



Minutes
Sumter County Council
Regular Meeting
Tuesday, February 25, 2020 -- Held at 6:00 p.m.
Sumter County Courthouse, Third Floor, Room 308
County Council's Chambers - 141 North Main Street, Sumter, SC

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COUNCIL MEMBERS PRESENT: James T. McCain; Chairman; James R. Byrd, Vice Chairman; Artie Baker, Charles T. Edens, Vivian Fleming McGhaney, and Chris Sumpter.

COUNCIL MEMBERS ABSENT: Eugene Baten

STAFF MEMBERS PRESENT: Gary Mixon, Johnathan Bryan, Mary Blanding, Joe Perry, Helen Roodman, Allan Dailey, and several other Sheriff's Deputies.

MEDIA PRESENT: The Item Newspaper

CITIZENS PRESENT: Approximately eight members of the public attended the meeting.

MOMENT OF SILENCE: Corporal Deputy Gillette

Prior to the meeting being called to order, Chairman McCain asked everyone to stand and with bowed heads to have a moment of silent prayer due to the fatal shooting of Corporal Gillette while he was on duty this morning.



CALL TO ORDER: Chairman James T. McCain called the meeting of February 25, 2020, to order.

INVOCATION: Councilman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: Everyone in attendance repeated the Pledge of Allegiance to the American Flag.

APPROVAL OF AGENDA: Chairman McCain stated that he would entertain a motion to approve the agenda for Sumter County Council's Regular Meeting, Tuesday, February 25, 2020.

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

APPROVAL OF MINUTES: Chairman McCain asked for a motion concerning the approval of the minutes for the regular meeting of Sumter County Council held on Tuesday, February 11, 2020. The following motion and action was given.

ACTION: MOTION was made by Councilman Sumpter, seconded by Councilman Baker, and unanimously carried by Council to approve the minutes of the February 11, 2020, meeting as presented by the Clerk.

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

Note: PD = *Planned Development Relating To Sumter County Zoning and Development Standards*
OA = *Ordinance Amendment Within The Sumter County Zoning And Development Standards Ordinance.*

1. PD-05-01 (REV 1) -- 3760 & 3770 Peach Orchard Road (County) -- Second Reading/Public Hearing - (20-919) -- Amend Ordinance PD-05-01 To Amend The Site Development Plan, To Permit Deer/Meat Processing As Commercial Activity And To Revise/Codify Applicable Development Standards. The Property Is Located At 3760 & 3770 Peach Orchard Road And Represented By Tax Map #136-00-02-058. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Planned Development.)

Helen Roodman presented this proposed Planned Development to Council for second reading and public hearing. She stated that the applicant, Mr. Roy Floyd, Property Owner, hopes to expand the Peach Orchard Deer Processing business, which is currently on this site. Ms. Roodman cited the following information about the site as it is currently:

- Ongoing operation of 20 plus years. Treated as a non-conforming use.
- Includes retail meat market sales that are necessary to the meat processing business.
- Specializes in deer processing but also processes hog, alligators, cows, and other meats upon request.
- Includes indoor skinning facilities and packaging.
- The Site and Business are permitted by DHEC.
- Small-scale facility that primarily serves hunters and local farmers.

Additionally, there is an existing residential use and various accessory buildings on the property. Also on the property are two recreational courses. One is a Paint Ball Course and the other is a horseshoeing area. The Paint Ball Course and Horseshoeing uses have not been developed to date.

Ms. Roodman stated that the applicant is requesting changes to the approved concept plan and ordinance for PD-05-01. The current approved concept plan indicates that the deer processing use is permitted by home occupation only. The revised concept plan indicates the use as a meat processing facility, shows allowed square footage for the meet processing use, and shows a general location concerning the future location of the additional meat processing building.

After comments by Ms. Roodman, the Chairman convened a public hearing on this proposed Planned Development. He asked if anyone wished to speak in favor of or opposition to the rezoning request. No one spoke during public hearing to this issue; therefore, the Chairman closed the public hearing and Council took action on second reading.

ACTION: MOTION was made by Councilman Sumpter, seconded by Councilman Baker, and unanimously carried by Council to grant second reading approval of this ordinance Planned Development as presented.

