



Minutes
Sumter County Council
Regular Meeting
June 23, 2009 - Held at 6:00 p.m.
County Administration Building County Council Chambers
13 E. Canal Street, Sumter, SC

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COUNCIL MEMBERS PRESENT:

1. Chairman Vivian Fleming McGhaney, Council District #5
2. Vice Chairman Eugene Baten, Council District #7
3. Councilman Artie Baker, Council District #2
4. Councilman Larry Blanding, Council District #6
5. Councilman Jimmy Byrd, Council District #3
6. Councilman Charles T. Edens, Council District #4
7. Councilwoman Naomi D. Sanders, Council District #1

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT:

Mary W. Blanding, Clerk To County Council
Lorraine Dennis, Deputy Administrator/HR
Keysa Rogers, Budget Analyst

Gary Mixon, Deputy Administrator
Pam Craven, Finance Director

MEDIA PRESENT:

The Item Newspaper

THE PUBLIC PRESENT:

Approximately 12 members of the public were in attendance.

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CALL TO ORDER: Chairwoman Vivian Fleming McGhaney called Sumter County Council's meeting of June 23, 2009, to order.

INVOCATION: Mr. Jim Jones, a local citizen, gave the invocation.

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

APPROVAL OF AGENDA: Chairwoman McGhaney stated that she would entertain a motion to approve the June 23, 2009, agenda with any additions, deletions, or as printed. The Clerk to Council asked Council members to remove the word "Amending" from item number one and two under New Business and to add the following ordinance to Council's Agenda under New Business as items number seven.

09-693 -- First Reading -- An Ordinance Establishing A Solid Waste Disposal Fund For Sumter County, South Carolina.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Byrd, and unanimously carried by Council to approve the June 23, 2009, agenda as amended.

ACTION ON REGULAR AND BUDGET MEETING MINUTES OF JUNE 9, 2009, AND JUNE 16, 2009, BUDGET MEETING: Chairwoman McGhaney stated that she would entertain

a motion to approve the Regular meeting minutes and Budget meeting minutes of County Council held on June 9, 2009, and June 16, 2009, respectively.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to approve the Regular and Budget meeting minutes of June 9, 2009, and the Budget meeting minutes of June 16, 2009, as prepared by the Clerk.

**LAND USE MATTERS AND REZONING REQUESTS - None
Planned Development/Rezoning Request -**

Street Name Change - None

Grant Awards -

OTHER PUBLIC HEARINGS --

- (1) 09-688 - A Special One-Year Ordinance Amending Ordinance No. 05-575 To Allow Money In The Capital Improvement Fund For Sumter County To Be Used To Augment The General Fund For Fiscal Year 2009-2010. (Council Will Take Action On Third Reading Immediately After Public Hearing Or During Old Business.)

Prior to the public hearing, Council received a briefing on this proposed ordinance by the County Attorney. The Chairwoman asked if anyone wished to speak in favor of or opposition to this proposed ordinance. No one spoke to this issue, therefore, the Chairwoman closed the public hearing and Council took action on third reading listed under Old Business.

NEW BUSINESS:

- (1) A Resolution Confirming Amending The 2009-2010 Budget Of Sumter County School District #2.

The Chairwoman acknowledged the Superintendent of Sumter School District #2, Dr. J. Frank Baker. Council discussed the proposed budgets during the budget meetings held prior to this meeting.

FY 2009 Operating Millage	146.6
CPI and Growth 4.8%	7.0
Allowable Millage	153.5
Operating Mill Value	83,800
Allowable Millage	153.5
	12,868,300
Debt Millage Needed	51
Total Millage Needed FY 2009-2010	204.5
Total Millage Levied FY 2009	(204.5)
Net Change In Millage	0.0

Mrs. Pamela Craven was asked to present the school district's budget; however, Councilman Edens stated that the financial staff had provided Council members with detailed information; therefore, Council was ready to take a vote to approve and confirm the school district's budget for fiscal year 2009-2010 as presented below.

