

**Minutes  
Sumter County Council  
Regular Meeting  
March 23, 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:** Mr. William T. Noonan, County Administrator; Ms. Mary W. Lewis, Clerk to County Council; Ms. Kathy Cuttino, County Attorney; Mr. Tony Criscitiello, Planning Director; Mr. Bill Hoge, Planning Coordinator; Mr. Simon Major, Corrections Center Director; Mrs. Pam Craven, Grants Writer; Mrs. Carolina Richardson, Accounts Payable Supervisor; Mrs. Jeanette Mixon, Finance Director; Mr. Lath Harris, County Assessor; Mr. Ed Owens, Deputy County Assessor; Ms. Faith Line, County Librarian; Mr. John Duffie, County Engineer; Mr. Eddie Newman, Public Works Director; Mr. Butch Robb, Assistant Public Works Director; Mr. Victor Jones, Public Safety Director; Mrs. Verna Moore, County Coroner, and Mr. Hemby Smith, MIS Staff.

**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 Dr. Thomas Painter gave a devotional and the invocation.

**ACTION ON MINUTES:** MOTION was made by Vice Chairman Fleming, seconded by Councilman Singleton, and unanimously carried by Council to approve the minutes of March 9, 1999, with the following corrections:

To change the word Corporation Agreement to Cooperative Agreement listed in the executive session notes on page one and item number six (99-370) on page eight of the minutes.

**LAND USE MATTERS AND REZONING REQUESTS**

**Planned Development/Rezoning Requests -**

- (1) RZ-99-04 - Joe B. Davis, Jr. - **Second 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. (Public hearing will be held prior to action on Second Reading.)

Mr. Hoge presented this rezoning request to Council; he informed them that this 55-acre track of land has recently been re-designated as suburban development by the Planning Commission in the updated 2005 Plan. The property is currently vacant and it does meet the land use plan as it exists presently.

The Planning staff and Planning Commission recommended approval to this proposed rezoning request.

The Chairman then convened a public hearing, at the conclusion of the public hearing, Council took action on this matter.

**ACTION:** MOTION was made by Councilman Singleton, seconded by Councilman Burr, and carried by Council to grant second reading to the rezoning request. Vice Chairman Fleming voted in opposition.

- (2) RZ-99-05 - Carl J. Croft -- **Second 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. (Public hearing will be held prior to action on Second Reading.)

Mr. Carl Croft, the applicant, hopes to rezone the property located on McCrays Mill Road (Meadowcroft Subdivision) which is approximately 190 acres, to complete the development of the Meadowcroft Subdivision. Mr. Hoge stated that the request does not comply with the Land Use Development Plan; however, because this would be an up-scale zoning from the Land Development Plan, the staff and Planning Commission recommended approval of the rezoning request.

The Chairman then convened a public hearing; after the public hearing, Council took action on this matter.

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

- (3) 99-371 - **First Reading** -- An Ordinance Adopting A Comprehensive Plan for Sumter County Entitled "2020 Comprehensive Plan," Pursuant to the S. C. Local Government Comprehensive Planning Enabling Act of 1994, As Specifically Required By Section 6-29-510, et seq.

The Chairman of Council welcomed members of the Planning Commission and members of the Zoning Board of Adjustment.

Mr. Hoge stated that these two boards served as the subcommittee which reviewed the Comprehensive Plan that is entitled 2020 Comprehensive Plan and the upcoming proposed new City-County Zoning Ordinance.

He added that this proposed first reading of the 2020 Comprehensive Plan is reflective of the workshop that Council attended on March 18, 1999. This plan is in accordance with enabling legislation of 1994 as specified by Section 6-29-510 of the S. C. Code of Laws.

Mr. Hoge reviewed the maps and land designations of the County from its present layout to the proposed new layout of land use within the County. Mr. Criscitiello, the Planning Director, informed Council that the state law requires that a County updates its Comprehensive Plan every five years; however, Sumter City-County Comprehensive Plan has not been updated as required by

the law. Therefore, the flow of growth in this community has caused the county to be out of compliance with the existing Comprehensive Plan.

**ACTION:** MOTION was made by Councilman Singleton, seconded by Councilwoman Sanders, and carried by Council to grant first reading to the proposed ordinance. Councilmen Burr, Fleming, and Williams voted in opposition. Councilperson Sanders, Singleton, Edens, and Campbell voted in support of the motion.