2. OA-19-11 -- Donation Bins -- (County) - Third Reading - (20-916) -- Amend Article 4, Section K: Containers And Dumpsters And Article 10 Definitions Within The Sumter County Zoning And Development Standards Ordinance To Include Specific Requirements And Definitions Pertaining To Donation Bins.

Mrs. Roodman presented the proposed changes for this ordinance as listed below. She stated that Council members worked closely with staff to ensure that the changes that needed to be made would be useful for the public and for those that own donation bins. After comments about the strike-through, the Chairman called for a motion to adopt third reading as amended.

ACTION: MOTION was made by Councilman Edens, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant second reading approval of this ordinance amendment as presented at third reading.

New Text - 4.K.2

OA-19-11, Ordinance Strike-Through

Amend Article 4, Section K as follows:

Section K: CONTAINERS AND DUMPSTERS

4.k.1. All exterior dumpsters or exterior garbage containers (excluding containers or groups of containers with a combined capacity of less than six cubic yards) shall be screened on all but one side by a fence, wall, intensive landscaping, or other suitable opaque enclosure. The average height of the enclosure shall be one (1) foot more than the height of the container but shall not be required to exceed eight (8) feet in height. The open side shall be obscured from street visibility to the extent possible.

4.k.2 Donation Bins shall be permitted on any commercially used parcel regardless of zoning designation under the following conditions:

- a. Shall not be located on vacant or undeveloped parcels.
- b. No more than 3 donation bins are permitted on a single parcel of property.
- c. No more than 3 donation bins are permitted on any common internally connected commercial center, strip development, or similar land use type regardless of the number of parcels that are part of the development area.

- d. Donation bins shall not be placed within public right-of-way, including any sidewalk located within the public right-of-way.
- e. Within the Highway Corridor Protection District (HCPD), donation bins shall be constructed of painted metal or durable UV-resistant vinyl, fiberglass, or other similar low maintenance material; prefabricated buildings shall not be converted to donation bin use.
- f. Within the HCPD, the following shall be required for donation bins that are not located within 3 feet of an existing building:
 - 1. Site Plan Approval
 - 2. HCPD Approval
- g. If a donation bin is placed in an opaque enclosure, such enclosure may contain a maximum of 9 sq. ft. of signage on 2 sides.
- h. Written permission from the property owner of record is required prior to placement of a donation bin on a property.
- i. The following information shall be clearly displayed on the front or primarily visible side of any donation bin:
 - 1. For-profit organizations shall have a statement indicating that donations are to a for-profit organization and may not be tax deductible.
 - 2. Non-profit organizations shall have a statement indicating that donations are to a non-profit organization and may be tax deductible.
 - 3. Name of the donation bin owner, current mailing address and phone number.
- j. Donation bins shall at all-times be maintained in good repair, in a clean condition, free of accumulated materials placed on or outside of the donation bin, and free of graffiti and other unauthorized writing, painting, drawing, or inscriptions.
- k. Donation bin owners shall promptly remove, within 48 hours, any refuse placed on or in the vicinity of the donation bin.
- l. If any donation bin is found to have violated any of the previous requirements, Sumter County is allowed to remove the donation bin from its location 72 hours after written notice is sent to the property owner of record and the donation bin owner via certified mail or personal service.
- m. Written notice will be provided via certified mail to the donation bin owner if a donation bin has been removed from a site by Sumter County. The donation bin owner shall have 30 days from the date stated on such a written notice to reclaim the donation bin.

Amend Article 10: Definitions as follows:

Donation Bin – A mobile structure that is located outside of the walls of an enclosed building and is used to receive materials including but not limited to clothing, office

supplies, and other household goods donated by the public. Donation bins do not exceed 8 feet in length by 10 feet in width and 8 feet in height or 640 cubic feet. Bins used for temporary donation drive events do not meet the criteria of this definition provided such events are held no more than 14 days per calendar year on an individual parcel or common internally connected commercial center, strip development, or similar land use type.

Garbage Container – A container used for the temporary storage of rubbish or materials to be recycled, pending collection by a sanitation truck or other means. Also referred to as a Dumpster.

OTHER PUBLIC HEARINGS:

1. None

NEW BUSINESS:

1. It May Be 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.

There was no executive session.

