



Minutes
Sumter County Council
Special Meeting
June 29, 2010 - Held at 5:00 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. Naomi D. Sanders

COUNCIL MEMBERS ABSENT:

STAFF MEMBERS PRESENT:

William T. Noonan, County Administrator	Mary W. Blanding, Clerk To County Council
Johnathan Bryan, County Attorney	Gary Mixon, Deputy Administrator
Lorraine Dennis, Deputy Administrator/HR	Keysa Rogers, Budget Analyst
Pam Craven, Finance Director	Peter Wilson, County Engineer
The Honorable Carolina Richardson, Treasurer	

MEDIA PRESENT:

The Item Newspaper Reporter

THE PUBLIC PRESENT:

Approximately five members of the public were in attendance.

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CALL TO ORDER: Due to a previous commitment, Chairman Vivian Fleming McGhaney was not present at the opening of the meeting; however, Vice Chairman Eugene Baten called Sumter County Council's special meeting of June 29, 2010, to order.

INVOCATION: Councilman Larry Blanding gave the invocation.

PLEDGE OF ALLIGIANCE: All in attendance repeated the Pledge of Allegiance to the American Flag.

APPROVAL OF AGENDA: Vice Chairman Baten asked the Clerk whether or not there were any changes to the agenda. The Clerk to Council asked Council to consider adding the following two items:

- **Report From Internal Affairs**
- **Approval Of Bid For Road Construction – " C-Funds"**

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Blanding, and unanimously carried by Council to approve the agenda as presented.

ITEMS TO BE DISCUSSED:

- (1) It May Be Necessary To Hold An Executive Session To Discuss A Personnel Matter, Receive A Legal Briefing, Receive An Economic Development Update, Or Discuss A Contractual Matter And Appropriate Actions May Be Required And Taken Thereafter.

Executive session was held at the last item on the agenda. See information below.

- (2) A Resolution Adopting The 2010-2011 Budget Of Sumter County School District #2.

Dr. J. Frank Baker, Superintendent for School District #2, stated that the district is requesting an operation millage increase of 1.2 percent. This increase is what is allowable through the State. If approved, the District's millage would be increased to 155.3 mills which equates to approximately \$12,455,060.

Councilman Byrd asked Dr. Baker what he expects the District's Fund Balance to be in light of the School Bill passing in the House and Senate. Dr. Baker stated that if there are no changes to anything, he believes School District #2's Fund Balance would be \$2,500,000.

ACTION: MOTION was made by Councilman Blanding, seconded by Councilman Byrd, and unanimously carried by Council to approve the 2010-2011 Budget Resolution for Sumter County School District #2 and directed the Chairman and the Clerk to execute and deliver the resolution on behalf of the County.

- (3) A Resolution Adopting The 2010-2011 Budget Of Sumter County School District #17.

Dr. Zona Jefferson, superintendent for School District #17 stated that she and the District's staff are appreciative for all that Sumter County Council is trying to do to assist the School District. She stated that she believes School District #17 will have a fund balance of \$2,500,000.

Therefore, School District #17's Operating Millage would be 147.7 mills which equates to approximately \$13,293,000.

ACTION: MOTION was made by Councilman Blanding, seconded by Councilman Byrd, and unanimously carried by Council to approve the 2010-2011 Budget Resolution for Sumter County School District #17 and directed the Chairman and the Clerk to execute and deliver the resolution on behalf of the County.

- (4) Sumter County Financial Report As Of May 30, 2010.

Mrs. Keysa Rogers presented the County's Financial Report ending May 30, 2010, which is 92% of the fiscal year.

- Expenditures \$36,901,976
- Revenue \$39,415,156

The County's revenue exceeded its expenditures by \$2,400,000. The total revenues for last fiscal year at this point in the year were 86.9% as compared to this year at 94.2%; the revenue is up 7.3%. The Ad Valorem Taxes last year at this time were at 94.1%; this year they are at 102% which is an increase of 7.9%; total expenditures were 86.5%, this year the expenditures are at 88.2. The expenditures were up slightly.

Councilman Edens asked how much of the increased revenue would go to the fund balance; Mrs. Craven, the Finance Director, stated that even though the year is about to end, she would not want to predict how much of the \$2,400,000 funds would be available since all expenditures are not in as of June 30, 2010.

