

**Minutes**  
**Regular Meeting**  
**Sumter County Council**  
**January 14, 1997 -- 6:00 P.M.**  
**SUMTER COUNTY ADMINISTRATION BUILDING**  
**County Council Chambers**

**MEMBERS PRESENT:**, James A. Campbell, Chairman; Frank E. Williams, Jr., Vice Chairman; Artie Baker, Carol Burr, Charles E. Fienning, Louis Fleming, and Naomi Sanders.

**MEMBERS ABSENT: None**

**STAFF MEMBERS PRESENT:** William T. Noonan, County Administrator; Mary W. Lewis, Clerk to Council; Tommy Mims, County Sheriff; Kathy Cuttino, County Attorney; John Duffie, Planning Coordinator; Lath Harris, County Assessor; Gary Mixon, Recreations Director; Eddie Newman, Public Works Director; William Houser, Comptroller; Brenda Disher-Hyatt, Correctional Center Director; Vic Jones; Public Safety Director; Martin Rogers; Human Resource Director/Assistant County Administrator; Bobby Galloway, Purchasing Agent; Jeanette Mixon, Finance Director; Elizabeth Hair, Treasurer; Verna Moore, Coroner; Jerry Hyatt, Regional Jail Director; Hemby Smith, Correctional Officer; B. J. Jefferson, from the Assessor's Office; Joe Postell; Codes Enforcement Director; and Ed Owens, Deputy Assessor.

**MEDIA PRESENT:** The Item and WIBZ

**PUBLIC PRESENT:** Approximately 10 members of the public were in attendance.

**CALL TO ORDER:** The meeting was called to order by Former Chairman Fienning, and The Reverend Marion Newton gave the invocation.

**NEW BUSINESS:**

- (1) Election of County Council Officers -- Chairman and Vice Chairman. (This matter will be handled right after the invocation.)

Former Chairman Fienning gave parting words of thanks to the Council persons who served with him while he was Chairman. He also thanked the County employees for their hard work and dedication to excellence in their career field. Then Former Chairman Fienning called for a nomination for the position of Chairman of Council.

MOTION was made by Councilwoman Sanders, seconded by Councilman Baker to nominate Councilman James Campbell as Chairman of Council.

MOTION was made by Councilman Fleming to nominate Councilman Carol Burr as Chairman of Council. The motion died for a lack of a second.

MOTION was made by Councilman Burr, seconded by Councilman Baker, and unanimously carried by Council to close the nominations on the name of James Campbell for Chairman of Council.

Former Chairman Fienning then asked each Council person to vote for the Chairman of Council by a show of his/her right hand. Council persons Fienning, Baker, Burr, Campbell, Sanders, and Williams voted in the affirmative; Councilman Fleming voted present. The motion carried and James A. Campbell was elected Chairman of Sumter County Council for a two-year term effective immediately.

MOTION was made by Councilman Fienning and seconded by Councilman Fleming to nominate Councilman Frank E. Williams, Jr. as Vice Chairman of County Council.

MOTION was then made by Councilman Burr and seconded by Councilman Fienning to close the nominations.

Council then voted unanimously to elect Councilman Frank E. Williams, Jr. as Vice Chairman of Sumter County Council for a two-year term effective immediately.

**ACTION ON MINUTES:** MOTION was made by Councilman Fienning, seconded by Councilman Fleming, and unanimously carried by Council to approve the minutes of December 17, 1996, with the following change:

**ACTION:** MOTION was made by Councilman Scott, seconded by Councilman Fleming, and unanimously carried by Council to grant first reading of the proposed budget ordinance amendment which will allow use of ~~\$654,303~~ of the County's reserve funds to fund the items listed within the ordinance ~~and an additional~~ \$5,000 to fund a portion of the Commercial Ornamental Horticulture Professional expenses at Clemson Extension.

**CHANGE TO:**

**ACTION:** MOTION was made by Councilman Scott, seconded by Councilman Fleming, and unanimously carried by Council to grant first reading of the proposed budget ordinance amendment which will allow use of \$654,350 of the County's reserve funds to fund the items listed within the ordinance which includes \$5,000 to fund a portion of the Commercial Ornamental Horticulture Professional expenses at Clemson Extension.

