



**YORK COUNTY**  
**COUNTY COUNCIL**  
**ACTIONS • MAY 2, 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**

J. Britt Blackwell, Chairman

**Invocation and Pledge of Allegiance**

Council member Bruce Henderson, District 2

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

Amy Massey, York County Economic Development Board (Real Estate-1)

Vance Stine, Economic Development Board (Banking-2)

Jim Bradford, Economic Development Board (Western York County Economic Development Alliance-3)

Marc Howie, Economic Development Board (York County Growth Partners) **ABSENT**

Odell Bailey, York County Forever (District 4)

Janet Steele, York County Forever (Ex Officio)

Steve Fields, York County Forever (Ex Officio) **ABSENT**

Ashley Brittain, Catawba Mental Health Board (District 5)

**Appearances**

Council recognized Gary Bass on his service and retirement with York County.

Keep York County Beautiful presented their end of year report.

Elizabeth Melton addressed Council regarding animal kill shelters.

JJ Mattingly with the York County Veterans Advisory Council addressed Council regarding the relocation of the Veteran's Memorial.

Bennie Copeland with the York Conservation District provided a brief update on the conservation efforts.

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

Mary Williams, Lake Wylie, South Carolina addressed Council regarding her support for the proposed Lake Wylie Overlay.

Billy Hagner, 1901 Voyager Road, York, South Carolina addressed Council regarding his support for the proposed Lake Wylie Overlay.

*“York County is committed to assuring accessibility with reasonable accommodation, of county services, facilities, employment and programs for all individuals, in compliance with federal law. Please contact the County Manager’s Office at 803-684-8511 if you need assistance.”*

Margarett Blackwell, 6391 Baker Lane, Lake Wylie, South Carolina addressed Council regarding her support for the proposed Lake Wylie Overlay.

John Lockwood, 2137 Brant Road, York, South Carolina addressed Council regarding his support for the proposed Lake Wylie Overlay.

Doug Meyer-Cuno, Bonum Road, Lake Wylie, South Carolina addressed Council regarding his support for the proposed Lake Wylie Overlay.

Chris Christopher 2064 Tiger Paw Lane, Lake Wylie, South Carolina addressed Council regarding his support for the proposed Lake Wylie Overlay.

Jim Martin, Lake Wylie, South Carolina addressed Council regarding his support for the proposed Lake Wylie Overlay.

Ellen Goff, 981 Bonum Road, Lake Wylie, South Carolina addressed Council regarding her support for the proposed Lake Wylie Overlay.

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

1. Council held Public Hearing and gave 3rd reading of an ordinance entitled "TO AMEND AN ORDINANCE ENTITLED "TO ESTABLISH OPERATING AND CAPITAL BUDGETS FOR THE OPERATION OF THE COUNTY GOVERNMENT OF YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2015 ETC,"; TO REDUCE TAX REVENUES LEVIED FOR THE GENERAL FUND DUE TO UPDATED VALUE OF A MILL AND TO INCLUDE OFFSETTING REDUCTIONS IN FUEL AND WORKER'S COMPENSATION EXPENDITURES; TO PROVIDE FOR AN APPROPRIATION OF UNASSIGNED GENERAL FUND BALANCE, WATER AND SEWER FUND BALANCE AND SOLID WASTE COLLECTION FUND BALANCE FOR TRANSFER TO THE OTHER POST EMPLOYMENT BENEFITS TRUST ESTABLISHED BY THE SOUTH CAROLINA ASSOCIATION OF COUNTIES IN ORDER TO FUND THE UNFUNDED LIABILITY AS REPORTED IN THE AUDIT FOR YEAR ENDING JUNE 30, 2015; TO PROVIDE ADDITIONAL GRANT REVENUES FROM THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES FOR PURPOSES OF CONSTRUCTING A BOAT RAMP ON THE BROAD RIVER, TO APPROPRIATE REMAINING SANTEE COOPER LOAN PROCEEDS FOR PURPOSES OF REPAYMENT OF SANTEE COOPER LOAN; TO ESTABLISH NEW FUND FOR CAPITAL PROJECTS FUNDED BY 2016 BOND PROCEEDS AND GENERAL FUND TRANSFER; AND TO PROVIDE FOR OTHER FISCAL MATTERS RELATING TO COUNTY GOVERNMENT."