ACTION: Received as information.

- (5) 10-712 - Second Reading - An Ordinance Establishing The Road User Fee Fund And Amending Ordinance No. 94-266 Of Sumter County, South Carolina, (Sometimes Referred To As The Road Use Fee Ordinance) So As To Change The Deposit Of The Funds From The General Fund To The Road User Fee Fund.

The County Attorney presented this proposed ordinance to Council for second reading approval. He stated that this is an initiative by the Finance Department to create a special revenue fund to be identified as the Road User Fee Fund for Sumter County. The Road User Fee Fund is where all of the Road User Fees will be deposited.

Mr. Bryan stated that there were no changes since first reading of this ordinance.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Baker, and unanimously carried by Council to approve second reading of this ordinance as presented.

- (6) 10-711 - Third Reading -- An Ordinance Establishing The Sumter County Stormwater Utility And The Services And Charges Relating Thereto.

The County Attorney, Johnathan Bryan, presented this ordinance to Council for third reading consideration. Mr. Bryan informed Council that he had made another change to this ordinance which is listed in the second "Whereas" clause. He said that he added information concerning the Code of Federal Regulations that addresses small municipal stormwater sources.

Mr. Bryan asked Council members to amend the ordinance to include the amendment as he presented it on June 29, 2010. Otherwise, there have been no changes to the ordinance since the Public Hearing held on June 22, 2010.

ACTION: MOTION was made by Councilman Blanding, seconded by Councilwoman Sanders, and unanimously carried by Council to approve the amendment as presented by the County Attorney at this meeting.

Councilman Baker stated that he is uncomfortable in voting for this ordinance based on what the citizens are saying to him.

ACTION: MOTION was made by Councilwoman Sanders and seconded by Councilman Blanding to grant third reading as amended. Council members Blanding, Sanders, and Baten voted in the affirmative; Council members Baker, Byrd, and Edens, voted in opposition and Chairwoman McGhaney was not present during this portion of the meeting. The motion did not carry.

(7) **10-710 - 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, 2010, To Direct The Expenditures Of Said Taxes And Other Funds Of Said County, And To Provide For Other Matters Related Thereto.**

The County Administrator stated that he thought he was going to be pleased to report to Council that he was presenting members of Council with a balanced budget; however, with the actions taken by Council not to grant third reading to the Stormwater Utilities Ordinance, the budget is now approximately \$190,000 out of balance.

The total operating budget is proposed at \$39,131,924; there is \$3,777,158 worth of bonds with total operations of \$42,909,082. This is now out of balance and by State regulations, only a balanced budget can be approved.

The Administrator also informed Council about some highlights within the budget.

- The Technology Fee has been reinstated into the General Fund.
- Administrative Fee for billing and collecting taxes has been placed into the budget. \$1.92 will be billed to the Townships of Mayesville and Pinewood and the City of Sumter, per tax bill.
- Road User Fee has been removed from the General Fund.
- Funding for Central Carolina Technical College and Lobbyist has been removed from the budget.
- The Economic Development Board has been removed from the General Fund and expenses from Economic Development will be secured from the Infrastructure Account.
- Fire Districts One and Two are the same as last year.
- Municipal Detainee Rates have been raised to \$55 per day.
- All expenditures related to the Airport will come out of the Infrastructure Account.
- No Cost Of Living Increases for employees.

ACTION: MOTION was made by Councilman Blanding, seconded by Councilwoman Sanders, and unanimously carried by Council to take a recess. After the recess, a motion and second were received to reconvene the meeting.

The Administrator stated that in order to move beyond this impasse, it is recommended that \$190,000 be taken from the County's Reserve Account and placed in the County's Public Works account to balance the County's 2010-2011 Budget - Operating Account of \$39,131,924, with total operation of \$42,909,082. On page one of the budget ordinance, the current figure of \$408,612 is listed as the figures that the County would use out of the Reserve Account; this figure has now increased by the \$190,000.

After all comments, Councilman Blanding offered the following motion.

ACTION: MOTION was made by Councilman Blanding, seconded by Councilwoman Sanders, and unanimously carried by Council to take \$190,000 from the County's Reserve Account to balance the 2010-2011 budget.

