

Minutes
Regular Meeting
Sumter County Council
August 26, 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; John Duffie, County Engineer; Anthony J. Criscitiello, Planning Director; George McGregor, Planning Coordinator; Verna Moore, Coroner; Lath Harris, Assessor; Elizabeth Hair, County Treasurer; Tom Douberly, Deputy Tax Collector; and Vic Jones, Public Safety 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 Councilman Charles Fienning 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 August 12, 1997, as presented by the Clerk.

LAND USE MATTERS AND REZONING REQUESTS
Planned Development/Rezoning Requests

- (1) RZ-97-21 -- Second Reading -- Carter Realty & Development -- A request to rezone the rear portion of two parcels, (each parcel consists of 4.9 acres) at Hwy. 76/378 next to Eagle Inn (Tax Map 186-01-01-008 & 009 part) from Residential-15 (R-5) to General Commercial (GC) to allow for future commercial development. The portion of each parcel requesting rezoning measures approximately 200 ft. X 530 ft. (Public Hearing will be conducted on this rezoning request prior to action on second reading.)

Mr. George McGregor, the Planning Coordinator, presented this matter before Council. He stated that the applicant wants to rezone the rear portion of his property from R-15 to General Commercial (GC) and the other portion from R-5 to General Commercial (GC).

Council members then inquired if the applicant had determined what would be placed on the property. Mr. McGregor stated that the applicant was informed about the upcoming public hearing and was invited to attend the public hearing and second reading to answer

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questions of the public and County Council. The applicant was not present. Then the Chairman convened the public hearing. No one spoke to this issue. Therefore, the Chairman closed the public hearing and Council took action on this matter.

ACTION: MOTION was made by Councilman Fienning, seconded by Councilwoman Sanders, and unanimously carried by Council to defer second reading until the applicant provide Council with more specific information about what his plans are for this property.

Street Name Change -- None

Grants -- None

PUBLIC HEARING

- (1) RZ-97-21 -- Second Reading -- Carter Realty & Development -- A request to rezone the rear portion of two parcels, (each parcel consists of 4.9 acres) at Hwy. 76/378 next to Eagle Inn (Tax Map 186-01-01-008 & 009 part) from Residential-15 (R-5) to General Commercial (GC) to allow for future commercial development. The portion of each parcel requesting rezoning measures approximately 200 ft. X 530 ft.

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 issue; therefore, the Chairman closed the public hearing, and then Council took action on this matter.

NEW BUSINESS:

- (1) First Reading -- 97-333 -- An Ordinance Authorizing Sumter County To Convey Real Property Located At 12 Law Range, Sumter, SC To Schwartz, McLeod, And Durant.

The Chairman presented this matter and asked the Administrator to further explain this proposed ordinance to Council. The Administrator stated this ordinance will allow for the County to convey 12 Law Range to the company of Schwartz, McLeod, and Durant and receive property (14 Law Range) owned by the aforementioned company in exchange for the 12 Law Range property.

ACTION: MOTION was made by Councilman Fleming, seconded by Councilwoman Sanders, and unanimously carried by Council to grant first reading to the proposed ordinance.

- (2) First Reading -- 97-335 -- An Ordinance Approving A Professional Services Contract Between MSAG Data Consultants, Inc. And City Of Sumter And County Of Sumter, South Carolina.

Councilman Burr, Chairman of the Public Safety Committee, presented this matter before Council. He stated that the MSAG Contract is a contract with a price fluctuation of \$27,500

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and \$60,000 based on the data that is given to MSAG to help develop the County's E-911 System. Councilman Burr further stated that it is necessary for Sumter to hire expert assistance to produce a Master Street Address Guide (MSAG) and other related products and services to implement the Enhance 911 system. MSAG Data Consultants, Inc. Of Virginia (MSAG Data, Inc.) is authorized and qualified to provide a MSAG and related products and services that meet or exceed the requirements of the 1991 South Carolina Public Safety Communications Center Act and local Sumter ordinances. This company will serve as an advisor and consultant to Sumter regarding development and completion of the Master Street Address Guild and the implementation of E-911.

Then the County Attorney informed Council that she had previously requested that this matter be placed on the agenda as an ordinance, but after meeting with the City Attorney and reviewing the contract, she recommended that this matter be handled as a resolution and not an ordinance. Therefore, she requested that Council amend its agenda to include the following caption:

A Resolution Requesting Approval Of A Professional Services Contract Between MSAG Data Consultants, Inc. And the City Of Sumter And the County Of Sumter, South Carolina to Provide Data and Services for the City and County's E-911 System.

