



**YORK COUNTY**  
**COUNTY COUNCIL**  
**ACTIONS • OCTOBER 3, 2016**



---

**County Council Meeting**

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

**6:00 PM**

---

**Call to Order**

Chairman, J. Britt Blackwell

**Invocation and Pledge of Allegiance**

Council member Robert Winkler, District 3

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

Ellen Goff, Lake Wylie Marine Commission-2

Ed Lindsey, Bethel Fire Tax District

Debra Dahlin, York County Library Board (District 6)

Winston Martinez, Hospitality Tax Advisory Committee (District 2) **ABSENT**

**Appearances**

Perry Johnston addressed Council regarding the Bethel Volunteer Fire Department

Doug Meyer-Cuno addressed Council regarding the Bethel Volunteer Fire Department

John Howard addressed Council regarding the Bethel Volunteers

Allison Love addressed Council regarding the Bethel Volunteer Fire Department.

Sonny McRorie addressed Council regarding his safety concerns for York County.

CJ Ramsey addressed Council regarding the water contamination in Travis Acres.

Jennifer Ramsey addressed Council regarding the water contamination in Travis Acres.

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

Tom Smith, 938 Timber Creek Drive, York, SC addressed Council regarding his opposition to the hiring of a full time paid fire chief for the Bethel Volunteer Fire Department.

**Public Hearing(s)**

**Old Business**

1. Rezoning Action: Gave Third Reading:

Case # 16-16

*“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.”*

Tax Map # 6170000001, 6170000026, 6170000077, 6170000084 & 6170000085  
 Zoning Request: A Major Modification to the Lazy Hawk Planned Development  
 Acres: +/- 179.12 acres  
 Council District: Five (5) Christi Cox  
 Applicant and Owner: Tom Cat Too, LLC and Blackwell Family Properties, LLC  
 Cat Real Estate Holdings, LLC and Lazy Hawk Property Owners Association  
 Location: Lazy Hawk Road in the Rock Hill community  
 Planning and Development Staff: APPROVAL  
 Planning Commission: APPROVAL (7-0)  
 Planning Commission Date: July 11, 2016

Staff Recommendation: Approval

Based on the information prepared by staff outlined within this Planning Commission report, staff recommends partial approval because of the following considerations and findings:

1. The proposed major amendment is consistent with the Comprehensive Plan.

Staff Supports:

1. The proposed amendment to increase the maximum building height from 35 to 50 feet which will allow the site to be developed at a height consistent with existing zoning and development standards.
2. Modification of the of the landscape buffer language regarding the maintaining of adequate screening, eliminating tree harvesting, and conditions permitting tree removal.

Staff Opposes:

1. Removing the language restricting loading dock orientation towards residential areas because this will create noise impacts that cannot be adequately mitigated by existing natural buffers. **\*The applicant requested removal of this proposed amendment. This proposed modification was removed at Planning Commission.**

2. Rezoning Action: Gave Third Reading:

Case # 16-17  
 Tax Map # 7190000101, 7190000102, 7190000103, 7190000139, 7190000184, 7190000185, & 7190000186  
 Zoning Request: To rezone from BD-II & RC-I to BD-I  
 Acres: +/- 24.5 acres  
 Council District: One (1) Michael Johnson  
 Applicant and Owner: Ronald W. Edwards  
 Richard K. Edwards, Sr; Richard J. Edwards; Ronald W. Edwards; Raymond C. Hall; Richard K. Edwards, Jr;

*“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.”*

Location: Robert E. Edwards  
251 & 291 Gold Hill Road and 327, 331, 359, 373, & 379  
Forest Way Drive in the Fort Mill community

Planning and Development Staff: APPROVAL  
Planning Commission: APPROVAL (6-0)  
Planning Commission Date: August 8, 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 Land Use Plan for the area.
2. The proposed rezoning is consistent with the character of the surrounding area.

To address potential concerns of impacts to adjacent residential properties, the Planning Commission, at their August 8, 2016 meeting, recommended the following conditions:

1. Parcel TM#719-00-00-139 (lower lot) shall not be developed
2. There will be no access from Forest Way Drive.

Due to concerns from the County Attorney related future lot combination of parcel 7190000139, staff is recommending condition number one be modified as follows:

“The area shown as a detention basin on the site plan submitted with the rezoning application shall not be developed and shall be used for a detention basin or maintained as undeveloped open space.”

