



Minutes
Sumter County Council
Regular Meeting
September 13, 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

COUNCIL MEMBERS ABSENT:

- Councilwoman Naomi D. Sanders, Council District #1

STAFF MEMBERS PRESENT:

Mary W. Blanding, Clerk to Council	Gary Mixon, County Administrator
Lorraine Dennis, Assist. County Administrator	George McGregor, Planning Director
Pam Craven, Finance Director	Two Deputy Sheriff Officers
Keysa Rogers, Budget Analyst	The Honorable C. Richardson, Treasurer
Ms. Donna McCullum, Zoning Administrator	

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 September 13, 2011, agenda as presented. The following action was taken.

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

APPROVAL OF REGULAR MEETING MINUTES: Chairman Baten stated that he would entertain a motion to approve the minutes of Sumter County Council's regular meeting held on July 26, 2011.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Byrd, and unanimously carried by Council to approve the minutes of August 23, 2011, as presented by the Clerk.

NOTE: Chairman Baten recognized two of the School Board members, The Honorable Larry Addison, Chairman of Sumter School District Board of Trustees, and the Honorable Patty Wilson, member of the Board of Trustees for Sumter School District.

LAND USE MATTERS AND REZONING REQUESTS

Development/Rezoning Request - None

- (1) **OA-11-10 - Document Submission Waiver Authority (County) - First Reading -- (11-741) -- A Request To Amend Article 9, Section 9.B.1. To Allow The Zoning Administrator The Authority To Waive Document Submission Requirements For The Development Applications Listed In 7.B.3. Of The Sumter County Zoning And Development Standards Ordinance.**

Ms. Donna McCullum, Zoning Administrator, stated that this is an ordinance amendment requesting a document submission waiver authority. The submission requirements for subdivision and site plan applications are outlined in Article 9 of the Zoning Ordinance. In some instances, the submission requirements as outlined in Article 9 are not relevant to a given project, however; under current regulations the approval authority to waive a submission requirement is given to the Planning Commission and not to the Zoning Administrator. Ms. McCullum stated that revision of this section of the Ordinance makes sense and will help to expedite the review and approval process for future development applications.

THE FOLLOWING CHANGES TO SECTION 9.B.1. OF THE ORDINANCE HAVE BEEN RECOMMENDED – NEW TEXT IS INDICATED IN BOLDFACE TYPE.

9.b.1. The documents to be submitted are shown in Exhibit 24 and on the following pages. This section of the Ordinance is designed to assist an applicant in meeting the requirements in 7.b.3. of this document. In specific cases and for documented reasons, ~~the Sumter City County Planning Commission~~ **Zoning Administrator** may waive the submission of a particular document **upon request and justification by the applicant.** The reasons for the waiver shall be ~~indicated~~ **documented** in the ~~minutes of the Planning Commission~~ **permanent case record.**

After review of the request as presented by Ms. McCullum, Council took action on first reading.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Baker, and unanimously carried by Council to grant first reading approval as presented by Ms. McCullum.

- (2) **RZ-11-09 -- 1232 Alice Drive - Second Reading/Public Hearing - A Rezoning Request To Rezone A +/- 0.63 Acre Parcel Located At 1232 Alice Drive (West Side Of Alice Dr. Between Broad Street And Wesmark Boulevard) From Limited Commercial (LC) To General Commercial (GC). The Property Is Represented By Tax Map #203-11-02-007. (Council Will Hold A Public Hearing Prior To Action On Second Reading.)**

Ms. McCullum also presented this request. She stated that the applicant, Mr. Richard Norris, is requesting to rezone this property from Limited Commercial to General Commercial. The location is 1232 Alice Drive. The property is located north of the Market Plaza and across the street from Lang Jennings Drive. Also, this property is contiguous to Commercial Zoning. After Ms. McCullum's presentation, the Chairman convened a public hearing on this matter.

