



Minutes
Sumter County Council
Regular Meeting
November 22, 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, District 1

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT:

| | |
|-----------------------------------------------|------------------------------------|
| Mary W. Blanding, Clerk to Council | Gary Mixon, County Administrator |
| Lorraine Dennis, Assist. County Administrator | George McGregor, Planning Director |
| Fred Gordan, Sumter County Magistrate | Two Deputy Sheriff Officers |
| Keysa Roger, Budget Analyst | |

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 November 22, 2011. The Clerk to Council asked the Chairman to consider adding one item on the agenda; "Public Safety Committee Report" which would be the first item under Committee report and then renumber the remaining reports.

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

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 November 8, 2011.

ACTION: MOTION was made by Councilwoman McGhaney, seconded by Councilman Edens, and unanimously carried by Council to approve the minutes of November 8, 2011, as presented.

LAND USE MATTERS AND REZONING REQUESTS
Development/Rezoning Request -

- (1) **RZ-11-10 -- 1671 And 1673 N. Main Street - Second Reading/Public Hearing - A Request To Rezone Two Parcels Totaling +/- 2.41 Acres Located At 1671 & 1673 North Main Street From General Residential (GR) To Agricultural Conservation (AC). The Property Is Represented By Tax Map #S 246-00-02-018, 246-00-02-054, & 246-00-02-055(Part). (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Rezoning Request.)**

The Planning Director, Mr. George McGregor, presented this rezoning request to Council for second reading consideration. This proposed rezoning would allow for 2.41 acres of land to be rezoning from General Residential to Agricultural Conservation.

The applicant hopes to reestablish a commercial business (fabric shop) at this location. The Planning Commission and Planning staff recommended approval of the request. After comments from the Planning Director, the Chairman asked Council members if they had any questions; no one had questions. Then the Chairman convened a public hearing.

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

- Mrs. Donna Nutter spoke in support of the rezoning request.

No one else spoke in support or opposition to the request. The Chairman closed the public hearing and Council took action on second reading.

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

- (2) **OA-11-12 -- Produce Sales (County) - Second Reading/Public Hearing -- (11-749) -- Request To Amend Article 3, Sections 3.G.3, 3.H.3, 3.I.3, & 3.N.3; Exhibit 5; Article 5, Section 5.B.1 And Article 10: Definitions Of The County Zoning And Development Standards Ordinance To Make Produce Sales A Conditional Use In The Neighborhood Commercial (NC), Limited Commercial (LC), General Commercial (GC), And Agricultural Conservation (AC) Zoning Districts. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Ordinance Amendment.)**

Mr. McGregor stated that this is an ordinance amendment that would add produce sales in the County in the Commercial Districts and Agricultural Conservation Districts. These produce sales are defined as mobile locations where produce is sold, more than not, on a vacant or unoccupied lot. Mr. McGregor reminded Council that at first reading Council asked whether there was the ability to outright protect the people that grow their own produce or farming operations, be protected operations, as opposed to someone who buys

at the farmers market and then resells the produce. He stated that there is language that can be added to protect those that grow their own produce. Councilman Edens stated that he was the Council member that asked for this to be included in the ordinance; however, after hearing the comments from Councilwoman McGhaney and input from others, he would like to withdraw that suggestion. He added that he would hate to do something that would be an adverse effect on the people in the rural areas. The people in the rural areas would just like to have some fruit and vegetables and they are not concerned about where it comes from. The language will not be added to the rezoning request.

Mr. McGregor stated that this ordinance will allow the produce sellers to be legal in the County and manage the enforcement issue in a more manageable manner. After all comments, 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.

- Mr. Larry Harris stated that he is a certified vegetable Farmer in the State of South Carolina. He stated that he and his wife would like to compare rules with the City of Sumter and the County of Sumter. This change, if approved by Council, would allow farmers to sell the produce in the County and not be required to go into the City of Sumter.

