



**YORK COUNTY
COUNTY COUNCIL**



MINUTES • NOVEMBER 7, 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

Appearances

(6:04pm) Recognized the York County 101 Citizen's Academy graduates.

(6:07pm) CJ Ramsey, 709 Rock Castle Drive, York, SC addressed Council regarding the water contamination in Travis Acres.

(6:12pm) Dale Dove, 2415 Ferncliff Road, Rock Hill, SC addressed Council regarding Renew Our Community (ROC).

(6:18pm) Kathy Bigham, 1528 Blanchard Bend, Rock Hill, SC addressed Council regarding the Comprehensive Land Use Plan and her support for the proposed USB extension in the Dave Lyle Boulevard area.

(6:21pm) Glenn McCall, 5652 Norwood Ridge Drive, Rock Hill, SC addressed Council regarding his support for the proposed USB extension.

(6:24pm) Scott Childers, 1349 Filbert Highway, York, SC addressed Council regarding the proposed USB extension and asked Council to approve the recommended land use map plan.

(6:31pm) Gray Styers, Newland Communities addressed Council regarding their support for the Dave Lyle Boulevard Extension and the Comprehensive Land Use Plan.

(6:37pm) Curwood Chappell, Chappell Road, Rock Hill, SC addressed Council regarding his opposition to the proposed USB extension.

(6:49pm) Ragin Craig, 1804 Craig Road, Rock Hill, SC addressed Council regarding his opposition to the USB extension and support for the 2012 small area plan.

(6:54pm) Betty Rankin, 2600 William Lytle Place, Rock Hill, SC addressed Council regarding her opposition to the USB extension and support for the 2012 small area plan.

(7:01pm) David Oxendine, 2550 Neely Store Road, Rock Hill, SC addressed Council regarding the his opposition to the proposed USB extension.

(7:04pm) Allison Love, Baker Lane, Lake Wylie, SC addressed Council regarding the Comprehensive Land Use plan and the Dave Lyle Boulevard Extension.

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

(7:12pm) Danny Sturgis, 768 Church Road, Rock Hill, SC addressed Council regarding his opposition to the proposed USB extension.

(7:13pm) David Roberts, 4721 Betty Davis Drive, York, SC addressed Council regarding his support for the proposed CVB Tourism and Marketing Agreement.

(7:16pm) Strauss Moore-Shiple, 103 Grier Street, York, SC addressed Council regarding her support for the proposed CVB Tourism and Marketing Agreement.

(7:18pm) Ron Miller, 2828 Arrowood Lane, Rock Hill, SC addressed Council regarding his support for the proposed CVB Tourism and Marketing Agreement.

(7:19pm) Ben Paxton, 1124 Ebenezer Avenue Ext, Rock Hill, SC addressed Council regarding his support for the proposed CVB Tourism and Marketing Agreement.

(7:20pm) Ronnie Taylor, 1411 Lincoln Road, York, SC addressed regarding his appreciation to Council for allowing the Veteran's Association to conduct the Veteran's Day Parade on November 12.

(7:22pm) Dennis Merrell, 1011 White Horse Road, Rock Hill, SC addressed Council regarding his opposition to the proposed USB extension.

(7:23pm) David LaBoon, 312 Chipwood Lane, Rock Hill, SC addressed Council regarding his opposition to the proposed USB extension.

(7:25pm) Scott Keller-Meyer, 2127 Whispering Winds Drive, Rock Hill, SC addressed Council regarding his opposition to the extension of the cul-de-sac in the Herndon Heritage neighborhood.

(7:28pm) Jennifer Chandler, 2134 Whispering Winds Drive, Rock Hill, SC addressed Council regarding her opposition to the extension of the cul-de-sac in the Herndon Heritage neighborhood.

(7:30pm) Brooks Spencer, 2055 Whispering Winds Drive, Rock Hill, SC addressed Council regarding her opposition to the extension of the cul-de-sac in the Herndon Heritage

neighborhood and also requested that the new homeowners be required to enter into the same HOA as the existing homeowners.

(7:31pm) Adam Short, 2079 Whispering Winds Drive, Rock Hill, SC addressed Council regarding his opposition to the extension of the cul-de-sac in the Herndon Heritage neighborhood and also requested that the new homeowners be required to enter into the same HOA as the existing homeowners.

