



**YORK COUNTY
COUNTY COUNCIL**



MINUTES • FEBRUARY 15, 2016

FINAL

County Council Meeting

**Agricultural Building
Council Chambers**

6:00 PM

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

Antonia Barnes, Catawba Regional Workforce Investment Board

Appearances

(6:04pm) Tom Smiley did not address Council regarding the Earth and Woods proposed rezoning.

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

(6:04pm) Tom Kutz with Meritage Homes, 11605 N. Community House Drive addressed Council regarding their proposed rezoning in Fort Mill. Mr. Kutz feels that they have presented a plan that is fair to all individuals involved.

Public Hearing(s)

Old Business

1. Consider Second 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.

(6:06pm)

DEFERRED [Unanimous]

MOVANT: Michael Johnson

SECOND: William "Bump" Roddey

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

2. Rezoning Action: Consider Third Reading:

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: 3354 Hwy 160 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:

1. The use is limited to garden and lawn equipment sales and services

At its January 19, 2016 meeting the Council approved second reading with the following Condition:

1. Uses will be limited to permitted RUD uses allowed in BD-III and (§155.146) R5, S5, and S10 uses.

(6:08pm)

This rezoning request has formally been withdrawn to end pursuit of the rezoning and any new rezoning request would need to be re-initiated.

3. Rezoning Action: Consider Second Reading:

Case # 15-35
Tax Map # 7260000088P
Zoning Request: Request to rezone property from RD-I and BD-III to RD-II
Acres: 26.79 +/- of a 47.88 tract of land
Council District: One (1) Johnson
Applicant: Meritage Homes
Owner: Fresh Water Industries, Inc
Location: Regent Parkway in the Fort Mill community
Planning and Development Staff: APPROVAL
Planning Commission: APPROVAL (8-0)

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

(6:08pm)

APPROVED [5 to 2]

MOVANT: Michael Johnson
SECOND: Chad Williams
AYES: Johnson, Roddey, Cox, Blackwell, Williams
NAYS: Bruce Henderson, Robert Winkler

4. Rezoning Action: Consider Second Reading:

Case # 15-38
Tax Map # 6530000015P, 6550000005, 6550000006, 6550000010, 6550000031, & 6550000054
Zoning Request: Request to rezone property from RD-II and LI to BD-III
Acres: 7.48 +/-
Council District: Seven (7) Williams
Applicant: Lidl US, LLC
Owner: Forestar Real Estate Group; Ronald R and Debra E. Myers; Sandra B. McDonald; Barbara C. Funderburk; Patricia Lee Lewis, et al; N. Kathryn Jennings and David W. Jennings
Location: 302 Hampton Trail Drive; 1060 Isom Road; 1051 RPC

Road; 1740 & 1760 Pleasant Road, in the Fort Mill community

Planning and Development Staff: APPROVAL

Planning Commission: APPROVAL (8-0)

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

1. While the proposed rezoning is not consistent with the Comprehensive Plan there are similar uses found in the immediate area.
2. The proposed use identified within the rezoning application is compatible with the uses found in the surrounding.

(6:12pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Michael Johnson

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

5. CONSIDER SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT AND AN INFRASTRUCTURE FINANCE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND PROJECT EAGLE, THE CODE NAME FOR CERTAIN LIMITED LIABILITY COMPANIES AND/OR CORPORATIONS WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, AND SUCH COMPANIES AND/OR CORPORATIONS WILL RECEIVE CERTAIN INFRASTRUCTURE CREDITS IN RESPECT OF INVESTMENT IN RELATED INFRASTRUCTURE; AND OTHER MATTERS RELATED THERETO.

(6:12pm)

APPROVED [Unanimous]

MOVANT: Michael Johnson

SECOND: Robert Winkler

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

6. Council to consider second reading of an Ordinance authorizing the execution and delivery of a Fee In Lieu of tax agreement by and among York County and Project Raven ("Sponsor") and Beacon Waterford LLC. and/or its Affiliates ("Sponsor Affiliate"), whereby York County will enter into a Fee In Lieu of tax arrangement with the sponsor and sponsor affiliate and providing for payment by the sponsor and sponsor affiliate of certain Fees in Lieu of Ad Valorem taxes; providing for the allocation of Fees in Lieu of taxes payable under the agreement for the establishment of a Multi-County industrial/business park; and other matters relating thereto.

(6:21pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Michael Johnson

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

7. CONSIDER SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND HARRELL INDUSTRIES, INC.; TO PROVIDE FOR A FEE IN LIEU OF TAXES; TO PROVIDE FOR A PUBLIC HEARING; AND, TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(6:22pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Michael Johnson

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

New Business

1. Informational presentation by MGT representative regarding salary study as requested by Council.

(6:23pm) Due to inclement weather the informational presentation by MGT representative regarding salary study as requested by Council was postponed.

