



**YORK COUNTY
COUNTY COUNCIL
MINUTES • JANUARY 7, 2019
FINAL**



County Council Meeting

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

6:00 PM

Council Chairman District 1 Michael Johnson: Present, District 2 Allison Love: Present, District 3 Robert Winkler: Present, District 4 William "Bump" Roddey: Present, District 5 Christi Cox: Present, District 6 Britt Blackwell: Present, District 7 Joel Hamilton: 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.

1. Consider nominations and elect the York County Council Chairman.

(6:03pm)

Motion was made by Council member Allison Love and seconded by Council member Robert Winkler to nominate Michael Johnson for Chairman.

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Robert Winkler

AYES: Hamilton, Johnson, Love, Winkler, Roddey, Cox, Blackwell

2. Consider nominations and elect the York County Council Vice Chairman.

(6:04pm)

Motion was made by Council member Allison Love and seconded by Council member Joel Hamilton to nominate Christi Cox for Vice-chairman.

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Joel Hamilton

AYES: Hamilton, Johnson, Love, Winkler, Roddey, Cox, Blackwell

Oath of Office for newly appointed Board and Commission Members

(6:05pm) Carmen Miller, Planning Commission, District 1

Appearances

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

Consent Agenda

(6:06pm)

Chairman Michael Johnson requested to remove item #4, third reading of rezoning 18-16 to Old Business #2.

APPROVED [Unanimous]
MOVANT: Robert Winkler
SECOND: William "Bump" Roddey
AYES: Hamilton, Johnson, Love, Winkler, Roddey, Cox, Blackwell

1. Approval of December 17, 2018 Finance & Operations Committee Minutes

ACCEPTED [Unanimous]
MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

2. Approval of December 17, 2018 County Council Meeting Minutes

ACCEPTED [Unanimous]
MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

3. Approve nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on December 15, 2018: Nancy Dixon-McMullen, Hospitality Tax Committee (District 4) and Tamara Osborne, York County Library Board (District 5).

APPROVED [Unanimous]
MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

4. Rezoning Action: Consider Third Reading:

Case # 18-17
 Tax Map # 6480000035
 Zoning Request: To rezone from RUD to BD-III
 Acres: 1 +/- acres
 Council District: One (1) Michael Johnson
 Applicant and Owner: Gene Evans, Jr
 Location: 1726 Zoar Rd, in the Fort Mill Community
 Staff Recommendation: Approval
 Planning Commission Approval (Unanimous)
 Planning Commission Date: November 12, 2018

APPROVED [Unanimous]
MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

5. COUNCIL TO APPROVE SECOND READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 57, STREETS AND ROADS, IN ORDER TO ADD SECTION 57.05 TO PROVIDE A PROCESS FOR THE ADMINISTRATIVE CLOSING OF COUNTY ROADS FOR PARTICULAR PURPOSES; TO PROVIDE FOR THE DISTRIBUTION OF PROPERTY; TO PROVIDE FOR ROAD CLOSINGS BY ANY INTERESTED PERSON; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

APPROVED [Unanimous]
MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

6. Council to approve declaration of a 2006 Terex Landfill Compactor as County surplus.

APPROVED [Unanimous]
MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

7. Council to approve the authorization of staff to apply for and accept, if awarded, for the fiscal year 2019 Palmetto Pride Litter Prevention Grant in the amount up to \$11,750 with no matching funds required.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

8. Council to approve the authorization of staff to apply for and accept, if awarded, for the fiscal year 2019 Keep South Carolina Beautiful Affiliate Grant in the amount up to \$14,685 with no matching funds required.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

9. COUNCIL TO APPROVE SECOND READING OF AN ORDINANCE EXTENDING THE THRESHOLD DATE AND TERM OF A FEE IN LIEU OF TAX AGREEMENT WITH RESPECT TO THE EXPANSION OF AN INDUSTRIAL PROJECT IN THE COUNTY AS PROVIDED IN TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, BY AND BETWEEN TRANSAXLE MANUFACTURING OF AMERICA CORPORATION AND YORK COUNTY.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

10. Council to Adopt A RESOLUTION RATIFYING THE CONSENT TO ASSIGN THE 1998 INDUCEMENT AND MILLAGE RATE AGREEMENT AND ASSOCIATED DOCUMENTS AND THE 2006 FEE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND BOWATER INCORPORATED.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

11. Council to Adopt A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT PREVIOUSLY APPROVED BY ORDINANCE NO. 6117 ON DECEMBER 4, 2017 TO BE ENTERED INTO AS OF SUCH DATE BY AND AMONG YORK COUNTY, SOUTH CAROLINA (THE "COUNTY"), BLACK AND DECKER (U.S.) INC., AND CRESCENT LAKEMONT II, LLC (AS SUCCESSOR IN INTEREST TO CRESCENT COMMUNITIES, LLC) (COLLECTIVELY, THE "COMPANIES"), IN CONNECTION WITH THE ESTABLISHMENT BY THE COMPANIES OF CERTAIN MANUFACTURING AND RELATED FACILITIES IN THE COUNTY.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

