



**YORK COUNTY
COUNTY COUNCIL
MINUTES • JUNE 6, 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: Absent, District 7 Chad Williams: Present.

2. **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

Dwight Muffett, Hospitality Tax Advisory Committee (At Large-2)
Mark Van Sickle, Hospitality Tax Advisory Committee (At Large-1)

Appearances

(6:06pm) Carey Tilley provided Council with an update on Historic Brattonsville.

(6:17pm) James Duncan, Vice Chairman of the Culture & Heritage Commission addressed Council regarding the CHC's vote on amending the Ordinance to restructure the terms of the board members from two years to three year staggered terms.

(6:18pm) Mark Van Sickle, Hospitality Tax Committee member to present to Council the Marketing Grant Application recommendations.

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

(6:24pm) CJ Ramsey, 709 Rock Castle Court, York, SC addressed Council regarding the water contamination at his home located in York. Mr. Ramsey stated that he is still having trouble selling the home due to the water contamination.

Public Hearing(s)

1. **Public Hearing**

(6:28pm)

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 Robert Winkler to close the public hearing.

ALLOWED [Unanimous]

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

2. COUNCIL TO CONSIDER 2ND READING OF AN ORDINANCE AND HOLD A PUBLIC HEARING TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 154, ENTITLED SUBDIVISION CODE, SECTION 154.030, PRELIMINARY PLAT APPLICATION AND SUPPORTING DATA (REQUIREMENTS), SUBSECTIONS (B)(2)(L), (B)(2)(M), AND (B)(5)(H); SECTION 154.035 FINAL PLAT APPLICATION AND SUPPORTING DATA (REQUIREMENTS), SUBSECTIONS (B)(13) AND (B)(23); CHAPTER 155, ENTITLED ZONING CODE, SECTION 155.255, ABANDONED CEMETERIES OVERLAY, PURPOSE; SECTION 155.256(B), ABANDONED CEMETERIES OVERLAY, ADMINISTRATION; SECTION 155.594, APPLICATION FOR ZONING COMPLIANCE, SUBSECTIONS (B)(45), (B)(46), AND (B)(47); IN ORDER TO REQUIRE VERIFICATION DURING THE REVIEW AND APPROVAL PROCESS OF PRELIMINARY PLATS OF SUBDIVISION, FINAL PLATS OF SUBDIVISION, AND COMMERCIAL SITE PLANS THAT A PROPERTY DOES NOT CONTAIN ABANDONED CEMETERIES ON THE OFFICIAL LIST DEVELOPED BY THE YORK COUNTY CULTURAL AND HERITAGE COMMISSION THOUGH THE HISTORIC SURVEY OF YORK COUNTY; ESTABLISH A MINIMUM TEN (10) FOOT UNDISTURBED BUFFER AROUND THE PERIMETER OF ANY KNOWN ABANDONED CEMETERIES AS PART OF PRELIMINARY PLATS OF SUBDIVISION, FINAL PLATS OF SUBDIVISION, AND COMMERCIAL SITE PLANS REVIEW AND APPROVAL; REQUIRE PUBLIC PEDESTRIAN ACCESS TO KNOWN ABANDONED CEMETERIES; AMEND THE REQUIREMENTS FOR THE KEEPING OF THE OFFICIAL LIST OF ABANDONED CEMETERIES; PROVIDE CASE NUMBERS AND CONDITIONS OF APPROVAL OF REZONINGS, SPECIAL EXCEPTIONS, AND VARIANCES ON PRELIMINARY PLATS OF SUBDIVISION, FINAL PLATS OF SUBDIVISION, AND COMMERCIAL SITE PLANS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:29pm)

APPROVED [Unanimous]

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

3. Public Hearing

(6:30pm)

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 Robert Winkler to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Robert Winkler

