

**Minutes**  
**Sumter County Council**  
**Regular Meeting**  
**July 8, 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:**

**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 Vivian Fleming McGhaney, the Chairwoman, 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 July 8, 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 July 8, 2008, agenda as recommended by the Clerk.

**ACTION ON MINUTES OF JUNE 24, 2008:** Chairwoman McGhaney stated that she would entertain a motion to approve the minutes of County Council's meeting of June 24, 2008.

**ACTION:** MOTION was made by Councilman Byrd, seconded by Councilman Edens, and unanimously carried by Council to approve the minutes of June 24, 2008, as prepared by the Clerk.

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

- (1) **RZ-08-07 - Third 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, Planning Director, presented this proposed rezoning request to Council for third reading consideration. He stated that Mr. Ronnie Eldridge is the agent on behalf of the owner of this property.

Mr. McGregor reminded Council members that at second reading, Council agreed to rezone only a portion of the property to Light Industrial-Warehouse which would consist of the property fronting N. Pike East to Young Street. The property from Young Street (which is the rear portion of the property) would remain zoned General Residential.

It was also stated by Mr. McGregor that Councilman Edens had asked a question regarding what kind of review would be required for specific kinds of amusement uses. Mr. McGregor stated that since no specific details have been received from the applicant concerning the types of amusement uses some of these uses could require a staff review and a sight plan and some other uses would require more restrictive special exception approval in front of the Board of Appeals.

**ACTION:** MOTION was made by Vice Chairman Baten, seconded by Councilman Byrd, and unanimously carried by Council to grant third reading approval of this rezoning request.

**NOTE:** Councilman Edens stated that he did a lot of research since first reading and considering the area's current use, he does not see anyone using the property as it is currently zoned. It appears that this request is the best request considering that Light Industrial Warehouse is zoned on other properties in this area. Councilman Edens visited the area and believes that the buffer will take care of any concerns the community may have had about this matter.

**Street Name Change - None**

**Grant Awards - None**

**OTHER PUBLIC HEARINGS**

**NEW BUSINESS**

- (1) **08-665 - First Reading -- An Ordinance (1) To Impose, Subject To A Referendum, A One Percent Sales And Use Tax (The "Tax") Within Sumter County Pursuant To The Capital Project Sales Tax Act (The "Act"); To Provide Conditions Precedent To The Imposition Of The Tax, And Conditions Or Restrictions On The Use Of The Tax Revenue; To Specify Purposes And Projects For Which The Tax May Be Used; To Provide The Maximum Cost Of Projects To Be Funded By The Tax; To Provide The Maximum Time For Which The Tax May Be Imposed; To Provide The Maximum Amount Of Tax Proceeds To Be Raised; To**

Establish The Priority Of Expending The Net Tax Proceeds; (2) To Provide For A County-Wide Referendum On The Tax, Including The Issuance Of Bonds In Connection With The Tax; To Prescribe The Ballot Question For The Referendum, Including All Information Required By Statute To Be Contained In The Ballot Question; To Provide For The Conduct Of The Referendum By The Sumter County Registration/ Election Commission; (3) To Provide For The Administration And The Payment Of The Tax; (4) To Provide For Bonds To Be Issued In Connection With The Tax, Including All Information Required By The Act To Be Contained In An Ordinance That Provides For Bonds To Be Issued In Connection With The Tax; To Provide That Only Tax Revenues May Be Used To Defray Debt Service On The Bonds Issued In Connection With The Tax; And (5) To Provide For Other Matters Relating Thereto.

The County Attorney, Johnathan Bryan, presented the proposed ordinance and the report from the Capital Projects Sales Tax Commission which includes the ballot question. The Commission forwarded a signed copy of the report to Council for inclusion in the first reading of the ordinance. There are sixteen projects at a cost of \$69,671,000.

Chairwoman McGhaney recognized Mr. Will Holmes and he acknowledged each Commission member. Mr. Holmes also thanked Council members for their decision to create the Commission. He stated that the Commission members are pleased with their work and are in support of the projects. Then Mr. Holmes introduced the other members of the Commission: Jack Osteen, Ann August (Vice Chairman), Joseph Tobiere, Earl Wilson (not present), and Mary Lester (not present) also served.