12. COUNCIL TO APPROVE FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND ECLIPSE AUTOMATION SOUTHEAST, LLC, WHEREBY, UNDER CERTAIN CONDITIONS, YORK COUNTY WILL PROVIDE ECLIPSE AUTOMATION SOUTHEAST, LLC WITH CERTAIN CREDITS AGAINST TAXES, WITH RESPECT TO AN INDUSTRIAL PROJECT IN THE COUNTY, AND SUCH CREDITS WILL BE IN REIMBURSEMENT OF INVESTMENT RELATED TO QUALIFIED INFRASTRUCTURE; AND PROVIDING FOR RELATED MATTERS.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

13. Council to award Bid #2585 regarding the replacement of York County's Main Library HVAC system located in Rock Hill, to the lowest responsive and responsible bidder, Johnson Controls of Charlotte NC, for a total cost of \$596,053.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

14. Council to approve authorization for negotiations regarding RFQ #2587 for architectural and engineering services for the creation of the educational programming area at Historic Brattonsville.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

15. Council to reject all bids received regarding Bid #2593 for the purchase of a Drug Analysis Gas Chromatography Mass Spectrometer and Data System, for use by the York County Sheriff's Office.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

16. Council to approve the administration of the Cultural and Heritage Museums' Worker's Compensation Insurance program by the South Carolina State Accident Fund, for a total premium cost not to exceed \$36,411.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

17. Council to award architectural/engineering services regarding structural stabilization of the Hightower Hall at Historic Brattonsville, to Bennett Preservation Engineering of Charleston SC, for a total cost of \$42,765.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

18. Council to approve additional scope of work for an amount not to exceed \$22,300 for professional mechanical engineering services for the Law Enforcement Training Center's electrical upgrades project, to Clark Patterson Lee of Greenville SC, for a total project cost of \$42,000.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

19. Council to approve consent to the assignment of the County contract with Joyce Engineering Inc. of Richmond VA, for professional solid waste management consulting services to LaBella Associates P.C., of Rochester NY.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

20. Council to declare County-owned Real Property, parcel number 736-00-00-316, as surplus, and authorize its sale in accordance with the County Code regarding the disposition of County property.

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey

21. Council to Approve a contract regarding previously donated Rural Development Funds received from York Electric Cooperative for purposes of designating the use of those funds for improvements to Electric Avenue in the East York Industrial Park

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: William "Bump" Roddey

22. Council to approve authorizing the US 21/Anderson Road/Cowan Farm Road Intersection revised Water Utility Agreement with the City of Rock Hill and authorizing execution of the agreement by the County Manager

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: William "Bump" Roddey

Public Hearing(s)

1. Public Hearing

(6:08pm) There being no one interested in speaking for or against the proposed ordinance a motion was made by Council member Britt Blackwell and seconded by Council member Robert Winkler to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

AYES: Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER AMENDING AND THIRD READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 52, TO ADD REQUIREMENTS APPLICABLE TO FOOD SERVICE ESTABLISHMENTS TO PREVENT FAT, OIL, AND GREASE (FOG) FROM ENTERING THE PUBLIC SEWER SYSTEM; TO ADD DEFINITIONS RELATED TO FOG CONTROL; TO ADD FEES AND CHARGES FOR VIOLATIONS OF FOG CONTROLS; TO ADOPT A FOG POLICY; TO PROVIDE FOR METHODS OF ENFORCEMENT AND RECOVERY OF DAMAGES FOR NON-COMPLIANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:08pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

AYES: Hamilton, Johnson, Love, Winkler, Roddey, Cox, Blackwell

2. Rezoning Action: Hold Public Hearing:

Case # 18-25
Tax Map # 6341109004; 6341109005; 6341109006
Zoning Request: To rezone from RC-I to BD-I
Acres: 0.97 +/- acres
Council District: Six (6) Britt Blackwell
Applicant Paul Burt and Melissa Wood
Owner: Donald Graham
Location: Celanese Road and Hilltop Road in the Rock Hill Community
Planning Commission Date: February 11, 2019

(6:09pm) David Hudspeth, Planning and Development Director provided an overview of the proposed rezoning from RC-I to BD-I and explained that the use will be to have an eye doctor office.

The following individuals spoke in favor of the proposed rezoning:

(6:11pm) Randall Bazarad, 8008 Corporate Center Drive, Charlotte, North Carolina, spoke on behalf of the property owners in support of the proposed rezoning. Mr. Bazarad explained that they have met with the surrounding neighbors and most of them were in favor of the proposed rezoning.

(6:12pm) There being no one else interested in speaking for or against the proposed rezoning a motion was made by Council member Christi Cox and seconded by Council member Allison Love to close the public hearing.

NOTE: This was a public hearing only. No vote was taken on the rezoning.