See resolution below for additional information. Then Council took action on the resolution as presented.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to approve the resolutions as presented which reflects a net change of 0.0 millage and directed the Chairwoman and the Clerk to execute and deliver the resolution on behalf of the County.

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 \$12,863,300, which taxes equal approximately 153.5 mills.
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. This Resolution shall take effect upon its adoption.

Adopted this 23rd day of June 2009.

(2) A Resolution Confirming ~~Amending~~ The 2009-2010 Budget Of Sumter County School District #17.

The Chairwoman also recognized several staff members from School District #17. She stated that Council discussed the proposed budgets during the budget meetings held prior to this meeting; therefore, Council was ready to take a vote to approve and confirm the school district's budget for fiscal year 2009-2010 as presented below.

FY 2009 Operating Millage	142.3
CPI and Growth 4.8%	5.4
Allowable Millage	147.7
Operating Mill Value	92,300
Allowable Millage	147.7
	13,633,393
Debt Millage Needed	40
Total Millage Needed FY 2009-2010	187.7
Total Millage Levied FY 2009	(194.3)
Net change in millage	(6.6)

See resolution below for additional information. Then Council took action on the resolution as presented.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to approve the resolutions as presented which reflects a net change of (6.6) millage and directed the Chairwoman and the Clerk to execute and deliver the resolution on behalf of the County.

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 \$13,633,393 which taxes equal approximately 147.7 mills.
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.

(3) County Council 2009 Meeting Calendar.

The Clerk to Council presented the proposed revised calendar of meetings for Sumter County Council. She stated that it has been suggested that the July 14 and July 28, 2009, meetings be canceled and that a special meeting of July 7, 2009, be added to the meetings dates for Sumter County Council.

After review of the calendar, Council took action on its adoption.

Month Of Meeting	First Meeting Date	Second Meeting Date
January	13	27
February	10	24
March	10	24
April	14	28
May	12	26
June	9	23
July	7 (Special Meeting)	
July Both Dates Canceled	14	28
August	11	25
September	8	22
October	13	27
November	10	24
December	8	None

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Baker, and unanimously carried by Council to approve the amended Calendar as presented by the Clerk.

- (4) **09-690 - First Reading** -- An Ordinance Amending Ordinance No. 06-616 Concerning A Multi-County Industrial And Business Park By And Between Clarendon County, Sumter County, And Lee County.

Mr. Bryan, the County Attorney presented this proposed ordinance to Council for first reading approval. (See ordinance below.) After review of the ordinance, Council took action on first reading. The County Attorney, the County Administrator, and Jay Schewedler will negotiate with Williamsburg County along with Lee County and Clarendon County to devise an agreement so that the MEGA Park will have four counties instead of three counties. Once negotiations have occurred, an ordinance will be developed to show all facets of the negotiations that are suggested. (See ordinance below.) After all comments, Council took action on the ordinance.

WHEREAS, Sumter County Council adopted Ordinance 06-616 on October 10, 2006 authorizing the establishment of, and its participation in, a Joint Industrial And Business Park with Clarendon County and Lee County to be located in Sumter and Clarendon Counties, commonly known as the Mega Site; and

WHEREAS, Sumter County Council now finds it is in the best interest of Sumter County and its citizens to create a Joint County Industrial and Business Park (Mega Site) with its neighboring County of Williamsburg and to negotiate with Clarendon, Lee and Williamsburg Counties to prepare an agreement for this joint partnership;

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 Council herein authorizes the County Administrator, the President of the Sumter Development Board and County Attorney, to establish a Joint County Industrial and Business Park (Mega Site) and to negotiate with Clarendon, Lee and Williamsburg Counties to prepare an Agreement for this joint partnership.