The Chairman asked if anyone else wanted to speak in favor of or opposition to the ordinance. No one else spoke during public hearing; therefore, the Chairman closed the public hearing and Council took action on second reading.

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

- (3) **MA-11-01 -- Sumter 2030 Comprehensive Plan Update - Population & Housing (County) - Third Reading (11-748) -- A Request To Update The Sumter City-County Comprehensive Plan To Incorporate 2010 Census Population Figures And 2009 American Community Survey Housing, Income, And Education Figures.**

Mr. McGregor stated that this request is a Comprehensive Plan amendment which revises chapters one and two (Population and Housing) of the 2030 Comprehensive Plan. There have been no changes since first reading.

After all comments, the Chairman called for a motion on this Comprehensive Plan Amendment.

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

Street Name Change - None

Grant Awards- None

OTHER PUBLIC HEARING: None

NEW BUSINESS:

- (1) A Proclamation Proclaiming December 2, 2011, As Arbor Day In Sumter County, South Carolina.

The Clerk to Council, Mary W. Blanding, presented this proposed proclamation to Council for consideration. Pocalla Springs Elementary School, Sumter, South Carolina, will hold an Arbor Day celebration on Friday, December 2, 2011, at 10:00 a.m. at the school. Chairman Baten has been invited to attend the Celebration and to read the proclamation. She asked Council to consider adopting the Proclamation which is listed below.

WHEREAS, In 1872, J. Sterling Morton, proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, The holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, Trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, Trees are a renewable resource giving up paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, Trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW THEREFORE, I, Eugene R. Baten, Chairman of the Sumter County Council, do proclaim December 2, 2011, as Arbor Day in the County of Sumter, South Carolina, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

FURTHERMORE, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Given under the seal of the County this 22nd day of November, 2011.

After all comments, Council took the following action concerning this proclamation.

ACTION: MOTION was made by Councilman Baker, seconded by Councilwoman Sanders, and unanimously carried by Council to adopt the proclamation as presented and directed the Chairman and the Clerk to execute and deliver the proclamation on behalf of the County.

- (2) **11-750 -- First Reading -- An Ordinance Authorizing An Amendment To The Agreement For The Development Of A Joint County Industrial And Business Park Between Kershaw County And Sumter County Dated April 27, 1999, Adding Additional Property Of Sre Kershaw LLC, And Other Matters Related Thereto.**

The County Attorney, Johnathan Bryan, presented this ordinance for first reading approval. He stated that this park located in Kershaw County has lured Sre Kershaw LLC and industry which will have approximately 30 acres in a multi county industrial park. Kershaw County has asked Sumter County to be a part of this Multi-County Industrial Park which would provide Sumter County with one percent of the revenue generated from the Fee In Lieu of Taxes. See ordinance listed below. The Attorney asked Council to consider granting first reading to this proposed ordinance. After all comments, Council took action on first reading.

WHEREAS, Kershaw County and Sumter County entered into an Agreement for the Development of a Joint County Industrial and Business Park dated April 27, 1999 (the "Agreement"); and

WHEREAS, pursuant to Section 3 of the Agreement, the boundaries of the park created therein may be enlarged pursuant to ordinances of the respective county councils; and

WHEREAS, SRE Kershaw LLC (the "Company") is investing through the acquisition, construction, and/or renovation of land, buildings, improvements, and/or personal property (the "Project") on land described in Schedule I attached hereto, which is located in Kershaw County (the "Property"); and

WHEREAS, the Property is not located in any multi-county industrial and business park; and

WHEREAS, the Company has requested that Sumter County and Kershaw County include the Property in the Agreement in order to allow an enhanced jobs tax credit and to facilitate the granting of a special source revenue credit; and

WHEREAS, the Company has requested that the Property be included in the Agreement for the longer of 30 years or the term of the Fee Agreement between Kershaw County and SRE Kershaw LLC dated _____, 2011; and

WHEREAS, Sumter County benefits from having the Project located in one park in order to avoid confusion in the administration of multiple Park Agreements and has therefore agreed to include the Property in the joint county industrial and business park created by the Agreement (the "Park").

