



**YORK COUNTY
COUNTY COUNCIL**

MINUTES • SEPTEMBER 5, 2023

FINAL



County Council Meeting

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

6:00 PM

District 1 Tom Audette: Present, Vice-Chairwoman Allison Love: Present, District 3 Tommy Adkins: Present, District 4 William "Bump" Roddey: Present, Chairwoman Christi Cox: Present, District 6 Watts Huckabee: Present, District 7 Debi Cloninger: Present.

Oath of Office for newly appointed Board and Commission Members

Scott Kendrick, Flint Hill Fire Tax District Board
Ira Coltharp, Flint Hill Fire Tax District Board
Margaret Parson-Willins, Culture and Heritage Commission

Appearances

(6:02pm) Kevin Madden, Assistant County Manager provided information regarding OPEB and retiree insurance benefits. Mr. Madden explained that staff will be holding informational meetings for retirees to attend in September. There they will be able to receive additional information and ask questions of staff.

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

(6:14pm) Scott Couchenour 122 West Oak Street, Fort Mill, South Carolina addressed Council regarding his frustrations with the County's right of way and condemnation process for his property.

Consent Agenda

(6:17pm) Remove item #8 (RFQ#2853) and move to #6 in New Business.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

1. Rezoning Action: Consider Third Reading

Case #	23-21
Tax Map #	156-00-00-012; -041
Zoning Request:	To rezone from NC to RC
Acres:	1.78 acres
Council District:	Three (3) - Adkins
Applicant:	Chetan and Manisha Patel

Owner: Chetan and Manisha Patel
Location: 4020 Black Highway, York
Planning Commission Date: June 12, 2023
Staff Recommendation: Approve
PC Recommendation: Approve

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

2. Rezoning Action: Consider Third Reading

Case # 23-25
Tax Map # 721-00-00-013
Zoning Request: To rezone from UD to GC
Acres: 7.60 acres
Council District: Seven (7) - Cloninger
Applicant: Warren Norman Company
Owner: CV Hwy 21 LLC
Location: 3151 Highway 21, Fort Mill
Planning Commission Date: June 12, 2023
Staff Recommendation: Approve
PC Recommendation: Approve

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

3. Rezoning Action: Consider Second Reading

Case # 23-27
Tax Map # 723-00-00-082
Zoning Request: To rezone from UD to OA
Acres: 2.48 acres
Council District: One (1) - Audette
Applicant: Michael Johnson
Owner: Cabela's Wholesale, Inc
Location: Cabelas Drive, Fort Mill
Planning Commission Date: July 10, 2023
Staff Recommendation: Approve
PC Recommendation: Approve

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

4. Approve applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on August 21, 2023: move Elizabeth Bowers from the At Large seat to the vacant District 7 seat on the Rock Hill/York County Convention & Visitor's Bureau, Susan Piening, York County Library Board (District 2), Timothy Steele, York County Library Board (District 5), Dennis Getter, York County Library Board (District 7), Ashley Schemine, Board of Zoning Appeals (District 7), Robert Jones, Veterans Memorial Park Advisory Committee, Thomas Dubrouillet, Rock Hill/York County Airport Commission, and Cheryl Sige, Board of Assessment Appeals (District 3).

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

5. Council to approve a request from Sheriff Tolson to allow retiring Detention Center Lieutenant Khatari McMillan to retain his service weapon.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

6. Council to approve a request from Sheriff Tolson to allow retiring Detention Center Lieutenant Connie McMillan to retain her service weapon.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

7. Council to authorize contract negotiations regarding RFQ #2884 for Progressive Design-Build Services for Improvements to Field Day Park.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

8. Council to approve award regarding Bid #2855 for billing, printing, and mailing services for York County's Water and Sewer Department, to the lowest responsive and responsible bidder, Envelopes and Forms, Inc, SureBill of Duluth, GA, for a total estimated annual cost of \$154,242.00, for a three year term with two optional one year extensions.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

9. Council to approve a contractual amendment (RFP #2827) regarding an estimated 183 day extension for project completion of the structural stabilization and exterior preservation of Historic Brattonville's Colonel Bratton and Homestead Houses project, with Midwest Maintenance Inc., of Piqua OH, at no additional cost, and to further authorize the execution of the amendment to contractual agreement by the Culture & Heritage Museums' Executive Director.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