OLD BUSINESS:

1. None

COMMITTEE REPORTS:

1. Report From Council Members On Other Meetings, Trainings, And/Or Conferences.
 - **SCAC – Mid-Winter Conference** -- Councilman Edens reported that he along with Chairman McCain, Councilman McGhaney, and the Administrator attended the SCAC Conference. Councilman Edens also reported that the Conference was well attended by county employees statewide.
 - **Santee Lynches Regional Council On Governments – Back To Work Graduation Ceremony** – Councilman Baten and Councilman McGhaney attended the graduation Ceremony. The people involved in the program were also participants of the Sumter County Behavioral Health Services and they all participated in this intense six-month program. The program serves citizens in the Santee Lynches four-county region. The students learned how to write a resume; Dress for Success, soft skills, how to handle conflict in the workplace as well as diversity in the work place and several other employment practices.
 - **Santee Lynches COG Retreat** – Councilwoman McGhaney and Chairman McCain attended the Santee Lynches Council on Governments (SLCOG) Planning Retreat. More information will be forwarded to Council in the near future about the Planning Session.

MONTHLY REPORTS

- Mayor's Prayer Breakfast is scheduled for May 2020.
- Rural Summit – March 1-3, 2020

- Chamber After Hours – Thursday, February 27, 2020
- SUATS, Friday, February 28, 2020, at 3:00 p.m.

COUNTY ADMINISTRATOR'S REPORT

Mr. Gary Mixon, the County Administrator, stated that his office as well as the office of Sumter County Council have received many calls concerning the road conditions due to the many days of rain. Mr. Mixon reminded Council that although there may be a day or two without rain; the land is still holding water and it is impossible to put heavy equipment on a very wet road. He also thanked Council for getting the information to him about calls that Council members are receiving concerning road conditions.

Mr. Mixon also stated that although they are receiving many calls, several of the calls about the roads are on private roads. He said that the County's dirt roads are priority to get work done on and then if a private road is impassable, the Public Works Department will assist in correcting impassability.

PUBLIC COMMENT

Chairman McCain asked if anyone wished to speak during public comment. The following members of the public spoke during public hearing.

- **Melvin Riley** – Stated that he has contacted the Public Works Director and the County Administrator about the problem of water coming off the road onto his property – Statesburg Hill Road. Mr. Riley further stated that when it rains, the dirt, gravel, and everything else comes off the road and clogs his drain, which then will cause more water to be in his yard. In addition, Mr. Riley said that because of the direction of the water flow problem and the amount of water that is flowing in his yard, the foundation of his house is being compromised. He asked Council to help him with resolving this issue. (NOTE: *The Administrator stated that he has been talking with Mr. Riley, and will address this with him after the meeting.*)
- **James Felter** – Spoke to Council about his concern with the Sumter School District's budget. Mr. Felter also gave his condolences for the family of the fallen Sheriff's Deputy.
- **George Bates II** stated that he is from the Wedgefield area of Sumter County. Mr. Bates said the roads are a mess. The asphalt is a mess too. He also stated that road-shoulders are higher than the roads and that could be causing some of the problems on the roads in Sumter. Additionally, the ditches should be kept cleaned.
- **Johnny Benjamin** – Mr. Benjamin stated that he is concerned about the litter on the County's roads. He said that he relocated to this area and when out-of-town people come to his home, they are surprised about the litter in this area. He lives near the corner of Dodgen Hill Road and Highway 441. He also stated that he and his wife have picked up litter in the area. Mr. Benjamin said that he is retired military and is willing to volunteer with any County group to help pick up the litter in Sumter County.

Mr. Benjamin also talked to Council about the request he made with South Carolina Department of Transportation to place a guard rail at the corner of Highway 441 and Dodgen Hill Road. As of this date, the guard rails have not been installed and not many answers have been given about the status of when the guard rails would be installed. He thanked Council for allowing an intersection street light to be installed at Dodgen Hill Road and Highway 441 which has improved the area and it is much safer when turning off Highway 441 at night or when it is bad weather.

ADJOURNMENT

After all discussion and all comments from the public, motion was made by Councilman Edens, seconded by Councilman Sumpter to adjourn the meeting of Sumter County Council at 6:37 p.m.

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 10, 2020

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: February 24, 2020
- Media Notified: Yes
- Manner Notified: Agenda Information is listed on Sumter County's Home Page, and E-mailed to The Item, The Chamber, WIS-TV, WBTW, and Time Warner Cable.
- Date Notified: February 21, 2020

Respectfully submitted,
Mary W. Blanding
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