2. Monthly Comprehensive Plan Update - Audra Miller, Planning Director

(6:23pm) Audra Miller, Planning Director provided some follow up information to Council from the February 4, 2016 joint workshop with the Rock Hill City Council regarding the York County and Rock Hill Comp Plans, the coordination between the County and the City of Rock Hill, and the York County and Fort Mill Comp Plans. Ms. Miller also provided a schedule for the upcoming Comp Plan meetings:

February 16 - Advisory Committee Meeting - final review - goals and strategies or Economic Development element and future land use map

February 25 - Public Meeting - Banks Trail Middle School in Fort Mill - drop in 5:00pm-7:30pm

March 15 - Final Advisory Committee Meeting to review comments from public meeting

March 22 or March 24 0 Workshop with Planning Commission to review draft plan

Mid to late April - Workshop with Council

3. Consider approval of nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on January 19, 2016, along with nominations from the floor: Darren Brittain, Planning Commission (At Large-5) and Rodney Hicks, Zoning Board of Appeals (District 7).

(6:31pm)

APPROVED [Unanimous]

MOVANT: Michael Johnson

SECOND: Bruce Henderson

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

4. REQUEST AUTHORIZATION TO APPLY AND TO ACCEPT IF AWARDED, A SOUTH CAROLINA COORDINATING COUNCIL ECONOMIC DEVELOPMENT SETASIDE GRANT FOR PROJECT COTTON CANDY IN THE AMOUNT OF \$200,000. NO LOCAL MATCH IS REQUIRED.

(6:31pm)

APPROVED [Unanimous]

MOVANT: Michael Johnson

SECOND: Robert Winkler

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

5. CONSIDER FIRST 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 (THE "TRANSFEREE"); TO BIFURCATE THE FEE AGREEMENT AS TO THE OBLIGATIONS OF THE EXISTING AFFILIATE SPONSOR, KINGSLEY #9, LLC, AND THE TRANSFEREE AS AN ADDITIONAL SPONSOR AFFILIATE; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(6:32pm)

APPROVED [6 to 1]

MOVANT: Robert Winkler

SECOND: William "Bump" Roddey

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

NAYS: Christi Cox

Consent Agenda

(6:32pm)

Motion to approve with corrections as noted to the minutes from the York County Council Workshop on January 26, 2016.

APPROVED [Unanimous]

MOVANT: Michael Johnson

SECOND: Robert Winkler

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

1. Approval of January 26, 2016 Workshop Minutes

ACCEPTED [Unanimous]

MOVANT: Michael Johnson

SECOND: Robert Winkler

2. Approval of February 1, 2016 Finance & Operations Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Michael Johnson

SECOND: Robert Winkler

3. Approval of February 1, 2016 Transportation Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Michael Johnson

SECOND: Robert Winkler

4. Approval of February 1, 2016 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Michael Johnson

SECOND: Robert Winkler

Committee and Other Reports

(6:35pm) Zoning Committee, Monday, February 15, 2016, 5:00pm, Chairman, Bruce Henderson

Council Member New/Non-agenda Comments

(6:43pm) Council member Michael Johnson requested that an ordinance be drafted by staff and on the first Council meeting in April that says the following: Effective immediately York County shall stop the issuance of either preliminary or final plat approvals within the unincorporated areas of the Fort Mill Township and Bethel Township as it relates to residential housing to include but not be limited to apartments, town homes, single family homes, and condominiums until such time that the County Council lifts the temporary freeze, enacts a public facility ordinance or enacts a comprehensive road plan to include but not limited to addressing connectivity, future road placement, road capacity, and detailing how the County will alleviate congestion on the roads while allowing additional homes to be built. Council member Johnson would also like to see this happen with the land use plan.

(6:46pm) Council member Christi Cox agreed with Council member Michael Johnson but would like to see something prior to the first meeting in April. Also, Council member Cox would like to see something on the next agenda regarding amending notice requirements for rezoning. Also, Council member Cox would like some type of mechanism developed for automatic emailing to

citizens if they have a rezoning in their area.

(6:50pm) Council member William "Bump" Roddey would like staff to continue addressing the litter issue in the County and looks forward to the litter presentation at the next Council meeting.

(6:51pm) Chairman Britt Blackwell stated that Watts Huckabee, Chairman of the Hospitality Tax Committee requested that Council meet with the School Boards, municipalities, etc. to discuss H-Tax funds. Chairman Blackwell requested that this be scheduled sometime in March. Council member Christi Cox requested that the committees, such as, H-Tax, Planning Commission, York County Forever, coordinate together so that they each know how much funding they have and what projects they are using it for.

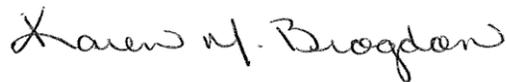
Executive Session: Personnel Matter - Executive Administrative Assistant, Crime Analyst, Chief Detention Center Administrator, Assistant Chief Detention Center Administrator, Security Captain-Detention Center, Public Information Officer, Paralegal Supervisor, Financial Specialist, IT Systems Manager/Engineer and IT Specialist/Application Coordinator

Matters for consideration following Executive Session

Adjourn

(7:30pm)

There being no further business, the meeting adjourned at 7:30pm.



Karen M. Brogdon, Clerk to Council