

**Minutes  
Sumter County Council  
Regular Meeting  
March 13, 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 March 13, 2007, to order.

**INVOCATION:** Rev. Marion Newton, Pastor, Jehovah Missionary Baptist Church and Chairman of the Vision Board, 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 March 13, 2007, agenda with any additions or deletions. The Clerk to Council asked Council to consider approving the "green colored agenda" in Council members' folders instead of the gold colored agenda that was placed in Council's notebooks. The change included time changes for both committees.

**ACTION:** MOTION was made by Councilman Baker and seconded by Vice Chairman Baten, and unanimously carried by Council to approve the agenda as presented by the Clerk.

**ACTION ON MINUTES OF FEBRUARY 27, 2007:** Chairwoman McGhaney stated that she would entertain a motion to approve the minutes of County Council's meeting of February 27, 2007, as presented.

**ACTION:** MOTION was made by Councilman Baker, seconded by Councilman Robinson, and unanimously carried by Council to grant approval of the minutes of February 27, 2007, as presented by the Clerk.

**LAND USE MATTERS AND REZONING REQUESTS  
Planned Development/Rezoning Request -**

- (1) PD-07-03 - Thomasina Portis -- First Reading (07-637) - A Request To Rezone From Residential Conservation (RC) To Planned Development Property Located On N. Kings Highway and McLester Road - Tax Map #077-00-01-020.

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Mrs. McCullum, the Zoning Administrator, stated that the applicant wishes to develop a 27-lot Residential Planned Development. The lots to be developed will be one half (.50) acres in size. The setbacks within the development will follow those standards set forth in the Sumter County Zoning Ordinance for Residential-15 (R-15), Front: 35'; Rear: 25'; Sides: 12'; corner lots will have an exterior side setback of 17.5' and an interior side setback of 12'.

The permitted uses within this Planned Development will be as follows and no others:

1. Residential accessory uses, such as home offices; including home day care for up to five (5) children or fewer children including the day care provider's own children.
2. Home Occupation signs may be used within subdivision as required, not to exceed 2 sq. ft. in size.
3. All roads interior to the subdivision must be paved with standard curb and gutter in accordance with Sumter County Public Works Department.
4. Builders are required to sod front lawns before receiving certificate of occupancy.

The proposed Planned Development Ordinance is listed below.

WHEREAS, Article I, Section T, entitled "Amendment Authorization and Procedure" of the Zoning and Development Standards Ordinance for the County of Sumter adopted December 7, 1999, provides a procedure for amending the Official Zoning Map of the City of Sumter, and

WHEREAS, said procedure has been followed, and the Sumter City-County Planning Commission has reviewed and hereby recommends favorably the following amendments to the Official City of Sumter Zoning Map.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SUMTER, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED BY THE AUTHORITY THEREOF, THAT:

The property located at: North Kings Highway and McLester Road is hereby rezoned from AC to PD, in accordance with the attached development plan and identified by the following tax map block and parcel numbers:

- 077-00-01-020

I. The Planned Development rezoning shall be with the following conditions:

- Any major changes to include new site plans and/or specified uses must undergo Planning Commission review and approval by County Council.

The setbacks will be as following:

Front- 35'  
Sides- 12' Corner Lots: 17.5'  
Rear- 25'

II. The Planned Development zoning shall include the following permitted use and no others, unless further reviewed and recommended by the Sumter City-County Planning

Commission, and specifically approved by the Mayor and City Council of Sumter, South Carolina.

5. Residential accessory uses, such as home offices; including home day care for up to five (5) children or fewer children including the day care provider's own children.
6. Home Occupation signs may be used within subdivision as required, not to exceed 2 sq. ft. in size.
7. All roads interior to the subdivision must be paved with standard curb and gutter in accordance with Sumter County Public Works Department.
8. Builders are required to sod front lawns before receiving certificate of occupancy.
9. Single-family dwellings

After the background presentation and review of the ordinance, Councilman Edens asked for a copy of the site plan. Mrs. McCullum had a large version of the site plan and she presented that to Council for review. However, it was suggested by Councilman Edens that a copy of the site plan should be placed in Council's packets for review at its next meeting.