Public Hearing(s)

1. Public Hearing

(7:34pm) There being no one interested in speaking for or against the proposed ordinance a motion was made by Council member William "Bump" Roddey and seconded by Council member Michael Johnson to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Michael Johnson

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

HOLD A PUBLIC HEARING AND CONSIDER AMENDING AND SECOND READING OF AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF A FINANCING AGREEMENT NECESSARY TO PROVIDE FUNDING FOR THE CONSTRUCTION OF A NEW STATION FOR THE RIVERVIEW SPECIAL FIRE TAX DISTRICT; TO AUTHORIZE THE EXECUTION AND DELIVERY OF ALL DOCUMENTS AND/OR INSTRUMENTS NECESSARY OR APPROPRIATE TO CONSUMMATE SUCH AGREEMENT; AND, TO PROVIDE FOR OTHER MATTERS RELATED THERETO

(7:34pm)

APPROVED [Unanimous]

MOVANT: Michael Johnson

SECOND: Christi Cox

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

2. Public Hearing

The following individuals spoke in favor of the proposed request:

(7:35pm) Eric Rekitt, Public Works Director addressed Council regarding his support for the proposed temporary site.

(7:38pm) There being no one else interested in speaking for or against the proposed request a motion was made by Council member William "Bump" Roddey and seconded by Council member Robert Winkler to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Robert Winkler

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

Council to Hold a Public Hearing and Consider an Application for a Public Service Use for a Temporary Convenience Center to be located on parcel number 736-00-00-014 in the Fort Mill Community.

(7:38pm)

Motion to approve with conditions that the use be through January 31, 2018 and that Public Works will have to plant the buffer if not vacated by that time.

APPROVED [Unanimous]

MOVANT: Christi Cox

SECOND: Michael Johnson

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

Old Business

1. CONSIDER 1ST READING OF AN ORDINANCE BY TITLE ONLY "TO AMEND THE YORK FORWARD 2035 YORK COUNTY COMPREHENSIVE PLAN IN ORDER TO REVISE THE URBAN SERVICES BOUNDARY AND REVISE THE COMPREHENSIVE LAND USE PLAN MAP, PLAN ELEMENTS, AND APPENDICES TO BE CONSISTENT WITH THE REVISED URBAN SERVICES BOUNDARY PURSUANT TO THE CODE OF LAWS OF SOUTH CAROLINA , TITLE 6, CHAPTER 29 ENTITLED "SOUTH CAROLINA LOCAL GOVERNMENT COMPREHENSIVE PLANNING ENABLING ACT OF 1994," TO HOLD A PUBLIC HEARING, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO."

(7:39pm)

APPROVED [Unanimous]

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

2. Rezoning Action: Consider Third 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

Please note: Attached are the proposed conditions submitted by the applicant just prior to the November 7, 2016 meeting.

(8:15pm)

Motion to defer to allow proposed conditions to be added to the agenda.

DEFERRED [Unanimous]

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

3. Rezoning Action: Consider Second Reading

Case: # 16-22

Tax Map: # 756-00-00-070
Zoning Request: Request to rezone property from UD to RUD
Acres: 1.0 +/-
Council District: Five (5) Cox
Applicant: York County
Owner: Nicole and Jordan Barfield
Location: 4771 Pottery Rd in the Catawba Community
Planning and Development Staff: Council Initiated Rezoning
Planning Commission: November 14, 2016

Per Council member Christi Cox's request, this item has been added for consideration. This is a Council initiated rezoning. The property is located in a rural area of the County with nearby parcels either low density residential or undeveloped. Properties to the north, south, and east are currently zoned UD and parcels to the west are zoned RUD. The Comprehensive Plan Future Land Use map shows this area as rural residential. The proposed rezoning district is, therefore, consistent with the Comp Plan and existing uses.

(8:22pm)

APPROVED [Unanimous]

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

New Business

1. Council to consider adopting a Resolution to endorse the establishment of a local subcontracting initiative as part of the Capital Improvements Program.

(8:22pm)

APPROVED [Unanimous]

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

2. Council to consider a Proclamation recognizing World Pancreatic Cancer Day on November 17, 2016.

(8:23pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

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

3. Council to consider adopting a Resolution authorizing the execution of an appropriation agreement with the Rock Hill/York County Convention and Visitors Bureau.

(8:24pm)

APPROVED [6 to 1]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

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

NAYS: Michael Johnson

4. Council to consider a grant in the amount of \$90,000 from the South Carolina Department of Parks, Recreation & Tourism for the York County Veterans Council. No local match required.

(8:35pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: William "Bump" Roddey

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

5. Council to Consider an Emergency Temporary Dwelling Permit Request – 3051 Agean Lane

(8:36pm)

APPROVED [Unanimous]

MOVANT: Bruce Henderson

SECOND: Chad Williams

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

6. Consider Approval of a Lease Agreement with Michael Chase for the extended lease of premises used solely and exclusively by York County for the collection of solid waste, garbage and debris, in containers to be placed by Lessee on the leased premises located in Fort Mill, South Carolina.

