

Minutes
Sumter County Council
Regular Meeting
February 12, 2008 - Held at 6:00 p.m.
County Administration Building County Council Chambers
13 E. Canal Street, Sumter, SC

MEMBERS PRESENT: Vivian Fleming-McGhaney, Chairwoman; Eugene Baten, Vice Chairman; Artie Baker, Larry Blanding, Jimmy Byrd, Charles T. Edens, and Roland Robinson.

MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Mr. William T. Noonan, County Administrator; Mrs. Mary W. Blanding, Clerk to County Council; Mr. Johnathan Bryan, County Attorney; Mr. George McGregor, Planning Director; Mrs. Pam Craven, Finance Director; Mrs. Lorraine Dennis, Deputy County Administrator/Human Resources Director; Mrs. Keysa Rogers, Budget Analyst; and the Honorable Verna Moore, Sumter County Coroner.

MEDIA PRESENT: The Item

PUBLIC PRESENT: Approximately 8 members of the public were in attendance.

CALL TO ORDER: Chairwoman Vivian Fleming-McGhaney called Sumter County Council's meeting of February 12, 2008, to order.

INVOCATION: The Clerk to Sumter County Council gave the invocation.

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

APPROVAL OF AGENDA: Councilwoman McGhaney stated that she would entertain a motion to approve the February 12, 2008, agenda with any additions, deletions, or as printed.

ACTION: MOTION was made by Councilman Robinson, seconded by Councilman Byrd, and unanimously carried by Council to approve the February 12, 2008, agenda as presented.

ACTION ON MINUTES OF JANUARY 22, 2008: Chairwoman McGhaney stated that she would entertain a motion to approve the minutes of County Council's meeting of January 22, 2008.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Byrd, and unanimously carried by Council to grant approval of the minutes of January 22, 2008, as prepared by the Clerk.

LAND USE MATTERS AND REZONING REQUESTS -

Planned Development/Rezoning Request - None

Street Name Change - None

Grant Awards - None

OTHER PUBLIC HEARINGS - None

NEW BUSINESS

(1) Recognition And Presentations Of 2007/2008 The American Legion Post 15 Public Safety Officers Of The Year.

The Clerk To Council presented the following commendations to the Chairperson for presentation to the recipients. Each honoree was presented with a gift and the commendations.

- ◆ On behalf of the citizens of Sumter County, South Carolina, members of Sumter County Council hereby commend you, **Captain Gary Fowler**, for receiving the 2007-2008 Outstanding Police Officer of the Year Award from the American Legion Post 15. Your dedication and commitment to the citizens of Sumter County through your devoted service as a Sumter Police Officer is unquestionably treasured. Council members congratulate you and wish you well in all that you do to make Sumter County a better place to live.
- ◆ On behalf of the citizens of Sumter County, South Carolina, members of Sumter County Council hereby commend you, "**Battalion Chief Robert C. Watts**" for receiving the Outstanding Firefighter of the Year Award for 2007-2008 from the American Legion Post 15. This award reflects your years of dedicated and committed service to the citizens of Sumter County through your devotion as a Firefighter. Council members congratulate and applaud you for being the best of the best.
- ◆ On behalf of the citizens of Sumter County, South Carolina, members of Sumter County Council hereby commend you, **Sgt. William Earl Robertson**, for receiving the 2007-2008 Outstanding Correctional Officer of the Year Award from the American Legion Post 15. Your dedication and commitment to the citizens of Sumter County through your devoted service as a Detention/Correctional Officer is unquestionably treasured. Council members congratulate you and wish you well in all that you do to make Sumter County a better place to live.
- ◆ On behalf of the citizens of Sumter County, South Carolina, members of Sumter County Council hereby commend you, **EMT Kathy Hall**, for receiving the Emergency Medical Technician Of The Year Award for 2007-2008 from the American Legion Post 15. This award reflects your dedicated and committed service to the citizens of Sumter County through your devotion as an Emergency Medical Technician. Council members congratulate and applaud you for being the best of the best.

ACTION: Received as information.

- (2) Proclamation Proclaiming February 14, 2008, As League Of Women Voter's Day In Sumter County, South Carolina.

The Clerk to Council presented this proposed proclamation for Council's review and approval. After the review of the proclamation, Council took action on the proclamation as presented.

Whereas; The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy, and

Whereas; Membership in the League is open to men and women of all ages and has been since its beginnings in 1906; and

Whereas, the League of Women Voters, stand on the shoulders of generations of incredible volunteers who have proudly served the League and made a measurable impact in their communities including the nearly 150,000 members and supporters of the League; and

Whereas; the League's members take seriously the legacy of providing trustworthy and balanced resources to citizens and lawmakers while allowing the League of Women Voters to truly leave a footprint on American history in assisting to make a democracy stronger.

