

**Minutes**  
**Sumter County Council**  
**Regular Meeting**  
**August 10, 1999 - Held at 6:00 p.m.**  
**SUMTER COUNTY ADMINISTRATION BUILDING**  
**County Council Chambers**

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

**MEMBERS ABSENT:** Charles T. Edens

**STAFF MEMBERS PRESENT:** Ms. Mary W. Lewis, Clerk to County Council; Mr. William T. Noonan, County Administrator; Ms. Kathy Cuttino, County Attorney; Mr. Tony Criscitiello, Planning Director; Mrs. Carolina Richardson, Accounts Payable Supervisor; Mrs. Jeanette Mixon, Finance Director; Mr. John Duffie, County Engineer; Mrs. Pam Craven, Grants Writer; Mr. Victor Jones, Public Safety Director; Honorable Elizabeth Hair, County Treasurer, Honorable JoMarie Crocker, County Auditor; Honorable Tommy Mims, County Sheriff; Honorable Verna Moore, Coroner; Mr. George Smith, MIS Director; Mr. Latham Harris, Assessor; Mr. Ed. Owens, Deputy Assessor; Mrs. Patricia Jefferson, Voters Registration Election Commission; Mr. Nathaniel Benbow, Election Staff; Mr. Hemby Smith, MIS Staff; Mr. B. J. Jefferson, Appraiser; Mrs. Janice Rearden, Register of Deeds; Captain Maggie Lane, Correctional Center.

**MEDIA PRESENT:** The Item, and WIBZ Radio.

**PUBLIC PRESENT:** Approximately 31 members of the public were in attendance.

**CALL TO ORDER:** The meeting was called to order by Chairman Campbell, and the Reverend Tony Metz, of Pastor, St. James Lutheran Church, gave the invocation.

**AMENDMENT TO AGENDA:** MOTION was made by Vice Chairman Fleming, seconded by Councilwoman Sanders, and unanimously carried by Council to add to the August 10, 1999, agenda of County Council under "Public Hearing" the following item:

99-375 - An Ordinance Amending Ordinance No. 97-324 Entitled "An Ordinance Establishing Noise Regulations Within The Unincorporated Areas Of Sumter County."

**ACTION ON MINUTES:** MOTION was made by Councilman Singleton, seconded by Councilwoman Sanders, and unanimously carried by Council that the minutes of June 29, 1999, be approved as presented.

**ACTION ON MINUTES:** MOTION was made by Vice Chairman Fleming, seconded by Councilman Singleton, and unanimously carried by Council to approve the minutes of July 27, 1999, as presented by the Clerk.

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

**Street Name Changes - None**

**Grant Awards: None**

**PUBLIC HEARINGS:**

- (1) 99-374 -An Ordinance To Provide For The Removal And/Or Demolition Of Abandoned Or Dilapidated Mobile Homes; Providing For Penalties Associated With Non-Compliance; Providing A Means For Attaching And Imposing Liens Upon Real Property On Which Such Mobile Homes Are Situated; And Other Matters Related Thereto; By Amending Chapter 11; Article V Of The Sumter County Code Of Ordinances As Provided Herein. (Third Reading will be held on this item after public hearing is held.)

Prior to the public hearing, the County Attorney gave Council a briefing on this proposed ordinance. Then the Chairman convened a public hearing. He asked if anyone wished to speak in favor of the proposed ordinance.

- Mr. Melvin Vador spoke in support of the ordinance and stated that presently it is hard for a mobile home owner to get rid of one of these dilapidated homes from his/her property.

Then the Chairman inquired if anyone wished to speak in opposition to the ordinance or state any concerns about the ordinance. The following persons spoke to Council:

- Mr. Carl Holmes stated that his concern is for a family that cannot afford to fix the mobile home. What will be done, put the person on the street?

The County Attorney said that this ordinance is primarily geared toward mobile homes that are abandoned.

- Ms. Patricia Kohl stated that she is concerned that while one of these homes is going through forfeiture, she cannot collect rent on the home located on her property, the home cannot be moved, nor can she place another home on the property to collect rent. She is losing money each month she cannot collect rent.

After all comments, the Chairman closed the public hearing, then Council took action on this matter during Old Business.

- (2) 99-375 -- An Ordinance Amending Ordinance No. 97-324 Entitled "An Ordinance Establishing Noise Regulations Within The Unincorporated Areas Of Sumter County." (Second Reading will be held on this item after public hearing is held.)

After receiving comments concerning this proposed ordinance from the County Attorney, the Chairman convened a public hearing concerning this matter. He inquired if anyone wished to speak in favor of or in opposition to this proposed ordinance. The following person spoke to Council.

