



**Minutes**  
**Sumter County Council Regular Meeting**  
**Tuesday, March 8, 2022 -- Held at 6:00 p.m.**  
**Sumter County Administration Building**  
**Third Floor, County Council Chambers**  
**13 E. Canal Street, Sumter, SC**

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**Council Members, Staff, And The Public Will Be Asked To Wear A Facemask At The Meeting. Social Distancing Is Required At All Of County Council's Meetings And Seating Is On A First Come First Serve Basis.**

<https://www.youtube.com/channel/UCAHjizPaonQ9LFS2kO37tA>

**COUNCIL MEMBERS PRESENT:** James T. McCain, Jr., Chairman; Vice Chairman James R. Byrd, Jr., Artie Baker, Eugene Baten; Charles T. Edens; Vivian Fleming McGhaney, and Carlton B. Washington.

**COUNCIL MEMBERS ABSENT:** None

**STAFF MEMBERS PRESENT:** Gary Mixon, Mary Blanding, Joe Perry, Helen Roodman, Johnathan Bryan, Valerie Brunson, and two other members of the Sheriff's Staff.

**MEDIA PRESENT:** The Item Newspaper; Shelby Goulding.

**MEMBERS OF THE PUBLIC:** Approximately 14 members of the public were present.

**CALL TO ORDER:** Chairman James T. McCain, Jr., called the meeting to order.

**INVOCATION:** Councilman Vivian Fleming McGhaney gave the invocation.

**PLEDGE OF ALLEGIANCE:** Led By Veteran Jackie Hughes, Council District #6. Veteran Jackie Hughes served our Country in both the US Army and the US Marine Corps. She is a Vietnam Era Veteran that served in the Marines back when female Veterans were discharged due to pregnancy; after the policy was no longer in affect, she joined the Army Reserves in 1973 and retired as a Master Sergeant in 1994. Jackie retired from the Shipyard in Charleston in 1994 and moved to Sumter in 1998. She is currently a member of the Marine Corps League, Grace Baptist Church, the DAV, The American Legion Post 15, the Sumter County Veterans Association and is in the Sumter Community Concert Band. She has been a member of the State Guard since 2003 and she enjoys coming to Sumter Council meetings. Jackie also enjoys working in her yard, going to political events, and serving in her community in many ways. Originally from Winter Haven, Florida; she met and married a Marine and they had three Marine sons. It is her privilege to lead us in the Pledge of Allegiance to our American Flag in which she is proud to claim. Jackie lives in County Council District 6. Thank you for your service.



**APPROVAL OF AGENDA:** Regular Meeting Tuesday, March 8, 2022

Chairman McCain asked the Clerk to Council if there were any changes to the agenda. Mrs. Blanding replied that there were no changes to the agenda. Then Chairman McCain called for a motion to approve the agenda as presented.

**ACTION:** MOTION was made by Councilman Baten, seconded by Councilman Baker, and unanimously carried by Council to approve the agenda of March 8, 2022, as presented.

**APPROVAL OF MINUTES:** Regular Meeting Tuesday, February 22, 2022

Chairman McCain stated that he would entertain a motion concerning minutes of County Council’s February 22, 2022, meeting minutes as presented by the Clerk to Council.

**ACTION:** MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to approve the agenda of February 22, 2022, as presented.

**LAND USE MATTERS AND REZONING REQUESTS:**

**Planned Development/Rezoning Requests:**

**NOTE** RZ = Rezoning Of Property As Applicable In Sumter County Zoning and Development Standards.

AC = Agricultural Conservation As Applicable In Sumter County Zoning and Development Standards.

NC = Neighborhood Commercial As Applicable In Sumter County Zoning and Development Standards.

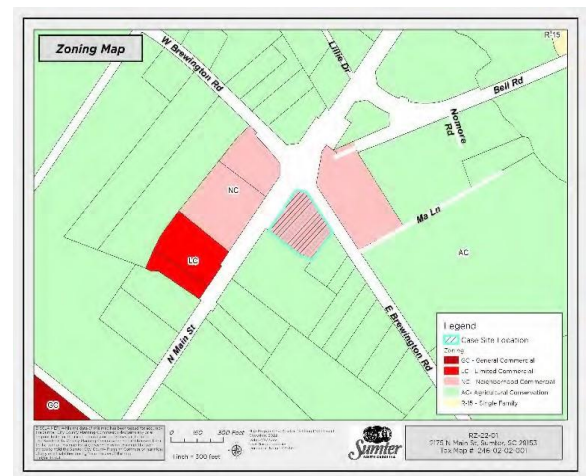
LI-W = Light Industrial-Warehouse As Applicable in Sumter County Zoning and Development Standards.

