



**Minutes**  
**Sumter County Council**  
**Regular Meeting**  
**September 28, 2010 - 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:**

**STAFF MEMBERS PRESENT:**

Mary W. Blanding, Clerk to Council  
Johnathan Bryan, County Attorney  
Pamela Graven, Finance Director

William T. Noonan, County Administrator  
Gary Mixon, Deputy Administrator  
Keysa Rogers, Budget Analyst

**MEDIA PRESENT:**

The Item Newspaper

**THE PUBLIC PRESENT:**

Approximately 47 members of the public were in attendance.

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**CALL TO ORDER:** Chairman of Council, Vivian Fleming McGhaney, called Sumter County Council's meeting of September 28, 2010, to order.

**INVOCATION:** Mrs. Frances Hill, citizen of Sumter County, 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 September 28, 2010, agenda with any additions, deletions, or as printed. The Clerk to Council asked Council members to consider adding one item to the agenda (Action By Forfeited Land Commission) after Public Committee.

**ACTION ON AGENDA:** MOTION was made by Councilman Byrd, and seconded by Vice Chairman Baten, and unanimously carried by Council to grant approval of the agenda by adding "Action By Forfeited Land Commission after Public Comment.

**APPROVAL OF MINUTES:** Chairwoman McGhaney stated that she would entertain a motion to approve the regular meeting minutes of Sumter County Council which was held on September 14, 2010.

**ACTION:** MOTION was made by Vice Chairman Baten, seconded by Councilman Blanding, and unanimously carried by Council to approve the regular meeting minutes of September 14, 2010, as presented.

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

*Street Name Change - None*

*Grant Awards - None*

**OTHER PUBLIC HEARINGS: None**

**NEW BUSINESS:**

- (1) A Proclamation Proclaiming October 9, 2010, As Red Hat Day In Sumter County South Carolina.

The Clerk presented a Proclamation proclaiming October 9, 2010, as Red Hat Day in Sumter County, South Carolina. After review of the proclamation, Council took action on its adoption as listed below.

*WHEREAS, approximately ten years ago Sue Ellen Cooper gave her friend, Linda Murphy, a red hat for her 55th birthday and within an amazingly short period of time, without conscious effort by anyone, this simple gift sparked a world-wide women's movement which is known as the **Red Hat Society**; and*

*WHEREAS, The Red Hat Society (RHS) is the leading worldwide organization offering fun and community empowerment for passionate, like-minded women who believe in the joys of sisterhood at any age; and*

*WHEREAS, The RHS's have Regional Groups who also meet on a regional level and share their expertise and zest for life; and*

*WHEREAS, The Red Hat Society's mission is to connect like minded women around the world which gives the groups a chance to know each other, plan regional events, and "Spread Red" wherever they go; and*

*NOW, THEREFORE, BE IT RESOLVED that Members of Sumter County Council hereby applaud and salute the Sumter County's Red Hat Society in celebrating their Fifth Anniversary through the leadership of its Queen Mother, Mrs. Annette Briggs, and Council also recognizes the South Carolina Queens Council for their commitment and involvement on a statewide level; and*

*BE IT FURTHER RESOLVED that Sumter County Council declares October 9, 2010, as **Red Hat Day in Sumter County, South Carolina** and that this day be celebrated by all members of the Red Hat Society and those who love life.*

*GIVEN UNDER THE SEAL OF SUMTER COUNTY COUNCIL this 9<sup>th</sup> day of October, 2010, by Sumter County Council in Council during its regular meeting duly assembled.*

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Baten, and unanimously carried by Council to grant adoption of this proclamation and authorized the Chairman and the Clerk to execute and deliver the proclamation on behalf of County Council and Sumter County.

(2) Youth Leadership Program – Mrs. Frances Hill, Wateree Community Actions.

Mrs. Frances Hill, staff members for Wateree Community Actions and the Director for the Youth Leadership Program, gave members of Council some history on the Youth Leadership program. She stated that there are 24 registered participants; 20 of the students are between the ages of 16-18 and four are between the ages of 18-24. The participants are required to go through twenty hours of the Six Pillars of Character. In June, the participants must complete 20 hours of training in Youth Employment. Once the training is completed, the participants are provided with the opportunity to work up to eight hours with employers that are registered with Wateree Community Actions. Mrs. Hill further stated that some of the students have been hired as full time employees once the eighty hours are completed.

The closing remarks of Mrs. Hill, included thanks to Council for what they have done for Wateree Community Actions.

**ACTION:** Received as information.

(3) 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) **Third Reading -- 10-716 -- An Ordinance To Restructure And Reorganize The Sumter County Airport Commission.**

The County Attorney, Mr. Johnathan Bryan, presented this proposed ordinance to Council for third reading. He stated that there have been no changes to this ordinance. Mr. Bryan asked Council to consider granting third reading and adoption to this ordinance.

**ACTION:** MOTION was made by Councilman Byrd, seconded by Councilman Edens, and unanimously carried by Council to grant third reading and adoption of this ordinance.