NOW, THEREFORE, be it ordained by the Sumter County Council that:

1. The Agreement is hereby and shall be amended to include the Property, and the County Administrator or Chairman of the Sumter County Council are hereby authorized to execute and deliver any desired amendments to the Agreement necessary to accomplish the within amendments and enlargement.

2. This Ordinance shall amend, to the extent necessary, any other ordinances or resolutions of the Sumter County Council pertaining to the Park.

3. This Ordinance shall be effective after third and final reading thereof.

ACTION: MOTION was made by Councilman Baker, seconded by Councilwoman Sanders, and unanimously carried by Council to adopt the proclamation as presented and directed the Chairman and the Clerk to execute and deliver the proclamation on behalf of the County.

(3) **11-751 - First Reading -- An Ordinance To Amend Sumter County Ordinance 09-692 Relating To The Technology Fee.**

The County Attorney presented this proposed ordinance to Council for first reading consideration. He stated that the Technology Fee will be used to fund improvements to the hardware and software used to assess taxable property and to create the bills on taxable property and to fund any other expense related to assessment of property, preparation of the tax bills, collection of the tax bills and the information technology systems that supports those activities. See ordinance as listed below.

After all comments, Council took action on first reading of this ordinance.

ACTION: MOTION was made by Councilwoman McGhaney, seconded by Councilwoman Sanders, and unanimously carried by Council to grant first reading approval as presented.

WHEREAS, Sumter County Council previously enacted Ordinance 09-692 establishing the Technology Fee for the purpose of funding improvements to the hardware and software used to assess taxable property and to create the bills on taxable property; and

WHEREAS, Chapter 37 of Title 12 of the Code of Laws of South Carolina sets forth the obligations of property owners and others who are otherwise legally responsible for the payment of taxes on real and personal property; and

WHEREAS, Chapter 37 of Title 12 of the Code of Laws of South Carolina also sets forth the obligations of the Assessors and Auditors of each county relating to the assessment and taxation of real and personal property; and

WHEREAS, Sections 12-37-710 through 12-37-750 of the Code of Laws of South Carolina require all taxable property to be listed by the owner, or by the person responsible for paying the taxes thereon, and that the lists be returned to the South Carolina Department of Revenue or to the Auditor of each county where that property is located, depending on the characteristics of the property; and

WHEREAS, the penalties for failure to deliver the required lists of personal and real property with the Auditor of each county where the property is located are set forth in section 12-37-800.

WHEREAS, Section 12-37-760 places the responsibility for making the return on the County Auditor when the owner or responsible tax payer refuses or neglects to file a return.

WHEREAS, the Sumter County Assessor, the Sumter County Auditor, and the Sumter County Treasurer provide service to property owners and others who are otherwise legally responsible for paying the taxes on property who must provide their returns showing their taxable real and personal property by maintaining the information necessary for those owners and tax payers to make their returns and to retrieve information from prior years; and

WHEREAS, the administrative expenses of assessing property, calculating, producing, printing, mailing and receiving payment on tax bills must be borne either by the public at large or the individuals owning property and/or responsible for making property tax returns and paying tax bills in Sumter County; and

WHEREAS, increased demands for access to information, information accuracy, system flexibility, and system capacity concerning collecting and storing information needed to assess property for taxation and the preparation and delivery of accurate tax bills have produced additional expenses, including technology, which are necessary to respond to those demands and to operate the assessment and tax system; and

WHEREAS, numerous services for the benefit of property owners and others responsible for making property tax returns and for paying tax bills have been and will continue to be made available including but not limited to access to assessment information and tax bills over the internet, the ability to pay taxes over the internet, the ability to pay taxes using a credit or debit card, and the ability to pay taxes at a remote location which is linked to the main office of the Treasurer through technology; and

WHEREAS, Sumter County Administration needs to continue to improve its services and technology to be better able to respond to the increasing demands for these kinds of services; and

