



Minutes
Sumter County Council
Regular Meeting
Tuesday, February 12, 2013 - Held at 6:00 p.m.
County Administration Building County Council Chambers
13 E. Canal Street, Sumter, SC

COUNCIL MEMBERS PRESENT:

1. Chairman Larry Blanding, Council District #6
2. Vice Chairman, Eugene R. Baten, Council District #7
3. Councilman Artie Baker, Council District #2
4. Councilman James R. Byrd, Council District #3
5. Councilman Charles T. Edens, Council District #4
6. Councilwoman Vivian Fleming McGhaney, Council District #5
7. Councilwoman Naomi D. Sanders, District #1

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT:

Mary W. Blanding, Clerk to Council	Gary M. Mixon, County Administrator
Lorraine Dennis, Assist. Administrator	Johnathan Bryan, County Attorney
Donna McCullum	Pam Craven, Finance Director
Keysa Rogers, Human Resources Director	Martha Clodfelter, Budget Analyst

MEDIA PRESENT:

The Item Newspaper (Nick McCormac)

THE PUBLIC PRESENT:

Approximately 16 members of the public were in attendance.



CALL TO ORDER: Chairman of Council, Larry Blanding, called the meeting to order.

INVOCATION: Councilwoman Vivian Fleming McGhaney gave the invocation.

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

APPROVAL OF AGENDA: Chairman Blanding asked the Clerk to Council if there were any adjustments to the agenda. The Clerk stated that there were no changes to the agenda. Then Chairman Blanding called for a motion to approve the February 12, 2013, agenda.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Byrd, and unanimously carried by Council to approve the February 12, 2013, agenda as amended.

MINUTES: REGULAR MEETING HELD ON JANUARY 22, 2013: Chairman Blanding stated that he would entertain a motion to approve the minutes of Sumter County Council's regular meeting held on January 22, 2013

ACTION: MOTION was made by Councilman Edens, seconded by Councilwoman Sanders, and unanimously carried by Council to approve the minutes of the regular County Council meeting held on January 22, 2013, as presented.

(2) **Recognition Of American Legion Law and Order Recipients.**

The County Administrator, Mr. Gary Mixon, introduced this matter to Council. He stated that annually, the American Legion of Sumter recognizes individuals in various public safety positions in Sumter County. Several of those individuals that have received the recognition from the American Legion are here tonight to be recognized by Sumter County.

The Sheriff, the Honorable Anthony Dennis was present, and he made comments concerning the outstanding work of Sgt. Jason Tassone. Sheriff Dennis stated that Sgt. Tassone seized over \$1,000,000 in cash and over \$1.3 million dollars in drugs.

- Police Officer of the Year - Cpl. Ben Stiles - Sumter Police Officer
- Deputy Sheriff Of The Year - Sgt. Jason Tassone - Sumter Deputy Sheriff Officer
- Law Enforcement Officer Of The Year - Cpl. Ben Stiles - Sumter Police Officer
- Firefighter of the Year - Lt. Ralph Matt Carroll - Fire Department
- Emergency Medical Technician of the Year - Lt. Kevin James Moye - EMS Department
- Correctional Officer of the Year - Lt. Nancy McMillan - Sumter Lee Regional Detention Center

ACTION: Received as information.

**LAND USE MATTERS AND REZONING REQUESTS --
Development/Rezoning Request -**

- (1) **RZ-13-01 -- 425/435 S. Guignard Drive (County) – First Reading -- Request To Rezone +/- 6.1 Acres Located At 425/435 S. Guignard Drive From General Residential (GR) To General Commercial (GC). The Property Is Represented By Tax Map Number 227-06-03-050.**

Donna McCullum, Zoning Administrator for the Planning Department, presented this request to Council. She stated that this request is to rezone a parcel from General Residential (GR) to General Commercial (GC) in order to permit a mobile vending of produce sales. Produce Sales are a conditional use requiring staff approval in the GC Zoning District but not permitted in the current General Residential (GR) Zoning District.

The applicant is requesting a rezoning of the property from GR to GC in order to sell produce from his truck at the site. The site has been vacant since the last business Jet Wrecking Company was there in 2006. The applicant has the property owner's (Lucile Washington) approval to sell produce from her property. Also, the property owner has property listed with a realtor and this would make the property more marketable especially with property fronting a principal arterial street. The Sumter County Zoning Ordinance does not allow mobile produce sales from a residentially zoned property. Therefore, the applicant wishes to rezone to General Commercial to allow this type of seasonal sales.

