



**Minutes**  
**Sumter County Council**  
**Special Meetings**  
**November 17, 2009, Held at 4:00 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 (**Note:** The Chairwoman was not present during the beginning and ending of this meeting due to an emergency matter.)
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

**STAFF MEMBERS PRESENT:**

Mary W. Blanding, Clerk to Council  
Johnathan Bryan, County Attorney  
Keysa Rogers, Budget Analyst  
Pam Craven, Finance Director

William T. Noonan, County Administrator  
Gary Mixon, Deputy Administrator  
Lorraine Dennis, Deputy Administrator

**MEDIA PRESENT:**

The Item Newspaper - Gina Vasselli

**THE PUBLIC PRESENT:**

One member of the public was in attendance.

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**CALL TO ORDER:** Vice Chairman Baten called Sumter County Council's special meeting of November 17, 2009, meeting to order.

**INVOCATION:** Vice Chairman Baten gave the invocation.

**PLEDGE OF ALLEGIANCE:** Everyone present repeated the pledge of allegiance.

**APPROVAL OF AGENDA:** The Vice Chairman stated that he would entertain a motion concerning the approval of the agenda. The Clerk to Council asked Council members to consider approving the agenda that was placed before them at this meeting (see attached agenda).

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilman Byrd, and unanimously carried by Council to approve the revised agenda as present and to allow public comment prior to executive session.

**NEW BUSINESS:**

- A. Resolution Ordering A Public Hearing For The Purpose Of Making A Determination As To Whether And To What Extent The Boundaries Of The Wedgefield-Stateburg Rural Community Water District Should Be Amended.

The County Attorney, Mr. Johnathan Bryan, presented a proposed resolution to Council for adoption. Mr. Bryan asked the Clerk to Council to give Council members a revised version of the resolution. He stated that the history of this matter was previously presented to Council to have an ordinance to amend the existing boundaries of the Wedgefield-Stateburg Rural Community Water District. However, after consulting with Attorney John Fantry, who is an expert in this field, it was determined that a resolution is needed instead of an ordinance because the Water District is a Special Purpose District and not a Tax District. A Special Purpose District requires a resolution and a public hearing. Mrs. Blanding, will assist Mr. Bryan in getting the public hearing in the local newspaper which will be listed in the paper three times prior to December 8, 2009.

The resolution before Council is asking permission to allow for the public hearing to be held on December 8, 2009, which will then allow for the adoption of another resolution changing the boundaries of the Wedgefield-Stateburg Rural Community Water District.

After all comments, Council took action on adopting the resolution as revised by the County Attorney.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilwoman Sanders, and unanimously carried by Council to adopt the resolution as presented during discussion on this matter and directed the Chairwoman and the Clerk to execute and deliver the resolution on behalf of the County.

#### **PUBLIC COMMENTS:**

Vice Chairman Baten stated that he would receive comments from the public at this time. He stated that he would allow for each person to speak directly to the Chairman (Vice Chairman Baten was chairing the meeting.) The following person spoke.

- Mr. George Bates stated that he lives in Wedgefield on Cougar Way, and he came to this meeting without knowledge of the New Business item that was added to the originally printed agenda. He wanted to know when he could comment on the Wedgefield-Stateburg agenda item. Vice Chairman Baten informed him that the public hearing on this matter will be held on December 8, 2009. Mr. Bates asked whether or not he could attend the executive session concerning Stormwater Utility Fees - is it opened to the public? Vice Chairman Baten informed Mr. Bates that this matter was not opened to the public.

No further comments were made from the public.

#### **NEW BUSINESS CONTINUED:**

- B. 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.

The Vice Chairman stated that he would entertain a motion to enter executive session.

**ACTION:** MOTION was made by Councilman Byrd, seconded by Councilman Blanding, and unanimously carried by Council to enter executive session to discuss the following matters as listed on the agenda.

- Personnel Matter Pertaining To All County Employees.
- Legal Briefing.
- Contractual Matter Pertaining To Greenwood Subdivision.
- Contractual Matter Pertaining To Utility Contracts.
- Discussions On Building America Bonds (Two Types) - Pertaining To Property Matters And Contractual Issues.
- Contractual Matter Pertaining To Storm Water Utility Fees.

At the conclusion of the executive session, motion was made by Councilman Byrd, seconded by Councilman Edens, to return to open session. Then the Vice Chairman gave the following report and recommendations from the executive session. (Note: Chairwoman McGhaney was not present during action on these matters due to an emergency.)