### **Old Business**

1. Gave Third Reading

Case #

15-37

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Tax Map # 6530000013  
Zoning Request: To rezone from BD-II to BD-III  
Acres: 1.74 Acres +/-  
Council District: One (1) Michael Johnson  
Applicant: Carolinas Land Company, LLC  
Owner: 160 River Stop LLC  
Location: 1940 Hwy 160 in the Fort Mill community  
Planning and Development Staff: APPROVAL  
Planning Commission: APPROVAL (7-0) on 3/14/16 (Heinsohn 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 consistent with the character of the surrounding area.
2. The proposed rezoning is not completely consistent with the Comprehensive Land Use Plan for the area, but it is consistent with the area's development pattern.

2. Rezoning Action: Gave Third 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)  
Planning Commission Date: January 11, 2016

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.

**Per the recommendations contained in the TIA, the following improvements are recommended as conditions of approval:**

1. **Developer/Applicant shall construct the following improvements:**
  - a. **For the Pleasant Road and shopping center driveway/proposed site access:**

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- i. northbound left-turn lane on Pleasant Road with 125 feet of storage;
  - ii. a southbound left-turn lane on Pleasant Road with 150 feet of storage;
  - and
  - iii. the length of the proposed site driveway throat length will be extended to the maximum extent possible.
- b. Connectivity from the project to Coltharp Road and RPC Road shall be provided.
- c. The Isom Road public road connection to Coltharp Road shall be constructed prior to the removal of the existing connection at Pleasant Road.
- 2. A \$100,000 contribution toward future transportation improvements in the vicinity of the project site shall be made to the County.
- 3. The developer/applicant shall optimize the traffic signal timing during the PM peak hour at Pleasant and Highway 160.
- 4. The developer/applicant shall construct pedestrian facilities along the project site's Pleasant Road frontage and within the development.
- 5. The timing of the improvements will be coordinated with SCDOT and the County, but all conditions shall be met prior to the final certificate of occupancy being issued for the project site.
- 6. The above referenced improvements may be modified during the encroachment permit process with approval by the SCDOT and York County.

**For additional information, the Transportation Impact Analysis (TIA) summary memo is provided in the packet.**

3. Gave Third Reading

Case #	16-04
Tax Map #	6510000052 & 6510000053
Zoning Request:	To rezone from RD-I to BD-I
Acres:	4.4 Acres +/-
Council District:	One (1) Michael Johnson
Applicant:	Will Jordan
Owner:	Founders Federal Credit Union
Location:	2683 & 2719 Pleasant Road in the Fort Mill community
Planning and Development Staff:	APPROVAL
Planning Commission:	APPROVAL (8-0) on 3/14/16

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 character of the surrounding area.
- 2. The proposed rezoning is not consistent with the Comprehensive Land Use Plan for the area, but it is consistent with the area's development pattern.

4. GAVE SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND INCENTIVE AGREEMENT TO PROVIDE FOR A FEE IN LIEU OF AD VALOREM TAXES INCENTIVE AND INFRASTRUCTURE CREDITS TO A COMPANY KNOWN TO THE COUNTY AS PROJECT SUNNYSIDE; THE INCLUSION OF CERTAIN PROPERTY IN YORK COUNTY, SOUTH CAROLINA IN A MULTI-COUNTY INDUSTRIAL PARK; AND OTHER MATTERS RELATED THERETO.

### **New Business**

1. Deferred consideration of authorizing a Proclamation in memoriam of Clarence Graham.
2. Gave approval of nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on April 18, 2016, along with nominations from the floor: Daniel Holmes, Rock Hill/York County CVB (At Large-1), Leon Yard, Oakdale Fire Tax District Board, Dwight Muffett, Hospitality Tax Advisory Committee (At Large-2), Mark Van Sickle, Hospitality Tax Advisory Committee (At Large-1), Melody Kearse, Keep York County Beautiful (At Large-7), Steve Crump, Building Board of Appeals, Curtis Sieck, Building Board of Appeals, and Jason Whitesell, Building Board of Appeals.
3. GAVE 1<sup>ST</sup> READING TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA CHAPTER 30, SECTION 10 TO REQUIRE MEMBERS OF BOARDS AND COMMISSION TO ANNUALLY DISCLOSE EMPLOYER, SPOUSE'S EMPLOYER, AFFILIATED COMPANIES, AND MEMBERSHIP ON PUBLIC BOARDS; TO DEFINE CONFLICT OF INTEREST; TO PROVIDE FOR DISQUALIFICATION OF MEMBERS WHO FAIL TO FULFILL CONTRACTUAL OBLIGATIONS TO YORK COUNTY; TO PROVIDE FOR REMOVAL BY COUNTY COUNCIL FOR FAILURE TO COMPLY; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
4. Gave 1st Reading of an Ordinance entitled "TO ESTABLISH OPERATING AND CAPITAL BUDGETS FOR THE OPERATION OF THE COUNTY GOVERNMENT OF YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2016; TO PROVIDE FOR THE LEVY OF TAXES FOR YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2016; TO PROVIDE FOR THE EXPENDITURE OF TAX REVENUES AND OTHER COUNTY FUNDS; TO PROVIDE FOR OTHER FISCAL MATTERS RELATING TO COUNTY GOVERNMENT."
5. Council held a discussion regarding allowing a short term moratorium on all Hospitality Tax Capital Project Grant Applications.
6. Authorized the Solicitor's Office request for permission to apply for and to accept if awarded, a Fiscal Year 2016-2017 Victims of Crime Act Continuation Grant in the amount of \$84,820.00.

