

**Minutes**  
**Sumter County Council**  
**Regular Meeting**  
**December 14, 1999 - Held at 6:00 p.m.**  
**Sumter County Administration Building**  
**County Council Chambers**

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

**MEMBERS ABSENT:** None

**STAFF MEMBERS PRESENT:** Mrs. Lorraine Washington Dennis, Interim County Administrator/Human Resources Director; Ms. Mary W. Lewis, Clerk to County Council; Mr. Joe McElveen, County Attorney; Mr. Tony Criscitiello, Planning Director; Mr. William Hoge, Planning Coordinator; Mr. Latham Harris, County Assessor; Mr. Ed Owens, Deputy Assessor; Mrs. Jeanette Mixon; Mrs. Carolina Richardson, Accounting Supervisor; Major Simon Major, Correctional Center Director; Mrs. Maggie Lane, Correctional Center Captain; Mrs. Pam Carven, Grants Writer; Ms. Jackie Jenkins, Correctional Center Staff Member; and Mr. John Duffie, County Engineer.

**MEDIA PRESENT:** The Item, WLTX Television Station, and WIBZ Radio.

**PUBLIC PRESENT:** Approximately 59 members of the public were in attendance.

**CALL TO ORDER:** The meeting was called to order by Chairman Campbell, and Rev. Dr. Thomas Painter 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 November 23, 1999, as presented by the Clerk.

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

**ACTION ON MINUTES:** MOTION was made by Councilman Edens, seconded by Councilman Singleton, and unanimously carried by Council to approve the minutes of December 7, 1999, as presented by the Clerk.

**ACTION ON MINUTES:** MOTION was made by Councilman Edens, seconded by Councilman Williams, and unanimously carried by Council to defer action on the minutes of December 9, 1999, until Council takes action on Ordinance #99-371 and #99-372.

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

- (1) 99-371 -Third Reading -- An Ordinance Adopting A Comprehensive Plan for Sumter County Entitled "2020 Comprehensive Plan," Pursuant to the S. C. Local Government Comprehensive Planning Enabling Act of 1994, As Specifically Required By Section 6-29-510, et seq.

Mr. Tony Criscitiello, the Planning Director, presented third and final reading of this proposed ordinance to County Council. He stated that the document before Council was the culmination of many meetings of both Councils and the citizens of this County. He asked Council to grant third reading to this proposed ordinance.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilwoman Sanders, and unanimously carried by Council to approve all amendments to the proposed ordinance as presented by the Planning Director.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilwoman Sanders, and unanimously carried by Council to grant third reading and adoption to ordinance #99-371 as amended.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilwoman Sanders, and unanimously carried by Council to review this ordinance during the second meeting in March 2000.

- (2) 99-372 - Third Reading - An Ordinance Adopting A Sumter City-County Zoning and Development Standards for the City and County of Sumter Entitled "Sumter City-County Zoning and Development Standards Ordinance," Pursuant to the S. C. Local Government Comprehensive Planning Enabling Act of 1994, as specifically required by Section 6-29-510, et seq.

Mr. Criscitiello presented the proposed ordinance to Council for third reading and adoption consideration. He stated that this ordinance has also been reviewed by both Council and many members of the public, business, and industry. He asked Council to grant third reading to this ordinance. Prior to Council acting on this ordinance, Council, Mr. Criscitiello, and members of the public discussed the "Outdoor Advertising Sign" section of the ordinance.

Prior to taking action on this ordinance, the following motion was made concerning the Outdoor Advertising Sign section of the proposed ordinance.

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilman Singleton, and unanimously carried by Council to use the following language as part of the language for the "Outdoor Advertising Sign" as well as the grandfather clause and not the 1991 County Ordinance language.

*If legal non-conforming multiple support signs are unable to meet the S. C. Department of Transportation Outdoor Advertising Standards, they shall be removed within five years and may be relocated within the appropriate zoning districts and shall be located 1000' from an existing outdoor advertising sign on the same side of the road or 750' on the opposite side of the road", (As shown in a letter from John C. Land, III dated December 14, 1999.)*

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilman Singleton, and unanimously carried by Council to use the following language as part of the language for the "Outdoor Advertising Sign" as well as the grandfather clause and not the 1991 County Ordinance language.

Council then discussed Exhibit 12 - Discontinuance Schedule for Certain Non-Conforming Uses. The non-conformities were defined as wrecking, junk, scrap, salvage yards, automotive storage yards, outdoor storage yards for lumber and building materials, and fences in sight triangle, signs, and video games (Video Poker).

**ACTION:** MOTION was made by Councilman Williams, seconded by Councilman Singleton, and unanimously carried by Council to approve the amendments to ordinance #99-372 as presented.

