



YORK COUNTY

COUNTY COUNCIL

MINUTES • OCTOBER 17, 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 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

Tiffany Moore, Catawba Regional Workforce Investment Board **ABSENT**
Ryant Johnson, Catawba Regional Workforce Investment Board
David Dickson, Stormwater Appeals Board
Marion Ramsey, Veterans Memorial Park Advisory Committee
Edward Luczak, Board of Assessment Appeals (District 4)
Robert Carter, York County Forever (District 4) **ABSENT**

Appearances

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

(6:04pm) Ken Burn 4565 Pamela Court, Illinois addressed Council regarding his support and the positive modifications that were made regarding proposed rezoning 22-21.

(6:06pm) Ben Johnson, 310 College Avenue, Rock Hill, South Carolina addressed Council regarding his support and the positive modifications that were made regarding proposed rezoning 22-21.

(6:08pm) Allison Kim, 3034 Ranger Road, Clover, South Carolina addressed Council regarding her support for proposed rezoning 22-30.

(6:10pm) Joe Howell, 2376 Westbrook Road, Edgemore, South Carolina addressed Council regarding his concerns with the modifications made to the PD for Lazy Hawk rezoning 22-21.

(6:12pm) Carl Faulk, Fire Chief of Newport Fire Department addressed Council regarding his concerns with the invoice for Elliott Davis for \$30,000.

(6:14pm) John Paoloca, 3034 Ranger Road, Clover, South Carolina addressed Council regarding his support for proposed rezoning 22-30.

(6:15pm) Darren Nichols, 2196 Strawberry Road, Rock Hill, South Carolina addressed Council regarding his concerns with proposed rezoning 22-21.

Consent Agenda

(6:17pm) Removed items #5 (Elliott Davis Invoice) and #12 York County Fire Services Stipend Program and moved to New Business.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

1. Approval of October 3, 2022 Economic Development Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

2. Approval of October 3, 2022 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

3. Council to Provide Second Reading of A MASTER BOND ORDINANCE OF YORK COUNTY, SOUTH CAROLINA PROVIDING FOR THE ISSUANCE AND SALE OF WATER AND SEWER SYSTEM REVENUE BONDS; AND OTHER MATTERS RELATING THERETO.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

4. Council to Provide Second Reading of A SERIES ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF WATER AND SEWER SYSTEM REVENUE BONDS OF YORK COUNTY, SOUTH CAROLINA IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$26,950,000; AND OTHER MATTERS RELATING THERETO.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

5. Council to approve the execution of a contract with The Dodd Studio LLC of Fort Mill, SC for \$76,180.00 to prepare a Master Plan for the Bethel Lake Wylie Preservation Park District.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

6. County Council to Consider Approval of the Road Acceptance Requests for the Cypress Point subdivision Phases 1, 2 and 3.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

7. Council to approve selection of firms regarding RFQ #2832 for pre-qualified consultants to provide professional engineering, testing and supplemental services (Construction Inspection, Construction Materials and Testing, Environmental, Geotechnical Engineering, Real Estate, Special Inspection, and Surveying Services) associated with York County's Capital Projects.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

8. Council to approve selection of firms regarding RFQ #2833 for pre-qualified consultants to provide professional engineering services (Transportation, Water Resources, Civil Site, and Water and Sewer) associated with York County's Capital Projects.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

9. Council to reject all bids received regarding Bid #2837 for the Riverview Road Project.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

10. Council to approve fire hose testing services by Equipment Testing Specialists dba Mill Dam Enterprises, Inc. of Canton NC, for use by the York County Fire Services Department, for a total cost of \$41,600.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

11. Council to consider approving an agreement with the South Carolina Fire Academy for the use of designated office space at the York County Fire Training Center.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

12. Council to approve the purchase of office furniture for use by York County's Fire Safety Department, from the South Carolina Department of Corrections of Columbia SC, for a total cost of \$32,997.61.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

13. Council to approve annual database and reporting software agreement with ESO Solutions Inc., of Dallas TX, for use by York County Fire Safety, for a total cost of \$35,204.18.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

14. Council to approve the purchase of five 800 MHZ APX6500 mobile radios and five APX6000 portable radios and associated equipment for use by the York County Sheriff's Office, via state awarded contract #4400021163, from Motorola Solutions Incorporated of Columbia SC, for a total cost of \$66,921.94.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

15. Council to DESIGNATE KEYSTONE AS THE ACT 301 SUBSTANCE ABUSE AUTHORITY FOR YORK COUNTY FOR ONE YEAR TO BEGIN OCTOBER 1, 2022.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

16. Council to approve a Venue Agreement with Northwestern High School to host the York County High School Cross Country Meet at Catawba Bend Preserve.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

Public Hearing(s)

1. Public Hearing

(6:18pm)

The following individuals spoke in opposition of the proposed ordinance:

(6:20pm) Michael Pruner, 841 Hollis Lakes Road, Rock Hill, South Carolina and the President of the Homebuilders Association addressed Council regarding his opposition to the proposed ordinance and the incorrect numbers provided by the consultant. Mr. Pruner explained that the association is in support of impact fees. However, they do not support the proposed numbers that have been provided.