WHEREAS, the primary beneficiaries of these services are those individuals who own property and those who are responsible for making property tax returns and for paying tax bills in Sumter County; and

WHEREAS, Sumter County Council finds it is more equitable to charge this fee to those who use these services instead of adding millage to the general operating budget;

WHEREAS, the net benefit to property owners and persons responsible for paying tax bills is speed, convenience and accuracy of the information concerning tax bills and property assessments; and

WHEREAS, Sumter County Council desires that more of the expense be borne by the individuals who required these services and therefore desires to expand the use of the Technology Fee;

WHEREAS, Sumter County Council has determined that a uniform fee of One Dollar and Fifty Cents (\$1.50) continues to be a reasonable and equitable amount to be added to each tax bill generated to offset the increased costs of the technology used to produce the tax bill on each piece of taxable property; and

WHEREAS, Sumter County Council anticipates that the costs for assessing property, producing tax bills, collecting tax bills, and the underlying technology in general will exceed the collections of the Technology Fee collections; and

WHEREAS, Sumter County Council finds that a separate fee to pay for the costs of technology and other expenses related to assessing property, producing tax bills, and collecting tax bills is a fair and reasonable alternative to increasing the general county property tax; and

WHEREAS, Sumter County Council finds that the fee imposed by this Ordinance is authorized under the Home Rule Act, Section 4-9-30(5), Code of Laws of South Carolina, and is consistent with the requirements of Section 6-1-330, Code of Laws of South Carolina.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AT ITS REGULAR MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

Paragraph 3 of Ordinance 09-692 is hereby modified to read as follows:

- 3. The Technology Fee shall be used to fund improvements to the hardware and software used to assess taxable property and to create the bills on taxable property and to fund any other expense related to assessment of property, preparation of the tax bills, collection of the tax bills, and the information technology systems that supports those activities.*
- (4) 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. 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 At This Meeting.

OLD BUSINESS:

- (1) 11-745 - Third Reading -- An Ordinance Authorizing The Execution And Delivery Of One Or More Incentive Agreements By And Between Sumter County, South Carolina, And Project XYZ, And One Or More Affiliated Or Related Entities, As Sponsor, To Provide For A Fee In Lieu Of Taxes Incentive; To Provide For The Inclusion Of The Project In A Multi-County Business Or Industrial Park; To Provide For Special Source Revenue Credits; And To Enter Into Any Other Necessary Agreements With The Sponsor To Effect The Intent Of This Ordinance; And Other Related Matters.

The County Attorney asked Council members to defer third reading at this time for the Continental Tire Ordinance providing for a Fee In Lieu of Taxes and a Multi-County Business or Industrial Park arrangement.

After all comments, Council took action on third reading.

ACTION: MOTION was made by Councilwoman Edens, seconded by Councilman Baker, and unanimously carried by Council to defer third reading on this proposed ordinance as requested by the Attorney.

COMMITTEE REPORTS:

- (1) Public Safety Committee Meeting Held On Monday, November 21, 2011, at 4:30 P.M. In Sumter County Administration Building, County Council's Conference Room- (Baker, Sanders and Baten).

The Chairman of the Committee, Councilman Baker, informed Council that the Committee met and discussed countywide speed limit in subdivisions. He gave the following recommendations and stated that by motion of Councilman Baten, seconded by Councilwoman Sanders, and unanimously carried by the Committee, the following recommendations were approved for ratification by Sumter County Council.

- Continue with Countywide **Speed Limit of 30 miles per hour for roads that are owned and maintained by the County.**
- Allow for the opportunity to change the speed limit in a community with **2/3 of the citizens in agreement**, and they would be required to provide a statement of reason for the change.
- The community would provide a petition with the signatures of 2/3 of the community members in favor of a change and deliver the request to the County Administrator.
- The County Administrator will review the request with the appropriate County staff, and then provide a recommendation to Sumter County Council for consideration.
- The recommendations would require amending the current ordinance and the committee recommended amending the existing ordinance to incorporate the changes.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendations as presented by the Committee.