**ACTION:** MOTION was made by Councilman Singleton, seconded by Councilman Edens, and unanimously carried by Council to grant third reading and adoption to the ordinance as amended.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilwoman Singleton, and unanimously carried by Council to review this ordinance during the second meeting in March 2000 and to pay close attention to the developers to see how they are handling the protection of the trees during the implementation of development projects.

*NOTE: Council asked that an Executive Summary be developed by the Planning staff which will give bullet notations of what must be done to satisfy the laws of Sumter County in order to construct a building from beginning to end. The Planning staff agreed to try to develop such a document.*

- (3) RZ-99-32/PUD-99-16 - Austin Floyd - Third Reading - A Request To Rezone Property From Residential-15 To General Commercial Zoning In Conjunction With A Planned Unit Development Which Would Stipulate Only Two (2) Curb Cuts Along The Property At Highway 15 Next To Lakewood Links (Tax Map 222-00-01-022).

Mr. Hoge, the Planning Coordinator, presented this third reading request to Council. He stated that there have been no changes to this proposed rezoning request since first and second readings.

**ACTION:** MOTION was made by Councilman Singleton, seconded by Councilman Burr, and unanimously carried by Council to grant third reading and adoption to this rezoning request.

- (4) RZ-99-27 - Big Time Properties, LLC -- Third Reading - A Request To Rezone Property Located At 2551 Broad Street (Tax Map 203-07-01-005) From General Residential To General Commercial District In Order To Market The Entire Property For Commercial Development.

Mr. Hoge informed Council that this third reading request has been recommended for approval by the Planning Staff and the Planning Commission. Council has acted favorably on first and second readings. He asked Council to consider granting third reading approval.

**ACTION:** MOTION was made by Councilman Singleton, seconded by Councilman Burr, and unanimously carried by Council to grant third reading and adoption to this rezoning request.

- (5) RZ-99-29 - Claude L. Barnes - **Third Reading** - A Request To Rezone Property Located At The Corner Of McCrays Mill Road And Pinewood Road (Tax Map 206-00-05-006 and 007) From Residential-15 To General Commercial District.

Mr. Hoge stated that this proposed third reading request has a change in it since first and second readings. The Sumter Soil and Water Conservation District has not yet provided to the Planning Department the drainage documents for this property. Mr. Louis Jackson of the Sumter Soil and Water Conservation District stated that after engineering papers are received from Mr. Barnes' engineer, the District can make a determination as to whether or not it will grant permission to change the drainage system in this area. Mr. Barnes will not be allowed to build on this property until all required documents are received by the appropriate agencies.

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilman Singleton, and unanimously carried by Council to grant third reading and adoption to this rezoning request.

- (6) RZ-99-34 - Thomas And Theresa Mooneyham - **First Reading** - A Request To Rezone Property Located At 1978 McCrays Mill Road (Tax Map 206-12-03-011) Behind Safe Federal Credit Union From Residential-15 To General Commercial In Order To Develop The Property For Commercial Use Or Sell The Property In The Future For Commercial Use.

Mr. Hoge stated that the applicant is requesting to rezone a .60 acre tract of land from Residential-15 to General Commercial. The tract of land is located behind Safe Federal Credit Union and is adjacent to property owned by Cecile B. Mooneyham, whose property is also being requested for rezoning to General Commercial. Mr. Hoge added that the applicant is proposing to either develop the property or sell the property in the future for commercial development.

The Planning staff and the Planning Commission both recommended approval of this proposed rezoning request.

**ACTION:** MOTION was made by Vice Chairman Fleming, seconded by Councilman Burr, and unanimously carried by Council to grant first reading to this proposed rezoning request.

- (7) RZ-99-35 - Cecile B. Mooneyham -- **First Reading** - A Request To Rezone Property Located At 1982 McCrays Mill Road (Tax Map 206-12-03-012) Behind Roger's Florist Adjacent To The Property Of Thomas Mooneyham From Residential-15 To General Commercial In Order To Develop Or Market The Property As Commercial.

Mr. Hoge stated that this request is a co-request with the RZ-99-35. He stated that the Planning staff and the Planning Commission also requested approval of this request.

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

### Street Name Change

- (1) SN-99-06 -**Third Reading** - A Request To Change The Street Name Of Degroot Road (Tax Map 133-00) To Sidjohn Road. This Private Road Runs From Horne Road To Peach Orchard Road.

Mr. Hoge stated that this request is to change the current name of Degroot Road to Sidjohn Road. The Planning Commission, its staff, and the Public Safety Official would like for this road to have one name for E-911 purposes. At Council's first and second readings, Council granted readings to changing the street name to Sidjohn Road.

