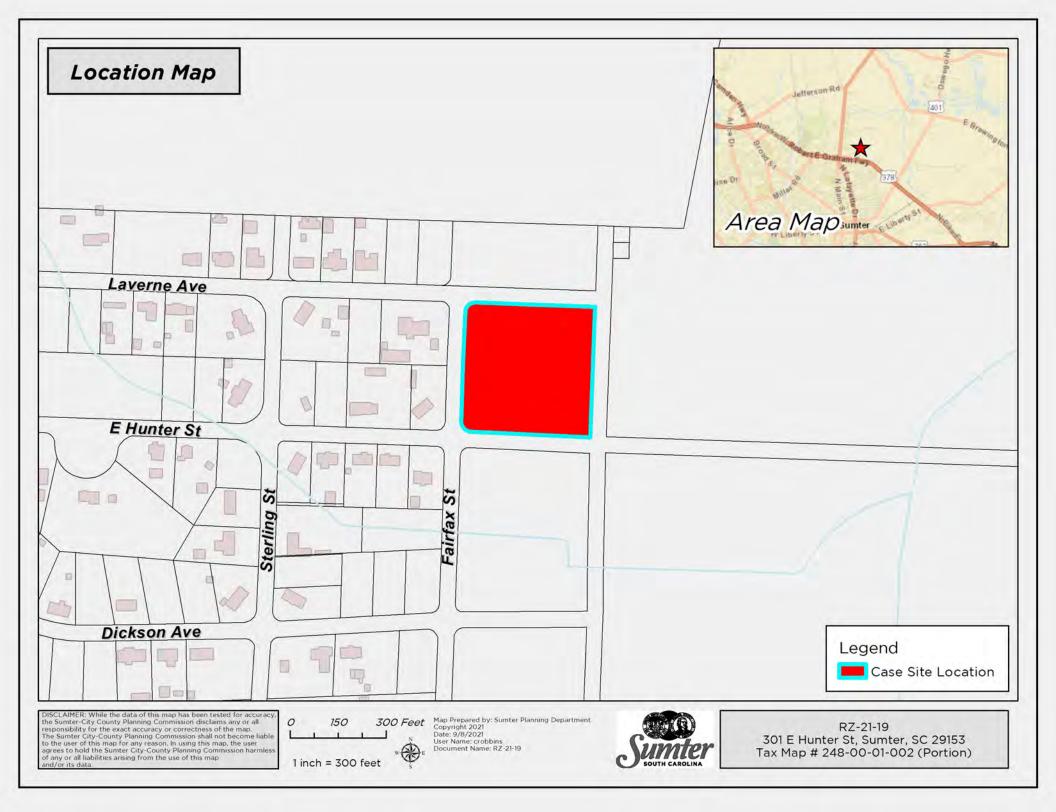
PERMITTED & CONDITIONAL USES	PO	NC	LC	GC	CBD	LI	НІ	M-U-I	AC	AC-10	CP	SIC CODE
Legal Services Offices	P		P	P	P	С		С	С			81
Elementary, Secondary Schools	C	C	C	С	С				С			821
Colleges, University, Professional Schools					С	С			С			822
Libraries	P		P	P	P	P		С	С			823
Vocational Schools			P	P	P	P	P	С	С			824
Other Schools & Education Services			P	P	P	P	P	С	С			829
Social Seminars, Individual & Family	P			P	P	С		С	С			832
Individual & Family Social Services			P									832
Job Training & Rehabilitation Services			P	P	P	P		С	C-300			833
Child Care Services	P	P	P	P	P	P	P	С	С			835
Residential Care	P	P	P	P	P		S		P		P	836
Other Social Services				P	P	P		С	C-300			839
Museums & Art Galleries	P		P	P	P	С		С	C-300			841
Botanical Gardens	P		P	P	P	С		С	C-300			842
Organization Facilities & Business Assoc.	P		P	P	P	P		С	С			861, 862, 863, 864, 865
Churches & Religious Organizations	С	С	С	С	С	С		С	С			866
Other Membership Organizations	P		P	P	P	С		С	C-500			869
Engineering, Accounting, Research	P		P	P	P	P	P	С	C-300			87
Misc. Services—Artist, Authors, etc.	P		P	P	P	С		С	C-300			89
Government Offices	P		P	P	P	P	С	С	С			911, 912, 919, 92, 93, 94, 95, 96
Correctional Institutions/Facilities			S	S	S	S	S		S			9223
Fire Protection Facilities	P	P	P	P	P	P	P	С	P	P		9224
National Guard Armory				P		P	P		С			97
Social Service Facilities & Ash Gardens	С	С	С	С	С	С			С		С	N/A
Single Family Detached	С	С	С	P	С			С	P	P	P	N/A
Single Family Attached	С	С	С	P	С			С				N/A
Duplex, Residential	С	С	С	P	С			С				N/A (2 Acre Minimum)

# **EXHIBIT 3-5**

# PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL, INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

PERMITTED & CONDITIONAL USES	РО	NC	LC	GC	CBD	LI	НІ	M-U-I	AC	AC-10	CP	SIC CODE
Townhouses, Patio Holmes	С	С	С	P	С			С				N/A
Tri-plex & Quadraplex	C	C	C	C	C			C				N/A
Multi-family Apartments	C	C	C	C	C			C				N/A
Parks & Playgrounds	P	С	P	P	P			C	P	P	P	N/A
Cemeteries									C-300	C-300	C-300	N/A
Mobile Homes									P	P	P	N/A
Mobile Home Park				C								N/A
Bed & Breakfast	C	C	C		C				C	C		N/A
Mobile Homes									P	P	P	N/A
Mobile Home Park				C								N/A
Bed & Breakfast	С	С	С		C				С	С		N/A
Second Story and above Residences					P				С			N/A
Ambulance Services			P	P								
Produce Sales		C	С	С					С			

- 1. If just a C, then staff review and/or established conditions are used.
- 2. If C with a distance, the Conditional Use approval is based on the following
  - a. The distances are measured in a straight line from the building walls
  - b. Distances are in feet
  - c. Any movement of the building/site requires a re-evaluation of the distance.
  - d. Any adjacent property that falls within the prescribed distance is an affected property.
  - e. Approval from 2/3 or 67% of the effected property owners is required
  - f. Additionally, if any property is occupied by renters, approval from 2/3 or 67 percent of the effected renters is required.
  - g. The applicant is required to contact and secure approval from all effected property owners and/or renters.
  - h. The completed approval document should then be attached to the conditional use.
  - i. Established fees and administrative procedures will be used to approve the conditional use and issue an approval letter.
  - j. A copy of the approval letter will be attached to any associated building permits and business licenses.







DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter-City County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.

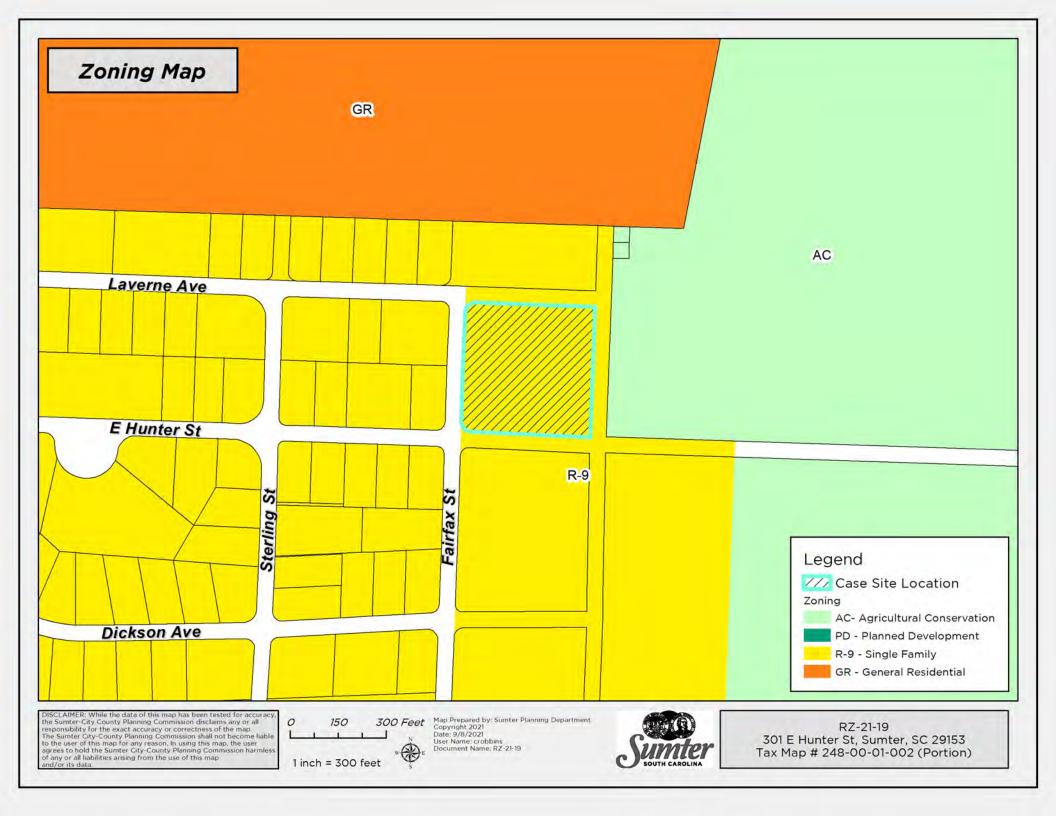
50 100 Feet

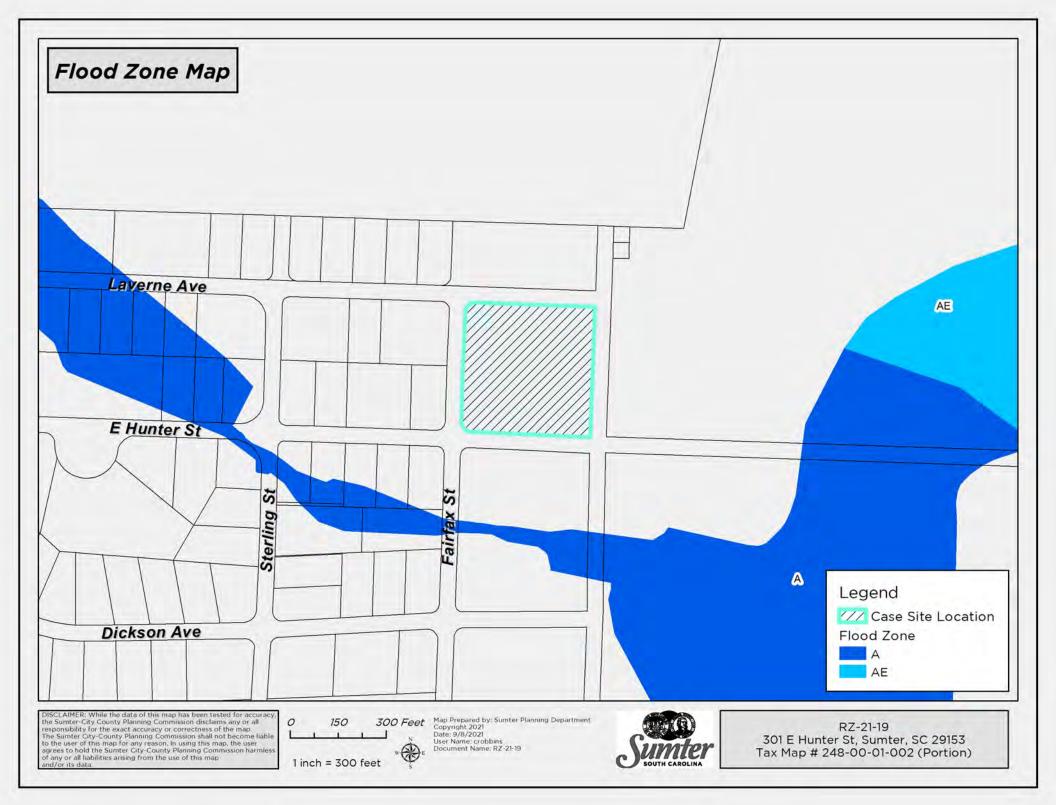
1 inch = 100 feet

100 Feet Map Prepared by: Sumter Planning Department Copyright 2021
Date: 9/8/2021
User Name: crobbins
Document Name: RZ-21-19



