



**YORK COUNTY
COUNTY COUNCIL**

MINUTES • SEPTEMBER 19, 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: 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

(6:02pm) Stacie Harrison, Catawba Regional Workforce Investment Board

Appearances

(6:02pm) Council and Captains Tamyra Hogg and Ben Howley recognized Sergeant Troy Anderson on his service and retirement with York County Sheriff's Department.

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

(6:05pm) Arthur Greene, 1623 Garvin Road, McConnells, South Carolina expressed his concerns with the closing of Garvin Road and the large trucks will be unable to make the turn safely.

(6:07pm) Keith Cooper, 1673 Onyx Ridge, Fort Mill, South Carolina expressed his opposition to rezoning case 22-12 and the no left hand turn condition.

(6:12pm) Jim Jervis, 306 Tinderbox Lane, Fort Mill, South Carolina addressed Council regarding his support for rezoning case 22-12. Mr. Jervis explained that this project will not create any additional traffic in the area.

(6:14pm) John Ramsey, 755 Garvin Road, McConnells, South Carolina expressed his concerns with the closing of Garvin Road and his safety concerns with the large trucks traveling the road.

(6:16pm) Ellen Stempler, 402 Garnet Court, Fort Mill, South Carolina expressed her opposition to rezoning case 22-12 and the no left hand turn condition.

Consent Agenda

(6:19pm)

APPROVED [Unanimous]

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

1. Approval of September 6, 2022 Economic Development Committee Minutes

ACCEPTED [Unanimous]

MOVANT: William "Bump" Roddey
SECOND: Tom Audette

2. Approval of September 6, 2022 Transportation Committee Minutes

ACCEPTED [Unanimous]

MOVANT: William "Bump" Roddey
SECOND: Tom Audette

3. Approval of September 6, 2022 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: William "Bump" Roddey
SECOND: Tom Audette

4. Rezoning Action: Consider Third 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

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

5. Council to Consider Amending and Second Reading of AN ORDINANCE AMENDING TITLE XIII: GENERAL OFFENSES, OF THE YORK COUNTY CODE OF ORDINANCES IN ORDER TO ADD CHAPTER 131: PROHIBITED OR RESTRICTED CONDUCT; TO ADD DEFINITIONS CONCERNING CONDUCT THAT IS PROHIBITED OR RESTRICTED, INCLUDING, BUT NOT LIMITED TO, AGGRESSIVE MANNER, BUSKER, PANHANDLING, SOLICITING OR SOLICITATION, AND TRESPASS; TO DELINEATE BEHAVIOR OR ACTIVITY THAT CONSTITUTES PROHIBITED OR RESTRICTED CONDUCT, INCLUDING BUT NOT LIMITED TO, OBSTRUCTING PUBLIC RIGHTS-OF-WAY, BLOCKING RIGHTS-OF-WAY, AGGRESSIVE SOLICITATION, DISORDERLY CONDUCT, CAMPING ON PUBLIC PROPERTY WITHOUT PERMISSION, CHARITABLE SOLICITATION, DAMAGING COUNTY PROPERTY, AND TRESPASSING UPON COUNTY PROPERTY; TO PROVIDE PENALTIES FOR VIOLATING THE RESTRICTIONS OR PROHIBITIONS OF CERTAIN CONDUCT; TO CONDUCT A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

6. Council to Amend and Provide Third 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: William "Bump" Roddey

SECOND: Tom Audette

7. Council to consider Second Reading 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.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

8. Council to approve a Venue Agreement with York County Crime Stoppers to host the 1st Annual Rockin & Racin Regatta

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

9. Council to approve annual insurance premium services for the administration of workers compensation insurance for use by York County's Volunteer Firefighters, to Correll Insurance Group of Rock Hill SC, for a total cost of \$54,867.00.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

10. Council to approve award regarding RFP #2827 for the structural stabilization and exterior preservation of Historic Brattonville's Colonel Bratton and Homestead Houses project, to Midwest Maintenance Inc., of Piqua OH, for a total cost of \$1,892,892.00, and to further authorize the execution of the contractual agreement by the Culture & Heritage Museums' Executive Director.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

11. Council to authorize contract negotiations regarding phase one construction of the Catawba Bend Preserve Natural Trail.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

12. Council to approve award regarding Bid #2831 for York County's Landfill Phase 2 Construction and Perimeter Improvements project to the lowest responsive and responsible bidder, Barfield Grading, Inc. of Fort Mill SC, for a total cost of \$1,703,500.00, which includes a \$100,000.00 contingency.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

13. Council to approve amendment to award regarding the purchase of one new, unused 2022 Ford Police Interceptor Utility AWD SUV for use by the Sheriff's Office, from Santee Automotive LLC of Manning SC, for a total cost of \$36,681.00.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

14. Council to approve and authorize acceptance of an insurance settlement regarding a wrecked 2017 York County Ford Explorer SUV.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

15. Council to approve an annual renewal for forensic software licensing agreement with Grayshift LLC, of Atlanta GA, for a cost of \$73,990.01 plus use tax of \$5,179.30 paid to SC Department of Revenue. Federal drug funds will be used for this purchase.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

16. Request Council approval to purchase technology equipment from Dell Inc. for use by the Sheriff's Office at a total cost of \$141,202.53.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

17. Council to authorize annual maintenance agreement with PCI, LLC, of Tampa Florida for York County's tax billing and collections system, for a total cost of \$175,500.00.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

18. Council to approve Utility Relocation Agreements with York County Natural Gas Authority, Comporium and Rock Hill Electric totaling \$1,324,314.77 for Pennies 3 Project 11149-012 Riverview Road, and authorizing The County Manager to execute the Relocation Agreements.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

