

**A G E N D A**  
**Special Meeting**  
**Sumter County Council**  
**Monday, January 14, 2008 - 5:00 p.m.**  
**Sumter County Council Conference Room**

**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:** Mrs. Mary W. Blanding, Clerk to County Council; Mr. William T. Noonan, County Administrator; Mr. Johnathan Bryan, County Attorney; Mr. Gary Mixon, Deputy Administrator, and Mr. George McGregor.

**MEDIA PRESENT:** The Item

**PUBLIC PRESENT:** One member of the public was in attendance.

**CALL TO ORDER:** Chairwoman McGhaney called the meeting to order and gave the invocation.

**APPROVAL OF AGENDA:** The Chairwoman stated that she would entertain a motion concerning the approval of the agenda.

**ACTION: MOTION** was made by Councilman Robinson, seconded by Councilman Baker, and unanimously carried by Council to approve the special meeting agenda as written.

**ITEMS TO BE DISCUSSED:**

- A. A Resolution Of Sumter County Appointing A Council Member And Several Alternate Council Members To Represent Sumter County On the Governing Body Of The Lake Marion Regional Water Agency.

The County Administrator, William T. Noonan, presented this proposed resolution to Council for adoption. He stated that this process is a practice that Council has done before in selecting who they would like to serve on the Lake Marion Regional Water Agency to represent County Council's interest. In the past, the Chairman of Sumter County Council has served as the representative with the County Administrator and the County Engineer using proxy letters to represent the Chairman. It was recommended by the Administrator that this practice continue; however, instead of using the terminology "county engineer" that the County would use, or his designee; thereby the administrator could assign a person to attend the meetings if the Chairwoman or the County Administrator could not attend and the staff person would carry a proxy letter and represent the County.

After all comments, Council took action on adopting the resolution as listed below.

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.

**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 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 County Administrator or his designee will represent the County through a proxy letter.

This resolution is effective immediately upon adoption.

RESOLVED in special meeting of Sumter County Council on this 14th day of January, 2008.

**ACTION:** MOTION was made by Councilman Byrd, seconded by Councilman Robinson, and unanimously approved to adopt the resolution as presented and authorized the Chairwoman and the Clerk to execute and deliver the resolution on behalf of the County.

B. 08-660 -- First Reading - An Ordinance To Impose A Temporary Moratorium On The Approval Of New Development Within The Portions Of A Military Protection District (MPD) Within The Boundaries Of The County of Sumter, South Carolina.

This ordinance was placed on the agenda by the Chairwoman; she stated that the Mayor of Sumter asked Council members to consider this ordinance since the City of Sumter will be considering a similar ordinance to place a moratorium on the approval of new developments within the portion of A Military Protection District within the boundaries of the County.

Council members Charles T. Edens and Artie Baker did not participate in the discussion of this matter. However, Councilman Baker was concerned about him not being aware that his property was listed in the Military Protection District. Councilman Edens noted that he had spoken to the County Attorney and was advised not to participate in discussions on this matter.

Several Council members voiced their concern about receiving a copy of the ordinance at the meeting and being asked to give first reading on a document which will have such a great impact on the County.

The County Attorney, Johnathan Bryan, stated that he would like for Council members to consider deferring first reading and allowing time for one of Council's Committee's to look at this ordinance. Mr. Bryan stated that he had spoken to the City's Attorney and had some questions as to why the ordinance is requesting an 18-month moratorium. Mr. Bryan also said that he has spoken to the Planning Director and it appears that the 18 months for the moratorium would allow the Planning Director and others to carry-out a Joint Land Use Study (JLUS). However, the Planning Director nor the City attorney gave

the County Attorney reasons to why it would take 18 months to complete the study as appose to 12 months or even nine months. Justification for the amount of must is what needs to be clarified.

Therefore, Mr. Bryan asked Council to defer first reading and have one of Council's committee to follow-up on this item for Council.

**ACTION:** MOTION was made by Councilman Byrd to deny first reading. Motion died for a lack of a second.

Vice Chairman Baten stated that if the mission of Shaw AFB has changed; then Sumter County needs to change. Councilman Robinson said that the people who are in the area of Shaw should be concerned about the mission of Shaw AFB as well as to any proposed moratorium.

Vice Chairman Baten further stated that developers from other areas are not always concerned about the well being or protection of Shaw AFB; therefore, Sumter County Council members must protect Shaw.

Mr. McGregor, the Planning D stated that from a Planners perspective, the current JLUS is 15 years old (completed in 1993). The mission of Shaw has changed; therefore, the JLUS needs to be revised to fit the new mission of Shaw AFB and other issues surrounding Shaw AFB. Also, the JLUS revisions will take place during the next twelve months; therefore, it is impossible to know what will come from the study.

He added that the County's Comprehensive Plan must be rewritten by 2009 which could affect the area in question.

Lastly, Mr. McGregor stated that other towns in the country have done moratoriums such as this and they have taken approximately 18 months to complete the process.

After all comments, the Chairwoman stated that she would entertain a motion concerning the ordinance.

**ACTION:** MOTION was made by Vice Chairman Baten to grant first reading; the motion died due to a lack of a second.

The Chairwoman called for another motion concerning the ordinance.

**ACTION:** MOTION was made by Councilman Byrd, seconded by Councilman Robinson, and carried by Council to send this proposed ordinance to the Military Affairs Committee for further study and bring a recommendation back to Council. Voting on this action in the affirmative were Councilman Larry Blanding, Councilman Jimmy Byrd, Councilman Roland Robinson, Vice Chairman Eugene Baten, Chairwoman Vivian Fleming McGhaney.

**NOTE:** Council members Charles T. Edens and Artie Baker did not participate in the discussions nor voted on this matter.

- C. Executive Session Item: Discussion On Matters Relating To The Proposed Location, Expansion, Or The Provision Of Services Which May Encourage Location Or Expansion Of Industries Or Other Businesses In Sumter County.

Chairwoman McGhaney stated that she would entertain a motion to enter executive session to discuss a matter relating to the proposed location, expansion, or the provision of services which may encourage location or expansion of industries or other businesses in Sumter County.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilman Byrd, and unanimously carried by Council to enter executive session to discuss a matter relating to the proposed location, expansion, or the provision of services which may encourage location or expansion of industries or other businesses in Sumter County.

At the conclusion of executive session, Council voted to re-enter open session and provided a report to the media concerning the executive session matter.

Chairwoman Vivian Fleming McGhaney stated that no action needed to be taken at this time concerning the executive session matter. There being no further business, the meeting was adjourned.

D. Adjournment: The meeting adjourned at 7:18 p.m.

Respectfully submitted,

*Mary W. Blanding*  
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Mary W. Blanding, Clerk to Council

Approved: January 22, 2008

cc: Sumter County Council  
Mr. William T. Noonan  
Mr. Johnathan Bryan  
Mrs. Pam Craven