RZ-21-19 301 E Hunter St, Sumter, SC 29153 Tax Map # 248-00-01-002 (Portion)





# Sumter County Council

# FIRST READING **September 28, 2021**

# OA-21-05, Drinking Places & Special Event Facilities (County)

#### I. THE REQUEST

**Applicant: Sumter County** 

**Request:** Amend Article 3, Section 3.f.3, 3.g.2, 3.g.4, 3.h.2, 3.h.4, 3.i.2, 3.i.3,

> 3.i.4, 3.j.2, 3.j.3, 3.j.4, 3.k.3, 3.k.4, 3.m.3, 3.m.4, 3.n.3, & 3.n.4; Article 3, Exhibit 5; Article 5, Section 5.b.1; Article 5, Section 5.b.2; Article 5, Section 5.b.3; Article 8, Exhibit 23, and Article 10, Section 10.b.1 with the purpose of establishing clear definitions for drinking place uses, bottle club uses, night club uses, and special event facility uses, establishing that bottle club uses and night club uses require the same approval process as drinking place uses in applicable zoning districts, establishing that special event facility uses require conditional use approval in applicable zoning districts, establishing use specific conditional use criteria for special event facility uses, establishing minimum off-street parking requirement for special event facility uses,

and correcting other minor zoning ordinance text inconsistencies.

#### II. **BACKGROUND**

The primary purpose of this Ordinance Amendment is to address the need for distinct zoning requirements for special event facility uses. This involves amending multiple sections of the Sumter County Zoning & Development Standards Ordinance (the Ordinance) for consistency. Meeting the purpose of the amendment also involves providing clear definitions for drinking place uses, night club uses, and bottle club uses.

The need for this amendment has presented itself due to the following factors:

- The increasing frequency of requests to establish special event facility uses throughout Sumter County.
- The lack of clarity in the current text of the Ordinance on what defines a special event facility uses.
- The increasing frequency of establishments licensed as special events facilities that are for all intents and purposes operating as drinking place establishments, with the only exception being that no alcohol sales for on-premises consumption are provided at the facility. In lieu of alcohol sales for on-premises consumption, bring-your-own-beverage (BYOB) is permitted.

Currently, the Ordinance uses the Standard Industrial Classification (SIC) Manual (1987 edition) for the purposes of classifying and regulating land uses by each separate zoning district established by City Council. This method is dated and does not adequately classify or define special event facility uses. Moreover, no definition for special event facility uses or similar type uses are provided in the Ordinance.

Staff has determined that special event facility uses fall under SIC Code 7299, Miscellaneous Personal Services, as this is the same SIC Code that includes banquet halls and wedding venues. However, a specific definition and additional requirements are needed to address a recent negative trend concerning facility operators using special events facility designations to operate establishments that offer BYOB alcohol consumption and on-site entertainment in lieu of establishing legal drinking places.

Drinking places masquerading as special events facilities have the same land use impacts as a drinking place use would. However, since alcohol sales for on-premises consumption are not provided, the owners and operators of these uses are not subject to the SC Department of Revenue licensing process. Further, the SIC Code classification for special events facilities allows for a less stringent zoning approval process that does not involve a public hearing in front of the Sumter City-County Board of Zoning Appeals.

Properly classifying facilities operating as drinking places and night clubs, but describing themselves as special event facilities, is further complicated by the SIC Manual definition which states that drinking places, night clubs, etc. derive a primary portion of their revenue from alcohol sales. To fully address this matter, definitions for special event facility uses, drinking place uses, night club uses, and bottle club uses are needed to provide clarity from a zoning administration standpoint.

The proposed definitions below, along with the proposed Ordinance text changes, clarify that facilities essentially operating as drinking places or night clubs via BYOB on-premises alcohol consumption require special exception approval by the Sumter City-County Board of Zoning Appeals. This will treat those uses in the same manner as a properly licensed drinking place use providing alcohol sales for on-premises consumption.

**Drinking Place:** A commercial establishment whose primary activity is the sale or provision of alcoholic beverages to be consumed on the premises. Such establishments are properly licensed by the South Carolina Department of Revenue–Alcohol Beverage Licensing Commission. Drinking places include, but are not limited to, establishments referred to as bars, beer gardens, beer parlors, taverns, cabarets, cocktail lounges, saloons, tap rooms, and wine bars. Cigar Bars and Hookah Lounges with any on-premises consumption alcohol sales are included in this definition. Eating places, with on-premises consumption alcohol sales and where the primary activity is the sale of food, are not included within this definition.

**Bottle Club:** Any establishment engaged in the business of catering to patrons who bring to the establishment an alcoholic beverage to be consumed on the premises. Such establishments do not sell or provide alcoholic beverages on the premises and/or are not properly licensed by the South Carolina Department of Revenue–Alcohol Beverage Licensing Commission for on-premises consumption alcoholic beverage sales. Such

establishments can be private or open to the public, and often provide entry via cover charge and provide on-premises entertainment. Cigar Bars and Hookah Lounges with any on-premises consumption of alcoholic beverages by patrons who bring such beverages to the premises are included within this definition.

**Night Club:** An establishment operated a as place of entertainment, characterized by either of the following as a primary activity: (1) live, recorded, or televised entertainment, including but not limited to performance by musicians, disc jockey's, comedians, or other entertainers; (2) dancing; where this primary activity is coupled with on-premise sale and consumption of alcoholic beverages via proper licensing by the South Carolina Department of Revenue–Alcohol Beverage Licensing Commission for on-premise consumption or by patrons who bring to the establishment an alcoholic beverage to be consumed on the premises is a common characteristic of a night club. Such establishments are private or open to the public. Often, such establishments require payment of entry cover charges or other entry considerations such as dues, membership fees, etc. Such establishments may also be referred to as discotheques, dancehalls, etc.

**Special Event Facility/Venue:** A commercial facility rented to individuals, groups, or organizations, and used to host gatherings such as, but not limited to, weddings, receptions, meetings, galas, networking events, and conferences. Events facilities cater to a significant diversity of individuals, groups, and organizations on a contractual basis, with such individuals, groups, and organizations holding unique events on an irregular basis only. Such individuals, groups, and organizations contracting to rent the facility may provide alcoholic beverages for guests in accordance with applicable state law. This definition does not include bottle clubs, night clubs, or drinking places.

The proposed amendment also separates typical special event facility uses that provide space for such events as weddings, receptions, birthday parties, conferences, family reunions, etc. from the larger grouping of SIC Code 729 uses. With this separation, staff finds that special event facility uses are not appropriate in the Professional Office (PO), Neighborhood Commercial (NC), and Limited Commercial (LC) zoning districts unlike the broader range of uses under SIC Code 729 that are currently permitted and are appropriate in these districts. This finding is based on the potential for special event facilities to have greater land use impacts to adjacent property, including noise, traffic, loitering, etc. Thus, appropriate clarifications are made in the proposed amendment referencing that special event facilities are not permitted in these districts. It is also being proposed that special event facilities require conditional use approval, with specific conditional review criteria, in any zoning district where they can locate. Finally, minimum off-street parking requirements for special event facilities are included as a part of the proposed amendment.

# **Proposed Text Amendment**

A strike-through of the proposed text amendment is included with this report as "Attachment #1". The proposed amendments impact the following sections:

1. Amend <u>Article 3, Section 3.f.3.</u> to clarify that special event facility are not included within the SIC Code 729 uses allowed in the PO zoning district via conditional use. Clarification is

- also provided for other SIC Code 729 uses that are not allowed via conditional use approval per the existing use table.
- 2. Amend <u>Article 3, Section 3.g.2.</u> to clarify that special event facility uses are not included within the SIC Code 729 uses permitted by-right in the NC zoning district. Clarification is also provided for other SIC Code 729 uses that are not permitted by-right in this district per the existing use table.
- 3. Amend <u>Article 3, Section 3.g.4.</u> to clarify that bottle club and night club uses under SIC 5813 require special exception approval in the same manner that drinking places do in the NC zoning district.
- 4. Amend <u>Article 3, Section 3.h.2.</u> to clarify that special event facility uses are not included within the SIC Code 729 uses permitted by-right in the LC zoning district. Clarification is also provided for other SIC Code 729 uses that are not permitted by-right in this district per the existing use table.
- 5. Amend <u>Article 3, Section 3.h.4.</u> to clarify that bottle club and night club uses under SIC 5813 require special exception approval in the same manner that drinking places do in the LC zoning district.
- 6. Amend <u>Article 3</u>, <u>Section 3.i.2</u>. to clarify that special event facility uses are not included within the SIC Code 729 uses permitted by-right in the GC zoning district. Clarification is also provided for other SIC Code 729 uses that are not permitted by-right in this district per the existing use table.
- 7. Amend <u>Article 3, Section 3.i.3.</u> to add special event facility uses as a conditional use in the GC zoning district.
- 8. Amend <u>Article 3, Section 3.i.4.</u> to clarify that bottle club and night club uses under SIC 5813 require special exception approval in the same manner that drinking places do in the GC zoning district.
- 9. Amend <u>Article 3</u>, <u>Section 3.j.2</u>. to clarify that special event facility uses are not included within the SIC Code 729 uses permitted by-right in the CBD zoning district. Clarification is also provided for other SIC Code 729 uses that are not permitted by-right in this district per the existing use table.
- 10. Amend *Article 3, Section 3.j.3.* to add special event facility uses as a conditional use in the GC zoning district.
- 11. Amend <u>Article 3, Section 3.j.4.</u> to clarify that bottle club and night club uses under SIC 5813 require special exception approval in the same manner that drinking places do in the CBD zoning district.
- 12. Amend *Article 3, Section 3.k.3.* to add special event facility uses as a conditional use in the LI-W zoning district.

