



Minutes
Sumter County Council
Special Meeting
July 7, 2009 - Held at 6:00 p.m.
County Administration Building County Council Chambers
13 E. Canal Street, Sumter, SC]

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COUNCIL MEMBERS PRESENT:

1. Chairman Vivian Fleming McGhaney, Council District #5
2. Vice Chairman Eugene Baten, Council District #7
3. Councilman Artie Baker, Council District #2
4. Councilman Jimmy Byrd, Council District #3
5. Councilman Charles T. Edens, Council District #4
6. Councilwoman Naomi D. Sanders, Council District #1

COUNCIL MEMBERS ABSENT: (These two Council members were absent due to previous commitments prior to Council scheduling this special meeting.)

1. Councilman Larry Blanding
2. Vice Chairman Eugene Baten

STAFF MEMBERS PRESENT:

Mary W. Blanding, Clerk To County Council Gary Mixon, Deputy Administrator
Lorraine Dennis, Deputy Administrator/HR Pam Craven, Finance Director
Keysa Rogers, Budget Analyst

MEDIA PRESENT:

The Item Newspaper

THE PUBLIC PRESENT:

Approximately 12 members of the public were in attendance.

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CALL TO ORDER: Chairwoman Vivian Fleming McGhaney called Sumter County Council's meeting of June 23, 2009, to order.

INVOCATION: Mr. Jim Jones, a local citizen, gave the invocation.

PLEDGE OF ALLEGIANCE: All in attendance repeated the Pledge of Allegiance.

APPROVAL OF AGENDA: Chairwoman McGhaney stated that she would entertain a motion to approve the June 23, 2009, agenda with any additions, deletions, or as printed.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Byrd, and unanimously carried by Council to approve the July 7, 2009, agenda as presented.

ACTION ON REGULAR MEETING MINUTES (June 23, 2009), BUDGET MEETING MINUTES (JUNE 23, 2009), AND SPECIAL MEETING MINUTES OF JUNE 24, 2009: Chairwoman McGhaney stated that she would entertain a motion to approve the Regular Meeting Minutes (June 23, 2009), Budget Meeting Minutes (June 23, 2009), And Special Meeting Minutes Of June 24, 2009 of County Council.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Byrd, and unanimously carried by Council to approve the Regular Meeting Minutes (June 23, 2009), Budget Meeting Minutes (June 23, 2009), And Special Meeting Minutes Of June 24, 2009 as prepared by the Clerk.

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

Street Name Change - None

Grant Awards -

OTHER PUBLIC HEARINGS --

- (1) **09-691 -- Third Reading/Public Hearing -- An Ordinance Imposing A Uniform Service Charge To Be Known As The Solid Waste Disposal Fee On All Residential Property In Sumter County, South Carolina.** (Public Hearing Will Be Held On This Matter Prior To Action On Third Reading.)

The Chairwoman convened a public hearing and asked if anyone wished to speak in favor of or opposition to this proposed ordinance. The following persons spoke to this issue:

- Mr. Fred Mills talked to Council concerning his opposition to this proposed ordinance. He stated that this ordinance will cost the taxpayers. The five-mills that the County is taking off for taxes is great. Mr. Mills said that he takes the County Taxes off his Federal Income Taxes, now he has lost five mills of County tax deductions. He further stated that he cannot take the fee from his Federal Taxes; it will cost him approximately \$60 per year for the fee instead of a tax obligation. He asked Council to just raise taxes; then the homeowners can take the taxes off of the Federal Taxes.

No one else spoke to this issue; therefore, the Chairwoman closed the public hearing and Council took action on third reading and adoption as listed below under Old Business.

- (2) **09-692 - Third Reading/Public Hearing -- An Ordinance Imposing A Uniform Service Charge To Be Known As The Technology Fee On All Property In Sumter County, South Carolina.** (Public Hearing Will Be Held On This Matter Prior To Action On Third Reading.)

The Chairwoman convened a public hearing and asked if anyone wished to speak in favor of or opposition to this proposed ordinance. No one spoke to this issue; therefore, the Chairwoman closed the public hearing and Council took action on third reading and adoption as listed below under Old Business.