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

ABSENT: Britt Blackwell

4. COUNCIL TO CONSIDER 2ND READING OF AN ORDINANCE AND HOLD A PUBLIC HEARING TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 155, ENTITLED ZONING CODE, SECTIONS 155.009, GENERAL PROVISIONS: DEFINITIONS; 155.010, GENERAL PROVISIONS: PERMITTED USES AND SPECIAL EXCEPTIONS; 155.126, BUSINESS DEVELOPMENT I DISTRICT: PERMITTED USES, SUBSECTION (E); 155.146, BUSINESS DEVELOPMENT III DISTRICT: GENERAL: PERMITTED USES, SUBSECTION (N); 155.161, INDUSTRIAL DEVELOPMENT DISTRICT: PERMITTED USES; 155.191, URBAN DEVELOPMENT DISTRICT: PERMITTED USES; IN ORDER TO DEFINE BREWERY, BREWPUB, AND TAP ROOM; ADD BREWERIES AND ACCESSORY TAP ROOMS AS A PERMITTED USE WITHIN THE ID AND UD ZONING DISTRICTS; ENSURE THAT BREWERIES WITH ACCESSORY TAP ROOMS WILL NOT HAVE AN ADVERSE IMPACT ON SURROUNDING PROPERTIES; REPLACE THE TERM MICRO-BREWERIES WITH BREWPUBS WITHIN THE BD-I, BD-III, AND UD ZONING DISTRICTS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:31pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

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

5. Public Hearing

(6:31pm)

There being no one interested in speaking for or against the proposed Ordinance a motion was made by Council member Robert Winkler and seconded by Council member William "Bump" Roddey to close the public hearing.

ALLOWED [Unanimous]

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

6. COUNCIL TO CONSIDER 2ND READING OF AN ORDINANCE AND HOLD A PUBLIC HEARING TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 155, ENTITLED ZONING CODE, SECTIONS 155.497, PUBLIC SERVICE USES; 155.571, INITIATION OF AMENDMENT, SUBSECTION (F); SECTION 155.574, PUBLIC HEARING AND NOTICE THEREOF, SUBSECTION (C); SECTION 155.592, APPEALS, HEARING AND NOTICE, SUBSECTIONS (F)(1) AND (G); IN ORDER TO ADD PUBLIC NOTICE REQUIREMENTS FOR PUBLIC SERVICE USES; TO ALLOW FOR THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT TO ESTABLISH WRITTEN POLICIES RELATED TO ADDITIONAL PUBLIC NOTICE REQUIREMENTS FOR PUBLIC SERVICES USES, REZONINGS, VARIANCES, AND SPECIAL EXCEPTIONS; TO CLARIFY THE NOTICE REQUIREMENTS FOR REZONINGS, VARIANCES, SPECIAL EXCEPTIONS AND ADMINISTRATIVE APPEALS; TO REQUIRE SUBSTANTIAL COMPLIANCE WITH NOTICE REQUIREMENTS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:32pm)

APPROVED [Unanimous]

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

7. Public Hearing

(6:34pm)

There being no one interested in speaking for or against the proposed Ordinance a motion was made by Council member Robert Winkler and seconded by Council member Bruce Henderson to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

