



YORK COUNTY
COUNTY COUNCIL
MINUTES • NOVEMBER 18, 2024
FINAL



County Council Meeting

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

6:00 PM

District 1 Tom Audette: Absent, 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.

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

(6:03pm) Ashima Singal, Accommodations Tax Advisory Committee

Appearances

(6:04pm) Natalie Estes, Noah (last name unknown), and Avery Smith, members of the York County 4-H Program addressed Council regarding their program and thanked Council for their continued support of the York County 4-H program.

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

(6:12pm) Brendan McClusky, 729 Warwick Way, Fort Mill, South Carolina addressed Council regarding his concerns with Silfab Solar operating in Fort Mill.

(6:14pm) Zachary Zapack, 624 Meadowbrook Lane, Rock Hill, South Carolina addressed Council regarding his concerns with the Pennies utility relocation project and requested that the item be tabled until a later time.

(6:15pm) Scott Couchenhour, 122 West Oak Street, Fort Mill, South Carolina addressed Council regarding the Parks Board meeting and stated that there is not a lot of funding available and leaving the recreation tax off at this time is a good idea.

(6:17pm) CW Senn, 520 W. Mt. Gallant Road, Rock Hill, South Carolina addressed Council regarding his concerns with the price of food in the Country currently and that Americans are spending almost 18% of their disposal income on food.

(6:18pm) Corey Zessin, 1073 Ellis Pond Drive, Rock Hill, South Carolina addressed Council regarding his concerns with the overpopulation of animals in York County.

(6:20pm) Sarah Levins, 660 Sunset Pointe Drive, Rock Hill, addressed Council regarding her concerns with the overpopulation of animals in York County.

(6:22pm) Karen Brown, 127 Sonnys Way, Fort Mill, South Carolina addressed Council regarding her concerns with the overpopulation of animals in York County and provided suggestions regarding amending the ordinance in various ways.

(6:24pm) Michael Robbe, 1619 Flagsworth Road, Lake Wylie, South Carolina invited all Council members to the Lake Wylie Lions Club pancake breakfast on December 14 at Camp Thunderbird.

Consent Agenda

(6:25pm) Motion to approve with the removal of items #7 Pennies 5 Utility Policy and #12 Ebenezer Park 2 Change Orders to New Business

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

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

ABSENT: Tom Audette

1. Approval of November 4, 2024 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

2. Rezoning Action: Consider Second Reading

Case #	24-37
Zoning Request:	To rezone 7 parcels from RMX-10, RMX-20, GC, or PD to RMX-6
Council District:	Two (2) – Love
Applicant:	York County Council
Owner:	See list below
Location:	Lake Wylie area
Planning Commission Date:	October 14, 2024
Staff Recommendation:	Approve
PC Recommendation:	Approve (7-0)

Community Name	Parcel Number	Owners	Current Zoning
Villas at Marlin Bay	559000007 2	Southwood Marlin Bay	RMX-10
Revere at Lake Wylie	561000000 3	Revere at Lake Wylie	PD
Village at Lake Wylie	575000001 5	Southwood Villages at LW	RMX-20
Hamilton's Bay	575180100 1	Hamilton's Bay at LW	GC/RM X-20
Redwood Lake Wylie	576000009 5	Lakepointe Ridge One LLC	RMX-10
Lodges at Lake Wylie	575000008 5	Southwood Lodges at LW	GC
Clover Village	559000018 2	Endless Season Partners LLC	GC

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

3. Rezoning Action: Consider Second Reading

Case # 24-48
Tax Map # 489-00-00-012
Zoning Request: To rezone from AGC to RUD
Acres: 4.448-acre parcel
Council District: Two (2) - Love
Applicant: John Reid and Karen Smith
Owner: John Reid and Karen Smith
Location: 1280 S. Paraham Road, York
Planning Commission Date: October 14, 2024
Staff Recommendation: Approve
PC Recommendation: Approve (7-0)

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

4. Rezoning Action: Consider Second Reading

Case # 24-49
Tax Map # 666-00-00-037

Zoning Request: To rezone from ID to LI
Acres: a 3-acre portion of a 6-acre parcel
Council District: Five (5) - Cox
Applicant: Todd Bernard
Owner: BKB Holding LLC
Location: 230 Gill Way, Rock Hill
Planning Commission Date: October 14, 2024
Staff Recommendation: Approve
PC Recommendation: Approve (7-0)

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

5. Rezoning Action: Consider Second Reading

Case # 24-50
Tax Map # 194-00-00-056
Zoning Request: To rezone from RUD-I to RUD
Acres: 0.68-acre parcel
Council District: Three (3) - Adkins
Applicant: Tim Smith
Owner: Lakeland Partners LLC
Location: Cedar Grove Road, York
Planning Commission Date: October 14, 2024
Staff Recommendation: Approve
PC Recommendation: Approve (7-0)

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

6. Rezoning Action: Consider Second Reading

Case # 24-51
Tax Map # 601-00-00-029
Zoning Request: To rezone from UD to RUD
Acres: 1.0-acre parcel
Council District: Five (5) - Cox
Applicant: Jimmy Ward
Owner: Jimmy Ward
Location: 220 Ward Drive, Rock Hill

Planning Commission Date: October 14, 2024
Staff Recommendation: Approve
PC Recommendation: Approve (7-0)

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

7. Council to consider authorizing contract negotiations with multiple Engineering firms regarding RFQ #2939, for consulting and design services associated with York County's roads improvement program.

