



YORK COUNTY

COUNTY COUNCIL

MINUTES • DECEMBER 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 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

Montrio Belton, Pennies for Progress 5 Commission
Zachary Zapack, Pennies for Progress 5 Commission
Steve Mellon, Pennies for Progress 5 Commission
Brittnay Brown, Keep York County Beautiful (District 6) **ABSENT**
Anne Witte, York County Library Board (District 3)
Mike Peek, Catawba Regional Workforce Investment Board
Brian Bresg, Building Board of Appeals
Connie Cain, Building Board of Appeals
Aubrie Parham, Planning Commission (District 3)

Appearances

(6:02pm) Council recognized Vice-Chairman Robert Winkler on his service on York County Council.

(6:10pm) Council recognized Council member Joel Hamilton on his service on York County Council.

(6:19pm) Nick Lowe with McAdams Consulting Firm presented the Worth Mountain Master Plan. Mr. Lowe explained that public meetings and stakeholder input are required to qualify for grant funding. Therefore, a public survey was completed, SCDNR input was received and there was a public event held in 2021. Mr. Lowe stated that the proposed development would be a phased approach with the following amenities and the cost being approximately \$20M.

- Ranger Station
- Education/Visitor Center
- Orchard
- Pollinator Garden
- Garden Plots
- Trails

- Pedestrian/Equestrian
- Bike
- Dove Hunting
- Camping
- Primitive
- Fishing
- Gathering Pavilions
- Kayaking

(6:30pm) Tim Grow with Elliott Davis provided the annual financial report. Mr. Grow stated that the County is in good financial standings and no findings were reported.

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

(6:44pm) CW Senn, 520 W. Mt. Gallant Road, Rock Hill, South Carolina addressed Council regarding his concerns with the District 4 discretionary funds that were approved in the Finance & Operations Committee meeting.

Consent Agenda

(6:47pm)

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

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

1. Approval of November 22, 2022 Regular Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

2. Approval of December 5, 2022 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

3. Approval of December 6, 2022 Health and Environmental Protection Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

4. Council to Provide Third Reading of AN ORDINANCE TO AMEND SECTION 153.59 (B) APPROPRIATION OF IMPACT FEE FUNDS, SUBSECTIONS (B)(1), (B)(2)(a) and (B)(2)(b), SO AS TO ACCOUNT FOR AMENDED CAPITAL IMPROVEMENT PLANS; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

5. Council to provide Second Reading of AN ORDINANCE TO AMEND CHAPTER 33 OF THE YORK COUNTY CODE OF ORDINANCES TO CLARIFY DEFINITIONS RELATED TO PROBATIONARY PERIOD EXTENSIONS, TO REFINE POLICIES AND PROCEDURES RELATED TO RECRUITMENT, EQUAL OPPORTUNITY STANDING, HIRING PRACTICES, PERFORMANCE APPRAISALS, TERMINATION OF EMPLOYMENT AND RESIGNATION PRACTICES, TELECOMMUTING, ACCIDENT TESTING REQUIREMENTS, INCLEMENT WEATHER POLICY, AND WORKERS' COMPENSATION REQUIREMENTS, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

6. Council to approve a forensic software annual maintenance agreement with The Computer Solution Company of Virginia LLC, for use by the Sheriff's Office, for a total cost of \$30,935.52.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

7. Council to approve the installation of door access and additional cameras at multiple sites, by Performance Link Technologies, in the amount of \$170,312.98.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

8. Council to authorize contract negotiations regarding RFP #2843 for the short term lease of baseball/softball fields at Lake Wylie's Field Day Park.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

9. Council to approve award regarding Bid #2841 for the Catawba Bend Preserve Abatement and Demolition Project to the lowest responsive and responsible bidder, 4 Seasons Demolition of Wilmington NC, in the amount of \$227,700.00 which includes a 10% contingency.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

10. Council to approve Amendment #1 with Kimley Horn and Associates (KHA) of Charlotte NC in the amount of \$79,200.00 for additional design services associated with Catawba Bend Preserve Greenway Preliminary Engineering.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

11. Council to approve procurement exemption for Xylem Water Solutions USA, Inc. for the sole source replacement of one Flygt submersible wastewater pump at the English Trails Lift Stations, for a total cost of \$40,895.30

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

12. Council to consider approval of the 2023 York County Emergency Operation Plan

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

13. Council to Approve the Acceptance for Roadway Maintenance of Genthe Court Extension in Council District 3 , Located in the East York Industrial Park

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

Public Hearing(s)

1. Public Hearing

(6:47pm) 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 Tom Audette to close the public hearing.

ADOPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

Council to Hold a Public Hearing and Provide Third Reading of an Ordinance TO AMEND THE EXISTING AGREEMENT GOVERNING THE YORK-CHESTER INDUSTRIAL PARK TO ADD PARCELS WITHIN THE GEOGRAPHICAL BOUNDARIES OF YORK COUNTY TO THE MULTICOUNTY PARK; TO PROVIDE CORRESPONDING TAX MAP NUMBERS, COMPANY NAMES, OR PROPERTY OWNERS ASSOCIATED WITH THE ADDED PARCELS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:47pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

2. Public Hearing

The following individuals spoke in favor

(6:49pm) Eric (last name unknown), Plant Manager with Schuff Steel, 1345 Hall Spencer Road plant location expressed his appreciation to Council for the opportunity to conduct business in York County.

(6:50pm) There being no one else interested in speaking for or against the proposed ordinance 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, Hamilton

COUNCIL TO HOLD A PUBLIC HEARING AND THIRD READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO AN EXISTING FEE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND SCHUFF STEEL COMPANY, AS SPONSOR; CONSENTING TO AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE ASSIGNMENT AND ASSUMPTION AGREEMENT BY SCHUFF STEEL COMPANY, AS ASSIGNOR, TO BANKER STEEL CO. LLC, AS ASSIGNEE, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO

(6:50pm)

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Joel Hamilton

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

3. Public Hearing

(6:51pm) 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 Tom Audette to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

COUNCIL TO HOLD A PUBLIC HEARING AND CONDUCT THIRD READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A THIRD AMENDMENT TO THE CERTAIN FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA. THE LASH GROUP, LLC. AND KINGSLEY #9, LLC DATED OCTOBER 5, 2015, AS AMENDED; AND OTHER MATTERS RELATED THERETO.

(6:51pm)

APPROVED [Unanimous]

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

Old Business

1. Rezoning Action: Consider Third 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

(6:51pm) Motion to approve with the following modifications:

1. Increase the maximum allowable building height to 60' for tax map parcel #6170000084.
2. Permit loading docks to be oriented facing Lazy Hawk Road and Interstate 77 on all parcels.

In addition to providing the additional notations as presented to County Council addressing the filing of covenants, conditions and restrictions pertaining to the limitations upon and design of the rear trailer lot and the time periods for restricted truck and trailer movement upon the rear lot and for the applicant to enter into a road improvement agreement with York County.

APPROVED [Unanimous]

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

2. Rezoning Action: Consider Second Reading

Case # 22-41

Tax Map #	153-00-00-001(Portion)
Zoning Request:	To rezone from AGC to AGC-I
Acres:	8.0 +/- acres
Council District:	Three (3) - Winkler
Applicant:	Mike McGill
Owner:	Mike McGill
Location:	McGill Road, York
Planning Commission Date:	November 14, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve

(6:57pm)

APPROVED [Unanimous]

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

3. Council to approve Second Reading of AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 51.05, WATER AND SEWER RATES AND CHARGES, TERMS AND CONDITIONS OF SERVICE, IN ORDER TO ADD SUBSECTION (17) TO IMPOSE A SURCHARGE FOR CERTAIN WATER AND SEWER CUSTOMERS LOCATED IN THE CLOVER/RIVER HILLS/LAKE WYLIE AREA OF THE COUNTY AS DELINEATED BY THE GEOGRAPHIC AREA CONSTITUTING THE BLUE GRANITE FRANCHISE TERRITORY AND TO PROVIDE FOR MATTERS RELATED THERETO.

(6:57pm)

APPROVED [Unanimous]

MOVANT: Allison Love
SECOND: William "Bump" Roddey
AYES: Audette, Love, Winkler, Roddey, Cox, Hamilton

New Business

1. COUNCIL TO CONSIDER AND ADOPT A RESOLUTION OF THE YORK COUNTY COUNCIL TO RECEIVE, ACCEPT, AND ADOPT THE WORTH MOUNTAIN MASTER PLAN AS PRESENTED AND APPROVED BY THE HEALTH AND ENVIRONMENTAL PROTECTION COMMITTEE; TO AUTHORIZE YORK COUNTY MANAGEMENT, PERSONNEL, AND/OR ANY OTHER DESIGNEE TO INITIATE THE IMPLEMENTATION OF PARK DEVELOPMENT PHASING, AS FUNDS ARE BUDGETED AND AS DETAILED WITHIN THE PLAN, FOR THE PURPOSE OF FULFILLING THE LONG TERM PLAN TO TRANSFORM 1600 ACRES ALONG THE BROAD RIVER INTO AN OUTDOOR RECREATION AREA AND NATURE-BASED PARK AND PRESERVE BENEFITING THE CITIZENS OF AND VISITORS TO YORK COUNTY FOR GENERATIONS TO COME; AND TO ADDRESS OTHER MATTERS RELATING THERETO.