PUBLIC HEARING:

The Chairman asked if anyone wished to speak in favor of or opposition to the rezoning request.

- Mr. Richard Norris, the property owner, spoke in support of the request. He stated that he has tried to rent the property as limited commercial; however, having it rezoned as General Commercial will provide him with more usage for the property.

The Chairman asked if anyone else wished to speak to this issue, no one else spoke to this matter; therefore, the Chairman closed the public hearing and Council took action on second reading for this rezoning request.

ACTION: MOTION was made by Councilman Baker, seconded by Councilwoman McGhaney, and unanimously carried by Council to grant second reading approval as presented by Ms. McCullum.

- (3) **OA-11-07 -- Tattoo Parlors - Second Reading/Public Hearing -- (11-739) A Request To Amend Article 5, Section B: 5.b.3.1. Tattoo Parlors In Order To Reflect State Law Requirements For Tattoo Parlors And To Remove The Residential Separation Requirement From Special Exception Review Criteria For Tattoo Parlors. (Council Will Hold A Public Hearing Prior To Action On Second Reading.)**

Ms. McCullum stated that this ordinance amendment was brought to the Planning Commission by the applicant, Ms. Jessica Balmer. She is requesting to amend Article 5, Section B: 5.b.31, Tattoo Parlors in order to reflect the State Law requirements for Tattoo Parlors and to remove the residential separation requirement from special exception review.

Ms. McCullum gave Council background on this matter from the banning of Tattoo Parlors in 1966 to 2004 when South Carolina passed legislation to allow Tattoo Parlors. Also, in 2006, the State finalized its requirements for licensing Tattoo Parlors. However, the County adopted some regulations for the Tattoo Parlors before the State finalized its regulations.

Ms. Balmer would like for Council to consider the proposed ordinance amendment as listed below.

PROPOSED ORDINANCE AMENDMENTS

The request as submitted by the applicant would result in the following changes:

5.b.3.l: Tattoo Parlor:

1. The reference use shall not be located within ~~five hundred feet (500 ft.)~~ **one thousand feet (1,000 ft.)** ~~[measured in a straight line from property line to property line]~~ of a ~~residential use~~, church or religious institution, public or private school, public park or recreational facility ~~or any other tattoo parlor~~. **The distance shall be the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of grounds in use as part of the church school or playground.**

The Ordinance would be amended in the above fashion (new language *bold and italics*); the Planning Commission recommended approval of the ordinance amendment as presented by Ms. McCullum.

Councilman Byrd asked the Planning staff how many people may have been denied a rezoning request for a Tattoo Parlor because of the County's strict regulations. Ms. McCullum could not answer this question, but she would check on this matter.

Mr. George McGregor, the Planning Director stated that this request only changes the first part of the text which is the criteria. However, it does not change the public hearing, special exception, etc. The request can meet all of the requirements, yet the Board of Zoning Appeals can still fine for other reasons. This ordinance amendment will make it somewhat easier for business owners to find a location to begin the process.

Councilman Edens asked if there are other zoning requirements that measure from property line to property line; and if Council changes this request which is from building to building, what will this action do to the property line to property line requirements. The Planning staff stated that they do not foresee any big problem if this change happens. Mr. McGregor stated that his staff can and will itemize the special exceptions to see where the Planning Commission stands on this matter.

NOTE: The Planning Staff and the County Attorney will follow-up on this matter by evaluating the different zoning requirements of property line to property line and those from building to building.

PUBLIC HEARING:

After all questions, the Chairman convened a public hearing on this proposed request. He asked 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 and Council took action on second reading.

ACTION: MOTION was made by Councilman Edens, seconded by Councilwoman McGhaney, and unanimously carried by Council to grant second reading approval as presented by Ms. McCullum.