The Property, for the rezoning, has been historically used for commercial business. All structures have been removed from the property since business closed out its business license in 2006. There is an existing natural vegetated buffer around the entire perimeter of this property offering buffering from residential properties.

Also, the property designation supports an intentional true mix of residential, commercial, healthcare, and civic land uses at relatively high densities. Request does comply with the Comprehensive Plan adding commercial zoned property to this area and with the property fronting on an arterial street.

Staff has visited the site, reviewed the request, and recommends approval of the rezoning for this parcel. This request complies with the Long Range Plan and will be compatible with the adjacent uses and surrounding district. Property has been used for commercial business for many years, fronts on a major arterial street and is less likely to ever be developed residentially. The Sumter City-County Planning Commission at its meeting on Wednesday, January 30, 2013, voted to recommend approval for this request.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Baker, and unanimously carried by Council to grant first reading approval of this rezoning request.

- (2) **RZ-13-02 -- 2605 Warehouse Boulevard/ 2705 Highway 15 South (County) -- First Reading -- Request To Rezone Two Parcels Located At 2605 Warehouse Boulevard And 2705 Highway 15 South (2.06 And 2.0 Acres Respectively, For A Total Of +/- 4.06 Acres) From Heavy Industrial (HI) To General Commercial (GC). The Properties Are Represented By Tax Map Numbers 223-00-01-074 And 223-00-01-070.**

Ms. McCullum also presented this request to Council, she stated that this request is to rezone two parcels of land situated on US Hwy. 15 South (the "Property"), whose total area equals +/- 4.06 acres. The property is zoned Heavy Industrial (HI). The northernmost parcel at 2605 Warehouse Blvd. currently has a convenience store located on it, and the parcel at 2705 US Highway 15 South has no business license on record.

The 2030 Comprehensive Plan Map has the subject property in the Suburban Development Area, across from a Priority Economic Development Area and in close proximity to a Priority Commercial Mixed Use Zone. The primary objective of the Suburban Development designation is to scrutinize and manage the existing development patterns, foster intentional mixed-use development and identify new commercial and industrial locations where form and design are a focus, all in a more efficient manner. Priority commercial and mixed use areas or nodes are identified on the map to direct future, high quality commercial and mixed use development. The areas include anticipated green fields as well as established locations expected to redevelop with higher and better uses over time.

The location of these properties on Highway 15 South being in close proximity to a priority commercial node and economic development area supports commercial uses in this

district. The rezoning to General Commercial; therefore, is compatible with the 2030 Comprehensive Plan.

Staff recommends approval of this request since they find the request in conformance with the 2030 Comprehensive Plan.

The Sumter City-County Planning Commission at its meeting on Wednesday, January 30, 2013, voted to recommend approval for this request. After all discussion, Council took action on first reading.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to grant first reading approval of this rezoning request.

- (3) **OA-12-17 -- Neighborhood Commercial District Uses / Physical Fitness Facilities (County) -Third Reading - (13-784) -- Request To Amend Article 3, Section 3.G.2 Permitted Uses In The Neighborhood Commercial (NC) Zoning District And Exhibit 5 Of The Sumter County Zoning And Development Standards Ordinance In Order To Include Physical Fitness Facilities (SIC Code 7991) As A Permitted Use.**

Ms. McCullum stated that there are no changes to this proposed ordinance amendment since first reading. Council then took action on this matter.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Baten, and unanimously carried by Council to grant third reading and adoption to this ordinance amendment.

Street Name Change - None

Grant Awards --

- (1) Update On Sumter County Grant Submissions and Awards - Ginny Yonson.

Ms. Ginny Yonson, Grants Administrator, presented the update on Sumter County Grant Submission and Grant Awards. (See information below.)

