

**Minutes
Sumter County Council
Regular Meeting
September 14, 1999 - Held at 6:00 p.m.
SUMTER COUNTY ADMINISTRATION BUILDING
County Council Chambers**

MEMBERS PRESENT: James A. Campbell, Chairman, Louis Fleming, Charles E. Edens, Naomi Sanders, Rudy Singleton, and Frank E. Williams, Jr.

MEMBERS ABSENT: Carol Burr

STAFF MEMBERS PRESENT: Mrs. Lorraine Washington Dennis, Human Resource Director; Ms. Mary W. Lewis, Clerk to County Council; Ms. Kathy Cuttino, County Attorney; Mr. Tony Criscitiello, Planning Director; Mrs. Pam Craven, Grants Writer; the Honorable Verna Moore, County Coroner; Mrs. Jeanette Mixon, Finance Director; Mr. Ed. Owens, Deputy Assessor; Mr. Simon Major, Correctional Center Director; Ms. Maggie Lane, Correctional Center Captain; Ms. Patricia Davis, Correctional Officer; Ms. Cynthia Dennis, Correctional Officer, Brian Lucas, Correctional Officer, and the Honorable Tommy Mims, Sumter County Sheriff.

MEDIA PRESENT: The Item and WIBZ Radio.

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

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

ACTION ON MINUTES: MOTION was made by Councilman Singleton, seconded by Councilman Edens, and unanimously carried by Council to approve the minutes of Council's August 24, 1999, meeting as presented by the Clerk.

ACTION ON MINUTES: MOTION was made by Councilman Edens, seconded by Councilman Singleton, and carried by Council to approve the minutes of Council's August 31, 1999, meeting as presented by the Clerk. Councilwoman Sanders abstained from taking action on these minutes because she did not attend this meeting.

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

Street Name Change - None

Grants:

(1) Grant Award for "Stop Violence Against Women Prosecution Unit."

Mrs. Pam Craven, Grants Writer, presented this grant award to Council. She stated that this \$64,102 grant is entitled Stop Violence Against Women Prosecution Unit. This is a second year continuation grant from the South Carolina Department of Public Safety. This grant provides for an assistant solicitor and a victims advocate in the Office of the Solicitor. The purpose of this grant is to prosecute violent crimes against women. This grant will run from October 1, 1999, to September

30, 2000. There is a 25% match required; however, this match was included in the 1999-2000 budget process.

ACTION: MOTION was made by Vice Chairman Fleming, seconded by Councilwoman Sanders, and unanimously carried by Council to approve and accept the grant award as presented.

(2) Grant Award for "Passport and Keys to Success Project.

Ms. Craven stated that this is a \$50,000 grant funded through the S. C. Department of Public Safety. The broad goal of the project is to increase the alternatives to incarceration for 90 youth offenders in Sumter County. The project director will be Ms. Lana Odom of the South Sumter Resource Center, and she will implement the program plan. The program grant funding will run from October 1, 1999, to September 30, 2000. There is no grant match required.

Even though Mrs. Odom will be the director of this project, the youth served in this program are from throughout Sumter County.

ACTION: MOTION was made by Vice Chairman Fleming, seconded by Councilman Singleton, and unanimously carried by Council to approve and accept the grant award as presented.

(3) Grant Award for "Charter School Planning Grant."

The Charter School Grant has been awarded to Sumter County in the amount of \$35,000. The grant period is September 1, 1999, until February 28, 2001. This is a feasibility study grant to find out whether or not Sumter County needs a Charter School in this County. There is no match for this grant.

Several Council members asked that when the study is underway to make sure high school students are a part of the study committee.

ACTION: MOTION was made by Vice Chairman Fleming, seconded by Councilman Edens, and unanimously carried by Council to approve and accept the grant award as presented.

PUBLIC HEARING

(1) 99-377 - 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. (Third Reading will be held immediately after public hearing or during old business.)

The Chairman convened a public hearing concerning this proposed ordinance. He 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 during old business.

NEW BUSINESS

(1) Recognition Of Former Commission And Board Members.

Council recognized Ms. Patti Just for her work on Sumter County's Cultural Commission. Council presented Ms. Just with a picture and invited her to serve again if possible.

(2) A Proclamation Proclaiming September 17 As Citizenship Day During National Constitution Week (September 17-23).