Street Name Change - None

Grant Awards- None

OTHER PUBLIC HEARINGS:

- (1) 11-737 -- An Ordinance Amending Ordinance 11-731 Of Sumter County, South Carolina (The 2011-2012 Sumter County Budget Ordinance) By Changing The Amount Of Anticipated Funds, Moneys And Revenues Estimated To Be Received By Sumter County From All Resources And Changing The Amount To Be Allocated Toward The 2011-2012 Budget Of Sumter County. (Council May Take Action On Second Reading Immediately After The Public Hearing Or During Old Business.)

After the County Attorney made a presentation to Council concerning this proposed ordinance as listed under Old Business, the Chairman convened a public hearing on this matter. He asked if anyone wished to speak in favor of or opposition to this proposed ordinance. No one spoke to this matter; therefore, the Chairman closed the public hearing and Council took action on second reading listed below.

- (2) 11-738 - An Ordinance Authorizing The Transfer Of Property From Sumter County To The City Of Sumter Housing Authority. (Council May Take Action On Second Reading Immediately After The Public Hearing Or During Old Business.)

The County Attorney presented this proposed ordinance to Council as listed under Old Business. After the Attorney's presentation, the Chairman convened a public hearing on this matter. He asked if anyone wished to speak in favor of or opposition to this proposed ordinance.

The following person spoke concerning this matter.

- Patty Wilson stated that she is not opposed to nor is she in support of the ordinance; however, she stated that she has a question about whether or not this is the same property to be used for the construction of the Judicial Center. She also asked Council what will happen if some glitch comes about and the transfer does not take effect. The Attorney was asked to follow-up with Ms. Wilson on tomorrow if she is so inclined to do so.

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

NEW BUSINESS:

- (1) A Proclamation Recognizing National Mental Health Awareness Month (NAMI Sumter).

The Clerk to Council, Mary W. Blanding, informed Council members that the proclamation in their packets was asking for Mental Health Awareness Month; however, NAMI Sumter asked Council to support a "Candlelight Vigil." Therefore, the proclamation has been reworded to read as such. Mrs. Blanding asked Council to consider approving the proclamation.

Mental Health Candlelight Vigil 2011
"Creating Change Through Vision And Action"

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives by creating changes through a concrete vision and then carrying out the vision; and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

THEREFORE, I, Eugene R. Baten, Chairman of Sumter County Council, do hereby proclaim October 8, 2011, as Mental Health Awareness Day in Sumter County, South Carolina. As Chairman of Sumter County Council, I call upon the citizens, government agencies, public and private institutions, businesses, and schools in Sumter County for all of us to recommit our community to increasing awareness and understanding of mental health, the actions our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

IN WITNESS THEREOF, I have hereunto set the Seal of Sumter County to be Affixed this 8st Day of October 2011.

After review of the proclamation, Council took action on its adoption.

ACTION: MOTION was made by Councilman Byrd, seconded by Vice Chairman Blanding, and unanimously carried by Council to approve the proclamation and directed the Chairman and the Clerk, to execute and deliver the proclamation on behalf of the County.

(2) A Proclamation Recognizing Red Hat Day In Sumter County, South Carolina.

Mrs. Blanding also presented this proposed proclamation for Council's consideration. She asked the Chairman or one of the Council members to be prepared to read the proclamation on October 8, 2011. The event will be at the Sumter Mall at 10:00 a.m., Center Court.

*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 Sumter Red Hat Society has joined with the Pink Hatters Of Sumter and surrounding Counties so that both groups can share their expertise and enjoy their zest for life; and

WHEREAS, This group of outstanding ladies will join together with their Fancy Hats to meet and greet each other so that fellowship will be the ultimate achievement of this annual event.

NOW, THEREFORE, BE IT RESOLVED that Members of Sumter County Council hereby applaud and salute the Sumter County's Red Hat Society and Sumter County's Pink Hat Society in celebrating this annual event for women of leadership and tenacity.

