



Minutes
Sumter County Council
Regular Meeting
July 12, 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. Councilman Artie Baker, Council District #2
4. Councilman Jimmy Byrd , Council District #3
5. Councilman Charles T. Edens, Council District #4
6. Councilwoman Vivian Fleming McGhaney, Council District #5
7. Councilwoman Naomi D. Sanders, Council District #1

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT:

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

Gary Mixon, County Administrator
Lorraine Dennis, Assistant Administrator
George McGregor, Planning Director
Two Deputy Sheriff Officers

MEDIA PRESENT:

The Item

THE PUBLIC PRESENT:

Approximately 48 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 July 12, 2011, agenda as presented.

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

APPROVAL OF MINUTES: Chairman Baten stated that he would entertain a motion to approve the minutes of Sumter County Council's regular meeting held on June 28, 2011.

ACTION: MOTION was made by Vice Chairman Blanding, seconded by Councilman Baker, and unanimously carried by Council to approve the minutes of June 24, 2011, as presented by the Clerk.

APPROVAL OF MINUTES – BUDGET MEETING: Chairman Baten stated that he would entertain a motion to approve the minutes of Sumter County Council’s budget meeting held on June 30, 2011.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Blanding, and unanimously carried by Council to approve the minutes of June 30, 2011, as presented by the Clerk.

LAND USE MATTERS AND REZONING REQUESTS

Development/Rezoning Request - None

1. **RZ-11-07-- 2920 Sun Valley Dr. -- (County) - Second Reading/Public Hearing -- Request To Rezone A +/- 30 Acre Portion Of A Parcel Located At 2920 Sun Valley Dr. From Residential-15 (R-15) To Agricultural Conservation (AC). Property Tax Map # 207-00-02-001(P).**

Mr. McGregor presented this proposed request. He stated that the applicant wants to rezone a 30 acre portion of a larger parcel from Residential 15 to Agricultural Conservation. The property is located at 2020 Sun Valley Drive; it is currently vacant and it is adjacent to the intersection of Sun Valley Drive and Kolb Road. The staff recommends approval of the request.

PUBLIC HEARING:

The Chairman inquired if anyone wished to speak in favor of or opposition to this proposed rezoning request. The following persons spoke.

1. Ron Kittle stated that he lives at Kentwood Drive and that any mobile homes on Sun Valley Drive would be a detriment to his property and his home.
2. Donna Hines stated that she lives at 2840 Sun Valley Drive and the property that is scheduled to be rezoned is behind the property where she lives. She asked when the neighbors would know whether this rezoning would cause a positive or negative effect on her property value.

Chairman Baten asked Mr. McGregor to shed some light on Ms. Hines question. Mr. McGregor stated that he would not say whether or not this rezoning request would have a negative or positive effect on Ms. Hines property. Even though the request is to have a lesser rezoning than the Residential 15, the owner plans to build a home on the property.

The applicant was also allowed to speak and he stated that he plans to build one house and one shed on the property. Mr. McGregor further stated that R-15 will only allow for the house to be built first and then the accessory building; however, the Agricultural Conservation zoning does not have this type prohibition.

After all comments, the Chairman closed the public hearing and Council took action on second reading.

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

2. **OA-11-06 -- Firework Stands In AC - (11-733) -- (County) -- Second Reading/Public Hearing -- Request To Amend The Sumter County Zoning And Development Standards Ordinance Article 5, Section 5.C.6. To Make Firework Stands A Permitted Temporary Use In The Agricultural Conservation Zoning (AC) District.**

Mr. McGregor stated that at Council's request, the Planning Commission and the Planning staff have revised the temporary use section of the Zoning Ordinance to allow for Temporary Fire Work Stands In the Agricultural Conservation Zoning District as long as the use is an accessory to an existing commercial or industrial business.

The Planning Commission and Planning staff recommended approval of this request.

PUBLIC HEARING:

The Chairman inquired if anyone wished to speak in favor of or opposition to this proposed ordinance amendment. No one spoke to this issue; therefore, the Chairman closed the public hearing.

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

Street Name Change - None

Grant Awards- None

OTHER PUBLIC HEARINGS: None

NEW BUSINESS:

- (1) Discussion And Possible Action Concerning Crime In Sumter County.

The Chairman stated that he asked for this item to be placed on the agenda. *Some background on this matter started with Mr. Grier Blackwelder, President of the Chamber of Commerce, included information in light of the many in April 2011. In the letter he stated that "two weeks ago I copied most of you (the addresses of the e-mail) pertaining to an e-mail he received from a gentlemen that was considering accepting a management position with a local company here in Sumter. The man's wife was on the internet looking at the statistics and information regarding Sumter. She was very nervous about moving her due to the negative information that she found. There have been other incidences where local companies and Shaw AFB personnel have questioned our community enough to decide to live in surrounding areas.*

Chairman Baten stated that he looked on the internet about Sumter; there are many different sites that have negative information on the internet about Sumter City and County. One of the pieces of information rates Sumter County as being the third most dangerous City to live in on a scale of 50,000 to 999,000, people.

