

**Minutes
Sumter County Council
Regular Meeting
November 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 Councilman Roland Robinson.

MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Mr. William T. Noonan, County Administrator; Mrs. Mary W. Blanding, Clerk to County Council; Mr. Johnathan Bryan, County Attorney; Mr. George McGregor, Planning Director; Mrs. Pam Craven, Finance Director; Mrs. Lorraine Dennis, Deputy County Administrator/Human Resources Director; Mr. Gary Mixon, Deputy County Administrator; Keysa Rogers, Budget Analyst; and the Honorable Verna Moore, Sumter County Coroner.

MEDIA PRESENT: The Item

PUBLIC PRESENT: Approximately 11 members of the public were in attendance.

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

INVOCATION: Chairwoman McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: All in attendance repeated the Pledge of Allegiance which was lead by the Boy Scout Troop from Shaw AFB.

APPROVAL OF AGENDA: Councilwoman McGhaney stated that she would entertain a motion to approve the November 27, 2007, agenda with any additions, deletions, or as printed.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Robinson, and unanimously carried by Council to approve the November 27, 2007, agenda as presented.

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

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Baten, and unanimously carried by Council to grant approval of the minutes of November 13, 2007, as prepared by the Clerk.

LAND USE MATTERS AND REZONING REQUESTS -

Planned Development/Rezoning Request -

- (1) OA-07-07 -- Sumter County Council – Second Reading and Public Hearing (07-655) -- Request to amend Section 8.i.6.d of the County Zoning Ordinance concerning Political Signs. (Prior to action on second reading, a public hearing will be held on this proposed Ordinance Amendment.)

Mr. George McGregor, the Planning Director, stated that this proposed ordinance amendment is up for second reading and public hearing. He further stated that Sumter County Council instructed the Planning staff to forward this request to the Planning Commission for review and consideration. The request is to amend the County Zoning Ordinance relative to Political Signs. It was suggested by Council for the ordinance to be standard across the board for two reasons: (1) size equality for all locations across the entire County instead of breaking out different sizes for various zoning districts and also (2) to make it easier to enforce these type sign regulations. This amendment would also mirror the State Guidelines on size. The Planning staff and Planning Commission recommend approval of the proposed change.

PUBLIC HEARING:

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

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant second reading approval and adoption to this rezoning request as presented.

Street Name Change – None

Grant Awards – None

OTHER PUBLIC HEARINGS –

- (1) 07-654 -- An Ordinance Authorizing The Transfer Of In A Portion Of Lynette Drive To Sumter Transport Company. (Council Members May Take Action On Second Reading Immediately After The Public Hearing Or During Old Business.)

After the County Administrator presented the ordinance to Council for second reading approval, Chairwoman McGhaney convened a public hearing on this matter. She asked the public whether or not someone wished to speak in favor of or position to this proposed ordinance. No one spoke to this matter; therefore, the Chairwoman closed the public hearing and Council took action on second reading as listed under Old Business.

NEW BUSINESS

- (1) Approval Of Sumter County Council's Meeting Calendar For 2008.

The Clerk to Council presented the County Council's meeting date's calendar for 2008. After discussions about the calendar, Council took action on its adoption.

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Month Of Meeting	First Meeting Date	Second Meeting Date
January	8	22
February	12	26
March	11	25
April	8	22
May	13	27
June	10	24
July	8	22
August	12	26
September	9	23
October	14	28
November	11	25
December	9	None

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Robinson, and carried by Council to grant approval of the 2008 meeting dates of County Council. Councilman Blanding voted nay and Councilman Baker had left the meeting due to a previous obligation.

(2) Approval Of Sumter County's Employee Holiday Calendar For 2008.

The County Administrator presented the proposed 2008 Employee Holiday Calendar for approval. Mr. Noonan indicated that during 2007, the employees had Veterans' Day; however, next year, they will have Election Day as the holiday. Council members discussed this matter in detail and then took action on the calendar as listed below.

