



**YORK COUNTY  
COUNTY COUNCIL**

**MINUTES • APRIL 4, 2016**

**FINAL**



---

**County Council Meeting**

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

**6:00 PM**

---

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**

Mayor Gwyn Savage, Catawba Regional Council of Governments  
Thomas Templeton, Board of Assessment Appeals (District 6)  
Billy Haire, Bethesda Fire District Board **ABSENT**  
Ed Lindsey, Bethel Fire District Board

**Appearances**

Gary Buchanan to address Council regarding his opposition to the proposed rezoning on Glyndora Drive and Hampton Ridge Road in Rock Hill. **ABSENT**

Jim Parrish to address Council regarding the proposed rezoning on Glyndora Drive and Hampton Ridge Road in Rock Hill. **ABSENT**

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

(6:04pm) Kevin Bennett, 501 Woodberry Lane, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed rezoning on Twin Lakes Road and Celanese Road in the Rock Hill Community.

(6:05pm) Bill Neelands, 528 Woodberry Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed rezoning on Twin Lakes Road and Celanese Road in the Rock Hill Community.

(6:06pm) Tonya Shellnutt, 518 Woodberry Road, Rock Hill, South Carolina addressed Council regarding her opposition to the proposed rezoning on Twin Lakes Road and Celanese Road in the Rock Hill Community.

(6:09pm) John Thomas, 427 Woodberry Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed rezoning on Twin Lakes Road and Celanese Road in the Rock Hill Community.

(6:10pm) Dennis Brooks, 3441 Pinehill Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed rezoning on Twin Lakes Road and Celanese Road in the Rock Hill Community.

(6:12pm) Robin Hardison, 3538 Midwood Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed rezoning on Twin Lakes Road and Celanese Road in the Rock Hill Community.

(6:13pm) Tim Fantry, 475 Woodberry Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed rezoning on Twin Lakes Road and Celanese Road in the Rock Hill Community.

(6:14pm) Ed Kelly, 557 Woodberry Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed rezoning on Twin Lakes Road and Celanese Road in the Rock Hill Community.

(6:16pm) Randall Ellis, 3515 Midwood Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed rezoning on Twin Lakes Road and Celanese Road in the Rock Hill Community.

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

### **Old Business**

1. Council to consider third 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.

(6:18pm)

**APPROVED [5 to 2]**

**MOVANT:** Bruce Henderson

**SECOND:** Michael Johnson

**AYES:** Johnson, Henderson, Winkler, Cox, Blackwell

**NAYS:** William "Bump" Roddey, Chad Williams

2. Consider Third Reading 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.

(6:19pm)

**APPROVED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Robert Winkler

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

3. Consider Amending and Second Reading 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, TO ADD NEW SUBSECTION 33.018(E) TO PROVIDE FOR A POLICY FOR PAY FOR HARD TO RECRUIT AND UNIQUE POSITIONS; AND, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(6:19pm)

**APPROVED [6 to 1]**

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

**New Business**

1. Motion to Suspend the Rules to move item #7 in New Business to Item #1 in New Business.

(6:23pm)

**ALLOWED [Unanimous]**

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

2. Consider First Reading

Case # 15-39  
Tax Map # 5920000004 & 5920101001  
Zoning Request: To rezone from RC-I TO BD-III  
Acres: 6.46 Acres +/-  
Council District: Six (6) Britt Blackwell  
Applicant: Adam Ferrara  
Owner: Lowery Scott Hallman  
Deborah Payne Hallman  
Location: 451 Twin Lakes Road and 3250 Celanese Road in the  
Rock Hill community  
Planning and Development Staff: DENIAL  
Planning Commission: MOTION FAILED (4-4 on 3/14/16 (Hendrickson (2),  
Barnett (5), Brittain (A-L), Robbins (3) Against)

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 partially consistent with the Comprehensive Land Use Plan for the area.
2. Some of the uses allowed in this zoning district are not consistent with the character of the surrounding area and may be considered too intensive for this location.
3. The proposed use offers little service for the surrounding neighborhood.
4. One of the subject parcels is located at the entrance to an established residential neighborhood.

