

**Minutes
Regular Meeting
Sumter County Council
July 22, 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, Charles E. Fienning, Louis Fleming, and Naomi Sanders.

MEMBERS ABSENT: Carol Burr

STAFF MEMBERS PRESENT: William T. Noonan, County Administrator; Mary W. Lewis, Clerk to Council; John Duffie, County Engineer; George McGregor, Planning Coordinator; Verna Moore, Coroner; Ed Owens, Deputy Assessor; Elizabeth Hair, County Treasurer; and Eddie Newman, Public Works Director.

MEDIA PRESENT: The Item

PUBLIC PRESENT: Approximately 14 members of the public were in attendance.

CALL TO ORDER: The meeting was called to order by Chairman Campbell, and The Reverend G. Harrell gave the invocation.

ACTION ON MINUTES: MOTION was made by Councilman Fleming, seconded by Councilman Fienning, and unanimously carried by Council to approve the minutes of July 8, 1997, as presented by the Clerk.

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

- (1) RZ-97-02 -- First Reading -- Combined Request with LDP-10 -- R. O. Tidwell, Jr. -- A request to rezone approximately 10 acres of property located at 2805 Highway 15 South (Tax Map 223-00-01-011) from Rural Agricultural to Heavy Industrial in order to allow an automobile repair shop in addition to a precast concrete septic tank operation.

The applicant requested that this rezoning request be deferred until the August 12, 1997, meeting.

ACTION: Council did not take any action on this request, but deferred action until its August 12, 1997, meeting.

- (2) LDP-10 -- First Reading -- Combined Request with RZ-97-01 -- Land Development Plan/Map Amendment 10 -- A proposal to redesignate the area located on the east side of Highway 15 South, between Clipper Road and Bethel Church Road, from Residential

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Conservation (RC) to a designation which would encourage industrial or commercial development. Optional designations include Industrial Conservation and Promotion (ICP).

The applicant requested that this rezoning request be deferred until the August 12, 1997, meeting.

ACTION: Council did not take any action on this request, but deferred action until its August 12, 1997, meeting.

- (3) RZ-97-16 -- **Second 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. McGregor, Planning Coordinator, presented this matter before Council. He stated that no changes have been made to the request from first reading. The applicant, Mr. Cornell Burroughs, wants to rezone his property in order to locate a mobile home on the property. Previously, there was a stick built home on the property; however, it was demolished because it was sub-standard to the zoning codes.

Mr. McGregor stated that the Planning staff received one phone call July 22, 1997, from Ms. D. Bracey who is in agreement with the request for Mr. Burroughs personal use, but she would not be in favor of the entire area being rezoned for mobile home use.

The Chairman then convened a public hearing. At the conclusion of the public hearing, Council took action on the rezoning request.

ACTION: MOTION was made by Councilman Fleming, seconded by Councilman Fienning, and unanimously carried by Council to grant second reading to the rezoning request. Second reading approval was granted because the application has some special considerations: (1) the manufactured housing is what the applicant can afford, (2) Mr. Burroughs' neighbors supported him through petition, phone calls, and appearance at the public hearing, (3) no objections were received during the public hearing, and (4) Mr. Burroughs was born at this particular location. Additionally, while the Planning staff recommended that the zoning down from R-6 to GR is not a good land use practice, Council feels that in this particular case the majority recommendation of the Planning Commission will be supported by Council.

Street Name Change -- None

Grant - None

PUBLIC HEARING

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

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The Chairman stated that the Attorney for Oswego Rural Water Company, Inc. has some additional items that he wants inserted in the proposed ordinance. Therefore, another public hearing will be scheduled for this particular ordinance.

- (2) RZ-97-16 -- 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.

Chairman Campbell convened the public hearing. He asked if anyone wished to speak in opposition to the rezoning request. No one spoke in opposition to the request. The Chairman then inquired if anyone wished to speak in favor of the request. Mr. Cornell Burroughs spoke in support of the request and also presented Council with a petition in support of his request; approximately 25 names were listed on the petition. Additionally, Mr. Burroughs had approximately 8 neighbors which were in support of the request. Since no one else spoke to this issue, the Chairman closed the public hearing and Council then took action on this matter during the Land Use Matter and Rezoning Request.

NEW BUSINESS:

- (1) 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 introduced this matter before Council for discussion and action. Then Council approved third reading and adoption to the Lake Marion Regional Water Agency ordinance (97-327) prior to taking action on this resolution.

ACTION: After third reading action on 97-327, MOTION was made by Councilman Fienning, seconded by Vice Chairman Williams, and unanimously carried by Council to adopt the resolution by appointing Mr. James M. Kepner as Sumter County Council's representative on the Lake Marion Regional Water Agency.

- (2) 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.

OLD BUSINESS:

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

The Chairman indicated that the Attorney for Oswego Rural Water Company, Inc. has requested that this matter be deferred in order for the Attorney to make some amendments to the proposed ordinance.

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ACTION: MOTION was made by Councilman Fienning, seconded by Councilwoman Sanders, and unanimously carried by Council to defer this matter at the request of the Attorney for Oswego Rural Water Company, Inc.

- (2) 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 stated that no changes have been made to this ordinance since second reading approval.