Mr. Hoge stated that he has received continual calls from both parts concerning this issue.

**ACTION:** MOTION was made by Councilwoman Sanders, seconded by Councilman Singleton, and unanimously called by Council to grant third reading and adoption to the street name change from Degroot Road to Sidjohn Road.

**Grants: None**

**PUBLIC HEARINGS -- None**

**NEW BUSINESS**

- (1) Recognition of Former Commission Member.

No former Commission members were present at this meeting.

- (2) Letter of Support for Construction Debt Retirement-Sumter School District #17.

The Clerk presented this request on behalf of School District #17. The letter of support for construction debt retirement would allow the School District #17 to utilize \$121,642.64 EIA School Building Funds to reduce debt incurred from the construction of Kingsbury Elementary School.

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilman Singleton, and unanimously carried by Council to authorize the Chairman to submit a letter of support on behalf of School District #17 to utilize \$121,652.64 of EIA School Building Funds to reduce debt incurred from the construction of Kingsbury Elementary School.

- (3) County Council Year 2000 Regular Meeting Calendar.

The Clerk presented the proposed County Council Regular Meeting Calendar for Year 2000. After review of the calendar, Council took action on its approval.

MONTH OF MEETING	FIRST MEETING DATE	SECOND MEETING DATE
January	11	25
February	8	22
March	14	28
April	11	25
May	9	23
June	13	27
July	11	25
August	8	22
September	12	26

October	10	24
November	14	28
December	12	None

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilman Edens, and unanimously carried by Council to grant approval of the calendar as presented.

(4) County Employees' Holiday Calendar.

Mrs. Lorraine Washington Dennis presented this proposed County Employees' Holiday Calendar to Council for approval. (See calendar below.) After review, Council took action on this matter.

SUMTER COUNTY'S HOLIDAY SCHEDULE FOR 2000	
January 3	New Year's Day
January 17	Martin Luther King's Day
February 21	President's Day
April 21	Good Friday
May 29	Memorial Day
July 4	Independence Day
September 4	Labor Day
November 7	Election Day
November 23 & 24	Thanksgiving
December 25 & 26	Christmas

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilman Singleton, and unanimously carried by Council to grant approval of the calendar as presented.

(5) A Resolution Identifying A Project In Order To Satisfy The Requirements Of South Carolina Code Ann. § 4-12-30(I) So As To Allow Investment Expenditures Incurred By "Project Daisy" To Qualify As Expenditures Subject To A Fee-In-Lieu Of Taxes Arrangement With Sumter County.

This matter was presented to Council for consideration and approval for a proposed industry called Project Daisy.

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilman Singleton, and unanimously carried by Council to adopt the resolution as presented and directed the appropriate staff to execute and deliver the resolution on behalf of the County.

(6) A Resolution Authorizing Approval Of A Lease Purchase Agreement Between Sumter County ("The County") And Bank of America For The Purpose Of Acquiring Fire Fighting Equipment.

The Chairman presented this matter before Council for consideration. Then the County Attorney stated that this resolution is for the acquisition of \$400,000 worth of OSHA breathing equipment for the volunteer firefighters. The low bidder was the Bank of America.

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilman Edens, and unanimously carried by Council to grant approval of this resolution as presented and directed the Chairman and other appropriate staff to execute and deliver the resolution on behalf of the

- (7) Report from Council's Special Meeting (Morning of 12/14/99) Concerning Blake Taylor's Sumter County's Correctional Center Inspection Report Letter (Dated September 30, 1999).

The Chairman informed the public that Council previously met with Mr. Blake Taylor from the S. C. Department of Corrections. SCDC will not give Sumter County Council any additional time to try to provide SCDC with a solution to the overcrowding conditions at Sumter County's Correctional Facility.

Therefore, Council will meet again on Friday, December 17, 1999, at 9:00 a.m. to discuss proposed solutions to the overcrowding conditions at the Correctional Center.

The County Attorney, Mr. Joe McElveen, then asked Council to consider entering executive session to receive a legal briefing prior to taking action on a proposed motion by Vice Chairman Fleming to authorize the acquisition of the land on East Calhoun Street.

#### **EXECUTIVE SESSION:**

**ACTION:** Prior to Entering Executive Session, MOTION was made by Williams, seconded by Councilman Burr, and unanimously carried by Council to enter executive session to receive a legal briefing. At the conclusion of executive session, Council re-entered open session.

#### **OPEN SESSION:**

The Chairman reported that no action was taken in executive session, but he would entertain a motion concerning executive session discussions.

