

**Minutes**  
**Sumter County Council**  
**Regular Meeting**  
**June 24, 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; Larry Blanding, Jimmy Byrd, Charles T. Edens, and Councilman Roland Robinson.

**MEMBERS ABSENT:** Artie Baker

**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. Rose Ford, Recreation Director; Mr. Gary Metts, Administrative Major for Sheriff's Department; The Honorable James Campbell, Clerk of Court; Mrs. Pylisha Ward, Information Technology Director; The Honorable Lauretha McCants, County Auditor; Mr. Robert Harden, Library Director, and The Honorable Verna Moore, Sumter County Coroner.

**MEDIA PRESENT:** The Item

**PUBLIC PRESENT:** Approximately 36 members of the public were in attendance.

**CALL TO ORDER:** Chairwoman Vivian Fleming-McGhaney called Sumter County Council's meeting of June 24, 2008, to order.

**INVOCATION:** The Honorable Roland Robinson 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 24, 2008, agenda with any additions, deletions, or as printed.

**ACTION:** MOTION was made by Vice Chairman Baten, seconded by Councilman Robinson, and unanimously carried by Council to approve the June 24, 2008, agenda as recommended by the Clerk.

**ACTION ON MINUTES OF JUNE 10, 2008:** Chairwoman McGhaney stated that she would entertain a motion to approve the minutes of County Council's meeting of June 10, 2008.

**ACTION:** MOTION was made by Councilman Byrd, seconded by Councilman Edens, and unanimously carried by Council to approve the minutes of June 10, 2008, as prepared by the Clerk.

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

- (1) **RZ-08-07 - Second Reading/Public Hearing - 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. (Prior to Action On Second Reading, Council Will Hold A Public Hearing. After The Public Hearing, Council Will Take Action On Second Reading.)**

Mr. George McGregor, Planning Director, presented this proposed rezoning request to Council for second reading approval. He stated that Mr. Ronnie Eldridge, is the agent on behalf of the order, has requested to rezone approximately 32.4-acres from the current General Residential (GR) to Light Industrial-Warehouse with a variety of residential usages to Light Industrial Warehouse. The property is currently undeveloped. It is situated on N. Pike East and the nearest intersection road is Paul Street.

Mr. McGregor stated that the 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 North Pike East is recommended.

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.

If this rezoning is approved as presented, the applicant would still be required to go through the Planning Commission for a sight-plan review. During the review, the staff would review the need for buffering, traffic impacts, signs, stormwater management, etc.

**Public Hearing:**

After all comments by the Planning Director, the Chairwoman convened a public hearing and asked if anyone wished to speak in favor of this proposed rezoning. The following persons spoke in favor of the request.

- Mr. Ronnie Eldridge spoke in support of the proposed rezoning. He stated that property to the north and south of this property is already light industrial. The contract on this property requires that the additional 32 acres be rezoned light industrial. He added that he is not at liberty to disclose what will be placed on the property; however, he knows that everything will be housed on the inside. The development is somewhat of a theme park; but will all be housed on the inside.

After comments in favor of the request, then the Chairwoman asked if anyone wished to speak in opposition to the request. The following persons spoke in opposition to the rezoning request.

- Ronnie Robinson spoke in opposition to this proposed request. He stated that he lives adjacent to the property and he is strictly opposed to the development. He also added that this looks like spoke zoning. He is concerned about the road usage, traffic, currently low property; and he is unclear about the development that is projected to go in the neighborhoods. He added that not enough information is being given to the community as to what is coming in their neighborhood.
- T. J. Whittaker spoke in opposition of the request. He stated that he has a home in the area of Paul Street and he agrees with Mr. Robinson that this development should not come into the community without knowing.
- Emerald Floyd spoke in opposition to the rezoning request. He stated that the neighborhood is currently quite, and allowing this development would not be in the best interest of the neighbors. He also spoke about how bad the traffic issues would be if this rezoning was approved.
- Keith Hall said that he is opposed to this rezoning because of the high-water table in the community.
- Mary Whitaker stated that she has lived on Paul Street for approximately 30 years. She said that she is completely opposed to this development.
- Louis Watkins stated that he is not familiar with the areas, but in terms of the process; he said that it appears that there should be an environmental impact statement on how this project will impact the neighborhood. He stated that he could not understand how the Planning Department could give a "blank" check to someone without input from the neighbors.

After all comments, the Chairwoman closed the public hearing, and then Chairwoman McGhaney asked Mr. McGregor to clarify some of the concerns from the citizens. Mr. McGregor stated that if Council approved this rezoning request, a site review process, by the Planning Commission will take place. During the review process, traffic, environmental, stormwater and engineering impacts would be reviewed.

The Chairwoman then stated that she would entertain a motion concerning this second reading. Councilman Edens stated that he has a concern about the usages if this request is approved. He further stated that he still has some questions and would like to have time to look into this matter; therefore he offered the following motion.

