



YORK COUNTY

COUNTY COUNCIL

MINUTES • NOVEMBER 1, 2021

FINAL



County Council Meeting

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

6:00 PM

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

Appearances

(6:10pm) Mallory Coffey with Keep South Carolina Beautiful recognized Mr. William "Mercy" Cureton on being awarded the SC Litter Control Association-Upper Palmetto Region Individual Leadership Award and the Keep South Carolina Beautiful Volunteer of the Year Award. Ms. Coffey also recognized Alysén Woodruff, Clean Community Coordinator and Keep York County Beautiful for being awarded the Affiliate Recognition Award and the Outstanding Performance Event Award for Polar Bear Pickup, along with Rock Hill Clean and Green.

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

(6:16pm) Tom Smiley, resident of Hamilton Place Subdivision, addressed Council regarding his opposition to proposed rezoning 21-15 from RUD to RD-II.

(6:19pm) Steven Wood, resident of Hamilton Place Subdivision, addressed Council regarding his opposition to proposed rezoning 21-15 from RUD to RD-II.

(6:22pm) Carrie Burroughs, resident of Hamilton Place Subdivision, addressed Council regarding her opposition to proposed rezoning 21-15 RUD to RD-II.

(6:24pm) Ronnie Taylor, 1411 Lincoln Road, York, South Carolina reminded everyone of the Veterans Day Parade on Saturday, November 13th in York.

Consent Agenda

Council removed #9 (Chapter 150 Ordinance Amendment) and #11 (Project Donald) to New Business #5 and #6.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

AYES: Audette, Love, Roddey, Cox, Guffey, Hamilton

ABSENT: Robert Winkler

1. Approval of October 18, 2021 Transportation Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

2. Approval of October 18, 2021 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

3. Approval of October 25, 2021 Special Called Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

4. COUNCIL TO CONSIDER 2ND READING AND AMENDING AN ORDINANCE TO ENTITLED "TO ESTABLISH OPERATING AND CAPITAL BUDGETS FOR THE OPERATION OF THE COUNTY GOVERNMENT OF YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2021", TO CHANGE APPROPRIATION OF UNASSIGNED FUND BALANCE AND TO INCREASE RIVERVIEW FIRE DISTRICT TOTAL APPROPRIATIONS.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

5. COUNCIL TO CONSIDER SECOND READING AND AMENDING AN ORDINANCE TO AMEND ENTITLED "TO ESTABLISH OPERATING AND CAPITAL BUDGETS FOR THE OPERATION OF THE COUNTY GOVERNMENT OF YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2021", TO CHANGE APPROPRIATION OF UNASSIGNED FUND BALANCE AND TO INCREASE BETHEL RURAL FIRE DISTRICT TOTAL APPROPRIATIONS.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

6. Rezoning Action: Consider Third Reading

Case #	21-16
Tax Map #	651-00-00-084; 651-00-00-101; 651-00-00-107; 651-00-00-121
Zoning Request:	To rezone from RD-I to BD-III
Acres:	4.44 +/- acres
Council District:	One (1) - Tom Audette
Applicant:	Vulcan Property Group, LLC
Owner:	Peachfirst Partners LLC; Troy and Nanette Lovins; ABI KOA Fort Mill, LLC
Location:	1024-1054 Gold Hill Road, Fort Mill
Planning Commission Date:	September 13, 2021
Staff Recommendation:	Approve
PC Recommendation:	Approve (5-3)

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

7. Rezoning Action: Consider Third Reading

Case #	21-17
Tax Map #	553-00-00-092

Zoning Request:	To rezone from RUD-I to BD-I
Acres:	4.886 +/- acres
Council District:	Two (2) - Love
Applicant:	Michael Cox
Owner:	Lake Pointe Family Ministries of Lake Wylie
Location:	3168 Hands Mill Highway
Planning Commission Date:	September 13, 2021
Staff Recommendation:	Deny
PC Recommendation:	Approve (7-1)

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

8. Rezoning Action: Consider Third Reading

Case #	21-18
Tax Map #	694-00-00-038
Zoning Request:	To rezone from UD to RC-I
Acres:	10.35 +/- acres
Council District:	Five (5) - Cox
Applicant:	Carol Williams
Owner:	Estate of Charles M. Ayers
Location:	Branham Road, Rock Hill
Planning Commission Date:	September 13, 2021
Staff Recommendation:	Approve
PC Recommendation:	Approve

