

**Minutes
Sumter County Council
Regular Meeting
March 9, 1999
SUMTER COUNTY ADMINISTRATION BUILDING
County Council Chambers**

MEMBERS PRESENT: James A. Campbell, Chairman; Louis Fleming, Vice Chairman; Carol Burr, Charles T. Edens, Naomi Sanders, Rudy Singleton, and Frank E. Williams, Jr.

MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Ms. Mary W. Lewis, Clerk to County Council; Mr. William T. Noonan, County Administrator; Mr. Tony Criscitiello, Planning Director; Mr. Bill Hoge, Planning Coordinator; Ms. Kathy Cuttino, County Attorney; Mr. Simon Major, Corrections Center Director; Pam Craven, Grants Writer; Victor Jones, Public Safety Director; and Mr. George Smith, MIS Director.

MEDIA PRESENT: The Item and WIBZ Radio Station

PUBLIC PRESENT: Approximately 17 members of the public were in attendance.

CALL TO ORDER: The meeting was called to order by Chairman Campbell, and Vice Chairman Louis Fleming gave the invocation.

ACTION ON MINUTES: MOTION was made by Councilman Singleton, seconded by Councilman Williams, and unanimously carried by Council to approve the minutes of February 23, 1999, with the following corrections:

ACTION FROM EXECUTIVE SESSION: PAGE 8.

MOTION was made by Councilman Williams, seconded by Councilman Singleton, and unanimously carried by Council to approve the concept of working with the City of Sumter and the Development Board to facilitate *a Corporation Agreement with Black River Economic Development Corporation* ~~as an~~ to pursue economic development projects for this County and directed the County Attorney and the County Administrator to continue this process on behalf of the County.

ACTION UNDER WELFARE-TO-WORK: PAGE 7.

ACTION: MOTION was made by Councilman Singleton, seconded by Councilman Burr, and unanimously carried by Council that Council go on record that it will manage the Welfare-To-Work funds with Central Carolina Technical College being the main One-Stop Shop facility for Sumter County; thereby, alleviating a windfall of administrative costs. Council further directed the Administrator to write a letter to Mr. Darby informing him of Council's new direction in controlling the ~~disbursement~~ management of these funds.

PUBLIC HEARING ON 99-366: PAGE 5

The Chairman convened the public hearing, and inquired if anyone wished to speak in support of this rezoning request. Mr. David Flint, represented Triton PSC Property Company, L.L.C., spoke to Council on behalf of his company. He asked Council to please support this proposed lease agreement which will be a monetary benefit for Council of \$12,000 for the five years and then will increase by 15% each five years of the ~~fifteen-year~~ lease. No one else spoke to this issue; therefore, the Chairman closed the public hearing.

NOTE: It was recommended by Councilman Singleton that the Administrator rewrite the letter sent to Mr. Darby in reference to the Welfare-To-Work action by Council to reflect the change in the minutes of February 23, 1999, and amended at the March 9, 1999, meeting of County Council.

LAND USE MATTERS AND REZONING REQUESTS

Planned Development/Rezoning Requests -

- (1) RZ-98-37 - Robert Keith Carter - **Third Reading** - A Request To Rezone 1.9 Acres Of Property At 1815 And 1825 Frierson Road Across From The North Gate Of Shaw Air Force Base (Tax Map 134-00-02-027 And 028) From Limited Commercial To General Commercial In Order To Allow The Operation Of A Miniature Golf Course.

Mr. Hoge presented this matter indicating that there have been no changes to this rezoning request since its first and second readings. He also stated that the public hearing has been held and there has been no objection to this proposed request. The Planning staff and Planning Commission recommended approval of this request.

There being no further comments, Council took action on this matter.

ACTION: MOTION was made by Councilman Singleton, seconded by Councilman Burr, and unanimously carried by Council to grant third reading and adoption to this rezoning request.

- (2) RZ-99-01/PUD 99-06 - Kurt Hendrickson - **Third Reading** - A Request To Rezone Property At 2805 Highway 15, South (Tax Map 223-00-01-011) From Rural-Agricultural District To General Commercial In Order To Develop The Property For Commercial Use. The Commercial Uses Include A Car Wash, A Convenience Store With Gas Pumps, A Restaurant, And A Storage Warehouse.

Mr. Hoge stated that this request is located at 2805 Highway 15, South near the Lakewood Links Subdivision. Mr. Hendrickson hopes to develop this property, if granted third reading, by providing commercial ventures on the property. The Planning staff and Planning Commission have recommended approval with a Planned Unit Development.