- Mrs. Marilyn Moore spoke to Council about her support of this ordinance and the need for it in this community.

After all comments, the Chairman closed the public hearing, and Council took action on this matter during old business.

## NEW BUSINESS

- (1) Recognition of Summer Youth Program Essay Winners - The Sheriff presented Lt. Roger Richardson, the COP's Program Coordinator. Lt. Richardson thanked Council for providing the funds for the Summer Youth Program, which is in its third year. He added that the students were requested to write an essay about the Summer Youth Program with information concerning their views and effects of this program. Mr. Nicholas White, the winner of the essay contest, stated that he worked in the Voters Registration Department. Mr. White read his essay, thanked Council and all involved in the program, and also encouraged Council to keep this program funded in order to help other young people.
- (2) Sumter County Millage Sheet  
This matter was postponed until a special meeting of County Council on August 16, 1999.

**ACTION:** MOTION was made by

- (3) If It Is Suggested To Hold Executive Session, 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) 99-374 -Third Reading -- An Ordinance To Provide For The Removal And/Or Demolition Of Abandoned Or Dilapidated Mobile Homes; Providing For Penalties Associated With Non-Compliance; Providing A Means For Attaching And Imposing Liens Upon Real Property On Which Such Mobile Homes Are Situated; And Other Matters Related Thereto; By Amending Chapter 11; Article V Of The Sumter County Code Of Ordinances As Provided Herein.

The County Attorney briefed Council on this matter. She stated that it is recommended that the effective date for this ordinance should be January 1, 2000. Ms. Cuttino also said that she and the County's Treasurer, the Honorable Elizabeth Hair, have had discussions concerning the implementation of this ordinance and the mechanics of handling the ordinance. Both agreed that deferring the effective date would allow for the Treasurer's Office and the Codes Department to coordinate efforts concerning this ordinance.

After discussions, the Chairman 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 Councilwoman Sanders, and unanimously approved by Council to grant third reading and adoption of this ordinance.

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilwoman Sanders, and unanimously carried by Council to approve January 1, 2000, as the effective date of this ordinance.

- (2) 99-375 - Second Reading - An Ordinance Amending Ordinance No. 97-324 Entitled "An Ordinance Establishing Noise Regulations Within The Unincorporated Areas Of Sumter County."

The County Attorney informed Council that there has been no change to this proposed ordinance since first reading. The Chairman then convened a public hearing. After the public hearing, Council took action on this matter.

**ACTION:** MOTION was made by Councilwoman Sanders, seconded by Councilman Burr, and unanimously carried by Council to grant second reading to this proposed ordinance. Councilman Singleton and Vice Chairman Fleming were not in Chambers during the vote on this matter.

- (3) 99-376 - Second Reading -- An Ordinance Establishing New Salary Levels for Members of Sumter County Council.

The Attorney informed Council that at the last reading Council amended the draft ordinance to reflect the proposed salary adjustments for County Council members. Council then took action on second reading.

**ACTION:** MOTION was made by Councilman Burr to deny second reading, the motion died for a lack of a second.

**ACTION:** MOTION was made by Councilwoman Sanders, seconded by Councilman Williams, and carried by Council to grant second reading to the proposed ordinance. Councilman Burr and Chairman Campbell voted in opposition. Councilman Edens was absent from the meeting and Vice Chairman Fleming was not in Chambers at the time of the vote. Council members Sanders, Williams, and Singleton voted in the affirmative. The motion carried.

- (4) 99-377 - Second Reading -- An Ordinance to Enlarge the Jointly Owned and Operated Industrial Business Park Created, in Conjunction with Clarendon County, By Sumter County Ordinance No. 95-283, to Amend the Agreement with Clarendon County Pertaining to Such Industrial/Business Park; and to Approve a Revised Exhibit "A" to Such Agreement, Describing the Property Located in Such Park in Sumter County.

The County Attorney presented this matter to Council. She stated that this ordinance would allow for Clarendon County to place an additional industry in the existing jointly owned and operated Industrial/Business Park between Sumter and Clarendon Counties. There were no changes to this ordinance. Third reading and public hearing will be held at the September 14, 1999, meeting of County Council.

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

## COMMITTEE REPORTS

(1) Public Safety Committee Meeting Tuesday, August 10, 1999, at 4:00 p.m. in County Council's Conference Room (Committee Members: Fleming, Edens, Singleton)

The Chairman of the Committee, Vice Chairman Fleming presented the following report:

- **Animal Shelter:** Mrs. G. Tino presented 1,600 names of persons who have signed a petition asking the County to work with the Sheriff and others to remedy the problems at the County's animal shelter. It was recommended that the Administrator, the Sheriff, and others develop a strategy to remedy the problem and present it to Council within sixty days.

