



Minutes
Sumter County Council
Regular Meeting
January 25, 2011 - 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 Eugene Baten, Council District #7
2. Vice Chairman Larry Blanding, Council District #6
3. Councilwoman Vivian Fleming McGhaney, Council District #5
4. Councilwoman Naomi D. Sanders, Council District #1
5. Councilman Artie Baker, Council District #2
6. Councilman Jimmy Byrd, Council District #3
7. Councilman Charles T. Edens, Council District #4

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT:

Mary W. Blanding, Clerk to Council
Johnathan Bryan, County Attorney
George McGregor, Planning Director

Lorraine Dennis, Deputy Administrator
Gary Mixon, Deputy Administrator

MEDIA PRESENT:

The Item Newspaper

THE PUBLIC PRESENT:

Approximately 22 members of the public were in attendance.

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CALL TO ORDER: Chairman of Council, Eugene R. Baten, called the meeting to order.

INVOCATION: Councilwoman Vivian Fleming McGhaney gave the invocation.

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

APPROVAL OF AGENDA: Chairman Baten stated that he would entertain a motion to approve the January 25, 2011, agenda with any additions, deletions, or as printed.

ACTION ON AGENDA: MOTION was made by Councilman McGhaney, seconded by Councilman Byrd, and unanimously carried by Council to grant approval of the agenda as presented.

APPROVAL OF MINUTES: Chairman Baten stated that he would entertain a motion to approve the regular meeting minutes of Sumter County Council which was held on January 18, 2011.

ACTION: MOTION was made by Councilwoman Sanders, seconded by Councilman Baker, and unanimously carried by Council to approve the regular meeting minutes of January 18, 2011, as prepared by the Clerk to Council.

NEW BUSINESS:

LAND USE MATTERS AND REZONING REQUESTS

Development/Rezoning Request -

- (1) **RZ-10-13, Old Camden Hwy. / Tyler B. Dunlap (County) - Second Reading/Public Hearing -- A Request To Rezone A +/- 8.13 Acre Portion Of A Larger Tract Located Approximately 945 Feet From The Intersection Of Canadiangeese Drive And Camden Highway From Agricultural Conservation (AC) To Residential-6 (R-6). The Property Is Represented By Tax Map #188-00-02-038 (Portion of 50 Acre Tract). (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Rezoning Request.)**

The Planning Director, George McGregor, presented this proposed rezoning request to Council for second reading consideration and public hearing.

He stated that the recommendation from the staff's perspective is to ask the property owners to develop a concept for the entire 50 acres of property as opposed to the selected 8.13 acre tract of land. Mr. McGregor further stated that to take the 8.13 acres and divide it into 23 lots is *counter* to the new Comprehensive Plan. The new Comprehensive Plan asks that the County raise the development expectations in order to do a better job.

The Planning Commission recommends approval of the request and the Planning Staff recommends denial of the request.

Councilman Edens asked Mr. McGregor whether or not he spoke to the applicant to find out why or why not the entire tract was not being developed at this time? Mr. McGregor stated that one of the developers was present and it would be better if he spoke himself on behalf of the rezoning. Councilman Edens then asked for the right to ask Mr. McGregor additional questions after or during the public hearing as necessary.

Shane Gainey, Sumter Realty Group, stated that the reason the developers are trying to split this tract is because it has a natural boundary; - a drainage ditch along this area. The developers have no problem with the other 42 acres with a nice Plan Development with commercial upfront and residential in the back. The tract of land in question for rezoning, will not allow for any open space in the area. It is only wide enough for a cul-da-sac.

Mr. Gainey also read a statement from the Comprehensive Plan: **"The Plan is not a regulatory document and not a book of law. Strict over-interpretive construction should be avoided in lieu of a broader spirit. The Plan - its map and policies - is not intended to parcel specific and should not be applied so acutely."** Mr. Gainey emphasized that the statement is written in the beginning of the Comprehensive Plan. The houses will be from 1,400 to 1,800 square feet. He also said that the lots are 12,000 square-feet which are just a little less than an R-15 lot size.

Then the Chairman convened a public hearing and asked if anyone wished to speak in support of or opposition to this proposed rezoning request. The following persons spoke.