The County's Bond Attorney has reviewed the ballot question and the Commission incorporated those changes into the Ballot question.

Then Vice Chairman Baten made the following comments. He stated that he wanted to commend the Capital Projects Sales Tax Commission for their dedication and work. He also said that he knows the need of this County and how the Penny Sales Tax can fund those needs. Vice Chairman Baten said that he also knows the impact of how fuel prices, rising grocery bills, home foreclosures, and unemployment are affecting the community. He said that today's economy is very unstable and the future is very bleak. He compared his financial stability and needs to the needs of others in the community. Lastly, he said that he has always been a supporter of the Penny Sales Tax; however, current circumstances have caused him to reevaluate this stance. Due to the condition of the economy (increase in gas prices, food costs, and projected lost of over 75 jobs resulting from the forced consolidation of the two school districts), he can no longer support the tax. He said to impose this tax at this time would show insensitivity to citizens' daily struggles. The money Council seeks does not belong to Caesar, but it belongs to the people. Vice Chairman Baten said that he would not vote against the ordinance, but he would abstain from voting because he does want this item to go before the people.

The Chairwoman commented on Vice Chairman Baten's comments; then Councilman Byrd commented and said that the voters will have a voice they can vote yes, no, or abstain from voting. He said that there are a few things that he would like to see happen before second or third reading which can be discussed later. Then the Chairwoman called for the question.

**ACTION: MOTION** was made by Councilman Baker, seconded by Councilman Edens, and carried to grant first reading to this proposed ordinance. Councilmen Baten, Blanding, and Byrd abstained. The motion carried with Council members Baker, Edens, McGhaney, and Robinson voting in the affirmative.

NOTE: Listed below is the Capital Projects Sales Tax Commission's Report.

**THE SUMTER COUNTY CAPITAL PROJECTS SALES TAX ACT COMMISSION  
REPORT**

The Sumter County Capital Projects Sales Tax (CPST) Act Commission reports to the Sumter County Council that it has met and deliberated and, having considered a number of projects for funding through the imposition of the Capital Project Sales Tax, by vote of the Commission in public meetings duly advertised, presents the following list of projects, arranged in order of priority and the Ballot Question.

**Ballot Question; Instructions to Voters; Conditions and Restrictions:**

Must a special one percent sales and use tax be imposed in Sumter County (the "County") for not more than seven (7) years from the date of imposition to raise the amounts specified for the following purposes and in order to pay the costs (including rights-of-way acquisition and architectural, engineering, legal, administrative costs, and related fees) of the projects described below; pending the receipt of such sales and use tax, must the County also be authorized to issue and sell, either as a single issue or as several separate issues, general obligation bonds (the "Bonds") of the County in the aggregate principal amount of not exceeding \$43,600,000.00 to be paid from the sales and use tax to be received and pledge the sales and use tax to be received to the payment of the principal of and interest on the Bonds?

1. \$3,000,000 - Rural Fire Stations Renovations -- Modernize And Improve Several Rural Fire Stations To Insure They Are Meeting Current State And Local Codes.
  - Replace And/Or Provide Additions To: Cherryvale, Dabbs, Wedgefield, Dalzell, And Bethel Stations.
  - Provide Improvements To: Pinewood, Rembert, Concord, Horatio, Oswego, Graham, Pleasant Grove, Mayesville, Dubose, Byrd, And 521 Stations.
2. \$6,000,000 - Patriot Park Activities Center -- Continue The Expansion Of Patriot Park Activities Center -Phase II
  - Complete The Construction Of Four (4) Regulation Baseball Fields And Central Control Tower.