19. Council to approve the agreement with Duke Energy Carolinas, LLC for construction of a new force main under Allison Creek as part of the Highway 274 Force Main Project

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

20. Council to Provide First Reading by Title Only of an Ordinance AN ORDINANCE TO AMEND SECTION 31.06, CORONER'S OFFICE SCHEDULE OF FEES, BY ADDING NEW SUBSECTION 31.06 (F) TO PROVIDE FOR A DAILY STORAGE FEE IN THE AMOUNT OF \$100.00 PER DAY CHARGED TO ANY FUNERAL HOME, CREMATORY OR TRANSPORT COMPANY FAILING TO TAKE POSSESSION OF A DECEDENT WITHIN 72 HOURS OF THE YORK COUNTY CORONER'S OFFICE RELEASING THE DECEDENT TO THE NEXT OF KIN'S FUNERAL HOME OF CHOICE; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

Public Hearing(s)

Old Business

1. Rezoning Action: Consider Second 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)

Planning Commission added the following condition with their motion to approve:
"Left turns exiting the site onto Pleasant Road are prohibited."

(6:20pm)

DEFERRED [Unanimous]

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

2. Rezoning Action: Consider Second 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

(6:29pm)

APPROVED [Unanimous]

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

3. Rezoning Action: Consider Second 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

(6:29pm)

APPROVED [Unanimous]

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

4. Rezoning Action: Consider Second 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

(6:30pm)

APPROVED [Unanimous]

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

5. Rezoning Action: Consider Second 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

(6:31pm)

APPROVED [Unanimous]

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

New Business

1. Council to Adopt A RESOLUTION DIRECTING THE YORK COUNTY PLANNING COMMISSION TO CONDUCT ANY NECESSARY STUDIES AND TO CONSIDER CHANGES TO THE APPROVED CAPITAL IMPROVEMENTS PLAN FOR THE EXISTING IMPACT FEE APPLICABLE WITHIN THE GEOGRAPHIC AREA OF THE FORT MILL SCHOOL DISTRICT AND ASSOCIATED WITH THE PUBLIC EDUCATION FACILITIES FOR GRADES K-12 CONSIDERED NECESSARY FOR THE PROPER EDUCATION OF THE SCHOOL DISTRICT'S CHILDREN AND RECOMMEND A RESULTING AMENDED IMPACT FEE ORDINANCE RELATED THERETO.

(6:31pm) Motion to approve without referral to committee

(6:33pm) Motion was made by Council member Robert Winkler and seconded by Council member William "Bump" Roddey to go into Executive Session for receipt of legal advice regarding the Resolution for the Fort Mill School District Impact Fee. Motion Carried.

Matters for consideration following executive session

Original motion on the floor passes unanimously.

APPROVED [Unanimous]

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

2. Council to approve award regarding Bid #2835 for the construction of the Pennies 4; 2017 Capital Projects Sales and Use Tax Program (Project 17228-012) Celanese Road /Cherry Road Intersection Improvements, to the lowest responsive and responsible bidder, Reeves Construction of Cornelius NC, for a total cost of \$2,745,564.80.

(6:47pm)

APPROVED [Unanimous]

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

3. Council to approve providing SCDOT an additional \$3,186,281.74 for the construction of Pennies for Progress Project 11149-007: Gold Hill/I-77 interchange, as outlined in the Financial Participation Agreement

(6:51pm)

APPROVED [Unanimous]

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

Committee and Other Reports

(6:52pm) Justice & Public Safety Committee Meeting, Wednesday, September 14, 2022, 3:00pm
Chairman Brandon Guffey

(6:53pm) Finance & Operations Committee Meeting, Monday, September 19, 2022, 5:30pm
Chairman Robert Winkler

Council Member New/Non-agenda Comments

(6:56pm) Council member William "Bump" Roddey requested that Council consider the recommendations from the volunteer boards and commissions when making their decisions regarding rezonings.

(6:58pm) Council member Tom Audette stated that he is working diligently to get the Access Bus Transportation program in Tega Cay and Fort Mill.

(6:59pm) Council member Brandon Guffey stated the he would like additional information regarding the closing of Garvin Road. Council member Guffey also stated that he participated in the Suicide Awareness walk event last weekend and reminded everyone that September is suicide awareness month and encouraged everyone to talk to their children and check on them and make sure they are ok.

(7:01pm) Council member Tom Audette stated that he participated in the Fostering the Family fundraiser at Ebenezer Park last weekend.

(7:03pm) Chairwoman Christi Cox would also like information regarding the closing of Garvin Road and the process that took place.

Citizen Concerns

(7:03pm) Sonny McRorie addressed Council regarding the Encourage and Serve Club of America and the World.

Executive Session

Contractual Matter: McCelvey Center

Receipt of Legal Advice: Litigation Update

Contractual Matter: Municipal Inmate Jail Agreement

Matters for consideration following Executive Session

1. Motion to direct County Management and County Attorney's Office to proceed with McCelvey Center as discussed in Executive Session.

(8:01pm)

ADOPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

ABSENT: Joel Hamilton

2. Motion to approve the Intergovernmental Agreement with the City of Rock Hill regarding municipal inmates.

(8:01pm)

ADOPTED [Unanimous]

MOVANT: Robert Winkler

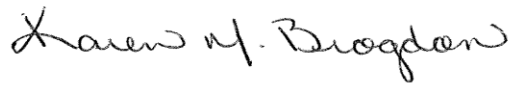
SECOND: Tom Audette

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

ABSENT: Joel Hamilton

Adjourn

There being no further business, the meeting adjourned at 8:01pm.

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