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7. Council held a discussion and provided direction to staff regarding prioritization and preparation of ordinances to address Growth Management issues, including but not limited to: a) modifications to the Traffic Impact Analysis ordinance; b) development of a Capital Improvement Plan; and, c) other regulatory matters.
8. Council gave first reading by title only an ordinance TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 155, ZONING CODE, BY ADDING SECTION 155.350 TO CREATE THE LAKE WYLIE USE AND DEVELOPMENT OVERLAY DISTRICT (DEFINED AS THAT AREA LOCATED WITHIN ONE MILE OF THE 470' ELEVATION CONTOUR OF LAKE WYLIE); AND WITHIN THIS LAKE WYLIE USE AND DEVELOPMENT OVERLAY DISTRICT REMOVE APARTMENTS, TOWNHOMES, CONDOMINIUMS, HOTELS AND MOTELS AS PERMITTED USES FROM THE RC-I, RC-II, RD-I, AND RD-II ZONING DISTRICTS; TO ESTABLISH CONDITIONAL ZONING FOR APARTMENTS, TOWNHOMES, CONDOMINIUMS, HOTELS AND MOTELS WITHIN THE RC-I, RC-II, RD-I, AND RD-II ZONING DISTRICTS; TO ESTABLISH THE MAXIMUM NUMBER OF RESIDENTIAL BUILDING PERMITS ALLOWED ANNUALLY FOR RESIDENTIAL DEVELOPMENT PROJECTS (SINGLE FAMILY AND MULTI-FAMILY) GREATER THAN TEN ACRES IN SIZE TO 35 AND/OR LIMIT THE AMOUNT DEVELOPMENT (LAND DISTURBANCE) WITHIN THE PROJECT BOUNDARY TO 25 PERCENT ANNUALLY, WHICHEVER OCCURS FIRST; TO ESTABLISH A FAMILY EXEMPTION FOR CERTAIN PROPERTY TRANSFERS FROM THE PERMITTING AND LAND DISTURBANCE MAXIMUMS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
9. Gave approval of a resolution to designate Oakdale Road as a “No Thru Truck Route” from the intersection of Saluda Road (SC 72) to the intersection of Mt Holly Road (SC 901) to prevent heavy truck traffic on a residential street.
10. Authorized an Emergency Temporary Dwelling Permit Request – 2332 Brightwood Drive

11. Rezoning Action: Gave First Reading:

Case #	15-27
Tax Map #	5010000027
Zoning Request:	To rezone from RC-I to BD-III
Acres:	+/- 6.49 acres
Council District:	Four (4) William Roddey
Applicant:	Michael and Cheryl Geddings
Owner:	Celebration Place Church of the Nazarene
Location:	3016 Eastview Road in the Rock Hill community
Planning and Development Staff:	APPROVAL
Planning Commission:	APPROVAL (4-0) (Hiensohn (7) Recusal)
Planning Commission Date:	April 11, 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 Plan. The recommended land use for the area is medium to high density residential. However, it is located in a small mixed use node which recommends a limited amount of commercial uses.
2. The intersection of York Highway and Eastview Road is considered a Rural Center in the draft future land use plan which would allow small scale civic and commercial centers to provide limited commercial activity to the surrounding community.
3. This area is developing into a small commercial node and this rezoning would be consistent with the other uses in the immediate vicinity.

