



Minutes
Sumter County Council
Regular Meeting
February 8, 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
Donna McCullum, Zoning Administrator

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

MEDIA PRESENT:

The Item Newspaper

THE PUBLIC PRESENT:

Approximately 65 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 February 8, 2011, agenda with any additions, deletions, or as printed. The Clerk to Council asked Council members to consider allowing items number one and two under New Business to be handled right after action on Council's minutes of January 25, 2011.

ACTION ON AGENDA: MOTION was made by Councilman Byrd, seconded by Councilman Baker, 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 25, 2011.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to approve the minutes of January 25, 2011, as prepared by the Clerk to Council.

NEW BUSINESS:

(1) Public Safety Awards Of The Year Presentations.

The County Administrator introduced each of the American Legion Safety Officers Of The Year. The Department Head of the respective areas also made comments about the accomplishments of the staff member. The following persons were recognized, a memento along with a commendation was given to each person.

- ◆ Sheriff Anthony Dennis introduced Sergeant David Scott. – Sheriff Deputy Of The Year – Responsible For Courtroom Duty.
- ◆ Kathy Hall introduced Mary Holland – EMS Office Of The Year – Supervisor and Patient Advocate.
- ◆ County Administrator Noonan introduced Doc Jolly, Firefighter Of The Year – Outstanding work as a firefighter.
- ◆ Captain Jackson introduced Corporal Kenneth Byrd – Police Officer Of The Year.
- ◆ Simon Major introduced Corporal Chanae Lumpkin – Correctional Office Of The Year.

The Chairman thanked each award recipient for the work that they have done on their jobs and for being recognized this evening and at the American Legion.

ACTION: Received as information.

(2) Award Presentation By John Henderson, South Carolina Association Of Counties.

Mr. Noonan, the County Administrator stated that two weeks ago, he had the privilege of attending the Association of County's Risk Managers Annual Conference. During the Conference several awards were presented by Mr. John Henderson, from SCAC.

Mr. Henderson thanked Council for working with the staff to continue the tradition of excellence in risk management.

1. Service Award was presented to Ron Haynes and Sumter County.
2. Sustained Excellence In Risk Management Award to Sumter County.
3. Gold Award For Property And Liability Claims to Sumter County.

ACTION: Received as information.

LAND USE MATTERS AND REZONING REQUESTS

Development/Rezoning Request -

- (1) **RZ-10-13 -- Old Camden Highway -- Tyler B. Dunlap (County) - Third Reading -- A Request To Rezone A +/- 8.13 Acre Portion Of A Larger Tract Located at 1770 Old Camden Highway From Agricultural Conservation (AC) To Residential 9 (R-9) Residential-6 (R-6). The Property Is Represented By Tax Map #188-00-02-038 (Portion Of 50 Acre Tract).**

The Planning Zoning Administrator, Donna McCullum, presented this proposed rezoning to Council for third reading. She stated that during the public hearing and second reading, Council changed the request from Residential-6 (R-6) to Residential-9. The applicant contacted the Planning staff last week and asked that the staff request that Council consider granting third reading under the original request of Residential-6. If the request is not approved under R-6, the developers will have to reduce the number of lots for this development based on configuration of the lots that will be developed.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to change the rezoning request back to *from Residential-6 for third reading from Residential-9 at second reading*. The motion was unanimously carried by Sumter County Council.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Byrd, and unanimously carried by Council to grant third reading to this rezoning request as amended back to *Residential-6*. The motion was unanimously carried by County Council.

- (2) **RZ-11-01 -- Frierson Road And Stamey Livestock Road -- William Carter - First Reading - Request To Rezone +/- 455 Acres (Based On The Combined Areas Of 2 Parcels) Located On The Corner Of Frierson Road And Stamey Livestock From Agricultural Conservation/Light Industrial-Warehouse (AC/LI-W) To Heavy Industrial (HI). The Property Is Represented By Tax Map # 153-00-01-006 (P) And 153-00-01-009 (P).**

Donna McCullum also presented this request. She stated that this request is from Mr. William Carter, Jr. He is asking to rezone approximately 455 acres from Agricultural Conservation (AC)/ Light Industrial-Warehouse (AC/LI-W) to Heavy Industrial (HI). The property is located at the corner of Frierson Road and Stamey Livestock Road. At the present time, Mrs. McCullum said, the property is vacant and has been farmed.

The property is located in the Military Protection District according to the 2030 Comprehensive Plan. The property is overlaid by four different district zones of Shaw Air Force Base; it is located in the APZ 1, APZ 2, the DNL 1, and the DNL 2.

The property owner, Mr. Carter, would like to allow non-metallic mining, sand mining, and he would like to operate a concrete plant on the property. If this request is approved, Mr. Carter would have to place the concrete manufacturing plant on a portion of the property which is out of the APZ1 zoning.

There are four overlay districts of Shaw Air Force Base so it severely restricts the use of this property. The Planning Staff finds that the property is consistent with the 2030 Plan. The Subcommittee of the Planning Commission met on this request and recommended rezoning the entire piece of property to Heavy Industry. The Planning Commission recommended approval of the request.