**LAND USE MATTERS AND REZONING REQUESTS**

**Planned Development/Rezoning Requests -- None**

**Street Name Change -- None**

**Grant**

(1) A Resolution In Support of Carolina Power Systems of Sumter, Inc., To Obtain Funds From the South Carolina Jobs-Economic Development Authority.

Mr. Robert Reynolds presented the following resolution for approval by Council in support of Carolina Power Systems Company making application for a \$250,000 loan to S. C. Job-Economic Development Authority (JEDA). He added that this application nor loan will not obligate the use of any County funds; however, it is a required part of the application process.

***Whereas,** support of economic development in Sumter County is an objective of this locality and this action documents our Needs Assessment finding as it relates to economic development; and*

***Whereas,** Carolina Power Systems of Sumter, Inc., is a locally owned small industrial concern providing a full complement of equipment to support the primary electrical power distribution system need on board commercial and military ships and projected to provide 12 jobs, at least 51% of which will be available to low/moderate income individuals; and*

***Whereas,** said company is located at 551 North Pike East, Sumter, South Carolina providing a full complement of equipment to support the primary electrical power distribution system need on board commercial and military ships and will hire people locally.*

***Now Therefore Be It Resolved,** that the County of Sumter supports the efforts of Carolina Power Systems of Sumter, Inc., to obtain \$250,000 in loan funds from the South Carolina Jobs-Economic Development Authority to carry out its efforts.*

***Be It Further Resolved,** that the County of Sumter will request funds through the South Carolina Jobs-Economic Development Authority to provide the defined financing needed for the indicated purposes.*

Councilman Fleming requested that Council be provided with a profile from Carolina Power Systems which would consist of hourly rate, number of employees, caliber of people for the new hiring, etc. Mr. Reynolds responded that a representative of the company is presently developing a hiring plan and a commitment letter as part of the application process and this plan will be shared with Council upon its receipt.

**ACTION:** MOTION was made by Councilman Fienning, seconded by Councilman Burr, and carried by Council to approve the resolution as presented and directed the Chairman and the Clerk to execute and deliver the resolution on behalf of the County. Councilman Fleming abstained.

**PUBLIC HEARINGS - NONE**

**NEW BUSINESS:**

- (2) **First Reading -- 97-315 -- An Ordinance Amending Section 10-18 Of Article II Of Chapter 10 Of The Code Of Ordinances Of Sumter County, South Carolina, Dealing With The Use Of "Greenboxes" (Solid Waste Containers) Adding Thereto A New Section 10-20 Making It Unlawful To Do Certain Activities At Manned Convenience Centers (As Defined Therein), And To Provide Penalties For Violation.**

The Administrator presented this matter before Council along with Mr. Joe Postell, the Codes Enforcement Director. Prior to the departure of the former County Attorney, Mr. Henry B. Richardson, Jr., this ordinance was prepared by Mr. Richardson at the request of Mr. Postell.

The Code's Enforcement staff supports the ordinance as presented to Council. Mr. Postell stated that, page four of the proposed ordinance covers the major concerns of the Codes Enforcement Department particularly the illegal use by Commercial vendors as listed in Section 10-20.

**Section 10-20 Manned Convenience Centers.**

No person shall deposit or cause to be deposited in any Manned Convenience Center (as defined herein), either within the containers thereon or on the grounds thereof, any solid waste or other material except such solid waste as specifically authorized in this article to be deposited in accordance with each of the provisions of this article, by the published rules and regulations related to the Manned Convenience Centers sought to be so used, and by the instructions of personnel operating the Manned Convenience Centers to be used. It shall be unlawful to place any solid waste or other material in any Manned Convenience Center except as specifically authorized by the provisions of this section. Specifically, by way of illustrations and not of limitation, no solid waste generated by any commercial business or any contractor may be deposited at any Manned Convenience Center, no solid waste or other material shall be placed on the grounds of a Manned Convenience Center except in a container specifically designated for the receipt of such material placed therein, no material of any nature shall be placed in a container designated for another type of material, and no material of any type shall be placed in, upon or around any container which is already filled to capacity. The term "Manned Convenience Center" as used in this article shall mean any solid waste collection and recycling center within Sumter County, South Carolina, owned, leased, operated by, or operated for the benefit of Sumter county. It shall be unlawful to violate any provision of this section or to take any action contrary to its provisions.

