



**YORK COUNTY**  
**COUNTY COUNCIL**  
**AGENDA • JULY 18, 2016**



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**County Council Meeting**

**Agricultural Building**  
**Council Chambers**  
**6 S. Congress Street, York, SC 29745**

**6:00 PM**

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**Call to Order**

Chairman, J. Britt Blackwell, District 6

**Invocation and Pledge of Allegiance**

Chairman, J. Britt Blackwell, District 6

**Oath of Office for newly appointed Board and Commission Members**

Creighton Hayes, Hospitality Tax Committee (District 5)

David Williams, York County Economic Development Board (York County Regional Chamber Representative)

**Appearances**

Beth White with York County Farm Bureau to provide Council with a fruit basket.

CJ Ramsey to address Council regarding the water contamination in the Travis Acres neighborhood.

Sheriff Bruce Bryant to address Council regarding the FY16-17 budget.

**Public Forum Session (limited to thirty (30) minutes, two (2) minutes per person)**

**Public Hearing(s)**

1. Hold a Public Hearing and consider 3rd reading of an ordinance “TO AUTHORIZE THE SALE OF A SMALL, UNDEVELOPED PARCEL LOCATED ON SOUTH CAROLINA HIGHWAY 5, IDENTIFIED BY TAX MAP NUMBER 595-04-01-050; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE THE PARCEL; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE CONTRACT OF SALE AND DEED; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.”
2. Hold a Public Hearing and consider third reading of AN ORDINANCE TO AMEND CHAPTER 35 OF THE YORK COUNTY CODE, RELATING TO TAXATION AND FINANCE, SO AS TO ADD NEW SECTION 35.150 ENTITLED “ECONOMIC DEVELOPMENT PROJECT DEVELOPMENT FUND”; TO PROVIDE FOR THE CREATION OF THE FUND AND ITS PURPOSES AND USES; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

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3. HOLD A PUBLIC HEARING AND CONSIDER SECOND READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 155, ENTITLED ZONING CODE, SECTIONS 155.009, DEFINITIONS; 155.571, INITIATION OF AMENDMENT, SUBSECTIONS (B), (C) AND (D); AND 155.572, PLANNING COMMISSION REPORT, SUBSECTION (B); IN ORDER TO AMEND THE DEFINITION OF SITE PLAN; REQUIRE A SITE PLAN AND TRAFFIC IMPACT ANALYSIS BE SUBMITTED FOR ALL APPLICATIONS FOR AMENDMENT (REZONING); TO PRECLUDE THE PLANNING COMMISSION FROM CONSIDERING APPLICATION FOR AMENDMENT (REZONING) UNTIL AN APPLICATION IS COMPLETE; TO ADD TRAFFIC IMPACT FACTORS AS A CONSIDERATION FOR THE PLANNING COMMISSION REPORT; TO PROVIDE FOR A PUBLIC HEARING; TO TAKE EFFECT SEPTEMBER 1, 2016; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
  
4. HOLD A PUBLIC HEARING AND CONSIDER SECOND READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 154, ENTITLED SUBDIVISION CODE, SECTIONS 154.029, PRELIMINARY PLAT REVIEW, SUBSECTIONS (B) AND (D); AND 154.030, PRELIMINARY PLAT APPLICATION AND SUPPORTING DATA (REQUIREMENTS), SUBSECTIONS (A)(1) AND (A)(4); IN ORDER TO REVISE PRELIMINARY PLAT REVIEW PROCEDURES BY REQUIRING ALL APPLICATION REQUIREMENTS BE MET BEFORE THE PLANNING COMMISSION MAY REVIEW AN APPLICATION FOR PRELIMINARY PLAT; TO ESTABLISH FINDINGS FOR PRELIMINARY PLAT APPROVAL BY THE PLANNING COMMISSION; TO AMEND THE APPLICATION REQUIREMENTS FOR A PRELIMINARY PLAT TO INCLUDE TRAFFIC IMPACT ANALYSES; CLARIFY THE APPLICATION REQUIREMENTS REGARDING SCDHEC APPROVAL OF SEPTIC SYSTEMS; TO PROVIDE FOR A PUBLIC HEARING; TO TAKE EFFECT SEPTEMBER 1, 2016; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
  