Now therefore, I, Vivian Fleming McGhaney, along with members of Sumter County Council, do hereby Proclaim February 14, 2008, as the Sumter County's League of Women Voter's Day in Sumter County, South Carolina and applaud the National League Of Women Voters for its 88 years of service to this nation.

DONE AND RATIFIED, in the County Council regular meeting held this 12th of February 2008.

ACTION: MOTION was made by Councilman Byrd, seconded by Vice Chairman Baten, and unanimously carried by Council to approved the proclamation as presented and directed the Chairwoman and the Clerk to execute and deliver the resolution on behalf of the County.

- (3) A Resolution Re-Forming And Agreeing To Participate In The Sumter County Regional Home Consortium For The Period Of April 1, 2009, To March 31, 2012.

The Clerk to Council presented this proposed ordinance to Council for review and consideration for approval. She stated that this is the same type of resolution that is presented periodically for reforming the Home Consortium. The period of this reforming

would be from April 1, 2009, to March 31, 2012. After all comments, Council took action on this resolution as presented.

Be It Resolved by the County Council for Sumter County, South Carolina, in Council duly assembled:

1. That the County, in order to take advantage of the programs available under the HOME Program administered through the U. S. Department of Housing and Urban Development, joins in the formation and becomes a member of the Sumter County Regional HOME Consortium, together with the County of Kershaw, the County of Lee, the County of Clarendon; the City of Sumter, the Town of Mayesville, the Town of Pinewood, the City of Camden, the Town of Bethune, the Town of Elgin, the City of Bishopville, the Town of Lynchburg, the City of Manning, the Town of Paxville, the Town of Summerton, the Town of Turbeville; or such of those units of local government as choose to participate in the Consortium, all in accordance with the "Mutual Cooperation Agreement," the terms of which are incorporated herein by reference; and

Be It Further Resolved, that the Chairman is authorized to sign, on behalf of the County, the Mutual Cooperation Agreement and any and all documents reasonably necessary to form the Consortium and to carry out and fulfill its purposes.

ACTION: MOTION was made by Councilman Blanding, seconded by Councilman Byrd, and unanimously carried by Council to approve the resolution as presented and directed the Chairwoman and the Clerk to execute and deliver the resolution on behalf of the County.

- (4) Amendment To A Resolution To Appoint A Representative To Serve As A Member Of The Lake Marion Regional Water Agency, A Joint Municipal Water System Created Pursuant To Section 6-25-10, ET. SEQ. Of The Code Of Laws Of South Carolina As Amended.

The Clerk to Council presented this proposed resolution to Council. She stated that this resolution was presented to Council during its meeting of February 12, 2008. The resolution had "positions" listed within the resolution for persons who could vote on behalf of Sumter County Council. However, it has been recommended that names of persons be listed within the resolution. Therefore, it is suggested that the following names be included in the resolution in priority order: Vivian Fleming McGhaney, William T. Noonan, John Duffie, and Peter Wilson. After all discussions, Council took action on the resolution as listed below.

WHEREAS, on July 22, 1997, the County Council adopted a resolution creating the Lake Marion Regional Water Agency; and,

WHEREAS, Sumter County has authorized the County Administrator to complete, sign, and deliver to the Agency an application for membership in the Agency; and

WHEREAS, Sumter County is entitled to appoint a Council member and one or more alternate Council members to serve on the governing body of the Agency.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Sumter, South Carolina, in Council duly assembled, that the Chairman/Chairwoman of Sumter County Council, Vivian Fleming McGhaney would serve as a member of the Lake Marion Regional Water Agency as a representative of the County. If the Chairman/Chairwoman cannot attend the meetings, then the Sumter County Administrator, William T. Noonan or the County's Contracted Engineer, John Duffie are granted the privilege and all rights to vote on behalf of the County.

This resolution is effective immediately upon adoption.

ACTION: MOTION was made by Councilman Edens, seconded by Vice Chairman Baten, and unanimously carried by Council to adopt the resolution as presented and directed the Chairwoman and the Clerk to execute and deliver the resolution as presented.

- (5) Discussion And Possible Appointment Of Three Persons To The Sumter Consolidation Transition Committee As Outlined In Senate Bill 534. (This Matter May Need To Be Held In Executive Session For Discussion On Possible Appointments.)

