



**YORK COUNTY  
COUNTY COUNCIL  
MINUTES • JANUARY 4, 2016  
FINAL**



**County Council Meeting**

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

**6:00 PM**

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 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**

**Appearances**

(6:02pm) Kevin Madden with Greene Finney and Horton presented the FY 2015 Audit.

1. Motion to suspend the rules to allow all citizens to speak who signed up during the Public Forum Session.

(6:36pm)

**ALLOWED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Chad Williams

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

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

(6:24pm) Jim Bradford, 12 Wright Avenue, York, South Carolina addressed Council regarding his support for the Administrative Building being added to the bond referendum.

(6:26pm) John Shiflett, 14 Wright Avenue, York, South Carolina addressed Council regarding his support for the Administrative Building being added to the bond referendum.

(6:29pm) Steve Love, York, South Carolina addressed Council regarding his support for the Administrative Building being added to the bond referendum and creating employment for the minority's in York County.

(6:30pm) John Love, 3 Broad Street, York, South Carolina addressed Council regarding his support for the Administrative Building being added to the bond referendum.

(6:33pm) Paul Finnegan, 27 North Congress Street, York, South Carolina addressed Council regarding his support for the Administrative Building being added to the bond referendum.

(6:34pm) Mayor Eddie Lee, 202 West Madison Street, York, South Carolina addressed Council regarding his support for the Administrative Building being added to the bond referendum.

(6:37pm) Mary McCorkle, York, South Carolina addressed Council regarding her support for the Administrative Building being added to the bond referendum.

(6:38pm) Ruth Queen, York, South Carolina addressed Council regarding her support for the Administrative Building being added to the bond referendum.

(6:39pm) Steve McCrae, York, South Carolina addressed Council regarding his support for the Administrative Building being added to the bond referendum.

(6:40pm) Lilly Duncan, Filbert Highway, York, South Carolina addressed Council regarding her support for the Administrative Building being added to the bond referendum.

(6:41pm) Karen Allen, 2387 Plywood Drive, York, South Carolina addressed Council regarding her support for the Administrative Building being added to the bond referendum.

(6:42pm) Jane Gilfillan, York, South Carolina addressed Council regarding her support for the Administrative Building being added to the bond referendum.

(6:44pm) Joyce Sanders, 1103 Alysheba Court, York, South Carolina addressed Council regarding her support for the Administrative Building being added to the bond referendum.

(6:45pm) Charles Bradford, addressed Council regarding his support for the Administrative Building being added to the bond referendum.

(6:46pm) Rena Strawhorn, 324 East Liberty Street, York, South Carolina addressed Council regarding her support for the Administrative Building being added to the bond referendum.

(6:47pm) Don Baird, 3015 Mountainview Road, Clover, South Carolina addressed Council regarding his support for the Administrative Building being added to the bond referendum.

(6:49pm) Anthony Reap, York, South Carolina addressed Council regarding the Family Auto Sales rezoning. Mr. Reap expressed his support for the proposed rezoning and stated that the owners are not going to open a junk yard on the property.

(6:50pm) Duane Christopher, 2424 India Hook Road, Rock Hill, South Carolina addressed Council regarding the Family Auto Sales rezoning. Mr. Christopher requested that the item not be deferred to the next agenda.

### **Public Hearing(s)**

#### **1. Public Hearing**

The following individuals spoke in favor of the ordinance request.

(6:52pm) John Rinehart, 2075 Courtney Road, York, South Carolina expressed his support for the rezoning at 4939 Mount Gallant Road.

(6:54pm) There being no one else interested in speaking for or against the ordinance request, a motion was made by Council member Michael Johnson and seconded by Council member Bruce Henderson to close the Public Hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

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

Rezoning Action: Consider First Reading and Public Hearing:

Case #	15-32
Tax Map #	5460000122
Zoning Request:	Request to rezone property from BD-I to BD-III
Acres:	0.77 +/-
Council District:	Six (6) Blackwell
Applicant:	John D. Rinehart
Owner:	Main 7, LLC
Location:	4939 Mount Gallant Road in the Rock Hill community
Planning and Development Staff:	DENIAL
Planning Commission:	APPROVAL with Condition (7-0)

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 Comprehensive Land Use Plan for the area.
2. The proposed rezoning is not consistent with the character of the surrounding area.

Planning Commission Recommendation:

At its December 14, 2015 meeting the Planning Commission recommended approval of the rezoning and limited uses within the site to the following:

1. The use is limited to pet grooming services, pet supplies and kennels

(6:54pm)

Motion to approve rezoning of BD-III with the following conditions: use is limited to pet grooming services, pet supplies and kennels and anything currently allowed in BD-I.