*BE IT FURTHER RESOLVED that Sumter County Council declares October 8, 2011, as **Red and Pink Hatters Day in Sumter County, South Carolina** and that this day be celebrated by all members of the Red Hat and Pink Hat Societies and those who love life.*

GIVEN UNDER THE SEAL OF SUMTER COUNTY COUNCIL this 8th day of October, 2011, by Members of Sumter County Council.

After review of the proclamation, Council took action on its adoption.

ACTION: MOTION was made by Vice Chairman Blanding, seconded by Councilman Byrd, and unanimously carried by Council to approve the proclamation as presented and directed the Chairman and the Clerk to execute and deliver the proclamation on behalf of the county.

(3) A Resolution Authorizing The Sheriff Of Sumter County To Enter Into A Mutual Aid Agreement With The City Of Sumter Police Department.

The County Attorney, Mr. Johnathan Bryan, presented this proposed resolution to Council on behalf of the County's Sheriff, Anthony Dennis and the Sheriff's Attorney Kathy Ward. This resolution is similar to former resolutions that Sumter County Council passed as it relates to Mutual Aid Agreements with the Sheriff's Office and other municipalities. After review of the resolution, Council took action on its adoption. The resolution is listed below.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Edens, and unanimously carried by Council to approve the resolution as presented and directed the Chairman and the Clerk to execute and deliver the proclamation on behalf of the County.

WHEREAS, the South Carolina Law Enforcement Assistance and Support Act, codified in Sections 23-20-10 through 23-20-60 of the Code of Laws of South Carolina, (2007, as amended) authorizes law enforcement agencies of this State to enter into contractual agreements with other law enforcement agencies as may be necessary for the proper and prudent exercise of public safety functions; and

WHEREAS, Sections 23-1-210 through 23-10-215 of the Code of Laws of South Carolina, (2007, as amended) further authorizes the temporary transfer or assignment of law enforcement officers within multijurisdictional task forces established for the mutual aid and benefit of the participating jurisdictions, upon written agreements between the concerned municipalities or counties; and

WHEREAS, Section 5-7-120 of the Code of Laws of South Carolina, (2004, as amended) further authorizes the temporary transfer or assignment of municipal law enforcement officers to requesting political subdivision in cases of emergency, provided a complete record of the request, together with the name of the officers sent, is recorded in the minutes of the next regular or special meeting of the governing bodies of both the requesting and the sending political subdivisions; and

WHEREAS, the Sumter County Council finds such agreements to be reasonable, prudent and desirable, and that such agreements serve the best interests of the citizens of Sumter County; and

WHEREAS, the Sumter County Council finds that the Sheriff, as the chief law enforcement officer for Sumter County, duly elected by the citizens of this County, is uniquely qualified and authorized to make determinations concerning the organization, initiation, implementation, and supervision of law enforcement activities and operations by his office and/or in conjunction with other law enforcement agencies;

NOW, THEREFORE, BE IT RESOLVED by the County Council of Sumter County, South Carolina, in meeting duly assembled, that the Sheriff of Sumter County is authorized to enter into the attached mutual aid agreement, hereby incorporated into this Resolution, with the City of Sumter Police Department on behalf of Sumter

County and/or the Sumter County Sheriff's Office, and the Sheriff is hereby authorized to affix his signature to said agreement.

- (4) 11-740 - First Reading -- An Ordinance Establishing New Electoral Districts For The Election Of Members Of Sumter County Council Pursuant To The United States Census Of 2000 And In Compliance With Section 4-9-90, South Carolina Code Of Laws (1976, As Amended).

The County Attorney presented this proposed ordinance to Council for first reading consideration. He informed Council that the caption had Census of 2000, but it should be changed to Census of 2010. Mr. Bryan further stated that the 2010 Census revealed that due to population shifts and growths at various rates, there is a population deviation among our County Council voting districts with a total population of 107,456 people. The average Council District should have 15,351 people in each district; however, the population in District Three is 16,834, which is 9.66% above average. On the other hand, Council District Six has 13,738 people which 10.51% below average. Therefore, the total deviation is 20.71% and State Law requires that the deviation be no more than 10%. Since the County's deviation is more than 10%, the County must adjust County Council's voting district lines. It is necessary for each district population to be as close to \$15,351 to pass the U. S. Justice Department's requirements and review.