The Chairwoman stated that based on a South Carolina Legislative action, a Sumter Consolidation Transition Committee is being appointed to assist with the Consolidation of Sumter County School Districts #2 and #17. Within the legislation, Sumter County Council is asked to appoint three persons to the Committee. Chairwoman McGhaney asked for the selection of these three persons to be done by secret ballot with the Clerk to Council receiving, counting, and announcing the results of the ballot at the end of the meeting.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Edens, and unanimously carried by Council to approve the process of voting by ballot and allowing the Clerk to Council to tally the votes and announce the three persons at the end of the meeting. Those three persons would be appointed to the Sumter Consolidation Transition Committee as outlined in Senate Bill 534.

NOTE: Each Council member filled out a ballot sheet and handed the individual sheet to the Clerk who tallied the votes. The three persons who will represent Sumter County Council on the Sumter Consolidation Transition Committee are Councilman Larry Blanding, Councilman Jimmy Byrd, and Councilman Charles T. Edens.

- (6) It May Be Necessary To Hold An Executive Session To Receive A Legal Briefing From The County Attorney Or Discuss Contractual Or Personnel Matters.

No executive session was held.

OLD BUSINESS -

- (1) 08-657 -- Third Reading - An Ordinance To Change The Official Seal For Sumter County Council, In Sumter County, South Carolina.

The County Attorney, Johnathan Bryan, presented this proposed ordinance to Council for third reading approval. After review of the ordinance, Council took action on third reading.

WHEREAS, Section 4-9-30, Code of Laws of South Carolina, 1976, as amended, subsection (1) authorizes each county government to adopt, use, and revise a corporate seal; and

WHEREAS, Sumter County Council desires to revise its corporate seal;

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 adopts as its official corporate seal a facsimile of the image shown on the attached depiction; and

2. That the official corporate seal is two concentric circles, creating an outer ring and an inner circle. In the top arc of the outer ring, are printed the words "Sumter County Council" in an arc. In the bottom arc of the outer ring are printed the words, "Sumter, South Carolina" in an arc. In the inner circle are printed the words "Official Seal" in two horizontal lines. There are two stars in the outer ring used to separate the words printed in the top arc from the words printed in the bottom arc. All words begin with capital letters which are followed by lower case letters. The actual official seal will be approximately one and one-half inches in diameter.

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

- (2) **08-658 -- Third Reading - An Ordinance Amending Chapter 2, Article II, Division 1, Sections 2-17 And 2-18, Code Of Ordinances, Sumter County, South Carolina To Change The Time For Electing The Vice Chairman.**

Mr. Bryan also presented this proposed ordinance to Council for third reading approval. He stated that there have been no changes to this ordinance since first reading. After all comments, Council took action on third reading as list below.

WHEREAS, Chapter 2, Article II, Division 1, Section 2-17 of the Code of Ordinances, Sumter County, South Carolina sets forth the time and manner for electing the Chairman of the Sumter County Council; and

WHEREAS, Chapter 2, Article II, Division 1, Section 2-18 of the Code of Ordinances, Sumter County, South Carolina sets forth the time and manner for electing the Vice Chairman of the Sumter County Council; and

WHEREAS, the Sumter County Council desires to amend Section 2-17 and Section 2-18 to allow both the Chairman and Vice Chairman to be elected at the initial meeting of County Council in January following each general election and to allow for a senior member of County Council to preside over that meeting in the event neither the former Chairman nor former Vice Chairman are able to preside over that initial meeting.

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

➤ That Sumter County hereby amends Section 2-17 by adding the following words after the first sentence.

“If the former Chairman of County Council continues to serve on County Council, either by re-election to County Council or by continuation of his/her four-year term, the former Chairman shall open the initial meeting of the Council in January and preside over the meeting until the County Council shall hold election for the position of Chairman. Once the County Council has elected its Chairman, the newly elected Chairman shall preside over the remainder of the meeting. If the former Chairman of County Council does not continue to serve or is otherwise unavailable to serve at the initial meeting in January following a general election and if the former Vice Chairman will continue to serve, either by re-election or continuation of his/her four-year term, then the Vice Chairman shall open the initial meeting of the Council in January and preside over the meeting until the County Council shall hold election for the position of Chairman. If neither the former Chairman nor former Vice Chairman is available to serve at the initial meeting in January following a general election, then the member of County Council with the longest period of continuous service on County Council shall preside over the initial meeting in January until a new Chairman is elected. If two or more members share the status of having the longest period of continuous service, then the oldest of those members shall open the meeting.”

