



Minutes
Sumter County Council
Regular Meeting
Tuesday, February 13, 2018 -- Held at 6:00 p.m.
County Administration Building -- County Council Chambers
13 E. Canal Street, Sumter, SC

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

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT:

Joe Perry, Mary W. Blanding, Gary Mixon, Johnathan Bryan, Bobby Galloway, Dennis Powell, Hampton Gardner, George McGregor, Allen Dailey, Bobby Hingst, Ronald Gilliard, Chanae Lumpkins,

MEDIA PRESENT: Approximately twenty-five members of the public were in attendance.

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

INVOCATION: Council Member Vivian Fleming McGhaney, gave the invocation.



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

APPROVAL OF AGENDA: Regular Meeting Tuesday, February 13, 2018

Chairman McCain stated that he would entertain a motion to approve the Agenda for the Tuesday, February 13, 2018, meeting of Sumter County Council.

The Clerk to Council asked Council to consider moving item #1 under New Business (Recognition of the American Legion 2017 Public Safety Office) immediately after approval of the minutes of January 23, 2018. Chairman McCain asked for a motion to consider the recommendation of the Clerk to Council.

ACTION: MOTION was made by Councilman Baker, seconded by Council Baten, and unanimously carried by Council to grant approval of the agenda as recommended by the Clerk to Council.

APPROVAL OF MINUTES: Regular Meeting Tuesday, January 23, 2018

Chairman McCain stated that he would entertain a motion concerning the approval of the minutes of January 23, 2018, as presented by the Clerk to Council.

ACTION: MOTION was made by Councilman Sumpter, seconded by Councilman McGhaney, and unanimously carried by Council to grant approval of the minutes of January 23, 2018, as presented by the Clerk to County Council.

Recognition Of The American Legion 2017 Public Safety Officers.

Chairman McCain, Council members, and the County Administrator along with those in attendance at the meeting applauded each of the honorees for the work they have accomplished by being named the American Legion 2017 Public Safety Officers of the Year. Each honoree was introduced by his/her department manager or representative from the Department and awarded a clock from Sumter County Council engraved with the recipient's recognition cited on the side of the clock. The following were recognized:

Police Officer of the Year – Lead Corporal Cameron Bryant, introduced by Captain Jeffery Jackson, City Police Department.

Police Officer of the Year – Officer Joseph Kallahan, Introduced by Captain Jeffery Johnson, City Police Department.



Correctional Officer of the Year – Corporal Adrienne Richardson, introduced by Major Daryl McGhaney.



Deputy Sheriff of the Year – Corporal Olivia Gibson, introduced by Chief Deputy Hampton Gardner.

Emergency Medical Technician of the Year -- Lieutenant Kimberly Anne Graham, introduced by EMS Director, Chief Bobby Hingst.



Firefighter of the Year – Nicholas Hill – introduced by Fire Fighter Chief Karl Ford.

LAND USE MATTERS AND REZONING REQUESTS:

Planned Development/Rezoning Requests

1. **OA-17-03 -- Real Estate/Subdivision Signs (County) - 18-883 - Second Reading/Public Hearing -- A Request To Amend Article 8, Section 8.i.7. Miscellaneous And Temporary Signs To Better Define Real Estate Signs, Contractor Signs, Subdivision Project Signs, And Commercial Project Signs In The Sumter County – Zoning And Development Standards Ordinance. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Proposed Ordinance Amendment.)**

Mr. George McGregor, the Planning Director, stated that Sumter County Council members previously directed the Planning staff to revise the current County sign regulations related to contractor signs, subdivision project signs, and commercial projects signs in order to reflect the regulations in effect within the City of Sumter for such signage.

In December 2014, Sumter City Council adopted comprehensive amendments to the City sign ordinance to permit the following:

- Commercial Project Signs. One sign per project only (not one sign per contractor) at 32 sq. ft. and 10 ft. tall.
- Individual Residential Lots Under Construction. One sign per contractor 6 sq. ft. One (1) sign per contractor is permitted as the signs are much more temporary and are generally internal to the subdivision and not on primary corridors.
- Residential Subdivisions Under Construction. One sign per street frontage 64 sq. ft. and ten feet tall. This sign hosts all relevant information related to the development and lists all builders within the subdivision, it does not permit one sign per home builder.