- Address The Needs In Our Community For Baseball Participants 13 Years Of Age And Older.
  - The Four Baseball Fields Will Replace The Three Fields At Artillery Ballpark Behind The Exhibition Center.
  - To Provide Badly Needed Facilities For Our 17-18 Years Old Baseball Leagues.
  - The Ball Fields Will Also Enhance Our Potential For Tourism Related To Baseball And Softball Tournaments.
  - The New Ball Fields Will Increase From 12 To 16 Fields When Combined With Facilities At Palmetto And Dillon Parks.
3. \$2,500,000 -- County Community Centers -- Construction Of Three New Community Centers - Concord (\$500,000), Pinewood (\$500,000), And Salterstown (\$500,000). Plus Renovation Of Several Existing Community Centers (Cherryvale (\$225,000), Ebenezer (\$75,000), Shiloh (\$125,000), Spectrum Senior Center (\$225,000), Rembert/Rafting Creek Community Center, (\$200,000), and Mayesville (\$125,000).
4. \$2,100,000 -- Safety Improvements -- \$2,100,000 (\$300,000 Per Intersection. There Are A Number Of Hazardous Intersections In Sumter County. The Most Dangerous Intersections Will Receive Traffic Control Upgrades, Traffic Signal Phasing Improvements, Re-Striping Intersection Approaches, Upgrade Approach Signage, And Control Of Access Solutions:
- US76-378 And SC 441
  - US 15N And US76/378 (Main St. At Bypass)
  - Broad St. And Gion St.
  - Guignard And Lafayette
  - Broad Street And Carter Rd.
  - Main St. And Calhoun St.
  - North Lafayette and Calhoun (15N and US401)
5. \$4,000,000 -- Sumter Exhibition Center -- Renovations Of Existing Exhibition Center - Improvements Include But Are Not Limited To The Following:
- Replace 30 Year Old Air Conditioning And Heating Units
  - Renovate The Entrance Of The Exhibition Center To Match With The Landscaping, Brick And Iron Fencing Of Swan Lake
  - Improve Exterior And Interior Lights
  - Improve Irrigation System
  - Improve Signage
  - Redesign The Front Of The Building To Assist With The Flow Of Traffic During Large Events Such As: Graduations, Tournaments, Funerals, Banquets, Etc.
6. \$1,500,000 -- Build New Sidewalks (Including Drainage And Reconstruction Of Substandard Sidewalks) To Connect Existing Neighborhoods To Create Safe Routes To Schools And Parks.
- Wilder School
  - Bates School
  - Lemira School
  - Wise Drive /Wilson Hall/ Patriot Parkway; Carter Road/Wilson Hall

- Crosswell Area
  - North Pike West
7. \$2,700,000 -- Sumter Central Business District Removal Of Abandon Buildings - This Project Will Help To Address Safety Concerns, Help To Improve Quality Of Life And Increase Our Chances To Attract More Businesses In The Central Business District Area.
    - Reason For The Project: To Create More Opportunities For Economic Development And Jobs. Businesses Are More Apt To Locate In An Area If The Central Business District Is Revitalized.
    - Remove Abandon Buildings -- Eliminate Potential Safety Issues
  8. \$6,000,000 -- Lafayette Drive -- Project Improvements To This Area Will Assist In Eliminating Accidents And Traffic Back-Ups On Highway 378 And/Or North Main/Lafayette
    - The Current Design Does Not Meet Current Engineering Standards And Needs Redesigning.
    - Assist In Getting Sumter Compliant With SCDOT And FHWA
  9. \$20,000,000 -- Construction Of A Judicial Center And Renovation Of Summary Court
    - Project #1 - \$18,000,000 -- The Project Is For The Construction Of An 80,000 Square-Foot Judicial Center, That Will Be Located In The Civic Center Area (Between The Library And The Chamber Of Commerce) The Facility Will House: The Current Courthouse, The Circuit Court, Family Court, Probate Court, And The Clerk Of Court Offices.
    - Project #2 -- \$2,000,000 -- Renovation Of The Sumter Summary (Magistrate) Court.
  10. \$671,000 -- Highway 15-South Corridor And Intersection Improvement Project. Improve The Highway 15-South Corridor To Include Certain Intersections Between Red Bay Road And Highway 15 South. Align And Improve Traffic Lines And Intersection Flow To Increase Safety And Vehicular Access.
  11. \$1,600,000 - Complete Road Infrastructure Project To Improve Areas In The Airport Industrial Park
    - Extend And Improve The Current Street
    - Develop Road Into A Four Lane *Boulevard Style* Corridor
  12. \$1,000,000 - Airport Industrial Park Water And Sewer Infrastructure Project.
  13. \$2,000,000 -- Pocatigo Infrastructure Project: Upgrade Existing Water Service To The Pocatigo Industrial Park
    - The Potential Site Needs Upgrading To Accommodate Future Development - Will Aid In Economic Development.

