

Minutes
Sumter County Council
Regular Meeting
February 27, 2007 - Held at 6:00 p.m.
County Administration Building County Council Chambers
13 E. Canal Street, Sumter, SC

MEMBERS PRESENT: Vivian Fleming-McGhaney, Chairwoman; Eugene Baten, Vice Chairman; Artie Baker, Larry Blanding, Jimmy Byrd, Charles T. Edens, and Roland Robinson.

MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Mr. William T. Noonan, County Administrator; Mrs. Mary W. Blanding, Clerk To County Council; Mrs. Angie Graham, Budget Analyst; Mrs. Pamela Craven, Finance Director, and Mrs. Lorraine Dennis, Human Resources Director;.

MEDIA PRESENT: The Item

PUBLIC PRESENT: Approximately 13 members of the public were in attendance.

CALL TO ORDER: Chairwoman Vivian Fleming-McGhaney called Sumter County Council's meeting of February 27, 2007, to order.

INVOCATION: Chairwoman McGhaney gave the invocation.

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

APPROVAL OF AGENDA: Councilwoman McGhaney stated that she would entertain a motion to approve the February 27, 2007, agenda with any additions or deletions. The Clerk to Council asked Council to consider adding one item under New Business below:

- **New Business:** Add A Proclamation Recognizing The Green House As A Safe Place Agency.

ACTION: MOTION was made by Councilman Baker and seconded by Councilman Byrd to approve the agenda with the addition of the proclamation as presented by the Clerk. Councilman Blanding voted in opposition, the motion did not carry; Council's rules states that Council must be unanimous in order to add an item to the agenda during the active meeting time.

The Chairwoman then asked for another motion on the agenda.

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

ACTION ON MINUTES OF FEBRUARY 13, 2007: Chairwoman McGhaney stated that she would entertain a motion to approve the minutes of County Council's meeting of February 13, 2007, as presented.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Byrd, and unanimously carried by Council to grant approval of the minutes of February 13, 2007, as presented by the Clerk.

LAND USE MATTERS AND REZONING REQUESTS

Planned Development/Rezoning Request – None

Street Name Change – None

Grant Awards – None

OTHER PUBLIC HEARINGS –

- (1) 07-634 -- An Ordinance Authorizing The Lease Of 0.2295 Acre Of Property Located On North Main Street, Sumter, SC. (Council will take action on second reading right after the public hearing or during Old Business.)

The Chairwoman convened a public hearing on this matter; she asked if anyone wished to speak in favor of or opposition to this proposed ordinance. No one spoke to this issue; therefore, the Chairwoman closed the public hearing and Council took action on second reading listed under Old Business.

NEW BUSINESS –

- (1) A Proclamation By Sumter County Council Proclaiming March 2007 as Disabilities Awareness Month In Sumter County, South Carolina.

The Clerk presented this proposed proclamation to Council for approval. She stated that Mr. Sherrill Holder, Executive Director for the Sumter County Disabilities and Special Needs Board was present on behalf of the proclamation. Mr. Holder spoke to this issue and asked Council members to support the proclamation on behalf of those citizens which his agency helps and Council members represent. After review of the proclamation, Council took action on its adoption as listed below.

WHEREAS, more than 500,000 South Carolina citizens and families are impacted by severe lifelong disabilities, with no distinction as to race, culture, geography, age, sex or economic class; and

WHEREAS, the South Carolina Department of Disabilities and Special Needs serves people with the severe, lifelong disabilities of mental retardation and related disabilities, autism, traumatic brain injury, and spinal cord injury; and

WHEREAS, the Sumter County Disabilities and Special Needs Board works with families to provide support services which promote economic self-sufficiency and independence; and

WHEREAS, people with lifelong disabilities are productive citizens, neighbors, and family members deserving of respect and opportunities for economic self-sufficiency, independence, and personal growth; and

WHEREAS, the 2007 statewide observance of Disabilities Awareness Month celebrates the successful partnership between people with and without disabilities and the increasing involvement of people with disabilities in education, employment and community activities.

NOW, THEREFORE, I, Vivian Fleming-McGhaney, Chairwoman, of Sumter County Council of the Great State of South Carolina, do hereby proclaim March 2007, as

**DISABILITIES AWARENESS MONTH
IN
Sumter County, South Carolina**

and encourage our citizens to work together to promote increased opportunities for people with disabilities; to recognize the many contributions made by people with disabilities to our community; and to honor the dedication of the caregivers who bring support and hope to their fellow citizens.