- 13. Amend <u>Article 3, Section 3.k.4.</u> to clarify that bottle club and night club uses under SIC 5813 require special exception approval in the same manner that drinking places do in the LI-W zoning district.
- 14. Amend <u>Article 3, Section 3.m.3.</u> to add special event facility uses as a conditional use in the MUI zoning district. Clarification is also provided for other SIC Code 729 uses that are not permitted as conditional uses in the MUI zoning district per the existing use table.
- 15. Amend <u>Article 3, Section 3.m.4.</u> to clarify that bottle club and night club uses under SIC 5813 require special exception approval in the same manner that drinking places do in the MUI zoning district.
- 16. Amend <u>Article 3, Section 3.n.3.</u> to add special event facility uses as a Conditional-300 use in the AC zoning district.
- 17. Amend <u>Article 3, Section 3.n.4.</u> to clarify that bottle club and night club uses under SIC 5813 require special exception approval in the same manner that drinking places do in the AC zoning district.
- 18. Amend <u>Article 3, Exhibit 5</u> to reflect the changes stated above in the Exhibit 5 use table.
- 19. Amend <u>Article 5, Section 5.b.1.</u> to add specific conditional use criteria for special event facility uses.
- 20. Amend <u>Article 5, Section 5.b.2.</u> to clarify that bottle clubs and night clubs under SIC Code 5813 are included as certain hazardous and/or potentially disruptive land development activities requiring special exception approval.
- 21. Amend <u>Article 5, Section 5.b.3.</u> to clarify that the special design review criteria that apply to drinking place uses also apply to bottle club and night club uses.
- 22. Amend <u>Article 8, Exhibit 23</u> to add specific minimum parking requirements for special event facility uses.
- 23. Amend <u>Article 10</u>, <u>Section 10.b.1</u>. to add definitions for bottle club, night club, drinking place, and special event facility uses.

# III. STAFF RECOMMENDATION

Staff recommends <u>approval</u> of this request. This amendment will provide needed clarification and additional requirements for special events facility uses. Additionally, the amendment will provide clear language stating that facilities that operate in the same manner as a drinking place or night club, with the exception that on-premises alcohol consumption is accomplished via BYOB versus on-premises sales requiring SC Department of Revenue licensing, requires the same special exception approval process as a standard drinking place or night club use.

These Ordinance changes will help promote public health and safety by ensuring that a full review and proper process is in place to address true special event facility uses, as well as

facilities that are bypassing SC Department of Revenue and Board of Zoning Appeals special exception review by operating as drinking places and night clubs with BYOB alcohol consumption by describing themselves as special event facilities.

# IV. PLANNING COMMISION – SEPTEMBER 22, 2021

The City-County Planning Commission at its meeting on Wednesday, September 22, 2021, recommended approval of this request.

# V. SUMTER COUNTY COUNCIL – SEPTEMBER 28, 2021 – FIRST READING

#### OA-21-05, Ordinance Strike-Through

Amend Article 3, Section 3.f.3 (PO District Conditional Uses) as follows:

- **3.f.3. Conditional Uses:** Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to issuance of a building permit for any Conditional Use identified below:
  - d. Miscellaneous personal services, massage parlors, and spas, (except special events facilities, tattoo parlors, and adult uses) with SIC Codes 729 & 7299

Amend Article 3, Section 3.g.2. (NC District Permitted Uses) as follows:

- **3.g.2. Permitted Uses:** Within the NC District, a building or premise shall be used for only the following purpose:
  - s. Miscellaneous personal services (except special events facilities, massage parlors & spas, tattoo parlors, and adult uses) with SIC Code 729

Amend Article 3, Section 3.g.4 (NC District Special Exception Uses) as follows:

- **3.g.4. Special Exceptions:** Review and approval by the Sumter <u>City-County Zoning</u> Board of <u>Zoning</u> Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:
  - b. Drinking Places/Bottle Clubs/Night Clubs (SIC Code 5813);

Amend Article 3, Section 3.h.2 (LC District Permitted Uses) as follows:

- **3.h.2. Permitted Uses:** Within the LC District, a building or a premise shall be used for only the following purposes:
  - x. Miscellaneous personal services (except special events facilities, massage parlors & spas, tattoo parlors, and adult uses), with SIC Code 729

Amend Article 3, Section 3.h.4 (LC District Special Exception Uses) as follows:

- **3.h.4. Special Exceptions:** Review and approval by the Sumter <u>City-County Zoning</u> Board of <u>Zoning</u> Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:
  - b. Drinking Places/Bottle Clubs/Night Clubs (SIC Code 5813);

Amend Article 3, Section 3.i.2. (GC District Permitted Uses) as follows:

**3.i.2. Permitted:** Within the GC District, a building or a premise shall only be used for the following purpose:

- o. Personal service stores, such as: photo studios, beauty shops, barber shops, shoe repair, funeral services & crematories, miscellaneous personal services (not massage parlors & spas), with the following SIC Codes 722, 723, 724, 725, 726, 729;
- p. Miscellaneous personal services (except special events facilities, tattoo parlors, and adult uses) with SIC Code 729;

Amend Article 3, Section 3.i.3. (GC District Conditional Uses) as follows:

- **3.i.3. Conditional Uses:** Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any Conditional Uses identified below:
  - m. Industrial Laundries, with SIC Code 7218;
  - n. Special Events Facilities with SIC Code 7299. (See Section 5.b.1.p.);
  - o. Massage parlors, and spaces with SIC Code 7299;

Amend Article 3, Section 3.i.4 (GC District Special Exception Uses) as follows:

- **3.i.4. Special Exceptions:** Review and approval by the Sumter <u>City-County Zoning</u> Board of <u>Zoning</u> Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:
  - k. Drinking Places/Bottle Clubs/Night Clubs (SIC Code 5813);

Amend Article 3, Section 3.j.2 (CBD District Permitted Uses) as follows:

- **3.j.2. Permitted:** Within the CBD District, a building or a premise shall be used only for the following purpose:
  - Personal service establishments, such as laundry & dry cleaners, linen supply services, photographic studios, beauty & barber shops, shoe repair shops, business services, automotive rental, automotive services, car washes, miscellaneous repair, motion picture theaters & film distribution, video tape rentals, with SIC Codes 7212, 7213, 722, 723, 724, 725, 729, 73, 751, 754, 7549, 76, 782, 783, 784;
  - m. Miscellaneous personal services (except special events facilities, massage parlors & spas, tattoo parlors, and adult uses) with SIC Code 729;

Amend Article 3, Section 3.j.3. (CBD District Conditional Uses) as follows:

**3.j.3. Conditional Uses:** Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any Conditional Uses identified below:

- e. Coin operated laundries, industrial laundries, with SIC Code 702 & 704 from 3.j.2.g., and SIC Codes 7215 and 7218;
- f. Special Events Facilities with SIC Code 7299. (See Section 5.b.1.p.);

f.g. Automobile parking lots with SIC Code 752;

Amend Article 3, Section 3.j.4 (CBD District Special Exception Uses) as follows:

- **3.j.4. Special Exceptions:** Review and approval by the Sumter <u>City-County Zoning</u> Board of <u>Zoning</u> Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:
  - b. Drinking Places/Bottle Clubs/Night Clubs (SIC Code 5813);

Amend Article 3, Section 3.k.3 (LI-W District Conditional Uses) as follows:

- **3.k.3. Conditional Uses:** Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any Conditional Use identified below:
  - Miscellaneous personal services, massage parlors & spas, business services, (except special events facilities, tattoo parlors, and adult uses) with SIC Codes 729, 7299, 73;
  - m. Special Events Facilities with SIC Code 7299 (See Section 5.b.1.p.);

m.n. Employment agencies, with SIC Code 7361;

Amend Article 3, Section 3.j.4 (LI-W District Special Exception Uses) as follows:

- **3.k.4. Special Exceptions:** Review and approval by the Sumter <u>City County Zoning</u> Board of <u>Zoning</u> Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:
  - c. Drinking Places/Bottle Clubs/Night Clubs (SIC Code 5813);

Amend Article 3, Section 3.m.3 (MUI District Conditional Uses) as follows:

- **3.m.3.** Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission is accordance with Article 5 of this Ordinance shall be a prerequisite to the issuance of a business license and/or building permit for any Conditional Uses identified below:
  - s. Miscellaneous personal services (except special event venues, tattoo parlors, and adult uses), massage parlors & spas, business services, and employment agencies, with SIC Codes 73, 729, 72999, 7361;
  - t. Special Events Facilities with SIC Code 7299. (See Section 5.b.1.p.);

<u>u.</u> Auto rental, leasing, repair shops, service except repair and miscellaneous repair with SIC Codes 751, 753, 7549, and 76;

Amend Article 3, Section 3.m.3. (MUI District Special Exception Uses) as follows:

- **3.m.4. Special Exception:** Review and approval by the Sumter <u>City-County Zoning</u> Board of <u>Zoning</u> Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:
  - c. Drinking Places/Bottle Clubs/Night Clubs (SIC Code 5813);

Amend Article 3, Section 3.n.3 (AC District Conditional Uses) as follows:

- **3.n.3. Conditional Uses:** Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any Conditional Uses identified below:
  - h. Automatic Merchandising Machine Operator, with SIC Code 5962;
  - i. Special Events Facilities (C-300) with SIC Code 729. (See Section 5.b.1.p.)
  - i-i. Commercial Truck and Trailer Parking Lot (C-500), with SIC Code 752 (See Section 5.b.1.n)

Amend Article 3, Section 3.n.4. (AC District Special Exception Uses) as follows:

- **3.n.4. Special Exception:** Review and approval by the Sumter Zoning Board of Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:
  - b. Drinking Places/Bottle Clubs/Night Clubs (SIC Code 5813);

Amend Article 3, Exhibit 5 as follows:

Permitted & Conditional Uses	РО	NC	LC	GC	CBD	LI	ні	MUI	AC	AC-10	СР	SIC Code
Drinking Places/Night Clubs/Bottle Clubs		S	S	S	S	S		S	S			5813
Miscellaneous Personal Services	С	Р	Р	Р	Р	С		С	C-300			729
Special Events Facilities				<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C-300</u>			7299

Amend Article 5, Section 5.b.1 as follows:

p. Special Events Facilities (SIC Code 7299): The following conditions apply to all Event Venues for conditional use approval:

- a. An on-site manager shall be present and available for the duration of all events
   occurring at the venue. Updated contact information shall be provided to the Zoning
   Administrator any time the on-site manager's contact information changes.
- b. An operation plan shall be submitted with the conditional use application describing generally how the facility will operate. Substantive changes to the operational plan shall require additional Zoning Administrator approval. The operational plan shall include, at a minimum, the following items:
  - i. Maximum capacity of the facility, based on building and fire code.
  - ii. Contact information for the on-site facility manager;
  - iii. Types of events anticipated/marketed;
  - iv. Anticipated annual number of events;
  - v. How solid waste will be disposed of;
  - vi. A floor plan of the facility showing the square footage and use of each room.;
  - vii. A plot plan showing building footprint, property lines, parking areas, delineated outdoor event space (if applicable). A formal site plan submission may be required by the Zoning Administrator.
- c. Vehicular access to the site shall be adequate in terms of width, vertical clearance, and construction to support emergency vehicles in accordance with applicable Fire Code, as determined by the Sumter City-County Fire Inspector.