➤ That Sumter County hereby amends Section 2-18 by deleting the existing section and substituting the following section:

“At the initial meeting of the Council in January following each general election, after the County Council has elected its chairman, the Council shall select one of its members to serve as Vice Chairman for a two-year term, and if the Chairman shall be absent or unable to serve, the Vice Chairman shall serve as Chairman in his/her stead.

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

COMMITTEE REPORTS:

- (1) Education Liaison Committee Meeting Held On Friday, January 25, 2008, At 1:00 P.M. In County Council's Conference Room At The County Administration Building (Committee Members: Byrd and Robinson.)

The Committee is continuing its work on the Academic Awards Program.

- (2) Military Affairs Committee Meeting Held On Wednesday, February 6, 2008, At 5:00 P.M. In County Council's Conference Room At The County Administration Building (Committee Members: Blanding, Baker, and Baten - All Council Members Are Asked To Attend This Meeting.)

The Chairman of the Committee, Councilman Blanding, stated that a meeting was held for public comments concerning a proposed moratorium; six members of Council were present (Councilman Edens did not attend the meeting). No action was taken; however, the Military Affairs Committee will continue to work on this matter and report back to Council at a later time.

- (3) Internal Affairs Committee Meeting Held On Monday, February 11, 2008, At 5:00 P.M. In County Council's Conference Room At The County Administration Building (Committee Members: Byrd, Blanding, and Robinson - All Council Members Are Asked To Attend This Meeting.)

The Chairman of the Committee, Councilman Byrd gave the following recommendation for Council's consideration and action:

- ◆ **Update On Orientation For Boards And Commissions Members.** The Clerk presented the Committee members and other members of Council with a copy of the proposed orientation booklet to review and make comments. It was recommended that all corrections, deletions, and amendments to the orientation booklets be forwarded to the Clerk by February 20, 2008. The Clerk will compile the changes and have them ready for a follow-up meeting of the Internal Affairs Committee which will be held on February 25, 2008. Additional discussions will be held during this meeting concerning the finalization of this booklet.
- ◆ **Workforce Investment Board:** Appoint Hyacinth Kinsley and to make a recommendation to the Workforce Investment Board staff members about another appointment that was forwarded to the Committee, but no was action taken on that recommendation.

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

- ◆ **Stormwater Management and Sediment Control Board:** The Committee recommended sending a name to the City to replace one of the current Board members whose first term has expired.

Councilman Edens recommended that Council enter into executive session to hear the names of the two candidates that are being forwarded to the City to fill the seats on the Stormwater Management and Sediment Control and the Planning Commission.

The Chairwoman stated that it is the opinion of the Chairman that the Clerk to Council informed all Council members of the meeting, and all Council members were invited to the meeting. All Council members were present except for Councilman Baker.

Councilman Baker stated that he is fine with whatever decision was made by the Committee and will talk to the Chairman of Internal Affairs after the meeting.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendations for the Stormwater Management and Sediment Control as presented and forward the recommendation to the City for action. Councilman Baker abstained.

- ◆ **Planning Commission:** The Committee recommended sending a name to the City to be appointed to the Planning Commission as a joint representative to fill the seat of Rev. Richard Baxter.

Council members also discussed the need for all Council members to be informed about an appointee before they are asked to vote on the recommendation. After discussions, Council took action on the recommendation for the Planning Commission.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendations for the Planning Commission as presented.

NOTE: Councilman Blanding stated that there needs to be some type of mechanism which will inform those members of Council that are NOT a member of a committee and that are not in attendance at a Committee meeting of the impending Committee report. All Council members should be made aware of the items that Council will be asked to vote upon prior to actions during the regular meeting. Councilman Blanding asked that his concern be noted in the minutes.

- (4) **Fiscal, Tax, and Property Committee Meeting Held On Tuesday, February 12, 2008, At 4:00 P.M. In County Council's Conference Room At The County Administration Building (Committee Members: McGhaney, Blanding, and Edens - All Council Members Are Asked To Attend This Meeting.)**

The Chairman of the Committee, Chairwoman McGhaney, gave the following report.

