



YORK COUNTY
COUNTY COUNCIL
MINUTES • APRIL 5, 2021



FINAL

County Council Meeting

York County Government Center
6 South Congress Street
York, SC 29745

6:00 PM

District 1 Tom Audette: Absent, District 2 Allison Love: Present, Vice-Chairman Robert Winkler: Present, District 4 William "Bump" Roddey: Present, Chairwoman Christi Cox: Present, District 6 Brandon Guffey: Present, District 7 Joel Hamilton: Absent.

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

Lee Green, Board of Disabilities and Special Needs (Maxabilities), At Large **ABSENT**
Rob Cooper, Board of Disabilities and Special Needs (Maxabilities), At Large **ABSENT**

Appearances

Receipt of Information from Wanda Hemphill, Executive Director of Voter Registration and Elections, regarding municipal/county election procedures. **DID NOT APPEAR**

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

(6:02pm) Reid Smith, 4343 Reid Road, Rock Hill, South Carolina addressed Council regarding his support for the proposed rezoning on Bechtler Road.

Consent Agenda

(6:02pm)

Council members removed item #5 (Boards and Commissions appointments) and moved it to #2 new business.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

1. Approval of March 9, 2021 Workshop Minutes

ACCEPTED [Unanimous]

MOVANT: Allison Love

SECOND: Robert Winkler

2. Approval of March 15, 2021 Finance & Operations Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Allison Love

SECOND: Robert Winkler

3. Approval of March 15, 2021 Transportation Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Allison Love

SECOND: Robert Winkler

4. Approval of March 15, 2021 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Allison Love

SECOND: Robert Winkler

5. Council to approve 2021 Prioritized Community Needs List for the Community Development Block Grant Program.

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Robert Winkler

6. Council to approve final Change Order No. 4 in the amount of \$78,728.00 for work associated with the Moss Justice Center Expansion.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

7. Council to approve the execution of Amendment #1 with Mead and Hunt in the amount of \$1,169,836.48 for the Project 17228-003: Cel River Road widening project.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

8. Council to authorize the execution of the Master Deed to SCDOT in order to transfer new ROW along the relocated S-1086 (Barrett Road) in Clover to the South Carolina Department of Transportation (SCDOT), necessary for completion of Pennies 3 Project 11149-003 (Phase 2): S-1086 (Barrett Road).

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

9. Council to approve the acceptance of a Quitclaim Deed from SCDOT, upon its receipt, in substantially the same form as the Preliminary Deed presented to the County herein, conveying ownership of a portion of SCDOT right-of-way to the County on property identified as Tax Map Number 667-01-01-005 for Galleria Blvd, Pennies Project 17228-003.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

10. Consider First Reading by Title Only of AN ORDINANCE APPROVING THE TRANSFER OF THE RIGHT OF WAY PURCHASED FROM PROPERTY OWNERS ALONG GUINN STREET EXTENSION, BETWEEN RD. S-4 (OLD N. MAIN) AND U.S. HWY 321 IN CLOVER TO THE TOWN OF CLOVER, NECESSARY FOR COMPLETION OF PENNIES 3 PROJECT 11149-003 (PHASE 1).

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

11. Council to approve award regarding Bid #2730 for the Law Enforcement Training Center's Window Replacement Project, to the lowest responsive and responsible bidder,

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

12. Council to authorize contract negotiations with Evergreen Solutions LLC, of Tallahassee FL, regarding RFP #2733 for Human Resources Consulting Services and to authorize the County Manager to execute the contractual agreement upon successful negotiations.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

13. Council to approve award of Bid #2734 regarding the purchase of a medical waste incinerator for use by the Coroner's Office, to the lowest responsive and responsible bidder, Skimoil of Hudson OH, for a total cost of \$37,243.63.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

14. Council to approve award regarding Bid #2737 for the US 321/Kings Mountain Road Intersection - Project# 17228-008, to the lowest responsive and responsible bidder, Eagle Construction Company, Inc. of Newberry, SC, for a total cost of \$1,646,483.81.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

