



**YORK COUNTY  
COUNTY COUNCIL  
MINUTES • OCTOBER 3, 2016**



**FINAL**

**County Council Meeting**

**Agricultural Building**

**6:00 PM**

**Council Chambers**

**6 S. Congress Street, York, SC 29745**

District 1 Michael Johnson: Present, District 2 Bruce Henderson: Present, District 3 Robert Winkler: Present, District 4 William "Bump" Roddey: Present, District 5 Christi Cox: Present, Council Chairman District 6 Britt Blackwell: Present, District 7 Chad Williams: Present.

**Notice of Meeting**

Notice of the meeting was forwarded to members of Council, the news media, to staff, to the York County Library and all branches, to citizens requesting notification and posted to the county's web page.

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

Ellen Goff, Lake Wylie Marine Commission-2

Ed Lindsey, Bethel Fire Tax District

Debra Dahlin, York County Library Board (District 6)

Winston Martinez, Hospitality Tax Advisory Committee (District 2) **ABSENT**

**Appearances**

(6:04pm) Perry Johnston, 5001 Lakemist Drive, Lake Wylie, SC addressed Council regarding the Bethel Volunteer Fire Department. Mr. Johnston requested, on behalf of the Bethel Fire Department, that Council place a hold on the hiring of a full time paid Fire Chief.

(6:19pm) Doug Meyer-Cuno addressed Council regarding the Bethel Volunteer Fire Department and his opposition to the hiring of a full time paid fire chief for the Bethel Volunteer Fire Department.

(6:25pm) John Howard, River Oaks Road, Lake Wylie, SC addressed Council regarding his opposition to the hiring of a full time paid fire chief for the Bethel Volunteer Fire Department.

(6:28pm) Allison Love addressed Council regarding her opposition to the hiring of a full time paid fire chief for the Bethel Volunteer Fire Department. Ms. Love also presented a gift to Don Love recognizing him for his continued service with the Bethel Volunteer Fire Department.

(6:37pm) Sonny McRorie, 3587 Mt. Gallant Road, Rock Hill, SC addressed Council regarding his safety concerns for York County. Mr. McRorie started a program called Encourage and Serve Club of America and the World, Inc. that will help bring people together.

(6:47pm) Jennifer Ramsey addressed Council regarding the water contamination in Travis Acres. Ms. Ramsey stated that she cannot sell her home due to the water contamination issues and she feels that York County is responsible for the damage to her home.

(6:50pm) CJ Ramsey, 709 Rock Castle Court, York, SC addressed Council regarding the water contamination in Travis Acres.

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

(7:09pm) Tom Smith, 938 Timber Creek Drive, York, SC addressed Council regarding his opposition to the hiring of a full time paid fire chief for the Bethel Volunteer Fire Department.

**Public Hearing(s)**

**Old Business**

1. Rezoning Action: Consider Third Reading:

Case #	16-16
Tax Map #	6170000001, 6170000026, 6170000077, 6170000084 & 6170000085
Zoning Request:	A Major Modification to the Lazy Hawk Planned Development
Acres:	+/- 179.12 acres
Council District:	Five (5) Christi Cox
Applicant and	Tom Cat Too, LLC and Blackwell Family Properties, LLC
Owner:	Cat Real Estate Holdings, LLC and Lazy Hawk Property Owners Association
Location:	Lazy Hawk Road in the Rock Hill community
Planning and Development Staff:	APPROVAL
Planning Commission:	APPROVAL (7-0)
Planning Commission Date:	July 11, 2016

Staff Recommendation: Approval

Based on the information prepared by staff outlined within this Planning Commission report, staff recommends partial approval because of the following considerations and findings:

1. The proposed major amendment is consistent with the Comprehensive Plan.

Staff Supports:

1. The proposed amendment to increase the maximum building height from 35 to 50 feet which will allow the site to be developed at a height consistent with existing zoning and development standards.
2. Modification of the of the landscape buffer language regarding the maintaining of adequate screening, eliminating tree harvesting, and conditions permitting tree removal.