After all comments from Mr. Hoge, Council took action on this matter.

ACTION: MOTION was made by Vice Chairman Fleming, seconded by Councilman Burr, and unanimously carried by Council to grant third reading and adoption to this rezoning request.

- (3) RZ-99-03 - Jamie Parks and Mary McLeod - **First Reading** -A Request To Rezone Three Properties Located At 935 And 937 South Harvin Street And 17 Earle Street (Tax Map 251-01-02-016, 018, And 021) From Residential-6 District To General Residential District To Place Mobile Homes On These Properties.

Mr. Hoge presented this first reading request to Council. He stated that the applicant is requesting the rezoning of three parcels of property located at 935 and 937 South Harvin Street and 17 Earle Street from Residential District to General Residential. The applicant wishes to place mobile homes on these properties. The area is dominantly zoned Residential-6 District with conventional built houses. There are approximately three non-conforming mobile homes in the immediate neighborhood.

Mr. Hoge added that the Planning staff visited the site, reviewed the request, and recommended denial. He added that although the request complies with the Land Use Plan, the area is dominantly zoned Residential-6 District and has conventional built houses on all lots except three mobile homes. Mr. Hoge further stated that the Planning Commission's staff feels that this request, if approved, would cause down zoning for this area. Also, parcels 16 and 18 are existing non-conforming lots of record and would be required by the Zoning Ordinance to be combined. Parcel 21 is non-conforming in lot width. Even with combining the lots, a variance would have to be granted for the setbacks.

The Planning Commission also recommended denial of the request due to non-conforming lots and spot zoning.

After all discussions, Council took action on this rezoning request.

ACTION: MOTION was made by Vice Chairman Fleming, seconded by Councilman Burr, and unanimously carried by Council to DENY first reading.

- (4) RZ-99-04 - Joe B. Davis, Jr. - **First Reading** -- A Request To Rezone Property Located At the Southwest Corner Of Carter Road And Highway 76/378 (Tax Map 186-00-03-001 Part) From Residential-15 To General Commercial To Market And Develop The Property For Commercial Use.

Mr. Hoge stated that the applicant, Mr. Joe B. Davis, Jr. (Real Estate Agent), wants to rezone approximately 55 acres. Mr. Davis had previously appeared before the Planning Commission requesting that the Land Use Map be amended to reflect this particular area as Suburban Development as opposed to its previous designation as Residential Conservation. The Planning Commission approved the Land Use Map amendment; therefore, Mr. Davis is now requesting that this property be rezoned General Commercial. The property is located at the southwest corner of Carter Road and Highway 76-378.

The Planning staff has visited the site, reviewed the request, and recommended approval of the request. The Planning Commission recommended approval.

ACTION: MOTION was made by Councilman Singleton, seconded by Councilman Burr, and unanimously carried by Council to grant first reading to this proposed rezoning request.

- (5) RZ-99-05 – Carl J. Croft -- **First Reading** – A Request To Rezone Property Located On McCrays Mill Road (Meadowcroft Subdivision) (Tax Map 182-00-04-004 part) From Rural Agricultural To Residential-15 In Order To Develop The Remainder Of The Meadowcroft Subdivision.

Mr. Hoge presented this rezoning request to Council. He stated that Mr. Croft hopes to rezone 190 acres of vacant property from Rural Agriculture to Residential-15 to develop the remainder of Meadowcroft Subdivision.

The Planning staff has visited the site, reviewed the request, and recommended approval. Mr. Hoge stated that although the request does not comply with the 2005 Land Development Plan, this is upgrading the zoning district and is Phase II of an existing Residential Subdivision.

The Planning Commission unanimously recommended approval of this request.

ACTION: MOTION was made by Councilman Burr, seconded by Vice Chairman Fleming, and unanimously carried by Council to grant first reading to this rezoning request.

- (6) **Discussion** -- OA-98-08 – Planning Commission Staff – A Request To Amend Page X-27, Section 1008.23, Paragraph 6(f) Of The Sumter Zoning Ordinance, Temporary Uses, In Order To Provide Clarification For This Section Of The Ordinance. **NOTE: *The Sumter City-County Planning Commission gave conformation of this request on Wednesday, February 24, 1999.***

Mr. Hoge stated that during Council's February 9, 1999, meeting, it granted third reading and adoption to OA-98-08 an amendment to the Sumter Zoning Ordinance concerning Temporary Uses. Prior to the conclusion of the meeting, Council placed a moratorium on the implementation of this amendment and requested the Planning staff to take this matter back before the Planning Commission for review and confirmation of its intent to the amendment.