**ACTION:** After discussion, MOTION was made by Councilman Fleming, seconded by Councilman Baker, and unanimously carried by Council to grant first reading to the proposed ordinance as presented.

**NOTE:** Mr. Postell is to provide information to Council as follows:

1. How will the Code's Enforcement staff know which persons are repeatedly abusing the system?
2. What type of recorded history is available to the Code's Enforcement staff to show the abuse of the system?
3. What flaws, if any, are there in the system that may allow for persons/professionals to abuse the recycling centers and/or greenboxes?

(3) Sumter County Holiday Schedule for 1997.

The County Administrator presented the following Sumter County Employee Holiday Schedule for 1997.

JANUARY 1	NEW YEAR'S DAY
JANUARY 20	MARTIN LUTHER KING'S DAY
FEBRUARY 17	PRESIDENT'S DAY
MAY 26	MEMORIAL DAY
JULY 4	INDEPENDENCE DAY
SEPTEMBER 1	LABOR DAY
NOVEMBER 11	VETERAN'S DAY
NOVEMBER 27 & 28	THANKSGIVING
DECEMBER 25 & 26	CHRISTMAS
FLOATING DAY	TO BE DETERMINED
EMPLOYEE'S BIRTHDAY	

**ACTION:** MOTION was made by Vice Chairman Williams, seconded by Councilwoman Sanders, and unanimously carried by Council to approve the calendar as presented to Council.

(4) First Reading -- 97-316 -- An Ordinance Authorizing The Execution And Delivery Of Inducement And Millage Rate Agreement By And Between Sumter County, South Carolina, And A Company To Be Announced (The Company) Whereby, Under Certain Conditions, Sumter County Will Acquire Title Of Certain Industrial Property For Lease To The Company, Covenant In Such Lease To Accept Certain Fees In Lieu Of Ad Valorem Taxes With Respect To Such Property, Issue Up To One Million Dollars (\$1,000,000) (The Amount Thereof Subject To Certain Conditions Set Forth Herein) Aggregate Principal Amount Of Special Source Revenue Bonds Or Notes (Or A Credit In Lieu Of Such Bonds Or Notes) The Proceeds Of Which Will Be Used To Acquire Certain Economic Development Improvements Related To Such Property And Make Available To The Company The Benefits Of A Multi-County Industrial Park Agreement.

The County Attorney, Mrs. Kathy Cuttino presented the ordinance to Council for its consideration and stated that the ordinance was prepared by April Lucas a bond Attorney in Columbia, S. C. She asked Council to use the caption that is listed on the ordinance and not the caption listed on the January 14, 1997, agenda. Steve Rust from the Development Board was present on behalf of the proposed ordinance.

**ACTION:** MOTION was made by Councilman Fienning, seconded by Councilman Burr and unanimously carried by Council to substitute the language in the caption of the ordinance in place of the language on Council's agenda as listed below:

**Ordinance Caption:** An Ordinance Authorizing The Execution And Delivery Of Inducement And Millage Rate Agreement By And Between Sumter County, South Carolina, And A Company To Be Announced (The Company) Whereby, Under Certain Conditions, Sumter County Will Acquire Title Of Certain Industrial Property For Lease To The Company; (2) Covenant In Such Lease To Accept Certain Fee In Lieu Of *Ad Valorem Tax* ("Filot") Payments With Respect To Such Property; (3) Issue Up To [One Million Dollars (\$1,000,000)] Aggregate Principal Amount Of Special Source Revenue Bonds Or Notes (The Principal Amount Thereof To Be Determined Prior To Issuance Thereof In Accordance With Certain Conditions Set Forth Herein And In The Inducement Agreement) Or, In Lieu Of Such Bonds Or Notes, Covenant With The Company To Provide A Credit Against The Company's Filot Payments, In Either Case To Provide Funds For Certain Economic Development Improvements Related To Such Property; And (4) Make Available To The Company The Benefits Of A Multi-County Industrial Park Agreement.

