

**Minutes
Regular Meeting
Sumter County Council
July 8, 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; Kathy Cuttino, County Attorney; John Duffie, County Engineer; George McGregor, Planning Coordinator; Verna Moore, Coroner; Elizabeth Hair, County Treasurer; and Eddie Newman, Public Works Director.

MEDIA PRESENT: The Item

PUBLIC PRESENT: Approximately 27 members of the public were in attendance.

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

ACTION ON MINUTES: MOTION was made by Councilman Fleming, seconded by Councilman Baker, and unanimously carried by Council to approve the minutes of June 24, 1997, as presented by the Clerk..

**LAND USE MATTERS AND REZONING REQUESTS
Planned Development/Rezoning Requests**

- (1) RZ-97-16 -- First Reading -- Cornell Burroughs -- A request to rezone property located at 49 Lincoln Avenue (Tax Map 226-05-02-021) from residential-6 to General Residential in order to allow a mobile home.

Mr. George McGregor, Planning Coordinator, presented this request before Council. He stated that the property had a stick-built house on it, but it was torn down because it was sub-standard. The property is located at 49 Lincoln Avenue and the 2005 Land Development Plan designates this property as Residential Mobile Home. In this district, mobile homes are encouraged as an alternative to conventional residential development. However, Mr. McGregor informed Council that in the South Sumter Revitalization Plan recommended that mobile homes not be allowed in the area.

Additionally, the Planning staff visited the area, reviewed the proposed site, and evaluated the request. The request is in compliance with the 2005 Land Development Plan. The Land Use Plan designates this property as residential mobile home, although the South

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Sumter Plan designates this areas as r residential-rehabilitation. The residential rehabilitation designation for this area recommends rehabilitation for continued single-family residential use. This plan recommends continued single-family use-conventional housing.

Staff recommends denial of the request based upon the following: The recommendations made in the South Sumter Master Plan were to upgrade this are from the current general Residential zoning to residential-6 and residential-9, depending on lot sizes. This was to prohibit the location of additional mobile homes into this area scheduled for concentrated housing improvement. This recommendation or portion of the plan has already been implemented because the area is currently zoned residential-6. The staff feelings are that rezoning from a higher more restrictive zoning (R-6) to a less restrictive zoning (GR) is considered "down zoning" and is considered poor land use practice.

The Planning Commission indicated that since the applicant brought in supporting documentation from adjacent property owners who were in favor of the zoning, it recommended approval of the request. The vote by the Planning Commission was four in favor and three in opposition.

ACTION: MOTION was made by Vice Chairman Williams, seconded by Councilwoman Sanders, and unanimously carried by Council to grant first reading to the rezoning request.

NOTE: Several Council members stated that they voted in favor of this request to see what the residents of the area will say once public hearing is heard at second reading.

Street Name Change -- None

Grant

- (1) Approval Of A \$40,000 Grant Award Agreement Between The County And The S. C. Coordinating Council For Economic Development For The Purpose Of Constructing An Access Road For Southeastern Casework -- #1461.

The County Attorney, Mrs. Kathy Cuttino, presented this matter before Council. She stated that the Development Board had previously requested \$20,000 from County Council to assist in the construction of an economic development road project in the area of Stamey Live Stock Road for Southeastern Casework. The Development Board was at that time anticipating receiving additional moneys from the State of South Carolina Coordinating Council for Economic Development. The grant application has been approved and Council was presented with the grant award agreement. The grant award is in the amount of \$40,000 and County Council needs to accept the award and authorize the Chairman and two other Council persons to execute the grant award on behalf of the County.

ACTION: MOTION was made by Councilman Burr, seconded by Councilman Fienning, and unanimously carried by Council to accept the grant award of \$40,000 from the S.

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C. Coordinating Council for Economic Development for the purpose of constructing an access road for Southeastern Casework and to authorize the Chairman and two other Council persons to execute and deliver the grant award on behalf of the County.

PUBLIC HEARINGS

- (1) **97-327 -- An Ordinance Of The County Council Of The County Of Sumter, South Carolina, Authorizing The Creation Of A Joint Municipal Water System To Be Known As The Lake Marion Regional Water Agency Pursuant To Section 6-25-10 ET. SEQ. Of The Code Of Laws Of South Carolina 1976, As Amended. (Third Reading on this item will be handled right after public hearing or during old business).**

The Chairman convened the public hearing to this proposed ordinance. One spoke to this issue therefore the chairman closed the public hearing.