NOTE: The County Attorney will develop an ordinance amendment for Council's consideration and review at Council's December 13, 2011.

- (2) Technology/Personnel Committee Meeting Held On **Tuesday, November 22, 2011, At 4:00 P.M.** In **Sumter County Administration Building, County Council's Conference Room-** (McGhaney, Byrd, and Sanders).

The Chairman of the Committee, Councilwoman Vivian Fleming McGhaney, gave the following report and recommendation from the Committee meeting.

- Emergency Medical Services (EMS) Request. The Committee received a request from the Assistant County Administrator, Mrs. Lorraine Dennis, asking that the employee roster for the EMS Department be changed by converting one of the Paramedic positions to a Clerk position for the EMS Department. This would not require any additional funding and the total number of employees would not change on the EMS employee roster list. The Committee recommended approval of the request.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation as presented by the Committee.

- (3) Internal Affairs Committee Meeting Held On **Tuesday, November 22, 2011, At 4:30 P.M.** In **Sumter County Administration Building, County Council's Conference Room-** (Byrd, McGhaney, and Sanders).

The Chairman of the Committee, Councilman Jimmy Byrd, gave the following report and recommendation from the Committee meeting.

- Airport Commission: Appoint Chad McLeod to the Airport Commission.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation as presented by the Committee.

- (4) Fiscal, Tax, And Property Committee Meeting Held On **Tuesday, November 22, 2011, At 5:00 P.M.** In **Sumter County Administration Building, County Council's Conference Room-** (Baten, Blanding, And Edens).

The Chairman of the Committee, Chairman Eugene Baten, gave the following report and recommendation from the Committee meeting.

- **Executive Session** - No action taken.
- **Briefing From Santee Wateree Regional Council On Governments (SWRTA).** The Committee received a briefing from Mrs. Ann August, Chief Executive Director, for SWRTA explaining the plight of SWRTA due to funding issues with the new Medicaid contract. No action was taken.

After comments from the Chairman concerning the needs of SWRTA, Councilwoman McGhaney reemphasized the needs of SWRTA and then she offered the following motion.

ACTION: MOTION was made by Councilwoman McGhaney and seconded by Councilwoman Sanders to write a letter to the Governor of the State of South Carolina, the Director of Health and Human Services, stating the impact of the loss of transportation funding of SWRTA. *(Council members are to review the letter prior to it being mailed.)* However, after lengthy discussions, the motion was withdrawn. NO ACTION TAKEN. The Administrator and the Clerk were asked to follow-up with a letter and to ensure that all Council members review the letter prior to it being mailed.

NOTE: Councilman Edens stated that he asked, during the Committee Meeting, that his position is to talk about the funding issues with the State officials prior to writing a letter.

Vice Chairman Blanding said that the presentation from Mrs. August was to write a letter in support of public transportation.

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

- Councilman Edens reported that he attended the ribbon cutting for Crestwood High School Virtual Enterprise Program. He stated that this is an outstanding program for the young people to learn how to operate a business. They were asked to contact the Clerk so that Council members could tour the business area and see how they are operating this virtual business.
- Councilwoman McGhaney stated that she attended the S. C. Association for Regional Council On Government's Annual Conference. The Economic Force that was presented at the conference indicates that the nation is recovering from the recession; however, it is a slow process. There was a panel presentation concerning the State-Of-The-State condition outlined by counties. Sumter County received a great forecast based on the Continental announcement.

MONTHLY REPORTS:

- State Of The Workforce Report--2011
- Portrait Unveiling - Former Chairman of Sumter County Council - Vivian Fleming McGhaney
- Wedgefield Fire Station Grand Opening and Ribbon Cutting on December 6, 2011.
- Christmas Tree Lighting
- Freedom Of Information ordinances and resolutions from other counties throughout the State.

ADMINISTRATOR'S REPORT:

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

- No report was given by the Administrator.

