

**Minutes**  
**Sumter County Council**  
**Regular Meeting**  
**June 10, 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 Councilman 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. Keysa Rogers, Budget Analyst; Mrs. Lorraine Dennis, Deputy County Administrator/Human Resources Director; Mr. Gary Mixon, Deputy County Administrator; The Honorable Carolina B. Richardson, County Treasurer, Mrs. Pylisha Ward, Information Technology Director, Mr. Latham Harris, County Assessor; Mr. Robert Harden, Library Director, and the Honorable Verna Moore, Sumter County Coroner.

**MEDIA PRESENT:** The Item

**PUBLIC PRESENT:** Approximately 12 members of the public were in attendance.

**CALL TO ORDER:** Chairwoman Vivian Fleming-McGhaney called Sumter County Council's meeting of June 10, 2008, to order.

**INVOCATION:** Mr. William T. Noonan, the County Administrator, 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 June 10, 2008, agenda with any additions, deletions, or as printed.

**ACTION:** MOTION was made by Councilman Byrd, seconded by Councilman Robinson, and unanimously carried by Council to approve the June 10, 2008, agenda as recommended by the Clerk.

**ACTION ON MINUTES OF MAY 27, 2008 AND JUNE 5, 2008:** Chairwoman McGhaney stated that she would entertain a motion to approve the minutes of County Council's meeting of May 27, 2008.

**ACTION:** MOTION was made by Vice Chairman Baten, seconded by Councilman Edens, and unanimously carried by Council to approve the Minutes of May 27, 2008, and June 5, 2008 as prepared by the Clerk.

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

1. **RZ-08-07 - First Reading - Ronnie Eldridge - A Request To Rezone From General Residential (GR) To Light Industrial-Warehouse (LI-W) Property Located At 1605 N. Pike East And Represented By Tax Map #268-00-03-023.**

Mr. George McGregor presented this proposed rezoning request to Council for first reading consideration. Mr. McGregor stated that this request involves approximately 33 acres of land and would be rezoned from General Residential to Light Industrial-Warehouse (LI-W). The property is currently undeveloped and is located at 1605 N. Pike East. Mr. McGregor further stated that the property in question is currently zoned General Residential (GR). The purpose of this zoning district is to accommodate higher density residential development and a variety of housing types on small lots. This rezoning may potentially accommodate an amusement park-type development. Such developments are listed under SIC Code 7996 as a permitted use under the LI-W zoning district. LI-W and GC are the only two zoning districts where amusement parks are permitted. Considering the existing character of the surrounding neighborhood, the LI-W zoning district allows for more intensive development standards to be imposed on the development of the property as opposed to the General Commercial Zoning District.

Pursuant to Article 3.k.5 the setbacks would be the following:

	<b>LI-W</b>
<b>Front (Double Frontage)</b>	100'
<b>Sides</b>	17.5'
<b>Rear</b>	100'

These setbacks along with required landscaping and bufferyards will effectively screen and buffer adjacent residential parcels to the south.

The Planning Director also stated that development of this parcel in its current state as a GR zoned property is possible but unlikely, due to its location between two industrial uses and frontage along the bypass. Rezoning the property to a zoning district that allows the development to be consistent with the industrial uses currently established along this portion of N Pike E is recommended.

Lastly, Mr. MGregor said that while the LI-W zoning district is not necessarily the most compatible with the 2020 Comprehensive Plan, it is a reasonable change when considering the surrounding area and the established development pattern along the frontage of this portion of North Pike East. Additionally, it accomplishes one of the goals set forth in the recreational facilities section of the 2020 Comprehensive Plan by potentially permitting the use of an amusement park-type development. This type development can be beneficial to the county in a number of ways. It will potentially provide economic development in an area that is in need, it may expand the county's tax base, and it may provide a number of new jobs. Rezoning this parcel to LI-W provides the opportunity to best develop this parcel.

The Planning Department's staff recommends approval of the request to rezone this parcel to Light Industrial-Warehouse. The Sumter City - County Planning Commission at its meeting on Wednesday, May 28, 2008, voted to recommend approval for this request.