15. Council to approve award regarding RFP #2739 for professional auditing services for use by the Finance Department, for fiscal years 2021, 2022, and 2023, to Elliott Davis, LLC of Charleston SC, for a total cost of \$220,500.00.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

16. Council to approve a sole source purchase of Itron specific automatic meter reading technology from United Systems and Software Inc., of Benton KY, for a total cost not to exceed \$75,000.00.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

17. Council approve a 3-year agreement for the Hickory Grove Magistrate office with the Town of Hickory Grove.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

18. Council to authorize Annual Maintenance and Support Services from Patriot Properties, Inc for the County CAMA software in the amount of \$91,000.00.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

19. COUNCIL TO APPROVE THE REQUEST TO APPLY FOR AND TO ACCEPT, IF AWARDED, A SOUTH CAROLINA COORDINATING COUNCIL GRANT IN THE AMOUNT OF \$50,000 TO SUPPORT PROJECT HAWK. NO LOCAL MATCH REQUIRED.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

20. Council to Consider First Reading by Title Only of AN ORDINANCE TO AMEND, AS A MINOR CHANGE, THE LAZY HAWK ROAD PLANNED DEVELOPMENT DISTRICT, COMPRISING 179.12 +/- ACRES OF LAND (OWNED BY TOM CAT TOO, LLC AND CAT REAL ESTATE HOLDINGS, LLC AND BLACKWELL FAMILY PROPERTIES, LLC AND LAZY HAWK PROPERTY OWNERS ASSOCIATION) AND LOCATED AT LAZY HAWK ROAD IN THE ROCK HILL COMMUNITY, REFERENCED BY TAX MAP 617; PARCELS 1, 26, 77, 84, AND 85 OF THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP(S), FOR PURPOSES OF CLARIFYING CERTAIN ASPECTS OF THE PD DISTRICT AND PLAN, INCLUDING BUT NOT LIMITED TO, THE ORIENTATION AND TREATMENT OF LOADING DOCKS AS INCLUDED IN THE PARKING NOTES FOR THE PD PLAN AND SEPARATION OF CERTAIN PERMITTED USES FROM ADJOINING PROPERTIES AS INCLUDED IN THE PERMITTED USES NOTE, THAT DO NOT ALTER THE OVERALL CHARACTERISTICS OF THE TOTAL PLAN AND THAT CREATE NO ADVERSE IMPACTS ON ADJACENT USES OR PUBLIC SERVICES AND FACILITIES; TO PROVIDE FOR A PUBLIC HEARING, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler

Public Hearing(s)

1. Public Hearing

(6:04pm) 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 Allison Love to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler
SECOND: Allison Love
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

Council to hold a Public Hearing and Consider Third Reading of AN ORDINANCE TO AUTHORIZE THE SALE OF 34,438 SQUARE FEET (0.791 ACRES, MORE OR LESS) OF AN EXISTING RIGHT-OF-WAY ALONG S-48 (SPRINGHILL FARM ROAD) LOCATED NEAR SC HWY 51 IN FORT MILL; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE THE PORTION OF PROPERTY IN EXCHANGE FOR GRANTING THE COUNTY A PORTION OF PROPERTY IDENTIFIED BY TAX MAP NUMBER 725-00-00-025 TO ALLOW FOR THE RELOCATION OF SPRINGHILL FARM ROAD AND CONSTRUCTION OF THE NEW INTERSECTION AS PART OF PENNIES FOR PROGRESS PROJECT NO. 11149-004, US 21/SC 51; TO AUTHORIZE THE CHAIRWOMAN TO EXECUTE THE PROPERTY EXCHANGE AGREEMENT AND DEEDS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:04pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: Allison Love
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

2. Public Hearing

(6:05pm) 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 Allison Love to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler
SECOND: Allison Love
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

