



Minutes
Sumter County Council
Regular Meeting
Tuesday, October 9, 2018 -- Held at 6:00 p.m.
County Administration Building - County Council Chambers
13 E. Canal Street, Sumter, SC

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COUNCILMAN MEMBERS PRESENT: James T. McCain, Chairman; James R. Byrd, Vice Chairman; Artie Baker, Eugene R. Baten, Charles T. Edens, and Chris Sumpter.

COUNCILMAN MEMBERS ABSENT: Councilman Vivian Fleming McGhaney

MEMBERS OF THE STAFF PRESENT: Gary Mixon, Mary W. Blanding, Joe Perry, Johnathan Bryan, Lorraine Dennis, Keysa Rogers, Allen Dailey, George McGregor, and Two Deputy Sheriff Members.

MEMBERS OF THE PUBLIC PRESENT: Six members of the public were present.

MEDIA PRESENT: The Item Newspaper; Adrienne Sarvis

CALL TO ORDER: Chairman James T. McCain called the meeting to order for October 9, 2018.

INVOCATION: Local Citizen, Mr. Willie Richardson, gave the invocation.

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

APPROVAL OF AGENDA: Regular Meeting Tuesday, October 9, 2018

Chairman McCain asked if there were any changes or deletions to the agenda. The Clerk to Council stated that there are no changes to the agenda; however, she reminded Council to make sure to take action on RZ-13-04, after action on Ordinance 18-900 as listed on the agenda.

APPROVAL OF MINUTES: Regular Meeting Tuesday, September 25, 2018

The Chairman called for a motion concerning the approval of the minutes for September 25, 2018.

Prior to the motion, Councilman Baten stated that he called the office of the Clerk to inform her that he was out sick; however, there was no answer on the phone. He asked to be excused for this absence since he did call before the meeting took place. Councilman Baten also asked that this information be included in the minutes of Council's meeting.

Then Council took action on the September 25, 2018, minutes of Sumter County Council.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Sumpter and unanimously carried by Council to approve the minutes as presented with the inclusion of information concerning the request by Councilman Baten.

LAND USE MATTERS AND REZONING REQUESTS:

Planned Development/Rezoning Requests

- (1) **RZ-18-10 - 4690 Thomas Sumter Hwy. (County) - First Reading -- Request To Rezone +/- 3.91 Acres From General Commercial (GC) And Agricultural Conservation (AC) To Light Industrial-Warehouse**

(LI-W). The Property Is Located At 4690 Thomas Sumter Highway And Is Represented By Tax Map #151-00-01-014.

Mr. McGregor stated that this request is to rezone a +/- 3.91 acre parcel from General Commercial (GC) and Agricultural Conservation (AC) to Light Industrial-Warehousing (LI-W). As shown in the location map to the right, the subject property fronts on the west side of Thomas Sumter Hwy., New Beginnings Outreach Ministry Church is to the south with undeveloped land in all other directions.

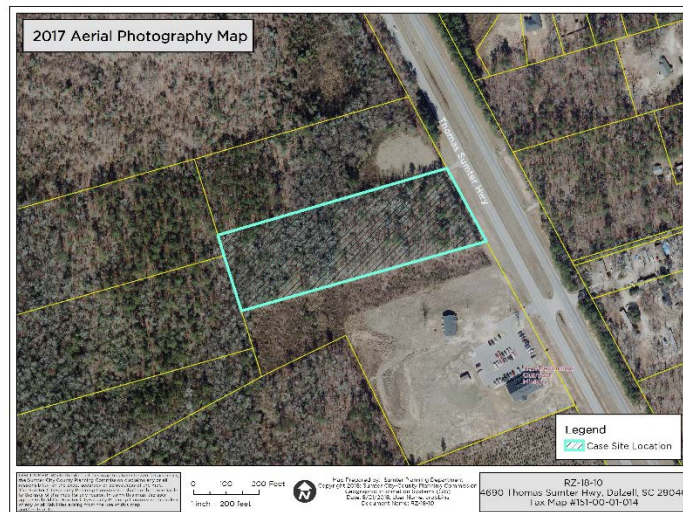
The property abuts a portion of Green Swamp, which consists of rural undeveloped forest and wetlands that stretches between Sargent Rd. to the west and Thomas Sumter Highway.

Below are images of the view of the subject property from Thomas Sumter Highway and from New Beginnings Outreach Ministries to the south.