**ACTION:** MOTION was made by Councilman Robinson, seconded by Vice Chairman Baten, and carried by Council to grant first reading approval. Councilman Edens voted in opposition.

- (2) OA-07-02 – Chuck Bullock – First Reading (07-638) – A Request To Change County Zoning Ordinance To Allow Specialty Trade Contractors As A Conditional Use In General Commercial Zoning District And To Mirror The City Ordinance.

Mrs. McCullum presented this proposed Ordinance Amendment. She stated that the applicant, Mr. Bullock, is a licensed swimming pool specialty contractor. He has just purchased property at 4070 Broad Street and currently operates his Retail Business for pool supplies and lawn and garden supplies, such as fencing and different top-soils and, also rents heavy equipment. He would like to also be able to have his pool contractors business from this location but the current Zoning Ordinance does not permit this in General Commercial. The City's Ordinance permits this as a Conditional Use with the notation for no outside storage of heavy equipment. The applicant would like to have the County's Ordinance match the City's Ordinance with the same verbiage.

**Proposed Change:**

**3.i.3. Conditional Uses:** Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any Conditional Use identified below:

- a. Agriculture, farming, and animal husbandry, with SIC Codes 01, 02, 021, 0212, 0212, 0213, 0214, 0219, 024, 027, 0271, 0272, 0273, 0279, 029; (Note: Refer to Article 5, Section B for conditions and special exceptions);
- b. Animal services, except veterinary, with SIC Code 075;
- c. Local & inter-urban highway passenger transportation and communications, with SIC Codes 40, 41, 42, 4212, 44, 46;

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- d. Local trucking without storage (Note: No trucking operations involving waste materials, especially hazardous waste, or activities involving offense odors or excessive noise, shall be allowed in a GC District), with SIC Code 4212;
- e. Mini-warehouses with SIC 4225. See Section 5.b.1.h.
- f. Manned convenience centers and refuse systems, with SIC Code 4953;
- g. Mobile home or manufactured housing unit dealerships, with SIC Code 527;
- h. Flea markets, with SIC Code 593;
- i. Rooming and Boarding Houses, with SIC Code 702;
- j. Recreational vehicle parks and camps, with SIC Code 703;
- k. Tattoo Parlors with SIC 7299 (Note: No such use shall be permitted within 500 feet [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 playground or any other Tattoo Parlor).
- l. Power laundries/Dry cleaning plants, with SIC Codes 7211/7216;
- m. Industrial Laundries, with SIC Code 7218;
- n. Massage parlors and spas with SIC Code 7299;
- o. Automobile parking lots, with SIC Code 752;
- p. Automotive repair shops, with SIC Code 753;
- q. Video Games (Video Poker), with SIC Code 7993; (reference 5.b.3.j.)
- r. Religious organizations, with SIC Code 866;
- s. Ash gardens & cemeteries, with the same qualifications imposed as set forth 3.f.3.d.;
- t. Mobile Home Park, with the qualifications established in 3.d.6.;
- u. Triplex, quadraplex, multi-family and group dwelling, with the qualifications established in Exhibit 3 (Note: May be included as a mixed use in commercial or office projects).
- v. Specialty Contractors with SIC 17 (no outside storage of materials or construction equipment, no overnight parking trailers or heavy trucks.)

After Mrs. McCullum's presentation, Councilman Edens stated that he has a concern with how the ordinance is written in that the owner can park heavy equipment on his lot for sale or rental, but he cannot park heavy equipment on his lot if it is being used for operations of the business.

**ACTION:** MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to grant first reading approval.

(3) OA-07-03 – Sumter County Administration – First Reading (07-639) – A Request To Make The Performance Standards For The Noise Attenuation District (NA) In Section S: Range Compatibility District (RCD) Match The Performance Standards For Section R: Airfield Compatibility District (ACD) In The County Zoning and Development Standards Ordinance.