Staff Opposes:

1. Removing the language restricting loading dock orientation towards residential areas because this will create noise impacts that cannot be adequately mitigated by existing natural buffers. **\*The applicant requested removal of this proposed amendment. This proposed modification was removed at Planning Commission.**

(7:13pm)

**APPROVED [Unanimous]**

**MOVANT:** Christi Cox

**SECOND:** William "Bump" Roddey

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

2. Rezoning Action: Consider Third Reading:

Case # 16-17  
Tax Map # 7190000101, 7190000102, 7190000103, 7190000139, 7190000184, 7190000185, & 7190000186  
Zoning Request: To rezone from BD-II & RC-I to BD-I  
Acres: +/- 24.5 acres  
Council District: One (1) Michael Johnson  
Applicant and Owner: Ronald W. Edwards  
Richard K. Edwards, Sr; Richard J. Edwards; Ronald W. Edwards; Raymond C. Hall; Richard K. Edwards, Jr; Robert E. Edwards  
Location: 251 & 291 Gold Hill Road and 327, 331, 359, 373, & 379 Forest Way Drive in the Fort Mill community  
Planning and Development Staff: APPROVAL  
Planning Commission: APPROVAL (6-0)  
Planning Commission Date: August 8, 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 is consistent with the Comprehensive Land Use Plan for the area.
2. The proposed rezoning is consistent with the character of the surrounding area.

To address potential concerns of impacts to adjacent residential properties, the Planning Commission, at their August 8, 2016 meeting, recommended the following conditions:

1. Parcel TM#719-00-00-139 (lower lot) shall not be developed
2. There will be no access from Forest Way Drive.

Due to concerns from the County Attorney related future lot combination of parcel

7190000139, staff is recommending condition number one be modified as follows:

“The area shown as a detention basin on the site plan submitted with the rezoning application shall not be developed and shall be used for a detention basin or maintained as undeveloped open space.”

(7:14pm)

Motion to approve with the following conditions:

1. The area shown as a detention basin on the site plan submitted with the rezoning application shall not be developed and shall be used for a detention basin or maintained as undeveloped open space.
2. There will be no access from Forest Way Drive.
3. Development of the property shall be done in accordance with the County's stormwater management ordinance, including but not limited to providing applicable information/data regarding upstream and downstream existing drainage patterns and identifying provisions for post-development stormwater runoff control that comply with State and County peak discharge rates.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Bruce Henderson

**AYES:** Henderson, Winkler, Roddey, Cox, Blackwell, Williams

**RECUSED:** Michael Johnson

3. COUNCIL TO CONSIDER THIRD READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 31, ENTITLED COUNTY POLICIES: SECTION 31.01, RATES, FEES AND CHARGES FOR ZONING APPEALS, APPLICATIONS FOR VARIANCES, REZONING REQUESTS, PERMITS, INSPECTIONS, PLAN REVIEWS AND OTHER APPLICATIONS, PROCEDURES AND SERVICES RENDERED BY THE YORK COUNTY PLANNING AND DEVELOPMENT DEPARTMENT AND THE YORK COUNTY ENGINEERING DEPARTMENT, IN ORDER TO INCREASE CERTAIN BUILDING AND CODES PERMIT FEES TO CORRECT A MATH ERROR; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:16pm)

**APPROVED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Chad Williams

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

4. Council to consider a transfer from the contingency building account to the family court building account in the amount of \$1,518,166.00 for the new Family Court Building.