**APPROVED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

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

2. Public Hearing

The following individuals spoke in favor of the ordinance request:

(6:58pm) Shannon Parrish, 2514 Fossilstone Lane, Fort Mill, South Carolina, 3354 Highway 160, Fort Mill, South Carolina. Ms. Parrish requested that the rezoning include: general merchandise, building materials and supplies and garden and lawn equipment sales and services.

The following individuals spoke in opposition of the ordinance request:

(7:00pm) Ron Johnson, 16525 Madison Court, Fort Mill, South Carolina addressed Council regarding his opposition to the rezoning request. Mr. Johnson stated that he is concerned with the noise that could be generated from the proposed business.

(7:01pm) There being no one else interested in speaking for or against the ordinance request, a motion was made by Council member Robert Winkler and seconded by Council member Michael Johnson to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Michael Johnson

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

Rezoning Action: Consider First Reading and Public Hearing:

Case #	15-34
Tax Map #	6480000005
Zoning Request:	Request to rezone property from RUD TO BD-III
Acres:	6.59 +/-
Council District:	One (1) Johnson
Applicant:	Earth and Woods, LLC
Owner:	Wells Fargo Bank
Location:	Regent Parkway in the Fort Mill community
Planning and Development Staff:	DENIAL
Planning Commission:	APPROVAL with Condition (6-0) (Heinsohn (7) Recusal)

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 Comprehensive Land Use Plan for the area.
2. The proposed rezoning is not consistent with the character of the surrounding area.

Planning Commission Recommendation:

At its December 14, 2015 meeting the Planning Commission recommended approval of the rezoning and limited uses within the site to the following:

- The use is limited to garden and lawn equipment sales and services

(7:01pm)

**APPROVED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Robert Winkler

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

### **Old Business**

1. Consider Amending and Third Reading of AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF \$89,770,000 GENERAL OBLIGATION BONDS OF 2016 OF YORK COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO.

(7:03pm) Council member Christi Cox made a motion to approve as written without any amendments seconded by Council member Michael Johnson.

(7:09pm) Motion to amend motion by approving an amendment to the ordinance before Council to provide for the total issuance and sale of \$108,970,000 general obligation bonds of 2016 of York County, South Carolina, for purposes of restoring the ordinance in general content and form as was presented to Council at the meeting held on December 21, 2015, mutatis mutandis, so that the proceeds shall be expended to include those projects approved by county wide referendum in addition to an expenditure to defray the capital costs associated with a new county administration building.

(7:09) Council member Christi Cox requested that it be on the record that she does not think this is proper in the Roberts Rules of Order or consistent with statutory requirements on how you amend a motion.

(7:28pm) Vote on amendment to motion.

**ALLOWED [4 to 3]**

**MOVANT:** William "Bump" Roddey

**SECOND:** Robert Winkler

**AYES:** Bruce Henderson, Robert Winkler, William "Bump" Roddey, Chad Williams

**NAYS:** Michael Johnson, Christi Cox, Britt Blackwell

(7:28pm) Vote on Amended Motion

**ALLOWED [4 to 3]**

**MOVANT:** Christi Cox

**SECOND:** Michael Johnson

**AYES:** Bruce Henderson, Robert Winkler, William "Bump" Roddey, Chad Williams

**NAYS:** Michael Johnson, Christi Cox, Britt Blackwell

2. Rezoning Action: Consider Second Reading:

Case #	15-26
Tax Map #	5450000003
Zoning Request:	Request to rezone property from AGC to RD-II
Acres:	65.28 +/-
Council District:	Six (6) Blackwell
Applicant:	Blake Communities UP2 LLC
Owner	William T. Drenna (PIR)
Location:	922 Hands Mill Hwy in the Rock Hill community
Planning and Development Staff:	APPROVAL
Planning Commission:	APPROVAL (5-1)

**Please note: The applicant has modified their request and reduced the acreage of their proposed rezoning from 95 Acres to 65 Acres. Please see attached illustration.**

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

- The proposed rezoning is not consistent with the Comprehensive Land Use Plan.
- This parcel is located within the Urban Services Boundary.
- This parcel is immediately adjacent to a recommended large mixed use center with a small portion of the applicant's parcel actually inside the boundary.
- Mixed use centers encourage a mixture of medium to high density housing and neighborhood scale commercial.