Amend Article 5, Section 5.b.2 as follows:

**5.b.2** Enumeration of Certain Hazardous and/or Potentially Disruptive Land Development Activities: As per 5.a.1.c above, the following uses shall be reviewed by the Sumter City-County Board of Appeals, and if approved shall be classified as a permitted special exception;

i. Drinking Places/Bottle Clubs/Night Clubs (SIC Code 5813)

Amend Article 5, Section 5.b.3 as follows:

- **5.b.3 Special Design Review Criteria for Applicable Items in 5.b.2:** Due to the unusual nature of some of the operations associated herein, the following shall be required of the development and/or included in any review process:
  - f. Drinking Places/Bottle Clubs/Night Clubs (SIC 5813);
    - 1. This use shall not be within 300 feet (measured in a straight line from structure to structure) of a residential use, church, school, or public playground on a separately platted parcel.

2. A six-foot fence that is a visual screen will be installed to separate this use from residential uses, where such residential uses are directly adjacent to the property or site containing the use.

#### Amend Article 8, Exhibit 23 as follows:

NON-RESIDENTIAL LAND USES	REQUIRED OFF STREET PARKING SPACES PER INDICATED AREA
RETAIL TRADE	
Eating Places, & Drinking Places, Bottle Clubs, Night Clubs	1.2 per 100 sq. ft. GFA
Special Event Facilities	1.2 per 100 sq. ft. of rentable building area (excluding area for storage, bathrooms, administrative office space, and kitchen space) or by individual review if outdoor space is the primary events area

Amend Article 10, Section 10.b.1. as follows:

# 10.b.1. Definitions:

(Note: Only proposed additional listed below)

-Drinking Place: A commercial establishment whose primary activity is the sale or provision of alcoholic beverages to be consumed on the premises. Such establishments are properly licensed by the South Carolina Department of Revenue–Alcohol Beverage Licensing Commission. Drinking places include, but are not limited to, establishments referred to as bars, beer gardens, beer parlors, taverns, cabarets, cocktail lounges, saloons, tap rooms, and wine bars. Cigar Bars and Hookah Lounges with any on-premises consumption alcohol sales are included in this definition. Eating places, with on-premises consumption alcohol sales and where the primary activity is the sale of food, are not included within this definition.

Bottle Club: Any establishment engaged in the business of catering to patrons who bring to the establishment an alcoholic beverage to be consumed on the premises. Such establishments do not sell or provide alcoholic beverages on the premises and/or are not properly licensed by the South Carolina Department of Revenue—Alcohol Beverage Licensing Commission for on-premises consumption alcoholic beverage sales. Such establishments can be private or open to the public, and often provide entry via cover charge and provide on-premises entertainment. Cigar Bars and Hookah Lounges with any

on-premises consumption of alcoholic beverages by patrons who bring such beverages to the premises are included within this definition.

Night Club: An establishment operated a as place of entertainment, characterized by either of the following as a primary activity: (1) live, recorded, or televised entertainment, including but not limited to performance by musicians, disc jockey's, comedians, or other entertainers; (2) dancing; where this primary activity is coupled with on-premise sale and consumption of alcoholic beverages via proper licensing by the South Carolina Department of Revenue—Alcohol Beverage Licensing Commission for on-premises consumption or by patrons who bring to the establishment an alcoholic beverage to be consumed on the premises is a common characteristic of a night club. Such establishments are private or open to the public. Often, such establishments require payment of entry cover charges or other entry considerations such as dues, membership fees, etc. Such establishments may also be referred to as discotheques, dancehalls, etc.

Special Event Facility/Venue: A commercial facility rented to individuals, groups, or organizations, and used to host gatherings such as, but not limited to, weddings, receptions, meetings, galas, networking events, and conferences. Events facilities cater to a significant diversity of individuals, groups, and organizations on a contractual basis, with such individuals, groups, and organizations holding unique events on an irregular basis only. Such individuals, groups, and organizations contracting to rent the facility may provide alcoholic beverages for guests in accordance with applicable state law. This definition does not include bottle clubs, night clubs, or drinking places.

### RESOLUTION LEASE NO. 004-0605904-101 DATED AS OF AUGUST 19, 2021

A resolution authorizing the negotiation, execution, and delivery of Lease No. 004-0605904-101 dated August 19, 2021 (the "Lease"), between Sumter County dba Crystal Lakes Golf Course, 13 E Canal Street, Sumter, SC 29150 and VGM Financial Services, a division of The Huntington National Bank, 11100 Wayzata Blvd, Suite 801, Minnetonka, MN 55305; and prescribing other details in connection therewith.

WHEREAS, Sumter County dba Crystal Lakes Golf Course, (the "Lessee") is a political subdivision duly organized and existing pursuant to the Constitution and laws of the State of South Carolina; and

WHEREAS, Lessee is duly authorized by applicable law to acquire such items of personal property as are needed to carry out its governmental functions and to acquire such personal property by entering into lease-purchase agreements; and

WHEREAS, Lessee hereby finds and determines that the execution of a Lease for the purpose of leasing with the option to purchase the property designated and set forth in the Lease is appropriate and necessary to the function and operations of the Lessee; and

WHEREAS, VGM Financial Services, a division of The Huntington National Bank, (the "Lessor") shall act as Lessor under said Lease; and

WHEREAS, the Lease shall not constitute a general obligation indebtedness of the Lessee within the meaning of the Constitution and laws of the State;

#### NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF Sumter County dba Crystal Lakes Golf Course:

Section 1. The Lease in substantially the form as presently before the governing body of the Lessee, is hereby approved, and the

of the Lessee, is hereby authorized to negotiate, enter into, execute, and deliver the Lease and related documents in
substantially the form as presently before the governing body of the Lessee, with such changes therein as shall be approved by such officer, and
which Lease will be available for public inspection at the offices of Lessee.
Section 2. The Lessee shall, and the officers, agents and employees of the Lessee are hereby authorized and directed to take such further action
and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this
Resolution, and to carry out, comply with and perform the duties of the Lessee with respect to the Lease.
Section 3. The Lessee's obligations under the Lease shall be expressly subject to annual appropriation by Lessee; and such obligations under the
Lease shall not constitute a general obligation of Lessee or indebtedness of Lessee within the meaning of the Constitution and laws of the State of
South Carolina.
Section 4. All other related contracts and agreements necessary and incidental to the Lease are hereby authorized, ratified and approved.
Section 5. This resolution shall take effect immediately upon its adoption and approval.
CERTIFIED AS TRUE AND CORRECT this day of, 20
Signature of Clerk, Secretary or Assistant Secretary

Printed Name of Clerk, Secretary or Assistant Secretary

STATE OF SOUTH CAROLINA )	
)	ORDINANCE NO. 21-964
COUNTY OF SUMTER )	

AN ORDINANCE AUTHORIZING THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH KERSHAW COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN KERSHAW COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH KERSHAW COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO.

# BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA:

<u>SECTION I:</u> Sumter County is hereby authorized to jointly develop an industrial and business park with Kershaw County (the "Park"). The Park shall be located initially on lands located in Kershaw County only as authorized by Sec. 4-1-170 of the South Carolina Code of Laws 1976, as amended.

SECTION II: Sumter County will enter into a written agreement to develop the Park jointly with Kershaw County in substantially the form attached hereto as Schedule I and incorporated herein by reference (the "Park Agreement"). The Chairman of Sumter County Council is hereby authorized to execute the Park Agreement on behalf of Sumter County, with such changes thereto as the Chairman shall deem, upon advice of counsel, necessary and do not materially change the import of the matters contained in the form of agreement set forth in Schedule I.

SECTION III: The businesses or industries located in the Park will pay a fee in lieu of ad valorem taxes as provided for by law or as set forth in the Park Agreement. With respect to properties located in the Sumter County portion of the Park, the fee paid in lieu of ad valorem taxes shall be paid to the Treasurer of Sumter County. That portion of such fee allocated pursuant to the Park Agreement to Kershaw County shall be thereafter paid by the Treasurer of Sumter County to the Treasurer of Kershaw County within ten (10) business days of receipt for distribution in accordance with the terms of the agreement. With respect to properties located in the Kershaw County portion of the Park, the fee paid in lieu of ad valorem taxes shall be paid to the Treasurer of Kershaw County. That portion of such fee allocated pursuant to the Park Agreement to Sumter County shall thereafter be paid by the Treasurer of Kershaw County to the Treasurer of Sumter County within ten (10) business days of receipt for distribution in accordance with the terms of the Park Agreement.

SECTION IV: Revenues generated from industries or businesses located in the Sumter County portion of the Park and to be retained by Sumter County pursuant to the Park Agreement shall be distributed within Sumter County in the following manner:

<u>First</u>, unless Sumter County elects to pay or credit the same from only those revenues which Sumter County would otherwise be entitled to receive as provided under "Third" below, to pay annual debt service on any special source revenue bonds issued by Sumter County pursuant to, or to be utilized as a credit in the manner provided in the second paragraph of, Section 4-1-175, Code of Laws of South Carolina 1976, as amended, or any successor statutes or provisions, payable in whole or in part by or from revenues generated from any properties in the Park; and

<u>Second</u>, at the option of Sumter County, to reimburse Sumter County for any expenses incurred by it in the development, operation, maintenance and promotion of the Park or the businesses located therein;

<u>Third</u>, to those taxing districts which overlap the applicable properties within Sumter County's portion of the Park, in a pro-rata fashion based on comparative millage rates for the year in question of such taxing districts;

<u>provided</u>, that (i) all taxing districts which overlap the applicable properties within the Park shall receive some portion of the revenues generated from such properties; and (ii) all revenues receivable by a taxing entity in a fiscal year shall be allocated to operations and maintenance and to debt service as determined by the governing body of such taxing entity; and (iii) the County may, by ordinance, from time to time, amend the distribution of the fee in lieu of tax payments to all taxing entities.

<u>SECTION V:</u> This Ordinance shall supersede and amend in its entirety any other ordinances or resolutions of Sumter County Council pertaining to the Park.