JANUARY 1	NEW YEAR'S DAY
JANUARY 21	MARTIN LUTHER KING'S DAY
FEBRUARY 18	PRESIDENT'S DAY
MARCH 21	GOOD FRIDAY
MAY 26	MEMORIAL DAY
JULY 4	INDEPENDENCE DAY
SEPTEMBER 1	LABOR DAY
NOVEMBER 4	ELECTION DAY
NOVEMBER 27 and 28	THANKSGIVING
DECEMBER 25 and 26	CHRISTMAS
VARIED	EMPLOYEE BIRTHDAY

ACTION: MOTION was made by Councilman Robinson, seconded by Councilman Blanding to grant approval of the Calendar as presented.

Then Councilman Edens offered a substitute motion.

ACTION – SUBSTITUTE MOTION: MOTION was made by Councilman Edens to defer action on the calendar until the December 11, 2007, meeting. The motion was withdrawn and Council took action on the original motion.

Action on original motion.

ACTION ON ORIGINAL MOTION: MOTION was made by Councilman Robinson, seconded by Councilman Blanding, and carried by Council to grant approval of the calendar as presented. Chairwoman McGhaney and Vice Chairman Baten voted in opposition. Councilmen Robinson, Edens, Blanding, and Byrd voted in the affirmative; Councilman Baker was absent; the motion carried to approve the calendar as presented.

- (3) 07-656 -- First Reading -- An Ordinance To Revise The Jointly Owned And Operated Industrial/Business Park Created, In Conjunction With Clarendon County, By Sumter County Ordinance No. 95-283 To Set Forth Specifically The Rights And Responsibilities Of Each County As They Relate To The Property Located In Each County.

The County Attorney presented this proposed ordinance to Council for first reading approval. Councilman Edens asked the Attorney whether or not Sumter County will have to give up any of the revenue from the Multi-County Park Agreements during the revision of the ordinance. The Attorney stated that this ordinance should not cause any change to the existing agreements. This ordinance will simply identify all existing properties in the Multi-County Park Agreement between Sumter and Clarendon Counties in one ordinance. However, Mr. Bryan stated that he will review the agreements at a later date and report his findings to Council as to the breakdown of the review allowance for each County. After all comments, Council took action on the ordinance as listed below.

WHEREAS, by its Ordinance No. 95-283, the Sumter County Council (the "Council") authorized the development and operation of a jointly owned and operated Industrial/Business Park (the "Park") in conjunction with Clarendon County, such Industrial/Business Park to be geographically located in Sumter County and established pursuant to Section 4-1-170, et seq., South Carolina Code of Laws, 1976, as amended, and authorized the execution of a written Agreement (the "Agreement") with Clarendon County providing for the details related to the operation of that Park; and,

WHEREAS, Clarendon County, by its Ordinance No. 10-9-1995, similarly authorized such Industrial/Business Park, in conjunction with Sumter County; and,

WHEREAS, Sumter County and Clarendon County now desire to place property located in Clarendon County into the same park and have the Clarendon County property controlled by the same agreement as the Sumter County property.

NOW, THEREFORE, BE IT ORDAINED BY THE SUMTER COUNTY COUNCIL, IN MEETING DULY ASSEMBLED, that:

Sumter County Council hereby adopts the terms and conditions of the AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, a copy of which is attached hereto and the terms of which are incorporated herein by reference.

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

- (4) 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) Second Reading -- 07-654 -- An Ordinance Authorizing The Transfer Of In A Portion Of Lynette Drive To Sumter Transport Company.

The County Administrator presented this item before Council. He stated that this is a request to transfer a portion of Lynette Drive to Sumter Transport Company. The State Department Of Transportation has already relinquished service and its rights to this portion of the property. Then the Chairwoman convened a public hearing. After the public hearing; Council took action on second reading of this ordinance (listed below).

