



**YORK COUNTY
COUNTY COUNCIL
ACTIONS • MARCH 21, 2016**



County Council Meeting

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

6:00 PM

Call to Order

J. Britt Blackwell, Chairman

Invocation and Pledge of Allegiance

J. Britt Blackwell, Chairman

Oath of Office for newly appointed Board and Commission Members

Alexandra Esposito-Biniasz, Catawba Mental Health Board (2)

Appearances

Council to recognized Chuck Haynes and Mike Channell for receiving the South Carolina Emergency Management Association's 2016 Outstanding Contribution to the Profession award for their actions during the October 2015 floods.

Dale Dove addressed Council regarding Renew Our Community (ROC).

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

Jim Covington addressed Council regarding his opposition to the proposed rezoning on Glyndora Drive & Hampton Ridge Road in the Rock Hill Community. Mr. Covington expressed his concerns regarding the possibility of historic graves being on the property and the increase in traffic in the area.

Gary Buchanan, 5160 Hampton Ridge Road addressed Council regarding his opposition to the proposed rezoning on Glyndora Drive & Hampton Ridge Road. Mr. Buchanan expressed his concerns with the additional homes on the water and sewer systems.

Public Hearing(s)

1. Rezoning Action: Gave Second Reading and held a Public Hearing:

Case #	16-01
Tax Map #	5430000032 & 5430000236
Zoning Request:	To rezone approximately 24.67 acres from UD to RD-II with conditions
Acres:	24.67 +/-
Council District:	Six (6) Britt Blackwell
Applicant:	Dream Builders
Owner:	John H. & Janice B. Rhyne

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Location: Martin L. & Eva R. Jenkins
320 Glyndora Drive & Hampton Ridge Road in the Rock Hill community
Planning and Development Staff: APPROVAL
Planning Commission: APPROVAL (8-0) with Condition on 2/8/16 (Hargrove (6) Recusal)

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 mostly consistent with the Comprehensive Land Use Plan for the area. The plan recommends commercial for the area closest to Hampton Ridge Road and low density residential for the remaining area.
2. The proposed rezoning is consistent with the character of the surrounding area.
3. This rezoning would remove two parcels from the UD zoning district.

Applicants proposed condition:

1. Limit the use to single family residential.

2. Rezoning Action: Gave Second Reading and held a Public Hearing:

Case # 16-02
Tax Map # 5080000018
Zoning Request: To rezone from AGC to RUD-I
Acres: 38 +/-
Council District: Four (4) William "Bump" Roddey
Applicant: Tim Helline
Owner: Rock Hill School District #3
Location: Hwy 322 & Herndon Farm Road in the Rock Hill community
Planning and Development Staff: APPROVAL
Planning Commission: APPROVAL (8-0) with Conditions on 2/8/16 (Hargrove (6) Recusal)

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 mostly consistent with the Comprehensive Land Use Plan for the area. The plan recommends rural agriculture for the parcel; however, it recommends rural residential for the adjacent parcel.
2. The proposed rezoning is consistent with the character of the surrounding area.
3. This parcel does have access onto Herndon Farm Rd which would allow for an internal road system.

Planning Commissions in their recommendations made the following conditions:

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1. Minimum 2000 square foot heated area – stick built
2. Side load garage unless soils and location of septic tank prohibits
3. Max three lots fronting on Highway 322

3. Gave Second Reading and held a Public Hearing of a Major Amendment to the Brayden Planned Development.

Case #	16-03
Tax Map #	6520000013
Acres:	150 +/-
Council District:	One (1) Michael Johnson
Applicant and Owner:	Standard Pacific Homes of the Carolinas, LLC
Location:	Hwy 160 and in the Fort Mill community
Planning and Development Staff:	APPROVAL
Planning Commission:	APPROVAL (9-0) on 2/8/16

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:

1. The proposed amendment is consistent with the Comprehensive Plan.
2. The proposed amendment is consistent with the character of the community.
3. The proposed amendment will allow developer to modify the tree planting requirements.

Staff supports the reduction in caliper inches only if the applicant can ensure the following notes and restrictions will be provided on the plan and on their plat and deed restrictions:

1. Street tree maintenance will be the responsibility of the property owner. The County will not maintain or replace street trees.
2. The applicant will install root blocking fixtures to reduce potential damage created by root systems.
3. Trees will only be planted within tree planting strips of at least 5 feet in width
4. Street trees will be limited to the species approved by the county.
5. Street trees will be placed outside of sight distance triangles and utility easements.
6. The planting of street trees within the right of way will require issuance of an encroachment permit from the County.

4. Held a Public Hearing and AMENDED AND GAVE THIRD READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO AN EXISTING FEE-IN-LIEU OF TAX AGREEMENT BETWEEN YORK COUNTY AND THE LASH GROUP, INC. AND KINGSLEY #9, LLC (THE “FEE AGREEMENT”) SO AS TO ADMIT ONE NEW SPONSOR AFFILIATE (PALMETTO FUNDING COMPANY, LLC) (THE “TRANSFEREE”); TO BIFURCATE THE FEE AGREEMENT AS TO THE OBLIGATIONS OF THE EXISTING SPONSOR AFFILIATE, KINGSLEY #9, LLC, AND THE TRANSFEREE AS AN ADDITIONAL SPONSOR AFFILIATE; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Old Business