(7:17pm)

**APPROVED [6 to 1]**

**MOVANT:** Chad Williams

**SECOND:** Robert Winkler

**AYES:** Johnson, Henderson, Winkler, Roddey, Blackwell, Williams

**NAYS:** Christi Cox

**New Business**

1. Council to consider a Proclamation proclaiming the week of October 23-31 as Red Ribbon Week.

(7:17pm)

**APPROVED [Unanimous]**

**MOVANT:** Chad Williams

**SECOND:** Robert Winkler

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

2. Council to consider award of Bid #2364 regarding municipal solid waste disposal and transportation services for use by the York County Solid Waste Department to the lowest responsive and responsible bidder, Waste Management Inc./ dba Richland County Landfill, Inc. of Duncan, SC for the total cost of \$29.00 per ton for an initial three year term with an option to renew for (2) additional one consecutive (1) year extensions.

(7:20pm)

**APPROVED [5 to 2]**

**MOVANT:** William "Bump" Roddey  
**SECOND:** Robert Winkler  
**AYES:** Henderson, Winkler, Roddey, Blackwell, Williams  
**NAYS:** Michael Johnson, Christi Cox

3. Council to consider authorizing the funding regarding RFP #2369 for The Historic Brattonsville Master Plan through a grant award from the Foundation for the Carolinas to Stantec Consulting Services, Inc. of North Charleston South Carolina, in a contractual amount not exceed \$121,253.00 for the proposed work along with \$43,747.00 for additional work consistent with the objectives of the grant award for a total authorized use of the grant award of \$165,000.

(7:27pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler  
**SECOND:** Chad Williams  
**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

4. Council to consider award of Bid #2371 regarding the purchase and installation of furniture for the newly renovated York County Court House to the lowest responsive and responsible bidder, American Pen and Panel of Rock Hill SC, for a total cost of \$171,465.61.

(7:28pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler  
**SECOND:** Chad Williams  
**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

5. Council to consider authorizing the execution of Contract Amendment #1 in the amount of \$315,475.00 with Dewberry Engineers Inc. for consulting services related to the Stockbridge Area Sewer Collection System Improvements.

(7:29pm)

**APPROVED [Unanimous]**

**MOVANT:** Chad Williams

**SECOND:** Michael Johnson

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

6. Council to consider approval of solicitation for professional services to seek Legal Counsel to assist County Manager's Office with Department of Fire Safety.

(7:29pm)

**APPROVED [Unanimous]**

**MOVANT:** Christi Cox

**SECOND:** Bruce Henderson

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

7. Council to consider recommendations from Accommodation Tax Committee.

(7:31pm)

Cultural & Heritage Museums - amount requested - \$33,410 - Committee recommended amount - \$15,035

York Summerfest - amount requested - \$16,797 - Committee recommended amount - \$6,715

Arts Council - amount requested - \$10,000 - Committee recommended amount - \$5,000

Olde English District - amount requested - \$22,000 - Committee recommended amount - \$17,000

Convention & Visitor's Bureau - amount requested - \$100,000 - Committee recommended amount - \$100,000 - per County Council's approval in the FY 16/17 budget

**APPROVED [Unanimous]**

**MOVANT:** William "Bump" Roddey

**SECOND:** Robert Winkler

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

8. County Manager, Bill Shanahan to provide an update regarding options to enhance retention of Sheriff's Officers.

(7:36pm)

County Manager, Bill Shanahan stated to Council that they are continuing to explore options with staff and hope to have something to recommend to Council in the next month or two.

9. Council to consider a .4 millage increase to cover additional cost of court officers and overtime at the detention center.

(7:39pm)

**FAILED [1 to 6]**

10. Motion to defer the item regarding covering additional costs of court officers and overtime at the detention center to the Finance & Operations Committee for further review.

(7:56pm)

**ALLOWED [Unanimous]**

**MOVANT:** Christi Cox

**SECOND:** Michael Johnson

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

11. Council to consider approval of allocating funding in the amount of \$85,000 from the Water and Sewer enterprise fund for the completion of the meter relocation project at the intersection of SC Highway 160 and Gold Hill Road.