WHEREAS, Lynette Drive, as shown on the Sumter County Auditor's Tax Map Sheet #208, extends from Cockerill Road (Road S-43-645) northwesterly to the CSX Railroad where it ends; and

WHEREAS, Sumter County Council previously determined that the section of Lynette Drive which begins at the CSX Railroad and extends 0.14 miles in a southeasterly direction is unnecessary for public use and abandoned the maintenance of that by Sumter County from its County Road Maintenance Program by its Resolution which was voted upon and passed on September 11, 2007; and

WHEREAS, the County neither claims nor denies that it has a dedicated right-of-way to the portion of Lynette Drive affected by this Ordinance, but acknowledges that the South Carolina Department of Transportation, by correspondence dated August 29, 2007, has abandoned its interest in that part of Lynette Drive and has removed that part of Lynette Drive from the State Highway System with the understanding that Sumter County will accept maintenance responsibility for this section of road even though previously the State of South Carolina Department of Transportation has, from time to time in the past, maintained Lynette Drive for the benefit of the general public; and

WHEREAS, the County has determined in regard to the portion of Lynette Drive proposed to be conveyed pursuant to this Ordinance that there is little use thereof by the general public, that the persons traveling to and from other real property situated on Lynette Drive have adequate access to and from such other property without using the portion of Lynette Drive proposed to be discontinued, that the cost of maintenance of the portion of Lynette Drive proposed to be discontinued is quite high compared to the low use

thereof, and that the proposed discontinuance will result in the savings to the County in maintenance cost and that the proposed discontinuance will not adversely affect travel on the remaining portion of Lynette Drive ; and

WHEREAS, Sumter County does not currently need the property for any public purpose,

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:

1. That Sumter County hereby affirms that it has previously abandoned its interest in and hereby deletes that part of Lynette Drive which begins at the CSX Railroad and extends 0.14 miles in a southeasterly direction from Sumter County's maintained road system.

2. That this Ordinance does not affect any rights in or to Lynette Drive other than the rights of Sumter County therein, should any there be.

3. The County Council Chairman has complete authority to execute any deeds or other legal instruments necessary to carry out the provisions of this resolution.

4. That Sumter County convey to Sumter Transport Company, a South Carolina Corporation, by quitclaim deed, its interest in the 0.14 miles of Lynette Drive which begins at the CSX Railroad and extends 0.14 miles in a southeasterly direction.

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

COMMITTEE REPORTS:

- (1) Internal Affairs Committee Meeting Held On Monday, November 26, 2007, At 12:00 P.M. In County Council's Conference Room At The County Administration Building (Committee Members: Baker, Baten, and Robinson - All Council Members Are Asked To Attend This Meeting.)

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

Appointments To Boards and Commissions

- ◆ Accommodations Tax Advisory Committee: Recommended to forward three names to the City for reappointment (joint appointments).

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to grant approval of the reappointments and directed the Clerk to forward the three names to the City for reappointment and action by City Council.

- ◆ Commission On Alcohol and Drug Abuse Commission: No action taken.

- ◆ **Planning Commission:** Recommended to appoint Mr. Wayne Owens to replace Candice Leggett.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to grant approval of the appointment as presented.

- ◆ **Workforce Investment Board:** Recommended to appoint Mrs. Jeannie Gable to represent the Department of Social Services on the WIB Board.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to grant approval of the appointment as presented.

Update On Orientation For Boards And Commission Members: The Clerk to Council is following up on this matter and should report back to the Committee at its next meeting.

- (2) **Fiscal, Tax, and Property Committee Meeting Held On Tuesday, November 27, 2007, At 5:00 P.M. In County Council's Conference Room At The County Administration Building (Committee Members: 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 for Council's action.

- ◆ **Request To Allow Burial On County Property.** The Committee received a request to allow for burial on County owned property which was given to the County by the Pinkney family. However, the family now wishes to place a mausoleum on the property and place Bill Pinkney's body in the mausoleum. It was recommended that the property be deeded back to the Pinkney family who can then proceed with their desires on the property.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to grant approval of the recommendation to direct the County Administrator to see if the Pinkney family would like to receive the property back to have the freedom to do as they please on the property.