1. **RZ-22-01, 2175 N. Main Street -- (County) - First Reading -- A Request To Rezone A Parcel Totaling +/- 1.77-Acre Tract From Neighborhood Commercial (NC) To Agricultural Conservation (AC). The Property Is Located At 2175 N. Main St. And Is Represented By Tax Map # 246-02-02-001.**

Mrs. Helen Roodman, the Director of Planning, stated that this is a request to rezone +/- 1.77 acres of land located at the intersection of N. Main Street and E. Brewington Road (herein referred to as the property) from Neighborhood Commercial (NC) to Agricultural Conservation (AC). The property is shown on the location map to the right. She also stated that the applicant has indicated their intent to construct a membership sports and recreation facility on the subject property, however; the current zoning designation does not permit that use.



Mrs. Roodman also informed Council that the property is currently zoned Neighborhood Commercial (NC) and is adjacent to the Agricultural Conservation (AC) zoning district to the south.



The intent of the AC Zoning District is to protect and preserve areas of the County which are presently rural or agricultural in character and use and are uniquely suited to agricultural use. Where Urban Development is permitted within the district, strict quality standards are required.

*Permitted and Conditional Uses:* Membership Sports and Recreation Clubs with SIC Code 7997 are a Conditional Use in the AC Zoning District, per the *Sumter County – Zoning & Development Standards Ordinance* (the Ordinance). However,

per Mrs. Roodman, if the request is approved, the applicant would be permitted to develop all uses

indicated for the AC Zoning District as shown on the use table found at *Article 3, Exhibit 3-5* of the Ordinance in accordance with the indicated process.

Mrs. Roodman stated that the Planning Commission recommended approval of the request. After the presentation by Mrs. Roodman, the Chairman called for a motion to take action on first reading consideration.

**ACTION:** MOTION was made by Vice Chairman Byrd, seconded by Councilman McGhaney, and unanimously carried by County Council to grant first reading approval of this rezoning request as presented.

2. **RZ-21-26 - 4065 Country Lane -- (County) - Second Reading -- A Request To Rezone A +/- 5.81-Acre Tract From General Residential (GR) To Agricultural Conservation (AC). The Property Is Located At 4065 Country Lane And Is Represented By Tax Map # 159-00-02-007.**

The Chairman of Sumter County Council introduced this proposed rezoning request for second reading consideration. Mrs. Roodman stated that she received a letter from Mr. Dyson, the property owner requesting that second reading be postponed allowing him time to meet with the property owners. Council members also received an email with the same request from Mr. Dyson. The Chairman called for a motion on second reading with consideration of Mr. Dyson's request.

**ACTION:** MOTION was made by Vice Chairman Byrd, seconded by Councilman Edens, and unanimously carried to defer second reading as presented.

**OTHER PUBLIC HEARINGS: None**

**NEW BUSINESS:**

- (1) **R-22-02 - A Resolution To Create A Commission Pursuant To The Capital Project Sales Tax Act, S. C. Code Ann. 4-10-300 Through 4-10-390 (2021), To Provide For The Appointment, Composition, Duties And Responsibilities Of Such Commission And To Provide For Other Matters Relating Thereto.**

The County Attorney, Johnathan Bryan, presented this proposed resolution for approval as presented. He stated that the Code of Laws in the State of South Carolina permit the creation of a Commission subject to the laws of S. C. Code Ann. 4-10-320 (2021) to create a Capital Sales Tax Commission and to allow for the formulation of a referendum question which is to appear on the November 2022 ballot. After a review of the resolution, the Chairman called for a motion to adopt the resolution and ratify the commission members which have been appointed by Sumter County (3), City of Sumter (2), and Pinewood Township (1). After all comments from the County Attorney, Chairman McCain called for a motion to adopt the resolution as presented.

**ACTION:** MOTION was made by Vice Chairman Byrd, seconded by Councilman McGhaney, and unanimously carried by County Council to adopt the resolution as presented and to authorize the Chairman and the Clerk to Council to execute and deliver the resolution on behalf of the County.