- David McClean stated that he does not have a problem with the development. However, he does have a concern that during the past 15 years he and his neighbors have been trying to get City water in that area. He said that he is between two water districts - The City of Sumter and Dalzell Water District. He said that if the developers are going to develop this area and have City water, then everyone on that stretch of highway should be able to have water.
- Donald Dunon stated that he purchased this property several years ago and during that time it has been a quiet community. Only five houses are located on the street that he lives on. Mr. Dunon stated he has a garden, fig trees, grapevines, and his chicken coop; he does not bother anyone. He added that if someone comes and moves in that area; then he will have a problem with his new neighbors and then he will be required to change his lifestyle because of the newcomers. Mr. Dunon said that he is not against the development, he just does not want the houses packed on the eight acres and he believes that 23 houses on eight acres is too much.
- Regina Shelton stated that she too lives on Potomac Drive and right next to the ditch. She said she does not have a problem with a development; but she does have a problem with so many houses on such a small area. Ms. Shelton also asked Council to allow her to reserve her comments until she and her neighbors know what R-6 means.

The Chairman then allowed Mr. McGregor to speak to explain R-6 to the public. Mr. McGregor stated that residential uses are permitted on lots with a minimum square footage of 6,000. Also, R-6 allows a number of residential unit types including single family residential, town houses, duplexes, perhaps triplexes with conditional usage.

Mobile homes are not permitted in Residential 6, 9, or 15. However, mobile homes are permitted on the current property at one unit per acre. Councilman Edens asked what is the difference between Residential-6 and Residential-9 as for as square footage for the lot? Mr. McGregor stated that Residential-9 has a minimum lot size of 9,000 square feet; however, the applicant has stated that the lot size will be 12,000 square feet. Mr. McGregor further stated that building 23 homes on the eight plus acres is acceptable as it relates to Sumter County's Zoning ordinance. Then the Chairman allowed further discussion from the public.

- Donald Dunon stated that there is no buffer between his backyard and the proposed new development. He asked Council to consider a berm and he would like to see maybe 10 to 12 houses on the eight acres.
- Ms. Gerry Freedman spoke on behalf of the Buddhist Temple on Highway 521. She said that they have a concern about allowing this large number of homes in this community. She added that recently someone shot through the window of the temple usually where the monk is seated.

- Diane Butler stated that she lives on Camden Highway and if this zoning is going to bring water to her and the other neighbors on Camden Highway, by all means, please bring the water.

After all comments, the Chairman closed the public hearing and Council then stated that he would entertain a motion concerning second reading.

ACTION: MOTION was made by Councilman Edens, seconded by Councilwoman McGhaney to grant second reading with an amendment to the rezoning request to change the request *from Residential-6 to Residential-9*. The motion was unanimously carried by Sumter County Council.

NOTE: Councilwoman McGhaney stated that the concerns from the citizens about water on Highway 521 may be a matter that Council can discuss through the City County Liaison Committee as to the possibility of extending water lines to this area in the County to assist this community.

Street Name Change - None

Grant Awards

Ms. Yonson presented the following report to Council. She stated that EMS received a DHEC grant in the amount of \$16,080.61. Also, Ms. Yonson said that the DJJ Emergency Shelter Services is not a grant, but an agreement with the Department of Juvenile Justice. This funding is for a five year period of time through reimbursement.

Department	Grant	Funder	Applied For	Funded	Who Wrote Grant
EMS	Grant in Aid	SC DHEC	\$16,080.61	\$16,080.61	Bobby Hingst
Greenhouse	DJJ - Emergency Shelter Services	DJJ	\$456,250.00	\$456,250.00	Evelyn Bradford
Total			\$472,330.61	\$472,330.61	

ACTION: Received as information.

OTHER PUBLIC HEARINGS: None

NEW BUSINESS:

- (1) Review and Ratification of Council's Standing Committee Membership Assignment.

The matter was presented by the Chairman of Sumter County Council with input from the Clerk to Council, Mrs. Mary W. Blanding. She stated that the Standing Committee

Membership Assignment in Council's folders was the latest version of the assignments list and asked Council to consider approving that list as prepared by the Chairman.