Mrs. McCullum stated that the County Attorney on behalf of the Sumter County Administration is requesting that the performance standards for all of the noise overlay districts around Shaw AFB and the Poinsett Bombing Range have the same requirement as it pertains to noise notification signs in subdivisions. At the present time, only the Airfield Compatibility District (ACD) as part of its Performance Standards requires Noise Hazard Signs to be installed by the developer of the subdivision before building permits are issued. The applicant is asking to have the same verbiage placed in the other two overlay districts—(Range Compatibility and the Noise Attenuation) so to insure prospective buyers of lots know they are purchasing in an aircraft noise area. The following sentence would be added to read as:

**Proposed Change:**

. Noise Hazard Signs: Developers for all new major subdivisions will install at their expense a noise notification/warning sign (same as installed by Sumter County on the boundary of the NA) at each entrance to the subdivision before building permits may be issued.

3.s.5. Performance Standards: Height and size requirements shall be evaluated in accord with the “Ordinance Regulating the Height of Structures and other Activities in the vicinity of Shaw Air Force Base,” as adopted October 13, 1981.

a. Setbacks: As designated for each zoning district.

b. Off-Street Parking: Off-street parking for uses within this district shall comply with Article 8, Section J as appropriate.

c. Noise Hazard Signs: *Developers for all new major subdivisions will install at their expense a noise notification/warning sign (same as installed by Sumter County on the boundary of the NA) at each entrance to the subdivision before building permits may be issued.*

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*the boundary of the NA) at each entrance to the subdivision before building permits may be issued.*

After Mrs. McCullum's presentation, Councilman Baker, as well as Councilman Edens, asked for a "map" which shows the areas that would be affected by the proposed ordinance change.

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

Street Name Change - None

Grant Awards - None

**OTHER PUBLIC HEARINGS -**

- (1) 07-635 - Second 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. (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 position to this proposed ordinance as presented. No one spoke to this issue therefore, she closed the public hearing and Council took action on second reading listed under Old Business.

**NEW BUSINESS -**

- (1) A Presentation By The Kidney Foundation.

Mrs. Blakely Hallman, with the National Kidney Foundation, presented Council with an award on behalf of the citizens of Sumter County for the number of old cars donated to the National Kidney Foundation - Kidney/Car Program. When someone has an older unwanted car, it can be donated to the Kidney Foundation, the representatives from the foundation will come pick-up the car and then sell the car and use the resources for the Kidney Foundation program and services.

The award was read and presented to Chairwoman McGhaney. Council graciously received the award.

**ACTION:** Received as information.

- (2) A Resolution By Sumter County Council, In Sumter County, South Carolina Supporting The Issuance Of A \$2,600,000 General Obligation Bond For The Brewington Road Landfill Project In Accordance With The Terms Of Ordinance 05-576 For The Purposes Of Funding The Project, Paying Costs Of Issuance Of The Bonds, And Such Other Lawful Corporate And Public Purposes As Sumter County Council Shall Determine.

Mr. William T. Noonan presented the proposed resolution by reading its caption; then Mr. Mike Ey, from the McNair Law Firm briefed Council on this matter.

Mr. Ey reminded Council that this particular process began in the summer of 2005; Council passed an ordinance to authorize the issuance of up to \$5,000,000 General Obligation Bonds to pay for improvements at the landfill. The 2005 ordinance was structured such that the initial bonds issued would be \$2,400,000. Since that time, the bonds have been issued and the work has been undertaken. Also within the 2005 ordinance, it is stated that subsequent series of bonds under that particular ordinance would need to be approved by Council through a resolution. Therefore, the resolution listed below, satisfies the requirement of the ordinance.

Mr. Ey asked Council to approve the resolution so that the remaining monies that were authorized under the initial ordinance, approximately \$2,600,000, can be processed accordingly for improvements at the Sumter County Landfill.

After review of the resolution, Council took action on its adoption as listed below the resolution.

WHEREAS, pursuant to Ordinance No. 05-576, (the "Ordinance"), the County Council (the "County Council") of Sumter County, South Carolina (the "County"), authorized the issuance of not to exceed \$5,000,000 general obligation bonds, in two or more series, the proceeds of which are to be used to fund the costs of projects at the Brewington Road landfill including the acquisition of equipment (the "Project"); costs of issuance of the bonds; and such other lawful corporate and public purposes as the Council shall determine; and

WHEREAS, on October 28, 2005, the County issued \$2,400,000 of the above-referenced general obligation bonds; and

WHEREAS, it has been determined to be in the best interest of the County to issue the additional \$2,600,000 general obligation bonds at this time; and

WHEREAS, pursuant to the Ordinance, the County is required to adopt a Resolution authorizing the issuance of the additional series of bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AS FOLLOWS:

1. Pursuant to the Ordinance, the County Administrator is authorized to cause the issuance of the \$2,600,000 general obligation bonds referenced above in accordance with the terms of the Ordinance for the purposes of funding the Project, paying costs of issuance of the bonds; and such other lawful corporate and public purposes as the Council shall determine.