5. HOLD A PUBLIC HEARING AND CONSIDER 2ND READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 154, ENTITLED SUBDIVISION CODE, SECTIONS 154.004, DEFINITIONS; AND 154.037, PLAT APPROVAL PROCESS: STREETS; IN ORDER TO ADD DEFINITIONS FOR AVERAGE DAILY TRIPS, AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS, INSTITUTE OF TRANSPORTATION ENGINEERS, AND TRAFFIC IMPACT ANALYSIS METHODOLOGY GUIDELINES; TO AMEND TRAFFIC IMPACT ANALYSIS REQUIREMENTS IN THEIR ENTIRETY; TO PROVIDE FOR A PUBLIC HEARING; TO TAKE EFFECT SEPTEMBER 1, 2016; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

6. Hold a Public Hearing and Consider amending and Third Reading of AN ORDINANCE TO PROVIDE FOR FOUR-YEAR STAGGERED TERMS FOR MEMBERS OF THE YORK COUNTY COUNCIL, SUBJECT TO APPROVAL IN A PUBLIC REFERENDUM; TO PROVIDE FOR A PUBLIC REFERENDUM ON CHANGING THE TERMS OF OFFICE OF MEMBERS OF THE YORK COUNTY COUNCIL FROM TWO-YEAR TERMS TO FOUR-YEAR STAGGERED TERMS; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

### **Old Business**

1. Consider 3rd reading of an ordinance "TO ADOPT YORK FORWARD THE 2035 YORK COUNTY COMPREHENSIVE PLAN (AS REVISED AT SECOND READING), INCLUDING THE COMPREHENSIVE LAND USE PLAN MAP, PLAN ELEMENTS, AND APPENDICES, PURSUANT TO THE CODE OF LAWS OF SOUTH CAROLINA, TITLE 6, CHAPTER 29 ENTITLED "SOUTH CAROLINA LOCAL GOVERNMENT COMPREHENSIVE PLANNING ENABLING ACT OF 1994," TO HOLD A PUBLIC HEARING, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO."

2. Rezoning Action: Consider Third Reading:

Case #	16-06
Tax Map #	4560000043
Zoning Request:	To rezone from RUD to BD-I
Acres:	+/- 0.97 acres
Council District:	Two (2) Bruce Henderson
Applicant:	John Reid Smith
Owner:	Boyd Byrum
Location:	3170 Charlotte Hwy (SC 49) in the York Community
Planning and Development Staff:	DENIAL
Planning Commission:	APPROVAL (7-0) (Darby (4) Abstain)
Planning Commission Date:	May 9, 2016

Staff Recommendation: Denial based on the information prepared by staff outlined in this Planning Commission Report and the findings below:

1. The proposed rezoning is not consistent with the character of the surrounding area.
2. The proposed rezoning is not consistent with the Comprehensive Land Use Plan for the area.
3. The proposed rezoning might be considered spot zoning as there is no commercial zoning in the vicinity and it is not consistent with the land use plan.

3. Rezoning Action: Consider Second Reading:

Case #	16-07
Tax Map #	5350000152
Zoning Request:	To rezone from RC-II to BD-III
Acres:	+/- 9 acres

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Council District: Four (4) William “Bump” Roddey  
Applicant: Brent A. Finley  
Owner: Sherry Stillwell/Estate of Frances Johnston  
Location: 1626 Darby Road in the Rock Hill community  
Planning and Development Staff: APPROVAL  
Planning Commission: APPROVAL with condition (8-0)  
Planning Commission Date: May 9, 2016

Staff Recommendation: Approval based on the information prepared by staff outlined in this Planning Commission Report and the findings below:

1. The proposed rezoning request is consistent with the Comprehensive Land Use Plan for the area.
2. The proposed rezoning request is consistent with the character of the surrounding area.
3. The proposed rezoning request is located within a small mixed use node that includes commercial development.