The Clerk presented the following proclamation for Council's approval. After the publishing of the proclamation, Council took action on this matter.

Whereas, we the people did ordain and establish a Constitution for the United States of America to secure the blessings of liberty for ourselves and our prosperity; and

Whereas, it is important that all citizens fully understand the provisions, principles, and meaning of the Constitution so they can support, preserve, and defend it against encroachment; and

Whereas, the President and the Congress of the United States have designated September 17th as Citizenship Day and the week of September 17-23 as Constitution Week; and

Whereas, the people of the County of Sumter do enjoy the blessings of liberty, the guarantees of the Bill of Rights, equal protection of the law under the Constitution, and the freedoms derived from it;

NOW THEREFORE, I, James A. Campbell, Chairman of Sumter County Council, do hereby proclaim September 17th as Citizenship Day and the week of September 17th through September 23rd as Constitution Week, and invite every citizen and institution to join in this national commemoration.

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

(3) A Resolution Proclaiming September 12-18 as Try Transit Week In Sumter County.

The Clerk presented the following proclamation for Council's approval. After the publishing of the proclamation, Council took action on this matter.

Whereas, increased public investment in transit services provides the potential to create jobs and enhance prosperity; and

Whereas, public transportation is vital to the quality of life and economic well-being of the citizens of Sumter County, South Carolina; and,

Whereas, workers, school children, senior citizens, people with disabilities, and those unable to afford an automobile use public transportation to gain access to jobs, schools, medical facilities, and other fundamental services; and

Whereas, the nation, our communities, and our citizens face the consequences to health and the environment that are brought on by automobile emissions; and

Whereas, traffic congestion which wastes productive time can be alleviated through the increased availability and use of public transportation and other forms of high-occupancy, shared-ride services; and

Whereas, Santee Wateree Regional Transportation Authority, the American Public Transit Association, the U. S. Department of Transportation, the Federal Transit Administration, The American Association of State Highway and Transportation Officials, the Association of Commuter Transportation, the Association of Metropolitan Planning Organizations, the National Association of Counties, the National League of City, the Surface Transportation Policy Project, the U. S. Conference of Mayors, and the Community Transportation Association of America, have declared September 12-18, 1999, to be "TRY TRANSIT WEEK" and have called upon all citizens to join in a nationwide effort to promote transit's benefits, honor transit employees, and encourage new riders;

Now Therefore Be It Resolved, that we, the members of Sumter County Council, proclaim September 12-18, 1999, as "TRY TRANSIT WEEK" in Sumter County, South Carolina and call upon all citizens to examine their personal travel choices, to commute via transit or share the ride during TRY TRANSIT WEEK and to become more active in education and advocacy efforts to promote the vital role of transit in Sumter County, South Carolina and across the United States.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Singleton, and unanimously carried by Council to approve the proclamation as presented and directed the Chairman and the Clerk to execute and deliver the proclamation on behalf of the County.

(4) A Resolution Proclaiming The Week Of October 3-9, 1999, As Mental Illness Awareness Week.

The Clerk presented the following proclamation for Council's consideration. After the publishing of the resolution, Council took action on this matter.

Whereas, severe mental illnesses such as schizophrenia, bipolar disorder (manic-depressive illness), major depression, obsessive-compulsive disorder, and severe anxiety disorders affect one in every five families annually; and

Whereas, each year, more children and adolescents in Sumter County are stricken with mental illness, interfering with the vital developmental and maturational process of our county's greatest natural resources; and

Whereas, severe mental illnesses have been scientifically proven to be highly treatable biomedical disorders of the brain; and

Whereas, the treatment success rate for schizophrenia is 60 percent, 65 percent for major depression, 80 percent for bipolar disorder, 75 percent for obsessive-compulsive disorder, and 80 percent for panic disorder compared to roughly only 50 percent for chronic disorders such as heart diseases, diabetes, or cancer; and

Whereas, brain disorders continue to remain shrouded in stigma and discrimination from societal prejudice causing those who are affected by severe mental illnesses to be cast as second-class citizens who unfairly receive far less insurance protection and employment opportunities than others suffering from equally debilitating physical diseases; and

Whereas, it is the responsibility of every citizen to understand mental illness and to work together to establish services for persons who have mental illness and to fight the stigma associated with being mentally ill.