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

- (3) First Reading – Ordinance No. 07-636 – An Ordinance Authorizing Sumter County, South Carolina, To Enter Into An Intergovernmental Agreement With The Santee Wateree Regional Transit Authority; To Enter Into A Loan Agreement With The Bank In The Amount Of \$1,800,000; Approving The Form And Terms Of The Intergovernmental Agreement, And The Loan Agreement, In Connection With The Construction Of An Intermodal Transit Facility In The County; And Other Matters Related Thereto.

Mr. Noonan, the County Administrator, stated that this is an intergovernmental Agreement between Sumter County Government and Santee Wateree Regional Transit Authority (SWRTA). This agreement will allow for Sumter County to secure a loan for SWRTA and this agency will repay the loan.

Mr. Noonan stated that Mr. Elmore Thomas, SWRTA Board Chairman, was present on behalf of this ordinance. Also, Mr. Mike Ey and the McNair Law Firm are the attorneys working on this project for the County. Mr. Ey stated that this ordinance will allow for the borrowing of approximately \$1,800,000 which will be loaned to SWRTA pursuant to the intergovernmental agreement. This will be a form of revenue bond indebtedness; it is not general obligation debt. The full faith in credit of the County would not be pledged to the repayment. The security for this loan and monies that will be borrowed would be the money that SWRTA promises to pay to the County pursuant to the Intergovernmental Agreement. Repayment will include interest charged for the loan.

The ordinance is listed below for review; Council's actions are listed after the ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AS FOLLOWS:

**Section 1. Definitions.** The terms defined in this Section for all purposes of this Ordinance shall have the respective meanings as set forth in this Section. The term:

“Authority” shall mean the Santee Wateree Regional Transit Authority.

“Bank” means the financial institution which provides the proposal accepted by the County Council.

“Code” means the Internal Revenue Code of 1986, as amended, and applicable Treasury Regulations thereunder.

“County” means Sumter County, South Carolina.

“Council” means the County Council of the County.

“Intergovernmental Agreement” means the agreement dated as of its date of its delivery, or such other date as may be determined by the County Administrator, with advice from the County Attorney, between the County and the Authority.

“Loan Agreement” means the Loan Agreement dated as of its delivery, or such other date as may be determined by the County Administrator, with advice from the County Attorney, between the Bank and the County.

“Project” means an intermodal transit facility to be constructed in the County by the Authority.

“SC Code” means the Code of Laws of South Carolina 1976 as amended.

**Section 2. Findings and Determinations.** The Council hereby finds and determines:

A. Pursuant to Section 4-9-10, Code of Laws of South Carolina, 1976, as amended, and the results of a referendum held in accordance therewith, the Council-Administrator form of government was adopted and the County Council constitutes the governing body of the County.

B. The Authority has requested the County's assistance by providing funds to be used as a local match for a grant from the Federal Transportation Authority to the Authority for the purposes of the acquisition and construction of the Project.

C. The completion of the Project is essential to the continued availability of a viable public transportation system which is an essential service fostering and enhancing the economic growth and well being of the County and its residents.

D. The County and the Authority intend to enter into an intergovernmental agreement whereby the County will provide to the Authority approximately \$1,800,000 for use as the local match referred to above, and the Authority will agree to make payments to the County in amounts and at times sufficient to meet the County's obligations under the Loan Agreement.

E. The Council finds that the proceeds of the Loan Agreement authorized by this Ordinance will be used for public purposes and that entering into the Loan Agreement is necessary and in the best interest of the County.

F. It is now in the best interest of the County for the Council to approve the execution and delivery of the Loan Agreement with a loan amount not exceeding \$1,800,000. The proceeds of the Loan Agreement shall be used for the purposes of (a) providing the Authority with the local match needed for the Project; and (b) paying the costs associated therewith.

