



**YORK COUNTY
COUNTY COUNCIL**

MINUTES • SEPTEMBER 6, 2022

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: Present, District 4 William "Bump" Roddey: Present, Chairwoman Christi Cox: Present, District 6 Brandon Guffey: Present, District 7 Joel Hamilton: Present.

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

Bill Murray, Lake Wylie Parks and Recreation District

Frank McKinney, Catawba Regional Workforce Investment Board

Appearances

(6:05pm) Neil Brennan provided the annual update for Lake Wylie Marine Commission.

(6:20pm) Sam Hall and Beth White with York County Farm Bureau thanked County Council for their continued support and explained how important and vital farming is in York County.

(:25pm) Dean Faile and Celeste Tiller with the York County Chamber of Commerce presented information on talent and workforce development initiatives and requested that Council consider a one time grant to assist with advancing the talent and workforce development program.

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

(6:41pm) Frank Trotta, 4971 Mill Creek Road, Rock Hill, South Carolina addressed Council regarding Crime Stoppers of York County and requested that York County sponsor a watercraft at the Rockin' and Racin' Event.

Consent Agenda

(6:44pm)

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Joel Hamilton

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

1. Approval of August 9, 2022 Workshop Minutes

ACCEPTED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

2. Approval of August 15, 2022 Finance & Operations Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

3. Approval of August 15, 2022 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

4. Rezoning Action: Consider Third Reading

Case #	22-13
Tax Map #	654-00-00-008
Zoning Request:	To rezone from AGC to RSF-40
Acres:	2.88 acres
Council District:	One (1) - Audette
Applicant:	New Old, LLC
Owner:	New Old, LLC
Location:	2270 New Gray Rock Road, Fort Mill
Planning Commission Date:	June 13, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

5. Rezoning Action: Consider Third Reading

Case #	22-15
Tax Map #	716-00-00-086
Zoning Request:	To rezone from LI to GC
Acres:	6.69 +/- acres

Council District: One (1) - Audette
Applicant: Michael S. Pitts
Owner: TT of Fort Mill Property, LLC
Location: 805 Gold Hill Road, Fort Mill
Planning Commission Date: June 13, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

6. Council to Provide Second Reading of AN ORDINANCE TO AMEND SECTION 33.018, PAY, IN ORDER TO AMEND SUBSECTION (A)(2)(a) TO PROVIDE FOR HIRING PAY ADJUSTMENTS BY THE COUNTY MANAGER UP TO THE MAXIMUM HIRING SALARY FOR THE GRADE; TO DELETE SUBSECTION (A)(2)(b) IN ITS ENTIRETY; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

7. Approved nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on August 15, 2022: Margaret Parson-Willins (Culture and Heritage Commission, moving from Ex Officio Seat to District 5 seat) and Stacie Harrison, Catawba Regional Workforce Investment Board.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

8. Council to consider the approval of brand proposal for Catawba Bend Preserve as recommended by the Catawba Bend Committee on August 22, 2022.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

9. Council to approve MOU between York County and the Catawba Regional Council of Governments (COG) for purposes of allocating COG staff resources to York County for management of the South Carolina Rural Infrastructure Authority's South Carolina Infrastructure Investment Program grant activities associated with the County's Crowder's Creek Pump Station Upgrade project.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

10. Council to amend award regarding Bid #2762 for additional generator repair & preventative maintenance services by RobRoy Energy Systems Inc. of Rock Hill SC, for a total annual cost of \$12,375.00.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

11. Council to approve award regarding Bid #2830 for the construction of the Pennies 4; 2017 Capital Projects Sales and Use Tax Program: S-49 (Sutton Rd/S-251 (New Gray Rock Rd) Intersection Improvements, to the lowest responsive and responsible bidder, Blythe Development Company of Charlotte NC, for a total cost of \$2,660,974.52.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

12. Council to approve the purchase of five new, unused 2022 Dodge Durango Pursuit AWD SUVs via state contract for use by the Sheriff's Office, from Santee Automotive LLC of Manning SC, as part of the SC Dept. of Public Safety Program, for a total cost of \$182,840.00.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

13. Council to approve change order requests #1 & #2 regarding Bid #2813 to include additional island curb repairs and replacement electrical conduit and wires from the panel to the tank connection for the Heckle Fuel Canopy Project in the amount of \$22,720.00.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