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

- (3) Second Reading -- 97-328 -- An Ordinance Authorizing An Inducement Agreement Among Sumter County (The "County"), The City Of Sumter (The "City") And Peace Textile, Inc. (The "Company"); The Sale To The Company Of Approximately 10 Acres Of Land Currently Owned By The County And The City Pursuant To Such Inducement; Acceptance Of A Promissory Note From Such Company Evidencing Its Contingent Obligation To Pay \$80,000 As The Purchase Price For Such Land And A Mortgage From The Company To The City And The County As Security For Its Obligations Under The Note; And Other Matters Relating To The Foregoing.

The Administrator briefed Council on this matter. He stated that Peace Textile, Inc. is planning an expansion to its existing property located in the Guignard Drive Industrial Park. The Company needs additional land, which is owned jointly by the City of Sumter and the County of Sumter.

Mr. Steve Rust, stated that the company needs approximately 15 acres instead of the 10 acres listed in the heading of the ordinance. Therefore, the promissory note from the company's contingent obligation to pay would change from \$80,000 to approximately \$120,000. Council then took action on amending the ordinance as stated by Mr. Rust.

ACTION: MOTION was made by Councilman Fleming, seconded by Councilman Fienning, and unanimously carried by Council to amend the ordinance by changing the acreage from 10 acres to 15 acres and change the obligation to pay the purchase price for the land from \$80,000 to approximately \$120,000.

The Administrator then asked Council if it is its desire, then he would discuss with the City of Sumter those previous commitments made to the residence of Frank Street at the initial development of the Guignard Industrial Park. The Chairman directed the Administrator to discuss these concerns and commitments with the City of Sumter officials and to keep Council updated on this matter.

ACTION: MOTION was made by Councilman Fleming, seconded by Councilman Baker, and unanimously carried by Council to grant second reading to the amended ordinance.

COMMITTEE REPORT:

(1) Fiscal, Tax, and Property Committee Meeting on Tuesday, July 22, 1997, at 5:00 p.m. in Council's Conference Room. (Members: Campbell, Fienning, and Fleming)

The Chairman of the Committee, Chairman Campbell, presented the following report:

- **Property Swap--Law Range:** The Administrator presented a property swap to the Committee. The County would swap some of its property on Law Range for some property of its neighbors on Law Range. Some repairs may be needed to the building that the County presently owns. Once the repairs are completed, if necessary, then the Administrator would bring an ordinance before Council for sale/swap of the property. The Committee recommended approval of this matter.
- **Military Fund:** The Administrator informed the Committee that the County has been informed by the Treasurer that the County has received notification of some military funds in the amount of \$41,066.59. These funds can be used for several different areas of the County; one of the areas is road usage. The Committee recommended that the money be used to continue work on the County's dirt roads.
- **Community Center on Radial Road:** This matter was discussed, but has been referred back to the Receptions Director and the County Administrator. The property does not appear to be suitable for a community center; however, it may be useful for other usage (park or green-space). It was recommended that the Administrator report back to the Committee on this matter.
- **Upcoming Grants for the 1997-98 Grant Cycle:** Ms. Lorraine Washington spoke to the Committee about the possible grants available during next year's grant cycle. The County can apply for both an infrastructure grant (\$500,000 maximum) and for a housing grant (\$350,000 maximum). It was recommended that Ms. Washington would seek both grants on behalf of the County.

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

- **Sumter County Millage Sheet:** The County's millage sheet was presented to the Committee. It was stated that each tax district within the County will experience a decrease in taxes for the 1997-98 fiscal: Tax District #17, was 216.9, is now 208.4; Tax District #1, was 245.8, is now 236.5; Tax District #2, was 257.6, is now 251.4; and Tax District #70 was 236.2, is now 231.9.

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ACTION: MOTION was made by Vice Chairman Williams, seconded by Councilwoman Sanders, and unanimously carried by Council to approve the Sumter County Millage Sheet for 1997-98 as presented.

MONTHLY REPORT:

- Public Safety

COUNTY ADMINISTRATOR'S REPORT:

- **Transfer Station:** The projections made by the County for the construction of the Transfer Station were lower than the bids received from the bidding companies. To off-set the higher cost of the Transfer Station, the Public Works Department will prepare the site for the construction work. The size of the building will also be reduced; however, provisions will be made for future expansion. Also, instead of using concrete on the driveway, crusher run will be installed on the roads.
- **Letter from the Sumter County Alcohol and Drug Abuse Commission:** Mr. Gene Baten, the Director of the Commission, requested to meet with Council to discuss additional funding for the 1997-98 fiscal years. This request will be placed on the August 12, 1997, Fiscal, Tax, and Property Committee meeting agenda.
- **County-wide Analysis of the Sumter County Code and Ordinance Violations:** An analysis will be conducted which will pertain to storage of equipment on-site (business, industry, etc.). Also, the activities of the Codes Department such as the number of violations, and the follow-up to those violations will be provided to Council. Council members will be given a report for their respective areas so that they will be informed of the different violations within their areas and the corrective actions that will take place.

PUBLIC COMMENTS:

- Ms. Pearl Williams asked for Council's help with the problem on Country Spring and Artesian Road. She stated that since the County placed crusher run on these roads, it has caused her medical problems. She asked Council to remove the crusher run from the road or pave the road with asphalt.

Council asked Ms. Williams to petition her neighbors as to what they would like to have done, and then bring the petition back to the Administrator.

There were no additional comments from the public.

ADJOURNMENT: There being no further business and no additional comments from the public, the meeting was adjourned at 6:54 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:

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 17, 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 17, 1997

Respectfully submitted,

Mary W. Lewis