**ACTION:** MOTION was made by Councilman Fienning, seconded by Councilman Burr, and unanimously carried by Council to grant first reading as presented with the new caption as listed within the ordinance.

- (5) Suggested to Hold Executive Session To Discuss Contractual and/or Personnel Matters. (The Executive Session, in approved by Council, will be held after all business matters have been completed.)

Council did not hold an executive session.

**OLD BUSINESS:**

- (1) Second Reading -- 96-312 -- An Ordinance Amending Sumter County Ordinance 92-232 (styled "An Ordinance to Provide for the Control and Regulation by Sumter County of Water and Sewer Systems within the Unincorporated Areas of Sumter County).

Mr. John Owens, member of the Sumter County Public Utilities Commission, briefed Council on this proposed ordinance. He informed Council that the major revision in the ordinance is to release some restrictions which formerly hindered local water and sewer systems from applying for Farmers Home Administration loans.

**ACTION:** After discussion, MOTION was made by Councilman Baker, seconded by Councilman Fienning, and unanimously carried by Council to grant second reading to the proposed ordinance. Public hearing will be held at third reading.

- (2) **Second Reading -- 96-313 -- An Ordinance Amending Ordinance 96-297 Styled "An Ordinance To Provide For A Levy Of Taxes For School And County Purposes Of Sumter County, S. C., For The Fiscal Year Of Said County Beginning July 1, 1996, To Direct The Expenditures Of Said Taxes And Other Funds Of Said County, And To Provide For Other Matters Related Thereto" (The 1996-97 Sumter County Budget Ordinance).**

The Administrator presented this proposed ordinance amendment to Council for second reading. He indicated to Council that there is an additional \$6,000 in the ordinance from its first reading which brings the needed funds to \$660,350. The additional \$6,000 is to fund three additional computers plus one printer (the County Attorney, the Coroner, and the Finance Director with the printer ).

**ACTION:** After discussion, MOTION was made by Councilman Burr, seconded by Councilman Fienning, and unanimously carried by Council to amend the ordinance by adding \$6,000 to the funds within the ordinance bringing the total to \$660,350.

**ACTION:** MOTION was made by Councilman Fienning, seconded by Councilman Burr, and unanimously carried by Council to grant second reading to the ordinance as amended.

#### **COMMITTEE REPORT:**

- (1) **Fiscal, Tax, and Property Committee Meeting Tuesday, January 14, 1997, at 5:00 p.m. in Council's Conference Room.**

The Chairman of the Committee, Councilman Fienning, presented the following Report:

- **Unity Program:** \$2,059.94 is needed for reimbursement to the City for funds incurred by the Unity Program expenses involved in development of the new Unity project. The Committee recommended that the funds be secured from Council's Contingency fund.

**ACTION:** MOTION was made by Councilman Fienning, seconded by Councilman Fleming, and unanimously carried by Council to approve the expenditure of \$2,059.94 from Council's Contingency fund for reimbursement to the City of Sumter for the Unity Program expenses.

- **Street Lights:** Presently, the County has six street lights at critical intersections in Sumter County. This was a one year project. However, the Committee has recommended that the project be expanded by continuing with the initial six lights and adding 48 more lighted intersection bringing the total to 54 lights at a cost of \$144 per year, per light. The funds for this project will be secured from the \$15.00 Road User Fee revenue. Other lights will be reviewed at a later date.

**ACTION:** MOTION was made by Councilman Fienning, seconded by Councilman Burr, and unanimously carried by Council to approve the expansion of the Street Lights Project by continuing with the initial six lights and adding 48 more intersections bringing the total to 54 lights at a cost of \$144 per year, per light. The funds for this project will be secured from the \$15.00 Road User Fee revenue.

- **Law Enforcement Grant:** The Committee received a request for \$15,422 matching grant funds to fund the County's match for this grant. The grant would be in the amount of \$138,797. The grant has been approved not only by the Sheriff's Department, but also by the Chief of Police for the City of Sumter. Most of the funds will be used to upgrade a computer system for the law enforcement center and can be used by other offices such as the Magistrate, Solicitor, Correctional Center, and Family Court. With the two grants together, there will be an excess of funds (\$73,090.00) and those extra funds will be used to purchase three additional fully equipped squad cars. The Committee recommended the approval of these funds from Council's Grant Match account.