Dept.	Grant	Funder	Applied For	Funded	Who Wrote Grant
SSRC	Housing Trust Fund	SC Housing Authority	\$245,000.00	\$245,000.00	Lana Odom
SSRC	FHLB - Set Aside Funds	Fed. Home Loan Bank	\$44,460.00	\$44,460.00	Lana Odom
SSRC	Community Impact Fund	SC Ass. Of CDC	\$7,000.00	\$7,000.00	Lana Odom
Storm Water	Turkey Creek Planning Grant	SC DHEC	\$58,000.00	\$58,000.00	Peter Wilson
Storm Water	Shiloh Water Extension	Budget & Control Board	\$15,426.00	\$15,426.00	Peter Wilson / Ginny Yonson

Sheriff's Office	Alcohol Education Training	Clarendon Co. Health	\$1,980.00	\$1,980.00	Luke Hall
Sheriff's Office	US Marshall Service	US DOJ US Marshalls	\$10,280.00	\$10,280.00	Ron Dodson
EMS	EMS Grant in Aid	SC DHEC	\$12,060.00	\$12,060.00	Bobby Hingst
Emerg. Manag.	LEMPG	SC EMD	\$56,773.00	\$56,773.00	Erik Hayes
Patriot Hall	Into the South Project	SC Humanities Council	\$1,500.00	\$1,500.00	Booth Chilcutt
Patriot Hall	Arts Operating Grant	SC Arts Commission	\$3,575.00	\$3,575.00	Booth Chilcutt
Patriot Hall	Arts Sub-Grant Program	SC Arts Commission	\$7,872.00	\$7,872.00	Booth Chilcutt
Recreation	Sumter County Active Lifestyles	USC Prevention & Well.	\$94,555.00	\$94,555.00	Rose Ford
Public Works	Waste Oil Recycling Grant	DHEC	\$24,694.00	\$24,694.00	Karen Hyatt
Public Works	Waste Tire Recycling Grant	DHEC	\$43,010.00	\$43,010.00	Karen Hyatt
Public Works	Solid Waste Recycling Grant	DHEC	\$5,000.00	\$5,000.00	Karen Hyatt
Sheriff's Office	Sub-Recipient to City's JAG Grant	US DOJ	\$21,160.00	\$21,160.00	Lee Monahan/City of Sumter
Total			\$652,345.00	\$652,345.00	

ACTION: Received as information.

OTHER PUBLIC HEARING:

- (1) 13-785 -An Ordinance Authorizing The Sale Of Property Located At 1070 Toby Court, Sumter, SC. (Council Will Take Action On Third Reading Immediately After Public Hearing Or During Old Business.)

The Chairman convened a public hearing on this matter and asked if anyone wished to speak in favor of or opposition to this ordinance. No one spoke to this matter; therefore, the Chairman closed the public hearing and Council took action on third reading as listed below under Old Business.

NEW BUSINESS:

- (1) 13-786 - First Reading -- An Ordinance To Approve A Quitclaim Deed Conveying Any Interest In Property Owned By E. Yvonne Newman.

Mr. Bryan stated that Council has this ordinance on its agenda for first reading approval for Quitclaim Deed which, if approved, would convey the interest in property owned by E. Yvonne Newman. The first reading would be by title only. After Mr. Bryan's presentation, Council took action on first reading.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Baten, and unanimously carried by Council to grant first reading to this proposed ordinance as presented. (See ordinance below.)

WHEREAS, Sumter County Tax Parcel Number 265-00-01-012 is owned by E. Yvonne Newman according to the deed recorded on April 14, 1978 in the Office of the Register of Deeds for Sumter County in Deed Book 424 at page 186, and

WHEREAS, the thoroughfare which is the subject of a lawsuit currently pending in the Circuit Court for Sumter County as Civil Action Number 2012-CP-43-2312 may cross or be adjacent to the property owned by E. Yvonne Newman; and

WHEREAS, E. Yvonne Newman is willing to quitclaim any interest that she has to the thoroughfare, included any easement right or right of ingress and egress in return for a quitclaim deed from Sumter County for any interest that it may have in her property as it relates to the thoroughfare; and

WHEREAS, the County has determined in regard to the thoroughfare that there is no use thereof by the general public; and

WHEREAS, Sumter County does not currently claim the property has any public purpose,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AT ITS REGULAR MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

- 1. That Sumter County hereby abandons any interest in the property of E. Yvonne Newman;*
 - 2. That the Sumter County Council Chairman has complete authority to execute any deeds or other legal instruments necessary to carry out the provisions of this resolution;*
 - 3. That Sumter County conveys to the E. Yvonne Newman, by Quitclaim Deed, any interest in the property of E. Yvonne Newman in accordance with the terms of the draft quitclaim deed attached hereto and incorporated herein by reference.*
 - 4. This Ordinance shall take effect upon its adoption.*
- 4) It May Be Necessary To Hold An Executive Session To Discuss A Personnel Matter, Receive A Legal Briefing, Or Discuss A Contractual Matter And Appropriate Actions May Be Required And Taken Thereafter.