The following individuals spoke in favor of the proposed ordinance:

(6:27pm) Carrie Ison, 273 Springlake Road, York, South Carolina addressed Council regarding her support for the proposed ordinance and requested that Council approve the ordinance at the recommended full amounts.

(6:29pm) Phyllis Ward, 601 Congress Street, York, South Carolina addressed Council regarding her support for the proposed ordinance and requested that Council approve the ordinance at the recommended full amounts.

(6:31pm) Beth Bridges, 248 Springlake Road, York, South Carolina addressed Council regarding her support for the proposed ordinance and requested that Council approve the ordinance at the recommended full amounts.

(6:34pm) Dr. Latoya Gibson 2149, Pavilion Court, Rock Hill, South Carolina addressed Council regarding her support for the proposed ordinance and clarified the provided information on the South Carolina website.

(6:36pm) Jim Bradford, 12 Wright Avenue, York, South Carolina addressed Council regarding his support for the proposed ordinance and requested that Council approve the ordinance at the recommended full amounts.

(6:40pm) Darius Gabrenas, 8 College Street, York, South Carolina addressed Council regarding his support for the proposed ordinance.

(6:42pm) Jessica Coon, 214 Cottage Place, York, South Carolina addressed Council regarding her support for the proposed ordinance and requested that Council approve the ordinance at the recommended full amounts.

(6:44pm) Tracy Miskelly, 1718 Chester Highway, York, South Carolina addressed Council regarding her support for the proposed ordinance and requested that Council approve the ordinance at the recommended full amounts.

(6:46pm) Emily Harper, 1694 Mallard Bay Drive, York, South Carolina addressed Council regarding her support for the proposed ordinance and requested that Council approve the ordinance at the recommended full amounts.

(6:48pm) Dr. Lee Green, Director of Floyd D. Johnson Technology Center addressed Council regarding his support for the proposed ordinance and requested that Council approve the ordinance at the recommended full amounts.

(6:50pm) Marion Ramsey, 409 Forest Drive, York, South Carolina addressed Council regarding his support for the proposed ordinance and requested that Council approve the ordinance at the recommended full amounts.

(6:52pm) Jessica Elliott, West Chapel Road, McConnells, South Carolina addressed Council regarding her support for the proposed ordinance and requested that Council approve the ordinance at the recommended full amounts.

(6:53pm) Kelly Coxe, Superintendent of York School District One addressed Council regarding her support for the proposed ordinance and requested that Council approve the ordinance at the recommended full amounts.

(6:57pm) There being no one else interested in speaking for or against the proposed ordinance 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

COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER SECOND READING OF AN ORDINANCE ADOPTING A PUBLIC EDUCATION FACILITIES IMPACT FEE ("IMPACT FEE") TO BE IMPOSED ON ALL NEW RESIDENTIAL DEVELOPMENT IN THE YORK SCHOOL DISTRICT NO. 1 PURSUANT TO YORK COUNTY ORDINANCE NO. 2718; ADOPTING IMPACT FEE PROCEDURES, TO ENSURE THAT PUBLIC EDUCATION FACILITIES WILL BE AVAILABLE AND ADEQUATE TO ACCOMMODATE THE NEED FOR PUBLIC EDUCATION FACILITIES EXPECTED TO BE GENERATED FROM THE SCHOOL CHILDREN IN NEW RESIDENTIAL DEVELOPMENTS IN THE SCHOOL DISTRICT, BASED ON THE DISTRICT'S LEVEL OF SERVICE STANDARDS AND CAPITAL IMPROVEMENTS PLAN; TO ASSIGN THE COSTS OF SUCH PUBLIC EDUCATION FACILITIES ON A PROPORTIONATE SHARE BASIS TO NEW RESIDENTIAL DEVELOPMENT WITH AN ESTABLISHED IMPACT FEE FOR A SINGLE FAMILY DETACHED DWELLING UNIT AT \$12,469, AN ESTABLISHED IMPACT FEE FOR A MULTI-FAMILY DWELLING UNIT AT \$10,237, AND AN ESTABLISHED IMPACT FEE FOR A MOBILE HOME AT \$11,165; TO AUTHORIZE INTERGOVERNMENTAL AGREEMENTS BETWEEN YORK COUNTY AND THE YORK SCHOOL DISTRICT, AND YORK COUNTY AND THE MUNICIPALITIES OF YORK, SHARON, HICKORY GROVE, MCCONNELLS, AND SMYRNA, DEFINING THE RESPECTIVE RIGHTS, RESPONSIBILITIES, AND OBLIGATIONS OF THE PARTIES REGARDING THE IMPACT FEE; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(6:57pm)