PUBLIC COMMENT:

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

- Ralph Baker spoke to Council about the upcoming speed limit ordinance amendment that will be developed by the County Attorney for action by Council at its meeting on December 13, 2011. Mr. Baker stated that he does not feel like the ordinance will actually make a difference. He added that simply passing a laws without enforcing the existing law might be a feel good, but it will not get the job done.
- Kelly Hurst spoke to Council about her concerned on how the Animal Control Officers have handled matters between her and one of her neighbors. Her cat was attacked by three pit bull dogs. She also stated that one of the dogs later killed her cat. She stated that she wants these dogs put done. She also read the state law as to a vicious dog. (Mrs. Hurst talked two more times during this meeting about this same matter.)
- Tammy Alston also talked about the dogs that Ms. Hurst spoke about and said that in 2006 the dogs killed chickens that they were raising as "show chickens." These chickens previously won ribbons and trophies; they were not yard chickens. After the initial incident, it happened again and they confronted the neighbors about the dogs; however, the neighbors denied it was their dogs that killed the chickens.
- Jack Hurst also spoke to Council about the problems with dogs in his neighborhood. He also informed Council about the lack of protocol when it comes to validating what has happened to their animals. He also asked if there is a law which would require that these vicious dogs be spayed or neutered to keep them from repopulating. Mr. Hurst said that the Animal Control should have a form to fill out to ask the victim questions about what happened to their animal and then take that same form and go to the person who has the animal that has caused problems or a death to another animal. The officer could also ask the ask questions about rabies shots, etc. There should be a protocol for all Animal Control. People should know if their animal is killed where to bury the animal. The Animal control Officers need to be trained more in how to help the victims of these vicious crimes.
- Sherry Smith talked to Council about the vicious dog problems. She stated that she has had problems with Animal Control. There is a disorganization and lack of protocol in the Animal Control Department. Ms. Smith said that this department must develop follow-up procedures and then carry them out.
- Paul Lovell stated that he is here in support of the Hurst Family. He stated that he has chased these same dogs out of his yard several times and there seems to always be a problem with these dogs. Mr. Lovell said that the dogs have also harmed his cats several time. These dogs tore down a house that Mr. Lovell made for his cat which was constructed with 2 x 2 boards. The dogs destroyed the wood and had it all over his yard.

- Earl Alston stated that he also lives in this same neighborhood. He also stated that the Sheriff's Office should put out brochures or information to the public about where vicious dogs or animals are located so that a person will be aware of what is happening in their community. Mr. Alston also said that he has also called the Sheriff's Office about these dogs but nothing was done. These dog are not being taken care of by their owners and they need to stay in their yard. Mr. Alston stated that the third time the dog came in his yard he killed one of the dogs; then the owner took a warrant out on him for killing her dog. He was released from the warrant because the Judge said that Mr. Alston was threatened by the dog and he was protecting himself and his family.
- James Davis, Jr. stated that there seems to be some misunderstanding; he said that the Sheriff and Police Departments have responded to his request each time. Mr. Davis also said that the dog or animal owners need to be more responsible. There are laws already on the books and those laws need to be enforced.
- Marilyn Moore spoke to Council about problems in the Cherryvale area because she is an animal lover too. She is concerned about the animal problems. Mrs. Moore also stated that the enforcement officials hands are tied because the current laws do not have the "teeth" in them so that the officers can do their jobs.

NOTE: The Chairman and the Administrator encouraged those that had a concern about the dogs to remain after the meeting so that Captain Colclough and other Animal Control Officials can meet with them to listen to their concerns. Chairman Baten stated that Council will try to make some changes in its existing laws to assist those persons with animals.

ADJOURNMENT:

There being no further business and no additional comments from the public, the meeting was adjourned at 7:17 p.m. after a motion by Councilman Byrd, seconded by Councilman Byrd, 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: December 13, 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: November 17, 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: November 17, 2011

Respectfully submitted,
Mary W. Blanding
Mary W. Blanding