It was also noted that information on the internet has the City with the nickname of MERK City which means numerous crimes that go on in other crime infested Cities. Chairman Baten also stated that the local newspaper also run stories which reflect the crime in this community.

Chairman Baten further stated that he has spoken to several other people about this matter which includes the Chairman of Kershaw County, and the Sumter Downtown Manager. Chairman Baten asked Council members what do they feel Council should be doing concerning this matter. It was also noted by the Chairman that Sumter County Council is responsible for economic development and the crime rate may affect economic development.

Councilwoman McGhaney stated that with the economy like it is at present, Sumter County is not the only County with crime problems. She added that Sumter County Council needs to partner with the Sheriff's Department as much as Council can and do what Council can to help. She also stated that with the current work that the County Sheriff is doing, she believes that Sumter County is doing what it can to deter crime in this area. Councilwoman McGhaney also talked about the importance of programs such as two programs the Sheriff has offered: Boys' to Men and Girls' to Women which will help deter crime.

Councilman Baker stated that he has concerns about the crime rate too. He further stated that he would like to see the County with a stand-alone Vocation School. A lot of the ninth graders are falling through the cracks which then cause them to seek funds, work, etc, from the wrong source. This school could possibly help deter crime. Councilman Baker stated that Council cannot snap its finger and make things happen, but it can take small steps to help change the bigger problem.

Councilman Edens stated that with him being in real estate, and talking to people about commercial, industrial, agricultural, and residential needs, he has never heard anyone in his office make a comment that anyone the real estate state came in contact with referencing Sumter in a negative.

The Chairman further stated that the Chamber is trying to get more positive information on the internet about Sumter; but this would not solve the crime rate in Sumter. It was suggested by the Chairman that Sumter County Council will work with the City Council to come up with ideas to help us to address the crime problems in Sumter.

Councilwoman McGhaney said it would be good to work with those that are already involved in law enforcement, but that Sumter County Council is not responsible for solving this problem.

The Chairman stated that he would like to get Council members to work with the Sheriff, the Solicitor, the Public Defender, the Chamber, etc. to see how the County and City can work to help deter crime in this area.

After all comments, Council took action on this matter.

ACTION: MOTION was made by Councilwoman McGhaney, seconded by Councilwoman Sanders, and unanimously carried by Council to direct the Chairman to discuss and set at the table whoever is needed to assist with combating crime in this community.

The Chairman will keep Council abreast of what he is doing; Councilman Baker asked the Chairman to join him to check on an area in Council District #2.

- (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.

OLD BUSINESS:

- (1) 11-732 - Third Reading -- An Ordinance To Amend Sumter County Ordinance 09-691 Relating To The Solid Waste Disposal Fee.

The County Attorney presented this proposed ordinance to Council for third reading approval. He stated that the fee increase arose out of the need to cover the continuously growing expense of solid waste disposal. The ordinance would allow for the Solid Waste Disposal Fee to change from \$34 to \$40 per residential unit for Fiscal Year 2012. Furthermore, it is recommended in the ordinance that the Solid Waste Disposal Fee shall increase three per cent (3%) each year, compounded annually, for the nine (9) years following Fiscal Year 2012 so that the automatic increase will end at the end of Fiscal Year 2021.

There are have been no changes to the ordinance since second reading and public hearing.

Councilman Baker stated that he has not changed his mind on fees be charged to the citizens.

After all comments, Council took action on third reading.

ACTION: MOTION was made by Councilwoman McGhaney, seconded by Councilwoman Sanders, and carried by Council to grant third reading approval of this ordinance. Council members Baker, Byrd, and Edens voted in opposition; Council members, Baten, Blanding, McGhaney, and Sanders voted in the affirmative.

COMMITTEE REPORTS:

- (1) Internal Affairs Committee Meeting Held On Tuesday, July 12, 2011, at 4:30 p.m. Sumter County Council In County Council's Conference Room At The County Administration Building.

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

✓ Building Codes Board Of Appeals

1. Two County Appointments: Appoint William Smith to this Board:

ACTION: MOTION, second, and unanimous consent were received from the Committee, and unanimously approved by Sumter County Council, to appoint Mr. William Smith to the Building Codes Board of Appeals.

✓ Crystal Lakes Golf Course Advisory Board - No Action.

1. Appointment

✓ Development Board- No Action.

1. Appointment

✓ Library Board- No Action.

1. Appointments

✓ Planning Commission - No Action.

1. Joint Appointment

✓ Stormwater Management And Sediment Control- No Action.