After receiving the recommendation from the County Attorney, Council took action on this proposed contract.

ACTION: MOTION was made by Councilman Burr, seconded by Councilman Fienning, and unanimously carried by Council to change the language of the proposed contract from an ordinance to a resolution as presented by the County Attorney.

ACTION: MOTION was made by Councilman Burr, seconded by Councilwoman Sanders, and unanimously carried by Council to approve the contract by resolution as presented.

- (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.)

This matter was held after all business issues.

OLD BUSINESS:

- (1) Third Reading -- 97-322 -- An Ordinance Authorizing A Fee Agreement Between Sumter County, And Caterpillar, Inc. (The "Company") To Provide For A Fee In Lieu Of Taxes To Be Payable By Such Company ("FILOT Payments"); Granting The Company Economic Development Improvement Credits Against Such FILOT Payments; And Other Matters Relating To The Foregoing.

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This matter was not acted upon; it was deferred until a later date.

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

The Attorney, Mrs. Kathy Cuttino, cited the following changes in the proposed ordinance.

- Change RDD (Rural Development Division) to the Department of Agricultural-Rural Development.
- Section 2.9 -- Add language requiring Oswego Rural Water Company, Inc. to give the County written notice of any denial of service to a customer or potential customer in its service area.
- Section 3.1 -- Add language to ensure that the County is not held liable for any repayment of any grant money that Oswego Rural Water Company, Inc. may receive.
- Section 5.1 -- Delete the words "provided a copy of the proposed new regulation is provided to Oswego 30 days before first reading. "
- Section 6.1 -- to allow the successful party in any action for enforcement to recover its legal fees.

ACTION: MOTION was made by Councilman Fleming, seconded by Councilman Baker, and unanimously carried by Council to amend the ordinance as presented by the County Attorney.

ACTION: MOTION was made by Councilman Fleming, seconded by Councilwoman Sanders, and unanimously carried by Council to grant third reading and adoption to the ordinance as amended.

(3) **Second Reading -- 97-329 -- An Ordinance To Join Clarendon And Lee Counties In A Regional Economic Development Alliance For The Purpose Of Working Together As A Team To Make Each County More Competitive In The World-Wide Market.**

The Chairman presented this proposed ordinance to County Council for second reading.

ACTION: MOTION was made by Vice Chairman Williams, seconded by Councilman Fienning, and unanimously carried by Council to grant second reading to the proposed ordinance.

(4) **Second Reading -- 97-330 -- An Ordinance Providing For Reports To Be Filed With The Treasurer Of Sumter County Concerning The Presence Of Mobile Homes Located In Mobile Home Parks Situated Within The Unincorporated Areas Of Sumter County And Providing Penalties For Violations.**

This ordinance was presented by the Chairman and then Council took action on this item.

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ACTION: MOTION was made by Councilman Burr, seconded by Councilman Baker, and unanimously carried by Council to defer second reading to the proposed ordinance.

NOTE: Councilman Burr along with Councilman Baker will hold a meeting with the Mobile Home Park owners and Mrs. Elizabeth Hair, the County Treasurer, to recommend some amendments to the proposed ordinance as presently written.

Also, the Administrator was directed to ask the MIS Department to make changes in the data retrieval system which would allow for the Treasurer's Department to retrieve information for a certain "block" of addresses (i.e. all mobile homes listed in a particular mobile home park).

- (5) **Second Reading -- 97-331 -- An Ordinance Authorizing Sumter County To Lease Certain Real Property Located Near The Intersection Of Guignard Drive And Miller Road To Branch Banking And Trust Company, Or The Successors And Assigns Thereof, And To Enter Into A Lease Agreement With Regard Thereto.**

The Administrator informed Council that the BB&T Bank is projecting to complete some renovations at its present location at the corner of Miller Road and Guignard Drive here in Sumter. The Bank is requesting that it be permitted to lease property from the County to complete its renovation process at a fair market price.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Burr, and unanimously carried by Council to grant second reading approval for the proposed ordinance as presented.

- (6) **Second Reading -- 97-332 -- An Ordinance Amending Ordinance No. 97-319 To Provide For A Levy Of Taxes For School And County Purposes Of Sumter County, SC, For The Fiscal Year Of Said County Beginning July 1, 1997, To Direct The Expenditures Of Said Taxes And Other Funds Of Said County, And To Provide For Other Matters Related Thereto.**

The Chairman presented this matter and then Council took action on this item.

