

**Minutes  
Regular Meeting  
Sumter County Council  
January 28, 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, Recreation Director; Martin Rogers, Human Resource Director/Assistant County Administrator; Elizabeth Hair, Treasurer; Verna Moore, Coroner; Hemby Smith, Correctional Officer; Eddie Newman, Public Works Director; and Joe Postell, Codes Enforcement Director.

**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 Chairman Campbell, and the Reverend Carol Rawlinson, Pastor of St. John United Methodist Church, gave the invocation.

**ACTION ON MINUTES:** MOTION was made by Councilwoman Sanders, seconded by Vice Chairman Williams, and unanimously carried by Council to approve the minutes of January 14, 1997, as presented by the Clerk.

MOTION was made by Councilman Fienning, seconded by Councilman Burr, and unanimously carried by Council to approve the minutes of January 17, 1997, as presented by the Clerk.

**LAND USE MATTERS AND REZONING REQUESTS**  
**Planned Development/Rezoning Requests -- None**

**Street Name Change -- None**

**Grant**

- (1) Letter of Support Authorizing Santee-Lynches Regional Council on Governments to Incur Costs Associated With the Community Development Block Grant to Support Project Tahoe Prior to Official Grant Award.

Mr. James Darby, Director of the Santee-Lynches Regional Council on Governments, presented this proposed letter of support to Council. He stated that the letter describes the need for construction of an elevated water storage tank for an industrial park setting. The approximate cost of the project is \$700,000. The process also requests that certain costs for an environmental assessment of the site, engineering studies, design work, and various types of public notices, as part of the regulations to acquire the funds, be given support by the local governing body. Mr. Darby further stated that what his office needs is Council's support and approval to incur the aforementioned cost in advance of the state's approval of the CDBG application so that the needed work can begin to meet certain deadlines.

**ACTION:** MOTION was made by Councilman Fleming, seconded by Councilwoman Sanders, and unanimously carried by Council to approve the letter of support as outlined by Mr. Darby and authorized him to incur certain costs associated with the Tahoe Project (environmental assessment, engineering studies, design work, and public notices) prior to the approval of the CDBG award. NOTE: All expenses incurred prior to the awarding of the grant will be processed through the grant or reimbursed to the County once the grant is awarded and/or received.

## **PUBLIC HEARINGS**

- (1) **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"). (Third Reading will be held under Old Business or soon after the public hearing has been held.)**

The Chairman convened the public hearing and inquired if anyone wished to speak in favor of or opposition to the proposed ordinance amendment. No one spoke to this issue; therefore, the Chairman closed the public hearing. Council then took action on third reading of this ordinance.

- (2) **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). (Third Reading will be held under Old Business or soon after the public hearing has been held.)**

The Chairman convened the public hearing and inquired if anyone wished to speak in favor of or opposition to the proposed ordinance amendment. No one spoke to this issue; therefore, the Chairman closed the public hearing. Council then took action on third reading of this ordinance.

- (3) **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; (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. (Third Reading will be held under Old Business or soon after the public hearing has been held.)**

The Chairman convened the public hearing and inquired if anyone wished to speak in favor of or opposition to the proposed ordinance.

Mr. Rob Thornwell, Representative of South Carolina Electric and Gas and South Carolina Pipeline Corporation, spoke in favor of the proposed ordinance and presented Council with a \$20,000 check to assist with infrastructure improvements for this Tahoe project.

Mr. Steve Rust, Director of the Sumter County Development Board, also spoke in support of this ordinance. He stated that project Tahoe, has been announced as the Caterpillar Company. This company will invest \$35,000,000 in Sumter County and will hire over 100 employees.

No one else spoke to this issue; therefore, the Chairman closed the public hearing. Council then took action on third reading of this ordinance.

#### **NEW BUSINESS:**

- (1) Introduction of the Greenhouse Runaway Shelter Youth Advisory Board.

Mr. Anthony Cabbagestock thanked Council for allowing the Greenhouse Runaway Shelter Youth Advisory Board to appear before them.

Additionally, Mr. Cabbagestock stated that runaway shelters throughout the nation are seeking 501-C-3 status. If 501-C-3 status is granted to Greenhouse, it will allow the department to seek additional funds from federal and state grants, foundation awards, and other tax deductible awards. He further stated that the staff members of Greenhouse are seeking ways for Greenhouse to become financially self-supporting.

He then introduced members of the Youth Advisory Board: Chris Belin, Carrie Strange, Angel Myers, Ladorri Charles, and Rhonda Washington.

Mr. Belin briefed Council on the Youth Advisory Board - Peer Educators. The combination of the Youth Advisory Board and the Peer Educators allow youth residents of the program and youth in the community to participate in the governing process of Greenhouse relating to service delivery. The Youth Advisory Board and Peer Educators' programs are based on young people's willingness to help other youths who may find themselves in a crisis situation.

He further explained the program and concluded his presentation by asking Council for its support with the 501-C-3 status for Greenhouse.