The Attorney then called to Council's attention the following section of the ordinance.

ADOPTION OF PLAN

Section 2.01 New District Lines.

From and after the effective date of this Ordinance as defined in Article V below (the "Effective Date"), the County shall be divided into seven (7) new districts (the "New Districts") for the purposes of electing members to the Council. Each New District shall be entitled to elect one (1) member of Council in accordance with the provisions of Section 4-9-90 of the Code. The New Districts are as defined and delineated on the schedule of precincts and voting districts attached as

Mr. Bryan stated that the attachments to the ordinance will be a map and the precincts which outline the Council Districts in each precinct. Before Council tonight is a plan and map which was prepared by the S. C. Office of Research and Statistics part of the S. C. State Budget and Control Board. This map is referred to as the ORS Map.

The Attorney also indicated that federal laws will not allow the County to dilute the Black Voting Population in a respective District. Council must look at the Bench Mark Statistics to see the percent Black Voting Age Population in the different districts to see what those numbers are and if the numbers change, they cannot dilute the minority population.

Then the Attorney reviewed each map along with Council members (ORS Map [22 split precincts] and a map developed by Councilmen Byrd and Blanding [9 split precincts]). After the Attorney's presentation, Council members then continued to discuss and review the maps and the ordinance.

Chairman Baten stated that he contacted the Department of Research and Statistics asking them to do two things; first to make sure that each Council seat and School Board seat

remains in their current district. Secondly, he asked them to give Sumter County a plan that they felt would pass Preclearance by the U. S. Justice Department. Therefore, the ORS plan before Council meets those specifications. He further stated that he is not in favor of the Byrd/Blanding Plan based on splits in District Seven that did not need to be split.

The Chairman then asked Council to consider which Plan they would like to vote on to receive first reading.

ACTION: MOTION was made by Councilwoman McGhaney to grant first reading to the ORS Plan; Chairman Baten seconded the motion. Councilman Baker, Edens, and Byrd voted nay; Councilwoman McGhaney and Chairman Baten voted in support of the motion, and Vice Chairman Blanding did not vote. (Note: Councilwoman Sanders was out due to her illness.) The motion failed.

Then Councilman Byrd offered another motion.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Edens, and carried by Council to grant first reading to the Byrd/Blanding Plan. Councilman Baker, Edens, and Byrd voted in the affirmative; Councilwoman McGhaney and Chairman Baten voted in opposition, and Vice Chairman Blanding did not vote. (Note: Councilman Byrd stated that there is still time to tweak this plan to address the concerns of both Councilwoman McGhaney and Chairman Baten. This plan only has nine split precincts.)

Council members discussed further the splits in this proposed plan; however, it was stated by Councilman Byrd and by Vice Chairman Blanding that anyone who would like to work with them on addressing any concerns with the map that they have developed can do so at anytime. Vice Chairman Blanding further stated that the purpose of the map/plan is to reduce the splits as well as to provide each Council member with a coherent district which will be with fewer changes as possible while still meeting the Justice Department's requirements. He further stated that he is not wedded to this plan or any other plan; he just wants to meet the requirements of the law.

- (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.

OLD BUSINESS:

- (1) 11-737 -- Second Reading -- An Ordinance Amending Ordinance 11-731 Of Sumter County, South Carolina (The 2011-2012 Sumter County Budget Ordinance) By Changing The Amount Of Anticipated Funds, Moneys And Revenues Estimated To Be Received By Sumter County From All Resources And Changing The Amount To Be Allocated Toward The 2011-2012 Budget Of Sumter County.