R-22-02

**A RESOLUTION**

**TO CREATE A COMMISSION PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT, S. C. CODE ANN. 4-10-300 THROUGH 4-10-390 (2021), TO PROVIDE FOR THE APPOINTMENT, COMPOSITION, DUTIES AND RESPONSIBILITIES OF SUCH COMMISSION AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.**

BE IT RESOLVED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH,  
IN PUBLIC MEETING DULY ASSEMBLED:

**SECTION 1. Recitals and Legislative Findings.**

As an incident to the adoption of this resolution, the County Council of Sumter County, South Carolina, has made the following findings: the South Carolina General Assembly has enacted the Capital Project Sales Tax Act, pursuant to which the county governing body may impose a one percent sales and use tax by ordinance, subject to a referendum, within the county area for a specific purpose or purposes and for a limited amount of time to collect a limited amount of money. The County Council, as the governing body of Sumter County, is authorized to create a commission subject to the provisions of S.C. Code Ann. 4-10-320 (2021) for the purpose of considering proposals for funding capital projects within the county area and the formulation of a referendum question which is to appear on the ballot. The Sumter County Council finds that the imposition of a capital project sales tax may generate revenues which may be used to fund or defray the costs of capital improvements within Sumter County and other public capital projects more completely described in S.C. Code Ann. 4-10-330 (2021). Council intends by the adoption of this resolution to create a commission as defined in S.C. Code Ann. 4-10-320 (2021) with such duties and responsibilities as are provided by law to consider proposals for funding capital projects within the county area and the formulation of a referendum question



to appear on the ballot, if council adopts an ordinance imposing a one percent sales and use tax, subject to the referendum, pursuant to the Capital Project Sales Tax Act, as amended.

**SECTION 2. Creation of Commission: Appointment of Members.**

(A) There is hereby created a commission in Sumter County, South Carolina, pursuant to the provisions of SC Code Ann.4-10-320 (2021) which shall consist of six members, all of whom are residents of Sumter County, South Carolina.

(B) The commission created under this resolution is appointed as follows:

(1) Sumter County Council appoints three members of the commission.

(2) The municipalities in the county appoint three members, who are residents of incorporated municipalities within Sumter County, and who are selected according to the following mechanism:

(a) The City Council for the City of Sumter appoints two members of the commission.

(b) The Town Council for the Town of Pinewood appoints one member of the commission.

(c) A vacancy on the commission must be filled in the manner of the original appointment.

**SECTION 3. Duties and Responsibilities of Commission.**

(1) The commission created by this resolution shall consider proposals for funding capital projects within the county area. The commission then shall formulate the referendum question that is to appear on the ballot pursuant to S.C. Code Ann. 4-10-330(D) (2021). Such projects may include the following types of projects:

(a) highways, roads, streets, bridges, and public parking garages and related facilities;

proceeds are to be pledged to the payment of the bonds and, if other sources of funds are to be used for the projects, specifying the other sources;

(d) the maximum cost of the project or facilities or portion of the project or portion of the facilities, to be funded from proceeds of the tax or bonds issued as provided in this article and the maximum amount of net proceeds expected to be used to pay the cost or debt service on the bonds, as the case may be; and

(e) any other condition precedent, as determined by the commission, to the imposition of the sales and use tax authorized by this article or condition or restriction on the use of sales and use tax revenue collected pursuant to this article.

(f) When the tax authorized by this article is imposed for more than one purpose, the enacting ordinance must set forth the priority in which the net proceeds are to be expended for the purposes stated. The enacting ordinance may set forth a formula or system by which multiple projects are funded simultaneously.

(g) The maximum cost of the project or facilities funded from proceeds of the tax and the expected amount of net proceeds to be raised by the tax; and

(h) Any other condition precedent, as determined by the commission, to the imposition of the sales and use tax authorized by this article or condition or restriction on the use of sales and use tax revenue collected pursuant to this article.

(3) If the Sumter County Council shall enact an ordinance for the imposition of a one percent sales and use tax, subject to a referendum in Sumter County, the referendum question formulated by the commission shall appear on the ballot, which shall be in substantial compliance with the provisions of S.C. Code Ann. 4-10-330 (2021), the terms and provisions of which are incorporated into and made a part of this resolution by reference.

(4) If an ordinance is adopted by the Sumter County Council to impose a one percent sales and use tax in Sumter County pursuant to the provisions of the Capital Project Sales Tax Act, the Sumter County Voter Registration and Election Commission shall conduct a referendum on the question of imposing the sales and use tax in the area of the county that is to be subject to the tax. If the ordinance is received prior to Noon on August 15, 2022, a referendum for this purpose may be held on Tuesday, November 8, 2022.

SECTION 4. Members Appointed.

Sumter County Council has appointed Peggy M. Blanding, Robert B. Smith and Stevie R. McCall as members of the commission. The City Council for the City of Sumter has appointed Kim Hatchell and Earl Wilson as members of the commission. The Town Council for the Town of Pinewood has appointed Brenda Whitley as a member of the commission.

SECTION 5. Effective date.

This resolution shall be effective immediately upon its adoption.

ADOPTED THIS 8<sup>th</sup> DAY OF March, 2022.

COUNTY COUNCIL OF SUMTER COUNTY,  
SOUTH CAROLINA

BY: \_\_\_\_\_  
Its Chairman: James T. McCain, Jr.