<u>SECTION VI:</u> Should any section of this Ordinance be, for any reason, held void or invalid, it shall not affect the validity of any other section hereof which is not itself void or invalid.

<u>SECTION VII:</u> This Ordinance shall be effective after third and final reading thereof.

(ATTEST:	SUMTER COUNTY, SOUTH CAROLINA
By:	By:
Name:	Name:
Title:	Title:

DO HEREBY CERTIFY:  That the foregoing constitutes a true, correct, and verbatim copy of an Ordinance adopted by the County Council. The Ordinance was read and received a favorable vote at three public meetings of the County Council on September 28, 2021, and At least one day passed between first and second reading, and at least seven days passed between second and third readings. A public hearing was held on, and notice of the public hearing was published in on At each meeting, a quorum of County Council was present and remained present throughout the meeting.  Attached hereto are excerpts of the minutes of the meetings of the County Council. The County Council complied with the Freedom of Information Act, Chapter 4, Title 30 of the S.C. Code of Laws, 1976, in connection with said meetings of County Council.  The Ordinance is now in full force and effect.	STATE OF SOUTH CAROLINA )
That the foregoing constitutes a true, correct, and verbatim copy of an Ordinance adopted by the County Council. The Ordinance was read and received a favorable vote at three public meetings of the County Council on September 28, 2021, and At least one day passed between first and second reading, and at least seven days passed between second and third readings. A public hearing was held on, and notice of the public hearing was published in on At each meeting, a quorum of County Council was present and remained present throughout the meeting.  Attached hereto are excerpts of the minutes of the meetings of the County Council. The County Council complied with the Freedom of Information Act, Chapter 4, Title 30 of the S.C. Code of Laws, 1976, in connection with said meetings of County Council.  The Ordinance is now in full force and effect.  IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Sumter County Council South Carolina, as of this day of, 2021.  Signature:	COUNTY OF SUMTER )
County Council. The Ordinance was read and received a favorable vote at three public meetings of the County Council on September 28, 2021, and At least one day passed between first and second reading, and at least seven days passed between second and third readings. A public hearing was held on, and notice of the public hearing was published in on At each meeting, a quorum of County Council was present and remained present throughout the meeting.  Attached hereto are excerpts of the minutes of the meetings of the County Council. The County Council complied with the Freedom of Information Act, Chapter 4, Title 30 of the S.C. Code of Laws, 1976, in connection with said meetings of County Council.  The Ordinance is now in full force and effect.  IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Sumter County Council South Carolina, as of this day of, 2021.  Signature:	I, the undersigned, Clerk to County Council of Sumter County, South Carolina ("County Council"), DO HEREBY CERTIFY:
Council complied with the Freedom of Information Act, Chapter 4, Title 30 of the S.C. Code of Laws, 1976, in connection with said meetings of County Council.  The Ordinance is now in full force and effect.  IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Sumter County Council South Carolina, as of this day of, 2021.  Signature:	That the foregoing constitutes a true, correct, and verbatim copy of an Ordinance adopted by the County Council. The Ordinance was read and received a favorable vote at three public meetings of the County Council on September 28, 2021, and At least one day passed between first and second reading, and at least seven days passed between second and third readings. A public hearing was held on, and notice of the public hearing was published in on At each meeting, a quorum of County Council was present and remained present throughout the meeting.
IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Sumter County Council South Carolina, as of this day of, 2021.  Signature: Name:	Attached hereto are excerpts of the minutes of the meetings of the County Council. The County Council complied with the Freedom of Information Act, Chapter 4, Title 30 of the S.C. Code of Laws, 1976, in connection with said meetings of County Council.
South Carolina, as of this day of, 2021.  Signature: Name:	The Ordinance is now in full force and effect.
Name:	IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Sumter County Council, South Carolina, as of this day of, 2021.
	Name:

STATE OF SOUTH CAROLINA	)	AGREEMENT FOR THE
	)	DEVELOPMENT
	)	OF A JOINT INDUSTRIAL
COUNTY OF KERSHAW	)	AND BUSINESS PARK
COUNTY OF SUMTER	)	(Sumter and Kershaw Counties)
•		ty is made and entered into as of this day aw County and Sumter County.
W	ITNES	SETH:
		olina ("Kershaw County") and Sumter County,
South Carolina ("Sumter County"), are	e contiguoi	us counties which, pursuant to Ordinance No.

adopted by Sumter County Council on , 2021, and

adopted by Kershaw County Council on September 14, 2021

WHEREAS, as a consequence of the establishment of the Park, property comprising the Park and all property having a situs therein shall be exempt from ad valorem taxation pursuant to Article VIII, Section 13 of the South Carolina Constitution, but the owners or lessees of such property shall pay annual fees in an amount equal to that amount for which such owner or lessee would be liable except for such exemption;

(collectively, the "Enabling Ordinances"), have each determined that, in order to promote economic development and thus provide additional employment opportunities within both of said counties, there should be established, initially in Kershaw County, a Joint County Industrial and Business Park (the "Park"), to be located upon property described in Exhibit A hereto; and

Ordinance No.

NOW, THEREFORE, in consideration of the mutual agreement, representations and benefits contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

- 1. <u>Effective Date</u>. This Agreement is effective immediately, except to the extent that the property described in <u>Exhibit A</u> is subject to an existing park agreement. In the event that the property described in <u>Exhibit A</u> is included within an existing park agreement, this Agreement shall become effective immediately upon termination of the existing agreement covering the property described in <u>Exhibit A</u>.
- 2. <u>Binding Agreement</u>. This Agreement serves as a written instrument setting forth the entire agreement between the parties and shall be binding on Kershaw County and Sumter County, and their successors and assigns.
- 3. <u>Authorization</u>. Article VIII, Section 13(D) of the Constitution of South Carolina provides that counties may jointly develop an industrial or business park with other counties within the geographical boundaries of one or more of the member counties, provided that certain conditions specified therein are met and further provided that the General Assembly of the State of South Carolina provides by law a manner in which the value of property in such park will be

considered for purposes of bonded indebtedness of political subdivisions and school districts and for purposes of computing the index of taxpaying ability pursuant to any provision of law which measures the relative fiscal capacity of a school district to support its schools based on the assessed valuation of taxable property in the district as compared to the assessed valuation of taxable property in all school districts in South Carolina. Section 4-1-170, Code of Laws of South Carolina, 1976, as amended (the "Code") satisfied the conditions imposed by Article VIII, Section 13(D) of the Constitution and provides the statutory vehicle whereby a joint county industrial or business park may be created.

# 4. Location of the Park.

- (A) As of the date of this Agreement, the Park consists of properties located in Kershaw County only, as further identified in <a href="Exhibit A">Exhibit A</a> (Kershaw) hereto. It is specifically recognized that the Park may, from time to time, consist of non-contiguous properties within each county. The boundaries of the Park may be enlarged or diminished from time to time as authorized by ordinances or resolutions of the County Councils of both Kershaw County and Sumter County. If the Park encompasses all or a portion of a municipality, the counties must obtain the consent of the municipality prior to creation of the Park.
- (B) In the event of any enlargement or diminution of the boundaries of the Park, this Agreement shall be deemed amended and there shall be attached hereto a revised Exhibit A (Kershaw County Properties) or Exhibit B (Sumter County Properties), as the case may be, which shall contain a legal description of the boundaries of the Park, as enlarged or diminished, together with a copy of the ordinances or resolutions of Kershaw County Council and Sumter County Council pursuant to which such enlargement or diminution was authorized.
- (C) Prior to the adoption by Kershaw County Council and by Sumter County Council of ordinances authorizing the diminution of the boundaries of the Park, separate public hearings shall first be held by Kershaw County Council and by Sumter County Council. Notice of such public hearings shall be published in newspapers of general circulation in Kershaw County and Sumter County, respectively, at least once and not less than fifteen (15) days prior to such hearing. Notice of such public hearings shall also be served in the manner of service of process at least fifteen (15) days prior to such public hearing upon the owner and, if applicable, the lessee of any real property which would be excluded from the Park by virtue of the diminution.
- (D) The owner, or, if applicable, lessee of any property located within the Park, may remove personal property from the Park at any time, unless specifically prohibited otherwise.
- 5. Fee in Lieu of Taxes. Pursuant to Article VIII, Section 13(D), South Carolina Constitution, property located in the Park shall be exempt from ad valorem taxation. The owners or lessees of any property situated in the Park shall pay in accordance with this Agreement an amount (referred to as fees in lieu of ad valorem property taxes) equivalent to the ad valorem property taxes that would have been due and payable but for the location of such property within the Park, provided that this paragraph shall not prohibit Kershaw or Sumter from entering into a negotiated fee in lieu of tax incentive agreement applicable to any property located within the park. Payments of fees in lieu of taxes will be made on or before the due date for taxes for a

particular year. Penalties for late payment will be at the same rate as late tax payment. Any late payment beyond said date will accrue interest at the rate of statutory judgment interest. The counties, acting by and through the Treasurers of Kershaw County and Sumter County, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of ad valorem taxes.

6. <u>Allocation of Expenses</u>. Kershaw County and Sumter County shall bear expenses, including, but not limited to, development, operation, maintenance and promotion of the Park and the cost of providing public services, in the following proportions:

# If property is in Kershaw County portion of the Park:

(1)	Kershaw County	100%
(2)	Sumter County	0%

# If property is in Sumter County portion of the Park:

A.	Kershaw County	0%
В.	Sumter County	100%

7. <u>Allocation of Revenues</u>. Kershaw County and Sumter County shall receive an allocation of all revenue generated by the Park through payment of fees in lieu of ad valorem property taxes or from any other source (net of any special source revenue credits provided by either County) in the following proportions:

# If property is in Kershaw County portion of the Park:

A.	Kershaw County	99%
В.	Sumter County	1%
If property is	in Sumter County portion of the Park:	

A. Kershaw County 1%

B. Sumter County 99%

# 8. <u>Revenue Allocation Within Each County.</u>

(A) Revenues generated by the Park through the payment of fees in lieu of ad valorem property taxes shall be distributed to Kershaw County and to Sumter County, as the case may be, according to the proportions established by Paragraph 6 herein. With respect to revenues allocable to Kershaw County or Sumter County by way of fees in lieu of taxes generated within its own County (the "Host County"), such revenue shall be distributed within the Host County in the manner provided by ordinance of the county council of the Host County; <u>provided</u>, that (i) all taxing districts which overlap the applicable revenue-generating portion of the Park shall receive at least some portion of the revenues generated from such portion, and (ii) with respect to

amounts receivable in any fiscal year by a taxing entity, the governing body of such taxing entity shall allocate the revenues received to operations and/or debt service of such entity. Each Host County is hereby specifically authorized to use a portion of revenue for economic development purposes as permitted by law and as established by ordinance of the County Council of the Host County.