The County Attorney, Mr. Johnathan Bryan, stated that this proposed ordinance is an amendment to the County's 2011-2012 Budget Ordinance which was approved in June 28, 2011. There are two matters that Council needs to consider. First, there is a change of what is expected to expend and the amount of revenue by hiring a person to conduct the audit of residential real estate in Sumter County. It will cost the County approximately \$40,000 to handle this matter which is an adjustment to the budget. Also, Council approved capital purchases for the budget which will require the staff to use approximately \$295,000 from the Authorized Reserve.

Secondly, it was discussed in Fiscal, Tax, and Property today, that the County's millage sheet will have a change on the millage sheet. Formerly the County had two School Districts and there was a tax district which was listed as Tax District #70. Therefore, the manner in which the Billing Software was set-up, the County must maintain a Tax District #70 which was School District #2. The software will be fixed at a later date, but could not be fixed prior to the tax bills being mailed. This district is synonymous for all purposes to District 17.

After all comments by the Attorney, the Chairman convened a public hearing on this matter. Once the public hearing was concluded the Council took action on second reading.

ACTION: MOTION was made by Councilman Edens, seconded by Councilwoman McGhaney, and unanimously carried by Council to grant second reading approval.

(2) **11-738 - Second Reading -- An Ordinance Authorizing The Transfer Of Property From Sumter County To The City Of Sumter Housing Authority.**

Mr. Bryan stated that some of the property across the street from the Administration building is owned by the Sumter Housing Authority. The City and County have agreed to swap property owned by the City Housing Authority with property owned by the City and County located on Highway 521 South. Thereby, property currently owned by the Sumter City Housing Authority would be released so that the County can begin work on the Judicial Center which will be constructed on the property in question.

The Attorney stated that everything is ready to consummate this process. After all comments by the Attorney, the Chairman convened a public hearing on this matter. Once the public hearing was concluded the Council took action on second reading.

NOTE: The County Attorney stated that the concern he has about the property has to do with making sure all property descriptions are correct and that everything is recorded properly. All parties involved with this process are in support of the swap of property.

ACTION: MOTION was made by Councilman Edens, seconded by Councilwoman McGhaney, and unanimously carried by Council to grant second reading approval.

- (3) 11-734 - Third Reading -- An Ordinance Authorizing Sumter County, South Carolina, To Enter Into A Lease Purchase Transaction Relating To The Financing Of Various Equipment; Authorizing The Execution And Delivery Of An Equipment Lease Purchase Agreement In An Amount Not To Exceed \$1,260,000; And Other Matters Relating Thereto.

The County Attorney presented this proposed ordinance to Council for third reading approval. After its introduction, Council took action on third reading.

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

- (4) 11-736 - Third Reading -- An Ordinance Amending Chapter 2, Article Ii, Division 2, Code Of Ordinances, Sumter County, South Carolina To Add A Rule To Allow First Reading Of A New Ordinance By Title Only.

The County Attorney presented this proposed ordinance to Council for third reading approval. After its introduction, Council took action on third reading.

ACTION: MOTION was made by Councilwoman McGhaney, seconded by Councilman Byrd, and unanimously carried by Council to grant third reading and adoption of this ordinance as presented.

COMMITTEE REPORTS:

- (1) Internal Affairs Committee Meeting Held On **Monday, September 12, 2011, 4:00 P.M.** In County Council's Conference Room At The County Administration Building (Byrd, McGhaney, Sanders)

The Committee Chairman, Councilman Byrd, gave the following report and recommendations to Council members for action.

✓ Crystal Lakes Golf Course Advisory Board

1. Appointment - **Recommend to appoint Mr. Richard Leroy Holland (Replace Mr. Benjamin Bailey)**

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to appoint Mr. Richard Holland to the Crystal Lakes Golf Course Advisory Board; thereby, completing the unexpired term of Mr. Benjamin Bailey.