**ACTION:** MOTION was made by Councilman Fienning, seconded by Councilman Fleming, and unanimously carried by Council to approve the use of \$15,422 from Council's Grant Match account to be used for a grant match for a law enforcement grant.

- **Wedgfield Elementary School:** The Committee received information that the Wedgfield Elementary School is now available as a County recreation facility to be used as a community center. The Administrator and the Recreation Director were directed to follow up on this matter.
- **Project Hope Food Bank:** The Administrator was asked to follow-up on the request from Ms. Margaret Lang, Director of the Project Hope Food Bank, for her request of funds to move a mobile home to a site in the Wedgfield area. The Committee has visions of incorporating this program at the proposed Wedgfield Elementary School Community Center.
- **Magistrate Hours:** The Committee members stated that Magistrate hours may not be reduced without action of County Council. Magistrate Upshur has requested that her hours be reduced by five hours and that those five hours be reallocated to Judge Lee Tindal. This would not change the funds in the existing budget.

**ACTION:** MOTION was made by Councilman Fienning, seconded by Councilman Williams, and unanimously carried by Council to approved the reduction of five hours from the Chief Magistrate's hours and to increase Magistrate Lee Tindal's hours by five hours. The Administrator is to notify the Chief Magistrate of these changes.

#### **MONTHLY REPORTS:**

The following departmental reports were given to Council members:

- Public Safety Monthly Report
- Solid Waste
- Public Works
- Codes Enforcement
- Sheriff's Department

#### **ADMINISTRATORS REPORT:**

- **Sumter County's Annual Financial Report Management Letter:** A meeting was held between Roger Long, the Certified Public Accountant, the Administrator, the Comptroller, the Treasurer, and the Assistant County Administrator to review the weaknesses in the Management Letter. Council will be kept abreast of this matter.
- **Codes Enforcement Officers:** Effective January 14, 1997, all Codes Enforcement Officers will be reporting to the City Police Chief and the County Sheriff. These changes are taking place following reorganization in the Planning Department.

Vice Chairman Williams asked Council to allow additional dialog about this matter at a later time. The Administrator will follow-up on this matter.

- **Renovations at the Correctional Center:** A committee is being developed to assist in the renovation needs of the Sumter County Correctional Center. Once the committee members have been chosen, Council will be informed.
- **Interim Realignment of Duties:** Because of the resignation of Abbas Abouhamdan, the County Engineer, the following realignment of duties have taken place:
  - Lath Harris is on Special Assignment in the County Engineer's Office.
  - Mr. Ed Owens is on Special Assignment in the Assessor's Office.
  - Mr. B. J. Jefferson is also on Special Assignment in the Assessor's Office.
- **EMS Update:** This matter is on-going and a full report should be available in early February.

- **Series "B" Bonds:** February 2, 1997, is the approximate date that the County will be required to sell the Series "B" Bonds. Once the date to sell the bonds has been confirmed, Council will need to have a special meeting to authorize the sale of the bonds.
- **EMS Grant Award:** The County has received a \$25,419.93 grant award for the purpose of upgrading and improving the EMS vehicles. The application was submitted by Mr. Jones and his staff.

**PUBLIC COMMENTS:**

There were no additional comments from the public.

**ADJOURNMENT:** After all business and all comments by the public, the meeting was adjourned at 7:20 p.m.

Respectfully submitted,

\_\_\_\_\_  
Chairman or Vice Chairman  
Sumter County Council

\_\_\_\_\_  
Clerk to 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: Agenda posted on bulletin board outside of the County Administrator's office and on the bulletin board on the first floor of the Administration Building.

Date Posted: January 9, 1997

Media Notified: Yes

Manner Notified: Agenda sent to all radio stations in the Sumter area, to WBTW TV and WRJA TV, to the Item newspaper, Shaw AFB Community Planner, the Stateburg Gazette, and to the State newspaper.

Date Notified: January 9, 1997

Respectfully submitted,

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Mary W. Lewis