(6:24pm)

**DENIED [Unanimous]**

**MOVANT:** Chad Williams

**SECOND:** Robert Winkler

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

**RECUSED:** Michael Johnson

3. Information regarding administrative costs associated with the Pennies Program.

County Manager, Bill Shanahan provided information regarding the administrative costs associated with the Pennies Program. Mr. Shanahan explained that the Pennies Program pays staff for Project Management (salary and benefits). Administrative costs (vehicles, printer, paper, etc.) are paid for out of the Engineering budget. Mr. Shanahan also explained that to budget for Program Management, in 2011 \$2 million was pulled from each of the two lowest priority projects in Pennies 3 for a total of \$4 million. The money that was pulled from the lower priority projects is not causing a delay on these projects.

4. Consider approval of nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on March 21, 2016, along with nominations from the floor: Amy Massey, Economic Development Board, Real Estate (1) and Barbara Omer, Keep York County Beautiful (At Large-2).

(6:40pm)

**APPROVED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

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

5. Council to consider a request from Sheriff Bruce Bryant to allow Detective Eddie Strait to retain his service weapon.

(6:40pm)

**APPROVED [Unanimous]**

**MOVANT:** Chad Williams

**SECOND:** William "Bump" Roddey

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

6. Council to consider 1st 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.

(6:41pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Michael Johnson

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

7. Council to consider ratifying an agreement with Garner and Brown Architects, PA for architectural services.

(6:42pm)

**FAILED [2 to 5]**

8. Consider First Reading

Case # 15-37  
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.

(7:05pm)

**APPROVED [Unanimous]**

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

9. Consider First 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.

(7:05pm)

**APPROVED [Unanimous]**

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

10. Council to Review and Approve Financial Participation Agreement Between South Carolina Department of Transportation, York County, and QuikTrip Corporation

(7:05pm)

**APPROVED [Unanimous]**

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

11. Council to consider the approval of and authorize 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.

(7:07pm)

**APPROVED [5 to 2]**

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

**Consent Agenda**

(7:23pm)

**APPROVED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

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

1. Approval of March 17, 2016 Workshop Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

2. Approval of March 21, 2016 Finance & Operations Committee Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

3. Approval of March 21, 2016 Transportation Committee Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

4. Approval of March 21, 2016 County Council Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Michael Johnson

**SECOND:** Bruce Henderson

**Committee and Other Reports**

(7:23pm) Finance & Operations Committee Meeting, 5:30pm, Chairman, Michael Johnson

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

(7:24pm) Council member Michael Johnson requested that staff put the proposed housing freeze ordinance in the Fort Mill Township on the next Council meeting agenda.

(7:25pm) Council member William "Bump" Roddey recognized Clarence Graham a member of the Friendship 9, who passed away on March 25,2016. Mr. Roddey requested staff to prepare a Resolution honoring Mr. Graham on his accomplishments.

(7:27pm) Council member Bruce Henderson requested that staff put a proposed ordinance on the next Council meeting agenda to address the growth in the Bethel Township.

(7:28pm) Council member Christi Cox agreed with Council member Michael Johnson on moving forward with the proposed housing freeze in the Fort Mill Township. Council member Cox would also like information on a Capital Improvement Plan and an ordinance that requires TIA's on all projects.

(7:29pm) Chairman Britt Blackwell requested County Manager, Bill Shanahan to confirm that the Knowledge Park Sports Complex will be privately owned. Mr. Shanahan stated that the Rock Hill city Manager, David Vehaun told him in an email that it would be.

**Executive Session: Personnel Matter - Assistant County Manager and Receipt of Legal Advice**

**Matters for consideration following Executive Session**

**Adjourn**

There being no further business, the meeting adjourned at 8:12pm.

A handwritten signature in black ink that reads "Karen M. Brogdon". The signature is written in a cursive, flowing style.

Karen M. Brogdon, Clerk to Council