ACTION: MOTION Councilman Baker, seconded by Councilman Robinson, and unanimously carried by Council to adopt the proclamation and directed the Chairwoman and the Clerk to execute and deliver the Proclamation on behalf of the County.

- (2) A Resolution Re-Forming And Agreeing To Participate In The Sumter County Regional Home Consortium For The Period April 1, 2008, To March 31, 2011.

Mrs. Sharon Durden from Santee-Lynches Regional Council On Governments Housing area, presented this proposed resolution to Council for review. She stated that the Federal Housing and Urban Development agency require that the Regional Home Consortium reapply every three years to request participation in the HUD Home Program. Typically, each year the Home Consortium receives approximately \$950,000 to support affordable housing and community development projects throughout the Santee Lynches Region.

She stated that not only will she need a resolution to reform the consortium, but she will also need Council's support to adopt an Intergovernmental Agreement to form the Sumter County Regional Home Consortium under the Cranston-Gonzalez National Affordable Housing Act for the period: Program years 2008, 2010, 2011.

Then Council took action on the adoption of the resolution re-forming and agreeing to participate in the Sumter County Regional Home Consortium for the period of April 1, 2007-March 31, 2011, and the Intergovernmental Agreement.

BE IT RESOLVED by the County Council for Sumter County, South Carolina, in Council duly assembled:

1. That the County, in order to take advantage of the programs available under the HOME Program administered through the U. S. Department of Housing and Urban Development, joins in the formation and becomes a member of the Sumter County Regional

HOME Consortium, together with the County of Kershaw, the County of Lee, the County of Clarendon; the City of Sumter, the Town of Mayesville, the Town of Pinewood, the City of Camden, the Town of Bethune, the Town of Elgin, the City of Bishopville, the Town of Lynchburg, the City of Manning, the Town of Paxville, the Town of Summerton, the Town of Turbeville; or such of those units of local government as choose to participate in the Consortium, all in accordance with the "Mutual Cooperation Agreement", the terms of which are incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the Chairman is authorized to sign, on behalf of the County, the Mutual Cooperation Agreement and any and all documents reasonably necessary to form the Consortium and to carry out and fulfill its purposes.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to grant approval of the resolution as presented and directed the Chairwoman and the Clerk to execute and deliver the resolution on behalf of the County and the region.

- (3) Adoption Of An Intergovernmental Agreement To Form The Sumter County Regional Home Consortium Under The Cranston-Gonzalez National Affordable Housing Act For The Period: Program Years 2009, 2010, 2011.

After Mrs. Durden's presentation as listed above in Item #2, Council took action on approving the Intergovernmental Agreement.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to grant approval of the Intergovernmental Agreement as presented and directed the Chairwoman to execute and deliver the agreement on behalf of the County and in conjunction with other regional members.

- (4) 07-635 - First Reading -- An Ordinance Authorizing The Transfer Of Approximately 2.96 Acres Of Property Located On North Wise Drive, Sumter, SC To Black River Economic Development Corporation.

The County Administrator presented this proposed ordinance to Council for first reading consideration. He stated that during the years of 2002, Black River Economic Development Corporation conveyed to Sumter County 2.96 acres of land for what was anticipated to be the Biopure project. Since that project did not materialize, Black River has requested that the County return this acreage back to the Company.

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

- (5) It May Be Suggested To Hold Executive Session To Receive A Legal Briefing From The County Attorney Or Discuss Contractual Or Personnel Matters.

No executive session was held.

OLD BUSINESS -

- (1) 07-634 –Second Reading -- An Ordinance Authorizing The Lease Of 0.2295 Acre Of Property Located On North Main Street, Sumter, SC.

The County Administrator presented this proposed ordinance to Council for second reading consideration. The Administrator stated that this ordinance has not changed since its first reading. Then the Chairwoman convened a public hearing. After the public hearing, Council took action on second reading.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Baten, and unanimously carried by Council to grant second reading to this proposed ordinance.

COMMITTEE REPORTS

- (1) Fiscal, Tax, and Property Committee Meeting Held On Tuesday, February 27, 2007, At 4:30 P.M. In County Council's Conference Room At The County Administration Building (McGhaney, Blanding, and Edens -- All Council Members Are Asked To Attend This Meeting.)

The Chairman of the Committee, Chairwoman McGhaney, gave the following report and recommendations from the meeting.

- ◆ **Executive session: Executive Session Matter and a Legal Briefing – no action required.**

- ◆ **Bid Process For Landfill – Phase Three A --**

ACTION: MOTION and second was received from the Committee and unanimously carried by Council to allow \$856,010 to the low bidder of Plowden Construction Company to process with Phase 3-A. for the Landfill.

