

**Minutes**  
**Sumter County Council**  
**Regular Meeting**  
**October 23, 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; Mr. Johnathan Bryan, County Attorney; Mr. George McGregor, Planning Director; Mrs. Pam Craven, Finance Director; and Mr. Latham Harris, County Assessor.

**MEDIA PRESENT:** The Item

**PUBLIC PRESENT:** Approximately 25 members of the public were in attendance.

**CALL TO ORDER:** Chairwoman Vivian Fleming-McGhaney called Sumter County Council's meeting of October 23, 2007, to order.

**INVOCATION:** Vice Chairman Eugene Baten 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 23, 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 October 23, 2007, agenda as presented.

**ACTION ON MINUTES OF OCTOBER 9, 2007:** Chairwoman McGhaney stated that she would entertain a motion to approve the minutes of County Council's meeting of October 9, 2007.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to grant approval of the minutes of October 9, 2007, as prepared by the Clerk.

**LAND USE MATTERS AND REZONING REQUESTS -**

**Planned Development/Rezoning Request -**

- (1) RZ-07-08, C-Cubed Carolina, LLC – Second Reading and Public Hearing -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. (Prior To Council Taking Action On Second Reading, The Chairwoman Will Convene A Public Hearing.)

Mr. George McGregor, the Planning Director, stated that the applicant, C-Cubed Carolina, LLC proposes to rezone the 29.27 acre parcel from Agricultural Conservation (AC) to Residential-15 (R-15). The property is located on the north side of Peach Orchard Road, just east of Old Camden Road and Thomas Sumter Academy. The property is undeveloped and contains some environmental features including woods and a stream.

As part of the applicant's submission with the Comprehensive Plan Map Amendment which was approved in July 2007, they provided a narrative and proposed lot layout for a private gated residential subdivision. Although the original plan was to make the new subdivision a gated community, the applicant has acknowledged that under R-15 zoning a gated community with private roads would not be an option. The applicant has indicated that they still intend to develop the property in accordance with the attached narrative and site plan; however the subdivision will not be a gated community. The proposed development plans include the provision of neighborhood open space placed in the heart of the approximate 27 lot subdivision. Lot sizes are planned to range in size from 0.43 acres to 1.1 acres.

It should be noted that the property could potentially accommodate +/- 73 R-15 style 15,000 sq. ft. lots in the event public sewer and water were available. Final development plans will be determined at time of major subdivision application.

Mr. McGregor also stated that the Planning Commission, and the Planning staff recommend approval of this request.

**PUBLIC HEARING:**

After Mr. McGregor's presentation, the Chairwoman convened a public hearing on this matter. She asked if anyone wished to speak in support or opposition to this rezoning request. No one spoke. Therefore, the Chairwoman closed the public hearing and 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 approval as presented.

**NOTE:** Lisa Zappolo came to the County Administration building prior to 6:00 p.m. on October 23, 2007; however, the door on the Canal Street side of the Administration building was locked – not familiar with Council's meetings; she left and went to a friend and discussed this issue. The person suggested that she return to the building and check the "door on the parking lot side of the Administration building." She did so and came into the building and discussed her opposition with me, Mary W. Blanding, to RZ-07-08 rezoning request.

She is opposed to the zoning change. She lives right next door to the property. She is also not sure how this rezoning will affect her. Other concerns include the following:

- Ø Increased traffic
- Ø Currently only one access to this property from Peach Orchard Road;
- Ø She has animals, including horses, chickens, dogs, cats, etc., will this be a problem for her already established lifestyle.
- Ø There are two schools on Peach Orchard Road; will this be a traffic problem for the school, the development, and existing residents in this area once the subdivision is developed.

Street Name Change – None

Grant Awards – None

#### OTHER PUBLIC HEARINGS –

- (1) 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. (Council May Take Action On Second Reading Immediately After Public Hearing Or During Old Business.)

Council members received comments from the County Attorney, Johnathan Bryan, concerning this proposed ordinance prior to action on second reading. 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 ordinance; therefore, the Chairwoman closed the public hearing and Council took action on this matter which is recorded under Old Business.