No executive session was held.

OLD BUSINESS:

- (1) 13-785 – Third Reading -- An Ordinance Authorizing The Sale Of Property Located At 1070 Toby Court, Sumter, SC.

The County Attorney, Johnathan Bryan, presented this proposed ordinance to Council for third reading approval. He stated that this piece of property was picked up at a Tax Sale by

Michelin Corporation and they decided they did not need it. Therefore, they deeded the property to Sumter County. The Property was sold on GovDeal.com and because it is actually owned by Sumter County, Sumter County Council must approve the sale of the property. Prior to taking action on third reading, the Chairman convened a public hearing. After the public hearing, Council took action on third reading.

ACTION: MOTION was made by Councilman Baker, seconded by Councilwoman Sanders, and unanimously approved by Council to grant third reading and adoption to this ordinance as presented.

COMMITTEE REPORTS:

- (1) Fiscal, Tax, and Property Committee Meeting To be Held On Tuesday, February 12, 2013, at 4:00 p.m. In County Council's Conference Room.

The Chairman of the Committee, Chairman Blanding, gave the following report and recommendations from the Committee meeting.

Executive Session:

- a) Update On Two Economic Development Matters. After discussion in Executive Session, the Committee voted in open session to approve a resolution which would allow for Sumter County to join an Economic Development Alliance with Beaufort County. The Committee recommended approval of the Resolution. (See resolution below.)

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to approve the resolution as presented and directed the Chairman and the Clerk to execute and deliver the resolution on behalf of the County.

- b) Economic Development Matters Pertaining To Property. After executive session, the Committee voted in open session to approve the use of \$100,000 from the Infrastructure Fund to be used for the Economic Development Project Dark Wolf. It will be used towards a matching grant with the Department of Commerce.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to approve the use of \$100,000 from the Infrastructure Fund in conjunction with the Economic Development Project.

- c) Discussion On A Potential Contractual Matter. After Executive Session, the Committee voted in open session to direct the County Attorney to develop an ordinance which would grant this property to Kiln Direct to increase their operations. The property is owned by the City and the County.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to direct the County Attorney to prepare an ordinance which would transfer the property owned by the City and County to

Kiln Direct (Note: The City would also be contacted about this project and the need for an ordinance.)

- d) **Discussion On A Potential Contractual Matter.** After Executive Session, the Committee voted in open session to authorize the County Administrator to sign an amended contract with Motorola Company for seven additional Emergency Radios. These radios will be used in the backup ambulances.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to approve the request as presented.

- e) **Discussion On An Employment/Personnel Matter.** The Committee discussed in Executive Session and voted in open session to authorize the reclassification of a position in the Magistrate Court (i.e. Summary Court) from Office Manager to Court Administrator.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to approve the request as presented; effective immediately.

2. **Presentation Of Sumter County Financials -- Period Ending December 31, 2012.** Mrs. Craven gave Council an update on the financials ending December 31, 2012.
 3. **Discussion And Possible Action Concerning Changing Council's Agenda Format.** This matter was discussed and no action taken.
 4. **Discussion And Possible Action On Community Development Needs Assessment.** The Committee received information from Ginny Yonson concerning an upcoming Community Development Needs Assessment for possible grants. The Committee and other members of Council conceded that they would send any concerns to the Clerk about possible CDBG grant allocations for the upcoming year. Nonetheless, Council is still in favor of using any CDBG funds for home improvement for the elderly, less fortunate and emergency needs.
- (2) **Public Works Committee Meeting To Be Held on Tuesday, February 12, 2013, at 5:00 p.m. in County Council's Conference Room.** (The Public Works Committee Meeting Will Begin Immediately After The Conclusion Of The Fiscal, Tax, and Property Committee Meeting.)

The Chairman of the Committee, Councilwoman Sanders, gave the following report from the Committee meeting.

Public Works discussed the need for a light at Bethel Church Road and Panola Road. After receiving a report from the Public Works staff, the Committee recommends approval of this request.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to approve the request as presented. (Note: It was also suggested that the staff ask for an updated streetlight count of the streetlights in Sumter County's name. Also it was requested that the utility companies review where the streetlights have been placed to see if some of the intersection streetlights may need to be relocated or removed.)

