



**YORK COUNTY
COUNTY COUNCIL**



MINUTES • FEBRUARY 18, 2019

FINAL

County Council Meeting

Agricultural Building

6:00 PM

Council Chambers

6 S. Congress Street, York, SC 29745

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.

Oath of Office for newly appointed Board and Commission Members

- Rosalind Harps, Catawba Regional Workforce Investment Board
- Albert Quarles, Zoning Board of Appeals (District 6)
- Michael Carruth, Lesslie Fire Tax Advisory Board
- Ronnie Beck, Economic Development Board (Catawba Indian Nation Representative)
- Matthew Martin, Rock Hill/York County Convention & Visitor's Bureau (At Large) **ABSENT**
- David Roberts, Rock Hill/York County Convention & Visitor's Bureau (At Large) **ABSENT**
- James Lightsey, Flint Hill Fire Tax Advisory Board
- Peter Cappuccilli, Bethel Fire Tax Advisory Board
- Paul Rodriguez, Bethel Fire Tax Advisory Board
- Joseph Costello, Bethel Fire Tax Advisory Board
- Dorothy Johnson, Hospitality Tax Committee (District 2)

Appearances

(6:06pm) Chairman Michael Johnson recognized Emergency Management Director, Chuck Haynes and Deputy Director, Mike Channel on the saving of two of York County's Sheriff's Deputies wounded in January 2018.

(6:08pm) Manning Kimmel addressed Council regarding Pathways. Manning explained that Pathways is a Community Center that will assist citizens with many needs to homelessness, human trafficking, medical assistance, education, etc. Mr. Kimmel requested Council's financial support in the amount of \$150,000-\$200,000 to assist with getting the building that was purchased on Cherry Road upfitted. Mr. Kimmel explained that this would be a one time donation for a capital need.

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

(6:28pm) Brenda Carpenter, 4671 Westwind Drive, Rock Hill, SC requested Council to reconsider their vote on the rezoning of property located at 102 Weatherwood Drive. Ms.

Carpenter stated that she is not in favor of the rezoning and does not want another used car lot next to her neighborhood.

(6:30pm) Larry Harker, 4681 Westwind Drive, Rock Hill, SC appeared before Council to state his opposition to the proposed rezoning at 102 Weatherwood Drive.

(6:33pm) Herbert Auten, 1586 Adnah Church Road, Rock Hill, SC appeared before Council to state his support for the proposed rezoning at 102 Weatherwood Drive.

(6:34pm) Norah Daher, 5089 Downing Drive, Fort Mill, SC appeared before Council to state her support for the proposed rezoning at 102 Weatherwood Drive.

(6:37pm) Nahim Daher, 5089 Downing Drive, Fort Mill, SC appeared before Council to state his support for the proposed rezoning at 102 Weatherwood Drive.

Consent Agenda

(6:39pm) Council member William "Bump" Roddey requested that item #8 (York County Culture and Heritage Museums re-branding issue) be moved to #3 in New Business.

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

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

1. Approval of February 4, 2019 Finance & Operations Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

2. Approval of February 4, 2019 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

3. Rezoning Action: Consider Second Reading:

Case #	18-22
Tax Map #	6530000024
Zoning Request:	To rezone from AGC to BD-II
Acres:	1.30 +/- acres

Council District: One (1) Michael Johnson
Applicant: William Henry Powell
Owner: William Henry Powell
Location: 124 Powell Place in the Fort Mill Community
Staff Recommendation: Approve
Planning Commission: Approved (7, 0)
Planning Commission Date: January 14, 2019
Public Hearing Date: December 3, 2018

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

4. Rezoning Action: Consider Second Reading:

Case # 18-23
Tax Map # 2650000094 (P)
Zoning Request: To rezone from BD-I to AGC
Acres: 5.0 +/- acres
Council District: Three (3) Robert Winkler
Applicant: Tim Helline
Owner: DNBC, LLC
Location: Intersection of SC Highway 55 and SC Highway 161 in the Clover Community
Staff Recommendation: Approve
Planning Commission: Approved (7, 0)
Planning Commission Date: January 14, 2019
Public Hearing Date: December 3, 2018

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

5. COUNCIL TO APPROVE AN AMENDED RESOLUTION AUTHORIZING THE EXTENSION OF THE THRESHOLD DATE AND TERM BY YORK COUNTY, SOUTH CAROLINA OF A FEE IN LIEU OF TAX AGREEMENT WITH TRANSAXLE MANUFACTURING OF AMERICA CORPORATION WITH RESPECT TO THE EXPANSION OF AN INDUSTRIAL PROJECT IN THE COUNTY WHEREBY SUCH EXPANSION WOULD BE SUBJECT TO PAYMENT OF CERTAIN FEES IN LIEU OF TAXES, AND PROVIDING FOR RELATED MATTERS.

