

**Minutes**  
**Sumter County Council**  
**Regular Meeting**  
**October 9, 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 Councilman Roland Robinson.

**MEMBERS ABSENT:** None

**STAFF MEMBERS PRESENT:** Mr. William T. Noonan, County Administrator; Ms. Denise McLeod, Clerk to County Council; Mr. Johnathan Bryan, County Attorney; Mr. Gary Mixon, Deputy Administrator; Mrs. Patricia Jefferson, Director Voter Registration and Election Commission; Mrs. Pam Craven, Finance Director; and P. Shields, Permelia Shields, Victims Assistant Officer.

**MEDIA PRESENT:** The Item

**PUBLIC PRESENT:** Approximately 15 members of the public were in attendance.

**CALL TO ORDER:** Chairwoman Vivian Fleming-McGhaney called Sumter County Council's meeting of October 9, 2007, to order.

**INVOCATION:** Councilman Roland Robinson 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 October 9, 2007, agenda with any additions, deletions, or as printed.

**ACTION:** MOTION was made by Vice Chairman Baten, seconded by Councilman Edens, and unanimously carried by Council to approve the October 9, 2007, with 07-651 listed as Third Reading and not Second Reading.

**ACTION ON MINUTES OF SEPTEMBER 25, 2007:** Chairwoman McGhaney stated that she would entertain a motion to approve the minutes of County Council's meeting of September 25, 2007.

**ACTION:** MOTION was made by Councilman Robinson, seconded by Councilman Edens, and unanimously carried by Council to grant approval of the minutes of September 25, 2007, as prepared by the Clerk.

**LAND USE MATTERS AND REZONING REQUESTS –**

**Planned Development/Rezoning Request –**

- (1) RZ-07-08, C-Cubed Carolina, LLC – First Reading --Request To Rezone From Agricultural Conservation (AC) To Residential Conservation / Residential-15 (RC/R-15) Property Located At 4550 Peach Orchard Road And Identified By Tax Map #150-00-02-015.

Mr. McGregor stated that the item for first reading is a request to rezone approximately 30 acres of land located on Peach Orchard Road east of Thomas Sumter Academy. Council amended the Comprehensive Plan in July 2007; the applicant is requesting now that the property be rezoned to Residential Conservation/Residential-15 to allow for the development of single family dwellings.

Public water is available to this proposed subdivision; however public sewer connection is not available to this location. The Planning staff and Planning Commission recommended approval of this proposed rezoning request. This application is in conformance with the Comprehensive Plan.

ACTION: MOTION was made by Councilman Robinson, seconded by Councilman Byrd, and unanimously carried by Council to grant first reading approval of this proposed rezoning request.

Street Name Change – None

Grant Awards – None

OTHER PUBLIC HEARINGS – None

#### NEW BUSINESS

- (1) A Proclamation Proclaiming The Month of October As The Sumter Alumnae Chapter of Delta Sigma Theta Sorority, Inc. Month In Sumter, South Carolina.

The Chairwoman presented this proclamation to Council for review and possible adoption. Chairwoman McGhaney also recognized the members of Delta Sigma Theta Sorority, Inc. who were present on behalf of the proclamation. Then Council took action on the proclamation.

WHEREAS, The Sumter Alumnae Chapter of Delta Sigma Theta Sorority, Inc. was established in Sumter, South Carolina on October 26, 1947, as a part of the Southern Region by Soror Addie Jones, Regional Director, with five charter members: A. Louis Bultman, Ruby Gannaway Herriott, Marguerite Roberts McCain, Mildred E. Roberts, and Flossie E. Tarleton Rivers; and

WHEREAS, the history of the Sumter Alumnae Chapter has chronicled its involvement by participating in and contributing to cultural, civic, educational, economic, and humanitarian activities and events; and

WHEREAS, During the 60 years of Sumter Alumnae Chapter of Delta Sigma Theta Sorority, Inc. renowned leadership has been one of the propelling factors in the growth and function of this organization; and

WHEREAS, The Sumter Alumnae Chapter has remain focused on the Five Point Thrust of Delta Sigma Theta Sorority, Inc. which are Economic Development, Educational Development, International Awareness and Involvement, Physical and Mental Health, and Political Awareness and Involvement; and

WHEREAS, One of the first public actions of Delta Sigma Theta Sorority, Inc. in March 1913 was participating in the women's Suffrage March in Washington, thereby, the Sumter Alumnae Chapter continues to support and endorse programs and activities that reflect the initial actions of its first leaders.