- (B) Revenues allocable to Kershaw County by way of fees in lieu of taxes generated within Sumter County shall be distributed solely to Kershaw County. Revenues allocated to Sumter County by way of fees in lieu of taxes generated within Kershaw County shall be distributed solely to Sumter County.
- 9. Fees In Lieu of Taxes Pursuant to Title 4 or Title 12 of the Code of Laws of South Carolina. It is hereby agreed that the entry by Kershaw County into any one or more fee in lieu of tax agreements pursuant to Title 4 or Title 12 of the Code with respect to property located within the Kershaw County portion of the Park and the terms of such agreements shall be at the sole discretion of Kershaw County. Likewise, entry by Sumter County into any one or more fee in lieu of tax agreements pursuant to Title 4 or Title 12, of the Code as amended, with respect to property located within the Sumter County portion of the Park and the terms of such agreements shall be at the sole discretion of Sumter County.
- 10. <u>Regulation and Jurisdiction</u>. Any ordinances of Kershaw County and Sumter County concerning zoning, health and safety regulations, and building code requirements will apply for the respective portions of the Park in Kershaw County and Sumter County. The Sheriff's Departments of Kershaw County and Sumter County will have jurisdiction to make arrests and exercise all authority and power within the boundaries of the respective portions of the Park in Kershaw County and Sumter County.
- 11. <u>Assessed Valuation</u>. For the purpose of calculating the bonded indebtedness limitation and for the purpose of computing the index of taxpaying ability pursuant to Section 59-20-20(3) of the Code, allocation of the assessed value of property within the Park to Kershaw County and Sumter County and to each of the taxing entities within the participating counties shall be identical to the allocation of revenue received and retained by each of the counties and by each of the taxing entities within the participating counties, pursuant to Paragraph 7 herein.
- 12. <u>Severability</u>. In the event and to the extent (and only to the extent) that any provision or any part of a provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision or part of a provision of this Agreement.
- 13. <u>Termination</u>. Notwithstanding any provision of this Agreement to the contrary, Kershaw County and Sumter County agree that this Agreement may not be terminated by either party with respect to any property included herein without the consent of the affected property owner for the term of any Infrastructure Credits to which Kershaw Hospitality, LLC is entitled pursuant to the Infrastructure Credit Agreement by and between Kershaw County and Kershaw Hospitality, LLC entered into substantially contemporaneously herewith.

# WITNESS our hands and seals as of the date first above written.

(SEAL)	KERSHAW COUNTY, SOUTH CAROLINA  Signature: Name:
ATTEST:	Title:
Signature:	
(SEAL)	SUMTER COUNTY, SOUTH CAROLINA  Signature: Name:
ATTEST:	Title:
Signature:	
Name:	

#### **EXHIBIT A**

# KERSHAW COUNTY PROPERTIES

#### KERSHAW HOSPITALITY, LLC

All that piece, parcel or lot of land, with improvements thereon, or to be erected thereon, situate, lying and being in the City of Camden, County of Kershaw, State of South Carolina, at the corner of Broad and Rutledge Streets in the said City, fronting on Broad Street for a distance of ninety-three (93') feet, more or less, and extending back with a uniform width to a depth of one hundred twenty-nine (129') feet, more or less, and being bounded as follows: North by Rutledge Street; East by Public Alley; Couth by property of Chewning and West by Broad Street. This property is more particularly shown on a plat prepared by S. Tetterton, R.L.S., dated March 29, 1965, and filed of record in the Office of the Register of Deeds for the County of Kershaw in Plat Book 32 at page 82, and is expressly incorporated herein by reference.

This being the identical property conveyed by deed from The Keenan Company/Realtors to Audrey L. Trotter, dated August 4, 1978, and filed of record August 7, 1978, in the Office of the Register of Deeds for the County of Kershaw in **Deed Book IL at Page 326**.

This also being the identical property devised under the Last Will and Testament of Audrey Bird Trotter filed of record in Box 1220, Package 38535, of the Probate Court for the County of Richland, and conveyed by Henry Eugene Trotter, Sr. as Executor of the Estate of Audrey Bird Trotter, also known as Audrey L. Trotter, to H. Eugene Trotter a.k.a. Henry Eugene Trotter, Sr., an undivided one-third interest, and Joe M. Trotter, an undivided one-third interest, and William M. Trotter, Jr., an undivided one-third interest, all as reflected in Probate Court file 83-ES-28-31.

With regard to the undivided one-third interest inherited and owned by <u>Joe M. Trotter a.k.a.</u>

<u>Joe Moies Trotter</u>, this being the identical property devised by and under Item 1.5 of his Last

Will and Testament to Joe David Trotter, as reflected by an Estate filed in the Office of the

Probate Court for the County of Mecklenburg, State of North Carolina, and indexed under Estate

File Number 94-E-2047, and as reflected in an Exemplification of the Estate filed in the Office

of the Probate Court for the County of Kershaw, State of South Carolina, on June 25, 2014, and
indexed under Estate File Number 2014-ES-28-00246.

With regard to the undivided one-third interest inherited and owned by William M. Trotter, Jr., this being the identical property conveyed by Deed of Distribution from Elizabeth T. Brown, as Personal Representatives of the Estate of William M. Trotter, Jr., to Elizabeth T. Brown, as Trustee of the William M. Trotter Revocable Trust, dated April 22, 2008, and filed of record April 23, 2008, in the Office of the Register of Deeds for the County of Kershaw in Record Book 2352 at Page 43, and being the identical property conveyed by Limited Warranty Deed from Elizabeth T. Brown, as Trustee of the William M. Trotter Revocable Trust, to Mitzie F. Trotter, dated April 30, 2008, and filed of record May 2, 2008, in the Office of the Register of Deeds for the County of Kershaw in Record Book 2357 at Page 192, and being . the identical property conveyed by Limited Warranty Deed from Mitzie F. Trotter to Margaret T. MacDowell, an undivided fifty percent (50%) interest, and Elizabeth T. Brown, an undivided fifty percent (50%) interest, dated April 30, 2008, and filed of record May 2, 2008, in the Office of the Register of Deeds for the County of Kershaw in Record Book 2357 at Page 196.

With regard to the undivided one-third interest inherited and owned by Henry Eugene Trotter, Sr., this being the identical property conveyed by Deed of Distribution from Henry Eugene Trotter, Jr. and Allison T. Nation, as Co-Personal Representatives of the Estate of Henry Eugene Trotter, Sr., to Henry Eugene Trotter, Jr. and Allison T. Nation, as Successor Co-Trustees of the Henry Eugene Trotter, Sr. Living Trust UTD January 24, 2011, dated April 30, 2014, and filed of record July 7, 2014, in the Office of the Register of Deeds for the County of Kershaw in Record Book 3250 at Page 105, and being the identical property conveyed by Limited Warranty Deed from Henry Eugene Trotter, Jr. and Allison T. Nation, as Successor Co-Trustees of the Henry Eugene Trotter, Sr. Living Trust UTD January 24, 2011, to H. Eugene Trotter, Jr., as Trustee of the H. Eugene Trotter, Jr. Revocable Trust UAD dated July 27, 2006, an undivided fifty percent (50%) interest, and Allison T. Nation, an undivided fifty percent (50%) interest, dated April 30, 2014, and filed of record July 7, 2014, in the Office of the Register of Deeds for the County of Kershaw in Record Book 3250 at Page 112.

TMS Number: C284-16-00-055

# EXHIBIT B

# **SUMTER COUNTY PROPERTIES**

None as of \_\_\_/\_\_/2021



# Agenda Sumter County Council

Committee Meeting: Land Use Committee
Tuesday, September 28, 2021 - Held at 4:00 p.m.
Sumter County Administration Building, Third Floor
County Administration Conference Room
13 E. Canal Street, Sumter, SC 29150

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

- I. Call to Order Committee Chairman Charles T. Edens
- II. Invocation: Council Member, Staff, or Citizen
- III. Action On Agenda: Tuesday, September 28, 2021
- IV. New Business
  - 1. Discussion And Possible Action Concerning <u>OA-21-05</u>, <u>Drinking Places and Special Events Facilities (County)</u>.
  - 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

ADA Information: 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.

<u>Press:</u> 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 Offices, 13 East Canal Street, Sumter, SC, and the Sumter County website - [www.sumtercountysc.org] under Our Council Agendas/Minutes. In addition, the agenda was electronically sent to newspapers, radio stations, television stations, and concerned citizens.



# Agenda Sumter County Council Committee Meeting: <u>Public Safety</u>

Tuesday, September 28, 2021 - 4:30 P.M.

County Administration Building, Third Floor County Council Conference Room Or Chambers 13 E. Canal Street, Sumter, SC

Council members and the public will be asked to wear a facemask and have temperatures checked upon arrival to the meeting. Social Distancing is required.

- I. Call to Order Committee Chairman, The Honorable Carlton B. Washington
- II. Invocation Member of Council Or Staff
- III. Action On Agenda Tuesday, September 28, 2021
- IV. New Business:
  - 1. Briefing From The County Attorney In Reference To His Findings Concerning Mask Mandates Throughout South Carolina.
  - 2. **Executive Session**: It May Be Necessary To Hold An Executive Session For Matters Relating To Executive Session As Appropriate. If Necessary, Actions Will Be Taken On These Matters At The Conclusion Of Executive Session.

2	Additional Information:	
J.	Additional Illionnation.	

- V. Old Business:
  - 1. None
- VI. Adjournment
- cc: Committee Members Washington, Baten, and Byrd Council Members Staff Media

ADA Information: 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.

<u>Press:</u> 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 Offices, 13 East Canal Street, Sumter, SC, and the Sumter County website -- [www.sumtercountysc.org] under Our Council Agendas/Minutes. In addition, the agenda was electronically sent to newspapers, radio stations, television stations, and concerned citizens.



# Agenda Sumter County Council

Committee Meeting: Fiscal, Tax, And Property
Tuesday, September 28, 2021 - Held at 5:00 p.m.
Sumter County Administration Building
Third Floor, County Council Chambers
13 E. Canal Street, Sumter, SC

Social Distancing Is Required At All of County Council's Meetings And Seating Is On A First Come First Serve Basis. https://www.youtube.com/channel/UCAHjiqzPaonQ9LFS2kO37tA

(The Fiscal, Tax, and Property Committee Meeting Will Begin Immediately After The Public Safety Committee Meeting Concludes Or At 5:00 p.m.)

- 1. **Call to Order**: Committee Chairman, The Honorable James T. McCain, Jr.
- 2. **Invocation**: Council Member, Staff, or Citizen
- 3. **Action On Agenda:** Tuesday, September 28, 2021
- 4. New Business:
  - (1) Discussion And Possible Action On A Contract Pertaining To Crystal Lakes Golf Course.
  - (2) Executive Session: It Is Necessary To Hold An Executive Session To Discuss An Economic Development Matter and a Property Contractual Matter, And/Or Other Appropriate Items For Executive Session -- And To Take Actions Thereafter On Any Of These Matters In Open Session.
  - (3) Additional Agenda Item: \_\_\_\_\_
- 5. Old Business
  - (1) None
- 6. **Adjournment**
- cc: Committee Members (McCain, Edens, McGhaney)
  Other Council Members (Baker, Baten, Byrd, and Washington)
  Staff
  Media

ADA Information: 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.