APPROVED [Unanimous]

MOVANT: Christi Cox

SECOND: Allison Love

AYES: Hamilton, Johnson, Love, Winkler, Roddey, Cox, Blackwell

3. Rezoning Action: Hold Public Hearing:

Case # 18-26
 Tax Map # 6180000062; 6180000081
 Zoning Request: To rezone from RUD to LI
 Acres: 3.49 +/- acres
 Council District: Five (5) Christi Cox
 Applicant Rusty Phillips
 Owner: Phillips Properties of the Carolinas
 Location: Mt Holly Road in the Rock Hill Community
 Planning Commission Date: February 11, 2019

(6:13pm) David Hudspeth, Planning and Development Director provided an overview of the proposed rezoning from RUD to LI for a storage use/warehouse.

The following individuals spoke in favor of the proposed rezoning:

(6:13pm) Dan D'Agastino, Attorney on behalf of Phillips Properties spoke in favor of the proposed rezoning.

(6:14pm) There being no one else interested in speaking for or against the proposed rezoning a motion was made by Council member Britt Blackwell and seconded by Council member Christi Cox to close the public hearing.

NOTE: This was a public hearing only. No vote was taken on the rezoning.

APPROVED [Unanimous]

MOVANT: Britt Blackwell
SECOND: Christi Cox
AYES: Hamilton, Johnson, Love, Winkler, Roddey, Cox, Blackwell

4. Rezoning Action: Hold Public Hearing:

Case # 18-27
 Tax Map # 5920000007; 5920000008
 Zoning Request: To rezone from RD-I to B-II
 Acres: 9.199 +/- acres
 Council District: Six (6) Britt Blackwell
 Applicant Hampshire Realty Advisors, LLC
 Owner: Lee Thomasson and Matthew Thomasson
 Location: Celanese Road at Twin Lakes Road in the Rock Hill Community
 Planning Commission Date: February 11, 2019

(6:15pm) The developer requested this item to be deferred. However, since it was previously noticed for public hearing, Council allowed anyone to speak for or against the proposed rezoning.

There was no one interested in speaking for or against the proposed rezoning. This item will be noticed for a second public hearing at a later date.

Old Business

1. Rezoning Action: Consider Third Reading:

Case # 18-18
Tax Map # 7190000139
Zoning Request: To rezone from BD-I to RC-I
Acres: 2.17 +/- acres
Council District: One (1) Michael Johnson
Applicant and Owner: Richard J. Edwards
Location: 373 Forest Way Dr, in the Fort Mill Community
Staff Recommendation: Approval
Planning Commission Approval (Unanimous)
Planning Commission Date: November 12, 2018

(6:16pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: Britt Blackwell
AYES: Hamilton, Love, Winkler, Roddey, Cox, Blackwell
RECUSED: Michael Johnson

2. Rezoning Action: Consider Third Reading:

Case # 18-16
Tax Map # 6520000114
Zoning Request: Major Amendment to the Brayden Planned Development
Acres: 5.77 +/- acres
Council District: One (1) Michael Johnson
Applicant: Stanchion Asset Partners, LLC
Owner: Standard Pacific of the Carolinas, LLC
Location: 804 Brayden Pkwy. in the Fort Mill Community
Staff Recommendation: Approval
Planning Commission Approval (Unanimous)
Planning Commission Date: November 12, 2018

(6:16pm)

DEFERRED [Unanimous]

MOVANT: Christi Cox

SECOND: Allison Love

AYES: Hamilton, Johnson, Love, Winkler, Roddey, Cox, Blackwell

New Business

1. Council to approve a transfer of \$6,600,000 to Debt Service Reserve Fund from General Fund unassigned surplus.

(6:17pm) County Manager, Bill Shanahan explained that the County is in a position to transfer additional funds into the debt service reserve fund created during the fiscal year 2019 budget process. This transfer will eliminate the planned 1 mill increase in the 2020 budget and still allow the County to have the necessary funds available to pay off the 2016 general obligations bonds in April 2024.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Britt Blackwell

AYES: Hamilton, Johnson, Love, Winkler, Roddey, Cox, Blackwell

Committee and Other Reports

Council Member New/Non-agenda Comments

(6:18pm) Council member Britt Blackwell addressed Council about having a further discussion regarding amending the public hearing process for rezonings.

(6:19pm) Council member William "Bump" Roddey addressed Council regarding the employee appreciation basketball game at Winthrop University and explained that we have had positive feedback from employees and he will continue to keep the Council updated.

(6:20pm) Council member Allison Love addressed Council regarding the concrete plant on Bethel School Road and the negative impact that it has had in the area. Council member Love would like Council to move a little quicker on items in order to make sure the citizens benefit from the decisions made by Council members and we have no more negative impacts on citizens.

(6:24pm) Council member Joel Hamilton thanked Council member Britt Blackwell for his time served as the Chairman of County Council and also congratulated Michael Johnson and Christi Cox on their newly elected position of Chairman and Vice Chairwoman.

(6:25pm) Chairman Michael Johnson also thanked Council member Britt Blackwell for his time served as the Chairman of County Council.

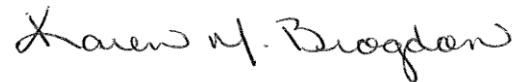
Citizen Concerns

Executive Session

Matters for consideration following Executive Session

Adjourn

There being no further business, the meeting adjourned at 6:26pm.

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