#### NEW BUSINESS

- (1) A Resolution Recognizing Mrs. Margaret Simon For Her Outstanding Work As A State Employee in Sumter County, South Carolina.

The Clerk to Council presented this proposed ordinance to Council for adoption. She stated that Mrs. Margaret Simon has served the State over 33 years and will be retiring October 26, 2007. After review of the resolution Council took action on adoption of this resolution.

WHEREAS, Sumter County, along with other towns, municipalities, and counties, throughout this state and nation must provide services for all citizens both healthy and those that are not as healthy; and

WHEREAS, selecting the right employee for a public job to assist those in need is necessary so that the clients, the clients' families and friends, and this community can all be compassionate and supportive of those that are needy; and

WHEREAS, Margaret Simon, is one such public employee who has given her life in service and has openly walked in *a life of compassion* as she has rendered over 33 years of service at Santee Wateree Mental Health Agency; and

WHEREAS, while Mrs. Simon began her career as a Clerk Typist in 1975, she was receptive to advancement opportunities and responsibilities; thereby, advancing herself to other positions such as Secretary II, Administrative Specialist A, Accounting Technician I and II, a Business Associate I, and Director of Administration; and

WHEREAS, Mrs. Simon has participated in local, state, and national organizations which have kept her abreast of the work that was placed in her hands during these thirty-three years as a state employee and provider of service to those with mental health needs.

NOW THEREFORE, BE IT RESOLVED that Sumter County Council recognizes Mrs. Margaret Simon on her retirement and acknowledges that Sumter County, South Carolina is a better place to live because of the outstanding contributions and services rendered by her.

BE IT FURTHER RESOLVED that Sumter County Council applaud Mrs. Simon because of her great character, sincerity, dependability, and service to the Santee Wateree Mental Health Agency, her family, and the Santee Wateree Region. May God continue to richly bless Mrs. Simon in all that she embarks upon. Given under the Seal of the County this 23<sup>rd</sup> day of October 2007.

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

- (2) A Proclamation Proclaiming November 5-11, 2007, as Rev. Marion Newton Days in Sumter County, South Carolina.

The Clerk to Council presented this proposed proclamation to Council for adoption. She stated that Rev. Marion H. Newton will be celebrating his 25<sup>th</sup> Pastoral Anniversary and his Church has asked Council to recognize Pastor Newton for all his service to this community.

After review of the proclamation, Council took action on its adoption.

**WHEREAS,** God in sundry times moved upon the face of this earth and placed Marion H. Newton in our existence in a humble quaint town of Jasper, South Carolina; and

**WHEREAS,** As Marion H. Newton grew, he left Jasper at the age of 18 and moved to Boston, Massachusetts where he resided for twelve years, and he eventually moved to Sumter County in 1971 where he has made great strides in this community; and

**WHEREAS,** During his life walk, Rev. Marion H. Newton accepted the call upon his life to become a bond-servant for Christ and a *Moses Figure* for those who he has been gifted to lead, God placed him at Jehovah Missionary Baptist Church as the under-Sheppard and Pastor Newton will remain there until God summons him to his reward; and

**WHEREAS,** Dr. Newton has been active in other organizations such as a member of Phi Beta Sigma Fraternity, Inc. Delta Kappa Sigma Chapter for over thirty years and this visionary has served as Chairman of the Board for the 20/20 Visioning Committee for the Chamber of Commerce, and the City and County of Sumter; and

**WHEREAS,** This great leader has demonstrated his leadership through his work as an inspiring teacher and revivalist; a graduate of Morris College, a Moderator Emeritus of Sumter Baptist Missionary and Educational Association, past President of the Black Concerned Clergy, a member of the Baptist Educational and Missionary Convention of South Carolina, a member of the Progressive National Baptist Convention, and many other services in the rural community and throughout the County.

**NOW, THEREFORE, BE IT RESOLVED,** that we the members of Sumter County Council, on behalf of its 108,000 citizens, do hereby publicly recognize The Reverend Marion H. Newton on his 25<sup>th</sup> Pastoral Anniversary at Jehovah Missionary Baptist Church and for his contributions to this County. Council also applauds him for making his mark in history by humbling himself to be used in the service of the Lord during the past, in the present, and forging into the future.