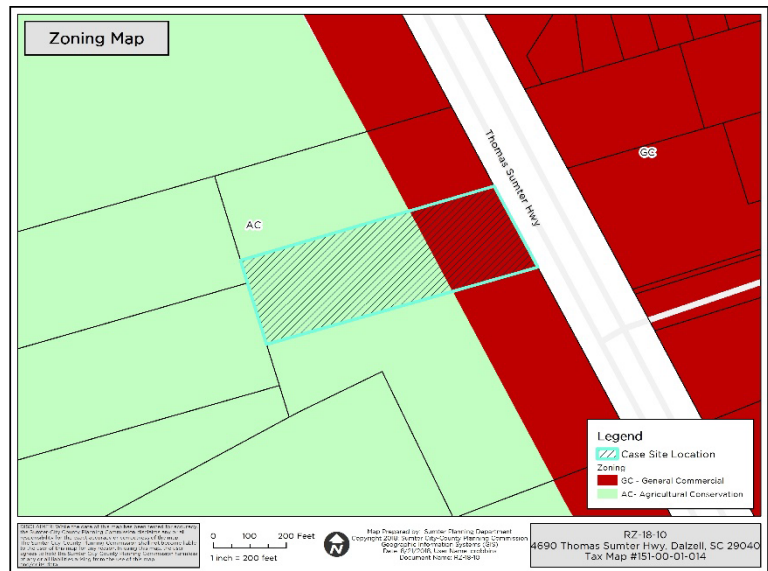
Left: Frontal View of the property from Thomas Sumter Hwy. Right: View of Property from driveway of New Beginnings Ministries

Below, an aerial photograph shows the relationship between the subject property and neighboring properties. With the exception of the church, all other neighboring parcels are rural and undeveloped.



Above: Aerial Photography Map

As shown in the zoning map to the right, the properties to the west of the subject property are zoned Agricultural Conservation (AC), areas to the north and south are split zoned Agricultural Conservation (AC) and General Commercial (GC), and east of the property are zoned General Commercial (GC). The split zoning that occurs on the applicant's property and the other properties abutting Thomas Sumter Highway are a result of strip commercial zoning that occurs along Thomas Sumter Hwy.



The primary purpose of the AC zoning district is preserve areas that are currently rural or agricultural in use. The subject parcel, as well as the neighboring parcels to the north, west, and east consist of rural, undeveloped forest and vegetation. AC zoning primarily permits low density residential development as well as low density commercial development centered on local commercial uses. The GC strip zoning that is also present on a small portion of the subject parcel allows for a significantly wider array of residential types and commercial uses than the AC district, but neither zoning designation allows for any form of light industrial use.

If successfully rezoned, the applicant has referenced plans to establish a metal fabrication business on the property. Due to being a higher intensity/industrial use, metal fabrication is not permitted in General Commercial (GC) or Agricultural Conservation (AC) zones. Rezoning to Light Industrial-Warehouse (LI-W) would permit the proposed use. If successfully rezoned to LI-W, the following is a non-exhaustive list of some of the other permitted and conditional uses that could also legally operate on the site.

- Agricultural, Forestry, and Fishing uses
- Construction
- Light manufacturing uses
- Transportation and Communications uses
- Wholesale trade
- Warehousing
- Postal services
- General retail and restaurant uses
- Personal Services
- Mobile home and automotive dealers (CU)
- Religious organizations (CU)
- Cemeteries (CU)
- Employment agencies (CU)

The subject property is influenced by the Sumter County Highway Corridor Protection District (HCPD), a design review overlay district that influences exterior appearance of structures and other site development requirements. Any commercial or industrial development that would occur on site would be required to comply with the corresponding design and form guidelines in the HCPD.

Mr. McGregor stated that the Planning staff and Planning Commission recommends approval of the request as presented. After all comments, Council took action on first reading as listed below.

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

- (2) **RZ-18-09 - 2800 Dock Road & 0 Thomas Sumter Hwy. (County) - Third Reading -- Request To Rezone Two Parcels, Totaling 2.45 Acres, From General Commercial (GC) And Agricultural Conservation (AC) To Agricultural Conservation (AC). The Parcels Are Located At 2800 Dock Road And 0 Thomas Sumter Highway, On The West Side Of Thomas Sumter Highway. The Properties Are Represented By Tax Map #S188-00-01-015 And 188-00-01-107.**

Mr. McGregor presented this proposed rezoning request for third reading consideration. Mr. McGregor stated that there have been no changes to this request since first reading. The Planning staff recommends approval. After all comments, the Chairman called for a motion on this rezoning request.

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

- (3) **OA-18-06 - Schools in Commercial Zoning Districts (County) - 18-901 -- Third Reading -- Request To Amend Article 3, Sections 3.F.3, 3.G.3, 3.H.3, And 3.I.3, And Exhibit 5 To Add Elementary And Secondary Schools With SIC Code 821 To The Professional Office (PO), Neighborhood Commercial (NC), Limited Commercial (LC), And General Commercial (GC) Zoning Districts As A Conditional Use.**

Mr. McGregor presented this proposed ordinance for third reading consideration. Mr. McGregor stated that there have been no changes to this proposed ordinance amendment request since third reading. The Planning staff recommends approval. After all comments, the Chairman called for a motion on this ordinance amendment.