(6:58pm) Motion to approve to add an amendment to authorize staff to accept \$500,000 funding donated by S.C. House Representative Dennis Moss and for staff to work with Representative Moss and the School Districts to utilize this first phase of funding for implementation of 4-H Programming.

APPROVED [Unanimous]

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

2. COUNCIL TO ADOPT A RESOLUTION COMMITTING YORK COUNTY TO ENTER INTO A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT WITH ONE OR MORE COMPANIES PRESENTLY IDENTIFIED, COLLECTIVELY, UNDER THE CODE NAME “PROJECT TULLAMORE”, WHICH INCLUDES CERTAIN CREDITS AGAINST FEE IN LIEU OF TAX PAYMENTS FOR CERTAIN INVESTMENTS IN INFRASTRUCTURE, AND OTHER MATTERS RELATED THERETO.

(7:03pm)

APPROVED [Unanimous]

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

3. Council to consider initiating a rezoning pursuant to York County Code of Ordinances §155.1137(A)(1), to include tax map parcel #5770000001 in previously initiated Rezoning Case 22-42, in order to rezone the property from RSF-40 to the newly created Parks and Recreation Zoning District.

(7:06pm)

APPROVED [5 to 1]

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

Committee and Other Reports

(7:12pm) Health and Environmental Protection Committee Meeting, Tuesday, December 6, 2022, 6:00pm Chairman Tom Audette

(7:12pm) Finance & Operations Committee Meeting, Monday, December 19, 2022, 5:30pm Chairman Robert Winkler

Council Member New/Non-agenda Comments

(7:14pm) Council member William "Bump" Roddey wished everyone a Merry Christmas and a Happy New Year. Mr. Roddey also wished Mr. Hamilton and Mr. Winkler good luck in the future and thanked them for their service.

(7:15pm) Council member Tom Audette thanked Project Lash for their investment in the community and wished everyone a Merry Christmas and a Happy New Year. Mr. Audette also wished Mr. Hamilton and Mr. Winkler good luck in the future and thanked them for their service.

(7:15pm) Council member Joel Hamilton recognized Deputy Solicitor Betty Miller for winning the Ernest F. Hollings award for excellence in prosecution in September.

(7:17pm) Council member Allison Love stated that we are still moving forward with the Blue Granite purchase. Ms. Love also addressed Council member Hamilton and thanked him for his service and his profound words of wisdom.

(7:19pm) Council member Robert Winkler also wished everyone a Merry Christmas and a Happy New Year.

(7:21pm) Chairwoman Christi Cox wished Mr. Hamilton and Mr. Winkler good luck in the future and thanked them for their service.

Citizen Concerns

(7:22pm) Tammy Gordon 2898 Vernsdale Road, Rock Hill, South Carolina addressed Council regarding the excessive noise from the gun range/campground on 2974 Vernsdale Road and requested that Council look into this matter.

Executive Session

Personnel Matter/Contractual Matter: County Manager and County Attorney

Receipt of Legal Advice/Contractual Matter: Ongoing Litigation Update

Receipt of Legal Advice/Contractual Matter: Real Estate Master Deed

Contractual Matter: Emergency Medical Services

Receipt of Legal Advice/Contractual Matter: Consideration of Master Deed Amendment

Receipt of Legal Advice/Contractual Matter: Blue Granite

Matters for consideration following Executive Session

1. Motion to approve the master deed changes as discussed in Executive Session.

(9:14pm)

ADOPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

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

2. Motion to approve the contractual matters/personnel matters as discussed in Executive Session.

(9:14pm)

ADOPTED [Unanimous]

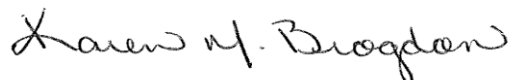
MOVANT: Joel Hamilton

SECOND: Tom Audette

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

Adjourn

There being no further business, the meeting adjourned at 9:14pm.



Karen M. Brogdon, Clerk to Council