<u>Press:</u> 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 Offices, 13 East Canal Street, Sumter, SC, and the Sumter County website -- [www.sumtercountysc.org] under Our Council Agendas/Minutes. In addition, the agenda was electronically sent to newspapers, radio stations, television stations, and concerned citizens.



# Agenda Special Meeting

# Sumter County Council Tuesday, September 28, 2021 - Held at 5:30 p.m. County Administration Building -- Third Floor County Administration Conference Room 13 E. Canal Street, Sumter, SC

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

(The Special Meeting Of County Council, Will Begin Immediately After The Fiscal, Tax, and Property Committee Concludes Or At 5:30 p.m.)

- 1. Call to Order Chairman Of County Council The Honorable James T. McCain
- 2. Invocation Member of Sumter County Council, Staff, Or The Public
- 3. Approval of Agenda September 28, 2021
- 4. New Business:
  - (1) Further Discussions And Possible Actions Concerning Funds From The American Rescue Plan Act.
  - (2) It May Be Necessary To Hold An Executive Session For Council To Discuss One Or All Of The Following: Contractual Matter, Legal Briefing, Employment/Personnel Issue, etc. And Take Appropriate Actions After The Executive Session As Necessary.
- Old Business
  - (1) None
- 6. Adjournment

ADA Information: 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.

<u>Press:</u> 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 Offices, 13 East Canal Street, Sumter, SC, and the Sumter County website -- [www.sumtercountysc.org] under Our Council Agendas/Minutes. In addition, the agenda was electronically sent to newspapers, radio stations, television stations, and concerned citizens.



# Sumter County Sumter, South Carolina

OFFICE OF THE COUNTY PUBLIC WORKS DIRECTOR

mter, South Carolina
29153

1289 NORTH MAIN STREET
TELEPHONE: 436-2241
FAX: 436-2245

To: Gary Mixon

County Administrator

From: Karen Hyatt

Director of Public Works

Subject: Public Works Monthly Report - August 2021

# **PUBLIC WORKS**

#### Roads:

Maintenance (pipe repair, washout repair, ditching, tree removal, driveway install, etc.,) was performed on the following roads: Middleton Road, Work Center, Fort Sullivan Road, McLean Street, Huckabee Drive, Rainbow Drive, Stover Drive, Sawmill Road, Bells Mill, Easy Street, Arthur Gayle Road, and Shamrock Drive.

Public Works applied crusher-run to Stephanie Drive and McKnight Road.

The motorgrader crews scraped 130 miles of county dirt and crusher-run roads.

The bush-hog crew cut 26.37 miles of right-of-way.

Pot holes were repaired on 21 county roads.

Public Works received 56 work order requests in August.

Contractor began the resurfacing of Warwick Estates.

Contractor was awarded the bid for the application of crusher-run to the following roads: Rose Hill Road, Rufus Road, Fullard Street, Farmers Road, Hidden Oaks Drive, Archer Drive, Cricket Drive, Trappers Run and Nature Trail. Contractor began work on the above roads.

<sup>\*\*</sup>Four working days of rain in August.

Public Works Monthly Report - August 2021 Page 2

#### **Other**

Three hundred and two (302) work orders were processed in the Vehicle Maintenance Shop.

Twenty-three (23) streets signs were replaced.

#### **LANDFILL**

#### **Landfill Operations:**

3,050 vehicles weighed in at the Sumter County Landfill for a total weight 10,201.57 tons.

#### **Transfer Station:**

 $\overline{\text{MSW}}$  hauled from the transfer station = 6,385.62 tons

#### **Clarendon County Waste:**

MSW received from Clarendon County = 1,580.90 total tons (1,162.31 tons – residential; 418.59 tons - commercial)

*Tonnage Waived*: 187.23 tons

#### Sumter City-County Building/Inspection Department

Building Department Activity Report

August 2021

### BUILDING ACTIVITY SUMMARY

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	NUMBER	OF PERMITS	S	乿	VALUE OF CON	CONSTRUCTION		
	CITY	COUNTY	PERMIT TOTALS		`	COUNTY		\$ TOTALS
RESIDENTIAL:				П				
Single Family Detached	17	9	26	↔	2,267,342	\$ 1,098,431	49	3,365,773
Single Family Attached	•	-		↔	-	<del>-</del>	⇔	•
Single Family Duplexes	-	•	•	<del>(\$</del>	•	<del>€9</del>	<del>()</del>	•
Single Family Multi-plex	,	•		<del>⟨</del> 2		5	€9	,
Apartment Bldgs/Units	-	•	•	⇔	•	\$	↔	•
Manufactured Units	1	14	15	<del>69</del>	,	<b>⇔</b>	49	
Residential Subtotal	18	23	41	ક્ક	2,267,342	\$ 1,098,431	€	3,365,773
COMMERCIAL:	6	4	10	↔	11,510,211	\$ 1,257,000	49	12,767,211
						:		
INDUSTRIAL:	-	-	•	€₽	-	49	49	
ALTERATIONS/ADDITIONS:								
Residential	41	52		<del>69</del>	590,132	\$ 1,279,979	↔	1,870,111
Commercial/Industrial	9	5		<del>(9</del>	717,500	\$ 132,500	↔	850,000
Alterations/Additions Subtotals	50	57	•	ψĐ		\$ 1,412,479	↔	2,720,111
MISCELLANEOUS:								
Institutional		•		\$	•	€ <del>9</del>	€9	•
Signs	6	4		↔	4,208	\$ 166,489	€9	170,697
Demolition	3	8		\$	7,800		↔	38,350
Swimming Pools	1	4		↔	50,240	\$ 206,040	↔	256,280
Miscellaneous Subtotal	10	16		ક્ર	62,248	\$ 403,079	49	465,327
TOTAL	84	100	184	49	15,147,433	\$ 4,170,989	49	19,318,422

## BUILDING ACTIVITY CITY OF SUMTER AUGUST 2021

	NUMBER	<b>NUMBER OF PERMITS/UNITS</b>	ITS/UNITS	DOLLAR V	AR VALUE OF CONSTRUCTION	TRUCTION
	This Month	YTD	Prior YTD	This month	YTD	Prior YTD
RESIDENTIAL:	83				111	
Single Family Detached	17	121	92	\$ 2,267,342	\$ 17,891,781	\$ 12,326,727
Single Family Attached	,	-			<del>()</del>	
Single Family Duplexes			6	<del>⇔</del>	<b>⇔</b>	
Single Family Multi-plex	1	-	12	<del>€</del> 9	<del>€9</del>	
Apartment Bldgs/Units		4		<del>'</del>	\$ 410,000	<del>СР</del>
Manufactured Units		18	3	<b>⇔</b>	<b>€</b>	<del>⇔</del>
Residential Subtotal	18	143	113	\$ 2,267,342	\$ 18,301,781	\$ 13,892,213
COMMERCIAL:	6	19	51	\$ 11,510,211	\$ 17,308,539	\$ 4,788,750
INDUSTRIAL:		1188	•	<b>€</b> 9	4	•
ALTERATIONS/ADDITIONS:						
Residential	41	345	389	\$ 590,132	\$ 5,027,510	\$ 4,415,835
Commercial/Industrial	9	121	96		1	\$ 14,861,169
Alterations/Additions Subtotals	50	466	485	\$ 1,307,632	\$ 18,287,492	\$ 19,277,004
MISCELLANEOUS:						
Institutional	-		•	<del>\$</del>	€9	<del>69</del>
Signs	6	66	112	\$ 4,208	\$ 229,378	\$ 598,607
Demolition	3	37	39	\$ 7,800		
Swimming Pools	1	20	26	50	<u>,</u>	\$ 1,030,155
Miscellaneous Subtotal	10	123	177	\$ 62,248	\$ 1,542,629	\$ 1,872,477
TOTAL	84	751	780	\$ 15,147,433	\$ 55,440,441	\$ 39,830,444

### PERMITS AND FEES CITY OF SUMTER 2021

## Building Includes Signs and Pools.

## PERMITS AND FEES CITY OF SUMTER AUGUST 2021

	Aug-21		Aug-20	(+OR-)	Total 2021 YTD	Total 2020 YTD	(+OR-)
PERMITS:							
Building		80	98	(18)	696	746	
Mechanical		39	32	7	241	255	
Electrical		54	59	(5)	434	423	
Plumbing		26	24	2	222	182	
Mobile Home		_	1	•	18	6	
Demolition		ယ	1	2	37	29	
TOTAL	2	203	215	(12)	1,648	1,641	
PERMIT FEES:							
Building	\$ 85,021	21   \$	38,882	\$ 46,139	\$ 431,242	\$ 263,029	\$ 168,213
Mechanical	\$ 1,875	75   \$	3,375	\$ (1,500) \$	\$ 22,606	\$ 14,572	\$ 8,034
Electrical	\$ 1,4	1,435 \$	1,368	\$ 67	\$ 17,383	\$ 12,341	\$ 5,042
Plumbing	\$ 2	235 \$	258	\$ (23)	\$ 5,485	\$ 2,274	\$ 3,211
Mobile Home	₩.	72 \$	72	<del>⇔</del>	\$ 1,296	\$ 504	\$
Demolition	<b> </b> \$ 1:	150 \$	50	\$ 100	\$ 1,800	\$ 1,610	\$
TOTAL	\$ 88,7	88,788 \$	44,005	\$ 44,783	\$ 479,812	\$ 294,330	\$ 185,482

## BUILDING ACTIVITY SUMTER COUNTY AUGUST 2021

\$ 26,135,454	66,853,648	49	\$ 4,170,989	875	868	100	TOTAL
\$ 840,817	1,032,209	49	\$ 403,079	75	84	16	Miscellaneous Subtotal
\$ 569,507	588,522	\$	\$ 206,040	14	14	4	Swimming Pools
\$ 173,729	115,700			41	44	8	Demolition
\$ 97,581	327,987	↔	\$ 166,489	20	26	4	Signs
٠,	•	49	\$	•	•		Institutional
							MISCELLANEOUS:
\$ 9,657,314	12,319,173	49	\$ 1,412,479	532	514	57	Alterations/Additions Subtotals
	-	1	132,	32	52	თ	Commercial/Industrial
\$ 6,888,143	8,552,678	-	_	500	462	52	Residential
							ALTERATIONS/ADDITIONS:
4	5,566,159	49			1		INDUSTRIAL:
\$ 2,719,258	32,554,987	49	\$ 1,257,000	24	32	4	COMMERCIAL:
\$ 12,918,065	15,381,120	49	\$ 1,098,431	244	237	23	Residential Subtotal
<del>-</del>	•	€9	\$	146	140	14	Manufactured Units
·	-	ક	<del>⇔</del>	•	-	•	Apartment Bldgs/Units
<del>-</del>		<del>()</del>	<del>49</del>	-	•	-	Single Family Multi-plex
\$ 740,877	•	<del>()</del>	<del>69</del>	9	-	•	Single Family Duplexes
\$		<del>69</del>	-	-	•	-	Single Family Attached
\$ 12,177,188	15,381,120	€9	\$ 1,098,431	89	97	9	Single Family Detached
			1100				RESIDENTIAL:
Prior YTD	YTD		This month	Prior YTD	YTD	This Month	
TRUCTION	R VALUE OF CONSTRUCTION	ALI	DOLLAR V	OF PERMITS/UNITS	₹ OF PERM	NUMBER	