**ACTION:** MOTION was made by Vice Chairman Fleming, seconded by Councilman Williams, and unanimously carried by Council to direct the Administrator to develop a strategy to remedy this problem and present it to Council within sixty days.

(2) Personnel/Technology Committee Meeting Tuesday, August 10, 1999, at 4:30 p.m. in County Council's Conference Room (Committee Members: Fleming, Sanders, and Burr)

The Chairman of this committee, Vice Chairman Fleming, presented the following report.

- **Clerical Staff Person for Treasurer's Department:** Mrs. Hair asked the Committee to consider authorizing an additional clerical staff person for her department. The funds for this clerical position would be secured solely from revenue derived from *delinquent tax sales*.

**ACTION:** MOTION was made by Vice Chairman Fleming, seconded by Councilman Burr, and unanimously carried by Council to approve the hiring of one additional staff person for the Treasurer's Department whose salary shall be funded solely through revenue from delinquent tax sales.

- **Whistle Blowers Act:** This matter was discussed in detail by Mrs. Cuttino, Mr. Noonan, Councilman Singleton, and the Committee members. The Committee recommended that the contents of the Whistle Blowers Act be incorporated in the County's Personnel Manual, and the Administrator will ensure that highlights from this act be developed in layman's terms and shared with all supervisors, departments, etc. These individuals will be responsible for ensuring that all existing employees understand their rights as it relates to the Whistle Blowers Act. Additionally, a copy of the condensed explanation of the Whistle Blowers Act will become a part of the orientation process for all new employees.

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

- **Private Industry Council (and the Workforce Investment Board):** It was suggested that the Chairman of Council write a letter to Mr. Darby recommending that the Private Industry Council Board be given the right to elect its Executive Committee in a democratic manner from

and by the PIC Board members. The same would hold true for the Workforce Investment Board once it is implemented.

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

(3) Fiscal Tax and Property Meeting Tuesday, August 10, 1999, at 5:30 p.m. in County Council's Conference Room. (Committee Members: Campbell, Fleming, and Edens).

- **Workforce Investment Act Regional Workshop:** The Chairman stated that he received a letter inviting a representative from Council to attend an upcoming workshop on the new Workforce Investment Act and its implementation. The workshop will be held in Atlanta, Georgia, on August 18, 1999. The Committee recommended that Council send a representative to this workshop.

**ACTION:** MOTION was made by Councilman Williams, seconded by Councilman Burr, and unanimously carried by Council to send Vice Chairman Fleming to this workshop and his expenses shall be funded out of County Council's travel expenses or other operating expenses.

- **School District #17's Budget Resolution.** The Committee recommended that this matter be deferred until August 16, 1999, during a special meeting of County Council.

**MONTHLY REPORTS -**

- Convenience Centers.
- Sheriff's Department Activity Report.

**COUNTY ADMINISTRATOR'S REPORT -**

- **Closure of the MSW Landfill Project:** Council members received a status report concerning the construction contract for the closure of the MSW Landfill. As of July 31, 1999, 30% of the work has been completed. The anticipated completion date is January 19, 2000. The project contract agreement is for \$1,220,000.
- **Law Suit Filed By Cities Against Counties:** It was reported that the lawsuit which cities filed against Department Of Juvenile Justice to pay for housing juveniles in the Juvenile Correctional Center in Columbia. The City of Sumter was a partner in the lawsuit. The County has received a copy of the Judges' Order and the County will NOT be held responsible for any of the arrears that the City tried to have the County pay pertaining to housing juveniles in a DJJ Correctional facility.

**PUBLIC COMMENTS:**

- Melvin Vador talked to County Council about the requirements for permits in order to place a mobile home on his.
- D. D. White spoke to Council about paying a penalty for late payment of taxes.
- Bryan Johnson of Pinewood, South Carolina stated that he feels that an impact study needs to be completed for the area around Manchester State Forest. He added that there are several mobile home subdivisions being developed in this area under the pretense of growing trees.

**ADJOURNMENT:** There being no further business and no additional comments from the public, the meeting was adjourned at 7:29 p.m.

Respectfully submitted,

\_\_\_\_\_  
Chairman or Vice Chairman  
Sumter County Council

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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 first floor of the Administration Building.
- Date Posted:                        August 5, 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:                      August 5, 1999

Respectfully submitted,

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Mary W. Lewis