Mr. Howard McFadden, Director of the Greenhouse, also spoke in support of the 501-C-3 status. Additionally, Mr. McFadden asked Council to assist Greenhouse in regaining Fire Marshall compliance. Since July 1996, the shelter has been without a permanent fire license. The license was rescinded because of the renovations completed at the Greenhouse during 1996; the renovation was over fifty percent of the building which eliminated meeting the grandfather requirements for the shelter. Meeting the fire Marshall compliance requirements will cost approximately \$15,000.

**ACTION:** MOTION was made by Councilman Fienning, seconded by Councilman Fleming, and unanimously carried by Council to authorize the Greenhouse Runaway Shelter to apply for Section 501-C-3 status.

**NOTE:** The Administrator was directed to follow up on Mr. McFadden's concern about obtaining a fire code license for the Greenhouse Runaway Shelter and bring this matter back before Council as soon as possible.

(2) Approval of Bid Award for the Reconstruction and the Application of Crusher Run to County Dirt Roads.

Mr. Eddie Newman, Public Works Director for the County, presented the following proposed bids for reconstruction of County Dirt Roads.

Lot A.	Whitehall Drive, Pelham Drive Westfield Court, Leach Drive and Cornfield Road (1.8 miles)	Watts, Inc.	\$60,300
Lot B.	Commander Road, Gaymon Road Robert Perry Road (2.95 miles)	Watts, Inc.	\$98,600
Lot C.	Streets in Pinewood: Brinson Road, Ball Park Road, Elmwood Street and Fifth Street (.75 mile)	Glasscock Co.	\$28,314

Regular County Council Meeting Minutes

Page 5

January 28, 1997

Lot D.	Alcott Drive, Wessex Drive, Legendary Drive, Cougar Way Road (2.55 miles)	Watts, Inc.	\$84,450
Lot E.	Charlie Miller Road, Happy Homes Subdivision (1.25 miles)	Watts, Inc.	\$45,625
Lot F.	Shawside Drive, Dalzell Street, Frierson Park Subdivision (1.4 miles)	Watts, Inc.	\$47,600
Lot G.	Country Springs Drive, Wheel Wright Court, Lathan Court Artesian Drive (1.5 miles)	Watts, Inc.	\$58,000
Lot H.	Missouri Street, Berry Street, Hobson Street, Collins Street Gordon Street, Rye Street, Dant Street, Whitehorse Street, White Lane, Franklin Street, Newberry Street, a no name Street (1.95 miles)	Newman Const.	\$66,352
Lot I.	Homestead Road, Macy Street (1.5 miles)	Watts, Inc.	\$53,500
<b>Totals: 15.65 Miles</b>			<b>\$542,741</b>

**ACTION:** MOTION was made by Councilman Baker, seconded by Vice Chairman Williams, and unanimously carried by Council to approve the bids listed above.

**NOTE:** Councilman Fleming stated that he would ask that drainage work be constructed on Collins Street prior to this road being upgraded with crusher run.

**EMIL Road:** Council asked the Administrator to follow-up on this matter.

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

**OLD BUSINESS:**

- (1) Third 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").

The Chairman introduced this ordinance to Council and then held public hearing on this matter. After public hearing, Council took action on this matter.

**ACTION:** MOTION was held by Councilman Burr, seconded by Vice Chairman Williams, and unanimously carried by Council to grant third reading and adoption of this ordinance.

- (2) **Third 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 Chairman presented this ordinance on this matter and inquired if the Administrator had any additional comments about the ordinance. Mr. Noonan, the County Administrator, stated that included in this ordinance is approximately \$284,000 to be used for salary adjustments for County employees that fall below the minimum of their salary range. What will be done after these employees receive their adjustments, a second phase of salary adjustments will be granted to those employees who have been with the County for approximately five years and over to raise these employees to the mid-point of their salary range. These funds will be budgeted through the upcoming budget cycle. The third phase will be to maintain the County's salaries at a competitive range by making annual reviews and recommendations for salary adjustments.

Councilman Fleming asked that the Administrator "chart-out" the first phase and allow the Fiscal, Tax, and Property Committee to view the data. The Councilman also asked that at least an additional \$10,000 be appropriated for use in the educational line item so that employees can receive training for technological improvement and advancement.

The Chairman stated that if it is agreeable, the Administrator could be authorized to go over budget \$10,000 for educational purposes; the Council members agreed. Additionally, it is in the budget ordinance that the Administrator has the discretion and authority to move up to \$10,000 from one line item to another if necessary.

**ACTION:** MOTION was made by Councilman Fleming, seconded by Councilman Fienning, and unanimously carried by Council to grant third reading and adoption to the ordinance.

- (3) **Second 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.

Mr. Joseph Postell, Codes Enforcement Director, presented the following information to Council concerning questions Council members had at first reading of this proposed ordinance amendment.