APPROVED [5 to 2]

MOVANT: Robert Winkler

SECOND: Tom Audette

AYES: Audette, Love, Winkler, Cox, Guffey

NAYS: William "Bump" Roddey, Joel Hamilton

Old Business

1. COUNCIL TO CONSIDER SECOND READING OF AN ORDINANCE TO AMEND CHAPTER 154: LAND DEVELOPMENT CODE, TO ALLOW DESIGN PROFESSIONALS OTHER THAN LANDSCAPE ARCHITECTS TO SUBMIT CERTAIN PLANTING PLANS; TO AMEND CHAPTER 155: ZONING CODE, TO AMEND SEVERAL USE DEFINITIONS, TO ALLOW EVENT VENUES AS A CONDITIONAL USE IN AGC, AGC-I, RUD, AND RUD-I, TO AMEND THE DEVELOPMENT STANDARDS FOR EVENT VENUES, TO ELIMINATE RURAL EVENT VENUES AS A TEMPORARY USE, TO ADD TRADE SERVICES AS A PERMITTED USE IN CERTAIN DISTRICTS, TO APPLY CONDITIONS TO HEAVY MACHINERY SALES, RENTAL, OR REPAIR USES, TO REDUCE THE REQUIRED BUFFERS FOR SELF-STORAGE FACILITIES WITH INTERIOR STORAGE ENTRANCES, TO REDUCE THE MINIMUM SEPARATION REQUIREMENTS FOR TATTOO AND BODY PIERCING ESTABLISHMENTS, TO ALLOW SHRUB PLANTING TO BE WAIVED IF REQUIRED BUFFERS HAVE EXCESS TREES, TO REDUCE THE MINIMUM PLANTING SIZE OF SMALL MATURING TREES, TO REVISE THE BUFFERYARD TYPE AND SPECIFICATION TABLES, AND TO INCREASE THE FLEXIBILITY OF ALTERNATIVE BUFFERYARD COMPLIANCE; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:41pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

2. Rezoning Action: Consider Second Reading

Case #	22-16
Tax Map #	726-00-00-087 (portion)
Zoning Request:	To rezone from RMX-20 and NC to LI
Acres:	7 +/- acre portion of 52.5 acre parcel
Council District:	One (1) - Audette
Applicant:	Salem Builders
Owner:	Pats Properties
Location:	7573 Regent Parkway, Fort Mill
Planning Commission Date:	June 13, 2022
Staff Recommendation:	Deny
PC Recommendation:	Approve

(7:44pm)

APPROVED [Unanimous]

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

3. Rezoning Action: Consider Second Reading

Case # 22-21
Tax Map # 617-00-00- (001, 026, 077, 084, 085, 086, 087)
Zoning Request: Major PD Amendment
Acres: 179 +/- acres
Council District: Five (5) – Cox
Applicant: KCS Icebox Lazy Hawk
Owner: KCS Icebox Lazy Hawk, Lazy Hawk POA, Tom Cat Too, CAT Real Estate Holdings, LLC
Location: Lazy Hawk Road, Rock Hill
Planning Commission Date: September 12, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

(7:45pm)

DEFERRED [Unanimous]

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

4. Rezoning Action: Consider Second Reading

Case # 22-24
Tax Map # 658-00-00-044
Zoning Request: To rezone from RSF-30 to LI
Acres: 1.0 +/- acres
Council District: One (1) - Audette
Applicant: Nathaniel Negrin
Owner: Eddie Smith
Location: 191-195 S. Sutton Road, Fort Mill
Planning Commission Date: September 12, 2022
Staff Recommendation: Deny
PC Recommendation: Deny (5-3 Simmons, Duralia, Belton)

(7:47pm)