ACTION: MOTION was made by Councilwoman Sanders, seconded by Councilman Baker, and unanimously carried by Council to grant second reading to the proposed ordinance as presented.

COMMITTEE REPORT:

- (1) **Internal Affairs Committee Meeting on Tuesday, August 26, 1997, at 3:00 p.m. in Council's Conference Room.** (Members: Williams, Fienning, and Sanders:

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The Vice Chairman of County Council, Councilman Williams, presented the following recommendations for action:

- Cultural Commission: Reappoint Mr. Dick Booth and accept the resignation of Mr. Sylvester Hickman (action on Mr. Hickman's resignation will be completed at a later time).
- Santee Lynches Private Industrial Council: Reappoint Mr. Cray Weeks.
- Lynches River Advisory Council: Appoint Councilman Artie Baker.
- Library Board: Appoint Mrs. Glenda Denny.
- Development Board: Recommended to change the length of term of service from two years to three years.
- Public Utilities Commission: This matter will be discussed at the next meeting.

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

(2) Public Safety Committee Meeting on Tuesday, August 26, 1997, at 4:00 p.m. in Council's Conference Room. (Members: Burr, Fleming, and Williams)

The Chairman of the Committee, Councilman Burr gave the following report and recommendations:

- MSAG Contract: This matter was discussed during the Public Safety meeting, but was also listed on Council's regular agenda. (See new business for action on this item.)
- E-911 Update: The Sheriff and Mr. Marvin Chin gave the committee an update on the progress of the E-911 system. Both Mr. Chin and the Sheriff feel that the County is on target with matters relating to E-911. After the data is fully implemented and processed, another update will be given to County Council.
- Sumter/Lee County Correctional Center Committee Update: The Committee is working with the Planning Commission to ensure that necessary rezoning matters are handled through the Commission to construct a new facility on a new site or renovate the existing facility at the Correctional Center's present site. Also, the Chairman of Council will coordinate with Richland County the possibility of providing a presentation to interested parties in Sumter County concerning Richland County's Detention Center Population Management program.

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(3) Fiscal, Tax, and Property Committee Meeting on Tuesday, August 26, 1997, at 5:00 p.m. in Council's Conference Room. (Members: Campbell, Fienning, and Fleming)

The Committee Chairman, Chairman Campbell, presented the following report.

- Gasoline Fueling by the Disabilities and Special Needs Board: This Board has been fueling its vehicles at the Public Works Department. However, the County Administrator has recommended to discontinue this practice. The Committee members concurred with the recommendation by the Administrator.
- Storm Drainage and Resurfacing of Frank Street: It was suggested that some preliminary engineering on draining be completed on Frank Street as well as finding out the cost for asphaltting and/or triple-sealing of the street.
- Central Carolina Technical College Shaw Campus: The Committee discussed this issue and directed the Administrator to follow-up on this matter.
- Salem Street Property Counter Offer: The Committee recommended that the Administrator be directed to go back to the persons making the offer and inform them that the original offer made by the County stands as stated.

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

MONTHLY REPORT:

- Public Works
- Convenience Centers
- Clemson Keep America Beautiful

COUNTY ADMINISTRATOR'S REPORT:

No report given.

PUBLIC COMMENTS:

- Ruby McGowen spoke to Council concerning problems she and her family have had in the Turkey Creek\Pocataligo Swamp area. The County Attorney, the Administrator, and others were asked to follow-up on this matter and report back to Council.
- Mr. Alphonso Johnson spoke to Council about: (1) Bus shelters for school children riding buses, (2) young men walking around the area and in public buildings with their pants sagging, and (3) the cost of building a new correctional facility. He added that something should first be done about the non-violent offenders taking up bed space in the correctional facility before determining how much space to build.

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- James F. Lee spoke to Council about the possibility of the County purchasing property from his family (in the area of the existing correctional facility) for use to renovate or construct the correctional facility.

There were no additional comments from the public.

EXECUTIVE SESSION

Prior to entering executive session, the Chairman stated that he would entertain a motion to enter executive session to discuss a personnel matter.

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

OPEN SESSION:

ACTION: MOTION was made by Councilman Burr, seconded by Councilman Fienning, and unanimously carried by Council to re-enter open session.

REPORT FROM EXECUTIVE SESSION

Chairman Campbell stated that there was no action to be voted on from executive session. Then Council adjourned its regular meeting.

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: _____

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

Public Notified: Yes

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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 21, 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: August 21, 1997

Respectfully submitted,

Mary W. Lewis