In reviewing the County sign ordinance, Staff recommends the changes as shown in the attached draft strike through version of the **Miscellaneous and Temporary Signs** section of the Ordinance (Attachment 1 - attached to these minutes).

As proposed, these changes will bring the County sign regulations related to real estate and projects under development into alignment with the City of Sumter standards. Then the Chairman called for a public hearing.

PUBLIC HEARING

The Chairman asked if anyone wished to speak in favor of or opposition to the proposed ordinance as presented. No one spoke to this issue; therefore the Chairman closed the public hearing and Council took action on second reading.



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

OTHER PUBLIC HEARINGS:

- (1) 18-882 -- An Ordinance Amending Ordinance 17-866 Of Sumter County, South Carolina (*The 2017-2018 Sumter County Budget Ordinance*) By Changing The Amount To Be Allocated From The General Fund, Unassigned Fund Balance And The Hospitality/Accommodations Fee Fund To Capital Expenditures As Part Of The 2017-2018 Budget Of Sumter County. (Council Will Take Action On Third Reading Immediately After The Public Hearing Or During Old Business.)



Chairman McCain asked Mr. Gary Mixon to present this proposed ordinance for third reading approval. (See Mr. Mixon's presentation under Old Business.) After Mr. Mixon's presentation, the Chairman convened a public hearing on this proposed ordinance. He asked if anyone wished to speak in favor of or opposition to this ordinance amendment. No one spoke during public hearing; therefore, the Chairman closed the public hearing and Council took action on third reading of this ordinance as listed under Old Business.

NEW BUSINESS:

- (2) Presentation By TRANE Company Representatives.



Robert Galloway, the Purchasing Director for Sumter County, introduced Brad VanMeter from TRANE Company; the County has been working with TRANE in led Lighting HVAC and plumbing modernization. In the latter part of 2015 the County entered into a contract which allowed the County to receive modernization and upgrades in ten of the County's facilities. The project has been funded totally through energy savings. This is a guarantee performance contract measurement and verification phase, which will save the County \$298,000 per year in energy savings in addition to funding and paying for the contract in total. We are here tonight to celebrate some of the aspects for the project. The County was presented with two checks; one in the amount of \$24,308, and the other check in the amount of \$88,703.22.

- (3) **18-884 - First Reading** -- An Ordinance To Establish And Create A Special Tax District Within Sumter County, South Carolina, To Be Known As The "Boyles Pond Special Tax District"; To Define The Nature And Level Of Services To Be Rendered Therein; To Authorize The Imposition Of Ad Valorem Taxes And User Service Charges Therein, Which Shall Be Imposed Solely Within The Special Tax District; To Establish A Commission For The Tax District And Provide The Terms Therefor; And All Other Matters Related Thereto.

Mr. Johnathan Bryan, Sumter County's Attorney, stated that this is an ordinance to establish and create a Special Tax District within Sumter County called the Boyles Pond Special Tax District. Those citizens that live on or near the Boyles Pond want to fix the Dam after the 2015 Flood which was damaged during the flood. The cost to repair the dam and the refill the pond is \$650,000. There are 22 property owners near and around the pond. It will cost each of these persons \$29,572 assessed per lot to be paid over a 30 year period at a cost of \$1,427 over a thirty year timeframe. Sumter County is providing the vehicle to collect the funds. The citizens have secured a loan from The Small Business Administration to finance this expense. The County Treasurer will collect the funds for the Special Tax District and send those funds to the Small Business Administration as a yearly payment.

Councilman Edens asked the Attorney if one of the home owners did not pay for his/her property taxes, how would that affect the County. Mr. Bryan informed Council that there is an agreement between the County and the Association which covers these matters listed on Exhibit D as shown below. After all comments, Council took action on first reading.

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

- (4) It May Be Necessary To Hold An Executive Session To Discuss An Economic Development Matter Or A Personnel Matter, Receive A Legal Briefing, Discuss A Contractual Matter, Or Other Matter Pertaining To An Executive Session, And Take Appropriate Actions Thereafter If Required.