**Street Name Changes: None**

**Grants: None**

### **PUBLIC HEARINGS**

- (1) RZ-99-04 - Joe B. Davis, Jr. - **Second 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. (Public hearing will be held prior to action on Second Reading.)

The Chairman convened a public hearing and inquired if anyone wished to speak in favor of this proposed rezoning request. Mr. Joe Davis, the Developer and Agent for this property, stated that a survey has been conducted of this area which indicates that the present and future demands of this area is of a commercial nature. Also, he stated that a wetland study is being conducted to see exactly which parts of the property can be used .

Then the Chairman asked if anyone wished to speak in opposition of this proposed rezoning request. Ted Young spoke to Council indicating that he represents approximately 60 families on or around Second Mill Pond. He added that this development might impact the pond; therefore, he asked that Council work to protect the pond and the people who already have their investments around and below the pond. If this poses no threat to the pond, then there is no opposition to the development.

Mr. Lorin Lee stated that the pond on this property flows into his Saw Mill Pond and flows into Second Mill Pond. Mr. Lee asked for assurances that there will be no run off from the property developed by Mr. Davis.

Several Council members did indicate their concern for a large piece of property to be rezoned at one time and there being no plans to show which companies will be located on the property.

After all comments, the Chairman closed the public hearing and Council took action on this matter during Land Use Matters and Rezoning Requests.

- (2) RZ-99-05 - Carl J. Croft -- **Second 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. (Public hearing will be held prior to action on Second Reading.)

The Chairman convened the public hearing and inquired if anyone wished to speak in favor of or opposition to the rezoning request. No one spoke to this matter; therefore, the Chairman closed the public hearing and Council took action on this matter during Land Use Matters and Rezoning Requests.

(3) 99-368 - Third Reading - An Ordinance Authorizing the Lease of Real Property Located at 14 Law Range.

Prior to the Chairman convening the public hearing, the County Attorney briefed Council on this matter. The Chairman then convened the public hearing and inquired if anyone wished to speak in favor of or opposition to this proposed ordinance. No one spoke to this issue, therefore, the Chairman closed the public hearing and Council took action on this matter under Old Business.

**NEW BUSINESS**

(1) February Financial Statement Update

The County Administrator and Mrs. Carolina Richardson presented the February 1999 Financial Statement which reflects 66% of the fiscal year's budget. Ms. Richardson indicated that as of the end of February, the revenue received was \$20,185,767, which is 68.32% of the expected revenue. This is a slight increase from last year's figure of \$19,000,975 or 64.48%. The overall expense figure for February is \$1,998,355 and the year-to-date expense figure is \$18,011,191. The expenditures are listed at 60.96%. The revenues at this point exceed the expenses by \$2,174,576. The total investment at this time is \$2,449,139.86 and the bond capacity is \$8,773,322.

**ACTION:** This was received as information.

(2) Approval of Appointments To County Council Committees.

The Chairman presented the following list of recommended committee appointments to Council for approval. After review of the list, Council took action on this matter.

<b><u>SUMTER County Council Standing Committees</u></b>	
Appointed: January 26, 1999	
Approved by Council: _____	
<b><u>FISCAL, TAX AND PROPERTY</u></b> James A. Campbell, Chairman Charles T. Edens Louis Fleming	<b><u>WASTE DISPOSAL</u></b> Carol Burr, Chairman Charles T. Edens Frank E. Williams, Jr.
<b><u>INTERNAL AFFAIRS</u></b> Frank E. Williams, Jr., Chairman James A. Campbell Charles T. Edens	<b><u>MILITARY AFFAIRS</u></b> Rudy Singleton, Chairman James A. Campbell Louis Fleming
<b><u>TECHNOLOGY/PERSONNEL</u></b> Louis Fleming, Chairman Naomi Sanders Carol Burr	<b><u>CULTURAL/FINE ARTS LIAISON</u></b> Naomi Sanders Frank E. Williams, Jr.