The terms of the Agreement shall comply substantially with the terms set forth in the attached draft agreement, the terms of which are incorporated herein by reference. In addition, the terms of the agreement shall satisfy the requirements of sections 4-1-170 et seq. of the Code of Laws of South Carolina, which authorize counties to participate together in Multi-County Industrial Parks. Upon completion of the negotiations, the completed Multi-County Park Agreement will be adopted by a separate Ordinance.

The provisions of this Ordinance shall become effective immediately upon adoption.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Blanding, and unanimously carried by Council to grant first reading as presented.

- (5) **09-691 -- First Reading -- An Ordinance Imposing A Uniform Service Charge To Be Known As The Solid Waste Disposal Fee On All Residential Property In Sumter County, South Carolina.**

The County Attorney presented this proposed ordinance to Council for first reading approval. After review of the ordinance, Council took action on first reading as listed below.

WHEREAS, Sumter County, through the Sumter County Public Works Department, presently provides for the disposal of non-recycled solid waste generated in Sumter County through the fees paid to a contractor to haul waste from a Transfer Station located on Brewington Road and through the operation of a Construction and Demolition (C&D) Landfill also located on Brewington Road contiguous to the Transfer Station; and

WHEREAS, the expenses of recycling and solid waste disposal, including the operation of Convenience Centers located throughout Sumter County, monitoring of waste entering the C&D Landfill and the Transfer Station, the opening and closing of new cells in the C&D Landfill, the operation of the C&D Landfill and the contract payments on the transportation of the waste from the Convenience Centers to the Transfer Station and from the Transfer Station to the contractor's landfill in Richland County are currently funded by ad valorem property taxes and tipping fees paid by commercial users while residential users pay no tipping fees or user fees; and

WHEREAS, the costs for recycling and solid waste disposal anticipated for fiscal year 2009-2010 are Four Million, Two Hundred and One Thousand, Five Hundred and Sixty-Six (\$4,201,566.00) Dollars although tipping fees from commercial users are anticipated to be only One Million, Six Hundred and Seventy-Two Thousand and Five Hundred (\$1,672,500.00) Dollars for the same period, leaving Two Million, Five Hundred and Twenty-Nine Thousand and Sixty-Six Dollars (\$2,529,066.00) to be funded by *ad valorem* taxes for fiscal year 2009-2010, which difference represents approximately 10 mills for county operations; and

WHEREAS, Sumter County Council desires that more of the expense of the solid waste disposal be borne by the individuals who actually use the services;

WHEREAS, Sumter County Council has determined that a Thirty-Four (\$34.00) Dollar annual fee charged to residential users on a "residential unit" basis will generated approximately One Million, Five Hundred and Fifty-Eight Thousand,

Three Hundred and Eighty-Five (\$1,558,385) Dollars which is equivalent to approximately 6 mills of *ad valorem* taxes for county operations; and

WHEREAS, Sumter County Council finds it is more equitable to charge 4 mills of *ad valorem* taxes for county landfill and recycling operations plus a fee to residential users who use these services instead of adding 10 mills of *ad valorem* taxes to the general operating budget;

WHEREAS, based on the foregoing, the Sumter County Council finds that a uniform fee should be imposed on each residential unit and that the appropriate amount thereof is Thirty-Four (\$34.00) Dollars per residential unit.

WHEREAS, Sumter County Council has determined that a uniform fee of **Thirty-Four (\$34.00) Dollars** is a reasonable and equitable amount to be added to the real property tax bill for each residential unit to offset the costs of the recycling and solid waste disposal; and

WHEREAS, Sumter County Council finds that a separate fee to residential users to pay for recycling and solid waste disposal is a fair and reasonable alternative to using *ad valorem* taxation exclusively to make up the difference in the costs not paid by commercial users; and

WHEREAS, Sumter County Council finds that the fee imposed by this Ordinance is authorized under the Home Rule Act, Section 4-9-30(5), Code of Laws of South Carolina, and is consistent with the requirements of Section 6-1-330, Code of Laws of South Carolina.