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

9. Council to Consider First Reading by Title only of AN ORDINANCE AMENDING CHAPTER 56 OF THE YORK COUNTY CODE OF ORDINANCES, NUISANCES; LITTERING; TO RENAME, REORDER, AND CLARIFY THE REQUIREMENTS FOR NUISANCES THROUGHOUT CHAPTER 56; TO RELOCATE AND CONSOLIDATE THE LEGISLATIVE FINDINGS TO THE INTRODUCTORY PROVISIONS OF THE CHAPTER IN ORDER TO PROVIDE CLARITY AND UNIFORMITY AS TO THE PURPOSE AND APPROACH FOR ADDRESSING ALL ACTIONS OR CONDITIONS WHICH CONSTITUTE A PUBLIC NUISANCE; TO PROVIDE A GENERAL DEFINITIONS SECTION FOR THOSE TERMS OR PHRASES APPLICABLE TO THE ENTIRE CHAPTER AND TO DEFINE CERTAIN TERMS INCLUDING, BUT NOT LIMITED TO, PUBLIC NUISANCE, RESPONSIBLE PARTY, AND ABATEMENT THEREIN; TO PROVIDE FOR UNIFORMITY IN PROCEDURES FOR SERVING NOTICE OF A VIOLATION OR COMPLAINT; TO CLARIFY PROCEDURES BY WHICH THE COUNTY MAY ADDRESS INABILITY OR UNWILLINGNESS TO ABATE A PUBLIC NUISANCE; TO CLARIFY AND AMEND THE PENALTIES FOR FAILURE TO ABATE A PUBLIC NUISANCE INCLUDING, BUT NOT LIMITED TO, APPLICABLE FINES AND ABATEMENT ACTION BY THE COUNTY IN CONJUNCTION WITH THE PLACEMENT OF A LIEN FOR THE COST OF SUCH ABATEMENT TO BE COLLECTED IN THE SAME MANNER AS DELINQUENT TAXES; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

10. Council to approve annual renewal of ESO Database & Reporting Software for York County Fire Safety in the amount of \$34,178.81.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

11. Council to approve declaration of twenty nine County owned vehicles and four miscellaneous maintenance equipment items as County surplus.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

12. Council to approve a change order request #1 regarding additional roof repairs identified at the Moss Justice Center, for a total amount of \$55,375.00.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

13. Council to approve award regarding Bid #2775 for the purchase of one new, unused 50ft Articulating Boom Lift to the lowest responsive and responsible bidder, Technology International of Lake Mary, FL for a total cost of \$58,796.50.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

14. Council to approve a three year planned service contract for HVAC Controls at the York County Government Center and the York County Family Court with Trane U.S. Inc. of Charlotte NC, for a total three year contract amount of \$104,222.00.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

15. Council to approve STV Inc.'s Contract Amendment No. 5 totaling \$463,375.12 for Project 11149-004: US 21/SC 51 from SC 460 (Springfield Parkway) to south of Springhill Farm Road and SC 51 from US 21 to the NC State Line.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

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 Joel Hamilton to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Joel Hamilton

AYES: Audette, Love, Roddey, Cox, Guffey, Hamilton

ABSENT: Robert Winkler

Council to Hold a Public Hearing and Consider Third Reading of an ORDINANCE APPROVING AND AUTHORIZING THE ASSIGNMENT AND ASSUMPTION OF EASEMENTS FOR OPERATION OF, AND BILL OF SALE FOR, WATER SYSTEMS, DESCRIBED AS A PORTION OF THE COUNTY CATAWBA WATER MAIN PROJECT, TO THE CITY OF ROCK HILL; TO PROVIDE FOR A PUBLIC HEARING; AND, TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:28pm)

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Joel Hamilton

AYES: Audette, Love, Roddey, Cox, Guffey, Hamilton

ABSENT: Robert Winkler

2. Public Hearing

(6:29pm) 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 Allison Love to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Allison Love

AYES: Audette, Love, Roddey, Cox, Guffey, Hamilton

ABSENT: Robert Winkler

Council to Hold a Public Hearing and Consider Third Reading of AN ORDINANCE MODIFYING THE TERMS AND CONDITIONS FOR THE COUNTY CONTRACT REGULATING THE PARTICIPATION OF NON-PROFIT EMS PROVIDERS OPERATING WITHIN THE YORK COUNTY 9-1-1 DISPATCH SYSTEM; IN PARTICULAR, ADDRESSING THE MINIMUM STAFFING REQUIREMENTS TO PROVIDE FOR BASIC-LIFE-SUPPORT PERSONNEL AS MAY BE APPLICABLE TO PRIORITY 1 AND PRIORITY 2 CALLS, AUTHORIZING THE EXECUTION AND DELIVERY OF THE CONTRACT WITH PARTICIPATING EMS PROVIDERS, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

(6:30pm)

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Joel Hamilton

AYES: Audette, Love, Roddey, Cox, Guffey, Hamilton

ABSENT: Robert Winkler

3. Public Hearing

(6:30pm) Jonathan Buono, Planning and Development Director provided a brief overview of the proposed rezoning.