**ACTION:** MOTION was made by Councilman Edens to defer second reading to allow time to obtain additional information. The motion died for a lack of a second.

Council had further discussion about this matter relative to site plan review. It was noted that there will be no further public hearing on this matter. The Planning Commission would be the only authority concerning the Site Plan. Also it was noted that once this property is rezoned, the applicant can place on the property any business that falls under the Limited Industrial Usage.

Mr. Eldridge stated that at this point, his client does not have any intent to do anything with the 33+ acres; however, he does not want anyone else to do anything else with it either. Mr. Eldridge also stated that this property is not contingent upon his client developing the project. Other property in the area will allow him to develop what he wants to develop without developing the 33+ acres. Mr. Eldridge stated that this project is worth approximately \$3,500,000 investment with approximately 25-40 jobs.

Then Council members discussed the possibility of rezoning a portion of the 33+ acres. Even though it is one tax map parcel as shown on the map; it was suggested that the property up to Young's Street as shown on the map be rezoned to Light Industrial.

The applicant noted that this would probably satisfy his client. Mr. Eldridge also noted that there is an overflow of junk cars on part of the property that does not belong to the property owner nor the developer.

The Chairwoman noted that the public hearing was closed and that if anyone in the audience wanted to further discuss this matter they would speak to Mr. McGregor. After all comments, Council took action on this matter

**ACTION:** MOTION was made by Councilman Byrd, seconded by Councilman Blanding and carried by Council to approve second reading up to Young's Street as shown on the map. Councilman Edens voted nay; Councilman Baker was absent.

**NOTE:** Mr. Ronnie Robinson spoke out of order and made threatening comments to Council members about this rezoning request and was then escorted out of the room by Major Metts.

**Street Name Change - None**

**Grant Awards - None**

**OTHER PUBLIC HEARINGS: None**

**NEW BUSINESS**

(1) Update From Junior Sumter County Council.

This matter was postponed until a later date.

(2) A Resolution Approving The 2008-2009 Budget Of Sumter County School District #2.

The County Administrator, William T. Noonan, presented this proposed budget resolution to Council for approval. He stated that School District #2 will be granted a budget figure for fiscal year 2008-2009 of \$18,884,441 and other matters as related within this resolution. After comments about the resolution, Council took action on its adoption.

**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 Ad Valorem taxes in the amount of \$12,770,192, which taxes equal approximately 146.5 mills, which along with other revenues collected on behalf said School District #2, will provide the said School District #2 the sum of \$18,881,411 dollars to be used by the said School District #2 for expenditures toward the approved appropriations set forth in the annexed operations 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.

**ACTION:** MOTION was made by Vice Chairman Baten, seconded by Councilman Robinson, 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.

(3) A Resolution Approving The 2008-2009 Budget Of Sumter County School District #17.

The County Administrator, William T. Noonan, presented this proposed budget resolution to Council for approval. He stated that School District #17 will be granted a budget figure for fiscal year 2008-2009 of \$20,880,196 and other matters as related within this resolution.

**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 Ad Valorem taxes in the amount of **\$12,991,990** which taxes equal approximately **142.3 mills**, which along with other revenues collected on behalf of the said School District #17, will provide the said School District #17 the sum of **\$ 20,880,196** dollars to be used by the said School District #17 for expenditures toward the

approved appropriations set forth in the annexed operations budget. These dollars shall be allocated to amounts of local funding required under the provision of the South Carolina Educational Improvement Act.

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.

**ACTION:** MOTION was made by Councilman Robinson, seconded by Councilman Vice Chairman Baten, 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) 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 - Third 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 presented the proposed ordinance to Council for third reading consideration. He stated that at the conclusion of the June 10, 2008, meeting, the budget was \$48,629,780. Since that point, several minor adjustments have been made to include: Sheriff wages, Detention Center wages, Authorized Reserve, Point Of Sales Reappraisal, Greenhouse Transfers, Solicitors Transfers, Coroner's Contract Labor, Visioning, Legislative Lobbyist, and Use of Authorized Reserve. All total revenues equal \$48,876,406, and expenditures of \$48,876,406. This budget does include a cost of living allowance for the County's employees at 3.0%.

After all comments, Council members took action on third reading and adoption.

**ACTION:** MOTION was made by Vice Chairman Baten, seconded by Councilman Robinson, and carried by Council to approve the ordinance as presented with all additions totaling \$48,876,406. Council members Byrd and Edens voted nay; Council members Baten, Blanding, McGhaney, and Robinson, voted in the affirmative. Councilman Baker was absent. The motion carried and third reading was granted.

**NOTE:** Vice Chairman Baten stated in his motion that he was offering the motion of third reading with the stipulation that Sumter County Council, after July 1, 2008, and before November 2008, recognize the fact that Sumter County will have a historical election based on the number of new voters. The County needs to make sure that it has adequate voting machines so that the voting process can be accessible to all voters and the amount of waiting time to vote will be reduced.