- (3) **09-693 - Third Reading/Public Hearing -- An Ordinance Establishing A Solid Waste Disposal Fund For Sumter County, South Carolina.** (Public Hearing Will Be Held On This Matter Prior To Action On Third Reading.)

The Chairwoman convened a public hearing and asked if anyone wished to speak in favor of or opposition to this proposed ordinance. No one spoke to this issue; therefore, the

Chairwoman closed the public hearing and Council took action on third reading and adoption as listed below under Old Business.

NEW BUSINESS: None

OLD BUSINESS:

- (1) **09-689 - Third Reading -- An Ordinance Creating The Sumter County Crystal Lakes Golf Course Advisory Board.**

The County Attorney, Mr. Bryan, stated that there have been no changes to this ordinance since second reading. He asked Council to consider granting third reading and adoption.

Councilman Edens stated that he would like to offer an amendment to the ordinance by changing the appointments from "elected members will be five" appointed members would be four. He asked Council to consider amending this ordinance to allow County Council to appoint five members and then allow the membership of Crystal Lakes Golf Course to elect four members to be appointed to this Advisory Board.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Byrd, and unanimously carried by Council to amend Ordinance 09-689 by changing section 3.a membership to four (appointed by the membership of the Crystal Lakes Golf Course members); and section 3.b membership to five (appointed by Sumter County Council).

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

NOTE: *It was requested that Mrs. Dennis contact the Crystal Lakes Membership officials and inform them to make their appointments by August 11, 2009.*

- (2) **09-690 – Third Reading -- An Ordinance Amending Ordinance No. 06-616 Concerning A Multi-County Industrial And Business Park By And Between Clarendon County, Sumter County And Lee County.**

Mr. Bryan presented this proposed ordinance to Council for third reading approval. He stated that there have been no changes to this ordinance since first reading. This ordinance will allow the County Administrator, the President of the Development Board, and the County Attorney to negotiate with Williamsburg County to include them in this multi-county industrial park and to come back to Council with an agreement to be adopted by ordinance.

It is Mr. Bryan's understanding, through Mr. Jay Schwedler, Sumter Development Board CEO, that if this ordinance is approved, Williamsburg County will be allowed to catch-up

with Sumter, Lee, and Clarendon Counties on fees these Counties have already paid towards this MEGA Industrial Park. The "catch-up" period will be over a period of time.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to grant third reading to this ordinance and adoption.

- (3) 09-691 -- Third Reading/Public Hearing -- An Ordinance Imposing A Uniform Service Charge To Be Known As The Solid Waste Disposal Fee On All Residential Property In Sumter County, South Carolina. (Public Hearing Will Be Held On This Matter Prior To Action On Third Reading.)

The County Attorney, Mr. Johnathan Bryan, presented this proposed ordinance to Council for third reading and public hearing. He stated that Council has two public hearings tonight which pertain to Solid Waste Disposal. Mr. Bryan stated that typographical changes have been made to the ordinances which are located in Council's packets for this evening's meeting. He further informed Council that the actions that Council will take on these ordinances are reflected in the copies of the ordinance located in Council's July 7, 2009, packets and not Council's notebooks. There are no substantial changes to the ordinance. Mr. Bryan asked Council to consider granting third reading and adoption of the ordinance after the public hearing.

The Chairwoman asked if any Council member wanted to ask questions of the attorney; no Council member had any questions; therefore, the Chairwoman convened a public hearing. At the conclusion of the public hearing, Council took action on third reading of this ordinance.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Byrd, and unanimously carried by Council to grant third reading and adoption to this ordinance.

NOTE: Councilman Edens asked for clarification to the statements from Mr. Fred Mills. The County Attorney stated that he was unaware of any laws which would prohibit a "fee for service" to not be deducted on the Federal Income tax that had been assessed by the local government.

- (4) 09-692 - Third Reading/Public Hearing -- An Ordinance Imposing A Uniform Service Charge To Be Known As The Technology Fee On All Property In Sumter County, South Carolina. (Public Hearing Will Be Held On This Matter Prior To Action On Third Reading.)