Now Therefore Be It Resolved, I, James A. Campbell, Chairman of Sumter County Council, of Sumter County, South Carolina, do hereby proclaim October 3 through October 9, 1999, as **MENTAL ILLNESS AWARENESS WEEK** in Sumter County, South Carolina to increase public awareness of severe mental illness and to promote greater understanding for those who suffer from the potentially disabling symptoms of these disorders.

ACTION: MOTION was made by Vice Chairman Fleming, seconded by Councilman Edens, and unanimously carried by Council to approve the proclamation as presented and directed the Chairman and the Clerk to execute and deliver the proclamation on behalf of the County.

(5) A Resolution Recognizing Clark United Methodist Church For 188 Years Of Service To The Community.

The Clerk presented the following resolution for Council's review and consideration. After the publishing of the proclamation, Council took action on this matter.

WHEREAS, by divine direction and guidance of God Almighty, a group of Virginia settlers established Clark Methodist Church in October 1811. This divine establishment allowed those willing to worship together, both whites and blacks, to call this Bethel spot their dwelling place of fellowship; and

WHEREAS, the name of Clark Methodist Church was later changed to Clark United Methodist Church; nonetheless, its spiritual character to assist the community never faltered as it allowed its church building to be more than a Sunday and Wednesday night religious meeting place, but rather a church facility which was used as one of the first "Colored Schools" in Sumter County; and

WHEREAS, this congregation under the guidance and leadership of its Trustees, Stewards, and succession of 19 pastors which includes its present pastor, Rev. Willie Lawson, has evolved from a simple wooden structure to the present modern brick structure located on Highway 401 North at Oswego where the Church now has a family life center to serve all segments of the community;

NOW, THEREFORE, BE IT RESOLVED by County Council of Sumter County, South Carolina, in Council duly assembled, that the past and present pastors and leaders of the Clark United Methodist Church be publicly recognized and commended for the strength of their spiritual leadership, causing this church to endure for one hundred and eighty-eight years; and;

BE IT FURTHER RESOLVED, that the congregation also be publicly recognized and commended for providing the service, fellowship, faith, and support upon which Clark United Methodist Church of Sumter was founded, and for their individual and collective contributions to the spiritual climate of the Sumter community. May God continue to guide and keep each of you as your steps are ordered by the Lord.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Singleton, 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.

- (6) 99-379 - First Reading -- An Ordinance Amending Ordinance 99-373 Of Sumter County, South Carolina (The 1999-2000 Sumter County Budget Ordinance) By Increasing The Amount Of Anticipated Funds, Moneys And Revenues Estimated To Be Received By Sumter County From All Resources Other Than Ad Valorem Taxes, Increasing The Amount To Be Allocated Toward The 1999-2000 Budget Of Sumter County.

The Chairman presented this matter before Council. He stated that the amendments that are recommended in this ordinance are a result of the changes Council made to the 1999-2000 budget at Council's August 31, 1999, meeting. Council then took action on first reading.

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

- (7) Request From Sumter County Sheriff For Sumter County Council To Return The Custody And Control Of The Sumter County Correctional Center To The Sheriff.

The Honorable Tommy Mims, spoke to Council about the custody and control of the Correctional Center being returned to the Sheriff. He stated that he made his first request in 1995 and has approached Council twice this year. Sheriff Mims added that by placing the control and custody of the Correctional Center back under the Sheriff, this would allow for more continuity between the Sheriff's Office and the Correctional Center. He added that he could consolidate the efforts of the employees and hopefully save money for the County.

Comments were made by several Council members, then the Chairman allowed comments by the public. Mr. Eugene Baten, Director of the Alcohol and Drug Abuse Commission, stated his views on the current favorable operations of the correctional center by Mr. Simon Major. Mr. Carl Holmes, member of the NAACP, spoke to Council about his view of the way in which the correctional center is operated. He asked Council whether or not a change in the control of the correctional center would continue to build bridges for this community. He ended his comments by saying that a no vote to this request will continue to move Sumter County forward.

The County Attorney then spoke to Council concerning Sumter County's Ordinance #84-107 entitled "An Ordinance Confirming That The County Council For Sumter County, SC Is The Holder Of

All Powers And Duties Formerly Held By The Sheriff Of Sumter County Relating To The Custody Of The Sumter County Jail And The Appointment Of A Jailer Therefor And Approving The Devolution By The Sheriff Of Said County Of All Of His Powers And Duties Relating Thereto, If Any There Now Be, Upon Said County Council." She sated that this ordinance was given approval upon its adoption February 14, 1984. Mrs. Cuttino added that if Council wanted further information, it was suggested that Council enter an executive session to receive a legal briefing concerning the Correctional Center.