10. Council to approve an increased contract amount with Carolina Lift Stations, LLC for the routine operation & maintenance of the newly acquired wastewater collection system in the Lake Wylie area and wastewater repairs/emergency services in a total annual amount not to exceed \$750,065.00.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

11. Council to approve FY 2024 purchase request regarding RFP #2667 for armed security services for use by the Sheriff's Office, to Allied Universal Security Service of Columbia SC, for a total cost of \$230,000.00.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

12. Council to approve declaration of twenty County owned Self Contained Breathing Apparatuses (SCBA) as County surplus.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

13. Council to approve an architectural services contract with Craig Gaulden Davis of Greenville SC in the amount of \$135,075.00 plus 10% contingency to design plans and bid document for the Catawba Bend Preserve Gatehouse and Restroom project.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

14. Council to approve the Information Technology Department to apply and accept, if awarded, the State & Local Cyber Grant Program.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

15. Council to approve a sole source purchase for twenty two gallon recycling containers and lids, for use by York County's Collection & Recycling Department, from Peninsula Plastics Ltd of Buffalo NY, for a total cost of \$48,059.05

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

Public Hearing(s)

1. Public Hearing

(6:19pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

The following individuals spoke in opposition of the proposed rezoning:

(6:20pm) Dwayne Black, 7010 and 7020 Brookview Drive, Clover, South Carolina addressed Council regarding his concerns with the property behind the property in question.

(6:21pm) 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, Adkins, Roddey, Cox, Huckabee, Cloninger

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	23-30
Tax Map #	576-06-01-008
Zoning Request:	To rezone from UD to GC
Acres:	19.58 acres
Council District:	Two (2) - Love
Applicant:	YDG Waterside, LLC/Skinner Holdings, LLC
Owner:	YDG Waterside, LLC/Skinner Holdings, LLC
Location:	4035 Charlotte Highway, Lake Wylie
Planning Commission Date:	August 14, 2023
Staff Recommendation:	Approve
PC Recommendation:	Approve

(6:21pm)

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Tom Audette

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

2. Public Hearing

(6:22pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

(6:24pm) 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 Allison Love to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Allison Love

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	23-31
Tax Map #	721-00-00-055
Zoning Request:	To rezone from UD to GC
Acres:	2.56 acres
Council District:	Seven (7) - Cloninger
Applicant:	Zack Kosofsky
Owner:	HOP, LLC
Location:	3474 Highway 21, Fort Mill
Planning Commission Date:	August 14, 2023
Staff Recommendation:	Approve
PC Recommendation:	Approve

(6:24pm)

APPROVED [Unanimous]

MOVANT: Debi Cloninger

SECOND: Allison Love

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

3. Public Hearing

(6:24pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

(6:27pm) 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 Tommy Adkins to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tommy Adkins

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	23-32
Tax Map #	385-00-00-029
Zoning Request:	To rezone from AGC to RUD
Acres:	1-acre portion of a 7-acre parcel
Council District:	Three (3) - Adkins
Applicant:	Jerry Dale and Gayle McKenzie
Owner:	Jerry Dale and Gayle McKenzie
Location:	297 Boyd Road, Clover
Planning Commission Date:	August 14, 2023
Staff Recommendation:	Approve
PC Recommendation:	Approve

(6:27pm) Motion to approve with the following conditions:

1. The property must be subdivided to that no more than one zoning district is applied to a parcel. An approved subdivision plat encompassing the portion of the property zoned RUD shall be recorded with the York County Register of Deeds within 90 days of the rezoning approval.

APPROVED [Unanimous]

MOVANT: Tommy Adkins

SECOND: Tom Audette

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

4. Public Hearing

(6:27pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

(6:30pm) There being no one interested in speaking for or against the proposed rezoning a motion was made by Council member Allison Love and seconded by Council member Tommy Adkins to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Allison Love

SECOND: Tommy Adkins

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	23-33
Tax Map #	366-00-00-013
Zoning Request:	To rezone from RSF-40 to RSF-30
Acres:	0.688-acre portion of a 0.842-acre parcel
Council District:	Two (2) - Love
Applicant:	Steven Tripi
Owner:	Palmetto House & Home, LLC
Location:	810 Belwood Street, Clover
Planning Commission Date:	August 14, 2023
Staff Recommendation:	Approve
PC Recommendation:	Approve

(6:30pm) Motion to approve with the following condition:

1. The property must be subdivided so that no more than one zoning district is applied to a parcel. An approved subdivision plat encompassing the portion of the property zoned RSF-30 shall be recorded with the York County Register of Deeds within 90 days of the rezoning.