(8:36pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: William "Bump" Roddey

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

7. Council to consider approval of an electrical easement not to exceed 30 feet in width (15 feet each side of the electrical service line) to Duke Energy Company for the installation and maintenance of the new electric service for the New Heritage Pump Station.

(8:37pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Chad Williams

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

8. Council to consider authorizing the execution of Contract Amendment #5 in the amount of \$87,000.00 with HDR Engineering Inc. for consulting services related to the New Heritage Pump Station.

(8:37pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Bruce Henderson

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

9. Council to consider approval of a Kimley Horn and Associates (KHA) engineering contract in a not-to-exceed amount of \$70,950.00 which includes 10% contingency for upgrading the gravity sewer line for the Springfield Outfall System.

(8:38pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

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

10. Council to consider approval of the execution of a right of entry agreement between Carter Lumber Company of the South Inc. and York County for the Highway 161 Water Booster Pump Station.

(8:38pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Chad Williams

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

11. Council to consider approval to increase the amount of the contract with Southern Builders of York County, Inc. for items necessary to complete construction of the Fire Training Facility in the amount of \$10,171.97

(8:38pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

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

12. Council to consider approval of award for temporary services regarding the disposal of municipal solid waste from Fort Mill collection and recycling centers, to Republic Services of Concord, NC for a total cost of \$96,000.00.

(8:39pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: William "Bump" Roddey

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

13. Council to consider award of Bid #2365 regarding the purchase of a new press brake metal bending device for use by the Department of Fire Safety, to the lowest responsive and responsible bidder, Fabricating Machinery Sales, Inc. of Greenville, SC, for the total cost of \$102,709.30.

(8:39pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

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

14. Council to consider award regarding the purchase of a high density storage filing system for use by the Register of Deeds office as part of the Courthouse renovation project, to Patterson Pope of Charlotte, NC for a total cost of \$71,452.09.

(8:40pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: William "Bump" Roddey

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

15. Council to consider award of Bid #2370 regarding the construction of a vegetated biobank at Ebenezer Park to Eagle Wood, Inc. of Denver NC, for a total cost of \$234,517.00.

(8:40pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

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

16. Council to consider award regarding the purchase of audio visual equipment for the newly renovated York County Courthouse, to SKC Communication Products LLC, of Rock Hill, SC (state contract) for a total cost not to exceed \$150,000.00

(8:41pm)

APPROVED [Unanimous]

MOVANT: Bruce Henderson

SECOND: Robert Winkler

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

17. Council to consider authorization of a venue agreement at Ebenezer Park for the 2016 Polar Plunge.

(8:41pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Bruce Henderson

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

18. Council to consider approval of the modified boards and commissions application.

(8:41pm)

With minor modifications by changing the word "must" to "please".

APPROVED [Unanimous]

MOVANT: Bruce Henderson

SECOND: William "Bump" Roddey

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

19. Consider approval of nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on October 17, 2016, along with nominations from the floor: Walter Pawul, Catawba Mental Health Board, Leslie Sizemore, Keep York County Beautiful (District 7), Frank Knotts, Volunteer Firemen's Local Managing Committee (At Large), Jimmie Langley, Volunteer Firemen's Local Managing Committee (At Large), and Billy Weatherford, Volunteer Firemen's Local Managing Committee (Director of Fire Safety).

(8:46pm)

APPROVED [Unanimous]

MOVANT: Michael Johnson

SECOND: Bruce Henderson

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

Consent Agenda

(8:46pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

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

1. Approval of October 17, 2016 Pennies for Progress Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

2. Approval of October 17, 2016 Finance & Operations Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

3. Approval of October 17, 2016 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

Committee and Other Reports

Council Member New/Non-agenda Comments

(8:47pm) Council member Chad Williams mentioned to Council that COG is hosting the annual meeting this year during the November 21 Council meeting and he will not be attending the Council meeting.

(8:47pm) Council member Chrisi Cox addressed Council regarding information Council members received from Dominion Carolina Gas Transmission, LLC and requested staff to look into further.

(8:48pm) Council member Robert Winkler appealed to the citizens regarding the need for board and committee members.

Executive Session

Contractual Matter: C-Funds and Bethel Special Tax District
Receipt of Legal Advice

Matters for consideration following Executive Session

Adjourn

There being no further business, the meeting adjourned at 9:49pm.

Karen M. Brogdon

Karen M. Brogdon, Clerk to Council