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

- (4) **OA-18-07 - Used Auto Parts Sales (County) -- 18-902 - Third Reading -- Request To Amend Article 3 Section K: Light Industrial-Warehouse District, Article 3 Section M: Multi-Use Industrial (MUI) District, And Exhibit 5: Permitted And Conditional Uses In The Commercial Industrial, Agricultural, And Conservation Districts Of The Sumter County Zoning & Development Standards Ordinance In Order To Remove The SIC Code 5015 - Used Motor Vehicle Parts Classification As Being A Permitted, Conditional, Or Special Exception Use In All County Zoning Districts Except The Heavy Industrial (HI) District.**

Mr. McGregor also presented this proposed ordinance for third reading consideration. Mr. McGregor stated that there have been no changes to this proposed ordinance amendment request since third reading. The Planning staff recommends approval and this proposed ordinance change was initiated by members of Sumter County Council. After all comments, the Chairman called for a motion on this ordinance amendment.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Sumpter, and carried by Council to grant third reading as presented. Councilman Baten voted in opposition; however, the motion carried.

OTHER PUBLIC HEARINGS: None

NEW BUSINESS:

- (1) **R-18-04 -- A Resolution To Appoint And Commission Code Enforcement Officers For The Proper Security, General Welfare, And Convenience Of Sumter County.** *(Action On This Resolution Will Be Deferred Until Council Takes Action On Ordinance 18-900 Listed Under Old Business As Item #2.)*

Mr. Johnathan Bryan, County Attorney, stated that with the procedures listed in ordinance 18-900, this will allow for a resolution ordinance to be used to appoint and commission Code Enforcement Officers for the property security, general welfare, and convenience of Sumter County. The following names were listed within the resolution as people that would be appointed as Code Enforcement Officers.

Brent C. Bullard	Sumter City-County Building Department
Leonard W. Avins	Sumter City-County Building Department
Charles W. "Steve" Campbell, Jr.	Sumter City-County Building Department
Danielle M. Malachi	Sumter City-County Planning Commission
John F. Macloskie	Sumter City-County Planning Commission
Preston McClun	Sumter City-County Planning Commission
Helen M. Roodman	Sumter City-County Planning Commission
George K. McGregor	Sumter City-County Planning Commission

Council members reviewed the resolution and recognized that the appointment of Code Enforcement Officers would not only be for the Building Department, but also for the Planning Commission. Because several Council members did not realize that Planning Commission staff members would also be appointed and Commissioned as Code Enforcement Officers, it was suggested by Councilman members to defer action on this matter until such time that Mr. McGregor can give justification as to why he and his staff would need to have the Commission and adoption of Code Enforcement Officers.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to defer action on this resolution until the next meeting of Sumter County Council on October 23, 2018.

NOTE: *Council members requested that George McGregor provide them with an explanation as to why the planning staff needs to be commissioned and authorized as Code Enforcement Officers.*

- (2) **Approval Of Sumter County Council's Meeting Calendar For Calendar Year 2019.**

The Clerk to Council presented this proposed calendar to Council for adoption consideration. She stated that the date in July and August do not conflict with the dates for the S. C. Association of Counties; therefore, Mrs. Blanding asked Council to consider adopting the 2019 meeting calendar dates as listed below.

Month Of Meeting	First Meeting Date	Second Meeting Date
January	8	22
February	12	26
March	12	26
April	9	23
May	14	28
June	11	25
July	9	23
August	13	27
September	10	24
October	8	22
November	12	26
December	10	None

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to adopt the 2019 meeting calendar of Sumter County Council as presented by the Clerk to Council and listed below.

(3) Approval Of Sumter County's Employees Holiday Calendar For Calendar Year 2019.

The County Administrator presented the proposed Calendar to Council for approval consideration. Mr. Mixon informed Council that the difference between this year's Calendar and next year's calendar is that the employee's will not receive Election Day as a holiday. Vice Chairman Byrd asked about the days off for Christmas would it run as far as New Year's Eve 2019; however, Mr. Mixon mentioned that employees that desire to be off for New Year's Eve which falls on a Monday, can take leave for that day and have a very long Christmas break. After all comments, Council took action on adoption of this Calendar for 2019.

TO: All Department Managers
 FROM: Gary M. Mixon
 RE: 2019 Holiday Calendar
 DATE: October 9, 2018

The following is Sumter County's 2019 Holiday Calendar. You and your families have a Merry Christmas and Happy New Year.