- (3) **Forfeited Land Commission – All Council Members Are Members Of The Forfeited Land Commission – Tuesday, February 12, 2013, At 5:30 P.M. In County Council's Conference Room.** (The Forfeited Land Commission Meeting Will Begin Immediately After The Conclusion Of The Public Works Committee Meeting.)

Although the Forfeited Land Commission (FLC) is a standalone Commission; the following action is recorded for the benefit of the public.

Collins Street:

ACTION: MOTION by Councilman Baker, seconded by Councilwoman Sanders, and unanimously carried by the FLC to approve the sale of a mobile home located at 1007 Collins Street, Sumter, SC back to Cheryl Williams, former owner of this mobile home) for the amount to be determined by County Attorney, and that the funds should be paid no later than March 14, 2013, or otherwise additional fees and penalties may need to be added.

- (4) Report From Council Members On Other Meetings, Trainings, And/Or Conferences.

- Councilman Baker stated that a citizen has opened a store and gas station near Continental. However, the County's sign ordinance will not allow this citizen to put up a large sign at this business. Councilman Baker asked Council to allow this matter to place on a Committee's agenda of Sumter County Council so that it can be discussed.
- Councilman Edens reminded Council members that Council has previously talked about creating a new committee which would address these type land use matters. It is time for the Committee to be created. (This matter will be placed on one of Council's Agendas for discussion and possible action.)

MONTHLY REPORT:

- Sumter County Sheriff's Office
- Fiscal Year 13-14 Budget Schedule
- The Humanities Council
- Retirement Supper for Walter G. "Sonny Newman"
- SCAC – Upcoming Webcast: Continuing Education for County Officials and Employees
- Live Oak Aesthetic and Family Dentistry
- **Article:** Small Airports, Big Impact
- Sumter County Emergency Management
- Activity Report

COUNTY ADMINISTRATOR'S REPORT:

- **SCAC Legislative Alert-** House Bill H.3290 - The County received an Alert from SCAC concerning House Bill H.3290 passing and a Subcommittee of the Senate will hear testimonies about this proposed bill during a senate hearing at 10:00 a.m. on February 13, 2013. This Bill has language in it which will limit local authority as it relates to Solid Waste.
- Council Media Update - Seven major components to this project: (1) Agenda Management and Recording Software (2) Audio Visual, (3) Wireless, (4) Tablets, (5) Carpenter Modifications (6) Monitors, and (7) Networking.
- Attended the **S. C. Economic Development Institute** along with Councilman Edens. Both Mr. Gary Mixon and Councilman Edens passed the test.

PUBLIC COMMENT:

The Chairman asked if anyone wished to speak to Council about any matter. The following person spoke during public comment.

- **Louis Watkins** talked to Council about his concern for the citizens crossing from North Pike to South Pike. The By-pass has no means for the citizens to cross from the community from North Pike over to the commercial area on South Pike. He mentioned that Richland County built a Foot Bridge to help alleviate the problem for its citizens. Mr. Watkins asked if Council had any plans of building a foot bridge for this community or advocating for a foot bridge. (*Councilwoman McGhaney stated that she had already seen the problem and contacted the Santee Lynches Regional Council On Governments-Transportation Section, concerning this problem.*)
- **Patty Wilson** thanked Mrs. Lorraine Dennis for making a report to the Sumter VIP last week. Ms. Dennis gave all the information that was presented to the Chamber of Commerce and it was well received by the Sumter VIP group. Ms. Wilson also talked about the security in the school district; however, the Sumter County Sheriff and the Chief of Police are working together with the District in unison to keep the children safe. The School District is also reaching out in the community through different committees that have been created by the District. Patty Wilson is Chairman of the Finance Committee, the other committees are: Policy Committee (Dr. Ralph Canty is Chairman and Rev. McGhaney is Co-Chairman), Public Relations, and Communications Strategies Committee.

ADJOURNMENT:

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:50 p.m. after a motion by Councilman Baker, seconded by Councilman Byrd, and unanimously carried by Council.

Respectfully submitted,

Larry Blanding
Chairman or Vice Chairman
Sumter County Council

Mary W. Blanding
Clerk to County Council
Sumter County Council

Approved: February 26, 2013



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

Public Notified: Yes

Manner Notified: Agendas posted on bulletin board on third floor of the Administration Building.

Date Posted: February 7, 2013

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 7, 2013

Respectfully submitted,

Mary W. Blanding

Mary W. Blanding