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: William "Bump" Roddey

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

5. Public Hearing

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

The following individuals spoke in favor of the proposed rezoning:

(6:42pm) Dan Ballou, Attorney on behalf of the applicant addressed Council regarding his support for the proposed rezoning. Mr. Ballou presented information regarding the proposed ingress and egress of the site and proposed time restrictions for deliveries.

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

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Tom Audette

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	23-34
Tax Map #	650-00-00-057
Zoning Request:	To rezone from NC to GC
Acres:	0.54 acres
Council District:	One (1) - Audette
Applicant:	Dan Ballou
Owner:	Sam's Commercial Properties, LLC
Location:	2891/2889 Highway 160, Fort Mill
Planning Commission Date:	August 14, 2023
Staff Recommendation:	Approve
PC Recommendation:	Approve

(6:47pm) Motion to approve without proposed conditions by staff.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

6. Public Hearing

(6:55pm) There being no one interested in speaking for or against the proposed rezoning a motion was made by Council member Allison Love and seconded by Council member Tom Audette to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Allison Love

SECOND: Tom Audette

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

COUNCIL TO HOLD A PUBLIC HEARING, AMEND AND APPROVE THIRD READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 90.02, "RATES, FEES, AND CHARGES FOR PUBLIC PARK FACILITIES, SERVICES, OR SPONSORSHIP'S" IN ORDER TO ESTABLISH A FEE SCHEDULE FOR THE BETHEL LAKE WYLIE LAND ACQUISITION AND PRESERVATION PARK DISTRICT; TO MODIFY THE EXISTING FEE SCHEDULE INCLUDING NEW FEES FOR FIELD DAY PARK; TO INCREASE THE RESERVATION FEE FOR CAMPING AND SHELTER RESERVATIONS AT EBENEZER PARK AND ALLISON CREEK PARK; TO ESTABLISH CROSS COUNTRY COURSE EVENT FEES FOR CATAWBA BEND PRESERVE; TO ESTABLISH FOOD TRUCK VENDOR FEES FOR ALL PARKS; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:55pm)

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Watts Huckabee

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

Old Business

New Business

1. Council to ratify an emergency procurement with State Utility Contractors, Inc. for sewer force main bypass and repair, for a total cost of \$53,290.00.

(6:56pm)

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Allison Love

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

2. COUNCIL TO CONSIDER FIRST READING BY TITLE ONLY OF AN ORDINANCE TO AMEND ORDINANCE NUMBER 521 (ADOPTED JANUARY 19, 2021), "BETHEL-LAKE WYLIE LAND ACQUISITION AND PRESERVATION PARKS DISTRICT," BY CLARIFYING THE PROCESS FOR RESOLVING ANY DISPUTES THAT MIGHT ARISE BETWEEN THE DISTRICT BOARD AND THE COUNTY MANAGER OR HIS DESIGNEE; BY DETAILING THE EXISTING AUTHORITY OF THE COUNTY MANAGER OR HIS DESIGNEE TO CALL A MEETING OF THE DISTRICT BOARD; BY DETAILING THE EXISTING AUTHORITY OF THE COUNTY MANAGER OR HIS DESIGNEE TO OPERATE THE DISTRICT AS AN AGENCY OF THE COUNTY INCLUDING BUT NOT LIMITED TO, DEVELOPMENT OF AN ORGANIZATIONAL CHART FOR THE ADMINISTRATION OF THE DISTRICT, ALONG WITH A DETERMINATION OF ANY NEEDED PERSONNEL AND ANY TRAINING AND COMPENSATION TO BE PROVIDED TO PERSONNEL; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:56pm)

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Tom Audette

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

3. Council to consider First Reading of an ordinance to amend Chapter 154: Land Development Code and Chapter 155: Zoning Code to define the term "Property Violation", and to allow for rezonings and other applications to be withheld from processing for subject properties with an active property violation; to provide for a public hearing; and to provide for other matters related thereto.