The Chairman then indicated that he would entertain a motion to enter executive session concerning a legal briefing relating to the Correctional Center.

ACTION: MOTION was made by Councilman Singleton, seconded by Vice Chairman Fleming, and unanimously carried by Council to enter executive session to receive a legal briefing. After the executive session, Council re-entered open session to continue discussions on the control and custody of the Sumter County Correctional Center.

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~~The Chairman then indicated that he would entertain a motion to enter executive session concerning a legal briefing relating to the Correctional Center.~~

~~**ACTION:** MOTION was made by Councilman Singleton, seconded by Vice Chairman Fleming, and unanimously carried by Council to enter executive session to receive a legal briefing. After the executive session, Council re-entered open session to continue discussions on the control and custody of the Sumter County Correctional Center.~~

OPEN SESSION

There was no report from the executive session. However, the Chairman indicated that he would entertain a motion concerning the custody and control of the Correctional Center if there were no further discussions. No additional discussions took place.

ACTION: MOTION was made by Vice Chairman Fleming, seconded by Councilman Williams, and carried by Council to deny the Sheriff's request to receive custody and control of the correctional facility of Sumter County and for the custody and control of the Sumter County Correctional facility to remain with its governing body which is presently County

Council for Sumter County, S. C. Councilwoman Sanders abstained and Councilman Edens voted nay.

- (8) It May Be Suggested To Hold Executive Session To Discus A Legal, Contractual, or Personnel Matter or Receive A Legal Briefing. (The Executive Session, If Approved By Council, Will Be Held After All Business Matters Have Been Completed.)

No additional executive session was held.

OLD BUSINESS

- (1) 99-377 - Third 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.

Mrs. Kathy Cuttino, presented this ordinance to Council prior to public hearing. She stated that Sumter County and Clarendon County entered into a Multi-County Industrial Park Agreement during 1995. The two counties agreed to designate certain areas in each County to be located in the multi-county park. There are benefits for each County, which allows for the counties to share revenues from each industry located within the joint industrial park. The host county will received ninety-nine percent of the revenue and the participating county receives one percent of the revenue. This ordinance will allow Clarendon County to add a new industry to the existing park. There is no expense to Sumter County for this industrial project to take place by Clarendon County.

The Chairman then convened a public hearing. No one spoke during the hearing; therefore, the Chairman closed the public hearing and Council took action on this matter.

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

- (2) 99-378 - Second Reading - An Ordinance To Enlarge The Jointly Owned And Operated Industrial/Business Park Created In Conjunction With Lee County By Sumter County Ordinance Number 96-299 To Amend The Agreement Between Sumter County And Lee County Pertaining To Such Industrial/Business Park By Adding Thereto Certain Real Property And The Improvements Thereon In Lee County, South Carolina, Belonging To The King Company, Inc; And Approve A Revised Exhibit "A" To Such Agreement Describing The Property Located In Such Park In Lee County By Adding Thereto A Description Of The Said Property Of The King Company, Inc.

The Attorney presented this ordinance to Council. She stated that this ordinance is similar to the Clarendon County ordinance; however, this ordinance will allow Lee County to add a new industry to the Lee-Sumter Multi-County Industrial Park. Then Council took action on this matter.

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

COMMITTEE REPORTS

(1) Personnel Committee Meeting Tuesday, September 14, 1999, at 3:30 p.m. in County Council's Conference Room (Committee Members: Fleming, Sanders, and Burr)

The Chairman of the Committee, Vice Chairman Fleming, gave the following report.

- ◆ **Ordinance #99-380** - No action taken.

(2) Public Safety Committee Meeting Tuesday, September 14, 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, gave the following report.

- ◆ **Animal Shelter:** Councilman Charles Edens has received information from a County in North Carolina concerning the establishment of a new Animal Shelter. Councilman Edens will continue to receive additional information on this matter. He will work with the Administrator and the Sheriff on this matter and report back to the Public Safety Committee concerning funding, plans, etc.
- ◆ **Correctional Center Policy Manual:** The Committee received a briefing from Major Simon Major concerning the Correctional Center's policy manual. The Committee recommended the following change:

Add: All assaults will be reported first to the Sheriff, then immediately to the administrator who will in turn notify Council members of the assault.