G. It is now in the best interest of the County for the Council to approve the execution and delivery of the Intergovernmental Agreement.

**Section 3. Approval of Intergovernmental Agreement.** The form, terms and provisions of the Intergovernmental Agreement, a copy of which has been presented to Council at the meeting during which this Ordinance was enacted, and filed with the Clerk to County Council, be and are hereby approved. The Chairperson of County Council and County Administrator be and are hereby authorized, empowered and directed to execute, acknowledge and deliver, and the Clerk to County Council be and is hereby authorized, empowered and directed to attest, the Loan Agreement in the name and on behalf of the County, and thereupon to cause the Intergovernmental Agreement to be delivered to the Authority. The County Administrator, with advice from the County Attorney, be and is hereby delegated the authority to approve such changes in the form, terms and provisions of the Intergovernmental Agreement as may be appropriate for the financing plan contemplated thereby. The execution of the Intergovernmental Agreement shall constitute conclusive evidence of approval of any and all changes or revisions therein from the form of the Intergovernmental Agreement before the meeting during which this Ordinance was enacted. Any amendment to the Intergovernmental Agreement shall be executed in the same manner.

**Section 4. Approval of Transaction; Acceptance of Bank Proposal.** The County, for the purposes of the financing contemplated by the Loan Agreement, represents that as of the date of the Loan Agreement, all of the Projects shall be constructed within the geographic

boundaries of the City. The proposal of the Bank dated [to be provided], a copy of which is attached hereto, is hereby accepted.

**Section 5. Pledge.** As security for its obligation to make payments pursuant to the Loan Agreement, the County hereby pledges the revenues to be received pursuant to the Intergovernmental Agreement.

**Section 6. Limited and Special Obligations of the County; Payment from Other Sources.** The obligations of the County to make payments under the Loan Agreement shall be limited to amounts pledged therein and shall not constitute a pledge of the full faith, credit or taxing power of the County within the meaning of any State constitutional or statutory provision. Subject to the foregoing limitation, the County's obligation to make payments shall be absolute and unconditional, without defense or set-off by reason of any acts or circumstances that may constitute failure of consideration, destruction of or damage to the Projects, commercial frustration of purpose or failure of the County to perform and observe any agreement, whether express or implied, or any duty, liability or obligation arising out of or connected with the Loan Agreement, it being the intention of the parties that the payments required by the Loan Agreement will be paid in full when due without any delay or diminution whatsoever. The County shall have the option of using other legally-available funds to make the payments under the Loan Agreement but will not be required to do so.

**Section 7. Approval of Loan Agreement.** The form, terms and provisions of the Loan Agreement, a copy of which has been presented to Council at the meeting during which this Ordinance was enacted, and filed with the Clerk to County Council, be and are hereby approved. The Chairperson of County Council and County Administrator be and are hereby authorized, empowered and directed to execute, acknowledge and deliver, and the Clerk to County Council be and is hereby authorized, empowered and directed to attest, the Loan Agreement in the name and on behalf of the County, and thereupon to cause the Loan Agreement to be delivered to the Bank. The County Administrator, with advice from the County Attorney, be and is hereby delegated the authority to approve such changes in the form, terms and provisions of the Loan Agreement as may be appropriate for the financing plan contemplated thereby. The execution of the Loan Agreement shall constitute conclusive evidence of approval of any and all changes or revisions therein from the form of the Loan Agreement before the meeting during which this Ordinance was enacted. Any amendment to the Loan Agreement shall be executed in the same manner.

**Section 8. Authorization.** The Chairperson of County Council, County Administrator, and the Clerk to County Council are fully empowered and authorized to take such further action and to execute and deliver such additional documents as may be reasonably requested by the Bank to effect the delivery of the Intergovernmental Agreement and the Loan Agreement in accordance with the terms and conditions therein set forth, and the transactions contemplated hereby and thereby, and the action of such officers in executing and delivering any of such documents, in such form as the County Administrator shall approve, is hereby fully authorized. The authorization conferred herein shall extend to and include, but not be limited to, the documents and certificates reasonably expected to be necessary for the closing of the financing transaction.

**Section 9. Bank Qualification.** The Loan Agreement is hereby designated by the County as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended.