At their September 14, 2015 meeting the **Planning Commission recommended** the following conditions be placed on the rezoning application:

- 1) No Multi Family uses shall be permitted
- 2) No Mobile /Manufactured Homes shall be permitted
- 3) The applicant shall subdivide 5 acres minimum to located the Cell Tower and provide survey prior to receiving 3rd reading.
- 4) The applicant shall submit and receive approval of their Transportation Impact Analysis (TIA) before 3rd reading **(This has not yet been submitted)**
- 5) The development of the site shall not exceed 3.5 units per acre (Gross Density).\*

After the October 5<sup>th</sup> Public Hearing the applicant has since proposed the following additional conditions with staff comments:

- 1) Density – We will limit the density to 2.5 du/ac (gross).
- 2) Buffering – We propose 50’ buffers on the northern and eastern property lines protecting the creek, and along SC 274. **(This condition is inappropriate because a 50 foot buffer is already required along creek per Section 155.320)**
- 3) A 25’ buffer for the age-targeted section of the development.
- 4) We will limit the development to two (2) entrances off of SC 274.
- 5) Housing – We propose that age-targeted will have a minimum heated area of 1,600 sf. All other homes will have a heated minimum area of 2,000 sf. **( Staff feels that this would be better served to be written into the CC&R’s)**

(7:28pm)

Motion to approve with the following conditions:

1. No multi-family uses shall be permitted.
2. No mobile/manufactured homes shall be permitted.
3. The development of the site shall not exceed 2.5 units per acre (gross density).
4. A 50-foot buffer shall be placed along the creek and along Highway 274.
5. A 25-foot buffer shall be placed along the perimeter of the age-targeted section of the development.
6. The development shall be limited to two (2) entrances off of Highway 274.
7. Each dwelling in the age-targeted community will have a minimum heated floor area of 1,600 square feet. All other dwellings within the development will have a minimum heated floor area of 2,000 square feet.

And the third reading for this rezoning application will not be scheduled until the Transportation Impact Analysis has been submitted and the required approvals have been obtained.

**APPROVED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Christi Cox

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

3. Rezoning Action: Consider Third Reading:

Case #	15-29
Tax Map #	6020000060
Zoning Request:	Request to rezone property from BD-III to ID
Acres:	1.33 +/-
Council District:	Four (4) Roddey
Applicant and Owner:	Family Auto Sales, LLC
Location:	1794 Saluda Street in the Rock Hill community
Planning and Development Staff:	APPROVAL
Planning Commission:	NOT AFFIRMED (3-3) (Hopper (A-L), Hargrove (6), and Darby (4) Opposed)

**Please Note: The applicant has requested deferral until the January 19, 2016 Meeting.**

**Staff Recommendation: Approval.** Based on the information prepared by staff outlined within this Planning Commission report, staff recommends Approval because of the following considerations and findings:

Observations and findings:

- The proposed rezoning is not consistent with the Comprehensive Plan.
- The proposed rezoning will allow the applicant to improve the aesthetics of the existing site by screening damaged vehicles from view from the public right of way and neighboring properties with an opaque, 8 foot fence.
- The proposed rezoning will correct a Code Enforcement violation.
- Future use of the site will be limited by the size of the parcel.

**Attached is the requested memo to Council responding to the concerns raised at the November 16<sup>th</sup> meeting.**

(7:30pm)

**APPROVED [Unanimous]**

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

4. Council to Consider amending and third reading of an Ordinance TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA CHAPTER 30, SECTION 32 TO SPECIFY THE INFORMATION THAT A PERSON APPEARING BEFORE COUNTY COUNCIL MUST PROVIDE TO COUNCIL AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:34pm)

**APPROVED [Unanimous]**

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

5. Council to consider third reading of an Ordinance TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA CHAPTER 30, SECTION 10 TO REQUIRE MEMBERS OF BOARDS AND COMMISSION TO DISCLOSE POTENTIAL CONFLICTS OR RECUSE THEMSELVES; TO DEFINE CONFLICT, ORGANIZATION, INTEREST, AND CONCERN; TO PROVIDE FOR A PROCESS OF DISCLOSURE; TO PROVIDE FOR SANCTION OR REMOVAL FOR FAILURE TO COMPLY; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:34pm)

Council member Christi Cox requested that the following be incorporated into the ordinance as she understands that there may be future modifications made to the ordinance.

1. Discuss having a citizen ethics board with one member from each district, empowered to hear ethics complaints, develop an ethics policy for recommendation to Council to address specific ethics issues and consider authorizing them to disqualify board members or to disqualify them voting on a particular issue.
2. Incorporate a component in the conflict rules that allow some entity to disqualify a board member.
3. All board members be required to disclose annually their employer, their spouses employer, all companies and LLC's that they or their spouse is a member and that identify all

public boards that they or an immediate member of their household is a member and that they identify all property owned in or an interest owned in York County.

4. Disqualify members from serving on a board if they or any member of the company that they serve if they are an office holder, shareholder, or stakeholder or if they have failed to honor a contract with the County or otherwise required the County to spend tax payer dollars to complete contractual obligations that was their responsibility.