**ACTION:** MOTION was made by Vice Chairman Fleming, seconded by Councilman Williams, and carried by Council to direct the Administrator, along with Legal Counsel, to pursue negotiations for the land on East Calhoun Street for use as the County's Correctional Center's site. Councilmen Burr and Edens voted nay. Council members Sanders, Williams, Singleton, Campbell, and Fleming voted in the affirmative.

- (8) It May Be Suggested To Hold Executive Session To Discuss 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.)

One additional executive session was held at the end of the meeting.

#### **OLD BUSINESS**

- (1) Second Reading:-- (99-383) An Ordinance Authorizing The Execution And Delivery Of An Inducement Agreement By And Between Sumter County South Carolina And Company To Be Announced ("The Company--Project Harvey"), Whereby Under Certain Conditions Sumter

County May (1) Acquire Title To Certain Industrial Property For Lease To The Company; (2) Covenant In Such Lease Or Enter Into A Separate Form Of Agreement With The Company Whereby The Company Will Pay To The County A Fee In Lieu Of Ad Valorem Property Taxes (FILOT Payments); And (3) Make Available To The Company The Benefits Of A Multi-County Industrial Park Agreement.

The Chairman presented this proposed ordinance for consideration of second reading. Then Steve Rust, the Director for Economic Development, stated that Project Harvey is a \$55,000,000 project that will create 190 new jobs in Sumter County. He stated that this is the largest single investment for Sumter County that he is aware.

**ACTION:** MOTION was made by Councilman Williams, seconded by Councilman Singleton, and unanimously carried by Council to grant second reading as presented.

**NOTE:** Council asked that a profile be prepared by the Sumter County Economic Development staff of the existing FILOT's and their impact on Sumter County including job creation.

#### MONTHLY REPORTS

- Sheriff's Department
- Convenience Centers
- Time Warner Cable

#### COMMITTEE REPORTS:

(1) Personnel/Technology Committee Meeting Tuesday, December 14, 1999, at 4:30 p.m. in County Council's Conference Room (Committee Members: Fleming, Burr, and Sanders)

This meeting was canceled and would be rescheduled until a later time.

(2) Fiscal, Tax, and Property Meeting Tuesday, December 14, 1999, at 5:00 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.

- **Mobile Homes/Zoning Ordinance:** It was recommended that the County Attorney, the Administrator, the County Treasurer, and the Planning Director will meet to prepare a preliminary ordinance to address the problems of mobile homes that have become the property of Sumter County due to a tax lien.

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

- **Roller Hockey Rink:** It was recommended that the Council appropriate \$10,000 from Council's Contingency to be used in a Roller Hockey Rink project of the County's Recreation Department.

**ACTION:** MOTION was made by Councilman Burr, seconded by Councilman Edens, and unanimously carried by Council to approve this recommendation as presented.

- **Funds for Training and Information On the Requirements of the Workforce Investment Act for Elected Officials:** The Clerk was asked to follow-up on this matter and report back to Council as soon as possible.

#### **INTERIM COUNTY ADMINISTRATOR'S REPORT**

Mrs. Lorraine Washington Dennis informed Council that Roger Long, the Auditor, will be present at Council's first meeting in January to give the 1998-99 Audit Report.

#### **PUBLIC COMMENT**

- **Lee Major** stated that he is a former retired warden from the New York City Department of Corrections. He asked Council to be mindful that the Correctional Center is being built for the inmates and that their rights must be protected as well as the citizens of this County.
- **Alphonso Johnson** stated that the County may be able to control the overcrowding conditions by reviewing who is being locked-up. Also he asked Council to make sure that the inmates are screened as to which facility they should go to - a mental institution, a detoxification center, or a correctional facility.
- **Ray Angel** asked Council to reconsider its decision to build the jail on another site other than its present location.

#### **EXECUTIVE SESSION:**

Prior to entering executive session, the County Attorney asked Council to consider entering executive session to receive a legal briefing concerning Correctional Center litigation.

**ACTION:** MOTION was made by Councilman Williams, seconded by Councilwoman Sanders, and unanimously carried by Council to enter executive session to receive a legal briefing from the County Attorney. At the conclusion of executive session, Council re-entered open session.

#### **OPEN SESISON:**

The Chairman stated that there were no decisions or actions taken in excessive session and none to be taken in open session.

**ADJOURNMENT:** There being no further business and no additional comments from the public, the meeting was adjourned at 8:20 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: December 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. Also, E-Mail notification was sent to Sumter County's Home Page, WIBZ, The Item, The Chamber, Time Warner Cable.
- Date Notified: December 9, 1999

Respectfully submitted,

---

Mary W. Lewis