



**YORK COUNTY  
COUNTY COUNCIL**



**MINUTES • NOVEMBER 21, 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: Absent, 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: Absent.

**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**

- 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)
- Billy Weatherford, Volunteer Firemen's Local Managing Committee (At Large)

**Appearances**

(6:02pm) Dr. Walt Collins, President of USC Lancaster provided an update on the college's association with York County.

Jennifer Chandler to address Council regarding rezoning case #16-18 **ABSENT**

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

(6:06pm) Thomas Cull on behalf of Oxco Inc. expressed his gratitude to County Council for supporting the FILOT.

**Public Hearing(s)**

**1. Public Hearing**

The following individuals spoke in favor of the proposed rezoning:

(6:07pm) Nicole Barfield, property owner requested Council to support the property rezoning.

(6:08pm) There being no one else interested in speaking for or against the proposed rezoning a motion was made by Council member William "Bump" Roddey and seconded by Council member Christi Cox to close the public hearing.

**ALLOWED [Unanimous]**

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

Rezoning Action: Consider Third Reading and Hold a Public Hearing

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.

(6:08pm)

**APPROVED [Unanimous]**

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

2. Public Hearing

(6:08pm) There being no one interested in speaking for or against the proposed motion a motion was made by Council member Michael Johnson and seconded by Council member William "Bump" Roddey to close the public hearing.

**ALLOWED [Unanimous]**

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

CONSIDER HOLDING A PUBLIC HEARING AND THIRD READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN YORK COUNTY OXCO, INC. AND KINGS STREET INVESTMENTS, LLC (THE "COMPANIES") WHEREBY YORK COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAX AGREEMENT WITH THE COMPANIES AND PROVIDING FOR PAYMENT BY THE COMPANIES 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.

(6:09pm)

**APPROVED [Unanimous]**

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

**Old Business**

1. 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.

(6:09pm)

Motion to approve with the listed conditions along with the following:

The developer/declarant hereby agrees to include an additional note 11 on preliminary and final plat stating that all developed lots in this 39.17 acre tract, will be subject to being added to the Herndon Heritage HOA upon an affirmative vote by the HOA and by the required percentage in Herndon Heritage Covenants and Restrictions of the Herndon Heritage HOA of 75% of members. If Herndon Heritage HOA votes to add these lots, they will do so with all income and expenses from the HOA for these developed lots on the 39.17 acres and these owners will enjoy all rights and privileges of the existing Herndon Heritage HOA. Lots will be subject to be brought into the HOA when 50% of the lots are constructed and upon the other 50% being completed.

**APPROVED [Unanimous]**

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

2. CONSIDER THIRD 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

(6:11pm)

**APPROVED [Unanimous]**

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

3. Council to consider amending and approving second reading of AN ORDINANCE TO AMEND THE EXISTING AGREEMENT GOVERNING THE YORK-CHESTER INDUSTRIAL PARK TO ADD PROPERTIES WITHIN THE GEOGRAPHICAL BOUNDARIES OF YORK COUNTY TO THE MULTICOUNTY PARK; TO CORRECT AND UPDATE COMPANY NAMES AND PROPERTY OWNERS ASSOCIATED WITH CERTAIN PARCELS INCLUDED IN THE PARK; TO CORRECT AND UPDATE TAX MAP NUMBERS ASSOCIATED WITH CERTAIN PARCELS INCLUDED IN THE PARK; TO REMOVE PROPERTIES LOCATED WITHIN THE GEOGRAPHICAL BOUNDARIES OF YORK COUNTY THAT DO NOT QUALIFY FOR INCLUSION IN THE MULTICOUNTY PARK; TO PROVIDE FOR A PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO.

(6:12pm)

**APPROVED [Unanimous]**

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

**New Business**

1. Consider Adopting A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO AN EXISTING FEE-IN-LIEU OF TAX AGREEMENT BETWEEN YORK COUNTY AND EXEL INC. (THE “FEE AGREEMENT”) SO AS TO PROVIDE FOR CERTAIN ADDITIONAL PROVISIONS INADVERTENTLY OMITTED FROM THE FEE AGREEMENT; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(6:13pm)

**APPROVED [Unanimous]**

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

2. Council to consider approval of an Economic Development Grant Agreement by and among South Carolina Public Service Authority, South Carolina Power Team, and York County, South Carolina.

(6:13pm)

**APPROVED [Unanimous]**

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

3. Council to consider award of Bid #2367 regarding the purchase of two custom fire truck pumpers for use by the Department of Fire Safety to the lowest responsive and responsible bidder, Kovatch Mobile Equipment Corporation (KME), of Nesquehoning, PA, for a total cost of \$942,040.