NEW BUSINESS:

- (1) **First Reading -- 97-326 -- An Ordinance Granting A Franchise To The Oswego Rural Water Company, Inc.**

The Attorney, Katy Cuttino, presented the proposed ordinance granting a franchise agreement. She stated that included in this ordinance in language which addresses Council's concern in protecting the County's interest in so far as the provision of water and sewer for industrial development in the I-95 area.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Fienning, and carried by Council to grant first reading as presented. Councilman Fleming abstained.

- (2) **A Resolution To Appoint A Representative To Serve As A Member Of The Lake Marion Regional Water Agency, A Joint Municipal Water System Created Pursuant To§6-25-10, ET SEQ. Of The Code Of Laws Of South Carolina, 1976, As Amended.**

The Chairman asked Council to defer this resolution until such time as the ordinance which coincide with this resolution (97-327) can be reviewed and amended to incorporate the proper language in it to address the appointment of a representative to serve as a member of the Lake Marion Regional Water Agency.

ACTION: MOTION was made by Councilman Burr, seconded by Councilman Fleming and unanimously carried by Council to defer this resolution until a later date.

- (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.)**

No executive session was held.

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OLD BUSINESS:

- (1) **Third Reading -- 97-327 -- An Ordinance Of The County Council Of The County Of Sumter, South Carolina, Authorizing The Creation Of A Joint Municipal Water System To Be Known As The Lake Marion Regional Water Agency Pursuant To Section 6-25-10 ET. SEQ. Of The Code Of Laws Of South Carolina 1976, As Amended.**

The Chairman introduced this item and asked that it be deferred until a later date.

ACTION: MOTION was made by Councilman Burr, seconded by Councilman Fleming and unanimously carried by Council to defer third reading to this ordinance until a later date.

The Chairman introduced this matter and informed Council that the ordinance needs to be deferred until such time that a

COMMITTEE REPORT:

- (1) **Public Works Committee Meeting on Tuesday, July 8, 1997, at 4:00 p.m. in Council's Conference Room.** (Members: Sanders, Williams, and Baker)

The following report was presented by the Chairperson, Councilwoman Sanders:

- **Request From South Sumter Residents:** The Committee received concerns about the dust that is created by crusher run which has been placed on roads located in South Sumter. Therefore, the Committee recommended that effective immediately, no more crusher run material will be placed on the roads in South Sumter until such time the committee receives a report from the Administrator concerning the costs to put a sealer on the roads to eliminate or reduce the dust on those roads. Additionally, the Administrator is provide the Committee with the cost for asphaltting the roads in South Sumter as well.

ACTION: This report was received as information.

- **Road Needs In the County:** Council members presented the committee with a list of road concerns in their respective areas (Councilman Fienning will forward his list at a later date). Once the list is completed the Committee will meet again to develop a priority list and eventually begin work on those roads.

District #1 (Naomi D. Sanders)

- Daniel Taylor Road
- Magrant Road
- Hiram Jenkins Road
- St. Mark Circle

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District #2 (Artie Baker)

- Line Street
- Briarcliff Road
- Lombardi Court
- Pointe Road
- Squaw Valley
- Emil Road (Chairman of County Council will follow-up with Mr. Leaird)

District #3 (Carol Burr)

- Bermuda Street
- Jessica Street
- Broome Street
- Blackberry Lane
- Clover Street
- Wheat Street
- Amanda Circle
- Carrolland Drive
- Silo Acres
- Amberwood Road

District #4 (Charles E. Fienning)

- Forthcoming

District #5 (Frank E. Williams, Jr.)

- Cimeron Road near Queen Chapel Road just beyond Dorothy's Nigh Club

District #6 (Louis Fleming)

- Gulf Street
- South Street (Drainage)

District #7 (James A. Campbell)

- Zoar Church Road
- Bart Davis Road
- Race Track Road
- Jack Road
- Bertha Circle

Countywide (William T. Noonan)

- Frank Street

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- **Line Street:** The Committee recommended that the Administrator follow-up on this problem of "road wash-out."
- **Frank Street:** The Committee recommended that the Administrator continue follow-up on Frank Street and the need for drainage, paving versus crusher run, etc. The Committee also recommended that if a community is impacted negatively by an industrial or economic development, the community should be brought back to its original standards or enhanced in order that the community will grow along with the economic development.
- **Limb and Leaf Pick-up:** The Committee recommended that the Administrator follow-up on this matter with the City of Sumter which has an incinerator and can use possibly use the limbs and leaves. Until this matter is resolved, the County's limb and leave pick-up service will continue as it presently stands.