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 there is hereby imposed a service fee of Thirty-Four (\$34.00) Dollars per year on each residential unit in Sumter County. This fee shall be known as the Solid Waste Disposal Fee.
2. The term "residential unit" shall for the purpose of this ordinance mean a segregated living area suitable for one or more persons to live. Examples of this application are:
 - ◆ Each single family home;
 - ◆ Each mobile home;
 - ◆ Each manufactured home;
 - ◆ Each unit in a duplex, triplex, quadraplex or other multiple unit structure;

- ◆ Each condominium or townhouse in a set of condominiums or townhouses;
- ◆ Each apartment in an apartment building or apartment complex;
- ◆ Each detached living quarters known commonly as “guest houses,” “garden houses” or “garage apartments.”

Other examples not listed here may also be “residential units” for purposes of this ordinance.

3. The fee imposed hereby shall be collected annually with the *ad valorem* real property taxes. The Auditor shall add this fee to the tax bill in each case where appropriate and the Treasurer shall collect the fee along with, and as an inseparable part of, the total tax bill. The Assessor will document and maintain the number of residential units on each taxable parcel of real property.
4. All funds collected pursuant to this Ordinance shall be allocated to The Solid Waste Disposal Fund.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Blanding, and unanimously carried by Council to grant first reading approval.

(6) **09-692 - First Reading -- An Ordinance Imposing A Uniform Service Charge To Be Known As The Technology Fee On All Property In Sumter County, South Carolina.**

The County Attorney also presented this proposed ordinance to Council for first reading approval. He stated that this ordinance, if approved, would impose a uniform service charge to all property in Sumter County, South Carolina at a fee of \$1.50 per tax bill. (See ordinance below.) After all comments Council took action on first reading as listed below.

WHEREAS, Chapter 37 of Title 12 of the Code of Laws of South Carolina sets forth the obligations of property owners and others who are otherwise legally responsible for the payment of taxes on real and personal property; and

WHEREAS, Chapter 37 of Title 12 of the Code of Laws of South Carolina also sets forth the obligations of the Assessors and Auditors of each county relating to the assessment and taxation of real and personal property; and

WHEREAS, Sections 12-37-710 through 12-37-750 of the Code of Laws of South Carolina require all taxable property to be listed by the owner, or by the person responsible for paying the taxes thereon, and that the lists be returned to the South Carolina Department of Revenue or to the Auditor of each county where that property is located, depending on the characteristics of the property; and

WHEREAS, the penalties for failure to deliver the required lists of personal and real property with the Auditor of each county where the property is located are set forth in section 12-37-800.

WHEREAS, Section 12-37-760 charges the responsibility of making the return to the County Auditor when the owner or responsible tax payer refuses or neglects to file a return.

WHEREAS, the Sumter County Assessor, the Sumter County Auditor and the Sumter County Treasurer provide services to property owners and others who are otherwise legally responsible for paying the taxes on property who must provide their returns showing their taxable real and personal property by maintaining the information necessary for those owners and tax payers to make their returns and to retrieve information from prior years; and

WHEREAS, the administrative expenses of assessing property, calculating, producing, printing, mailing, and receiving payment on tax bills must be borne either by the public at large or the individuals owning property and/or responsible for making property tax returns and paying tax bills in Sumter County; and

WHEREAS, increased demands for access to information, information accuracy, system flexibility, and system capacity concerning collecting and storing information needed to assess property for taxation and the preparation and delivery of accurate tax bills have produced additional expenses in the form of technology which is necessary to respond to those demands and to operate the assessment and tax system; and

WHEREAS, numerous services for the benefit of property owners and others responsible for paying, making property tax returns and for paying tax bills have been and will continue to be made available including but not limited to access to assessment information and tax bills over the internet, the ability to pay taxes over the internet, the ability to pay taxes using a credit or debit card, and the ability to pay taxes at a remote location which is linked to the main office of the Treasurer through technology; and

WHEREAS, Sumter County Administration needs to continue to improve its technology to be better able to respond to the increasing demands for these kinds of services; and