(6:14pm)

**APPROVED [Unanimous]**

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

4. REQUEST APPROVAL TO RECLASSIFY THE UTILITY PROJECTS MANAGER POSITION WITHIN THE ENGINEERING DEPARTMENT

(6:14pm)

**APPROVED [Unanimous]**

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

5. Request for Reclassification of Public Works Building Maintenance Division Position

(6:15pm)

**APPROVED [Unanimous]**

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

6. Council to consider the approval of Kimley-Horn's engineering Contract Amendment No. 1 in the not-to-exceed amount of \$121,115.00 for cost estimating and risk assessment for potential roadway improvement projects associated with the 2017 Capital Projects Sales and Use Tax Initiative.

(6:15pm)

**APPROVED [Unanimous]**

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

7. Council to consider the approval of HDR's engineering Contract Amendment No. 1 in the not-to-exceed amount of \$151,515.60 for cost estimating and risk assessment for potential roadway improvement projects associated with the 2017 Capital Projects Sales and Use Tax Initiative.

(6:17pm)

**APPROVED [Unanimous]**

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

8. Consider authorizing staff to apply for and accept, if awarded, for the Fiscal Year 2017 Keep South Carolina Beautiful Affiliate Grant in the amount up to \$10,000 with no matching funds required.

(6:17pm)

**APPROVED [Unanimous]**

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

9. Consider authorizing staff to apply for and accept, if awarded, for the fiscal year 2017 Palmetto Pride Community Pride Grant in the amount up to \$10,000 with no matching funds required.

(6:18pm)

**APPROVED [Unanimous]**

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

10. Council to consider a request from the Sheriff's Office for approval of the Palmetto Pride Enforcement Grant in the amount of \$4,172.33. This is a non-matching grant.

(6:18pm)

**APPROVED [Unanimous]**

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

11. Council to consider a request from Sheriff Bruce Bryant to allow Deputy Frank Farris to retain his service weapon.

(6:18pm)

**APPROVED [Unanimous]**

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

12. Consider adopting a Resolution of the York County Council declaring and publishing the results of the referendum held on November 8, 2016 on the establishment of a Special Tax District known as the Lake Wylie Parks and Recreation District pursuant to SC Code Ann. 4-9-30, et. seq.

(6:19pm)

**APPROVED [Unanimous]**

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

13. Council to consider first reading by Title Only of an ORDINANCE TO ESTABLISH AND CREATE A SPECIAL TAX DISTRICT TO BE KNOWN AS THE LAKE WYLIE PARKS AND RECREATION DISTRICT IN YORK COUNTY, SOUTH CAROLINA; TO DEFINE ITS AREAS AND BOUNDARIES; TO DEFINE THE NATURE OF THE SERVICES TO BE RENDERED THEREIN; TO FIX THE MAXIMUM LEVEL OF TAXES WHICH MAY BE LEVIED TO PROVIDE FOR THE OPERATION AND MAINTENANCE OF LAKE WYLIE PARKS AND RECREATION DISTRICT; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:20pm)

**APPROVED [Unanimous]**

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

14. Consider adopting a Resolution of the York County Council declaring and publishing the results of the referendum held on November 8, 2016 on the establishment of four year staggered terms for County Council members pursuant to SC Code Ann. 4-9-90.

(6:21pm)

**APPROVED [Unanimous]**

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

**Consent Agenda**

(6:21pm)

**APPROVED [Unanimous]**

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

1. Approval of November 7, 2016 County Council Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Michael Johnson  
**SECOND:** Robert Winkler

**Committee and Other Reports**

(6:21pm) Finance & Operations Committee meeting, November 21, 2016, 5:00pm, Chairman, Michael Johnson

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

(6:23pm) Council member William "Bump" Roddey invited everyone to attend the local contractor bid process public meeting on Wednesday, December 7, 2016, 6:00pm in Council Chambers.

(6:25pm) Council member Robert Winkler stated that the City of York will be lighting the Christmas tree by the Courthouse on Wednesday, December 7 after the Christmas Parade.

### **Executive Session**

Receipt of Legal Advice - Pole Branch Road Project Tracts 61, 91, and 2, dilapidated house issue, additional land use issue requiring County action and a personnel matter regarding the positions of Training Officer, Director of Fire Safety and Volunteer Services Director.

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

1. Motion to authorize a condemnation action of tracts 2, 61, and 91 in the Pole Branch Road Project.

(7:12pm)

#### **ADOPTED [Unanimous]**

<b>MOVANT:</b>	Michael Johnson
<b>SECOND:</b>	Robert Winkler
<b>AYES:</b>	Johnson, Winkler, Roddey, Cox, Blackwell
<b>ABSENT:</b>	Bruce Henderson, Chad Williams

### **Adjourn**

There being no further business, the meeting adjourned at 7:13pm.



Karen M. Brogdon, Clerk to Council