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

ABSENT: Britt Blackwell

8. COUNCIL TO CONSIDER 2ND READING OF AN ORDINANCE AND HOLD A PUBLIC HEARING TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 155, ENTITLED ZONING CODE, SECTIONS 155.009, GENERAL PROVISIONS: DEFINITIONS; 155.022, AGRICULTURAL CONSERVATION DISTRICT: SPECIAL EXCEPTIONS, SUBSECTION (A); 155.037, AGRICULTURAL CONSERVATION I DISTRICT: SPECIAL EXCEPTIONS, SUBSECTION (A); 155.047, RURAL DEVELOPMENT DISTRICT: SPECIAL EXCEPTIONS, SUBSECTION (A); 155.062, RURAL DEVELOPMENT I DISTRICT: SPECIAL EXCEPTIONS, SUBSECTION (A); 155.077, RESIDENTIAL CONSERVATION I DISTRICT: SPECIAL EXCEPTIONS, SUBSECTION (A); 155.092, RESIDENTIAL CONSERVATION II DISTRICT: SPECIAL EXCEPTIONS, SUBSECTION (A); 155.102, RESIDENTIAL DEVELOPMENT I DISTRICT: SPECIAL EXCEPTIONS, SUBSECTION (A); 155.112, RESIDENTIAL DEVELOPMENT II DISTRICT: SPECIAL EXCEPTIONS, SUBSECTION (A); 155.147, BUSINESS DEVELOPMENT III DISTRICT: SPECIAL EXCEPTIONS, SUBSECTIONS (A) AND (B); 155.162, INDUSTRIAL DEVELOPMENT DISTRICT: SPECIAL EXCEPTIONS, SUBSECTION (A); 155.177, LIGHT INDUSTRIAL DISTRICT: SPECIAL EXCEPTIONS, SUBSECTION (A); 155.192, URBAN DEVELOPMENT DISTRICT: SPECIAL EXCEPTIONS, SUBSECTION (A); AND 155.446, PARKING (OFF-STREET) AND LOADING; IN ORDER TO PROVIDE FOR DEFINITIONS OF PARKING AND STORAGE OF CERTAIN VEHICLES IN THE AGC, RUD, RUD-I, RC-I, RC-II, RD-I, RD-II, AND UD ZONING DISTRICTS; AMEND THE REQUIREMENTS FOR PARKING AND STORAGE OF CERTAIN VEHICLES; TO APPLY PARKING AND STORAGE OF CERTAIN VEHICLES TO AGC-I; TO REQUIRE APPLICANTS FOR SPECIAL EXCEPTIONS TO SUBMIT CONCEPTUAL PLANS RATHER THAN SITE PLANS AND TRAFFIC IMPACT ANALYSIS (TIA) BASED ON THE PROPOSED USE FOR HEARINGS BEFORE THE ZONING BOARD OF APPEALS WITHIN THE AGC, AGC-I, RUD, RUD-I, RC-I, RC-II, RD-I, RD-II, BD-III, ID, LI, AND UD ZONING DISTRICTS; TO REQUIRE APPLICANTS FOR SPECIAL EXCEPTIONS TO SUBMIT SITE PLANS, AND BUILDING PLANS IF NECESSARY, AFTER RECEIVING APPROVAL FROM THE ZONING BOARD OF APPEALS WITHIN THE AGC, AGC-I, RUD, RUD-I,

(6:36pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Bruce Henderson

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

9. Public Hearing

(6:38pm)

There being no one interested in speaking for or against the proposed Ordinance a motion was made by Council member Robert Winkler and seconded by Council member William "Bump" Roddey to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler

SECOND: William "Bump" Roddey

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

ABSENT: Britt Blackwell

10. COUNCIL TO CONSIDER 2ND READING OF AN ORDINANCE AND HOLD A PUBLIC HEARING TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 156, TEMPORARY DWELLING PERMITS IN ORDER TO DEFINE TEMPORARY EMERGENCY HARDSHIP; TO DEFINE THE CONDITIONS AN APPLICANT MUST MEET TO RECEIVE A TEMPORARY EMERGENCY DWELLING PERMIT; TO AMEND REQUIRED APPLICATION ITEMS; TO AMEND PERMIT TERM, REVOCATION AND EXPIRATION; TO TEMPORARILY ALLOW PARKING OF RECREATIONAL VEHICLES ON THE PROPERTY AFTER THE PERMIT EXPIRES; TO PROVIDE A PENALTY PROVISION; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:39pm)

APPROVED [5 to 2]

MOVANT: Chad Williams

SECOND: Robert Winkler

AYES: Johnson, Winkler, Roddey, Blackwell, Williams

NAYS: Bruce Henderson, Christi Cox

11. Public Hearing

(6:42pm)

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 Robert Winkler to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Robert Winkler