ATTEST:

By: \_\_\_\_\_  
Its Clerk: Mary W. Blanding

- (2) The Necessary To Hold An Executive Session To Discuss An Employment Matter, An Economic Development Matter, A Legal Briefing, Or Other Matters Pertaining To An Executive Session, And Take Appropriate Actions Thereafter If Required.

No executive session.

**OLD BUSINESS: None**

**COMMITTEE REPORTS**

- (1) Public Safety Committee Meeting Scheduled for Tuesday, March 8, 2022, at 4:30 p.m. Held In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Washington, Baten, and Byrd.)

Councilman Carlton B. Washington, Chairman of the Public Safety Committee, gave the following report. He stated that the Committee discussed the safety issues around N. Pike Road and Highway 378/76. Councilman Washington reported that the Sheriff's Office is working jointly with the City of Sumter Police Department, the S. C. Highway Department, and other agencies to implement some stop-gap procedures and processes to help alleviate people crossing the highway. Some of the suggestions include the following:

- A. Law Enforcement will visit the citizens in the area to discuss the danger of crossing the streets and write tickets to violators.
- B. Traffic Trailer (cart) can be placed on the highway to deter speeding by vehicles.
- C. Erect A Fence, SCDOT to deter foot traffic.
- D. Place more lighting in the area.
- E. Joint meetings between County, City, SCDOT, and other agencies to discuss a more permanent solution to the problem in the area.

- (2) Public Works Committee Meeting Scheduled For Tuesday, March 8, 2022, At 5:00 p.m. Held In The County Administration Conference Room, 13 E. Canal Street, Sumter, SC. (Baker, Baten, Washington)  
This Meeting Will Begin Immediately After The Public Safety Committee Meeting Or At 5:00 P.M.

The Committee Chairman, Councilman Artie Baker, stated that the Committee received a thorough briefing from Karen Hyatt, Public Works Director. She gave a detailed PowerPoint presentation concerning the progress that the Public Works Department is making with its Litter Program. Councilman Baker stated that the Public Works Department will continue to keep Council updated concerning the progress with the Litter Program as the Litter Officers are certified and each time they have litter pick-up of trash.

- (3) Report From Council Members On Other Meetings, Trainings, And/Or Conferences.

No reports from Council Members.

**MONTHLY REPORTS**

- 1) Shaw Sumter Community Council 2022 Welcome
- 2) Chamber of Commerce 2022 Gala
- 3) Board of Zoning Appeals Meeting – March 9, 2022
- 4) Invitation - Portrait Unveiling - Chief Justice Ernest A. Finney, Jr.
- 5) Litter Program Information
- 6) COVID-19 Update Information
- 7) Rotary 100th Year Anniversary



**COUNTY ADMINISTRATOR’S REPORT**

Mr. Mixon gave the following report to Council:

- First Meeting for the Capital Projects Sales Tax Commission will meet on Monday, March 14, 2022.
- Litter Presentation – Mr. Mixon thanked Ms. Hyatt and Mr. Perry. Johnny McLeod was introduced as Mrs. Hyatt’s assistant at Public Works.

**PUBLIC COMMENT** -- Citizens Desiring To Speak Are Limited To No More Than Three (3) Minutes; Comments Are To Be Made Through The Chairman Of Sumter County Council.

Chairman McCain asked if anyone from the public wished to speak during public comment. The following person spoke during public comment.

- Dr. Brenda Williams spoke to Council about the Family Unit, Inc. discussing solutions as to the problem of people walking across Highway 76 and 378, as well as Pike Road. She stated that she will be meeting with a gentleman that is financially stable and is willing to investigate ways that he might be able to help this community by providing a store or something that will allow for the people on the north side of Pike Road to have the opportunity of a store for shopping purposes. She will keep Council informed about this matter.

**ADJOURNMENT**

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 7:32 p.m. after a motion by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council.

Respectfully submitted,

James T. McCain, Jr.  
 Chairman or Vice Chairman  
 Sumter County Council

Mary W. Blanding  
 Clerk to County Council  
 Sumter County Council

**Approved: March 22, 2022**

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

- Public Notified:        Yes
- Manner Notified:      Agendas posted on bulletin board on third floor of the Administration Building.
- Date Posted:            March 4, 2022
- Media Notified:        Yes

Agenda – Regular Meeting - Sumter County Council

Tuesday, March 8, 2022

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Manner Notified: Agenda Information is listed on Sumter County's Home Page, and E-mailed to The Item, The Chamber, WIS-TV, WBTW, and Spectrum TV.

Date Notified: March 4, 2022

Respectfully submitted,

*Mary W. Blanding*

Clerk To Sumter County Council