5. Include all stakeholders that financed a study should be required to be disclosed.

**APPROVED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

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

**New Business**

1. Consider approval of nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on December 21, 2015, along with nominations from the floor: David Oxendine, York County Economic Development Board (At Large Manufacturing-5), Johnathan Worrall, York County Economic Development Board (At Large Office-1), Jason Collett, York County Economic Development Board (At Large Office-1), Gil Sowell, York County Economic Development Board (At Large Warehouse/Distribution), Richard Roach, York County Economic Development Board (At Large Agribusiness-5), Jackie Canty, York County Economic Development Board (Catawba Indian Nation), Antonia Barnes, Catawba Regional Workforce Investment Board, Constance Larson, Catawba Regional Workforce Investment Board, Hardy Lanier, Catawba Regional Workforce Investment Board and Rickey Wilson, Volunteer Firemen's Retirement Local Managing Committee.

(7:39pm)

**APPROVED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Robert Winkler

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

2. Council to consider adoption of A RESOLUTION TO ENDORSE YORK COUNTY'S CONVENTION AND VISITORS BUREAU'S PROMOTION OF ITS VISITOR AND TOURISM RELATED MOBILE APP.

(7:40pm)

**APPROVED [Unanimous]**

**MOVANT:** Chad Williams

**SECOND:** Robert Winkler

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

3. Rezoning Action: Consider First Reading:

Case # 15-36  
Tax Map # 7160000002, 7160000051, 7160000057, 7160000069,  
7160000076, 7160000078, 7160000079, 7160000080,  
7160000081, 7160000082, 7160000083, 7160000084,  
& 7170000008  
Zoning Request: Request to rezone property from UD, BD-III, (Gold Hill Commons) PD, RUD & AGC TO PD  
Acres: 360.51 +/-  
Council District: One (1) Johnson  
Applicant: Fort Mill Land Development, LLC  
Owner: Cato Land Development, LLC/The Cato Corporation  
Location: 2280 Deerfield Drive in the Fort Mill community  
Planning and Development Staff: APPROVAL  
Planning Commission: APPROVAL (6-1) (Barnett 5)

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

Project Positives

- Compatible uses with the surrounding vicinity
- Interconnecting street and pedestrian network
- Public trail facilities
- Higher density housing that will support a live/work environment
- A residential unit cap to ensure that a mix of uses will occur throughout the project
- Potential for the creation of an activity center for job producing office/professional uses
- Consistency with the Comprehensive Plan
- The proposed uses within the development will support the development of future transit routes and facilities

Potential Issues

- The project will add a significant number of trips to the Gold Hill/I-77 interchange

and surrounding roads

**Please Note: A copy of the 24” x 36” PD Plan is provided in the Council’s Yellow Folder**

(7:42pm)

**APPROVED [Unanimous]**

**MOVANT:** Chad Williams

**SECOND:** Michael Johnson

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

4. Consider First Reading of AN ORDINANCE TO AMEND CHAPTER 33 OF THE YORK COUNTY CODE OF ORDINANCES, SECTION 33.018, PAY POLICY, TO ADD NEW SUBSECTION 33.018(D) TO PROVIDE FOR AN ELECTED OFFICIAL DISCRETIONARY PAY POLICY; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(7:47pm)

**APPROVED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

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

5. Consider Adoption of A RESOLUTION TO AUTHORIZE THE EXECUTION OF AN ELEVENTH ADDENDUM TO AN AGREEMENT BY AND AMONG TENET HEALTHCARE CORPORATION (FORMED AS A RESULT OF A MERGER BETWEEN AMERICAN MEDICAL INTERNATIONAL, INC., AND NATIONAL MEDICAL ENTERPRISES, INC.), AMISUB OF SOUTH CAROLINA, INC., AND YORK COUNTY, SOUTH CAROLINA; TO PROVIDE THE TERMS, CONDITIONS AND PROVISIONS OF SUCH ELEVENTH ADDENDUM; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:52pm)

**APPROVED [Unanimous]**

**MOVANT:** Chad Williams

**SECOND:** William "Bump" Roddey

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

**Consent Agenda**

(7:55pm)

**APPROVED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

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

1. Approval of December 21, 2015 Finance & Operations Committee Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

2. Approval of December 21, 2015 County Council Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

**Committee and Other Reports**

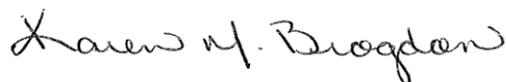
**Council Member New/Non-agenda Comments**

**Executive Session**

**Matters for consideration following Executive Session**

**Adjourn**

There being no further business, the meeting adjourned at 7:56pm.



Karen M. Brogdon, Clerk to Council