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

ABSENT: Britt Blackwell

12. COUNCIL TO CONSIDER 2ND READING OF AN ORDINANCE AND HOLD A PUBLIC HEARING TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 155, SECTIONS 155.385, 155.387, 155.388, 155.389, AND 155.390, IN ORDER TO AMEND AND UPDATE THE "TRANSPORTATION CORRIDOR PRESERVATION OVERLAY" ORDINANCE FOR THE PURPOSE OF REMOVING REFERENCES TO THE 2003 PENNIES FOR PROGRESS PROJECTS, REPLACING SPECIFIC PENNIES PROGRAM REFERENCES WITH CAPITAL PROJECT SALES AND USE TAX PROGRAM, AND REMOVING COMPLETED ROADWAY PROJECTS FROM THE LIST OF ROADS INCLUDED IN THE TRANSPORTATION PRESERVATION CORRIDOR; TO PROVIDE FOR A PUBLIC HEARING; AND, TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:43pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

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

Old Business

1. COUNCIL TO CONSIDER A 2ND READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 31, ENTITLED COUNTY POLICIES: SECTION 31.01, RATES, FEES AND CHARGES FOR ZONING APPEALS, APPLICATIONS FOR VARIANCES, REZONING REQUESTS, PERMITS, INSPECTIONS, PLAN REVIEWS AND OTHER APPLICATIONS, PROCEDURES AND SERVICES RENDERED BY THE YORK COUNTY PLANNING AND DEVELOPMENT DEPARTMENT AND THE YORK COUNTY ENGINEERING DEPARTMENT, SUBSECTION (A); CHAPTER 150, ENTITLED BUILDING REGULATIONS: SECTION 150.21, EXTRA INSPECTIONS, FEE; CHAPTER 152, ENTITLED STORMWATER MANAGEMENT AND SEDIMENT CONTROL: SECTION 152.23, FEE SCHEDULE; IN ORDER TO INCREASE THE PERMIT (BUILDING AND CODES) FEES; INCLUDE THE EXISTING COMMERCIAL PLAN REVIEW (BUILDING AND CODES) FEE; DELETE THE EXTRA INSPECTION FEES THAT CONFLICT WITH THE FEE TABLE AND WITH PRIOR ORDINANCES; INCREASE THE BUILDING BOARD OF ADJUSTMENT APPEAL FEE; ESTABLISH VALUE OF NEW RESIDENTIAL OR COMMERCIAL CONSTRUCTION BY THE ADOPTED ICC BUILDING VALUATION DATA, SQUARE FOOT CONSTRUCTION COSTS ON JULY 1ST OF EACH YEAR; ESTABLISH VALUE OF COMMERCIAL CONSTRUCTION UPFITS BY THE TOTAL CONSTRUCTION VALUE OR CONTRACT OF THE PROJECT; INCREASE THE REVIEW AND RE-REVIEW (STORMWATER/ENVIRONMENTAL COMPLIANCE) FEES; CHANGE SUBDIVISION REVIEWS TO SUBDIVISION CONSTRUCTION PLANS AND ADD FEES FOR SUBDIVISION CONSTRUCTION PLANS; INCREASE THE FINAL PLAT, PRELIMINARY PLAT, SUBDIVISION CODE VARIANCE, AND FINAL PLAT APPLICATION FEES TO ADDRESS INCREASED ADMINISTRATION COSTS; ADD A FEE FOR REVIEW OF PRELIMINARY PLAT RE-REVIEWS; DELETE THE SUBDIVISION ORDINANCE FEE; ADD A SUBDIVISION CODE ADMINISTRATIVE APPEAL FEE TO PROVIDE FOR ADMINISTRATION OF THE PREVIOUSLY APPROVED SUBDIVISION CODE ADMINISTRATIVE APPEAL PROCESS; INCREASE THE ZONING CODE ADMINISTRATIVE APPEAL, PUBLIC SERVICE USE APPLICATION, REZONINGS, SPECIAL EXCEPTION APPLICATION, AND ZONING VARIANCE APPLICATION FEES DUE TO INCREASED COSTS RELATED TO ADDITIONAL PUBLIC NOTICE REQUIREMENTS

(6:43pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

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

2. Rezoning Action: Consider Third 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.

(6:46pm)

APPROVED [Unanimous]

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

3. Rezoning Action: Consider Third Reading:

Case # 16-05
 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.