- **Personnel Matter Pertaining To All County Employees.** No Formal Action. However, the County Administrator has been granted approval to forgo the Christmas Luncheon this year (2009) due to the economy and to take the budgeted funds for the annual Christmas luncheon to give employees a gift card totaling \$50.00. The Administrator will use up to \$5,000 from the Administrator's Contingency Fund to help fund this project. The annual "years of service" monetary donations will also be granted to those employees who would receive them this year.
- **Legal Briefing.** No Action.
- **Contractual Matter Pertaining To Greenwood Subdivision.** No Action
- **Contractual Matter Pertaining To Utility Contracts.**

**ACTION:** MOTION was made by Council Blanding, seconded by Councilman Sanders, to allow the County Administrator to contact Oswego Water Company concerning this matter.

- **Discussions On Building America Bonds (Two Types) - Pertaining To Property Matters And Contractual Issues.**

**ACTION:** MOTION was made by Council Blanding, seconded by Councilman Byrd, to allow the County Administrator to contact Central Carolina Technical College concerning this issue.

- **Contractual Matter Pertaining To Storm Water Utility Fees.**

**ACTION:** MOTION was made by Councilman Blanding, seconded by Councilman Baker, to allow the County Administrator to engage B. P. Barber and

Associates to develop a Storm Water Utility Ordinance which will include suggested fees. Councilman Byrd voted in opposition. The motion carried.

**ADJOURNMENT:** After all comments, a motion and second from Council and unanimously carried, the meeting adjourned at 6:48 p.m.

Respectfully submitted

*Mary W. Blanding*

Mary W. Blanding, Clerk

**Approved: November 24, 2009**

***Resolution Ordering a Public Hearing For The Purpose of Making a  
Determination as to Whether And to What Extent The Boundaries of  
The Wedgefield-Stateburg Rural Community Water District Should Be Amended***

WHEREAS, The Wedgefield-Stateburg Rural Community Water District was created by the General Assembly by Act #1022 of the Regular Sessions of 1964 and by Act #65 of the Regular Sessions of 1967; and

WHEREAS, the original area of the Wedgefield-Stateburg Rural Community Water District was described in Act #65 of the Regular Sessions of 1967; and

WHEREAS the Sumter County Council is authorized by 6-11-410 *et. seq.*, Code of Laws of South Carolina 1976, as amended, to alter the boundaries of special purpose districts; and

WHEREAS a public hearing must be held for the purpose of making a determination as to whether and to what extent a special purpose district shall be enlarged, diminished or consolidated,

NOW THEREFORE, BE IT RESOLVED that:

1. Pursuant to Section 6-11-430, Code of Laws of South Carolina, a public hearing shall be held for the purpose of making a determination as to whether (and to what extent) the boundaries of the Wedgefield-Stateburg Rural Community Water District shall be amended.
2. The following area is proposed to be excluded from the Wedgefield-Stateburg Rural Community Water District:

ALL that piece, parcel or lot of land, lying and being in the Stateburg Township, County of Sumter, State of South Carolina, being shown on a plat by D.D. Edmunds, R.L.S., dated May 26, 1988, recorded in the Clerk of Court for Sumter County, South Carolina, in Plat Book 89 at Page 699, and being more particularly described by reference to said plat as follows: All lands bounded on the North by the main water line of Beech Creek; on the West by the eastern boundary of the right-of-way of S.C. Highway 261; on the East by the western boundary of the right-of-way of Barnwell Drive; and on the South as follows:

BEGINNING at an iron pin located on the western boundary of the right-of-way of Barnwell Drive, which pin is located approximately 360 feet South of the intersection of the main water line of Beech Creek with Barnwell Drive; and running along the northern boundary of property of Gillespie S 69° 35' 55" W for a distance of 421.90 feet to an iron pin; thence turning and running along the northern boundary of property of Stateburg Hills I Lake Corp., S 69° 23' 0" W for a distance of 1265.46 feet to an iron pin; thence turning and running along the northern boundary of said property of Stateburg Hills I Lake Corp., N 12° 52' 5" W for a distance of 420.43 feet to an iron pin; thence turning and running along the northern boundary of said property of Stateburg Hills I Lake Corp., S 69° 59' 5" W for a distance of 874.45 feet to an iron pin; thence turning and running along the eastern boundary of the property of Ellis N 20° 29' 55" W for a distance of 250.19 feet to an iron pin located on the southern boundary of a 50 foot right-of-way as shown on the above-referenced plat; thence turning and running along the