14. Council to approve authorizing the expenditure of \$29,617 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) for expenses related to a Conservation Easement on the 46 acres of property near the intersection of Catawba Church Road and Lesslie Highway and referred to as TM 694-00-00-096

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

15. Council to approve the renewal of a warranty and licensing fee and maintenance and service agreement with Election Systems & Software, Inc., of Omaha NE, for use by York County's Voter Registration and Elections Office, for a total cost of \$145,327.40.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

16. Council to approve annual maintenance agreement for an indexing and imaging software system (RFP #2366) and the microfilming of recorded land records for use by the Register and Deeds Office, with Business Information Systems, for a total cost of \$48,150.00.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

17. Council to authorize the renewal of maintenance and subscriptions with Central Square Technologies in the amount of \$251,829.41.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

18. Council to approve Utility Relocation Agreements with York County Natural Gas Authority, Comporium and Rock Hill Electric totaling \$286,225.85 for Pennies 4 Project 17228-012 Cherry Road/Celanese Road Intersection Improvements, and authorizing The County Manager to execute the Relocation Agreements.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

19. Council to approve entering into a Financial Participation Agreement totaling \$812,505.03 with the South Carolina Department of Transportation and Town of Fort Mill for sidewalk improvements on Whites Road.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

20. Council to approve granting a 70-foot permanent electric utility easement to Central Electric Power Cooperative, Inc., on property owned by York County situated between Campbell Road and Hands Mill Highway.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

21. Council to hold First Reading By Title Only of AN ORDINANCE AUTHORIZING THE SALE OF 0.075+/- ACRES OF LAND LOCATED AT 3643 FOOTHILLS WAY, FT MILL, IDENTIFIED BY TAX MAP NUMBER 723-00-00-044; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE THE PARCEL; TO AUTHORIZE THE CHAIRWOMAN TO EXECUTE THE CONTRACT OF SALE AND DEED; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

22. Council to hold First Reading by Title Only of AN ORDINANCE AMENDING CHAPTER 130: GENERAL OFFENSES, OF THE YORK COUNTY CODE OF ORDINANCES TO ADD SECTION 130.03: PROHIBITION ON CERTAIN CONDUCT IN PUBLIC SPACES; TO PROVIDE FOR DEFINITIONS CONCERNING CONDUCT IN PUBLIC SPACES THAT IS RESTRICTED OR PROHIBITED, INCLUDING BUT NOT LIMITED TO, PANHANDLING, TRESPASSING, DAMAGING PUBLIC PROPERTY, OBSTRUCTING TRAFFIC, AND SOLICITATION; TO PROVIDE CERTAIN PROXIMITY AND LOCATION RESTRICTIONS ON PROHIBITED CONDUCT; TO PROVIDE PENALTIES FOR VIOLATIONS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: Joel Hamilton

Public Hearing(s)

1. Public Hearing

(6:44pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

The following individuals spoke in opposition of the proposed rezoning:

(6:52pm) Gail Schwoebel, 2010 Citron Circle, Fort Mill, South Carolina addressed Council regarding her opposition to the proposed condition by having a left turn exiting the site onto Pleasant Road prohibited.

(6:55pm) Ellen Stempler, 402 Garnet Court, Fort Mill, South Carolina addressed Council regarding her opposition to the proposed condition by having a left turn exiting the site onto Pleasant Road prohibited

(7:00pm) 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 Allison Love to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Allison Love

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

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	22-12
Tax Map #	651-00-00-027; 651-00-00-436; 651-00-00-051
Zoning Request:	To rezone from RMX-20 to RMX-6
Acres:	7.50 +/- acres
Council District:	One (1) - Audette
Applicant:	Calamar/RM80, LLC
Owner:	Linda Currance; Kimberly Hilton-Merritt
Location:	Pleasant Road, Fort Mill
Planning Commission Date:	August 8, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve (5-2 Simmons, Belton)

(7:00pm) Motion was made by Council member Tom Audette and seconded by Council member Allison Love to deny the rezoning.

(7:11pm) Council member Tom Audette withdrew his motion to deny.

(7:11pm) A new motion to approve was made by Council member Tom Audette and seconded by Council member William "Bump" Roddey.