WHEREAS, the primary beneficiaries of these services are those individuals who own property and those who are responsible for making property tax returns and paying tax bills in Sumter County; and

WHEREAS, Sumter County Council finds it is more equitable to charge this fee to those who use these services instead of adding millage to the general operating budget;

WHEREAS, the net benefit to property owners and persons responsible for paying tax bills is speed, convenience, and accuracy of the information concerning tax bills and property assessments; and

WHEREAS, Sumter County Council desires that more of the expense be borne by the individuals who are in need of the services;

WHEREAS, Sumter County Council has determined that a uniform fee of One Dollar and Fifty Cents (\$1.50) is a reasonable and equitable amount to be added to each tax bill generated to offset the increased costs of the technology used to produce the tax bill on each piece of taxable property; and

WHEREAS, Sumter County Council anticipates that a fee of One Dollar Fifty Cents (\$1.50) per property tax bill will generate approximately Two Hundred, and Sixty-Five Thousand, Seven Hundred, and Fifty Four (\$265,754.00) Dollars in fiscal year 2009-2010, which is approximately the dollars value as the value of one mill for County operations for fiscal year 2009-2010; and

WHEREAS, Sumter County Council anticipates that the costs for technology in general and technology improvements in particular will exceed Two Hundred, Sixty-Five Thousand, Seven Hundred, Fifty Four (\$265,754.00) Dollars in fiscal year 2009-2010; and

WHEREAS, Sumter County Council finds that a separate fee to pay for technology is a fair and reasonable alternative to increasing the general county property tax; and

WHEREAS, Sumter County Council finds that the fee imposed by this Ordinance is authorized under the Home Rule Act, Section 4-9-30(5), Code of Laws of South Carolina, and is consistent with the requirements of Section 6-1-330, Code of Laws of South Carolina.

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. There is hereby added to every tax bill issued by the Sumter County Auditor a fee of **\$1.50**. This fee shall be known as the Technology Fee.

2. The Technology Fee shall be deposited into the Sumter County General Fund but will be accounted for separately.
3. The Technology Fee shall be used exclusively to fund improvements to the hardware and software used to assess taxable property and to create the bills on taxable property.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Byrd, and unanimously carried by Council to grant first reading approval.

(7) **09-693 - First Reading/Public Hearing -- An Ordinance Establishing A Solid Waste Disposal Fund For Sumter County, South Carolina.**

Mr. Brayn also presented this proposed ordinance to Council for first reading approval. After review of this ordinance, Council took action on first reading.

WHEREAS, the expenses of recycling and solid waste disposal, including the operation of convenience centers located throughout Sumter County, monitoring of waste entering the C&D Landfill and the Transfer Station, the opening and closing of new cells in the C&D Landfill, the operation of the C&D Landfill and the contract payments on the transportation of the waste from the Convenience Centers to the Transfer Station and from the Transfer Station to the contractor's landfill in Richland County are currently funded by *ad valorem* property taxes paid into the Sumter County operating budget and tipping fees paid by commercial users; and

WHEREAS, the costs for recycling and solid waste disposal anticipated for fiscal year 2009-2010 are Four Million, Two Hundred and One Thousand, Five Hundred and Sixty-Six (\$4,201,566.00) Dollars although tipping fees from commercial users are anticipated to be only One Million, Six Hundred and Seventy-Two Thousand and Five Hundred (\$1,672,500.00) Dollars for the same period, leaving Two Million, Five Hundred and Twenty-Nine Thousand and Sixty-Six Dollars (\$2,529,066.00) to be funded by *ad valorem* taxes for fiscal year 2009-2010, which difference represents approximately 10 mills for county operations; and

WHEREAS, Sumter County Council has determined that a Thirty-Four (\$34.00) Dollar annual fee charged to residential users will generated approximately One Million, Five Hundred and Fifty-Eight Thousand, Three Hundred and Eighty-Five (\$1,558,385) Dollars which is equivalent to approximately 6 mills of *ad valorem* taxes for county operations; and