(2) **Fiscal, Tax, and Property Committee Meeting on Tuesday, July 8, 1997, at 5:00 p.m. in Council's Conference Room.** (Members: Campbell, Fienning, and Fleming)

The Chairman of the Committee presented the following report:

- **Public Defenders Request:** The Sumter County Public Defender operating budget operations from the State was decreased due to a veto by the Governor of South Carolina. Therefore, the Public Defenders requested an additional \$33,980. The committee recommended approval from County Council's Contingency fund which would be replaced, if possible, when Council reviews its mid-year financial adjustments.

ACTION: MOTION was made by Councilman Fleming, seconded by Councilman Fienning, and unanimously carried by Council to approve the recommendation as presented.

MONTHLY REPORT:

- Public Works
- Recycling Centers

COUNTY ADMINISTRATOR'S REPORT:

- **Used Oil Grant:** The County has received a \$16,040 Used Oil Grant from the S. C. Department Of Health and Environmental Control.
- **Caterpillar Project:** This project is progress; however, it is a large project and will take additional time from the Public Works Department's regular routine of work.
- **Proposed Architect Schedule for the Correctional Center Renovation Project:** An architectural proposed schedule was given to each Council member and they were asked to try to participate in as many of the scheduled events as possible. Also, Council was

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encouraged to attend the Jail Planning Workshop on July 30, 1997, from 8:30 a.m. until 1:00 p.m.

- **Trip Report from Administrator:** The Administrator presented Council members with a copy of a trip report from the City and County Managers Association which was attended by the Administrator. One of the highlights of the meeting was the consolidation of County and City services.

- **Lights at Dark Intersections:** The Clerk presented Council with the approved list for new lights to be placed at dark intersections. The Clerk was asked to combine the list of intersection lights (the 54 intersection and this present list) in alphabetical order and given to Council as well as Mr. Flynn.
 1. Hobbs Cross Road and Highway 403
 2. Highway 527 and Eastern School Road
 3. Pisgah Road and Blackriver Road
 4. Pisgah Road and Ross Road
 5. McLeod Chapel Road and Pisgah Road
 6. Highway 261 and Scales Road
 7. Highway 261 Richbow Road
 8. Highway 261 Hagood Road
 9. Pinewood Road and Bethel Church Road
 10. Bethel Church Road and Underwood Road
 11. Highway 76 E. And Bradham Drive
 12. Old Manning and Beulah Cuttino Road
 13. Bethel Church and Avin Road
 14. Highway 261 and Poinsett Park Road
 15. Highway 120 and St. Pauls Church Road
 16. Old 521 N. And Ebenezer Road
 17. Queen Chapel and Jefferson
 18. Brewington Road and Queen Chapel Road
 19. Spencer Road and Highway 521, North
 20. St. Paul Church Road and Hickory Road
 21. Ridgeway and Boulevard
 22. Blackriver Road and Old 521

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23. Frierson Road and 521
24. Highway 15, North and Whites Mill Road
25. Highway 441 and Black River Road
26. Seymore and Highway 441
27. Stamey Livestock and Frierson Road
28. Kolb Road and Hideaway
29. Highway 15, North and North Pike West
30. North Pike West at the Entrance Ramp to 378/76
31. Mims Road and Lake City Highway
32. Highway 521 and Ellbere Mill Road
33. Young Road and Hagood Road
34. Highway 261 and Horatio Hagood Road
35. Highway 521 and Dinkins Mill Road
36. Highway 521 and Lee Road
37. Lee Road and Sumter
38. Young Road and McLeod Chapel
39. Young Road and Lewis Circle
40. Borden Road and Cimmeron Road
41. Borden Road and Dais Road

PUBLIC COMMENTS:

- Mr. Alphonso Johnson spoke to Council about his concern for Council participating in the Lake Marion Water Resources venture.

There were no additional comments from the public.

EXECUTIVE SESSION:

ADJOURNMENT: There being no further business and no additional comments from the public, the meeting was adjourned at 6:32 p.m.

Respectfully submitted,

Chairman or Vice Chairman
Sumter County Council

Clerk to County Council

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Approved: _____

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 first floor of the Administration Building.

Date Posted: July 3, 1997

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: July 3, 1997

Respectfully submitted,

Mary W. Lewis