southern boundary of said 50 foot right-of-way, and North of the property of Ellis N 69° 27' 0" E for a distance of 174.32 feet to an iron pin; thence turning and running along the southern boundary of said 50 foot right-of-way, and North of the property of Ellis S 83° 54' 5" E for a distance of 111.81 feet to an iron pin; thence turning and running along the southern boundary of said 50 foot right-of-way, and North of the property of Ellis S 60° 50' 21" E for a distance of 132.33 feet to an iron pin; thence turning and running along with northern boundary of the property of Ellis S 22° 11' 40" W for a distance of 116.33 feet to an iron pin; thence turning and running along said northern boundary of the property of Ellis S 20° 20' 45" E for a distance of 15.19 feet to an iron pin; thence turning and running along said northern boundary of the property of Ellis S 69° 24' 0" W for a distance of 535.27 feet to an iron pin; thence turning and running along the western boundary of said property of Ellis S 20° 29' 0" E for a distance of 269.99 feet to an iron pin; thence turning and running S 69° 27' 15" W for a distance of 442.68 feet to an iron pin located along the eastern boundary of the right-of-way of S.C. Highway 261, which iron pin is located 548.27 feet South of an iron pin located at the intersection of the 50 foot right-of-way referred to above and the eastern boundary of the right-of-way of S.C. Highway 261; all said measurements being a little more or less.

PLUS, all of the area bounded as follows: on the South by the main water line of Beech Creek, on the east by Barnwell Drive, on the north by the original boundary of the District and on the West by S. C. Highway 261.

See Attachment A - the area shown in green

3. The following area is proposed to be included in the Wedgefield-Stateburg Rural Community Water District, (ratifying the resolution of the Sumter County Council dated July 10, 2001 that expanded the service area):

The area to the south and east of the original District that is currently served by the District, including property to the south of Wedgefield Road as far east as the run of a creek that is the headwaters of the Cain Savannah, south just past the intersection of Belles Mill Road and U.S. Hwy 261 and west to the intersection of Gulledege Road and Middleton Road.

See Attachment A - the area shown in purple.

4. Pursuant to Section 6-11-440(A), Code of Laws of South Carolina, notice of the public hearing shall be given by publishing it once a week for three separate weeks in a newspaper of general circulation in the county, setting out the information required by 6-11-440(A).

5. Pursuant to Section 6-11-440(A)(1), Code of Laws of South Carolina, the public hearing shall not be held until after the expiration of at least sixteen days following the first publication of the notice.

DONE AND PASSED THIS 17<sup>th</sup> day of November, 2009.

SUMTER COUNTY COUNCIL

BY: \_\_\_\_\_

Vivian Fleming McGhaney  
Chairman, Sumter County Council

Attest: \_\_\_\_\_

Mary W. Blanding,  
Clerk to Council



**Revised Agenda**  
**Sumter County Council**  
**Special Meeting**

November 17, 2009 - Held at 4:00 p.m.  
County Administration Building County Council Chambers  
13 E. Canal Street, Sumter, SC

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1. CALL TO ORDER - Chairman, The Honorable Vivian Fleming McGhaney
2. INVOCATION -Council Member Or Local Minister
3. PLEDGE OF ALLEGIANCE -
4. APPROVAL OF AGENDA -November 17, 2009
5. APPROVAL OF MINUTES: N/A
6. LAND USE MATTERS AND REZONING REQUESTS: N/A  
Planned Development/Rezoning Requests  
  
Street Name Changes - N/A  
  
Grant Awards - N/A
7. OTHER PUBLIC HEARINGS: N/A
8. NEW BUSINESS:
  - A. Resolution Ordering A Public Hearing For The Purpose Of Making A Determination As To Whether And To What Extent The Boundaries Of The Wedgefield-Stateburg Rural Community Water District Should Be Amended
  - B. 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.
    - Personnel Matter Pertaining To All County Employees.
    - Legal Briefing.
    - Contractual Matter Pertaining To Greenwood Subdivision.
    - Contractual Matter Pertaining To Utility Contracts.
    - Discussions On Building America Bonds (Two Types) - Pertaining To Property Matters And Contractual Issues.
    - Contractual Matter Pertaining To Storm Water Utility Fees.
9. OLD BUSINESS: N/A
10. COMMITTEE REPORT - N/A
11. MONTHLY REPORTS: N/A

**12. COUNTY ADMINISTRATOR'S REPORT: N/A**

**13. PUBLIC COMMENT**

**14. ADJOURNMENT**

In compliance with ADA/Section 504, Sumter County Is Prepared To Make Accommodations For Individuals  
Needing Assistance To Participate In Our Programs, Services, Or Activities.