WHEREAS, Sumter County Council finds it is more equitable to charge 4 mills of *ad valorem* taxes for county operations plus a fee to residential users who use these services instead of adding 10 mills of *ad valorem* taxes to the general operating budget;

WHEREAS, Sumter County Council finds that a separate fee to residential users to pay for recycling and solid waste disposal technology is a fair and reasonable alternative to using *ad valorem* taxation exclusively to make up the difference in the costs not paid by commercial users; and

WHEREAS, Sumter County Council desires to create a special fund to be used to pay for the costs of recycling and solid waste disposal.

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. Sumter County hereby authorizes and directs the County Administrator to establish the Solid Waste Disposal Fund for Sumter County.

2. The Solid Waste Disposal Fund will be deposited with the Sumter County Consolidated Account but shall be administered and accounted for separately;

3. The proceeds of the Solid Waste Disposal Fee shall be directed into the Solid Waste Disposal Fund.

4. The Sumter County Council may augment the Solid Waste Disposal Fund by other means, including having a line item in the annual budget or by allocating some specific millage to the fund in the annual appropriations of ad valorem taxes and by directing tipping fees paid at the Sumter County landfill into the Solid Waste Disposal Fund.

5. The Solid Waste Disposal Fund may be used only for solid waste disposal and recycling expenses, whether through the operations of the Sumter County Public Works personnel and equipment or through payments to contractors. The Sumter County Administrator may authorize expenditures of the Solid Waste Fund in accordance with Sumter County Council policies and ordinances.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Baten, and unanimously carried by Council to grant first reading approval of this proposed ordinance as prepared.

(8) 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) **09-685 - 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, 2009, To Direct The Expenditures Of Said Taxes And Other Funds Of Said County, And To Provide For Other Matters Related Thereto.**

Mrs. Pamela Craven, the County's Finance Director presented this proposed ordinance to Council for third reading approval. She stated that at the June 16, 2009, meeting, Council had a deficit of \$6,744. The County's financial staff has overcome the deficit by increasing the EMS Fees which balances the budget. The budget includes revenues and expenditures of \$41,836,436. The County's ordinary millage for 2008-2009 was 88.6 mills. In the upcoming budget year, this will be reduced by 10.0 mills through the deletion of landfill and recycling expenditures from the general fund. Then, a new fund will be developed and implemented for Solid Waste Disposal Fees; four mills of the 10.0 mills reduced will be used for the Solid Waste Disposal. The County will realize a five mill decrease for Sumter County for 2009-2010.

It was recommended that Council change the number of mills in the ordinance to reflect a change in the "Administrative Fees - zero them out."

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Blanding and unanimously carried by Council to zero-out the Administrative Fees for the local municipalities located in Section XIV of the budget ordinance.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Edens, and unanimously carried by Council to amend the budget from 79.6 to **78.6** in Section XI(1) - mills for general countywide purposes.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to grant third reading approval as amended.

- (2) **09-686 -- Third Reading -- An Ordinance Amending Ordinance No. 02-461 Concerning The Sumter County Infrastructure Fund.**

The County Attorney presented this proposed ordinance to Council. He stated that this ordinance would allow for the Infrastructure Fund to be used to acquire development rights for property near the United States Air Force facilities in Sumter County, South Carolina. After all comments, Council took action on third reading.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Blanding and unanimously carried by Council to grant approval of ordinance 09-686 as presented.

- (3) 09-687 -- Third Reading -- A Special One-Year Ordinance Amending Ordinance No. 02-461 To Allow Money In The Sumter County Infrastructure Fund To Be Used To Augment The General Fund For Fiscal Year 2009-2010.