<p><b><u>PUBLIC SAFETY</u></b>                  Louis Fleming, Chairman                  Charles T. Edens                  Rudy Singleton</p>	<p><b><u>ECONOMIC DEVELOPMENT LIAISONS</u></b>                  Carol Burr                  Rudy Singleton</p>
<p><b><u>PUBLIC WORKS</u></b>                  Charles T. Edens, Chairman                  Frank E. Williams, Jr.                  Rudy Singleton</p>	<p><b><u>EDUCATION LIAISONS</u></b>                  Carol Burr                  Naomi Sanders</p>
<p><b><u>LIAISON</u></b>                  Naomi Sanders, Chairwoman                  Frank E. Williams, Jr.                  Rudy Singleton</p>	

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilman Singleton, and Unanimously carried by Council to grant approval of the committee assignments as printed and presented by the Chairman.

(3) A Resolution Recognizing Mr. Edward H. Sexauer, Programming Director for WRJA-TV

The Chairman presented the following resolution for consideration by Council in recognition of Mr. Edward H. Sexauer, retiring Programming Director for WRJA-TV.

*WHEREAS, in this ever-changing world of multi-media, opportunities to learn about County government and to communicate with local governmental officials has been granted to us through the programming expertise of Mr. Edward H. Sexauer; and*

*WHEREAS, it has been Sumter County's good fortune to engage in an open relationship with WRJA-TV as an outstanding local educational television station, and to participate in WRJA's bi-monthly televised programming of Sumter County Council's actions and upcoming events; and*

*WHEREAS, Council members have realized a sense of unity from being associated with WRJA-TV and its former programmer, Mr. Edward H. Sexauer, who has provided quality programming to the public in a fashion that has reflected the needs of this community with a genuine sentiment of compassion, truth, and wholesomeness.*

*NOW THEREFORE, BE IT RESOLVED, on behalf of the citizens of Sumter County, Sumter County Council extends its thanks and appreciation to Mr. Sexauer for his professionalism in providing quality, non-bias, and concise programming for Sumter County and other South Carolinians. Council will always remember and appreciate the excellent programming techniques that won Ed Sexauer numerous awards and honors both professionally and personally. Council wishes Mr. Sexauer well in his decision to retire and know that his programming legacy will always be a goal to be reached by other's that will pursue the satisfying career of educational programs. May God continue to bless Ed as he enjoys the gift of retirement.*

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilwoman Sanders, 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.

(4) A Resolution Designating April As Fair Housing Month In Sumter County, South Carolina.

The Chairman presented the following resolution for Council's consideration and approval.

*WHEREAS, Sumter County Council desires that its citizens be offered the opportunity to attain a decent safe and sanitary living environment; and,*

*WHEREAS, Sumter County Council rejects discrimination on the basis of race, color, sex, national origin, religion, ancestral status, and disability; and*

*WHEREAS, Sumter County Council desires that every citizen be offered the opportunity to live in the home of his or her choice; hence, Sumter County Council does not discriminate in its housing practices;*

*NOW THEREFORE BE IT RESOLVED, that we the members of Sumter County Council do hereby designate April as Fair Housing Month in the County of Sumter, State of South Carolina and will continue to promote and advocate fair housing for all of its citizens.*

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

(5) Property and Fiscal Matters

- Columbia Tent and Awning Company

The County Administrator, Mr. William T. Noonan, presented Council with an invoice from Columbia Tent and Awning Company in the amount of \$3,296.00. The recent cattle auction at the Exhibition Center required expenditures beyond the \$5,000, which was previously approved by Council. The invoice reflects the additional cost to prepare for this auction. These tent and awnings are now the property of the county and will be used during upcoming cattle auctions and other appropriate events.

**ACTION:** MOTION was made by Councilwoman Sanders, seconded by Vice Chairman Fleming, and unanimously carried by Council to approve the expenditure of \$3,296.00 from Council's contingency fund to pay the expenses of Columbia Tent and Awning Company.

- Global Position System Survey Monument Permit

Mr. Noonan stated that the County has been approached by Southern Natural Gas Company to allow this company to place global position system survey monuments in any road and/or highway rights-of-way subject to the County's jurisdiction. These monuments will not obstruct anything with satellites or other underground wiring.

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilman Edens, and unanimously carried by Council to approve the Global Positioning System Survey Monument Permit as presented by the Administrator and authorized the Administrator to execute and deliver the appropriate documents on behalf of the County.