APPROVED [6 to 1]

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

2. Public Hearing

(7:12pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

The following individuals spoke in favor of the proposed rezoning:

(7:22pm) Lloyd Hamilton, lives directly behind Nichols Store and he is concerned with what is going to happen on the backside of the property and he is concerned with the increased traffic on Mt. Holly Road.

(7:23pm) Harry Johnson, 3591 Enterprise Drive, Rock Hill, South Carolina addressed Council regarding his support for the proposed rezoning.

(7:26pm) There being no one else interested in speaking for or against the proposed rezoning 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: Audette, Love, Winkler, Roddey, Cox, Guffey, Hamilton

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	22-20
Tax Map #	619-00-00-020; 619-00-00-022; 619-00-00-058
Zoning Request:	To rezone from RSF-40 and NC to GC
Acres:	6.77 +/- acres
Council District:	Five (5) - Cox
Applicant:	William D. Nichols
Owner:	William D. Nichols
Location:	Mount Holly Road, Rock Hill
Planning Commission Date:	August 8, 2022
Staff Recommendation:	Deny
PC Recommendation:	Approve

(7:26pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Joel Hamilton

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

3. Public Hearing

(7:26pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

(7:28pm) There being no one interested in speaking for or against the proposed rezoning a motion was made by Council member William "Bump" Roddey and seconded by Council member Robert Winkler to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Robert Winkler

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

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	22-23
Tax Map #	673-00-00-085 (portion) and 673-00-00-058 (portion)
Zoning Request:	To rezone from RMX-20 to RSF-40 and RSF-40 to RMX-20
Acres:	0.162 +/- acres
Council District:	Five (5) - Cox
Applicant:	Melanie Tinkler-Stuck
Owner:	Stuck/Tinkler-Stuck/Klepper/Bagley
Location:	Lesslie Highway/Willwood Road, Rock Hill
Planning Commission Date:	August 8, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve

(7:28pm) Motion to approve with the following conditions:

The properties must be recombined so that no more than one zoning district is applied to each parcel. An approved subdivision plat encompassing portions of the properties rezoned shall be recorded with the York County Register of Deeds within 90 days of the rezoning approval.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

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

4. Public Hearing

(7:28pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

The following individuals spoke in favor of the proposed rezoning:

(7:34pm) Karen Collins, representing the Cato Corporation addressed Council regarding her support for the proposed rezoning.

(7:35pm) Ben Johnson, representing the Cato Corporation addressed Council regarding his support for the proposed rezoning.

(7:38pm) There being no one else interested in speaking for or against the proposed rezoning a motion was made by Council member Robert Winkler and seconded by Council member Tom Audette to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	22-25
Tax Map #	716-00-00- (002, 051, 057, 069, 076, 078, 079, 080, 081, 082, 083, 084) and 717-00-00-008
Zoning Request:	Major PD Amendment
Acres:	355 +/- acres
Council District:	One (1) - Audette
Applicant:	Cato Land Development, Inc.
Owner:	Cato Land Development, Inc./The Cato Corporation
Location:	Deerfield Drive/Springfield Parkway, Fort Mill
Planning Commission Date:	August 8, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve

(7:38pm)

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Robert Winkler

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

5. Public Hearing

(7:39pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

The following individual spoke in opposition of the proposed rezoning:

(7:41pm) Steven Burst, 1275 Hines Road, Clover, South Carolina addressed Council regarding his concerns with the proposed rezoning and how many parcels will be created.

(7:42pm) 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 Allison Love to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Allison Love

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

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	22-26
Tax Map #	282-00-00-029 (portion) and 282-00-00-059
Zoning Request:	To rezone from AGC to RUD
Acres:	14.50 +/- acres
Council District:	Two (2) - Love
Applicant:	Tim Helline
Owner:	James and Jennifer Stalford
Location:	Hines Road, Clover
Planning Commission Date:	August 8, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve

(7:42pm)

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

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

Old Business

1. Rezoning Action: Consider Second Reading

Case #	22-19
Tax Map #	723-00-00-079
Zoning Request:	To rezone from UD to LI
Acres:	28.518 +/- acres
Council District:	One (1) - Audette
Applicant:	Adam Essink
Owner:	Lakemont Property Investors, LLC
Location:	Foothills Way, Fort Mill
Planning Commission Date:	July 11, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve

(7:43pm)

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Brandon Guffey

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

New Business

1. Council to adopt a resolution creating a capital projects sales tax commission to consider capital projects for the capital project sales tax.