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

6. Council to approve a mitigation agreement with "May Green Properties" for road improvements identified within the TIA for the development of Sanders Landing

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

7. Council to Approve First Reading of an Ordinance TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 32, SECTIONS 32.36(A)(1) AND (A)(3), FOR THE PURPOSE OF CLARIFYING THE MANNER IN WHICH INDIVIDUALS WHO HAVE SERVED IN AN EX OFFICIO CAPACITY ON THE CULTURE AND HERITAGE COMMISSION CAN THEREAFTER CONSECUTIVELY SERVE AS A VOTING MEMBER OF THE COMMISSION; DESIGNATING THE MANNER FOR CALCULATING THEIR TERMS; AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

8. Council to rescind award regarding Bid #2577 for the purchase of three new 2019 full size trucks for use by the York County Road Maintenance Department.

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

9. Council to approve Bid #2596 regarding the purchase of one new JCB 457ZX Rubber Tire Loader to the lowest responsive and responsible bidder, Company Wrench LTD of Lexington, SC for the total cost of \$262,859.25

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

10. Council to approve authorization for contract negotiations regarding RFP #2597 for routine electronic recyclables transportation and processing.

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

11. Council to approve the execution of a Design Contract for the Highway 21 Force Main Ductile Iron Pipe Road Crossing Project to Armstrong Glen, P.C. of Charlotte NC for the amount of \$144,400.00 plus approval to utilize a 10% contingency if necessary.

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

12. Council to approve the execution of a Design Contract for the Water and Sewer Eastern Maintenance Facility to McMillan Pazdan Smith Architecture of Spartanburg SC for the amount of \$134,550.00 plus approval to utilize a 10% contingency if necessary.

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

13. Council to approve the Intergovernmental Agreement with the Town of Clover relating to paving roads within the incorporated areas of the Town and utilizing Town funds

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

Public Hearing(s)

1. Rezoning Action: Hold Public Hearing:

Case # 19-03
Tax Map # 6710000051
Zoning Request: To rezone from UD to RC-II
Acres: 0.492 +/- acres
Council District: Five (5) Christi Cox
Applicant Tina Catoe
Owner: Richard Mackiewicz
Location: 241 Springdale Road in the Rock Hill Community
Planning Commission Date: March 11, 2019
(6:39pm)

The following individuals spoke in favor of the proposed rezoning:

(6:40pm) Tina Catoe, wife of the applicant appeared before Council and expressed her support for the proposed rezoning.

(6:40pm) 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 William "Bump" Roddey 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: William "Bump" Roddey

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

2. Close the Public Hearing

The following individuals spoke in favor of the proposed ordinance:

(6:41pm) Tim Abercam, President of Transaxle Manufacturing addressed Council regarding his support for the proposed rezoning.

(6:42pm) There being no one else interested in speaking for or against the proposed ordinance a motion was made by Council member Christi Cox and seconded by Council member Robert Winkler to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Christi Cox

SECOND: William "Bump" Roddey

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

COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER AMENDING AND PROVIDING THIRD 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.

(6:43pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: William "Bump" Roddey

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

Old Business

1. Patrick Hamilton to provide the quarterly Pennies for Progress update.

(6:42pm) Patrick Hamilton, Pennies for Progress Manager provided an update on the PFP program. Mr. Hamilton explained that three (3) 2018 projects have been completed; Cel River Road, Ross Cannon/4th/5th Street and Poe/Quantz Railroad Crossing and four (4) construction contracts have been awarded; Hwy 274/Pole Branch Road, Anderson/Cowan Farm Road Intersection, Barrett/US 321 Connector Road and SC 160 West. Mr. Hamilton also informed Council that 13 of the 14 new Pennies 4 projects have began design. Patrick also stated that the 2019 goals are no change order on construction projects over contract amount, receive right of way plan approval on 6 Pennies 4 projects and pave approximately 6 miles of Pennies County road with in house paving crew. Finally, Mr. Hamilton stated that the upcoming construction schedule is Gold Hill/I-77 - May letting, Resurfacing Group 3 (19 miles) should be awarded in February, Cherry Road to include pedestrian safety project from Pennies 3 to be awarded in February and US 21 South turn lanes. Mr. Hamilton also mentioned that they have received right of way plan approval from SCDOT for Hwy 72 and

that the Hwy 557 public information meeting is scheduled for February 20 at 7:00pm at the Bethel Volunteer Fire Department.

2. Bobbie Comer to provide an update on the Animal Control Department

(6:55pm) Bobbie Comer, Animal Control Director provided an update on Animal Control. Ms. Comer stated that the intake has reduced by 24% and the owner surrenders by 51% in the past year. Ms. Comer also explained that the euthanasia rate has decreased by 55% and the 2018 annual save rate is 79% but has been over 90% since September and that over 800 dogs were rescued in 2018. Ms. Comer stated that some strategic actions that the department is taking is equipping each officer with a microchip scanner in the field, implemented managed intake program, introduced field protocol for stray reunification, implemented a marketing program through social media, increased partnership with rescues, implemented resolution for reduced shelter adoption fees for special events and created a community foster program. Additional highlights that Ms. Comer addressed were the updated cleaning system which will have approximately 40% in reduction in cost annually, implemented managed feeding program which decreased the food budget by approximately 25%, partnered with Chameleon to design reports allowing staff to monitor animal's health guidelines and analyze the cost effectiveness of implemented programs, purchased an x-ray machine which will decrease the cost of outsourced medical care and implemented shelter policies to meet the minimum standard of care as set by the ASPCA National Shelter Guidelines. The Shelter has also partnered with FYCAS to implement foster programs, implemented community reading program with the York County Schools and created and piloted a shelter emergency management program during Hurricane Florence.