ACTION: MOTION and second was received from the Committee and unanimously carried by Council to pass a Resolution providing for bond funds up to \$2,600,000 for the Landfill Phase Three A project.

- ◆ **Community Development Block Grant Application Process:**

ACTION: MOTION and second was received from the Committee and unanimously carried by Council to allow the application submission to be the Shiloh Water Project expansion.

- ◆ **Santee Wateree Regional Transportation Authority Request For Bond Funds** Chairwoman McGhaney stated that in the initial approval for the County to secure \$1,800,000 from bond funds for SWRTA to be used for the construction project of the James E. Clyburn Intermodal Transportation Center, Sumter County Council requested that SWRTA secure bond insurance. After the Bond Attorney and SWRTA's staff sought bond insurance, it was found that this was not a practice of an insurance agency; therefore, no insurance could be secured to cover the bond indebtedness. It was suggested, however, that the County uphold its original motion to secure the \$1,800,000 bond for this project and to lift the requirement of

bond insurance. The Committee further stated that Sumter County would enter into an intergovernmental agreement with SWRTA to insure that funds will be repaid accordingly.

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

- ◆ **Sumter County 2007-2008 Fiscal Year Budget Process:** The Committee received information from the Administrator and the Financial Staff concerning upcoming budget issues. Included in the discussions was information concerning the proposal in the State General Assembly to change the school district attendance lines. Several Council members voiced their concern about this issue. Councilman Baker stated that his greatest concern is for the taxpayers. If the lines are moved and the greatest revenue generator is moved out of the district, then the taxpayers would have to make up the difference to help fund the schools. Council members were encouraged to share their concerns with the delegation.

The Financial staff presented Council members with a proposal for Council to consider referencing bonding issues, capital projects, etc.

Each Council member voiced his/her thoughts on the proposal of another referendum to consider capital projects. Several members discussed the lack of time and the diversity of the projects. Councilman Blanding stated that he would like to see Council conduct some strategic planning with the public input before trying to run another referendum.

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

(2) Report From Council Members On Other Meetings, Trainings, and/or Conferences

Councilman Baker stated that he attended a COP meeting recently and at the meeting, Mrs. Marilyn Moore was recognized as the COP Citizen of the Year. The Cherryvale Community Center and the COP program at Cherryvale are in hopes of having ball fields placed at this community center.

Councilman Edens stated that as a Board Member for the South Carolina Association of Counties, he is working closely with SCAC concerning the issues around Workers Compensation. He asked Council members to call the senators and ask them to pass legislation that will relieve small businesses from the weight of Workers Compensation Laws as they are currently written. He also briefed Council on the Bad Neighbor Bill, Detention Center Quotas, and Property Tax Clean-up H3422. Councilman Edens further emphasized the importance for Council members to stay in contact with the Legislative Delegation members either through phone calls, email, or written correspondence.

MONTHLY REPORTS:

- Strategic Planning – Institute of Government For County Officials.
- Minutes – The Sumter Development Board
- TAG Meeting Minutes

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ADMINISTRATOR'S REPORT:

- **City Council Meeting:** The Administrator, Councilman Edens, and Gary Mixon attended a recent City Council meeting requesting funding support for the Youth Park. The request was for Accommodations Tax and Hospitality Tax monies.
- **South Carolina Association of Counties Institute Classes and Mid-Year Conference:** The Administrator was a part of a panel discussing the "Quota" issues relating to inmates. His comments are included in Council's folders. The pending bill which is in the Senate and the House could adversely affect Sumter County if it is passed. The Administrator and Correctional staff members are keeping abreast of this matter.
- **Industry Visitation:** The Administrator, Mr. Noonan, and Jay Schwedler, Sumter Development Board Director, visited an industry during last week. Mr. Noonan stated that it is clear that industrial prospects are concerned about the County's taxes.

PUBLIC COMMENT:

The Chairwoman asked if anyone from the public would like to speak during public comments; no one spoke; therefore, the meeting was adjourned.

ADJOURNMENT:

There being no further business and no additional comments from the public, the meeting was adjourned at 6:56 p.m.

Respectfully submitted,

Vivian Fleming-McGhaney

Chairman or Vice Chairman

Sumter County Council

Mary W. Blanding

Clerk to County Council

Approved: March 13, 2007_____

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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 22, 2007

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, Time Warner Cable.

Date Notified: February 22, 2007

Respectfully submitted,

Mary W. Blanding
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