(6:59pm)

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Tom Audette

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

4. Council to consider First Reading of an ordinance to amend Chapter 154: Land Development Code to reduce the number of tiers of the Traffic Impact Analysis; to provide for a public hearing; and to provide for other matters related thereto.

(7:06pm)

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: William "Bump" Roddey

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

5. Council to consider First Reading by Title only of an Ordinance to amend Section 155.1301, Definitions, and Sub Part 5.9, Sections 155.765 and 155.766, of the Zoning Code of York County, by revising the definition of Event Venues and making corresponding changes to Sub Part 5.9 in order to distinguish that existing agricultural/farm structures utilized solely in Agritourism or Rural Activities as Rural Event Venues shall be excluded from classification as commercial facilities, that such use shall not constitute a change in use; and to provide for other matters related thereto.

(7:08pm) This matter is referred back to the Planning and Zoning Committee for further discussion.

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Tom Audette

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

6. Council to approve a contract amendment regarding RFQ #2853 for additional professional architectural services with SSOE Group of Columbia, SC, for design services at York County's Government Center Facility, for a total cost \$57,000.00.

(7:23pm)

APPROVED [Unanimous]

MOVANT: Tommy Adkins

SECOND: William "Bump" Roddey

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

Committee and Other Reports

(7:27pm) Economic Development Committee Meeting, Thursday, August 24, 2023 6:00pm
Chairman Tom Audette

(7:29pm) Finance & Operations Committee Meeting, Tuesday, September 5, 2023 5:40pm
Chairwoman Allison Love

Citizen Concerns

(7:30pm) Sharonda Love with Divine Fountain of Hope Women's Center addressed Council regarding the organization and the services that are offered. Ms. Love explained that they offer free services for individuals who experience unplanned pregnancy.

(7:39pm) Robert White with NAMI (National Alliance on Mental Illness) to address Council regarding the organization and the services that are offered. Mr. White was not available so Katie Durkee appeared in his place. Ms. Durkee explained that NAMI offers services for anyone suffering with mental illnesses. Ms. Durkee explained that funding has decreased by York County to mental health facilities.

Council Member New/Non-agenda Comments

(7:47pm) Council member Tommy Adkins stated that the Fall Livestock Show is on September 8-9 and encouraged everyone to attend.

(7:48pm) Council member Debi Cloninger thanked NAMI for speaking and stated that the annual NAMI walk is October 7th and encouraged everyone to attend.

(7:49pm) Council member Tom Audette also thanked NAMI for speaking. Mr. Audette also stated that the Fostering the Family 5k is October 28th and encouraged everyone to attend.

(7:50pm) Council member William "Bump" Roddey thanked the Divine Fountain of Hope Women's Center for speaking. Mr. Roddey also stated that maybe the County can put the annual walk on the website for promotion for NAMI. Mr. Roddey would also like to readdress the tattoo establishments ordinance at the Planning and Zoning Committee in order to clear up some language. Mr. Roddey stated that he is also looking forward to more information regarding the Gravity Center and how it will help support small businesses.

Chairwoman Cox approved the referral of the tattoo establishments ordinance to the Planning and Zoning Committee meeting for further discussion.

(7:55pm) Chairwoman Cox thanked Council for re-addressing the event center issue.

Executive Session

Receipt of Legal Advice: Consideration of Settlement Agreement for Project: US-21 Force Main Replacement, Project No. 19301, Tract No. 31.

Receipt of Legal Advice: County Water/Sewer Regulatory Application

Personnel Matter: County Manager/Clerk to Council/County Attorney

Contractual Matter: County Manager

Receipt of Legal Advice: Litigation Update

Receipt of Legal Advice: Event Venues

Matters for consideration following Executive Session

1. Motion to authorize Settlement Agreement for Project: US-21 Force Main Replacement, Project No. 19301, Tract No. 31.

(8:49pm)

ADOPTED [Unanimous]

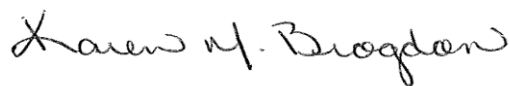
MOVANT: Tom Audette

SECOND: Allison Love

AYES: Audette, Love, Adkins, Roddey, Cox, Huckabee, Cloninger

Adjourn

There being no further business, the meeting adjourned at 8:49pm.



Karen M. Brogdon, Clerk to Council