(6:46pm)

APPROVED [Unanimous]

MOVANT: Christi Cox

SECOND: Chad Williams

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

4. Rezoning Action: Consider Second Reading

Case #	16-13
Tax Map #	749-00-00-002
Zoning Request	Request to rezone property from BD-I to RC-I
Acres	5.51 +/-
Council District	Five (5) Cox
Applicant	York County
Owner	Matthew and Laura Goins
Location	2885 Reservation Road, in the Rock Hill Community
Planning and Development Staff:	Council Initiated Rezoning
Planning Commission	June 13, 2016

This is a Council initiated rezoning. The property is located adjacent to an existing residential subdivision and properties to the north, south, east, and west are currently zoned RC-I. The draft Comprehensive Plan Future Land Use map shows this area as single family residential.

(6:47pm)

APPROVED [Unanimous]

MOVANT: Christi Cox

SECOND: Bruce Henderson

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

5. Council to Consider Third Reading of An Ordinance 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.

(6:47pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Christi Cox

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

6. CONSIDER AMENDING AND SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND INCENTIVE AGREEMENT BY AND AMONG YORK COUNTY, SOUTH CAROLINA, A COMPANY KNOWN TO THE COUNTY AS PROJECT GLASS, AS SPONSOR AND (A TO BE NAMED) SPONSOR AFFILIATE, TO PROVIDE FOR A FEE IN LIEU OF AD VALOREM TAXES INCENTIVE, THE INCLUSION OF THE PROJECT IN A MULTI-COUNTY INDUSTRIAL PARK, AND THE GRANT OF AN INFRASTRUCTURE CREDIT; AND OTHER RELATED MATTERS.

(6:49pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

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

7. Consider Second Reading of AN ORDINANCE TO AMEND CHAPTER 35 OF THE YORK COUNTY CODE, RELATING TO TAXATION AND FINANCE, SO AS TO ADD NEW SECTION 35.150 ENTITLED “ECONOMIC DEVELOPMENT PROJECT DEVELOPMENT FUND”; TO PROVIDE FOR THE CREATION OF THE FUND AND ITS PURPOSES AND USES; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(6:50pm)

DEFERRED [Unanimous]

MOVANT: Robert Winkler

SECOND: Chad Williams

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

New Business

1. Consider approval of nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on May 16, 2016, along with nominations from the floor: Alex Haefele, Zoning Board of Appeals (District 6), Michael Schonfeld, Board of Disabilities and Special Needs (District 2), David Williams, York County Economic Development (York County Regional Chamber-6), William Hagner-2 or Joel Wood-3, York County Natural Gas Board, Creighton Hayes, Hospitality Tax Advisory Committee (District 5), Omar Kasso, Board of Rural Fire Control (District 1).

(6:53pm)

APPROVED [Unanimous]

MOVANT: Michael Johnson

SECOND: Christi Cox

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

2. Approve William Hagner for the York County Natural Gas Board

(6:53pm)

ADOPTED [5 to 1]

MOVANT: Bruce Henderson
SECOND: Christi Cox
AYES: Johnson, Henderson, Roddey, Cox, Williams
NAYS: Robert Winkler
ABSENT: Britt Blackwell

3. Council to consider Sheriff's request to reclassify a Master Deputy position to a Homeland Security/Intelligence Unit Director's position.

(7:00pm)

APPROVED [6 to 1]

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

4. Council to consider first reading of an Ordinance entitled "TO AUTHORIZE THE SALE OF A SMALL, UNDEVELOPED PARCEL LOCATED ON SOUTH CAROLINA HIGHWAY 5, IDENTIFIED BY TAX MAP NUMBER 595-04-01-050; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE THE PARCEL; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE CONTRACT OF SALE AND DEED; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO."