12. Rezoning Action: Gave First Reading:

Case #	16-02
Tax Map #	7190000017
Zoning Request:	To rezone from RC-II to BD-III
Acres:	+/- 0.765 acres
Council District:	One (1) Michael Johnson
Applicant:	Gateway, Fort Mill, LLC
Owner:	Fort Mill Telephone Company
Location:	Ed Thompson Road in the Fort Mill community
Planning and Development Staff:	APPROVAL
Planning Commission:	APPROVAL (5-0)
Planning Commission Date:	April 11, 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 character of the surrounding area.
2. The proposed rezoning is not consistent with the Comprehensive Land Use Plan for the area, but it is consistent with the area's development pattern.

13. GAVE FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN YORK COUNTY AND A COMPANY KNOWN FOR THE TIME BEING AS "PROJECT CROWN" WHEREBY YORK COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAX AGREEMENT WITH PROJECT CROWN AND PROVIDING FOR PAYMENT BY PROJECT CROWN 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.

14. Gave AUTHORIZATION TO APPLY AND TO ACCEPT IF AWARDED, A SOUTH CAROLINA COORDINATING COUNCIL GRANT IN THE AMOUNT UP TO \$300,000 FOR PROJECT GLASS. NO LOCAL MATCH IS REQUIRED.

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15. Authorized a new purchasing position added to current budget.
16. Authorized Ratification of an Application and Authorized Acceptance if Awarded State Funding in the amount of \$79,700 for the purposes of purchasing 115 Body Worn Cameras. The State Funding would reimburse the County for the cost of the body worn camera and 66.5% of the associated server costs.
17. Declared a wrecked 2013 Ford Interceptor sedan as County surplus.
18. Gave authorization for contract negotiations regarding RFQ #2337 for consulting services associated with York County's Western Water Distribution System Master Plan Update.
19. Authorized award of Bid #2338 regarding the purchase of three new motor grader compactor attachments to the lowest responsive and responsible bidder, Lycox Enterprises, Inc. of Billings, MT, for a total amount of \$85,485.51.
20. Deferred award of Bid #2340 regarding the purchase of an automated DNA Extraction Instrument for use by the Sheriff's Office, to the lowest responsive and responsible bidder, Government Scientific Source of Reston, VA for a total cost of \$57,590.02.
21. Rejected of all proposals received for RFP #2341 regarding consulting services for the development of a Small Business Enterprises (SBE) program.
22. Authorized award of Bid #2342 regarding the construction for road improvements to SC (McConnells) Highway 322 as part of the 2003 York County Capital Projects Sales and Use Tax Program, to the lowest responsive and responsible bidder, Eagle Construction Company, Inc. of Newberry, SC for a total cost of \$9,780,446.93.
23. Authorized award of Bid #2343 regarding printing services for tax forms, envelopes, and tax notices for use by the County Auditor's office to the lowest responsive and responsible bidder, J M Smith d/b/a QS/1/Data Systems of Spartanburg, SC, in the amount of \$25,483.83.
24. Authorized the abandonment of a portion of right-of-way along the Fort Mill Southern Bypass to the Fort Mill School District.
25. Approved and authorized the County Manager and Chairman to enter into a Financial Participation Agreement with SCDOT for Pennies 2 Project 03020-005, SC 97 (Hickory Grove to Smyrna)

## **Consent Agenda**

Approved the Consent Agenda and approved the minutes from the April 18, 2016 Pennies for Progress Committee meeting, the April 18, 2016 Finance & Operations Committee meeting, the April 18, 2016 Transportation Committee meeting, the April 18, 2016 County Council meeting and the April 26, 2016 Planning & Economic Development Committee meeting.

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## **Committee and Other Reports**

Economic Development Committee Meeting, April 25, 2016, 11:00am, Chairman, Robert Winkler

Finance & Operations Committee Meeting, May 2, 2016, 5:00pm, Chairman, Michael Johnson

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

Council member Cox pointed out that very few pennies for progress projects were approved in District 4 and District 5. Council member Cox requested that consideration be given to the entire County when determining the pennies for progress projects and that they be spread out throughout the County evenly.

Council member William "Bump" Roddey informed Council that the Earth Day Birthday was this past weekend along with the dedication of the Roddey Property Easement.

## **Executive Session:**

Workers Compensation Matter

Personnel Matter: Update on Finance Director Candidates

Contractual Matter: Riverview Volunteer Fire Department

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

## **Adjourn**