Mr. Ronnie Eldridge, the applicant, stated that he is representing his client and that the development will be approximately three and one-half to five million dollars worth of an investment with approximately 20 to 30 jobs. However, at this point, he cannot disclose any further information about the development.

After all comments, the chairwoman stated that she would entertain a motion concerning first reading.

**ACTION:** MOTION was made by Vice Chairman Baten, seconded by Councilman Baker, and unanimously carried by Council to grant first reading approval as presented.

**Street Name Change - None**

**Grant Awards - None**

#### **OTHER PUBLIC HEARINGS**

- (1) 08-664 - An Ordinance Amending Ordinance 07-640 Of Sumter County, South Carolina (Known As The 2007-2008 Sumter County Budget Ordinance). (Council Will Take Action On Third Reading Of This Proposed Ordinance Immediately After Public Hearing Or During Old Business.)

Chairwoman Vivian Fleming McGhaney convened a public hearing on this matter and asked if anyone wished to speak in favor of or opposition to the proposed ordinance. No one spoke to this issue; therefore, the Chairwoman closed the public hearing and Council took action on second reading listed under Old business.

- (2) 08-662 --- An Ordinance To Provide For A Levy Of Taxes For County Purposes Of Sumter County, S. C., (Known As The Budget Ordinance) For The Fiscal Year Of Said County Beginning July 1, 2008, To Direct The Expenditures Of Said Taxes And Other Funds Of Said County, And To Provide For Other Matters Related Thereto. (Council Will Take Action On Second Reading Of This Proposed Ordinance Immediately After Public Hearing Or During Old Business.)

Chairwoman Vivian Fleming McGhaney convened a public hearing on this matter and asked if anyone wished to speak in favor of or opposition to the proposed ordinance. The following persons spoke to Council about this proposed ordinance.

- Lavonda Johnson, volunteer for the Wateree Aids Task Force; thanked Council for their support in funding the program and asked for Council's continued support with whatever funds that can be provided.

After all comments, the Chairwoman closed the public hearing and Council took action on second reading listed on Old business.

**NEW BUSINESS**

- (1) A Proclamation Proclaiming June 12, 2008, As Double Dutch Day In Sumter County, South Carolina And Recognizing The 35<sup>th</sup> Anniversary Of The International Double Dutch Competition.

The Clerk to Council presented this proposed proclamation to Council; after review of the proclamation, Council took action on its adoption.

**Whereas**, During June 13-15, 2008, the American Double Dutch League will be celebrating its Thirty-fifth Annual World Invitational Championship at the Sumter County Exhibition Center, in Sumter, South Carolina, and

**Whereas**, Double Dutch enhances the desirability of individuals as athletes nationwide and in foreign countries the opportunity to excel and a chance to compete in the World Invitational Championship; and

**Whereas**, Participation in Double Dutch builds self-esteem and provides positive and constructive alternatives to anti-social behaviors and enhances the physical health, well-being of individuals and our communities; and

**Whereas**, It is the right of everyone regardless of race, color, religion, gender, or national origin to participate in Double Dutch programs and activities.

**Now Therefore Be It Resolved**, I, Vivian Fleming-McGhaney, Chairwoman of Sumter County Council, do hereby proclaim the days of June 13-16, 2008, as

**“Double Dutch Days”  
in the County of Sumter, South Carolina**

And I commend those who are participating in the thirty-fifth Annual American Double Dutch League World Invitational Championship. All citizens are urged to attend these worldwide events and to be ambassadors for Sumter County to our visitors throughout these events. Presented under the seal of Sumter County, South Carolina, this 10<sup>th</sup> day of June 2008.

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

- (2) A Resolution Amending The 2007-2008 Budget Of Sumter County School District #2.