(7:43pm) Motion to approve without referral to a Council Committee.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: William "Bump" Roddey

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

2. Council to approve a Resolution to support York County's application for grant funding from the South Carolina Rural Infrastructure Authority, pledging matching local funds, and other matters related thereto.

(7:44pm) Motion to approve without referral to Council Committee.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

3. Council to ratify a venue agreement with the City of York for Summerfest.

(7:45pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

4. Council to approve contractual amendment regarding award of Bid #2778 for the Highway 274 Sanitary Sewer Forcemain Project to include additional federal mandate requirement as part of the Coronavirus State And Local Fiscal Recovery Funds program.

(7:46pm)

APPROVED [Unanimous]

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

5. Council to approve contractual amendment regarding the purchase of six portable 9-1-1 operator positions and six portable 800MHz radio dispatch consoles to include additional federal mandate requirement as part of the Coronavirus State And Local Fiscal Recovery Funds program.

(7:46pm)

APPROVED [Unanimous]

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

6. Council to approve contractual amendment regarding the purchase of 911 telephone system equipment, to include additional federal mandate requirements as part of the Coronavirus State And Local Fiscal Recovery Funds program.

(7:46pm)

APPROVED [Unanimous]

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

7. Council to consider First Reading by Title Only of AN ORDINANCE AUTHORIZING THE DEFEASANCE OF CERTAIN WATER AND SEWER SYSTEM REVENUE BONDS OF YORK COUNTY, SOUTH CAROLINA, APPROPRIATING MONEYS TO PROVIDE FOR SUCH DEFEASANCE AND TO ACQUIRE CERTAIN WATER AND SEWER ASSETS, PROVIDING FOR THE REIMBURSEMENT OF CERTAIN OF SUCH MONEYS FROM THE PROCEEDS OF TAX-EXEMPT BONDS, AND PROVIDING FOR CERTAIN MATTERS RELATING THERETO.

(7:47pm)

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Tom Audette

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

Committee and Other Reports

(7:48pm) Economic Development Committee Meeting, Tuesday, September 6, 2022, 5:00pm
Chairman Joel Hamilton

Council Member New/Non-agenda Comments

(7:49pm) Council member Robert Winkler apologized to the Fire Chiefs and Special Tax Districts on his comment about none of the Special Tax Districts for not cooperating with the auditor. He stated that he misspoke and some of the tax districts were cooperating. Council member Winkler also explained that some of the tax districts are concerned with the County taking their "barbecue" funds. Mr. Winkler stated that the County has no intentions of ever taking their funds.

(7:52pm) Council member Tom Audette explained that there is a 5K walk/run event at Ebenezer Park for Fostering the Family and encouraged everyone to attend. Council member Audette also expressed his concerns with the Gender Identity Movement that is being pushed on our children in the school system and explained that there are books in the County Library that help address this movement.

(7:53pm) Council member Brandon Guffey reminded everyone that September is Suicide Prevention Awareness month.

(7:54pm) Council member Allison Love thanked everyone on Council and staff for their support and hard work on the purchase of Blue Granite Water Systems.

(7:54pm) Council member William "Bump" Roddey stated that there is a Justice and Public Safety Committee meeting and requested that a discussion be added to the agenda on how tax districts can increase their millage rates through a referendum. Council member Roddey also stated that if anyone is looking for employment, there are plenty of available jobs in York County. Council member Roddey also challenged staff to participate in the October 1st, Float the Boat Competition.

Citizen Concerns

Executive Session

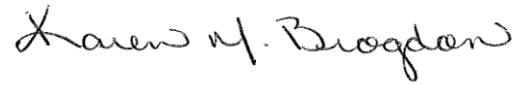
Receipt of Legal Advice/Contractual Matter: EMS Services

Receipt of Legal Advice: Ongoing Litigation Updates

Matters for consideration following Executive Session

Adjourn

There being no further business, the meeting adjourned at 9:17pm.

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