#### AMENDMENT TO AGENDA

**ACTION:** MOTION was made by councilman Edens, seconded by Councilwoman Sanders, and unanimously carried by Council to add to the agenda "Keep America Beautiful Adopt-A-Highway Program."

Councilman Edens informed Council that he has met with Mrs. Georganne Kirven and other persons concerning the upcoming Adopt-A-Highway program on April 16 and 17. Councilman Edens asked Council to commit itself in adopting a highway that it will pick-up the litter at least three times a year.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilwoman Sanders, and unanimously carried by Council to commit itself in adopting a highway in Sumter County to help alleviate the litter problems in the County. The particular highway will be announced at a later date.

- (6) 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

- (1) 99-368 - Third Reading - An Ordinance Authorizing the Lease of Real Property Located at 14 Law Range.

The County Attorney indicated that John J. Kirlin, Inc., Carolinas Division construction company has approached the County to lease its building located at 14 Law Range while this Company is completing construction work at Tuomey Hospital. The lease is from February 1, 1999, to August 31, 1999, at a cost of \$400.00 per month for rental fee.

Ms. Cuttino recommended approval of the lease agreement as presented and reminded Council that a public hearing must be held prior to action on third reading.

**ACTION:** After public hearing, MOTION was made by Councilman Williams, seconded by Councilwoman Sanders, and unanimously carried by Council to grant third reading and adoption to this ordinance as presented.

- (1) 99-370 – **Second Reading--** An Ordinance Authorizing The Exchange Of Real Property Adjacent To And In The Vicinity Of Dillon Park.

Mrs. Cuttino, the County Attorney, presented this proposed ordinance to Council. She stated that this proposed ordinance will allow the County to exchange some of its designated property for certain portions of Black River Electric Cooperative, Inc.'s property. The exchange is an equal swap in value.

Public hearing on this matter will be held at third reading.

**ACTION:** MOTION was made by Councilman Williams, seconded by Councilman Singleton, and unanimously carried by Council to grant second reading to this proposed ordinance as presented.

#### **COMMITTEE REPORTS -- None**

#### **MONTHLY REPORTS --**

- Keep America Beautiful
- The Sumter Conventions and Visitors Bureau

#### **COUNTY ADMINISTRATOR'S REPORT --**

- **Preliminary Budget Information:** Council members will receive their budget packets at the April 13, 1999, meeting. Additional workshops will be held per Council's direction.
- **Good Friday, April 2, 1999:** County's policy allows the Administrator to designate certain floating holidays to be used during appropriate holidays, which fall on a Monday or Friday. Therefore, the Administrator asked that Friday, April 2, 1999, be used as a floating holiday this year.

**ACTION:** MOTION was made by Councilman Singleton, seconded by Councilman Williams, and unanimously carried by Council to approve Friday, April 2, 1999, as a holiday for all County employees

#### **PUBLIC COMMENT:**

- Mrs. Paula L. Berg – Ms. Berg sent a letter asking to be withdrawn from this agenda.
- Mr. John Paul Timmons – Mr. Timmons' Attorney informed the Clerk and the County's Attorney that Mr. Timmons would not speak at this meeting.
- Mrs. Amy Scraider spoke to Council concerning the upcoming Loring Mill Road expansion to five lanes. She lives in the Idlewild Subdivision.

- Councilman Singleton asked that Council hire a Comptroller immediately to allow for this person to work with the Administrator and other financial persons during the upcoming budget process.

There were no additional comments from the public.

**EXECUTIVE SESSION:**

**ACTION:** MOTION was made by Councilman Burr, seconded by Vice Chairman Fleming, and unanimously carried by Council to enter executive session to discuss a contractual matter. At the conclusion of the executive session, Council re-entered open session.

**OPEN SESSION:**

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilman Singleton, and unanimously carried by Council to approve the expenditure of \$14,720 to be used in a contractual matter with the Pee Dee Regional Landfill Authority. The funds will be secured from Council's contingency fund.

**ADJOURNMENT:** There being no further business and no additional comments from the public, the meeting was adjourned at 7:40 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 the County Administrator's office and bulletin board on the Second floor of the Administration Building.

Date Posted: March 18, 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 18, 1999

Respectfully submitted,

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Mary W. Lewis