Council to hold a Public Hearing and Consider Third Reading of AN ORDINANCE TO AUTHORIZE THE SALE OF 12,887 SQUARE FEET (0.296 ACRES, MORE OR LESS) OF AN EXISTING RIGHT-OF-WAY ALONG S-48 (SPRINGHILL FARM ROAD) IN FORT MILL; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE THE PORTION OF PROPERTY IN EXCHANGE FOR GRANTING THE COUNTY PORTIONS OF PROPERTIES IDENTIFIED BY TAX MAP NUMBERS 725-00-00-007 AND 725-00-00-066 TO ALLOW FOR THE CONSTRUCTION OF THE NEW INTERSECTION AND SC 51 AS PART OF PENNIES FOR PROGRESS PROJECT NO. 11149-004, US 21/SC 51; TO AUTHORIZE THE CHAIRWOMAN TO EXECUTE THE PROPERTY EXCHANGE AGREEMENT AND DEEDS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:06pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: Allison Love
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

3. Public Hearing

(6:07pm) 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 Allison Love to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler
SECOND: Allison Love
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

Council to hold a Public Hearing and Consider Third Reading of AN ORDINANCE TO AUTHORIZE THE SALE OF 663 SQUARE FEET (0.015 ACRES, MORE OR LESS) OF A PROPERTY IDENTIFIED BY TAX MAP NUMBER 725-00-00-034, AND 12,880 SQUARE FEET (0.296 ACRES, MORE OR LESS) OF AN EXISTING RIGHT-OF-WAY ALONG S-641 (FLINT HILL ROAD) BETWEEN SC HWY 51 AND SPRINGHILL FARM ROAD, IN FORT MILL; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE THE PORTIONS OF PROPERTY IN EXCHANGE FOR GRANTING THE COUNTY A PORTION OF TAX MAP NUMBER 725-00-00-010 BY DEED TO ALLOW FOR THE RE-ALIGNMENT OF SPRINGHILL FARM ROAD AND FLINT HILL ROAD TO CREATE ONE INTERSECTION WITH SC HWY 51 AS PART OF PENNIES FOR PROGRESS PROJECT NO. 11149-004, US 21/SC 51; TO AUTHORIZE THE CHAIRWOMAN TO EXECUTE THE PROPERTY EXCHANGE AGREEMENT AND DEEDS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(6:07pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: Allison Love
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

4. Public Hearing

(6:07pm) 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 Allison Love to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler
SECOND: Allison Love
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

Council to hold a Public Hearing and Consider Third Reading of AN ORDINANCE TO AUTHORIZE THE SALE OF A 31,278 SQUARE FOOT (0.718 ACRES, MORE OR LESS) PORTION OF A PARCEL LOCATED IN FORT MILL AND IDENTIFIED BY TAX MAP NUMBER 719-00-00-027, AND THE SALE OF 20,961 SQUARE FEET (0.481 ACRES, MORE OR LESS), OF AN EXISTING RIGHT-OF-WAY ALONG S-1726 (GOLD HILL ROAD) ABUTTING THE PROPERTY IDENTIFIED BY TAX MAP NUMBER 719-00-00-027 IN FORT MILL; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE BOTH PORTIONS OF PROPERTY IN EXCHANGE FOR GRANTING THE COUNTY A PORTION OF A PARCEL IDENTIFIED BY TAX MAP NUMBER 719-00-00-018 BY DEED IN ORDER TO ALLOW FOR THE WIDENING OF US 21 AND THE REALIGNMENT OF OLD NATION ROAD AND GOLD HILL ROAD AS PART OF PENNIES FOR PROGRESS PROJECT NO. 11149-004, US 21/SC 51; TO AUTHORIZE THE CHAIRWOMAN TO EXECUTE THE PROPERTY EXCHANGE AGREEMENT AND DEEDS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:09pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: Allison Love
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

5. Public Hearing

(6:09pm) 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 Allison Love to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler
SECOND: Allison Love
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

Council to hold a Public Hearing, consider amending and providing Third Reading of AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT AND INCENTIVE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND A COMPANY OR COMPANIES KNOWN AS 3D FIELDS, LLC (FORMERLY IDENTIFIED AS "PROJECT CITRUS COOLER") WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE CREDITS; AND OTHER MATTERS RELATED THERETO.