**COMMITTEE REPORTS:**

- (1) **Internal Affairs Committee Meeting Held On Monday, June 23, 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 Internal Affairs Committee, Chairman Byrd gave the following report and recommendation; after the report, Council took action on the approval of the appointments.

- Historical Commission: Appoint
  1. Debra Picou
  2. John Gurtcheff
  3. Louis Warmoth
  4. Charles Broadwell
  
- Workforce Investment Board: Reappoint
  1. Mr. Tom Garrity
  2. Ms. Jeannie Gamble
  3. Ms. Virginia Dority
  4. Ms. Anita White
  
- Central Alliance Board: No Action Taken
  
- Sumter County Grievance Committee: Reappoint
  1. Sharry Williams
  2. Louis Adams
  3. Audrey Maple

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

- **Orientation Booklet For Boards And Commissions:** The County Attorney will follow-up on this matter.

- (2) **Fiscal, Tax, and Property Committee Meeting Held On Tuesday, June 24, 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.)**

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

- Request from Christ Community Church: This Church's officers have asked to enter into a contractual agreement with the County to lease some of the County's property and the contract would include the following information:
  1. The Church will pay Sumter County \$50,000 per year for three years with the Contract beginning at a date to be determined.
  2. \$50,000 includes Patriot Hall and education space at the Sumter Gallery of Art and PARD.
  3. The County has agreed to install HVAC in the second floor wing of PARD that is currently unoccupied.
  4. Christ Community Church will have weekly access to the large room adjacent right to the stairwell leading to the 2<sup>nd</sup> floor of the PARD wing.
  5. Christ Community Church will have weekly access to the large, recently renovated, theatre style room on the 2<sup>nd</sup> floor of the PARD wing.
  6. Christ Community Church will pay the County once per month for the use of all these facilities.

**ACTION:** MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation as presented and directed the County Administrator to continue to work with Christ Community Church representatives to complete this contractual arrangement.

- **Name For The Community Center In The Rembert Area:** During one of Council's previous meetings, Council changed the name of the Greater Township Community Center to the Rembert Community Center. Since that time, the Chairwoman requested that Council reconsider its actions and to change the name back to the Greater Township Community Center based on the request from the Community. However, after the Administrator checked on this matter and reviewed historical documents; it was recommended by the Committee to name the Rembert Community Center the Rembert/Rafting Creek Community Center as listed on the original grant documents.

**ACTION:** MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation as presented to name the Rembert Community Center to its original name of Rembert/Rafting Creek Community Center effective immediately.

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

- Councilman Blanding Reported: South Carolina Military Base Task Force Meeting - This meeting was held on June 12, 2008, at 10:00 a.m. and Councilman Larry Blanding represented the County at this meeting. He provided Council members with an agenda from the meeting and a summary of Military-Related Legislation that was passed this year. Most of the discussion at the meeting was centered on the next round of Base Realignment And Closure.

- Vice Chairman Baten Reported: Sumter County Association of Concerned Clergy met on June 21, 2008, and they sponsored an HIV Aids Rally and a parade. Sumter County is now #3 in the state for HIV and Aids.

#### **MONTHLY REPORTS:**

- Letter To Congressman Clyburn Concerning Pinewood Hazardous Waste Site.
- NACO Newsletter
- Letter From Senator Leventis concerning Greater Township Facility Management
- Shaw Air Force Base Infrastructure Project Environmental Assessment
- The National Council of Negro Women, Inc.
- Development Board Information
- South Carolina Department Of Education
- South Carolina Association Of Counties
- Sumter Shaw Community Concert Association

#### **ADMINISTRATOR'S REPORT:**

- The Budget as approved by Council has a hiring freeze associated with its approval.
- Business Licenses will be audited to see if there are savings that the County can realize.
- Stormwater utilities will be reviewed as directed by Environmental Protection Agency.
- \$56,043 Grant Award has been received in the Sumter County Sheriff's Office Drug Analysis Laboratory.
- Regional Planning Grant of \$50,000 has been received.

#### **PUBLIC COMMENT:**

The Chairwoman asked if anyone wished to speak during public comment. The following persons spoke during public comment.

- Dr. Brenda C. Williams thanked Council for their work in answering questions that she has brought to Council (Mandates placed upon Poll Workers; the paper work for employment has been reduced). She also thanked Council for agreeing to look into the issue of making sure that Sumter County has **adequate voting machines** for the November 2008 elections. Dr. Williams said that it is her understanding that Sumter County needs approximately 125 new machines to handle the increasing amount of new voters.
- Lisa Platt stated that she lives in Wedgefield, SC. She asked Council for assistance with Duffie Drive due to the bad condition of the road.
- The next meetings for Capital Projects Sales Tax Commission will be held on Wednesday, June 25, Thursday, June 26, and Friday, June 27.

#### **ADJOURNMENT:**

There being no further business and no additional comments from the public, the meeting was adjourned at 7:16 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: July 8, 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: June 19, 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 19, 2008

Respectfully submitted,

*Mary W. Blanding*

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