(2) **Second Reading -- 10-717 -- An Ordinance To Regulate Outdoor Burning In Sumter County Within All Residential Zoning Districts Except The Agricultural Conservation Zoning District And Within Two Hundred Feet Of A Residential Subdivision. (A Public Hearing Is Scheduled For October 12, 2010.)**

The County Attorney also presented this proposed ordinance to Council concerning outdoor burning. This item was discussed in the Public Safety Committee meeting earlier today. It was suggested during the Committee Meeting that this matter be deferred until a later date.

However, the County Attorney informed the public about the effects of the ordinance if it is ever passed.

1. Applies only to areas outside the City limits or the unincorporated areas of Sumter County that are zoned Residential such as R-15, R-9, R-6, etc. If a person's property is zoned Agricultural Conservation (AC), this ordinance would not apply at all.
2. Residential Zoned Property would allow for a citizen to burn yard clippings between sunrise and sunset as long as the fire was 50 feet from a residential structure.

Councilman Baker, the Chairman of the Public Safety Committee, stated that the Committee has never had the intentions of stopping people from burning; however, Council is concerned about populated communities and neighbors are burning at will which causes a problem for their neighbors.

Councilman Baker further stated that Council would like to hear from the community and have the meeting in a forum where Council's Public Safety Committee along with members from the Department of Environmental Control, the S. C. Forestry Commission, the Sheriff's Office, and the Sumter Fire Chief could discuss the pros and cons of this proposed ordinance.

After all comments, the Chairman of the Public Safety Committee, Councilman Baker, asked for the currently scheduled public hearing be canceled at this time and if the ordinance moves on, Council could schedule another public hearing at a later date. Additionally, Councilman Baker stated that he will work with the Clerk to Council to set-up a Public Safety Meeting where the public and other Public Safety Officials can hear the concerns from the public. Councilman Baker then asked the Chairman of Council to entertain a motion to defer second reading. The Chairman stated that she would entertain such a motion.

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

**NOTE:** The Clerk will cancel the currently scheduled public hearing (October 12, 2010), and work with Councilman Baker to schedule a Public Safety Committee meeting to allow the public time to present their concerns. Additionally, the Clerk will notify the Sheriff, DHEC, the Forestry Commission, the Fire Chief, etc, of the proposed meeting.

- (3) **Third Reading -- 10-718 -- An Ordinance Amending Chapter 30, Article Ii, Section 30-22, Code Of Ordinances, Sumter County, South Carolina Adding Two New Members To The County Cultural Commission.**

The County Attorney, Mr. Johnathan Bryan, presented this proposed ordinance to Council for third reading. He stated that there have been no changes to this ordinance. Mr. Bryan asked Council to consider granting third reading and adoption to this ordinance.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilman Byrd, and unanimously carried by Council to grant third reading and adoption of this ordinance.

- (4) **Second Reading -- 10-719 -- An Ordinance Authorizing The Issuance And Sale Of General Obligation Bonds, In One Or More Series, With Appropriate Series Designations, Of Sumter County, South Carolina, In The Principal Amount Of Not To Exceed \$9,448,000; Fixing The Form And Details Of The Bonds; Authorizing The County Administrator To Prescribe Certain Details Relating To The Bonds; Providing For The Payment Of The Bonds And The Disposition Of The Proceeds Thereof; And Other Matters Relating Thereto. (A Public Hearing Is Scheduled For October 12, 2010.)**

The County Attorney presented this proposed ordinance for second reading. The ordinance as written would allow up to \$9,448,000; however that does not mean the entire amount will be used. The Chairwoman then asked for a motion on second reading.

**ACTION:** MOTION was made by Vice Chairman Baten, seconded by Councilman Blanding, and carried by Council to grant second reading to the ordinance with the list of projects as listed below and for ratification of the projects.

Law Enforcement/ Emergency Management Center	1289 N. Main Street Sumter, SC 29150	N/A
Bethel Fire Station/ Land Purchase	1815 Nettles Rd. Sumter, SC 29154	211-00-02-082
C&D Landfill Cell (15 acres)	2185 E. Brewington Rd. Sumter, SC 29153	284-00-02-015
Salterstown Baseball Facility	840 Oswego Rd. Sumter, SC 29150	N/A
S Sumter Resource Center Roof Replacement	337 1/2 Manning Ave. Sumter, SC 29150	250-08-01-027
4- Ambulances	129 E. Hampton St. 1815 Nettles Rd. Sumter, SC 29150/Sumter, SC 29154	249-09-02-026 211-00-02-082
Environmental Area- Including Pavilions/Playground Equip./Trail System	380 General Drive Sumter, SC 29150	185-00-01-101
Rembert Fire Station Renovations	7045 Post Office Rd. Rembert, SC 29128	087-01-01-028

Mayesville Ball Park Lights	Wilson St. Mayesville, SC 29104	308-08-05-013
Storm Water Capital Equipment		
Cherryvale Fire Station Supplement		
R.E. Davis Ball Field		
Wedgefield Fire Station Supplement		
Dabbs Station		
Contingency		

Councilman Baker stated that he still has some concerns about some of the projects. He mentioned that he is in support of the Law Enforcement Center, the C& D Landfill project; however, there are several projects on the list that he does not support.