The Planning staff met with the Planning Commission on February 24, 1999, and the Planning Commission re-affirmed its position with the ordinance amendment. Mr. Hoge added that no one business was targeted during the development of this proposed ordinance amendment. The ordinance amendment was designed to address Temporary Uses for business during a period of 60 to 120 days maximum during a given year. He added that this ordinance was not designed for an entrepreneur to open a business and operate from lot-to-lot for a period of 60 to 120 days continuously throughout the year.

The Chairman allowed comments from Mr. Licorish who asked Council to try to find a way to help him and people like him continue in their business through the Temporary Use portion of the Zoning Ordinance. Mr. Bobby Sisson voiced his understanding of this ordinance and felt that everyone should be treated fairly and he felt that he nor Mr. Licorish were being treated fairly concerning Temporary Uses. Mr. Sisson stated that he must spend at least \$100,000 in order to open a business; however, barbecue vendors in front of local grocery stores do not have to meet the same standards as he has with his business. Therefore, he asked, if these vendors are not required to meet these requirements, why should he or Mr. Licorish? Mr. Rick Hines spoke in support of the ordinance and stated that if it is implemented, it will help Sumter County as a whole.

Mr. Hoge then asked Council for directions on this matter; Council then took the following actions.

ACTION: MOTION was made by Councilman Williams, seconded by Councilman Singleton and unanimously carried by Council to maintain the existing moratorium for an additional 60-days from the date of this meeting until Council representatives could meet with the Planning staff and Commission to bring a recommendation back to Council for action.

NOTE: Councilman Williams and Councilman Edens were asked to represent Council on this matter and bring a recommendation back to Council.

Street Name Changes -

- (1) SN-99-02 - Sumter County - Third Reading - A Request To Change The Street Name Of Flight Road Within Quail Hollow Subdivision (Tax Map 210-06) to Quail Run Road.

Mr. Hoge stated that this request is up for its final reading, and that Mr. Raymond Riles has submitted an application to change the private road of Quail Run Road to Carousel Court would rectify the conflicting names of Quail Run Road.

A CTION: MOTION was made by Councilman Edens, seconded by Councilman Burr, and unanimously carried by Council to grant third reading and approval of this Street Name Change Request.

Grants: None

PUBLIC HEARINGS -- NONE

NEW BUSINESS

- (1) A Resolution Supporting Greenhouse Shelter for Abused, Neglected, Abandoned, Run-away, and Homeless Youth.

The following resolution was presented to Council for consideration of approval.

Whereas, Greenhouse is a crisis prevention program which provides temporary shelter to abused, neglected, abandoned, run-away, and homeless youth and/or status offenders for Sumter and surrounding counties, and

Whereas, Greenhouse serves an average of 250 youth in its residential area during a given year and serves an additional 150 youth on a one-time service basis during a calendar year; and

Whereas, through its services to the County, Greenhouse provides relief to students in Sumter School Districts Number Two and Seventeen, the local DYS and DSS, churches, and higher education institutions, and;

Whereas, Greenhouse shelter is helping to lessen the negative impact on young people who might otherwise be exposed to the atmosphere of a correctional center;

Now Therefore, Be It Resolved; that Sumter County Council does support the Greenhouse, the Director, and the staff in its submission of a federal grant through the Department of Health and Human Services to assist in funding the operations of this much needed program in the Sumter area.

After review of the resolution, Council took action on this ordinance.

ACTION: MOTION was made by Councilman Burr, seconded by Councilwoman Sanders, and unanimously carried by Council to adopt the resolution as presented to County Council and directed the Chairman and the Clerk to execute and deliver the resolution on behalf of the County.

(2) MIS Y2K Update

Mr. George Smith, Director of MIS, stated that the County has entered into the testing phase of the conversion process. As of this date, MIS has tested the financial applications, purchase order process, accounts payable, and general ledgers. These areas are in compliance with year 2000. The tax area is still in the conversion stage and 80% of the files have been converted to Y2K.

He added that the Department reviewed the possibility of hiring an outside vendor to complete the conversion process; however, it was decided not to embrace the hiring of an outside vendor based on the expense of a vendor.

Also, Mr. Smith is scheduled to meet with Mr. Victor Jones on March 23, 1999, to review the Public Safety Department issues.