NOW, THEREFORE BE IT PROCLAIMED by members of Sumter County Council that:

**The Month of October 2007, Is Proclaimed**

**As**

**The Sumter Alumnae Chapter Of Delta Sigma Theta Sorority, Inc. Month**

in the *County of Sumter, State of South Carolina* and Council members and I urge all citizens to applaud the members of this outstanding Sorority for the work that they have done, are doing, and will do in the future. Council further encourage men, women, boys, and girls of this county and surrounding counties to join hands with The Sumter Alumnae Chapter Of Delta Sigma Theta Sorority, Inc. in ensuring that the Five Point Thrust is carried out in a manner of togetherness.

BE IT FURTHER RESOLVED that Council applaud this organization and congratulate each member on their 60<sup>th</sup> year of being servants of God and Humanity. May God continue to place his loving and powerful hands on all projects that are undertaken by this Chapter and all leaders that embark upon leading this great organization.

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

- (2) A Proclamation Proclaiming October 7, 2007-October 13, 2007, as Mental Illness Awareness Week in Sumter County, South Carolina

The Chairwoman presented this proclamation to Council for consideration. After review of the Proclamation, Council took action on its adoption as listed below.

Whereas, severe mental illnesses such as schizophrenia, bipolar disorder, major depression, obsessive-compulsive disorder, severe anxiety disorders, borderline personality disorder, and post-traumatic stress disorders affect one in every five families annually in Sumter County; and

**Whereas,** severe mental illnesses are more common than cancer, diabetes, and heart disease and are the number one reason for hospital admissions nationwide; and

**Whereas,** severe mental illnesses have been scientifically proven to be highly treatable illnesses of the brain; and

**Whereas,** specific research is producing tremendous breakthroughs in the understanding of mental illnesses, resulting in more effective treatments that allow people to reclaim full and productive lives; and

**Whereas,** severe mental illnesses continue to be shrouded in stigma and discrimination from societal prejudice causing those who are affected to be cast as second-class citizens; and

**Whereas,** the citizens of Sumter County, South Carolina recognize that people suffering from mental illness not only need, but deserve and have a right to, the best quality of care and treatment in their local communities; and

**Whereas,** it is the responsibility of every citizen to understand mental illness and to work together to establish and maintain services for persons who have mental illness and to fight the stigma associated with being mentally ill.

**Now Therefore Be It Resolved,** Sumter County does hereby proclaim October 7 through October 13, 2007, as **Mental Illness Awareness Week in Sumter County, South Carolina** to increase public awareness of severe mental illness and to promote greater understanding for those who suffer from the potentially disabling symptoms of these disorders.

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

(3) Discussion and Possible Revision of A Resolution Passed and Adopted September 13, 2005.

Mr. William T. Noonan, the County Administrator, stated that he would recommend deferral on this item until he and the Clerk to Council could discuss this item further. (Note: The Clerk to Council was on vacation.)

**ACTION:** MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to defer action on this item until a later date.

(4) First Reading – 07-653 – An Ordinance To Enlarge The Jointly Owned And Operated Industrial/Business Park Created, In Conjunction With Clarendon County, By Sumter County Ordinance No. 95-283 And Clarendon County Ordinance No. 10-9-1955, And Last Enlarged, In Conjunction With Clarendon County, By Sumter County Ordinance No. 97-321; To Amend The Agreement Between Sumter County And Clarendon County Pertaining To Such Industrial/Business Park By Adding Thereto Certain Real Property And The Improvements Thereon In Sumter County South Carolina

And In Clarendon County; And, To Approve A Revised Exhibit "A" To Such Agreement, Describing The Property Located In Such Park By Adding Thereto Descriptions Of The Additional Property In Sumter County And In Clarendon County As Exhibits A, B, C And D Herein.

Mr. Johnathan Bryan, the County Attorney, spoke to Council concerning Ordinance 07-653. He stated that Council had previously approved ordinances for local industries economic incentive packages which stated that these industries (the property) would be placed in a multi-county park with Clarendon County, South Carolina. This ordinance is the vehicle to place these industries within the multi-county park.

Mr. Bryan also stated that currently this ordinance has Clarendon County Ordinance Number 10-9-1955 listed within this ordinance; however, the Ordinance may need to be revised to remove Clarendon County Ordinance No. 10-9-1955 and then only list reference to Clarendon County's Ordinance; then Clarendon County will write its own ordinance with reference to Sumter County's ordinance listed within its ordinance.