January 28, 1997

- **How will you know that these persons are repeatedly abusing the system?**  
Repeated abusers of the system will be noted by the tenant on duty at the Manned Convenience Center. The tenant has a "user" form to record vehicle tag number, make and model of the vehicle, date and time of the violation, and any other pertinent information.
- **What type of recorded history do you have on the abuse of the system?**  
Abuse of the system requiring legal action such as a written Uniform Summons is recorded in the Codes Enforcement Office and filed for future reference. Legal actions such as Uniform Summons are also on file at Magistrate Court.
- **What flaw, if any, is in the system that may allow for persons/professional to abuse the recycling centers?**  
Abuse of the system requiring legal action such as a written Uniform Summons is recorded in the Codes Enforcement Office and filed for future reference. Legal actions such as Uniform Summons are also on file at the Magistrate Court.

**ACTION:** MOTION was held by Councilman Fienning, seconded by Councilman Baker, and unanimously carried by Council to grant second reading of this ordinance.

- (4) **Third 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; (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.**

This ordinance was introduced by the Chairman and Council was briefed on this matter by Mr. Steve Rust, Director of the Development Board. After public hearing, Council took action on this matter.

**ACTION:** MOTION was made by Councilman Burr, seconded by Vice Chairman Williams, and unanimously carried by Council to grant third reading and adoption of this ordinance.

**COMMITTEE REPORT: None**

**MONTHLY REPORTS: None**

## **ADMINISTRATORS REPORT:**

- **Intersection Street Lights:** Letters have been sent to both Carolina Power and Light and Black River Electric Cooperative concerning the installation of the 48 new lights and the continuation of the six existing lights. These intersection street lights will be installed in the very near future per the companies.
- **Wilder Elementary School:** This school formerly had fill dirt put in the playground area at the school. Particles such as glass and other foreign matter have been found in the fill dirt. These items are potentially dangerous for the students. Private and public support has been given to the school to remove the dirt and replace it with fresh dirt suitable for a playground area. The County hopes to participate in this project. School District #17 will pay for the County's operators if the County allows for the use of the County's equipment to haul dirt to the playground.

**ACTION:** MOTION was made by Councilman Fleming, seconded by Councilman Burr, and unanimously carried by Council to authorize the Administrator to direct the Public Works Director to coordinate efforts with School District #17 to use the County's equipment for the Wilder School project and the County's operators of the equipment will be paid for by School District #17 during this project work.

- **County Financial Statement:** The Administrator briefed Council on the financial status of the County and copies of the financial statement were given to Council members.
- **Special Meeting of County Council:** The Administrator asked Council to hold a special meeting on Wednesday, February 19, 1997, at 12:30 p.m. to accept the bid for the sale of the bonds (Series 1997B for \$1,150,000).
- **County-wide Trail System:** The Administrator asked Council for endorsement to proceed with a concept of joint partnership with the City to develop a County-wide Trail System. The trail will be approximately 20 miles. It is proposed to follow Shot Pouch through Pocalla Swamp from North to South, connecting Black River Industrial Park to South Industrial Park. The West to East route will follow Turkey Creek over to abandoned Rail Road Bed. The South to North route will be abandoned Rail Road Bed back up to Black River Industrial Park near Airport Road. The East to West route will go through the middle of Black River Industrial Park on sewer line easement.

The Trail will connect two large industrial parks, and will connect three large community parks (Dillon Park, Swan Lake Gardens, and a new park at the old Cook Street Landfill).

South Carolina PARD has an annual funding specifically for trail development. The County and City would apply for funds to implement this project.

**ACTION:** MOTION was made by Vice Chairman Williams, seconded by Councilman Fleming, and unanimously carried by Council to authorize the Administrator to pursue

January 28, 1997

jointly with the City of Sumter S. C. PARD funds for the development of a County-wide Trail Systems.

**PUBLIC COMMENTS:**

(1) Citizens from the Shiloh-St. John Community.

Mrs. Margaret G. Hogan, presented copies of a letter to Council concerning the needs of the Shiloh-St. John Community.

- Dire need for water and sewer services in the Shiloh-St. John community.
- Dire need for a proper drainage system in this area that will allow water to not settle in yards of homes, churches, and farm fields.
- Dire need to pave dirt roads that will not allow people to travel back and forth to work, school, church, etc. after a hard rain has hit the area.

**NOTE:** This matter was referred to the Administrator to have him follow-up with the Public Utilities Commission and the County's Grants Writer.

(2) EMIL Road: Ms. Keys talked to Council about Emil Road. It was stated that the County Administrator will follow-up on this matter with the Transportation Committee.

**EXECUTIVE SESSION:**

MOTION was made by Vice Chairman Williams, seconded by Councilman Fleming, and unanimously carried by Council to enter executive session to discuss a personnel matter and to receive a legal briefing from the County Attorney. At the conclusion of the executive session, Council re-entered open session.

**OPEN SESSION:**

MOTION was made by Councilman Fleming seconded by Councilman Burr, and unanimously carried by Council to re-enter open session.

**Report from Executive Session:** The Chairman indicated that there was no report from executive session at this time.

There were no additional comments from the public.

**ADJOURNMENT:** After all business and all comments by the public, the meeting was adjourned at 8:08 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 24, 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 24, 1997

Respectfully submitted,

\_\_\_\_\_  
Mary W. Lewis