**BE IT FURTHER RESOLVED** that November 5-11, 2007, will be written in the annals of time as Marion H. Newton Week in Sumter County, South Carolina as a reflection of the work that has been performed by this soldier of God.

**IN WITNESS WHEREOF** the Chairwoman of Sumter County Council and the members of Council have hereunto set their hands and caused to be affixed the Seal of the County of Sumter, this 23<sup>rd</sup> day of October 2007.

**ACTION:** MOTION was made by Councilman Byrd, seconded by Councilman Blanding, and unanimously carried by Council to grant approval of the resolution as

presented and Council was directed to execute and deliver the resolution on behalf of the County.

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

OLD BUSINESS -

- (1) Second 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. (Council May Take Action On Second Reading Immediately After Public Hearing Or During Old Business.)

The County Attorney, Johnathan Bryan, presented this proposed ordinance to Council for second reading consideration. Mr. Bryan stated that this ordinance will allow for the two Kaydon companies and Property Industries to be included in a multi-county industrial park. He asked Council to support second reading to this ordinance.

After comments from the Attorney, 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 approval to this proposed ordinance.

COMMITTEE REPORTS:

- (1) Fiscal, Tax, and Property Committee Meeting Held On Tuesday, October 23, 2007, At 4:00 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.)

- A. Request For A Resolution Endorsing The Concept Of An African American Museum Being Constructed In Sumter County, South Carolina. (Mr. Frank E. Williams, Jr., Chairman, African American Cultural Society.)

The Committee received a request from the African American Cultural Society requesting a resolution endorsing the concept for the construction of an African American Museum being constructed in Sumter County; the Committee recommended approval of the resolution.

**ACTION: MOTION and second received from the Committee, and unanimously carried by Council to grant approval for the preparation and delivery of the resolution on behalf of the County.**

**B. Preliminary Financial Report As Of June 30, 2007 – Fiscal Year 2006-2007.**

Received as information.

**C. Sumter County Financial Statement As Of The First Quarter For Fiscal Year 2007-2008.**

Received as information.

**D. Discussion and Possible Revision of A Resolution Passed and Adopted September 13, 2005, Pertaining To EMS Setoff Debt Resolution.**

The Committee reviewed the minutes from the September 13, 2005, meeting concerning EMS and Magistrate Setoff Debt Resolution. The Committee recommended that no action be taken on this matter because the resolution will remain as approved during September 13, 2005.

**E. Discussion and Possible Action On Date To Meeting With Delegation.**

The Clerk will follow-up on this matter requesting that the dates of October 30, November 5, 6, and 7<sup>th</sup> be considered as dates to meeting with the Delegation.

**F. Executive Session Matters. The Committee received several executive session matters; however, the Committee only had action on one matter.**

1. The Committee discussed the possibility of continuing discussions concerning an agreement. It was recommended by the Committee that the Administrator be directed to continue negotiations concerning this agreement.

**ACTION: MOTION and second received from the Committee, and unanimously carried by Council to grant approval of the recommendation for the Administrator to continue negotiations concerning a proposed agreement.**

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

None.

**MONTHLY REPORTS:**

- Ø Public Works Committee
- Ø Public Safety Committee
- Ø Letter From Mr. Herb Leaird References Infrastructure Improvements
- Ø S. C. Code Of Laws – Chapter 20 Corporations License Fees
- Ø Rembert Area Community Coalition --- Walking Track Dedication
- Ø Chamber of Commerce – Signage
- Ø School District #17

**ADMINISTRATOR'S REPORT:**

- Ø Family Day was canceled and will be rescheduled for April 2008.
- Ø Criminal Justice Task Force Meeting was held recently; however, local detention center was not given the opportunity to speak at the meeting.

**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 comment.

**ADJOURNMENT:**

There being no further business and no additional comments from the public, the meeting was adjourned at 6:40 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: November 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: October 17, 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: October 17, 2007

Respectfully submitted,

Mary W. Blanding  
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