1. MGT Presentation To Council Regarding 2015 Class/Comp Study.
2. Gave second reading of AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 30, SECTION 30.09(E) IN ORDER TO LIMIT RECOMMENDATIONS FOR APPOINTEES TO THE YORK COUNTY NATURAL GAS BOARD TO THREE CONSECUTIVE TERMS AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

New Business

1. Cumming Representative provided the quarterly construction update.
2. Authorized a Courthouse Change Order to Leitner Construction in the amount of \$76,377.00.
3. Gave approval of nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on March 7, 2016, along with nominations from the floor: Ashley Brittain, Catawba Mental Health Board (District 5), Ed Lindsey, Bethel Fire Tax District Board, David Beaty, Economic Development Board (Manufacturing-5), Thomas Templeton, Board of Assessment Appeals (District 6) and Billy Haire, Bethesda Fire Tax District Board.
4. Authorized a request from Sheriff Bruce Bryant to allow Deputy Broadus Strain to retain his service weapon.
5. Approved a venue agreement between York County, South Carolina and the River Bassin Tournament Trail to host a kayak fishing tournament.
6. Authorized the Summer Feeding Program to apply for the United States Department of Agriculture (USDA) Summer Food Service Program (SFSP) for the 2016 summer season.

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7. Deferred approval of and deferred authorizing the County Manager to sign AT&T's utility relocation agreement for an additional \$100,793.83 for a total of \$257,346.96 for Pennies 3 Program project Congress Street/Lincoln Road round-a-bout.
8. GAVE AUTHORIZATION TO APPLY AND TO ACCEPT IF AWARDED, A SOUTH CAROLINA COORDINATING COUNCIL GRANT IN THE AMOUNT OF \$100,000 FOR PROJECT BOND. NO LOCAL MATCH IS REQUIRED.
9. GAVE AUTHORIZATION TO APPLY AND TO ACCEPT IF AWARDED, A SOUTH CAROLINA COORDINATING COUNCIL GRANT IN THE AMOUNT OF \$100,000 TO ASSIST YORK COUNTY WITH REAL PROPERTY IMPROVEMENTS FOR PROJECT GABRIEL. NO LOCAL MATCH IS REQUIRED.
10. GAVE AUTHORIZATION TO APPLY AND TO ACCEPT IF AWARDED, A SOUTH CAROLINA COORDINATING COUNCIL GRANT IN THE AMOUNT OF \$200,000 TO ASSIST YORK COUNTY WITH REAL PROPERTY IMPROVEMENTS FOR PROJECT CROWN. NO LOCAL MATCH IS REQUIRED.
11. AUTHORIZED AN INDUCEMENT RESOLUTION IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA, AS AMENDED, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY PROJECT CROWN TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE IN LIEU OF TAX ARRANGEMENT WITH YORK COUNTY, SOUTH CAROLINA; AND COMMITTING TO ENTER INTO SUCH NECESSARY AGREEMENTS WITH PROJECT CROWN TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND OTHER MATTERS RELATED THERETO.
12. Authorized ratification of a grant application and accept, if awarded a South Carolina Department of Safety Grant in the amount of \$88,124.00. The local match is 10% or \$8,812 and will be funded from Sheriff Discretionary funds.
13. Authorized ratification of a grant application and to accept an award of \$62,169 from the South Carolina Department of Safety Grant. The total project costs for the grant is \$77,711 and 20% or \$15,542 is the local match which will be funded by Sheriff Discretionary funds.
14. Authorized award of Bid #2332 regarding the purchase of MSA manufactured self-contained breathing apparatuses and spare carbon cylinders for use by the Lesslie Fire Department, to the lowest responsive and responsible bidder, Newton's Fire and Safety Equipment Inc., of Graham, NC, for a total cost of \$58,914.20.
15. Authorized award of Bid #2333 regarding the purchase of a 2016 half ton 4x4 crew cab pick- up truck for use by the Sheriff's Office, to Love Chevrolet of Columbia, SC for a total cost of \$31,139.00.
16. Authorized award of Bid #2335 regarding the purchase of a new armored rescue vehicle for use by the Sheriff's Office, to the lowest apparent responsive and responsible bidder, Lenco Industries Inc. of Pittsfield, MA for a total cost of \$251,605.00, subject to reaching an agreement acceptable to the County Attorney.

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Consent Agenda

Approved the Consent Agenda and approved the minutes from the March 7, 2016 Planning & Economic Development Committee meeting, the March 7, 2016 Pennies for Progress Committee meeting, the March 7, 2016 Finance & Operations Committee meeting and the March 7, 2016 County Council meeting.

Committee and Other Reports

Finance & Operations Committee, 5:30pm, March 21, 2016, Chairman, Michael Johnson

Council Member New/Non-agenda Comments

Council member Michael Johnson requested that if administration wants to deny a position solely based on a grant, that staff put it in writing, in order for Council to know that staff would have approved if not for the grant. Also, Council member Johnson played a video of the Hubert Graham Parkway construction filmed by a drone and suggested that staff possibly use this approach in promoting the County's projects.

Executive Session: Personnel Matter: Assistant County Manager Position, DNA Analyst and DNA Technical Leader, Paralegal Supervisor, Financial Specialist, IT Systems Manager/Engineer and IT Specialist/Coordinator and Contractual Matters: Riverview Fire Department, Dave Lyle Boulevard, I77 Corridor and Pennies for Progress and Receipt of Legal Advice: Update on a special exception application.

Matters for consideration following Executive Session

Adjourn