14. \$2,600,000 -- Acquire Property In Order To Redevelop Structures In All Areas Of The City Including Major Corridors Such As Liberty Street, Main Street, Broad Street And Manning Avenue; Property Would Then Be Used For Tax Producing Projects.
15. \$8,000,000 -- Construct A New Water Plant In The US Highway 521/Highway 15 South Area Needed To Recruit New Industrial And Commercial Jobs.
16. \$6,000,000 -- Purchase Critical Land Bordering Shaw Air Force Base To Insure Development Does Not Jeopardize Base Closure By Creating A Passive Nature Park (Nearly 1,000 Acres).

TOTAL COST OF ALL CAPITAL PROJECTS: \$69,671,000.

The maximum amount of net proceeds of the sales and use tax which may be applied to the payment of the principal of and interest on the County's limited obligation bonds (the "Bonds") must not exceed \$75,843,000.00 (based upon expected sales and use tax collections of \$75,843,000.00 less administrative expenses of collection) not exceeding \$43,600,000.00 principal amount of Bonds to be issued shall be repaid from the net proceeds of the sales and use tax. The net proceeds of the sales and use tax shall be pledged for the repayment of the Bonds.

INSTRUCTIONS TO VOTERS: All qualified electors of the County desiring to vote in favor of imposing the tax for the stated purposes and authorizing the issuance and sale of limited obligation bonds in connection therewith as outlined above and subject to the limitations and conditions set forth above shall vote "YES" and all qualified electors opposed to levying the tax and issuing such limited obligation bonds shall vote "NO."

YES [     ]

NO [     ]

CONDITIONS AND RESTRICTIONS ON THE USE OF SALES AND USE TAX REVENUE COLLECTED UNDER THE CAPITAL PROJECT SALES TAX ACT: The capital projects sales and use tax shall be expended for design, engineering, construction or improvement of the highways, roads, streets, bridges, and other capital projects listed above. Net proceeds of the capital project sales and use tax, if approved, must be expended for the purposes stated in the priority listed; provided, however, that the order of funding of the projects may be adjusted on the basis of construction schedules or other events that may affect the schedule for any particular project; and provided that multiple projects may be funded simultaneously based on the formula or system contained in the ordinance enacted by the Sumter County Council which shall include, but shall not be limited to any one or more of the following: (1) to pay directly the costs of such projects; (2) to issue the County's general obligation bonds; or (3) to borrow, in a manner deemed advisable by the Sumter County Council, funds in advance of receiving the net proceeds of the one percent sales and use tax. The

expenditure of revenues from the capital projects sales and use tax, if approved, shall be subject to acquisition of title, right-of-way, design and engineering considerations, environmental issues, the discovery of historic sites or endangered species, the receipt of necessary permits, funding of projects from other sources, bids in excess of project estimates, qualifications of bidders, cost overruns, exhaustion or insufficiency of net sales and use tax revenues to complete all projects in the order and priority provided herein and other unforeseen circumstances and conditions. If net sales and use tax revenues are insufficient to fund completely all projects, the lowest priority project(s) will not be fully funded. In such event, the lowest priority project(s) will be initiated only upon the condition of availability of funding from other sources to complete the project(s).

- (2) 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. (This matter will be held after public comments.)

A. **County Administrator Evaluation.** This matter was held at the end of the meeting with the following action taken.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilman Byrd and unanimously carried by Council to enter executive session to discuss a contractual/personnel matter (evaluation of the County Administrator). At the conclusion of the executive session, Council re-entered open session.

**REPORT FROM EVALUATION:** The Chairwoman stated that while in executive session the members of Sumter County Council evaluated the County Administrator, William T. Noonan, and recommended that because the County Administrator has an overall above standard rating; it is recommended that he receives a 3.0% pay increase and add \$100 to his monthly travel allowance effective as of this meeting.

**ACTION:** MOTION was made by Vice Chairman Baten, seconded by Councilman Byrd and unanimously carried by Council to approve the recommendation as presented.