The following individuals spoke in opposition of the proposed rezoning:

(6:44pm) Name Unknown, 13006 Hamilton Place Drive, Fort Mill, South Carolina, addressed Council regarding her opposition to proposed rezoning 21-15 from RUD to RD-II as she is concerned with the increased traffic in the area and the negative effect on the current water system.

(6:46pm) Tom Smiley, resident of Hamilton Place Subdivision, Fort Mill, South Carolina, addressed Council regarding his opposition to proposed rezoning 21-15 from RUD to RD-II as he is concerned with the negative impact of the proposed high density neighborhood in the area.

(6:50pm) Shawn Rutter, resident of Hamilton Place Subdivision addressed Council regarding his opposition to proposed rezoning 21-15 from RUD to RD-II as he is concerned with the negative impact of the proposed high density neighborhood to his current community.

(6:53pm) Name Unknown, resident of Hamilton Place Subdivision addressed Council regarding his opposition to proposed rezoning 21-15 from RUD to RD-II as he is concerned with the negative impact of the proposed high density neighborhood, along with safety concerns, increase in traffic, decrease in property values and the decrease in the current quality of life.

(6:55pm) Angela Hock, 16015 Virginia Lee Court, Fort Mill, South Carolina addressed Council regarding her opposition to proposed rezoning 21-15 from RUD to RD-II as she is concerned with the negative impact of the proposed high density neighborhood.

(6:57pm) Kirsten Werme, 12807 Ruth Lee Court, Fort Mill, South Carolina addressed Council regarding her opposition to proposed rezoning 21-15 from RUD to RD-II as she is concerned with the negative impact of the proposed high density neighborhood with the increase in traffic on Highway 160.

(6:59pm) Dawn Davis, resident of Hamilton Place Subdivision, Fort Mill, South Carolina addressed Council regarding her opposition to proposed rezoning 21-15 from RUD to RD-II as she is concerned with the negative impact of the proposed high density neighborhood and the increase in traffic on Highway 160.

(7:01pm) John Smith, 12805 Ruth Lee Court, Fort Mill, South Carolina addressed Council regarding his opposition to proposed rezoning 21-15 from RUD to RD-II as he is concerned with the negative impact of the proposed high density neighborhood. Mr. Smith stated that his property will have approximately 15 new units directly behind his home which will significantly decrease the value in his property.

(7:02pm) Marty Rosener, 16500 Whispering Oaks Lane, Fort Mill, South Carolina addressed Council regarding his opposition to proposed rezoning 21-15 from RUD to RD-II.

(7:03pm) Name Unknown, resident of Hamilton Place Subdivision addressed Council regarding her opposition to proposed rezoning 21-15 from RUD to RD-II.

(7:04pm) Gail Wood, 16504 Whispering Oaks Lane, Fort Mill, South Carolina addressed Council regarding her opposition to proposed rezoning 21-15 from RUD to RD-II.

Noted by Chairwoman Cox the majority of the room appeared/raised hand in opposition to the proposed rezoning.

(7:05pm) There being no one else interested in speaking for or against the proposed rezoning a motion was made by Council member William "Bump" Roddey and seconded by Council member Joel Hamilton to close the public hearing.

ALLOWED [Unanimous]

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

Rezoning Action: Hold a Public Hearing

Case #	21-15
Tax Map #	648-00-00-003; 648-00-00-023
Zoning Request:	To rezone from RUD to RD-II
Acres:	20 +/- acres
Council District:	One (1) - Tom Audette
Applicant:	Lennar Carolinas, LLC
Owner:	Fort Thrill RV Park LLC
Location:	W. Highway 160 at Lighthouse Ave, Fort Mill
Planning Commission Date:	October 11, 2021
Staff Recommendation:	Approve
PC Recommendation:	Deny

This item was a public hearing only. No action was taken by Council.

Old Business

New Business

1. Council to approve the sole source purchase of one hundred twenty five Lifepak automated external defibrillator (AED) devices for use by York County, from Stryker Medical of Chicago, IL, for a total cost not to exceed \$731,080.85, as part of the Coronavirus State and Local Fiscal Recovery Funds program.