1. Joint Appointment

✓ Workforce Investment Board - It was recommended by the Committee to reappoint Virginia Dority, Jeannine Gamble, Tom Garrity, Joe Perry, Anita White, and Ryan Cagle to the Workforce Investment Board.

ACTION: MOTION, second, and unanimous consent were received from the Committee, and unanimously approved by Sumter County Council, to reappoint Virginia Dority, Jeannine Gamble, Tom Garrity, Joe Perry, Anita White, and Ryan Cagle to the Workforce Investment Board.

(2) Fiscal, Tax, And Property Committee Meeting Held On **Tuesday, July 12, 2011, At 5:00 P.M.** In County Council's Conference Room At The County Administration Building - (Baten, Blanding, And Edens).

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

- Discussion On Contractual Matter Pertaining Property. The Committee recommended that Council direct the County Administrator to continue negotiation to purchase property on Airport Road and Housing Authority Property.

Airport Road Property

ACTION: MOTION and second were received from the Committee, and carried by Council to approve the County Administrator to continue negotiations on property located on Airport Road. Councilman Edens did not participate in the voting on this matter, Councilmember Jimmy Byrd voted nay, and Council members, Baten, Baker, Blanding, McGhaney, and Sanders voted in the affirmative. The motion carried.

Housing Authority Property

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to authorize the County Administrator to make an offer to the City of Sumter to continue negotiations with the Sumter Housing Authority for property.

Discussion And Possible Action Pertaining To Water. The Committee discussed and recommended approval of a rate increase for Shiloh Water Company with incremental 2% annual increases.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to authorize the County Administrator to implement a rate increase for the Shiloh Water Company with a 2% increase beginning with the first billing from the date of this meeting, and a 2% increase each year after the initial increase, totaling five years at which time an evaluation will be undertaken as to the needs of the Water Company. (The increase will be a 33 cents increase).

Discussion And Action On Enhancement Project On Alice Drive. The Committee discussed the need to participate in the Enhancement Project on Alice Drive to provide for the underground utilities in Phase III of the Alice Drive widening project. The total cost of the project is \$765,000. The local match amount is \$153,000 or approximately \$76,500 each for the City and the County. It was recommended by the Committee to provide \$76,500 from Council's Infrastructure Fund towards this project.

ACTION: MOTION and second were received from the Committee, and carried by Council to authorize the County Administrator to secure up to \$76,500 from the County's Infrastructure Project for the Alice Drive Enhancement Project. Councilman Blanding voted nay.

(3) **Report From Council Members On Other Meetings, Trainings, And/Or Conferences.**

- Councilwoman McGhaney reemphasized the need for the water rate increase for Shiloh Water Company. She stated that to her knowledge, there has not been a rate increase since the implementation of the Water Company

MONTHLY REPORTS:

- Rembert Area Community Coalition, Dr. Juanita Britton.
- Sumter Branch of the NAACP.
- Love Covenant Church's RUACH Banquet and Meeting Hall.

- Letter of Thanks, Sharp Construction Company, Thompson Construction Group, R. S. Bell Architects, LLC, Sumter Smart Growth, and Ozzie's At The Rustic Market
- SCAC Legislative Policy Development Process
- Time Warner Cable

ADMINISTRATOR'S REPORT:

The County Administrator, Gary M. Mixon, gave the following report.

- Recognized Fred Gordon, one of the County's New Summary Court Judges (Magistrate Judge).
- Held a department head luncheon (elected officials as well as administrative offices).
- Visitation of County operations will take place over the next few weeks.
- S. C. Adjutant General's Office notified the County that the Local Emergency Management Performance Grant -- \$56,417.

PUBLIC COMMENT:

The Chairman acknowledged the presence of Mr. Gene Peagler, Director of Sumter County Alcohol and Drug Abuse Commission. Then the Chairman asked if anyone wished to speak during public comment; the following persons spoke.

- Steve Schmidt spoke to Council about the Solid Waste Disposal. He stated that this fee is killing the people that own more than one or two mobile homes. Mr. Schmidt said he owns 38 mobile home rental properties and the fees are hurting his business.
- Rev. Howard was concerned that there was no sign in sheet (the Chairman clarified that the Clerk had moved the sign in sheet right after the meeting started). He also talked about crime and the need to help teenagers and their parents.

ADJOURNMENT:

There being no further business and no additional comments from the public, the meeting was adjourned at 7:12 p.m. after a motion by Councilman Byrd, seconded by Councilman Baker, 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: July 26, 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: July 7, 2011

Media Notified: Yes

Manner Notified: Agenda Information is listed on Sumter County's Home Page, and E-mailed to The Item, The Chamber, WIS-TV, WBTW, and Time Warner Cable.

Date Notified: July 7, 2011

Respectfully submitted,

Mary W. Blanding

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