**OLD BUSINESS - None**

**COMMITTEE REPORTS:**

- (1) Internal Affairs Committee Meeting Held On Tuesday, July 8, 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 Internal Affairs, Councilman Byrd gave the following report and recommendations:

- **Orientation Booklet For Boards and Commissions** - No action taken. County Attorney is continuing to work on this booklet and will follow-up on this matter at the July 22, 2008, meeting of this Committee.
- **Discussion On Sumter County Council's Rules Of Conduct/Policies/Procedures** - No action taken - The Clerk was asked to provide Committee members with the following policies (except for 6, 7, and 10) so that they can be discussed at the next meeting of this committee.
  - 1) Streetlight Policy
  - 2) Sumter County Landfill Tipping Fees/Policy
  - 3) Policies and Procedures for Sumter County Roads - Public Works
  - 4) TERI Policy
  - 5) Administrative Guidelines for Shiloh - Greater Township - Rembert Community Centers
  - ~~6) Grievance Procedure Policy~~
  - ~~7) Employee Handbook Policy~~
  - 8) Fund Balance Policy
  - 9) Dead Animals On Right-Of-Way Policy
  - ~~10) Sumter County Water System Policy~~
  - 11) Parks Rental Fees/Policies
  - 12) Rental Of Building/Rooms Fees and Policies
    - a. Exhibition Center
    - b. Patriot Hall
    - c. Rooms At Recreation Center
    - d. South Sumter Gym
- **Discussions And Possible Appointments To The Following Boards And Commissions**
  - ◆ Central Alliance Board - No action taken; this matter will be placed on the July 22, 2008, agenda for action; County Administrator will follow-up on this in the meanwhile.
  - ◆ Historical Commission - No action taken; the Clerk to Council will follow-up on this matter.
  - ◆ Sumter County Grievance - Appointments to Grievance committee - Thomas Bultman, Charles Napper; and William Floyd.

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

- (2) **Fiscal, Tax, and Property Committee Meeting Held On Tuesday, July 8, 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 Chairwoman, Vivian Fleming McGhaney, gave the following report and recommendations.

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.

**A. Discussion On Property Matter.** The Committee received a presentation concerning an industrial project named Project Arrow. After the presentation, the Committee recommended that Council allow the County Administrator or the Chairwoman to write a letter of endorsement to the industrial prospect concerning Project Arrow.

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

**B. Discussion On Economic Development Rights:** The Committee received a presentation concerning "economic development rights" from George McGregor. After discussions on this matter; it was recommended that the staff continue to gather information pertaining to economic development rights.

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

**NOTE:** Councilman Charles T. Edens was not present during the discussion on this matter during the Committee meeting and he did not vote on this matter during the committee meeting nor during the regular Council meeting.

2. Request From Rembert Area Community Coalition Concerning Property Located At 8380 Camden Highway, Rembert, SC.

This matter was deferred; no action taken.

3. Discussion On Capital Projects - Lease Purchase; Including Discussion On Voting Machines.

Presentation was received, but no action taken.

4. Special Tax District - Emerald Lake Subdivision East Of The Lake.

Presentation was received, but no action taken.

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

No report given.

**MONTHLY REPORTS:**

- Competitive Community Grants Awarded June 27, 2008
- Sumter Economic Development Information
- Letter From Paula Welch
- Administrator's Schedule

**ADMINISTRATOR'S REPORT:**

- **Rafting Creek Community:** Staff continues to work with the Rafting Creek Community as the County continues to develop an extended recreational program for the Rembert/Rafting Creek area.
- **Fuel Consumption:** Sumter County employees have reduced fuel consumption by 20,500 gallons during the year. This reduction equates to \$150,000 savings.
- **Master In Equity Lawsuit:** This lawsuit is now before the Court of Appeals.
- **Reducing Cost Of Operations:** Several committees have been formed in the County to try to help reduce the cost of operations. Several ideas have been explored such as an abbreviated work schedule, follow-up more closely on delinquent hospitality taxes and personal business property taxes.

**PUBLIC COMMENT:**

- A gentleman, no name given, asked how he could get a copy of the minutes of Council's meetings. The Chairwoman asked the gentleman to talk to the Clerk to Council after the meeting; however, the minutes are on-line.

**ADJOURNMENT:**

There being no further business and no additional comments from the public, the meeting was adjourned at 6:48 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: \_\_\_\_\_

Minutes-Regular Meeting of Sumter County Council

July 8, 2008

Page 12

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: July 3,, 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: July 3, 2008

Respectfully submitted,

  
Mary W. Blanding