(6:10pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: Allison Love
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

6. Public Hearing

(6:10pm) 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: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

Rezoning Action: Hold Public Hearing and Consider First Reading

Case # 21-04
Tax Map # 613-00-00-025

Zoning Request: To rezone from UD to RUD-I
Acres: 20.75 +/- acres
Council District: Five (5) Christi Cox
Applicant: Reid Smith
Owner: Fincher/Smith
Location: Bechtler Road, Rock Hill
Planning Commission Date: March 8, 2021
Staff Recommendation: Approve
PC Recommendation: Approve

(6:11pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: Allison Love
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

Old Business

1. Rezoning Action: Consider Third Reading

Case # 21-01
Tax Map # 5500000114, 5500000115, 5510000043
Zoning Request: To rezone from RD-II to AGC
Acres: 164.22 +/- acres
Council District: Two (2) Allison Love
Applicant: Stewart Inc.
Owner: Duke Energy Carolinas, LLC
Location: 2499 Viesta Road, York
Planning Commission Date: February 8, 2021
Staff Recommendation: Approve
PC Recommendation: Approve

(6:12pm)

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Robert Winkler
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

New Business

1. Council to ratify the Memorandum of Understanding for the Solicitor's Office application for the Federal Domestic Violence Grant submitted in advance of the March 31, 2021 deadline.

(6:12pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: William "Bump" Roddey
AYES: Love, Winkler, Roddey, Cox, Guffey
ABSENT: Tom Audette, Joel Hamilton

2. Approve nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on March 15, 2021: Michael Drummond, York County Natural Gas Board, Nichol Druckemiller, York County Forever (District 1), Creighton Hayes, York County Forever (District 7), Stephen Ballenger, Keep York County Beautiful (District 6), Ashley Platts, Keep York County Beautiful (District 7), Marie McFadden, Keep York County Beautiful (At Large), Elizabeth Beuch, Keep York County Beautiful (At Large), Marion Ray, Keep York County Beautiful (At Large), Marilyn Hakim, Keep York County Beautiful (At Large), Billy Dunlap, Olde English District Commission, Barbara Candler, Zoning Board of Appeals (District 2), Tony Smith, Zoning Board of Appeals (District 3), Derrick Williams, Zoning Board of Appeals (District 4), Ron Domurat, Lake Wylie Parks and Recreation District, Kopper Thatch, Board of Disabilities and Special Needs (District 1), Matt Burrell, Board of Disabilities and Special Needs (At Large), Lisa Arrowood, Catawba Regional Workforce Investment Board, Benjamin Bolding, Catawba Regional Workforce Investment Board, and Joe Costello, Bethel Fire Tax District Board.

(6:13pm)

County Attorney, Michael Kendree explained that he researched the issue of whether or not there is a conflict of interest with Billy Dunlap serving on the Olde English District and he determined that a conflict does not exist.

APPROVED [4 to 1]

MOVANT: William "Bump" Roddey
SECOND: Robert Winkler
AYES: Robert Winkler, William "Bump" Roddey, Christi Cox, Brandon Guffey
NAYS: Allison Love
ABSENT: Tom Audette, Joel Hamilton

Committee and Other Reports

(6:16pm) Planning and Economic Development Committee Meeting, Wednesday, March 31, 2021, 4:15pm Chairman Joel Hamilton
Council member Hamilton was absent from the meeting and this item is to be moved to the next agenda.

Council Member New/Non-agenda Comments

Citizen Concerns

Executive Session

Receipt of Legal Advice/Contractual Matter: Legal Representation - Conflict Waiver Request

Contractual Matter: Millers Gas & Produce Agreement

Matters for consideration following Executive Session

1. Motion to approve and authorize the County Attorney to execute the Conflict Waiver Request as discussed in Executive Session.

(6:43pm)

ADOPTED [Unanimous]

MOVANT: Robert Winkler

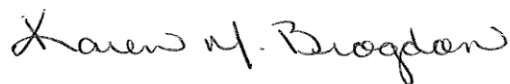
SECOND: Brandon Guffey

AYES: Love, Winkler, Roddey, Cox, Guffey

ABSENT: Tom Audette, Joel Hamilton

Adjourn

There being no further business, the meeting adjourned at 6:44pm.



Karen M. Brogdon, Clerk to Council