Mr. Noonan asked the media to encourage those persons that have personal life support systems at home to check with the appropriate agency or doctor to ensure that these machines are Y2K ready. The public must be informed that these pieces of equipment are not the responsibility of local government; therefore, the Public Safety Director will not be able to assist them should there be a power shortage or complications with their personal equipment due to Y2K non-conversion.

ACTION: This was received as information.

(3) Presentation by Director of Santee-Lynches Regional Council of Governments Concerning Regional Economic Forecasting and Authorization To Work With The County's Planning Staff To Provide Data For The Forecasts.

Santee-Lynches Regional Council of Government staff members Mr. Dick Dondero, Research Analyst, and Mr. James Darby, Director, made a presentation to Council concerning regional economic forecasting. The forecast will be based on Santee-Lynches historical data and national economic environment of the four-county region. Charleston Southern University of Charleston, SC will conduct the forecasting.

The forecasting will provide:

- Regional computer models
- Annual forecast reports
- Quarterly updates
- Yearly meetings with economic outlook board
- Annual presentations

They added that the Economic Outlook Board will consist of private and public sector leaders of Santee-Lynches' communities, use "one stop shop" partners for employment opportunities and training needs, and modify statistical model results with "real world" local data.

Mr. Dondero stated that as they prepare for this project, areas that were considered included:

- Funding: initial and recurring annual forecast, plus production of an annual report.
- Distribution of forecast: Newspapers, WRJA, Presentations, etc.
- Local Government participation rate.
- Procedures to compile historical and quarter building permit data.
- May not always be "good news" for the region.

At the conclusion of the presentation, Council was asked to reaffirm its interest and approval to allow the Planning staff and other Sumter County Government offices to provide assistance to those involved in this regional forecasting project.

ACTION: Council received the report as information and confirmed its support to the project as well as directed the Administrator to ensure that the appropriate departments work with Santee-Lynches to assure success of this project.

- (4) A Resolution Forming And Agreeing To Participate In The Santee-Lynches Home Program Consortium For The Period of June 1, 1999, To May 31, 2002.

The following resolution was presented for Council's approval.

BE IT RESOLVED by the County Council for Sumter County, South Carolina, in Council meeting duly assembled that the County, in order to take advantage of the programs available under the HOME program administered through the U. S. Department of Housing and Urban Development, joins in the formation and becomes a member of the Santee-Lynches HOME program Consortium, together with Clarendon County, Kershaw County, Lee County, and the City of Sumter, or such of those units of local government has chosen to participate in the Consortium, all in accordance with the attached "Mutual Cooperation Agreement", the terms of which are incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the Chairman is authorized to sign on behalf of the County the Mutual Cooperation Agreement and any and all documents reasonably necessary to form the Consortium and to carry out and fulfill its purposes.

ACTION: MOTION was made by Vice Chairman Fleming, seconded by Councilman Singleton, and unanimously 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.

(5) A Resolution In Support Of Senate Bill 253 Grants Program For Airport Improvements.

The following resolution was presented to Council for action.

Whereas, it is the goal of South Carolina to develop an air transportation system that moves people and goods in the safest and most efficient manner, and

Whereas, South Carolina's further economic development is depended on its ability to confront directly the enormous challenges of the national and global economy and the need to improve upon, build, and rebuild the state's air transportation and air navigation system and facilities, and

Whereas, the Sate Aeronautics Director has said it would take more than \$40,000,000 to bring the state's airports up to current safety and operational standards, and

Whereas, general aviation airports alone provided \$218,000,000 in total economic impact and employ 4,200 people, and

Whereas, SB 253 would eliminate the air carriers exemption from State Fuel Sales Tax which they currently pay in adjoining states, and

Whereas, all money received must be paid into the State Treasury and credited to the fund known as the "State Aviation Fund" for a program of grants to upgrade the state's airport and air navigation systems and facilities,

Now Therefore, Be It Resolved; that Sumter County Council fully supports SB-253 and asks that the local Legislative Delegation assist in the passage of this important Bill.

ACTION: MOTION was made by Councilman Burr, seconded by Councilman Singleton, and unanimously approved by Council to adopt the resolution as presented and directed the Chairman and the Clerk to execute and deliver the resolution on behalf of the County.

(6) 99-370 - First Reading -- An Ordinance Authorizing The Exchange Of Real Property Adjacent To And In The Vicinity Of Dillon Park.