(7:59pm)

**APPROVED [6 to 1]**

**MOVANT:** Chad Williams

**SECOND:** Robert Winkler

**AYES:** Henderson, Winkler, Roddey, Cox, Blackwell, Williams

**NAYS:** Michael Johnson

12. Rezoning Action: Consider First Reading:

Case #	16-18
Tax Map #	5080000021
Zoning Request:	To rezone from PD to RUD-I
Acres:	+/- 39.18 acres
Council District:	Four (4) William "Bump" Roddey
Applicant:	Har-Lee, LLC
Owner:	Audrey H. Branch

Location: Hwy 322 & Zinker Road in the Rock Hill community  
Planning and Development Staff: APPROVAL  
Planning Commission: APPROVAL (7-0) (Hargrove (6) Recusal)  
Planning Commission Date: September 12, 2016

Staff Recommendation: Approval

Based on the information prepared by staff outlined within this Planning Commission report, staff recommends Approval based on the following considerations and findings:

1. The proposed rezoning is consistent with the Comprehensive Plan
2. The proposed rezoning is consistent with the character of the community

(7:59pm)

**APPROVED [Unanimous]**

**MOVANT:** William "Bump" Roddey

**SECOND:** Christi Cox

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

13. Rezoning Action: Consider First Reading:

Case # 16-19  
Tax Map # 6590000066, 6590000070, 6590000071, 6590000072, 6590000073  
Zoning Request: To rezone from BD-I & RC-II to BD-III  
Acres: +/- 2.2 acres  
Council District: Seven (7) Chad Williams  
Applicant: Oleg Protsyuk  
Owner: Svetlana Protsyuk  
Location: 132 Sutton Road in the Fort Mill community  
Planning and Development Staff: DENIAL  
Planning Commission: DENIAL (7-1) (Hopper At-Large)  
Planning Commission Date: September 12, 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 2035 Comprehensive Land Use Plan for the area.
2. The proposed rezoning is not consistent with the character of the surrounding area and could be developed at a density and intensity much higher than what is appropriate for this location.

(7:59pm)

**DENIED [Unanimous]**

**MOVANT:** Chad Williams

**SECOND:** Michael Johnson

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

**Consent Agenda**

(8:00pm)

**APPROVED [Unanimous]**

**MOVANT:** Bruce Henderson

**SECOND:** Christi Cox

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

1. Approval of September 19, 2016 Regular Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Bruce Henderson

**SECOND:** Christi Cox

2. Approval of September 19, 2016 County Council Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Bruce Henderson

**SECOND:** Christi Cox

**Committee and Other Reports**

(8:00pm) Pennies for Progress Committee Meeting, 3:00pm, Thursday, September 29, 2016, Chairwoman, Christi Cox

(8:03pm) Justice & Public Safety Committee Meeting, 4:00pm, Monday, October 3, 2016, Chairwoman, Christi Cox

(8:15pm) Finance & Operations Committee Meeting, 5:00pm, Monday, October 3, 2016, Chairman, Michael Johnson

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

(8:18pm) Council member William "Bump" Roddey stated that with regard to the presentation regarding mistreatment of animals, at this time he is not interested in amending the animal control ordinance. However, Council member William "Bump" Roddey explained that the

Animal Control Department is complaint driven and if someone calls in with a complaint, staff will certainly follow up on the matter.

**Executive Session**

Contractual Matter - Project Excel

Receipt of Legal Advice - Consideration of a Mediated Settlement Agreement

**Matters for consideration following Executive Session**

1. Motion to amend the fee agreement with Excel to include SSRC for a 5 year 50% discount.

(9:02pm)

**ALLOWED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Michael Johnson

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

2. Motion to accept the mediated settlement agreement, conditioned upon filing the mediated settlement agreement with the Register of Deeds, noting book and page number in the caption, and filing a copy with the assessor.

(9:02pm)

**ALLOWED [Unanimous]**

**MOVANT:** Chad Williams

**SECOND:** Robert Winkler

**AYES:** Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

**Adjourn**

9:03pm