Mr. Brayan also presented this special one-year ordinance amending the Sumter County Infrastructure Fund to be used to augment the General Fund for 2009-2010 to assist with balancing the budget. The ordinance originally had \$1,300,000 listed within the budget; however, during the budget meeting earlier today, Council agreed to use \$1,788,000 from the Infrastructure Fund. Therefore, Council needs to amend this budget prior to granting approval of the ordinance.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Blanding, and unanimously carried by Council to amend the ordinance by deleting the figure of \$1,300,000 and adding the figure of \$1,788,000.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Blanding, and unanimously carried by Council to grant third reading approval as amended.

- (4) 09-688 - Third Reading -- A Special One-Year Ordinance Amending Ordinance No. 05-575 To Allow Money In The Capital Improvement Fund For Sumter County To Be Used To Augment The General Fund For Fiscal Year 2009-2010.

The Chairwoman introduced this proposed ordinance and then the County Attorney briefed Council and the public on the intent of this ordinance. After the presentation, the Chairwoman convened a public hearing on this matter; however, no one spoke during public hearing. Then the Chairwoman closed the public hearing and Council took action on third reading.

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

- (5) 09-689 - Second Reading -- An Ordinance Creating The Sumter County Crystal Lakes Golf Course Advisory Board.

Mr. Bryan stated that this ordinance is to create the Sumter County Crystal Lakes Golf Course Advisory Board. There have been no changes to this ordinance since first reading. After Mr. Bryan's introduction of this ordinance, Council took action on second reading.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Byrd, and carried by Council to grant second reading approval as amended. Vice Chairman Baten voted in opposition.

NOTE: Vice Chairman Baten stated that he has concerns with the way the membership is made up on this board; five members appointed by at-large; and Council appointing four members.

COMMITTEE REPORTS:

- (1) Internal Affairs Committee Meeting Held On Tuesday, **June 23, 2009, at At 4:00 P.M. In County Council's Conference Room At The County Administration Building - (Byrd, Blanding, and Sanders).**

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

- ✓ **Update - Accommodations Tax Advisory Board** - The Clerk will follow-up on this matter.
- ✓ **Zoning Board Of Adjustment and Appeals** - Reappoint Mr. James Price
- ✓ **Cultural Commission** - Reappoint Juliette Conyers
- ✓ **Development Board** - Reappoint Jess Williams and John Brabham
- ✓ **Historical Commission** - No action taken
- ✓ **Census Committee 2010** - Appoint Roy Graham (Morris College) and Linda Clark (District #7)

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

- (2) **Fiscal Tax, and Property Committee Meeting Held On Tuesday, June 23, 2009, At 4:30 P.M. In County Council's Conference Room At The County Administration Building - (McGhaney, Blanding, and Edens -- All Council Members Are Urged To Attend).**

The Chairman of the Committee, Chairwoman McGhaney presented the following report and recommendations.

Tax Collection Status: The collection rate is at 96 percent.

Financial State: The Financial information showed that the County is at 92% of the fiscal year and the expenditures are less than the remaining revenue.

Retirement Insurance Benefits: The Committee received information concerning New Retiree Insurance Funding Rules For Employees Hired on or After June 30, 2009. Mrs. Dennis informed Council that ACT 195 of 2008 states that new retiree insurance funding provisions will apply to new employees hired after June 30, 2009, or later; who have no previous service with a state insurance covered employer. If an employee hired June 30, 2009, or later, had prior employment history with an insurance-covered employer and was eligible fro the Employee Insurance Program, insurance benefits, old eligibility rules apply. Employees who retire under these new funding provisions must continue to meet established insurance eligibility rules, however, at retirement, insurance funding will be determined by calculating the number of years of earned service with a state insurance covered employer. The Human Resources Department will provide a brochure to all employees so that they can understand this change. After all comments, Council took action on this matter.