**Section 10. Federal Tax Covenants.** The County agrees and covenants that it will comply with all applicable portions of the Code, as in effect or hereafter amended, including Sections 103 and 141 through 150 thereof, and the regulations of the Treasury Department thereunder, to maintain the exclusion from gross income for federal income tax purposes of the payments under the Loan Agreement, including without limitation the proper use and expenditure of proceeds thereof, the observation of the applicable investment limitations provided in the Code, the filing of information reports with the Internal Revenue Service and the rebate of certain arbitrage earnings on such proceeds to the United States Government.

**Section 11. Severability.** If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 12. Conflicts with Preceding Ordinances.** Should conflicts arise between this and any preceding ordinances, this Ordinance shall prevail with respect to the conflicting sections.

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Baten, and unanimously carried by Council to grant first reading approval.

(4) **Vision Project Presentation.**

Ms. Patty L. Wilson, Executive Director Sumter Community Vision, presented Council with the 2004-2006 Vision Progress Report. She presented initiatives specific to the Count, initiatives moving to 2007 and suggestions for 2007-2009. Ms. Wilson also gave Council general information pertaining to on-going communications with Council through the Chairwoman, Team Information, and Goals for Community Vision 2007, and Community Meeting Schedule.

After the presentation, Chairwoman McGhaney stated that it has been suggested by Councilman Edens to include Worship in the slogan of the Community Vision, which would then read – Live Work, Learn, Play and Worship. Ms. Wilson stated that this suggestion would be taken to the Board for consideration.

Vice Chairman Baten stated that at the recent Greater Sumter Chamber of Commerce, the School Districts gave a report concerning racial issues that need to be resolved (from both sides – minority and majority races) in the schools. He asked if these issues could be reviewed through the Vision Committee. Ms. Wilson stated that she felt any racial issues could be handled through the Chamber of Commerce’s Community Relations Committee and/or the Sumter Education Committee.

**ACTION:** Received as information.

(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) 07-635 – Second 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.

Mr. Noonan, the County Administrator presented this proposed ordinance to Council for second reading and public hearing. He stated that this property is located on Wise Drive and was formerly designated as the Biopure property. Black River Economic Development Corporation would like for this property to be returned to them since Biopure is not a viable project for Sumter County at this time.

After the presentation by Mr. Noonan, the Chairwoman convened a public hearing on this proposed ordinance. After the public hearing, Council took action on second reading.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilman Blanding, and unanimously carried by Council to grant second reading to this proposed ordinance amendment as presented.

- (2) 07-634 –Third 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 third reading approval. If approved, the ordinance would authorize the County to lease 0.2295 acre of property located on North Main Street adjacent to the Public Works Building for the purpose of a cellular phone tower.

Mr. Noonan asked Council to support third reading of this ordinance. Then Council took action on third reading.

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

#### COMMITTEE REPORTS:

- (1) Internal Affairs Committee Meeting Held On [Monday, March 12, 2007, At 5:00 P.M. In County Council's Conference Room At The County Administration Building \(Byrd, Blanding, and Robinson\).](#)

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

- ◆ Stormwater Management: To forward two names to the City of Sumter for ratification
- ◆ Development Board: Appoint Jesse Williams
- ◆ Tuomey Hospital: Recommend Mitchell Williams to Tuomey Healthcare Board As Council's appointee.

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

(2) Personnel Committee Meeting Held On Tuesday, March 13, 2007, At 4:30 P.M. In County Council's Conference Room At The County Administration Building (Baten, Byrd, and McGhaney).

The Chairman of the Committee, Vice Chairman Baten, presented the following report and recommendations to Council for action.

- ◆ **Deputy Administrator:** The Committee received a request from the County Administrator to "rescind" his former request for an Assistant County Administrator title to be added to the County's employee title and position classification list and add to the employee title and position classification list the title of Deputy Administrator. It was further requested that two positions be listed within the employee title and position classification list. Then Council took action on the approval of the recommendation.

**ACTION:** MOTION and second received from the Committee, and unanimously carried by Council to approve the recommendations as presented to rescind the position of Assistant County Administrator and add the official title and two slots for *Deputy Administrator*.