- **Contractual Matter - Crystal Lakes Golf Course:** The Committee received information requesting that fees at Crystal Lakes Golf Course be increased as follows:

Green Fees	18 Holes	9 Holes
Week Day	\$13.00	\$7.50

Weekend	\$15.00	\$9.50
Cart Fee	\$10.00	\$5.00
Week Day Senior Green		\$10.00
Annual Fees		Yearly
Singles		\$480.00
Seniors		\$420.00
Family		\$720.00
Weekday Only		\$360.00
<p>The fee changes will be effective April 1, 2008. The changes will affect the following memberships. The Committee asked that the staff include in this change of fee structure an allowance if a person pays a year up front, and then two months' fees are reduced from the overall cost.</p>		
Senior	109	
Single	17	
Family	21	
Weekday Only	26	
Total	173	

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

- **Contractual Matter - Accommodations Tax Funds:** The Committee received information requesting that State Accommodations Tax Fees need to be released and sent to the appropriate agency. It was recommended that these fees be released as recommended by the Administrator.

ACTION: MOTION and second were received from the Committee, and carried by Council to approve the recommendations as presented by the Committee. Councilman Blanding voted in opposition.

Contractual Matter Lease Agree: The Committee received information requesting that the current Lease Agreement between Sumter County and Santee Cooper be amended to extend to the parking lot at the Rimini/Pack Landing Park facility. It was stated that the proposed lease will be an amendment to the current lease signed in 1991 for approximately 14.43 acres. This amendment will now include the adjacent parking lot area formally leased to South Carolina Department of Natural Resources. We respectfully request an extension on the terms of the current lease for a period of 25 years from the signing date so that additional grant funds might be used to enhance the existing facilities.

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

- **Military Affairs Speaker Request For Funding:** The Committee received information requesting that the County Provide \$1,000 to assist in funding a function for General Lovelace of the Third Army. The City and other local entities are also being asked to participate in the funding of this event. The Committee recommended approval of the request with \$1,000 coming for the Administrator's Contingency Fund.

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

- **Preliminary Audit Report:** The Committee received the preliminary Audit Report as information.
- **Discussion And Possible Action Concerning The 2008 CDBG Program Allocation:** Received as information. Each Council member is to review this material and be prepared to give input at the February 26, 2008, meeting concerning possible projects for 2008 CDBG program allocations.
- **Request For Funding For The 2008 Legislative Day:** The Committee received information requesting that the County provide up to \$7,500 for the upcoming Legislative Day scheduled for April 2, 2008.

ACTION: MOTION and second were received from the Committee to approve this request as presented. The motion did not carry. Council members Baker, Edens, and McGhaney voted in the affirmative; Council members Byrd, Baten, Blanding, and Robinson, voted in opposition.

NOTE: Prior to action on this item, Vice Chairman Baten stated that he questions the need for these funds, especially since the County and the City have hired lobbyists. The Legislative Delegation should also be working to ensure that Sumter County issues are presented to other General Assembly members and these persons can voted to help Sumter County with its needs.

(5) Report From Council Members On Other Meetings, Trainings, and/or Conferences.

No report given.

MONTHLY REPORTS:

- Sumter Economic Development Center
- United Way
- Ribbon Cutting: Tranquil Journey Health and Wellness SPA
- Ribbon Cutting: William Thomas Academy
- Howard Association, Inc.
- Public Works: Roads and Landfill
- Sumter County Government Organizational Chart (2007)
- Letter From Phil Land - State of South Carolina Senate: Funding For South Carolina's Law Suit Against North Carolina

- SCSHRAB - Letter Concerning Funding Archival Supplies

ADMINISTRATOR'S REPORT:

- Preliminary Budget: The Administrator thanked staff for their work with the Preliminary Budget.
- Security Issues: The Administrator stated that much of the expenses for security are the staff that is needed to handle security issues. The Sheriff is providing the needed staff; however, the expense for security is growing rapidly. This will be a budgetary issue for the 2008-2009 budget year.
- Accident At Courthouse: Two County employees were involved in a accident on the Courthouse grounds; both are fine and have been released from the hospital.

PUBLIC COMMENT:

The Chairwoman asked if anyone from the public would like to make comments to members of Sumter County Council. No one spoke during public comment.

ADJOURNMENT:

There being no further business and no additional comments from the public, the meeting was adjourned at 6:47 p.m.

Respectfully submitted,

Vivian Fleming McGhaney

Chairman or Vice Chairman
Sumter County Council

Mary W. Blanding

Clerk to County Council
Sumter County Council

Approved: **February 26, 2008**

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, 2008

Media Notified: Yes

Manner Notified: Agendas were sent to most radio stations, television stations, and newspapers in the Sumter, Columbia, Manning, and Florence communities. Also, E-Mail notification was sent to Sumter County's Home Page, WIBZ, The Item, The Chamber, Time Warner Cable.

Date Notified: February 7, 2008

Respectfully submitted,

Mary W. Blanding

Mary W. Blanding