3. GAVE THIRD 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, IN ORDER TO INCREASE CERTAIN BUILDING AND CODES PERMIT FEES TO CORRECT A MATH ERROR; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
4. Approved a transfer from the contingency building account to the family court building account in the amount of \$1,518,166.00 for the new Family Court Building.

### **New Business**

1. Approved a Proclamation proclaiming the week of October 23-31 as Red Ribbon Week.

*“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.”*

2. Authorized award of Bid #2364 regarding municipal solid waste disposal and transportation services for use by the York County Solid Waste Department to the lowest responsive and responsible bidder, Waste Management Inc./ dba Richland County Landfill, Inc. of Duncan, SC for the total cost of \$29.00 per ton for an initial three year term with an option to renew for (2) additional one consecutive (1) year extensions.
3. Authorized the funding regarding RFP #2369 for The Historic Brattonsville Master Plan through a grant award from the Foundation for the Carolinas to Stantec Consulting Services, Inc. of North Charleston South Carolina, in a contractual amount not exceed \$121,253.00 for the proposed work along with \$43,747.00 for additional work consistent with the objectives of the grant award for a total authorized use of the grant award of \$165,000.
4. Authorized award of Bid #2371 regarding the purchase and installation of furniture for the newly renovated York County Court House to the lowest responsive and responsible bidder, American Pen and Panel of Rock Hill SC, for a total cost of \$171,465.61.
5. Authorized the execution of Contract Amendment #1 in the amount of \$315,475.00 with Dewberry Engineers Inc. for consulting services related to the Stockbridge Area Sewer Collection System Improvements.
6. Approved solicitation for professional services to seek Legal Counsel to assist County Manager's Office with Department of Fire Safety.
7. Approved recommendations from Accommodation Tax Committee.
8. County Manager, Bill Shanahan provided an update regarding options to enhance retention of Sheriff's Officers.
9. Denied a .4 millage increase to cover additional cost of court officers and overtime at the detention center.
10. Gave approval of allocating funding in the amount of \$85,000 from the Water and Sewer enterprise fund for the completion of the meter relocation project at the intersection of SC Highway 160 and Gold Hill Road.

11. Rezoning Action: Gave First 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

*"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."*

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

12. Rezoning Action: Denied First Reading:

Case #	16-19
Tax Map #	6590000066, 6590000070, 6590000071, 6590000072, 6590000073
Zoning Request:	To rezone from BD-I & RC-II to BD-III
Acres:	+/- 2.2 acres
Council District:	Seven (7) Chad Williams
Applicant:	Oleg Protsyuk
Owner:	Svetlana Protsyuk
Location:	132 Sutton Road in the Fort Mill community
Planning and Development Staff:	DENIAL
Planning Commission:	DENIAL (7-1) (Hopper At-Large)
Planning Commission Date:	September 12, 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 2035 Comprehensive Land Use Plan for the area.
2. The proposed rezoning is not consistent with the character of the surrounding area and could be developed at a density and intensity much higher than what is appropriate for this location.

**Consent Agenda**

Approved the Consent Agenda and approved the minutes of the September 19, 2016 Justice & Public Safety Committee meeting and the September 19, 2016 County Council meeting.

**Committee and Other Reports**

Pennies for Progress Committee Meeting, 3:00pm, Thursday, September 29, 2016, Chairwoman, Christi Cox

Justice & Public Safety Committee Meeting, 4:00pm, Monday, October 3, 2016, Chairwoman, Christi Cox

Finance & Operations Committee Meeting, 5:00pm, Monday, October 3, 2016, Chairman, Michael Johnson

*“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.”*

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

Council member William "Bump" Roddey stated that with regard to the presentation regarding mistreatment of animals, at this time he is not interested in amending the animal control ordinance. However, Council member William "Bump" Roddey explained that the Animal Control Department is complaint driven and if someone calls in with a complaint, staff will certainly follow up on the matter.

### **Executive Session:**

Contractual Matter - Project Excel

Receipt of Legal Advice - Consideration of a Mediated Settlement Agreement

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

Authorized amending the fee agreement with Excel to include SSRC for a 5 year 50% discount.

Accepted the mediated settlement agreement, conditioned upon filing the mediated settlement agreement with the Register of Deeds, noting book and page number in the caption, and filing a copy with the assessor.

### **Adjourn**