The County Attorney presented this proposed resolution to Council. He stated

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

1. That the annexed copy of the proposed budget (the Budget) for Sumter County School District Number Two (School District #2), which was submitted for approval to the County Council for Sumter County, South Carolina, by School District #2 pursuant to the provisions of Act No. 841 of 1952, as amended by Act No. 527 of 1958 as amended of the General Assembly of the State of South Carolina, is, together with any changes or amendments heretofore made thereon, made a part hereof, and incorporated into this Resolution by reference.
2. That the annexed Budget, inclusive of any and all changes and amendments thereto heretofore made thereon as are reflected on the annexed copy thereof, is hereby approved by the County Council for Sumter County, South Carolina.
3. That the appropriate officials of Sumter County, South Carolina, are authorized and directed to determine, assess, levy, collect, and disburse such amounts of Ad Valorem taxes equal to approximately **140.0 mills**, along with other revenues collected within the said School District #2 so as to provide the said School District #2 the sum of **\$17,375,410** dollars to be used by the said School District #2 for expenditures toward the approved appropriations set forth in the annexed Budget. These dollars shall be allocated to amounts of local funding required under the provision of the South Carolina Educational Improvement.
4. Notwithstanding any other provision of this resolution, should the total millage needed to fund any other amount appropriated herein exceed the **millage caps** imposed by *Section 6-1-320*, Code of Laws of South Carolina (1976), as amended, the amounts appropriated herein shall be automatically reduced to the amounts actually generated by the capped millage rate.
5. In addition to the foregoing the appropriate officials of Sumter County, South Carolina, are authorized and directed to determine, assess, levy, collect, and disburse such additional amounts of Ad Valorem taxes equal to **2.4 mills**, (along with the previously described other revenues collected within the said School District #2), so as to provide to the said School District #2 the funds to be used by the said School District #2 for the operating expenses of the Sumter County Career Center.
6. This Resolution shall take effect upon its adoption.

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

(3) A Resolution Amending The 2007-2008 Budget Of Sumter County School District #17.

The County Attorney also presented this proposed ordinance to Council for consideration. After review of the ordinance and presentation by the County Attorney, Council took action on this resolution as presented below.

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

1. That the annexed copy of the proposed budget (the Budget) for Sumter County School District Number Seventeen (School District #17), which was submitted for approval to the County Council for Sumter County, South Carolina, by School District #17 pursuant to the provisions of Act No. 371 of 1967, as amended by Act No. 1335 of 1968 of the General Assembly of the State of South Carolina, is, together with any changes or amendments heretofore made thereon, made a part hereof, and incorporated into this Resolution by reference.
2. That the annexed Budget, inclusive of any and all changes and amendments thereto heretofore made thereon as are reflected on the annexed copy thereof, is hereby approved by the County Council for Sumter County, South Carolina.
3. That the appropriate officials of Sumter County, South Carolina, are authorized and directed to determine, assess, levy, collect, and disburse such amounts of Ad Valorem taxes equal to approximately **135.0 mills**, along with other revenues collected within the said School District #17 so as to provide the said School District #17 the sum of **\$19,456,825** Dollars to be used by the said School District #17 for expenditures toward the approved appropriations set forth in the annexed Budget. These dollars shall be allocated to amounts of local funding required under the provision of the South Carolina Educational Improvement.
4. Notwithstanding any other provision of this resolution, should the total millage needed to fund any other amount appropriated herein exceed the **millage caps** imposed by *Section 6-1-320*, Code of Laws of South Carolina (1976), as amended, the amounts appropriated herein shall be automatically reduced to the amounts actually generated by the capped millage rate.
5. In addition to the foregoing, the appropriate officials of Sumter County, South Carolina, are authorized and directed to determine, assess, levy, collect, and disburse such additional amounts of Ad Valorem taxes equal to **2.4 mills**, (along with the previously described other revenues collected within the said School District #17), so as to provide to the said School District #17 the funds to be used by the said School District #17 for the operating expenses of the Sumter County Career Center.
6. This Resolution shall take effect upon its adoption.

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

(4) School District Number Two 2008-2009 Budget Presentation.

School District Number Two Superintendent, Dr. J. Frank Baker, presented the proposed 2008-2009 budget request to Sumter County Council. He stated that the School District is requesting \$18,881,411; a request in terms of mills would be 146.5 mills for the 2008-2009 fiscal year. Dr. Baker stated that this figure does not include the Career Center funding; School District Two would need the 2.4 to fund the Career Center for the 2008-2009, budget year. However, Mrs. Pam Craven, Sumter County's Finance Director, stated that she would receive clarification about the funding requirements for School District #2 from the S. C. Department of Revenue.