Outside Vendors: The Human Resources Department asked Council to discontinue the privilege for outside vendors to receive payments for their policies through payroll deductions. The current vendors are:

- ◆ Colonial Life and Accident
- ◆ American Family Life Assurance Company of Columbus (AFLAC)
- ◆ Accidental Life/Peninsular Life Insurance
- ◆ American-Amicable Life Insurance
- ◆ Metropolitan Life Insurance (MetLife)
- ◆ Pre-Paid Legal
- ◆ Central United
- ◆ Allstate
- ◆ Great Southern Life (Americo)

It was suggested that these vendors be given 60 days from June 23, 2009, to complete all paperwork as it relates to this decision.

ACTION: MOTION and second were received from the Committee, and unanimously carried to discontinue payroll deductions by Sumter County for outside vendors as listed above, and to place a moratorium on adding any new business through payroll deductions. Additionally, this will be handled within 60 days from June 23, 2009.

Letter Of Support For Toumey Hospital: The Hospital Officials have requested that Sumter County provide a letter of support for the Hospital's submission of a Certificate of Need (CON) application to the South Carolina Department of Health and Environmental Control (SCDHEC). This CON will be a request to add a 64-slice CT scanner to Toumey's Radiology Department. Toumey plans to use this scanner as its main scanner and use their existing 8-slice scanner as their backup scanners. The Committee recommended that the Chairwoman be authorized to write a letter of support.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to authorize the Chairwoman to write a letter of support for Tuomey on behalf of their pursuit of a Certificate Of Need application.

Request From VeriZon: VeriZon Wireless has purchased ALLTEL and will start its changeover campaign on Sunday, July 12, 2009. The Company has requested that Sumter County suspend its Blue Laws on July 12, 2009, and July 19, 2009. The Committee recommended denying the request.

ACTION: MOTION and second were received from the Committee, and carried by Council to deny the request. Vice Chairman Baten voted in opposition.

NOTE: Vice Chairman Baten also asked that the County Attorney review the existing laws concerning the Blue Laws to see what needs to be done to have these laws changed.

Letter Of Support To The SCDOT Commissioners: The Committee received a draft letter from the County Administrator and the County Engineering asking for the Highway Commissioners to request sponsorship of a proposal that would support the wastewater treatment operations at the I-95 Rest Stop. The Committee recommended approval.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to authorize the Chairwoman to write a letter of support as presented. All Commissioners and the Sumter County Legislative Delegation will be copied on the letter.

- (3) Sumter County Council Budget Meeting Held On Tuesday, June 23, 2009, At 5:00 P.M. In County Council's Conference Room At The County Administration Building - All Council Members Are Urged To Attend.

The actions taken during this meeting are listed in minutes of this meeting.

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

No report given.

MONTHLY REPORTS:

- Letter To Local Municipalities
- Mattress Express-Ribbon Cutting
- Hurricanes Pandemic Flu
- US Department Of Justice
- Santee Cooper
- Pinewood Site Custodial Trust
- Sumter County Library
- South Carolina Law Enforcement Division
- Public Works

ADMINISTRATOR'S REPORT:

No report was given; the County Administrator was not present at this meeting.

PUBLIC COMMENT:

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

- Mr. Stanley Bridges, 3622 Beacon Drive spoke to Council about the funds that will be required to be paid for the Solid Waste Fee.
- The Honorable Carolina B. Richardson informed Council that she and the Auditor will be sworn in on Thursday, June 25, 2009, at the Courthouse. Council members and staff were invited to attend.

- Charles Dagnut stated that he was at the Sumter County Landfill and was told that he had to pay fees for his personal debris. He asked for Council to check in on this matter so that citizens will not be harassed about policies that already allow citizens to dump their debris at the landfill without charge.
- Rev. C. N. Howard thanked Council for their work; however, he also asked Council to make sure that the citizens are not treated poorly at facilities such as the landfill.

ADJOURNMENT:

There being no further business and no additional comments from the public, the meeting was adjourned at 7:02 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 7, 2009

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 18, 2009

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, and Time Warner Cable.

Date Notified: June 18, 2009

Respectfully submitted,

Mary W. Blanding

Mary W. Blanding