Ms. Cuttino, the County Attorney, presented the following ordinance to Council. She stated that Council directed her and the Administrator to work toward facilitating a corporation agreement between the Black River, the City of Sumter, and the County. The first step in completing this process is to allow the exchange of real property (adjacent to and in the vicinity of Dillon Park) which is owned by the County with property that is owned (or proposed to be purchased by) Black River Electric Cooperative, Inc.

Councilman Singleton also asked that the following answers be given to Council:

- What is the acreage that the county will receive?
- what is the acreage that Black River will receive?
- What is the cost of each acreage?
- What are the intrinsic and extrinsic values of the property that will be received by the county?

ACTION: MOTION was made by Councilman Burr, seconded by Vice Chairman Fleming, and unanimously carried by Council to grant first reading to this proposed ordinance.

- (7) Suggested To Hold Executive Session To Receive a Legal Briefing And/Or To Discuss Personnel Matters. (The Executive Session, If Approved By Council, Will Be Held After All Business Matters Have Been Completed.)

An executive session was held at the end of the meeting.

OLD BUSINESS -- NONE

COMMITTEE REPORTS

- (1) Special Called Public Safety Committee Meeting Tuesday, March 9, 1999, at 2:00 p.m. - 6:00 p.m. County Council's Conference Room. (Fleming, Edens, and Singleton Committee Members, and all other Council Members Are Asked To Be In Attendance.)

The meeting of the public safety Committee was called to order by Vice Chairman Fleming, the Chairman of the Committee. Before any business was conducted, Councilman Singleton raised a point of order stating that the membership and the appointed chairman of the committee were not in compliance with Council's Code of Ordinances Section 2.17(2) which states that the Chairman of County Council shall appoint committee members subject to the approval of County Council. After several minutes of heated discussion, Vice Chairman Fleming recessed the meeting. Following a short recess, Vice Chairman Fleming adjourned the meeting, no business having been conducted. Thereafter, the meeting reconvened, being chaired by the Chairman of County Council. Each member of Council present was polled as to their consent to go forward with the Public Safety agenda with Chairman Campbell chairing the meeting. Each member affirmatively consented to the meeting being conducted in this manner. (Members present during this portion of the meeting: Campbell, Fleming, Burr, Edens, and Singleton). Councilman Williams attended the meeting after the debate and polling of members to re-convene the meeting, and Councilwoman Sanders attended the meeting closer to the end.

Vice Chairman Fleming stated that recommendation from the Committee meeting is to allow the Correctional Center to be constructed at its present location of North Main Street.

ACTION : MOTION was made by Councilman Edens, seconded by Councilman Singleton, and carried by Council to confirm the construction of the Sumter County Correctional Center at its present location on North Main Street. Council persons Sanders and Williams and Vice Chairman Fleming voted in opposition of this request.

NOTE: Councilman Burr asked Council to consider adding a one cent sales tax for one year to complete the construction of the correctional center in order not to raise county taxes for this project.

MONTHLY REPORTS --

- Sheriff's Department

- Keep America Beautiful
- Recycling Center
- Public Works

COUNTY ADMINISTRATOR’S REPORT --

- Report on Roads for Crusher Run and Paving: The Public Works Director gave the Administrator a proposal of upcoming road projects. After reviewing the report, Council members should contact the Administrator to clarify any concerns.
- 1999-2000 Fiscal Year Budget Schedule was given to each member of Council.

PUBLIC COMMENT:

- Cristie Brunson spoke to Council about her opposition in changing the private road Quail Run Road to Carousel Court. She added that it is unfair that they are required to change their street name for someone that has not been in the community for no more than a year or two.

There were no additional comments from the public.

EXECUTIVE SESSION:

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

OPEN SESSION:

There was not action to be taken after the legal briefing; therefore, Council adjourned the meeting.

ADJOURNMENT: There being no further business and no additional comments from the public, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Chairman or Vice Chairman
Sumter County Council

Clerk to County Council

Approved:_____

I certify that public and media notification of the above mentioned meeting was given prior thereto as follows:

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Public Notified: Yes

Manner Notified: Agenda posted on bulletin board outside the County Administrator's office and bulletin board on the Second floor of the Administration Building.

Date Posted: March 4, 1999

Media Notified: Yes

Manner Notified: Agendas were sent to most radio stations, television stations, and newspapers in the Sumter, Columbia, Manning, and Florence communities.

Date Notified: March 4, 1999

Respectfully submitted,

Mary W. Lewis