There being no further information needed, Council received the report as information.

**ACTION:** Received as information.

(5) School District Number Seventeen 2008-2009 Budget Presentation.

Dr. Zona Jefferson presented the proposed budget request for School District #17 for the upcoming 2008-2009 budget. She stated that School District #17's required location effort in the amount of **139.86 mills and it does not include the 2.4 mills** for the Career Center. Dr. Jefferson also provided Council members with the district's debt service. Mrs. Craven also stated that further clarification needed to be obtained from the South Carolina Department of Revenue as it relates to the School District's funding and the Career Center.

Dr. Jefferson introduced Dr. John Timmons, the Assistant Superintendent for Finance, to Council members.

**ACTION:** Received as information.

(6) 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) 08-662 - Second Reading -- An Ordinance To Provide For A Levy Of Taxes For County Purposes Of Sumter County, S. C., (Known As The Budget Ordinance) For The Fiscal Year Of Said County Beginning July 1, 2008, To Direct The Expenditures Of Said Taxes And Other Funds Of Said County, And To Provide For Other Matters Related Thereto.

The County Administrator, William T. Noonan, presented this proposed ordinance to Council for second reading consideration. Mr. Noonan informed Council that the budget is a work in progress; however, the budget currently has revenues at \$48,276,299 and expenditures of \$48,909,482 which is a shortfall of funds equaling \$308,481.

Mr. Noonan further stated that he and the financial staff will continue to work on the budget to have it prepared at Council's satisfaction at the June 24, 2008, meeting. After comments from the County Administrator, the Chairwoman convened a public hearing on this proposed ordinance. At the Conclusion of the public hearing, Council took action on second reading.

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Baten and unanimously carried by Council to grant second reading approval to this proposed ordinance as presented by the County Administrator.

(2) 08-664 - Third Reading - An Ordinance Amending Ordinance 07-640 Of Sumter County, South Carolina (Known As The 2007-2008 Sumter County Budget Ordinance).

The County Attorney, Johnathan Bryan, presented this proposed ordinance to Council for third reading consideration. After comments by the Attorney, the Chairwoman convened a public hearing on this ordinance as written below.

WHEREAS, the Sumter County 2007-2008 Budget Ordinance, Ordinance 07-640, was approved on June 26, 2007; and

WHEREAS, that budget ordinance provided for a county-wide tax of 2.4 mills to pay for the operations of the Sumter County Career Center; and

WHEREAS, §11-11-156 of the Code of Laws of South Carolina was added by the 2006 Act of the South Carolina General Assembly No. 388, of which subsection (A)(7) provides that operating millage levied in a county for career centers is considered school operating millage for which the reimbursements shall be made to the school districts from The State Homestead Exemption Fund; and

WHEREAS, in order for the State Department of Revenue to accurately calculate the amount that must be reimbursed from the State Homestead Exemption Fund to Sumter School District 2 and Sumter School District 17, the 2.4 mills attributable to the Sumter County Career Center must be added to the budgets (millage) of the two school districts and deleted as a separate line item on the county bills;

WHEREAS, to correct the billing and accounting, Sumter County Council must amend its budget to delete 2.4 mills for the Sumter County Career Center in anticipation that the 2.4 mills will be added to the budgets of Sumter School District 2 and Sumter School District 17 by separate resolutions.

BE IT ORDAINED by the Sumter County Council for Sumter County, South Carolina, in Council duly assembled:

1. That Sumter County Ordinance 07-640 (the 2007-2008 Sumter County Budget Ordinance), is hereby amended as follows: Section XI, 7 (Sumter County Career Center, **2.4 mills**) is deleted.

2. In order to give credit to the taxpayers for owner-occupied residential property for the 2.4 mills which were billed for the Sumter County Career Center operating expenses and which will be reimbursed from the State Homestead Exemption Fund, Sumter County Council issues the following directives:
  - A. The Treasurer of Sumter County is hereby directed to set up a separate escrow account for the purpose of holding the money that she receives from the State Homestead Exemption Fund for the benefit of the taxpayers who were billed 2.4 mills on owner occupied residences but who should not have been billed the 2.4 mills for the Sumter County Career Center operating expenses and would not have been billed for that millage if it had not appeared as a separate line item on their property tax bills.
  - B. The Auditor for Sumter County is hereby directed to give credit to the owner occupied residences on the 2008 tax bills for the 2.4 mills that were billed on the 2007 tax bills. The credit will be applied toward the property tax bill regardless of who paid the taxes for 2007 or who pays the taxes for 2008.
3. That this Ordinance shall take effect upon its adoption.