(7:01pm)

APPROVED [Unanimous]

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

5. Council to consider approval of the 2016 York County Emergency Operation Plan Promulgation Statement.

(7:01pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

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

6. Consider authorization to apply for and to accept, if awarded, a Local Emergency Management Performance Grant (LEMPG) in the amount of \$72,183 with a match of 50% that will achieved through in-kind services.

(7:01pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

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

7. Rezoning Action: Consider First Reading:

Case # 16-06
Tax Map # 4560000043
Zoning Request: To rezone from RUD to BD-I
Acres: +/- 0.97 acres
Council District: Two (2) Bruce Henderson
Applicant: John Reid Smith
Owner: Boyd Byrum
Location: 3170 Charlotte Hwy (SC 49) in the York Community
Planning and Development Staff: DENIAL
Planning Commission: APPROVAL (7-0) (Darby (4) Abstain)
Planning Commission Date: May 9, 2016

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 character of the surrounding area.
2. The proposed rezoning is not consistent with the Comprehensive Land Use Plan for the area.
3. The proposed rezoning might be considered spot zoning as there is no commercial zoning in the vicinity and it is not consistent with the land use plan.

(7:02pm)

APPROVED [Unanimous]

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

8. Rezoning Action: Consider First Reading and Hold a Public Hearing:

Case # 16-07
Tax Map # 5350000152
Zoning Request: To rezone from RC-II to BD-III
Acres: +/- 9 acres
Council District: Four (4) William "Bump" Roddey
Applicant: Brent A. Finley
Owner: Sherry Stillwell/Estate of Frances Johnston
Location: 1626 Darby Road in the Rock Hill community
Planning and Development Staff: APPROVAL
Planning Commission: APPROVAL with condition (8-0)
Planning Commission Date: May 9, 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 request is consistent with the Comprehensive Land Use Plan for the area.
2. The proposed rezoning request is consistent with the character of the surrounding area.
3. The proposed rezoning request is located within a small mixed use node that includes commercial development.

At their May 9, 2016 meeting, the Planning Commission recommended the following condition:

1. Restrict all uses except "ministorage" and permitted accessory use.

(7:11pm)

DEFERRED [Unanimous]

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

9. Rezoning Action: Consider First Reading:

Case # 16-08
 Tax Map # 6520000011
 Zoning Request: To rezone from PD to BD-III
 Acres: +/- 1.82 acres
 Council District: One (1) Michael Johnson
 Applicant: James Traynor
 Owner: Clear Springs – Baxter, LLC
 Location: 2075 Hwy 160 in the Fort Mill community
 Planning and Development Staff: APPROVAL with Conditions (Suggested by Applicant)
 Planning Commission: APPROVAL (7-1) (Barnett (5))
 Planning Commission Date: May 9, 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 partially consistent with the Comprehensive Plan there are similar uses in the immediate area providing that the following condition is proposed:

The following uses are prohibited:

- a. Automobile and boat service, repair and customization
- b. Car washes and detail shops
- c. Commercial parking lots (assuming this means pay for parking type lots)
- d. Marinas
- e. Museums, art galleries and libraries
- f. Recreational vehicle parks
- g. Transportation services and facilities (public and private)
- h. Residential uses
- i. Gas stations

(7:13pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

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

10. Rezoning Action: Consider First Reading:

Case # 16-09
 Tax Map # 6520000007(P)
 Zoning Request: To rezone from RUD to BD-III
 Acres: +/- 37 acres
 Council District: One (1) Michael Johnson
 Applicant: Dehler Hart

Owner: Springland, Inc
Location: Intersection of Hwy 160 & Dave Gibson Road in the Fort Mill community
Planning and Development Staff: APPROVAL with Conditions (Suggested by Applicant)
Planning Commission: APPROVAL (7-1) (Barnett (5))
Planning Commission Date: May 9, 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 not consistent with the Comprehensive Land Use Plan for the subject site.
2. A portion of the site is currently zoned BD-II Office Commercial
3. With the recommended conditions from the applicant, the proposed rezoning will result in development that will be more consistent with the remainder of the parcel and community:
- 4.