- ◆ **Update On Request To Establish Two Historical Landmarks (General Mabry Memorial Park And Bill Pinkney Memorial Park):** The Committee received a report from the State and National Historical agencies through the County's Historical Commission that neither of these areas are qualified to become Historical Landmarks.

- ◆ **Update On Date To Meet With Delegation.** No date has been set yet; however, the Clerk will continue to follow-up on this matter.

- ◆ **Request To Review Approval Of An Intersection Streetlight** The Committee reviewed a previously request for an intersection streetlight at Wedgefield Road and the Old Charleston Highway. The Committee recommended to ask the Administrator

to contact District #2 to move the current school bus stop to an existing lighted area in the same community.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to grant approval of the recommendation to direct the County Administrator to follow-up with School District #2 and/or any other agency pertaining to this particular school bus stop.

- ◆ Executive Session –A Contract With Black River Electric Cooperative: The Committee discussed a contractual matter pertaining to eligible funds for infrastructure assistance under South Carolina Rural Development Act of 1996. The Cooperative, through an agreement is allowed to apply for a credit against its tax liability for amounts paid in cash to provide infrastructure for qualifying projects. The County has requested and the Cooperative has agreed to invest approximately \$220,000 dollars in infrastructure payments that the Cooperative would otherwise have been paid as part of its license liability to the State of South Carolina through the Department of Revenue. The County would agree to use these funds only for infrastructure improvements. Therefore; the Committee recommended approval of the contract as presented.

ACTION: MOTION and second were received from the Committee and unanimously carried by Council to grant approval of the recommendation to direct the Chairman and the Clerk to execute and deliver the contract on behalf of the County.

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

No report was given.

MONTHLY REPORTS:

- ◆ Prevention Research Center – USC Prevention Research Center – Community Mini Grant Initiatives
- ◆ SCDOT – Annual Meeting
- ◆ Chamber Of Commerce (Highway 521)
- ◆ Myrtle Beach On-Line – Chamber Reinforces Legislative Ties
- ◆ Ribbon Cutting – Kool Smiles General Dentistry and Zebra Custom Design
- ◆ Airport Assumptions FY 2007

ADMINISTRATOR'S REPORT:

- ◆ The SCAC Legislative Conference: Chairwoman McGhaney, Councilman Edens (Board Member of SCAC), and William T. Noonan, (Board Secretary of SCAC) will attend the SCAC Legislative Conference scheduled for November 30-December 1, 2007.
- ◆ News Article: State Newspaper – Council members were asked to read an article about roads in Lexington County.

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- ◆ Wellness Program – Prevention Partners – The Human Resources Department is working diligently on this project and Council members are encouraged to participate in this project if a person is a member of the State Health Plan.
- ◆ Christmas Tree Lighting – Friday, November 30, 2007, at 4:30 p.m.
- ◆ Breakfast With Santa – Saturday, December 1, 2007, at 10:00 a.m.
- ◆ Cherryvale Walking Track Dedication – Saturday, December 1, 2007, at 2:00 p.m.

PUBLIC COMMENT:

The Chairwoman asked if anyone from the public would like to make comments to members of Sumter County Council. No one spoke during public comments.

ADJOURNMENT:

There being no further business and no additional comments from the public, the meeting was adjourned at 6:48 p.m.

Respectfully submitted,

Vivian Fleming-McGhaney

Chairman or Vice Chairman
Sumter County Council

Mary W. Blanding

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: November 21, 2007
- Media Notified: Yes
- Manner Notified: Agendas were sent to most radio stations, television stations, and newspapers in the Sumter, Columbia, Manning, and Florence

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communities. Also, E-Mail notification was sent to Sumter County's Home Page, WIBZ, The Item, The Chamber, Time Warner Cable.

Date Notified: November 21, 2007

Respectfully submitted,

Mary W. Blanding
Mary W. Blanding