After the public hearing, Council took action on third reading.

**ACTION:** MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to grant third reading and adoption to this budget amendment ordinance.

#### COMMITTEE REPORTS:

- (1) Internal Affairs Committee Meeting Held On Monday, June 9, 2008, At 12:30 P.M. In County Council's Conference Room At The County Administration Building (Committee Members: Byrd, Blanding, and Robinson.)

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

- ◆ **Historical Commission:** No action taken.
- ◆ **Iris Festival:** The Committee recommended Bertha Dinkins. Motion and second were received from the committee and unanimously carried by Council to approve Bertha Dinkins to replace Wayne Zamora.
- ◆ **Planning And Comprehension Plan Committee:** Recommended to appoint Mr. Jimmy Byrd, Larry Blanding (Council Members), Jennifer Russell and Sam Lowery (Citizens). Motion and seconded were received from the Committee and unanimously carried by Council to approve the recommendations as presented.
- ◆ **Central Alliance:** No action taken.

- ◆ **Orientation Booklet For Boards And Commissions:** No action taken.

(2) **Fiscal, Tax, and Property Committee Meeting Held On Tuesday, June 10, 2008, At 4:30 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.)**

1. **Executive Session -If Necessary Council May Hold An Executive Session To Discuss Contractual or Personnel Matters, or Receive A Legal Briefing And Take Actions As Appropriate.** No report given.
2. **Sumter County Summary Court, Budget Presentation.** No report given.
3. **Update On Special Purpose Tax District.** No report given.
4. **Discussions And Possible Actions Concerning The Greater Township Community Center.** No report given.
5. **Additional Budget Discussions And Possible Actions.** No report given.

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

#### **MONTHLY REPORTS:**

**ADMINISTRATOR'S REPORT:** No report given.

#### **PUBLIC COMMENT:**

The Chairwoman asked if anyone from the public would like to make comments to members of Sumter County Council.

- Dr. Tom Powers - Dr. Tom Powers stated that he speaks as a County citizen and a user of the internet. He stated that he frequently consults the County's website to learn what is going on in the County and what is coming up. He stated that he has been disappointed to see that the agenda for the Committee meetings as well as the general meetings for Sumter County Council have not been posted in advance lately as he had become accustomed to reviewing on the website. The last agenda posted and available is April 22, 2008.

Councilman Byrd asked the County Administrator to make sure that the information gets on the Website. The Clerk informed Council that the information is sent; however, the Information Technology Department's staff has been reduced and the person that used to be the webmaster is no longer with the County.

- Mrs. Ann August, CEO for Santee Wateree Regional Transportation Authority, spoke to Council about the upcoming budget (\$17,100). She asked Council members to reconsider the reduction of 10% in SWRTA's budget. She informed Council that the increase in gas prices has had a bad effect on SWRTA's budget projects. Therefore, all funds that can be received, she would like to receive them for operations.

The Chairwoman stated that Council members will do their best to reconsider the funding for SWRTA and other agencies and boards.

- Mr. Kevin Johnson: Chairman of the Wateree Task Force, thanked Council for its appropriations for last year and whatever can be provided to the agency for the upcoming budget year.

**ADJOURNMENT:**

There being no further business and no additional comments from the public, the meeting was adjourned at 6:50 p.m. after a motion, a second, and unanimously carried by Council.

Respectfully submitted,

*Vivian Fleming McGhaney*  
Chairman or Vice Chairman  
Sumter County Council

*Mary W. Blanding*  
Clerk to County Council  
Sumter County Council

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

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

Public Notified: Yes

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

Date Posted: June 5, 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: June 5, 2008

Respectfully submitted,

*Mary W. Blanding*  
Mary W. Blanding