3. Rezoning Action: Consider Second Reading:

Case #	18-20
Tax Map #	5440000031
Zoning Request:	To rezone from BD-I to BD-III
Acres:	1.53 +/- acres
Council District:	Six (6) Britt Blackwell
Applicant:	Noura Daher
Owner:	Herbert Marshall ETAL
Location:	102 Weatherwood Street in the Rock Hill Community
Staff Recommendation:	Denial
Planning Commission:	Approved (5, 2)
Planning Commission Date:	December 10, 2018

(7:04pm) Motion to approve the rezoning from BD-I to BD-III with the following conditions: 100 foot buffer must be maintained to separate the auto sales lot to the adjoining residential properties at the rear of the lot, auto repairs are prohibited from taking place on the property, all vehicles located on the property must be in operable condition and the use of the property is restricted to auto sales lot or other uses allowed within the BD-I district.

(7:08pm) Motion was made by Council member William "Bump" Roddey and seconded by Council member Allison Love to amend the original motion to reduce the buffer to 50 foot instead of 100 foot.

Council members Joel Hamilton, Robert Winkler, Christi Cox, Michael Johnson, and Britt Blackwell voted in opposition of the proposed motion. Motion Fails.

APPROVED [Unanimous]

MOVANT: Britt Blackwell

SECOND: Robert Winkler

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

New Business

1. Council to consider authorizing a waiver of the required application fee or alternatively designating Tina Catoe as the responsible party for application fees.

(7:10pm)

APPROVED [Unanimous]

MOVANT: Christi Cox

SECOND: Allison Love

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

2. COUNCIL TO APPROVE FIRST READING OF AN ORDINANCE TO AUTHORIZE THE REFUND OF THE COUNTY GOVERNMENT PORTION OF OVERPAID TAXES FOR THE REAL PROPERTY ASSOCIATED WITH THE LEGAL RESIDENCE IDENTIFIED AS TAX MAP NUMBER 388-00-00-059; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:15pm)

APPROVED [5 to 2]

MOVANT: Robert Winkler

SECOND: Allison Love

AYES: Love, Winkler, Roddey, Cox, Hamilton

NAYS: Michael Johnson, Britt Blackwell

3. Council to approve the agreement between York County Culture and Heritage Museums and MODE, a Visual Agency, LLC for purposes of re-branding of CHM and its individual sites in an amount not to exceed \$95,000.00.

(7:19pm)

APPROVED [5 to 2]

MOVANT: Robert Winkler

SECOND: Britt Blackwell

AYES: Johnson, Winkler, Cox, Blackwell, Hamilton

NAYS: Allison Love, William "Bump" Roddey

Committee and Other Reports

(7:43pm) Finance & Operations Committee Meeting, Monday, February 18, 2019, 5:30pm, Chairwoman, Christi Cox

Council Member New/Non-agenda Comments

(7:44pm) Chairman Michael Johnson recognized the Boy Scouts that are in attendance at the York County Council meeting.

(7:44pm) Council member Robert Winkler stated that PATH (local non-profit organization) requested that the County donate the unused storage building behind the Ag Building to them.

(7:47pm) Council member Britt Blackwell stated that he would like the Pathways discussion on the next agenda for consideration.

(7:47pm) Council member William "Bump" Roddey stated that this Saturday, February 23 is the Employee/Boards & Commissions appreciation basketball game at Winthrop University. Also, Mr. Roddey stated that a shooting occurred last week and a friend of his was murdered. Mr. Roddey requested that everyone keep that family in your thoughts and prayers.

(7:51pm) Council member Allison Love thanked County Management and department heads for the information that was provided at the strategic plan workshop last week.

(7:51pm) Council member Joel Hamilton stated that he is impressed with the amount of compassion that he has seen throughout the County tonight during the Council meeting.

Citizen Concerns

Executive Session

Receipt of Legal Advice: Update on Clawson ZBA Appeal

Receipt of Legal Advice: Condemnation Project 11149-004, Tract 72

Proposed Contractual Matter and Receipt of Legal Advice: Ryan Powell Litigation

Matters for consideration following Executive Session

1. Motion to authorize the condemnation of Project 11149-004, Tract 72.

(7:56pm)

ADOPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Christi Cox

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

2. Motion to authorize the legal association of Attorney Keith Martens in the Ryan Powerll litigation

(7:56pm)

ADOPTED [Unanimous]

MOVANT: Robert Winkler

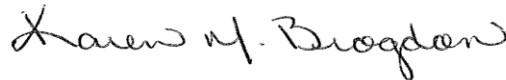
SECOND: Allison Love

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

RECUSED: Christi Cox

3. Adjournment

There being no further business, the meeting adjourned at 7:57pm.



Karen M. Brogdon, Clerk to Council