After all comments; Council took action on first reading.

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

- (5) 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 held.

OLD BUSINESS -

- (1) 07-651 -- Third Reading -- An Ordinance To Amend Chapter 4, Article II Of The Sumter County Code Of Ordinances To Promulgate The Requirements For Registering A Dangerous Animal.

Mr. Bryan also presented this proposed ordinance. He stated that subject to second reading, he received information from the Sheriff requesting that a \$25.00 registration fee be included within this ordinance. If someone loses their registration information; it would be a \$10.00 replacement fee. The first four paragraphs of the ordinance replicate the current State statute. However, listed in the second section of the ordinance, items 1-5 pertain mostly with the Sheriff's office; see information below.

1. Any person residing in Sumter County, who owns a dangerous animal, as that term is defined in S. C. Code of Laws, §47-3-710, shall register the animal with the Sumter County Sheriff by visiting the Sheriff's office and completing such forms as the Sheriff shall require to identify the owner, the animal and the place where the animal is confined, as required by in S. C. Code of Laws, §47-3-720.

2. The owner shall provide the proof of liability insurance or surety bond required by S.C. Code of Laws, §47-3-760(E) at the time the animal is registered.
3. The Sheriff may charge a registration fee of up to \$25.00 for each animal registered.
4. The Sheriff shall supply to the owner the metal license and certificate in accordance with S.C. Code of Laws, §47-3-760(E). The Sheriff may charge an administrative fee of up to \$10.00 to replace a lost metal license.
5. If the owner permanently removes a dangerous animal from Sumter County or sells, gives or otherwise conveys ownership of the animal to another person or if the dangerous animal dies, the owner shall notify the Sheriff's Department of such event by a document signed and dated by the owner.
6. Violation of paragraphs (1) – (4) this Ordinance by the owner of a dangerous animal is a violation of S.C. Code of Laws, §47-3-760(A) and such violations shall be punished in accordance with the punishment prescribed in that section. Violation of paragraph (5) of this Ordinance is a misdemeanor and shall be punishable in accordance with the Code of Ordinances for Sumter County.

The Attorney also explained that anyone registering a dangerous animal must, by State statute, purchase a surety bond worth \$50,000. The County's ordinance is tied to the State statute; thereby, if the State statute changes, the County's ordinance would change automatically without coming back before Council. After all comments; Council took action on third reading.

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

**COMMITTEE REPORTS:**

- (1) Internal Affairs Committee Meeting Held On Monday, October 1, 2007, At 12:00 P.M. In County Council's Conference Room At The County Administration Building (Committee Members: Byrd, Blanding, and Robinson; All Council Members Are Asked to Attend This Meeting.)

The Chairman of the Committee, Councilman Byrd gave the following reports:

**Library Board:** The Committee reviewed a letter from Jack Howle and discussed the request made by Mr. Howle. After all discussions, the Committee recommended that effective November 15, 2007, the following persons would be appointed to the Board -- Mrs. Margaret Curlovic, Mr. Franklin Shuler, and Mrs. Rosetta Wilson Mayo; until that time, Ben Griffith, Glenda Denny, and Virginia Ray will remain on the Library Board to continue the process of hiring a new Library Director.

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

1. Iris Festival Commission. The Committee reviewed information from Ms. Lynn Kennedy and several applications concerning the Iris Festival Advisory Board. The Committee, with one member abstaining, recommended appointing Mrs. Peggy Blanding to the Commission.

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

2. Executive Session Matter Pertaining To A Personnel Issue.

The Committee took action to enter executive session to discuss a personnel issue; at the conclusion of the executive session, the committee re-entered open session. The following motion was entertained.

ACTION: MOTION was made by Councilman Blanding, seconded by Councilman Robinson, and unanimously carried to schedule another meeting of the Internal Affairs Committee to investigate a personnel matter pertaining to one of Council's Commissions or Boards. The meeting was later scheduled for Thursday, October 4, 2007, at 12:00 p.m.

- (2) Internal Affairs Committee Meeting Held On Thursday, October 4, 2007, At 12:00 P.M. In County Council's Conference Room At The County Administration Building (Committee Members: Byrd, Blanding, and Robinson; All Council Members Are Asked to Attend This Meeting)

The Committee discussed an executive session matter; no action was reported from the meeting.