Then the Vice Chairman called for a motion to approve the budget as amended.

ACTION: MOTION was made by Councilman Blanding, seconded by Councilman Byrd, and unanimously carried by Council to approve the 2010-2011 fiscal year budget as amended.

- (8) 10-713 - First Reading -- An Ordinance Authorizing Sumter County, South Carolina, To Enter Into A Lease Purchase Transaction Relating To The Financing Of Various Equipment; Authorizing The Execution And Delivery Of An Equipment Lease Purchase Agreement In An Amount Not To Exceed \$1,745,000; And Other Matters Relating Thereto.

The County Administrator stated that this proposed ordinance is by caption only. The printed ordinance has not been received from the Bond Attorney. However, this ordinance covered the capital purchases that were previously approved by Council totaling \$1,745,000. A list of the purchases will be available at second reading.

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

- (9) Report From Internal Affairs

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

- Workforce Investment Board - Appoint Joe Perry, Rob Fauvie, Sonja Spivey, George Kosinski, and Don Lee Witherspoon.

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

- (10) Information Concerning Paving Of County Roads

The County Administrator stated that the following roads have been approved by the Road Committee. Palmetto Paving Corporation was the low bidder at \$1,426,000 ("C" Funds).

Street Name	Length
Lucas Street	0.1
Acres Avenue, Computer Circle, and Acres Circle	0.3
Level Lane, Lynn Street, and Elbow Circle	0.4
Alexander Place	0.25
Lois Lane	0.35

Idaho Drive	0.3
Utah Circle	0.25
Nevada Circle	0.2
Lisbon Drive	0.3
Gibbs Dairy Road	0.5
David Austin Road	0.4
Olden Court	0.1
Laredo Court	0.1

LETTER OF SUPPORT: Mr. Noonan also mentioned that he has received a letter of support from one of the local motels stating that Sumter County Council's initiatives for having sporting events in Sumter County makes a big difference to their revenues.

JUDICIAL CENTER: The process for selecting a contractor for the Judicial Center has been narrowed down to five businesses. There is a meeting on June 30, 2010, to discuss all the rules and requirements prior to them making a presentation to the Selection Committee.

One of the companies that were not selected in the bid process sent a letter of appreciation to the County for how the bid process is working and the professional work that the staff is doing to keep the process going. Mr. Noonan thanked Bobby Galloway and Gary Mixon for their work in the process.

PUBLIC COMMENT

- Stanley Bridges talked to Council about his concern with the Stormwater Utilities Ordinance. He asked Council to consider working with the City so that the citizens will not be paying twice.
- Mr. Bates stated that he believes that the amounts that are being charged for the Stormwater Utilities Fee for agricultural property is too high and they should not be charged.

EXECUTIVE SESSION: It May Be Necessary To Hold An Executive Session To Discuss A Personnel Matter, Receive A Legal Briefing, Receive An Economic Development Update, Or Discuss A Contractual Matter And Appropriate Actions May Be Required And Taken Thereafter.

The Chairman called for a vote to enter executive session to receive a legal briefing.

ACTION: MOTION was made by Councilman Blanding, seconded by Councilman Byrd, and unanimously carried by Council to enter executive session to receive a legal briefing. At the conclusion of the executive session, Council reentered open session.

Report From Executive Session: The Vice Chairman stated that Council is asking that the County Administrator draft a letter concerning a legal matter.

ACTION: MOTION was made by Chairwoman McGhaney, seconded by Councilwoman Sanders, and unanimously carried by Council to authorize the County Administrator to draft a letter concerning a legal matter.

ADJOURNMENT:

There being no further business during this meeting; there was a motion and second to adjourn the meeting at approximately 5:05 p.m.

Respectfully submitted,

Vivian Fleming McGhaney
Chairman or Vice Chairman
Sumter County Council

Mary W. Blanding
Clerk to County Council
Sumter County Council

Approved: July 13, 2010

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 23, 2010
- Media Notified: Yes
- Manner Notified: An Agenda was sent to The Item.
- Date Notified: June 23, 2010

Respectfully submitted,

Mary W. Blanding
Mary W. Blanding