No executive session was held.

OLD BUSINESS:

- (1) **18-882 -- Third Reading** -- An Ordinance Amending Ordinance 17-866 Of Sumter County, South Carolina (The 2017-2018 Sumter County Budget Ordinance) By Changing The Amount To Be Allocated From The General Fund, Unassigned Fund Balance And The Hospitality/Accommodations Fee Fund To Capital Expenditures As Part Of The 2017-2018 Budget Of Sumter County.

Mr. Gary Mixon presented this proposed ordinance. He stated that Budget Adjustments consists of \$500,000 from the County's Hospitality Fund to support the effort for constructing a Veteran's Park to be located on Highway 76/378. The Park is in partnership with the City of Sumter. The State of South Carolina will provide \$200,000 with a projected total for the project at a cost of \$1,200,000. One of the distinguishing features that will be located at the park is a replica of the Tuskegee Airplane. A groundbreaking will be held sometime near Memorial Day of this year sponsored by the City and the County.

Additionally, this ordinance includes **\$281,000** for Second Mill Pond Dam Automatic Spillway Gates. This will be useful for safety purposes and to help the community as a whole. After all comments, the Chairman convened a public hearing on this matter. After all comments, the Chairman closed the public hearing and Council took action on third reading.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Sumpter, and unanimously carried by Council to grant third reading approval and adoption of this ordinance as amended from its initial reading.

COMMITTEE REPORTS:

- (1) **Land Use Committee Meeting To Be Held On Tuesday, February 13, 2018, at 5:00 p.m. In County Council's Conference Room (Edens, Baker, and Baten).**



Councilman Edens, the Chairman of the Committee, stated that all members were present and they discussed matters that dealt with Outside Wall Signs on buildings and Wall Entranceway Signs to Subdivisions. Although no action was taken, the Chairman of the Committee, Councilman Edens, will discuss this matter with the Planning Commission and bring it back before Council's Land Use Committee for discussion or informational purposes from the Planning Commission.

- (2) **Internal Affairs Committee Meeting To Be Held On Tuesday, February 13, 2018, at 5:30 p.m. In County Council's Conference Room (Byrd, Baker, and Sumpter).**

The Chairman of the Committee, Vice Chairman Byrd, gave the following recommendations from the Committee meeting.

- **Accommodations Tax Advisory Board - ABC to the City for approval**

ACTION: MOTION, and second were received from the Committee, and unanimously carried by Council to send candidates A, B, and C to City Council for approval.

- **Development Board - Reappoint Mr. Earl Wilson on the Development Board**

ACTION: MOTION, and second were received from the Committee, and unanimously carried by Council to reappoint Earl Wilson to the Development Board.

- **Santee Wateree Regional Transportation Authority - Councilman Chris Sumpter**

ACTION: MOTION, and second were received from the Committee, and unanimously carried by Council to appoint Councilman Chris Sumpter to replace Summary Court Judge Larry Blanding on Santee Wateree Regional Transportation Authority Board Effective April 1, 2018.

- (3) **Report From Council Members On Other Meetings, Trainings, And/Or Conferences; And Any Other Council Comments.**

- **League of Women Voters** - Chairman McCain and Councilman Baten attended the League's meeting which was held on Monday, February 12, 2018.

- **Local Government Fund** -- Mr. Baten talked about the need to revisit the full funding for the Local Government Fund by the General Assembly to the Counties. He suggested that Council members consider sending a letter to the General Assembly request that Sumter County and all the Counties receive the LGF because the State does not cover the cost of State mandates required to be in each County. Additionally, Councilman Baten stated that Sumter County needs to look at what Florence County Council is doing to show the government fund shortage by not receiving the LGF.
- **Sumter Litter Alliance** – Councilman Sumpter stated that although the Litter has been discussed in Sumter City and County in many different way and times; the new efforts are through joint efforts of the Sumter Litter Alliance. There will be a meeting of this group on February 26, 2018, at 6:00 p.m. Swan Lake Visitors Center. Anyone interested should attend.
- **20th Fighter Wing Awards Ceremony** – Councilwoman McGhaney reported that she along with Chairman Mr. McCain attended the 20th Fighter Wing Awards Ceremony held on February 10, 2018. Both Councilwoman McGhaney and Chairman McCain are currently serving as Honoree Base Commander.