✓ Development Board - **No action at t his time.**

1. Appointment

✓ Building Codes Board Of Appeals - **No action at t his time.**

1. One County Appointment

✓ Library Board

1. Appointments - Discuss this matter with Council members; the Committee had three names to consider and asked Council members for input in selecting a person for this board (this was discussed during Fiscal, Tax, and Property in Executive Session). After discussions on this matter, Council recommended Randa Edmunds to replace Delcia Harper Baxter.

ACTION: MOTION was made by Councilman Byrd, seconded by Councilman Edens, and unanimously carried by Council to appoint Randa Edmunds to replace Board Member Delcia Harper Baxter.

✓ Planning Commission - **Recommend to Council then to City Council applicant #1 (Constance Lane)**

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to appoint Constance Lane on the Planning Commission as a joint appointment between the City and County. This name was recommended by the City of Sumter.

✓ Stormwater Management And Sediment Control - **No action at t his time.**

1. Joint Appointment

✓ **IV. Additional Items: _ No action at t his time. Airport Commission - Follow-up with County Attorney**

- (2) Fiscal, Tax, And Property Committee Meeting Held On **Tuesday, September 13, 2011, At 5:30 P.M.** In County Council's Conference Room At The County Administration Building - (Baten, Blanding, And Edens).

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

- a) Briefing and Update On Contractual Matters Pertaining To Economic Development.

No action taken.

- b) Discussion On Contractual Matter Pertaining To R. E. Davis.

- c) Personnel/Employment Matter. The Committee received a request to allow the staff to fill a vacant position in the Magistrate's Office. The Committee recommended approval of the request as well as additional freedom concerning hiring as listed below in the second action item.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to approve the request to allow the staff to fill the vacant position in the Magistrates Office. This is not a new position; it is filling an existing position which has become vacant.

HIRING FREEZE REVISION:

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to approve streamlining the County's existing Hiring Freeze by allowing the Administrator and Assistant Administrator to have the freedom of filling **any new** vacant positions as appropriate through justification of the need and funding for the position and to keep Council informed of those positions being filled; but not to add on any new positions to the County's Employee Position Sheet or any other position without prior approval from Council.

- d) Continued Discussion On Sumter County's 2011-2012 Millage Sheet Prior To Signing Official Document. The Committee received information on the Millage Sheet from the County Auditor and the County Attorney. Once the Auditor, Treasurer, and Finance Director sign the sheet, Council members will do the same.

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

- Councilman Byrd asked the Clerk to provide copies of the SUATS recent information to each of the Council members.

MONTHLY REPORTS:

- Department of Health and Human Services
- Public Officials Guide To Compliance With S. C. Freedom Of Information Act (Correct as of June 2011)
- Emergency Management Activity Report
- 64th Birthday of The United States Air Force and the 70th Anniversary of Shaw Air Force Base
- Department of Justice Program -- \$16,738 Grant
- Library Monthly Report
- VitaMin Information
- Sumter County Sheriff's Office Monthly Report
- Community Summit - Patty Wilson
- Military Appreciation Picnic - September 29, 2011

ADMINISTRATOR'S REPORT:

The Administrator agreed to defer his report until the next meeting.

PUBLIC COMMENT:

The Chairman asked if anyone wished to speak during public comment; the following person spoke.

- Mr. Ralph Baker spoke to Council concerning ordinance 11-736. He stated that if an ordinance is going to be read by title only, is there an online source where the public can review the ordinance. *The Attorney stated that ordinances are not placed online until they are adopted; however, if anyone wants a copy, they can see the Clerk to Council.*

ADJOURNMENT:

There being no further business and no additional comments from the public, the meeting was adjourned at 7:42 p.m. after a motion by Councilman Byrd, seconded by Councilman Baker, 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: September 27, 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: September 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: September 7, 2011

Respectfully submitted,

Mary W. Blanding
Mary W. Blanding