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

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

5. Rezoning Action: Consider Second Reading

Case # 22-28
Tax Map # 608-00-00-213
Zoning Request: To rezone from RMX-20 to RSF-30
Acres: 7.743 +/- acres
Council District: Five (5) - Cox
Applicant: Taylor Diane Belue
Owner: Taylor Diane Belue
Location: Marshall Road, Rock Hill
Planning Commission Date: September 12, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

(7:48pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

6. Rezoning Action: Consider Second Reading

Case # 22-29
Tax Map # 465-00-00-029 and 465-00-00-048
Zoning Request: To rezone from RSF-40 to RUD
Acres: 10.0 +/- acres
Council District: Two (2) - Love
Applicant: Gary and Marilyn Hoffman
Owner: Gary and Marilyn Hoffman
Location: 112 Rainbow Circle and 2112 Highway 557, Clover
Planning Commission Date: September 12, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

(7:48pm)

APPROVED [Unanimous]

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

7. Rezoning Action: Consider Second Reading

Case # 22-30
Tax Map # 182-00-00-079
Zoning Request: To rezone from AGC to RUD
Acres: 8.128 +/- acres
Council District: Three (3) - Winkler
Applicant: John Paoloca
Owner: John Paoloca
Location: Ranger Road, Clover
Planning Commission Date: September 12, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

(7:49pm)

APPROVED [6 to 1]

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

New Business

1. COUNCIL TO ADOPT A RESOLUTION APPROVING AN ASSIGNMENT OF INTERESTS IN THE FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA, TKC CCLXXXV, LLC AND SOUTHWOOD CORP. DATED JUNE 29, 2021 FROM TKC CCLXXXV, LLC TO CHARLOTTE INDUSTRIAL 3, LLC

(7:50pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

2. COUNCIL TO APPROVE A RESOLUTION COMMITTING YORK COUNTY TO ENTER INTO A FEE AGREEMENT WITH A COMPANY IDENTIFIED UNDER THE CODE NAME “PROJECT AUTOMATION” WHICH INCLUDES CERTAIN CREDITS AGAINST FEE IN LIEU OF TAX (“FILOT”) PAYMENTS FOR CERTAIN INVESTMENTS IN INFRASTRUCTURE AND OTHER MATTERS RELATED THERETO.

(7:50pm)

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Robert Winkler

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

3. COUNCIL TO APPROVE 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 TO THE COUNTY AT THIS TIME AS “PROJECT AUTOMATION” 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.

(7:51pm)

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Joel Hamilton

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

4. Council to approve an invoice from Elliott Davis for the Fire District Engagement in the amount of \$30,000.00.

(7:51pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Joel Hamilton

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

5. Council to approve recommended changes to the York County Fire Service Stipend Program.

(7:53pm)

DEFERRED [Unanimous]

MOVANT: Allison Love

SECOND: Joel Hamilton

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

Committee and Other Reports

(7:56pm) Finance & Operations Committee Meeting, Monday, October 17, 2022, 5:30pm
Chairman, Robert Winkler

Council Member New/Non-agenda Comments

(7:59pm) Council member William" Bump" Roddey pointed out that we rejected a bid tonight but we have not forgotten the project on Riverview Road and we are working on fulfilling the obligation.

(8:01pm) Council member Allison Love recognized and thanked Park Maintenance Superintendent, Darryl Schell for his hard work at the Naked Goat Farm event over the past weekend.

(8:02pm) Council member Brandon Guffey stated that there are still some outstanding issues that he would like to see addressed before he leaves County Council and he would like to discuss electronic billboards and event venues again.

(8:03pm) Chairwoman Christi Cox thanked our Parks and Recreation Director, Katherine Jones for her hard work on the past events and upcoming events at the County's parks. Also, Chairwoman Cox notified everyone that there will be an ordinance modification request from Sheriff Tolson regarding alcohol regulations at public boat landings and other public spaces and events on the next agenda.

Citizen Concerns

Representatives from Wesley United Methodist Church to present information regarding the program they are creating to assist with increasing children's reading test scores.
RESCHEDULED FOR ANOTHER DATE

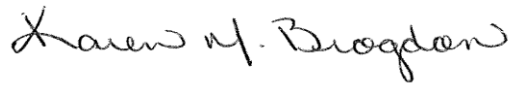
Executive Session

Personnel Matter: Annual Evaluations of the County Manager, County Attorney and Clerk to Council

Matters for consideration following Executive Session

Adjourn

There being no further business, the meeting adjourned at 10:35pm.

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

Karen M. Brogdon, Clerk to Council