(7:10pm)

APPROVED [Unanimous]

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

2. Council to approve the sole source purchase of twelve Lucas Chest Compression Devices for use by York County Fire First Responders, from Stryker Medical of Chicago IL, for a total cost not to exceed \$349,993.76, as part of the Coronavirus State and Local Fiscal Recovery Fund program.

(7:11pm)

APPROVED [Unanimous]

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

3. Council to approve the purchase of twenty one (800 MHZ) portable radios for use by the York County Prison, from Motorola Solutions Incorporated of Columbia, SC, for a total amount of \$74,996.36, as part of the Coronavirus State and Local Fiscal Recovery Funds program.

(7:11pm)

APPROVED [Unanimous]

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

4. Council to approve engagement of recruiting firm, Find Great People to perform a comprehensive search for the Deputy Director of Human Resources.

(7:12pm)

APPROVED [Unanimous]

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

5. Council to Provide First Reading by Title Only of an Ordinance TO AMEND THE YORK COUNTY CODE OF ORDINANCES, CHAPTER 150, BUILDING REGULATIONS, IN ITS ENTIRETY, TO INCORPORATE CERTAIN PROVISIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, NATIONAL ELECTRICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL ENERGY CONSERVATION CODE, AND INTERNATIONAL EXISTING BUILDING CODE, AS MODIFIED AND ADOPTED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL FOR MANDATORY ENFORCEMENT BY ALL JURISDICTIONS WITHIN THE STATE OF SOUTH CAROLINA; TO ADD REQUIREMENTS FOR POOLS AND SPAS; TO REORDER, CLARIFY, AND RESTATE PROVISIONS OF THE EXISTING BUILDING REGULATIONS, INCLUDING, INTER ALIA, THE APPLICATION PROCEDURES, COMPLIANCE REQUIREMENTS, AND FEES FOR BUILDING PERMITS, THEIR SCOPE, REVOCATION, EXPIRATION, AND TERMINATION; THE INSPECTION PROCEDURES FOR CONSTRUCTION AND CERTIFICATES OF OCCUPANCY; THE ADMINISTRATION AND ENFORCEMENT REQUIREMENTS FOR THIS CHAPTER; THE POWERS AND DUTIES OF THE BUILDING OFFICIAL, INCLUDING BUT NOT LIMITED TO, RIGHTS-OF-ENTRY, THE ISSUANCE OF STOP WORK ORDERS, AND THE PROVISION OF ALTERNATIVE MATERIALS AND DESIGN; VARIANCES AND APPEALS RELATED TO THE CHAPTER; THE BUILDING APPEALS BOARD, ITS MEMBERSHIP, POWERS, PROCEDURES, AND RELATED DUTIES AND AUTHORITY; AND, THE PENALTIES AND POTENTIAL REMEDIES FOR VIOLATIONS OF THIS CHAPTER; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:12pm)

DEFERRED [Unanimous]

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

6. COUNCIL TO CONSIDER ADOPTING A RESOLUTION COMMITTING YORK COUNTY TO ENTER INTO A FILOT AGREEMENT WITH A COMPANY IDENTIFIED UNDER THE CODE NAME "PROJECT DONALD" AND OTHER MATTERS RELATED THERETO.

(7:19pm)

DEFERRED [Unanimous]

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

Committee and Other Reports

(7:43pm) Planning and Economic Development Committee Meeting, Monday, November 1, 2021, 5:15pm Chairman Joel Hamilton

Council Member New/Non-agenda Comments

(7:43pm) Council member William "Bump" Roddey recognized Mr. William "Mercy" Cureton on his volunteer efforts in York County with litter pick up. Council member Roddey also asked staff if HOA's have to report to the County and requested that staff provide their process to Council.

(7:45pm) Council member Tom Audette addressed the illegal immigrants coming across the southern border and being placed in different locations. Council member Audette requested that staff look into migrants being brought to this area and make plans to stop this from happening in York County.

Citizen Concerns

Executive Session

Contractual Matter: TIF

Receipt of Legal Advice: Water and Sewer Update

Contractual Matter: Project Thistle 1

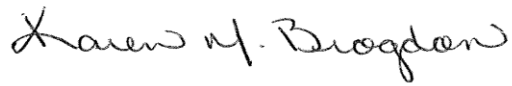
Receipt of Legal Advice: Morningstar Update

Receipt of Legal Advice: Riverbend

Matters for consideration following Executive Session

Adjourn

There being no further business, the meeting adjourned at 9:07pm.

A handwritten signature in black ink, reading "Karen M. Brogdon". The signature is written in a cursive, flowing style.

Karen M. Brogdon, Clerk to Council