MONTHLY REPORTS

- 1) Sheriff's Department Monthly Report
- 2) SCAC Mid-winter Conference
- 3) S. C. Rural Summit
- 4) Board of Appeals
- 5) Farm-To-Table-Event
- 6) Sumter School District Newsletter
- 7) Rub of The Green

COUNTY ADMINISTRATOR'S REPORT

1. Patriot Park Pavilion – Mr. Mixon reported that the Patriot Park Pavilion is underway and will be a great benefit for this community once it is completed.
2. The Jewish Synagogue has contacted the Sumter County Museum to develop a Holocaust Museum. The Jewish Synagogue will turn over all their Holocaust artifacts to the Museum for this project. The County also has a Holocaust Marker near the Library. They would like to have the Holocaust Marker moved near the Jewish Synagogue which will house the Holocaust artifacts. Mr. Mixon said that he will keep Council informed for these matters.

PUBLIC COMMENT



Chairman McCain asked if anyone wished to speak during public hearing. The following persons spoke.

- **Josephine Young** from the Greater Turkey Creek Community thanked Council members for what they are doing to work together, and to conduct business in a professional manner, and for what they have done and will be doing for the Turkey Creek Community.
- **Jamal Jones** – Stated that he would like to ask Council members to think about the children that need constructive things to do and as the summer quickly approaches, there will be many children that do not have work or something recreational to do during the summer.

ADJOURNMENT:

After all comments from Council members and the public; the meeting was adjourned after motion by Councilman Baker, seconded by Councilman Byrd, and unanimously carried by Council to conclude the meeting of February 13, 2018, at 6:59 p.m.

Respectfully submitted,

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

Mary W. Blanding
Clerk to County Council
Sumter County Council

Approved: February 27, 2018

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

- Public Notified: Yes
- Manner Notified: Agendas posted on bulletin board on third floor of the Administration Building.
- Date Posted: February 12, 2018
- 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: February 9, 2018

Respectfully submitted,
Mary W. Blanding
Mary W. Blanding

ATTACHMENT 1

8.i.7. Miscellaneous and Temporary Signs.

- a. **Commercial Banners.** Each non-residential use may have one on-premise banner on a permanent basis subject to the following conditions:
 1. **Location.** The banner may be installed only on the building or canopy of the primary business and must advertise the business, its relevant promotion or products. The banner cannot extend above the roofline or be freestanding. For multi-tenant or multi-store locations, the banner must be placed on the building or canopy in front of the tenant space it is designed to serve.
 2. **Size.** The banner may not exceed 32 sq. ft.
 3. **Duration.** The banner may remain indefinitely as long as it is in good condition and is securely fastened, as determined by the Zoning Administrator. Banners may be interchanged at will as long as only one banner per business is maintained.

- b. **Sandwich Board Signs.** Signs are permitted for non-residential property in accordance with the following conditions:
 1. **Location.** One sandwich board per parcel, per street front.
 2. **Size.** The sign may not exceed 6 sq. ft. per side, except where the principal structure exceeds 30,000 sq. ft. a sandwich board sign may be permitted no greater than 20 sq. ft. and be permitted at one sign per frontage. For shopping centers and commercial multi-tenant property, one sandwich board sign is permitted per street frontage and shall be no greater than 20 sq. ft. Individual stores or tenants are not permitted separate or individual sandwich board signs.
 3. **Duration.** The sandwich board may remain indefinitely as long as it is in good condition, as determined by the Zoning Administrator.

- c. **Real Estate Signs.** Real estate signs are permitted in accordance with the following guidelines:
 1. **Location.** One sign per parcel, per street frontage.
 2. **Size.** In residential districts (R-15, R-9, R-6, AC, and CP), signs shall not exceed 6 sq. ft. In the AC or CP district, parcels over 5 acres in size are permitted one sign per street frontage, not to exceed 16 sq. ft. In commercial districts (GC, NC, LC, PO, LI-W, HI) signs shall not exceed 16 sq. ft.
 3. **Maximum Height.** All real estate signs are limited to a maximum height of 10 ft.
 4. Real estate signs shall not be illuminated.