COMMITTEE NAME	CHAIRMAN	MEMBERS
City/County Liaison	Larry Blanding	Byrd and McGhaney
Fiscal, Tax, and Property	Eugene R. Baten	Blanding and Edens
Internal Affairs	Jimmy Byrd	McGhaney and Sanders
Military Affairs S. C. Military Base Task Force Committee	Larry Blanding	Baker and Baten
Public Safety	Artie Baker	Sanders and Baten
Public Works and Solid Waste	Naomi D. Sanders	Baker and Edens
Technology/Personnel	Vivian Fleming McGhaney	Byrd and Sanders
Public Utilities	Charles T. Edens	McGhaney and Baten
COUNCIL'S LIAISONS		
Cultural/Fine Arts Liaison (2)	Charles T. Edens and Eugene Baten	
Economic Development Liaison (2) (Ex officio members Chairman or Designee and Administrator or Designee)	Eugene R. Baten Or His Designee William T. Noonan or His Designee	
Education Liaison(2)	Naomi D. Sanders and Jimmy Byrd	
OTHER COMMITTEES, COUNCILS, AND BOARDS		
SUATS Committee (Chairman and one other member)	Eugene R. Baten and Jimmy Byrd	
Lake Marion Regional Water (Chairman and Administrator, or appointee)	Eugene R. Baten and William T. Noonan (Peter Wilson)	
Lynches River Advisory Council	Charles T. Edens	
Santee Lynches Council On Governments (appointed by Chairman)	Vivian Fleming-McGhaney Charles T. Edens, Larry Blanding James A. Campbell, Earl Wilson Rick Farmer	
Career Center	Eugene Baten	
Wateree Community Actions (appointed by Chairman)	Lorraine Dennis	
Santee Wateree Regional Transportation Authority	Larry Blanding	

After review of the list, the Chairman called for a motion.

ACTION: MOTION was made by Councilwoman McGhaney, seconded by Councilman Edens, and unanimously carried by Council to grant approval of the committee assignments as presented above.

- (2) 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 during this meeting.

OLD BUSINESS: None

COMMITTEE REPORTS:

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

No Comments from Council.

MONTHLY REPORTS:

- Radio Station - Chairman Baten will attend.
- Shaw Community Council
- Shaw Sumter Community Council
- Sumter County Legislative Day - February 23, 2011
- South Carolina Association Of Council Mid-Winter Conference - February 23, 2011

ADMINISTRATOR'S REPORT:

The Administrator was at a Risk Management Conference, Deputy County Administrator; Gary Mixon gave the following report on William T. Noonan's behalf.

- **Attendance At Patriot Hall:** There were 209 events held at Patriot Hall in 2010, with over 60,000 people attending the events.
- **Memorandum For South Carolina Association Of Counties:** Decennial Census information was provided to Council members. South Carolina has experienced population growth of 15.03%.
- **South Carolina City County Managers Association:** The Administrator, the two Deputy Administrators, and the Finance Director attended full day training on Public Budgeting. Also, information was provided to Council members concerning State Budget Forecasting, from Mike Shealy.

PUBLIC COMMENT:

The Chairman asked if anyone wished to speak to Council during Public Comment.

The following persons spoke during public comment.

- Mrs. Catherine Washington spoke to Council concerning Pasture Road in Wedgefield, South Carolina.
- Mr. Donald Dunon spoke to Council again about his concern for allowing RZ-10-13 to be approved. Mr. Dunon said that Council should consider how many homes will be on eight acres of land with one way in and one way out of that small area.
- Mr. Edward spoke to Council about his road not being paved – Evans Road.

ADJOURNMENT:

There being no further business and no additional comments from the public, the meeting was adjourned at 7:15 p.m. after a motion by Councilman Byrd, second by Councilwoman Sanders, and unanimously carried by Council.

Respectfully submitted,

Eugene R. Baten

Chairman or Vice Chairman
Sumter County Council

Mary W. Blanding

Clerk to County Council
Sumter County Council

Approved: February 8, 2011



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: January 20, 2011

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: January 20, 2011

Respectfully submitted,

Mary W. Blanding

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