The following uses are prohibited:

- a. Automobile and boat service, repair and customization
- b. Car washes and detail shops
- c. Commercial parking lots (assuming this means pay for parking type lots)
- d. Marinas
- e. Museums, art galleries and libraries
- f. Recreational vehicle parks
- g. Transportation services and facilities (public and private)
- h. Residential uses

(7:14pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Bruce Henderson

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

11. Council to consider authorization for contract negotiations regarding RFQ #2346 for on call consultants to provide professional engineering services associated with cost estimates and risk analysis for the Pennies for Progress Program.

(7:15pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: William "Bump" Roddey

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

12. Council to consider authorization for contract negotiations with multiple engineering firms regarding RFQ #2347 for on call professional engineering services.

(7:17pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Chad Williams

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

13. Council to consider award of Bid #2348 regarding the purchase of two 2016 model intermediate sedans for use by the Sheriff's Office and the Solicitor's Office, to the lowest responsive and responsible bidder, , Love Chevrolet of Columbia, SC for the total cost of \$38,768.00.

(7:18pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Bruce Henderson

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

14. Council to consider award of Bid #2349 regarding lawn care services to the lowest responsive and responsible bidder, Bethel Lawn and Landscaping of Clover, SC for an annual cost of \$139,680.

(7:18pm)

APPROVED [Unanimous]

MOVANT: Bruce Henderson

SECOND: Robert Winkler

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

15. Council to consider approval of a commitment of an additional \$76,293.22 for roadway improvements on Carowinds Boulevard associated with the construction of a new exit roadway and overhead sign structure at Carowinds as directed by the SCDOT.

(7:19pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Bruce Henderson

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

16. Council to consider approval to increase the amount of the contract with Layne Heavy Civil, Inc. for work related to the New Heritage Wastewater Pump Station, Gravity Sewer and Force Main Project in the amount of \$200,000.00 to replenish the construction contingency

(7:19pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: William "Bump" Roddey

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

Consent Agenda

(7:20pm)

APPROVED [Unanimous]

MOVANT: Bruce Henderson

SECOND: Robert Winkler

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

1. Approval of May 16, 2016 Finance & Operations Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Bruce Henderson

SECOND: Robert Winkler

2. Approval of May 16, 2016 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Bruce Henderson

SECOND: Robert Winkler

3. Approval of May 25, 2016 Regular Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Bruce Henderson

SECOND: Robert Winkler

4. Approval of May 25, 2016 Special Called Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Bruce Henderson

SECOND: Robert Winkler

5. Approval of May 31, 2016 Special Called Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Bruce Henderson

SECOND: Robert Winkler

Committee and Other Reports

(7:20pm) Justice & Public Safety Committee Meeting, Wednesday, May 25, 2016, 5:00pm,
Chairwoman, Christi Cox

(7:22pm) Pennies For Progress Committee Meeting, Monday, June 6th, 2016, 5:15pm,
Chairwoman, Christi Cox

Council Member New/Non-agenda Comments

(7:24pm) Council member Bruce Henderson asked everyone to remember the sacrifices made on
D-Day in 1944.

(7:26pm) Council member Christi Cox asked that County Council possibly look into some type of award or scholarship for high school graduates. Also, Council member Cox would like to see planned development districts on an upcoming agenda for discussion.

Executive Session

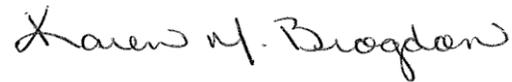
Receipt of Legal Advice: Litigation Update

Matters for consideration following Executive Session

Adjourn

1.

There being no further business, the meeting adjourned at 7:42pm.

A handwritten signature in black ink that reads "Karen M. Brogdon". The signature is written in a cursive style with a large initial 'K'.

Karen M. Brogdon, Clerk to Council