TUESDAY, JANUARY 1	NEW YEAR'S DAY
MONDAY, JANUARY 21	MARTIN LUTHER KING'S DAY
MONDAY, FEBRUARY 18	PRESIDENT'S DAY
FRIDAY, APRIL 19	GOOD FRIDAY
MONDAY, MAY 27	MEMORIAL DAY
THURSDAY, JULY 4	INDEPENDENCE DAY
MONDAY, SEPTEMBER 2	LABOR DAY
MONDAY, NOVEMBER 11	VETERAN'S DAY
THURS & FRI, NOVEMBER 28 & 29	THANKSGIVING
TUES, WED, & THURS DECEMBER 24, 25, & 26	CHRISTMAS
VARIED	EMPLOYEE BIRTHDAY

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to adopt the 2019 Employee Holiday Calendar for Sumter County Employees as presented by the County Administrator.

- (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) 18-899 -- Third Reading -- An Ordinance Authorizing -- The Transfer Of Property On Jefferson Road To Becton, Dickinson And Company.

The County Attorney, Mr. Johnathan Bryan, presented this proposed ordinance to Council for third reading approval. Mr. Bryan stated that Becton, Dickinson and Company hopes to expand their business on Jefferson Road which would include the property in this ordinance. There are no changes to this ordinance since first reading.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to adopt the ordinance as presented by the County Attorney.

- (2) 18-900 -- Third Reading -- An Ordinance Authorizing The Appointment Of Code Enforcement Officers By Resolution.

Mr. Bryan, the County Attorney, stated that this ordinance sets the procedures and guidelines to appoint Code Enforcement Officers by resolution. There have been no changes since second reading. After all comments, Council took action on third reading.

ACTION: MOTION was made by Vice Chairman Baker, seconded by Councilman Sumpter, and unanimously carried by Council to adopt the ordinance as presented by the County Attorney.

COMMITTEE REPORTS:

- (1) Internal Affairs Committee Meeting Held On Tuesday, October 9, 2018, at 5:00 p.m. In County Council's Conference Room.

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

- **Crystal Lakes Golf Course Advisory Board:** Reappoint: Judy Lemmon, Howard Cullum and appoint Joseph A. Jefferson.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation of appointment and reappointment as received.

- **Cultural Commission:** Appoint: Cheryl Moye, Natasha Jenkins, Erin Baribeau, and Willie M. Richardson, Jr., to the Cultural Commission.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation of appointments to the Cultural Commission as presented in the report listed above.

- **Development Board:** Reappoint: John Brabham and Jesse Williams

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation of reappointment of John Brabham and Jess Williams to the Development Board as presented.

- **Sumter County Employee Grievance Committee:** Appoint Mr. Christopher Hilditch, reappoint Ms. Cynthia Gonzalez and Mr. Curtis McKenzie; and appoint Reginal Felder.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation of appointment and reappointment as received.

- **Planning Commission:** Recommend the appointment of Candidate “A” from the County to serve on the Planning Commission. This name is to be sent to the City of Sumter for the joint appointment of this person to fill John Ackens slot.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation of appointment as received.

(2) Fiscal, Tax, and Property Committee Meeting Held On Tuesday, October 9, 2018, at 5:30 p.m. In County Council’s Conference Room.

The Chairman of the Committee, James T. McCain, Jr., stated that one member was absent due to illness; however, Council discussed a matter in executive session and no action was taken.

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

1. Councilman Baten asked the question as to how do Council members and staff go about advertising for new appointments to boards and commissions and how does the County handle this matter. The County needs increased applicants for each of the boards and commissions. During 2005, County Council approved a practice that Council keep a track of race and gender of those serving on boards and commissions of Sumter County Council to ensure that the boards and Commissions members reflect the gender and race of the population of Sumter County. We need to advertise more on this matter.
2. Councilman Baten also informed Council that on November 2, 2018, the NAACP Sumter Branch will hold its annual Freedom Fund Banquet. It will be held at the Civic Center in Sumter, SC.

MONTHLY REPORTS

- Sumter County Sheriff’s Department
- South Carolina Association of Counties Winter Conference and Coalition 2018

- South Carolina Association of Counties Legislative Conference – December 2018
- Dance Troop – Alvin Alley will be in Sumter at Patriot Hall

COUNTY ADMINISTRATOR'S REPORT

- Hurricane Michael is expected to move in South Carolina on Thursday morning into the afternoon.
- Wednesday during the day, will be rainy.
- Winds will be from 30 to 45 miles per hour.
- The Thursday Evening for Patriot Park Pavilion has been canceled and rescheduled for October 30, 2018.

PUBLIC COMMENT

The Chairman asked if anyone wished to speak during public comment. No one spoke during this time.

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 Sumpter, seconded by Councilman Baker, 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: October 23, 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: October 8, 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: October 5, 2018

Respectfully submitted,
Mary W. Blanding
Clerk to County Council