- (3) Fiscal, Tax, and Property Committee Meeting Held On Tuesday, October 9, 2007, At 4:30 P.M. In County Council's Conference Room At The County Administration Building (Committee Members: McGhaney, Edens, and Byrd – All Council Members Are Asked To Attend This Meeting.)

The Chairwoman of the Committee, Chairwoman McGhaney; gave the following report and recommendations from Council.

- A. Continued Discussions and Possible Action Concerning Sumter Airport Hangar Construction Project. (Bill Lynam). No Action taken.
- B. Request From The University Of South Carolina Athletic Department: The Committee received a request from the USC Sumter asking for the County to assist them in raising funds for their Athletic Department. The Committee recommended supporting USC-Sumter with \$5,000 from the Council's Contingency fund.

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

- C. Request From The Sumter Chamber of Commerce Annual Retreat. The Committee received a request from the Chamber of Commerce to assist in the payment of a

speaker for the annual retreat which is one-third of the cost. The Committee recommended supporting this request with \$2,000 coming from Council's Contingency fund.

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

D. Central Carolina Economical Development Alliance. The Committee discussed the attendance of the County's appointee to the Central Carolina Economic Development Alliance. The Committee recommended that the County Administrator have discussions with the Central Carolina Economic Development Alliance about the current and further appointments and report back to the Committee.

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

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

No report given.

**MONTHLY REPORTS:**

**ADMINISTRATOR'S REPORT:**

- Ø The Administrator commented on information from the South Carolina Association of Counties where there is a proposal for Counties to take over the maintenance and funding of the State Road System. This should be one of the subjects that the County should talk to the Delegation about.
- Ø Institute of Government Classes and the County Council Coalition Scheduled for October 11 and 12, 2007.
- Ø OctoberFest is scheduled for Thursday-Saturday, October 11-13, 2007.
- Ø October 18, 2007, is the South Carolina Association of Counties Legislative meeting.
- Ø October 19, 2007, is the County's Second Annual Employee Fund Day.
- Ø Councilman Roland Robinson is scheduled for the Radio Station for Wednesday, October 10, 2007.

**PUBLIC COMMENT:**

The Chairwoman asked if anyone from the public would like to make comments to members of Sumter County Council. The following persons spoke:

- Ø Mrs. Elaine Rogers, Member of The Sumter Alumnae Chapter of Delta Sigma Theta Sorority, Inc. Sumter, South Carolina Representative spoke concerning this organization's 60 years of existence in Sumter County. She stated that the Chairperson, Lorraine Dennis, is not present; however, an invitation was extended to Chairwoman McGhaney to attend this

organization's banquet on Saturday, 26, 2007, at Shaw AFB. Mrs. Rogers then thanked Council for adopting the proclamation as presented.

Ø Fred Harmon spoke in support of the Mental Health Awareness Week Proclamation. He stated that his wife, Kaye Harmon, who is an advocate for NAMI, National Association for Mental Illness, was unable to be present at the meeting. He thanked Council for supporting the proclamation and those citizens that are struggling with mental illness. He and his wife also provide services for the local mental health agencies in Sumter. He also asked one of the Council members to be present at the Candlelight Vigil scheduled for Saturday, October 13, 2007, at the Recovery Garden at the Mental Health Center located on Magnolia Street.

Ø Robert Wilson spoke to Council members. He stated that he is a resident of Sumter and owns some property on Franklin Street. The property has been condemned and must be demolished. He stated that he is trying to assist in cleaning up the neighborhood; however, he needs some help with waiving the tipping fees at the landfill. He said he has already spent \$5,000 to have the property demolished. The Chairwoman asked Mr. Wilson to talk to the Administrator; however, Mr. Wilson and Mr. Noonan had already spoken. Then the Chairwoman asked Mr. Wilson to give his information to the Administrator and this request will be placed on the appropriate agenda of Council.

ADJOURNMENT:

There being no further business and no additional comments from the public, the meeting was adjourned at 6:40 p.m.

Respectfully submitted,

Mary W. Blanding

Vivian Fleming-McGhaney

Chairman or Vice Chairman  
Sumter County Council

Clerk to County Council  
Sumter County Council

Approved: \_\_\_\_\_

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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: October 4, 2007

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**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: October 4, 2007**

**Respectfully submitted,**

**Mary W. Blanding**  
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