At their May 9, 2016 meeting, the Planning Commission recommended the following condition:

1. Restrict all uses except “ministorage” and permitted accessory uses.
4. Consider Second Reading of AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 32, SECTIONS 32.36(A)(1) AND (A)(2) FOR THE PURPOSE OF CREATING STAGGERED THREE YEAR TERMS FOR BOARD MEMBERS SERVING ON THE CULTURE AND HERITAGE COMMISSION; TO SET OUT THE TRANSITION OF SITTING MEMBERS TO THE NEWLY ESTABLISHED INITIAL STAGGERED TERMS; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
5. Consider adoption of RESOLUTION CERTIFYING THE PETITION SEEKING THE ESTABLISHMENT OF THE LAKE WYLIE PARKS AND RECREATION SPECIAL TAX DISTRICT AND CALLING FOR AN ELECTION REGARDING THE CREATION OF A SPECIAL TAX DISTRICT TO BE KNOWN AS THE LAKE WYLIE PARKS AND RECREATION DISTRICT

### **New Business**

1. Council to consider a request by Solicitor, Kevin Brackett to hire 2 attorney's, 2 investigators and to make a current part-time attorney position into a full-time position.

2. Consider approval of nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on June 20, 2016 and June 27, 2016, along with nominations from the floor: Wendi Michael, Library Board (District 1), Alan Abernathy, York County Forever (District 2), Stephen Strokis, Riverview Fire Tax Board, Lonnie Manus, Riverview Fire Tax Board, Manning Kimmel, Rock Hill/York County Airport Commission-4, Pickens Freeman, Rock Hill/York County Airport Commission-2, and Tea Hoffmann, Bethel Fire Tax Board.
3. Consider approval of contract with ADC Engineering, Inc. in a not-to-exceed amount of \$ 26,000.00 for updating the masterplan for Ebenezer Park
4. Council to consider approving contract for Tyler Technologies Computer Aided Dispatch (CAD) software upgrade in the amount of \$166,538.
5. Council to consider increasing the capital budget for the Rock Hill/York County Airport by \$12,872.50 for a total of \$79,462.50 by transferring the amount from the County contingency fund.
6. Consider approval of a Venue Agreement with Ficus Tree Productions for the utilization of County properties for staging and logistics related to the filming of the television series Outcast
7. CONSIDER ADOPTION OF INDUCEMENT RESOLUTION IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF SOUTH CAROLINA CODE ANNOTATED SECTION 12-44-40, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY PROJECT CRESCENT (INCLUDING ITS AFFILIATED AND RELATED ENTITIES) TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH YORK COUNTY, SOUTH CAROLINA; AND TO COMMIT TO ENTER INTO NECESSARY AGREEMENTS WITH THE COMPANY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND OTHER RELATED MATTERS.
8. Consider approval of REVISION 2 of the Comprehensive Re-licensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232 and authorizing the County Manager to sign on behalf of York County and the Ebenezer Park Superintendent to sign on behalf of Ebenezer Park
9. Council to review and approve the "Agreement for the Establishment and Operation of a Wildlife Management Area".

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10. COUNCIL TO CONSIDER 1ST READING BY TITLE ONLY OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, SECTIONS 92.30 (FIRE CODE), 150.04(A) (BUILDING CODE), 150.04(B) (RESIDENTIAL CODE), 150.06 (ELECTRICAL CODE), 150.08 (GAS CODE), 150.09 (PLUMBING CODE), AND 150.10 (MECHANICAL CODE); IN ORDER TO INCORPORATE CERTAIN PROVISIONS OF THE FIRE CODE AND CERTAIN ADMINISTRATIVE PROVISIONS OF CONSTRUCTION RELATED CODES AS MODIFIED AND ADOPTED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL FOR MANDATORY ENFORCEMENT BY ALL JURISDICTIONS WITHIN THE STATE OF SOUTH CAROLINA; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

11. Council to consider authorizing the expenditure of up to \$27,500 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) for stewardship, appraisal, and administrative fees for the placement of a conservation easement on approximately 167 acres, located on Mockingbird Lane and Williamson Road in the Rock Hill community, owned by J. Spratt and Sandra H. White.