### PERMITS AND FEES SUMTER COUNTY 2021

	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21
PERMITS:		Harmon Marie				Will be a second						
Building	73	75	106	99	85	93	75	78				
Mechanical	22	28	24	22	30	14	21	23				
Electrical	57	-59	76	77	65	64	71	71				
Plumbing	24	22	20	18	26	16	15	14				
Mobile Home	11	8	31	16	18	20	22	14				
Demolition	6	4	4	3	9	ω	4	8				
TOTAL	196	196	261	235	233	210	208	208	-			
PERMIT FEES:								83 J. V. III.		10		
Building	\$ 29,144	\$ 33,818	\$ 179,219	\$ 29,888	\$ 29,650	\$ 26,348	\$ 51,146	\$ 31,684				
Mechanical	\$ 170	\$ 1,130	\$ 8,601	\$ 425	\$ 710	\$ 260	\$ 1,210	\$ 660				
Electrical	\$ 1,650	\$ 1,935	\$ 6,890	\$ 2,779	\$ 1,803	\$ 5,500	\$ 2,671	\$ 1,913				
Plumbing	89 \$	\$ 448	\$ 952		\$ 150	\$ 260	69 1					
Mobile Home	\$ 792	\$ 576	\$ 2,232	\$ 1,152	\$ 1,296	\$ 1,440	\$ 1,584	\$ 1,008				
Demolition	\$ 450	\$ 200	\$ 200	\$ 150	\$ 400	\$ 100	\$ 200	\$ 350				
TOTAL	\$ 32,274	\$ 38,107	\$ 198,094	\$ 34,394	\$ 34,009	\$ 33,908	\$ 56,811	\$ 35,615	\$	<del>€</del> >	<del>()</del>	<del>69</del>

### PERMITS AND FEES SUMTER COUNTY 2021

69	↔	G	69	69	ક્ક	<del>(A)</del>									Γ
463,212	2,050	10,080	1,878	25,141	13,166	410,897		1,747	44	140	155	540	184	684	TOTAL

## PERMITS AND FEES SUMTER COUNTY AUGUST 2021

TOTAL	Demolition	Mobile Home	Plumbing	Electrical	Mechanical	Building	PERMIT FEES:	TOTAL	Demolition	Mobile Home	Plumbing	Electrical	Mechanical	Building	PERMITS:	
\$ 35,615	\$ 350	\$ 1,008	<del>с</del> я	\$ 1,913	\$ 660	\$ 31,684		208	8	14	14	71	23	78		Aug-21
\$ 32,025	\$ 200	\$ 2,664	\$ 1,239	\$ 1,953	\$ 790	\$ 25,179		257	4	37	17	76	26	97		Aug-20
\$ 3,590	\$ 150	\$ (1,656)	\$ (1,239)	\$ (40)	\$ (130)	\$ 6,505		(49)	4	(23)	(3)	(5)	(3)	(19)		(+OR-)
\$ 463,212	\$ 2,050	\$ 10,080	\$ 1,878	\$ 25,141	\$ 13,166	\$ 410,897		1,747	44	140	155	540	184	684		Total 2021 YTD
\$ 228,125	\$ 2,000	\$ 10,512	\$ 3,209	\$ 20,278	\$ 6,072	\$ 186,054		1,718	45	146	150	506	187	684	=	Total 2020 YTD
\$ 235,087	\$ 50	\$ (432)	\$ (1,331)	\$ 4,863	\$ 7,094	\$ 224,843		29	(1)	(6)	S <sub>1</sub>	34	(3)	•		(+OR-)

#### Sumter City-County Building / Inspection Department

Inspection Report August 2021

## **AUGUST 2020 - INSPECTOR REPORT**

	Lihullier	W. Avins	Bullard	Welch	Reeser	TOTAL
NEW CONSTRUCTION INSPECTIONS:						
Building	130	122	14	4	10	280
Plumbing	67	51	_	12	7	138
Mechanical	54	33	_		6	94
Mobile Homes	7	7	2			16
Electrical	98	105	11	6	10	230
Swimming Pools	თ	ω				9
Signs	_					2
Demolition	22	ω	_	17		23
New Construction Sub-Total	365	324	30	39	34	792
YEAR TO DATE TOTALS	2494	2427	705	39	500	792
PLAN REVIEW:						
Building					ڻ ن	ហ
Plumbing					2	N
Mechanical					ĊΊ	ហ
Electrical					7	7
Swimming Pools					0	0
Signs					ω	သ
Demolition					2	מ
Solar Panels - Residential	:				14	14
Solar Panels - Commercial					0	0
Plan Review Sub-Total	0	0	0	0	38	38
YEAR TO DATE TOTALS	0	0	0	0	381	38
MISCELLANEOUS INSPECTIONS:		10000000000000000000000000000000000000				
Stop Work Order						0
Complaints (NOV's)		2	<u>-</u>			4
spec						0
Miscellaneous Total		2		0	0	4
YEAR TO DATE TOTALS	1	19	8	0	11	4
Total Inspections:	366	326	31	39	72	834
# of Working Days (w/o CDBG totals)	22	21	20	22	21	106
Average # of Inspections per day:	16.6	15.5	1.6	1.8	3.4	7.9
TOTAL INSPECTIONS: YEAR TO DATE	2495	2446	713	39	892	834
TOTAL # DAYS WORKING YEAR TO DATE	154	155	142	22	152	106
Average # of Inspections per day: Year to		410	,		)	1
THE PARTY OF THE P	10.2	10.0	0.0	1.0	0.0	1.0

#### Sumter City-County Planning Department

Planning Department Land Use Report

August 2021

# PLANNING DEPARTMENT LAND USE ACTIVITY

#### CITY OF SUMTER AUGUST 2021

#	Fee	Total Fee	YTD	) < i 7
				Prior Y I D
2	\$ 250	\$ 500	\$ 1,500	\$ 1,500
23	\$ 25	\$ 50	\$ 425	\$ 400
	\$ 100	\$ 100	\$ 100	\$ 400
	\$ 100	\$ -	\$ 1,700	) \$ 1,200
1	\$ 10	\$ 10	\$ 210	\$ 40
2	\$ 200	\$ 400	\$ 1,000	\$ 1,900
	\$ 150	\$	\$ 150	\$
1	\$ 125	\$ 125	\$ 1,850	\$ 1,625
ω	\$ 250	\$ 750	\$ 1,500	\$ 1,000
!	\$ 150	<del>()</del>	\$ -	⇔
G,	varies	\$ 250	\$ 1,960	\$ 2,044
N	\$ 30	\$ 60	\$ 750	\$ 750
	\$ 30	<del>()</del>	\$ 510	\$ 600
	\$ 25	<del>\$</del>	\$ 125	\$ 150
	\$ 250	<del>()</del>	<del>69</del>	<del>()</del>
N	\$ 50	\$ 50	\$ 450	\$ 850
	\$ 50	<del>()</del>	<del>69</del>	€9
_	\$ 50	\$ 50	\$ 600	\$ 250
22		\$ 2,345	\$ 12,830	\$ 12,709
	<b>8</b> - 2 5 3 4 2 4 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	Θ         Θ	\$ 250 \$ \$ 100 \$ \$ 100 \$ \$ 150 \$ \$ 250 \$ \$ \$ 50 \$ \$ \$ 50 \$ \$ \$	\$ 250 \$ 500 \$ 1 \$ 25 \$ 500 \$ 1 \$ 100 \$ 100 \$ 1 \$ 100 \$ 100 \$ 1 \$ 150 \$ 125 \$ 125 \$ 1 \$ 150 \$ 750 \$ 1 \$ 250 \$ 750 \$ 1 \$ 30 \$ 60 \$ 1 \$ 250 \$ - \$ 1

## PLANNING DEPARTMENT LAND USE ACTIVITY

#### SUMTER COUNTY AUGUST 2021

2     \$ 100     \$ 200     \$ 1,400       4     \$ 25     \$ 100     \$ 525       12     \$ 10     \$ 120     \$ 1,360       \$ 250     \$ -     \$ 750	Un Un	1,100 - 6,625 90 570 - 100 75	* * * * * * 100 		16 16	Planned Development / Major Site Plan (Revision / Update) Rezoning Street Name Change Subdivision Preliminary Plats, Final Plats, & Variances Temporary Use - Signs Temporary Use - Sales Stands/Trailers Banners Text Amendment (Comp. Plan/Zoning Ordinance) Highway Corridor Protection District Design Review Land Disturbance Permits Misc. (Inspection Fees, etc.)
emental Review \$ 25 \$ - \$	Prior Y I	1,400 525 1,360 750	l otal Fee		2 4 2	Administrative/Supplemental Review  Board of Appeals  Conditional Use  Mobile Home Certification  Planned Development / Major Site Plan (Initial)
	Prior Y I D	410	i otal Fee	ree	#	AFFLICATIONS/REVIEWS

# PLANNING DEPARTMENT LAND USE ACTIVITY IN-HOUSE REVIEWS

#### AUGUST 2021

APPLICATIONS/REVIEWS  Administrative/Supplemental Review	СІТҮ	COUNTY	TOTAL 0	<b>YTD</b>
Sumter City-County Board of Appeals			0	0
Conditional Use	2	4	6	27
Historic Preservation Design Review (Admin Staff Review)	1		1	
Historic Preservation Design Review			0	0
Mobile Home Certification	1	12	13	91
Planned Development/Major Site Plan (Initial)			0	0
Planned Development/Major Site Plan (Revision/Update)			0	0
Rezoning			0	0
Street Name Change			0	0
Subdivision Preliminary Plats, Final Plats, & Variances	ഗ	16	21	105
Temporary Use - Signs	N		2	22
Temporary Use - Sales Stands/Trailers		1	1	7
Banners			0	4
Text Amendment (Comp. Plan/Zoning Ordinance)			0	0
Highway Corridor Design Review			0	ω
Land Disturbance			0	0
Minor Site Plan Review	_		1	21
TOTAL	12	33	45	281