The County Attorney also presented this proposed ordinance. He stated that there have been no changes to the Technology Fee ordinance since first reading other than some typographical changes.

Then the Chairwoman convened a public hearing on this matter. After the public hearing, Council took action on third reading.

ACTION: MOTION was made by Councilman Edens, seconded by Councilwoman Sanders, and unanimously carried by Council to grant third reading and adoption to this ordinance.

- (5) 09-693 - Third Reading/Public Hearing -- An Ordinance Establishing A Solid Waste Disposal Fund For Sumter County, South Carolina. (Public Hearing Will Be Held On This Matter Prior To Action On Third Reading.)

The County Attorney presented this proposed ordinance. He stated that this ordinance will allow the establishment of a Solid Waste Disposal Fund for Sumter County, South Carolina; the Solid Waste Disposal Fee will be directed into this fund account. The funds from the account will pay for contractors to dispose of the solid waste and to run the C&D Landfill. No changes since second reading.

ACTION: MOTION was made by Councilman Baker, seconded by Councilwoman Sanders, and unanimously carried by Council to grant third reading and adoption to this ordinance.

- (6) It May Be Necessary To Hold An Executive Session To Discuss A Personnel Matter, Receive A Legal Briefing, Or Discuss A Contractual Matter And Appropriate Actions May Be Required And Taken Thereafter.

No executive session was held.

COMMITTEE REPORTS:

- (1) Internal Affairs Committee Meeting Held On Tuesday, July 7, 2009, at 5:00 P.M. In County Council's Conference Room At The County Administration Building - (Byrd, Blanding, and Sanders).

The Chairman of the Committee, Councilman Byrd, gave the following report and recommendations.

Cultural Committee: The Committee recommended to reappoint David Sanders and to appoint Seth Reimer to replace Kit Polluka.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation to reappoint David Sanders and to appoint Seth Reimer.

Census 2010 Complete Count Committee: The Committee recommended that the Clerk to Council be authorized to coordinate the training of the volunteers for the Census 2010 Complete Count Committee.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation to authorize the Clerk to coordinate the training of the volunteers for the Census 2010 Complete Count Committee.

- (2) Fiscal Tax and Property Committee Meeting Held on Tuesday, **July 7, 2009, at 5:30 P.M. In County Council's Conference Room At The County Administration Building - (McGhaney, Blanding, and Edens.)**

The Chairman of the Committee, Chairwoman McGhaney, gave the following report and recommendation.

Contractual Matters: The Committee discussed a contractual matter pertaining to law enforcement. It was suggested that this matter be discussed further at the August 11, 2009, meeting of the Committee.

Financial Update Concerning Bonds and The Stimulus Act: The Financial staff presented some new information concerning the possibilities of the Stimulus Act as it relates to construction projects and bonds relating to these potential projects. Additional information will be provided to Council at its August 11, 2009, meeting.

MONTHLY REPORTS:

- Sumter Development Board
- Sumter County Financial and Statement of General Fund As Of May 31, 2009
- Letter To Richard Eckstrom
- Airport Commission
- Community Development Block Grant (\$50,000)
- YWCA - Andrenette F. Hudley
- Sumter Little Theatre
- Letters To Mayor McElveen

ADMINISTRATOR'S REPORT:

No report was given; the County Administrator was not present at this meeting.

PUBLIC COMMENT:

The Chairwoman asked if anyone wished to speak to Council during public comment. No one spoke to Council.

ADJOURNMENT:

There being no further business and no additional comments from the public, the meeting was adjourned at 6:36 p.m. after a motion, a second, and unanimously carried by Council.

Respectfully submitted,

Vivian Fleming McGhaney
Chairman or Vice Chairman
Sumter County Council

Mary W. Blanding
Clerk to County Council
Sumter County Council

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Approved August 11, 2009

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

Public Notified: Yes

Manner Notified: Agendas posted on bulletin board on third floor of the Administration Building.

Date Posted: July 2, 2009

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, and Time Warner Cable.

Date Notified: July 2, 2009

Respectfully submitted,

Mary W. Blanding
Mary W. Blanding