12. Rezoning Action: Consider First Reading:

Case #	16-11
Tax Map #	5750000026
Zoning Request:	To rezone from RC-I to BD-III
Acres:	+/- 4.69 acres
Council District:	Two (2) Bruce Henderson
Applicant:	Russell Davey
Owner:	Lake Wylie Partners, LLC
Location:	4581 Charlotte Hwy in the Lake Wylie community
Planning and Development Staff:	APPROVAL
Planning Commission:	APPROVAL (7-0)
Planning Commission Date:	June 13, 2016

Staff Recommendation: Approval based on the information prepared by staff outlined in this Planning Commission Report and the findings below:

1. The proposed rezoning request is consistent with the Comprehensive Land Use Plan for the area.
2. The proposed rezoning request is consistent with the character of the surrounding area.

13. Council to consider rejection of all proposals received for Bid #2353 regarding the construction of a vegetated biobank at Ebenezer Park.

14. Council to authorize transfer of funds and award of Bid #2358 regarding road improvements for SC 49/Congress Street/Lincoln Road Intersection improvements and SC 49/Campbell Road Intersection realignment as part of the 2011 Capital Projects Sales and Use Tax Program.
15. Council to consider rejection of all proposals regarding Bid #2361 for the 2013-2014 C Fund Gravel Road Paving Project.
16. Council to consider declaring a wrecked 2007 Ford Crown Victoria patrol vehicle as County surplus.
17. Council to Consider approval of a two month lease agreement extension between York County and Michael W. Chase for the Highway 160 East Collection & Recycling Center
18. Council to consider approval of Rock Hill Utilities Design Fee Reimbursement on the Pennies 2 Project 03-011: McConnells Highway in an amount not to exceed \$83,416.
19. Consider approval of a Designated Facilities Agreement with South Carolina Department of Corrections for the housing of State inmates in the County's Prison facility
20. Council to consider approval of an additional allocation of \$1,805,327.23 for a total not to exceed amount of \$4,805,327.23 for the purposes of reimbursing the City of Rock Hill for environmental services, design services, right of way acquisitions, and utility relocations related to Project 11149-006: Cel-River Road as part of the Pennies 3 (2011) Capital Projects Sales and Use Tax Program.
21. Council to consider approval of Armstrong Glen's Gravel Road Agreement for design of for Pennies 2 Gravel Road Projects Mission Road & Shillinglaw Road.
22. Council to consider approval of Mead & Hunt Gravel Road Design Agreement for Pennies 2 Gravel Projects Enon Church Road and Pamela Road
23. Council to consider authorizing the execution of Contract Amendment #1 in the amount of \$169,633.35 with Keck and Wood Inc. for consulting services related to the Highway 161 Water Booster Pump Station.
24. Council to consider the approval of STV's engineering contract amendment no. 1 in the not-to-exceed amount of \$30,126.49 for Pennies 3 Program Project 11149-08j: Fort Mill Southern Bypass/Spratt Road Intersection Improvements

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## **Consent Agenda**

1. Minutes of Zoning Committee - Regular Meeting - Jun 20, 2016 4:00 PM
2. Minutes of Pennies for Progress Committee - Pennies for Progress Committee - Jun 20, 2016 4:30 PM
3. Minutes of Finance & Operations Committee - Finance & Operations Committee - Jun 20, 2016 5:30 PM
4. Minutes of Transportation Committee - Transportation Committee - Jun 20, 2016 5:55 PM
5. Minutes of County Council - County Council Meeting - Jun 20, 2016 6:00 PM
6. Minutes of Finance & Operations Committee - Finance & Operations Committee - Jun 27, 2016 5:50 PM
7. Minutes of County Council - Special Called Meeting - Jun 27, 2016 6:00 PM

## **Committee and Other Reports**

Zoning Committee Meeting, July 18, 2016, 4:45pm, Chairman Bruce Henderson

Finance & Operations Committee Meeting, July 18, 2016, Chairman Michael Johnson

## **Council Member New/Non-agenda Comments**

### **Executive Session:**

Personnel Matter: Treasurer/Finance Director Interviews

## **Matters for consideration following Executive Session**

## **Adjourn**