Councilman Byrd stated that he feels the same as Councilman Baker and wish that there was a way to vote on each of the projects individually based on him not supporting some of the projects.

The Chairman then asked that the motion be restated and recorded.

**ACTION RESTATED AND RECORDED:** MOTION was made by Vice Chairman Baten, seconded by Councilman Blanding, and carried by Council to grant second reading to the ordinance with the list of projects as listed above and for ratification of the projects. Council members Baker, Byrd, and Edens voted in opposition; Council members Blanding, Baten, Sanders, and McGhaney voted in the affirmative; the motion carried.

**COMMITTEE REPORTS:**

- (1) Public Safety Committee Meeting Held on **Tuesday, September 28, at 4:30 P.M.** In County Council's Conference Room at the County Administration Building - (Baker, Baten, and Byrd).

See action listed under Ordinance #10-717.

- (2) Fiscal, Tax, and Property Committee Meeting Held on **Tuesday, September 28, 2010, at 5:00 P.M.** In County Council's Conference Room at the County Administration Building - (McGhaney, Blanding, and Edens).

The Chairman of the Committee, Chairman McGhaney, stated that there is no action to be taken from the meeting; however, a letter from Mayor Joseph McElveen concerning an

appointment to the Planning Commission will be forwarded to the Internal Affairs Committee.

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

No report.

**MONTHLY REPORTS:**

- ◆ Sykes Grand Opening will be held on October 29, 2010.
- ◆ Shaw-Sumter Leadership Group will be meeting soon.
- ◆ October 14 - Institute Classes, October 15, 2010.

**ADMINISTRATOR'S REPORT:**

- ◆ South Carolina Association Of Counties Legislative process is underway. Chairman McGhaney, Councilman Edens, and the Administrator are members of different Committees in preparation of the Legislative process. Council members are asked to send any concerns to the Clerk who will collect all the information for Council.

**PUBLIC COMMENT:**

The Chairman asked if anyone from the public would like to address members of Sumter County Council. The following persons spoke to Council during public comment.

- ◆ **George Bates** thanked Council for deferring the County Ordinance #10-717. He also asked who is driving this proposed ordinance. If this ordinance is going to come up after the deferral time, what is incorporated and not incorporated?
- ◆ **Helen Patenode** said that her community members are still asking "how long" it will be before they get good public water. Mrs. Patenode also said that it has been one year today from the first time that she brought this matter before Council. She also mentioned that she did receive a letter about the proposed water, but some of her neighbors did not; she asked Council to follow-up on this oversight of some of the community members not getting letters concerning water.
- ◆ **Kay Harmon**, Executive Director of NAMI Sumter, stated that she is asking that one of Council members attend the Candlelight vigil on Saturday, October 2, 2010, at 6:30, at the Mental Health Recovery Garden.
- ◆ **Trapper Lee** stated that he and his family live on Walter Avenue and Pratt Avenue and these roads have been County Roads. He asked why these roads have gone to private roads since they were public roads before.
- ◆ **Luther Lee** stated that they accepted Walter and Pratt Avenues on either end as public roads but did not do that with them in the middle. He also asked if Council could pave these roads with the Road User Fee Funds.
- ◆ **Julian Hines** from Florence Highway community stated that he has a comment and a question. At the last meeting, he was somewhat disappointed about the controversial

Stormwater Ordinance. Mr. Hines said he read about it in the newspaper. He asked Council members to get a show of hands for the critical votes. Mr. Hines also questioned whether or not the Chairman should be voting for these matters. It was noted that the Chairman is a member of the body and can vote as appropriate.

- ◆ **Pat Hudson** asked Council members how many people have introduced this burning band. She said that the public should have been notified prior to Council scheduling first reading of this ordinance. Then the public could have had its say first.

**FORFEITED LAND COMMISSION**

The County Attorney introduced this item. He stated that during a previous tax sale, a structure was sold, but not the property on which the property is located. Each had a separate tax parcel. One person owns the property and the Forfeited Land Commission owns the structure. It is suggested that the Commission sell the structure for \$500 to the land owner.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Byrd, and carried by Council to grant approval of the request as presented. Council member Blanding voted in opposition. The property structure will be sold for \$500 to the landowner. NOTE: The County Treasurer is in support of this request.

**ADJOURNMENT:**

There being no further business and no additional comments from the public, the meeting was adjourned at 7:10 p.m. after a motion by Councilman Byrd, a second by Councilman Baker, 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: October 12, 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: September 23, 2010

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: September 23, 2010

Respectfully submitted,

*Mary W. Blanding*

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