5. Signs advertising individual available tenant space on multi-tenant buildings shall not be freestanding. For multi-tenant or shopping center locations, a banner not exceeding 10 sq. ft. is permitted.
6. **Duration.** Real estate signs may remain indefinitely as long as they are in good condition and pose no threat to the public safety, as determined by the Zoning Administrator.
7. **Model Home Signs.** Signs designed to indicate demonstration homes for marketing purposes in a subdivision are permitted in lieu of real estate signs, and subject to the above (-1-6).
8. All real estate signs shall be wood or metal with permanent, professional copy placed on the signs. The sign structure shall be painted one color. Stabilizing legs may be used but may not project outside (beyond) the plane of the sign face.

d. Project and Contractor's Signs..

1. Commercial Projects: One (1) non-illuminated sign per street frontage not exceeding 32 sq. ft. with a maximum height of 10 ft. in non-residential areas announcing a new construction project. The sign may display all project contractors, vendors, developers, architects, etc., and is permitted on premises for any project under construction, alteration, or renovation.
2. Individual Residential Lots: For any project under construction, alteration, or renovation, individual contractor signs permitted on-premise at a rate of one 6 sq. ft. sign per contractor. Such sign(s) shall be removed within 30 days after a certificate of occupancy is issued for the project.

Exhibit D

State of South Carolina) Memorandum of Understanding

County of Sumter)

This Memorandum of Understanding documents the procedures to be followed and the expectations of Boyles Pond HOA, Inc., (the home owners association for Boyles Pond) and Sumter County, including the Sumter County Administration, the Sumter County Auditor and the Sumter County Treasurer.

1. The Sumter County Assessor and the Sumter County Auditor shall collaborate to have the assessment for the Boyles Pond Special Tax District added to the tax bills for each of the parcels in the Boyles Pond Special Tax district beginning the tax year 2018.
2. The Sumter County Treasurer shall collect the taxes and account for the collection of the special assessments on the tax bills paid by the property owners for property in the Boyles Pond Special Tax District.
3. Sumter County Treasurer shall pay to Boyles Pond HOA, Inc. all amounts received from the taxpayers who pay taxes on parcels in the Boyle’s Pond Special Tax District each month. The first month that the Sumter County Treasurer will make a payment to the Boyles Pond homeowners Association is expected to be December, 2018.
4. Property owners of property in the Boyles Pond Special Tax District may elect to pay their share of the debt owed to the Small Business Administration in a lump sum in advance and thereby avoid having to pay the special assessment with their *ad valorem* taxes each year thereafter. In that case the Officers of Boyles Pond HOA, Inc. shall provide, in writing, a notice to the Sumter County Assessor and the Sumter County Auditor that one or more tax parcels in the special tax district may be deleted from the special tax district so that the special assessment will no longer be added to the tax bills for those parcels. The notification from the officers of the Boyles Pond HOA, Inc. shall be delivered to the Sumter County Auditor and the Sumter County Assessor no later than August 31 of any calendar year in order to avoid having the special assessment added to a particular tax bill for that calendar year.
5. If property owners elect to pay their share of the debt owed to the Small Business Administration in a lump sum in advance to avoid having to pay the special assessment with their *ad valorem* taxes each year thereafter, Sumter County Council shall record with the Registry of Deeds for Sumter County a document to acknowledge that the financial obligations associated with the special tax district no longer apply to particular parcel of property owned by those who pay their share of the debt in advance.
6. Repair and maintenance of the dam at Boyle’s Pond shall be the responsibility of the Boyle’s Pond Homeowners Association. Sumter County shall not be responsible in any way to the repair or maintenance of the dam at Boyle’s Pond.

This agreement shall be effective upon the last date of execution by either of the Parties.

Boyles Pond HOA, Inc.

Sumter County

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By: _____
/ Date
President

By: _____
James T. McCain, Jr. / Date
Chairman, Sumter County Council

By: _____
/ Date
Secretary/Treasurer

ATTEST:

Mary W. Blanding
Sumter County Clerk to Council