- ◆ **Contractual Matter:** The Committee entered executive session to discuss a contractual matter; no action was taken.

(3) Fiscal, Tax, and Property Committee Meeting Held On Tuesday, March 13, 2007, At 5:00 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; presented the following report and recommendation to Council for action.

- ◆ **Budgetary Matter:** The Committee received a detailed financial report concerning the proposed budget. No action was taken. These matters will be discussed during the budgetary cycle.
- ◆ **Executive Session Matters:** There were two executive session items discussed during executive session. No action taken.
- ◆ **Shaw Air Force Base Encroachment Report:** Ms. Donna McCullum and Mr. George McGregor presented a report to Council concerning recommendations from the Planning Commission's Subcommittee concerning development of property around Shaw Air Force Base. The Committee discussed the need for purchasing the development rights from property owners, yet allows the owners to continue using the property for specified purposes. (NOTE: Councilman Edens did not participate in any discussions on this matter nor was he present in the Committee room during the discussions.)

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

- ◆ **Disabilities and Special Needs Board (DSNB) Annual Employee Recognition Program:** Sumter County Council was presented with a plaque for its assistance with the DSNB during

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its recent employee recognition program. Vice Chairman Baten and Councilman Blanding attended this function and presented the DSNB with a proclamation, proclaiming March as Disabilities and Special Needs Awareness Month.

### MONTHLY REPORTS:

- SCAC ETV Teleconference ACO Annual Conference and Exposition: The Importance of Open Government
- Financial Statement Ending January 2007
- Sumter County Historical Commission
- Public Works

### ADMINISTRATOR'S REPORT:

- Correctional Systems: The State Legislature is still pondering quotas for State inmates. Kathy Williams from the South Carolina Association of Counties is continually keeping counties informed of the happenings on this matter.
- Letter Concerning Owl's Nest: The County Attorney has prepared a letter and sent it to the Owl's Nest owners stating that they need to begin vacating the property due to a lack of compliance to certain safety requirements. The final date of vacating the property is April 13, 2007.
- Shiloh Water System Board Meeting minutes were included in Council's folders.
- Walking Grant: The Rafting Creek Community and the Rembert Coalition have each applied for a grant from the University of South Carolina for the purpose of installing a track around the Rafting Creek Community Center which is owned by the County. The land was leased to the County by the School District for 99 years. The Rembert Coalition was awarded the grant, but does not have any land to install the track. Rafting Creek Community Center is just submitting the grant material. Since the County holds the 99-year leased of the property at Rafting Creek Community Center (Greater Township Community Center), it is the desire of the University of South Carolina to provide the funds to Sumter County, but the University does not want to get between two County facilities. Therefore, the University has agreed to award the funds to Sumter County through the Recreation Department and have the walking trail installed at Rafting Creek Community Center. *NOTE: Council agreed to Mr. Noonan's solution to this issue.* Anyone in the Community, Sumter, or tourists, etc. can use the track once it is installed.
- Budget Update: The Financial Staff and the Administrator have met with 21 departments to review their budgets.
- Budget Workshop: Council scheduled a budget workshop for Thursday, March 22, 2007, at 5:00 p.m.
- Volunteer Fire Fighters Annual Banquet at 7:00 p.m. on April 30, 2007, at the Exhibition Center.

### PUBLIC COMMENT:

The Chairwoman asked if anyone from the public would like to speak during public comment and the following person spoke.

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- ◆ Tim Bondy, stated that he is a Sumter County resident. Councilman Baker is his Councilman. He has been in contact with Councilman Baker about an issue that is important to him and he has also been in contact with Mary Blanding, the Clerk to Council. He stated that what is important to him is to get the Sumter County Council meeting minutes posted on the internet. He stated that this will allow those that are interested to participate in County Government, even if they are not present at the meetings. Mr. Bondy further stated that he told Councilman Baker that he would be a squeaky wheel, and he is present in order to keep his promise. Mr. Bondy further stated that today starts the misery, until something gets done. The Chairwoman stated that the minutes will be placed on the website, but the date for the completion of this process was not promised.

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 27, 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:**        March 8, 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:**        March 8, 2007

Respectfully submitted,

Mary W. Blanding  
Mary W. Blanding