After Mrs. McCullum comments and comments from Council members, Councilman Baker stated that he is aware of the concerns that Mr. Carter has and he is also aware of the concerns of the neighbors. Councilman Baker further stated that he is already receiving calls from the public with concerns about the proposed rezoning. However, he is in support of giving first reading to get input from the public.

The Chairman called for a motion on this matter.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Edens, and unanimously carried by Council to grant first reading to this proposed rezoning request as presented.

Street Name Change - None

Grant Awards

OTHER PUBLIC HEARINGS: None

NEW BUSINESS CONTINUED:

- (3) A Resolution Recognizing The University Of South Carolina Sumter On Its 45th Anniversary.

The Clerk to Council stated that if Council's desire, she would prepare a resolution recognizing the University Of South Carolina Sumter on its 45th Anniversary.

After reviewing the proposed resolution, Council took on its adoption.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Baker, and unanimously carried by Council to grant approval on adoption of the resolution as presented in draft format and to direct the Chairman and the Clerk to execute and deliver the resolution on behalf of the County.

- (4) 10-726 - First Reading -- An Ordinance To Amend Sumter County Code Of Ordinances, Chapter 26, Article Ii, Section 26-42 Relating To Business License Fees For Peddlers.

This proposed ordinance was introduced by the County Attorney. After comments from the Attorney, Council took action on first reading.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Baker, and unanimously carried by Council to defer first reading and to forward this matter to the Fiscal, Tax, and Property Committee for discussion.

- (5) 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) Public Safety Committee Meeting Held on **Tuesday, February 8, 2011, at 4:00 P.M.** In County Council's Conference Room at the County Administration Building - (Baker, Baten, and Sanders).

The Committee Chairman, Councilman Baker, stated that he and his Committee members met concerning the Detention Center and the Burn Ordinance. The Burn Ordinance will be placed on Council's agenda for second reading at its meeting on February 22, 2011. It is suggested that the burning be kept 50 feet from any residential dwelling.

The Detention Center Director presented information about the violent crimes that are happening in Sumter and these pretrial inmates are being housed at the Detention Center. However, the Detention Center was not built to hold these types of inmates. This matter will be discussed further.

- (2) Fiscal, Tax, and Property Committee Meeting Held on **Tuesday, February 8, 2011, at 4:30 p.m.** In County Council's Conference Room at the County Administration Building - (Baten, Blanding, and Edens).

The Chairman, Eugene Baten, presented this report and recommendations.

- ◆ Executive Session: Water matters were discussed, but no action taken.
- ◆ Mobile Home Park And The Storm Water Utilities Fees: This will be handled at a later date.
- ◆ Meeting of the Forfeiture Land Commission. The County Attorney stated that every County in South Carolina has a Forfeited Land Commission. In most counties in South Carolina, the Forfeiture is the County Treasurer, The Auditor, and the Clerk of Court. However, in Sumter County, the Forfeiture Land Commission is Sumter County Council. The purpose of the Forfeiture Land Commission is to receive and sell property at the best price it can for the benefit of Sumter County. The Commission voted unanimously to sell one piece of property (a mobile home) for \$400. The County Attorney will handle this matter.

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

- ◆ Chamber Retreat: Councilman McGhaney stated that the County's staff composed a really great Chamber Report. She thanked staff members for this fine work.

- ◆ SUATS - Councilman Byrd stated that he needs to report to Council about matters pertaining to SUATS, he asked that this matter be added to the next meeting of Fiscal, Tax, and Property.
- ◆ Regional Council On Governments: Several members of Council are members of the COG. Information will be shared with other Council members and the public at a later date.
- ◆ E-Waste: Councilman Baker stated that many of the citizens are seeing e-waste on the side of the road now because of the change of time that e-waste can be delivered. He asked the Administrator to follow-up on this matter for him.

MONTHLY REPORTS:

- ◆ Mid-Year Conference
- ◆ Legislative Conference
- ◆ Rural Summit
- ◆ Meeting Between City and County Council

ADMINISTRATOR'S REPORT:

The Administrator reported that the Review Committee for the Judicial Center has been meeting regularly. The Committee is at the point of reviewing architectural design. The group will visit Lancaster County to see its Judicial Center on Friday, February 11, 2011.

Relocation of People: Those persons that may be displaced that are currently in the High Rise have been contacted and relocation of these people will be taking place soon.

PUBLIC COMMENT:

The Chairman asked if anyone wished to speak to Council during Public Comment. No one spoke during public comment.

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 by Councilman Baker, second by Councilwoman Sanders, and unanimously carried by Council.

Respectfully submitted,

Eugene Baten

Chairman or Vice Chairman
Sumter County Council

Mary W. Blanding

Clerk to County Council
Sumter County Council

Approved: February 22, 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: February 3, 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: February 3, 2011

Respectfully submitted,

Mary W. Blanding

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