ACTION: MOTION was made by Councilman Williams, seconded by Vice Chairman Fleming, and unanimously carried by Council to immediately amend the Sumter County Correctional Center's Policy and Procedures Manual by adding a statement that will ensure that all assaults will be reported first to the Sheriff, then immediately to the administrator who will in turn notify Council members of the assault.

- ◆ **Litter Fines:** The Committee received a briefing from the County Attorney, Mrs. Cuttino, about the state and local laws concerning litter fines. She added that the Sheriff has the authority to write litter fines larger than \$500 (up to the state limit of \$1,000). However, any \$1,000 fine would be held in general sessions court and not the magistrate court. Council does not have any authority over the limit of \$500 that is set by the State for the magistrates to try in court.

(3) Fiscal, Tax, and Property Meeting Tuesday, September 14, 1999, at 4:30 p.m. in County Council's Conference Room (Committee Members: Campbell, Fleming, and Edens)

The Chairman of the Committee, Chairman Campbell, gave the following report.

- ◆ **A Request From Shirley Palmer Concerning Green School:** This matter was deferred until the next Council meeting.
- ◆ **Comprehensive Land Use Plan and Zoning Ordinance:** The Committee received a copy of the proposed calendar for passage of these two documents prior to the December 31, 1999,

deadline. County Council members asked that the Planning Director provide for a "joint" meeting or workshop between the two Councils

(4) Public Works Committee Meeting Tuesday, September 14, 1999, at 5:00 p.m. in County Council's Conference Room (Committee Members: Edens, Singleton, and Williams)

The Committee Chairman, Councilman Edens, presented the following report.

◆ **Street Light Policy:** The committee recommended the following policy for consideration:

1. Existing Street Lights at County intersections will not be affected by this policy.
2. County intersections to be considered for street lights will be determined using the S. C. Department of Public Safety accident status reports and support documents from the S. C. Department of Transportation.
3. Certain criteria for installation of a street light to be placed at a county road intersection will include:
 - ◆ Five or more accidents in the previous two years at the intersection.
 - ◆ No traffic light in place at the intersection.
 - ◆ Recommendation of the Sheriff and/or Highway Patrol.
 - ◆ Council's Discretion.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Singleton, and unanimously carried by Council to approve the criteria as listed.

The Committee also added two streets to the existing street light list. (Frierson Road and Camden Highway - the Old 521 and Pisgah Road and Black River Road.

◆ **Paving of Dirt Roads:** The Committee stated that the streets in South Sumter will be paved as listed on the contract approved by the County. No additional engineering work is needed or will be funded.

Collins Street	Whitehorse Street
Gordon Street	Franklin Street
Rye Street	Newberry Street
Dant Street	

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Fleming, and unanimously carried by Council to approve the paving of the streets as stated in the County's contract.

◆ **Sherwood Forest Subdivision:** Two streets in the Sherwood Forest Subdivision were previously approved in the County's road system. However the streets have become overgrown with vegetation. Therefore, the County is now asked by the developer to re-grade the streets in order for the developer to develop these streets and the lots thereon.

ACTION: MOTION was made by Council to approve the re-grading of these roads and directed the Administrator and the Public Works Director to act on behalf of the County to consummate this process.

MONTHLY REPORTS

- ◆ University of South Carolina At Sumter
- ◆ Cable Television
- ◆ The Sheriff's Department
- ◆ Treasurer's Office July Report of Income
- ◆ Public Works

COUNTY ADMINISTRATOR'S REPORT

- ◆ Council received an update from Vic Jones concerning Hurricane Floyd.
- ◆ The County Attorney asked whether or not to appeal the order received by the Judge concerning the Correctional Center's location on North Main Street. The County has received the formal order.

ACTION: MOTION was made by Councilman Singleton, seconded by Vice Chairman Fleming, and carried by Council not to appeal the order of the Judge. Councilman Edens voted nay.

PUBLIC COMMENT

- ◆ Mr. Charles Moore spoke to Council about the way Council handles its business. He asked that Council become more consistent and respectful in its dealings with its business and its relationship with each other.

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
- 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: September 9, 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: September 9, 1999

Respectfully submitted,

Mary W. Lewis