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

8. COUNCIL TO CONSIDER ACCEPTANCE OF ROADWAYS IN THE CAMBURN SUBDIVISION IN THE LAKE WYLIE AREA AND THE HERNDON HERITAGE II SUBDIVISION IN THE WESTERN ROCK HILL AREA

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

9. Council to approve Utility Relocation Agreement with AT&T Enterprises for an estimated amount of \$29,550.00 for Pennies 3 Project 11149-004 US 21/51 widening, and authorizing the County Manager to execute the Relocation Agreement.

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

10. Council to authorize contract negotiations regarding RFP #2944 for digital media marketing services for use by York County's Solid Waste Collection & Recycling Department.

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

11. Council to approve the purchase of additional software for use by the Sheriff's Office, from The Computer Solution Company of Virginia LLC d/b/a Forensic Advantage Systems, of Midlothian VA, for a total cost not to exceed \$75,000.00, as provisioned by York County's Procurement Code §35.009 (G)(1) (w).

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

12. Council to authorize York County Public Works to apply for the Solid Waste Infrastructure for Recycling Grant and accept if awarded.

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

13. Council to authorize the implementation of a grant acquired by Comporium for internet services at Historic Brattonsville.

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

14. Council to Provide First Reading by Title Only of AN ORDINANCE TO AMEND THE EXISTING AGREEMENT GOVERNING THE YORK-CHESTER INDUSTRIAL PARK IN ORDER TO ADD PARCELS WITHIN THE GEOGRAPHICAL BOUNDARIES OF YORK COUNTY TO THE MULTICOUNTY PARK; TO ADJUST AND/OR REMOVE ANY PARCELS, AS MAY BE NECESSARY; TO PROVIDE AND/OR REMOVE CORRESPONDING TAX MAP NUMBERS, COMPANY NAMES, OR PROPERTY OWNERS ASSOCIATED WITH THE ADDED AND ADJUSTED/REMOVED PARCELS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

15. 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 CHARLOTTE INDUSTRIAL 3, LLC TO GBA HERON, LLC

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

Public Hearing(s)

Old Business

1. Council to discuss potential Zoning Code text amendment related to self-storage facilities.

(6:26pm) County Manager, Josh Edwards explained that staff has reviewed each item and provided options for Council to consider:

1. Required separation from roads
 - a. Building setbacks
 - b. Disallowing self-storage on lots with major road frontage
2. Removing self-storage use from certain zoning districts.
 - a. Currently conditional use in RC, GC, RI, LI, UD
3. Require special exception from BZA in certain zoning districts.
 - a. With or without additional criteria related to preferred locations.

Council requested that staff provide a specific recommendation and then additional discussion and/or comments will be made by Council.

2. Council to discuss potential Zoning Code text amendment regarding multiple principal dwellings on a single lot in the AGC district.

(6:30pm) County Manager, Josh Edwards explained that staff has reviewed each item and provided options for Council to consider. Mr. Edwards explained that staff and Management is recommending option #5.

1. Status quo - retain the existing language that allows for a second dwelling on a lot in AGC with at least 10 acres.
2. Revert to old provision that allowed two dwellings on any lot in AGC.
3. Revise the provision to allow for a second dwelling on a lot in AGC with at least 5 acres.
4. Create a new "rural estate" district that falls between AGC and RUD in the hierarchy, with a minimum lot size lower than five acres and higher than one acre, to serve as a better transition from AGC, in keeping with the Comp Plan, and to accommodate the type of community character created by more than one home over less than ten acres.
5. Consider a larger scope project to evaluate the rural zoning districts (AGC, AGC-I, RUD, RUD-I, RC, RI), the purpose and implementation for each, and whether adjustments should be made amongst them, or additional districts, to implement the Comprehensive Plan goals to protect and promote agriculture and rural character.

Council requested that staff move forward with option #5.

3. Council to discuss potential Zoning Code text amendments related to lot area measurement.

(6:59pm) County Manager, Josh Edwards explained that staff has reviewed each item and provided options for Council to consider:

1. Status quo - continue to exclude right-of-way from lot area calculation.
2. Revert to old methodology that included right-of-way in lot area calculation.
3. Consolidate and improve accessory structure standards.
4. Add an administrative adjustments process to relieve fractions of numerical standards.

Council recommends that staff research further and come back to council with additional recommendations.

New Business

1. Council to consider initiating a rezoning pursuant to York County Code of Ordinances §155.1137(A)(1), to re-zone 48 split-zoned parcels along Sandifer Road, as listed in Exhibit A, from the Agricultural Conservation (AGC), Rural Development (RUD), and Residential Single-Family 40 (RSF-40) districts to the Agricultural Conservation-I (AGC-I) zoning district, in order to place the parcels into a single, appropriate zoning district.

(7:13pm)

APPROVED [Unanimous]

MOVANT: Watts Huckabee
SECOND: Allison Love
AYES: Love, Adkins, Roddey, Cox, Huckabee, Cloninger
ABSENT: Tom Audette

2. Council to suspend the Council Rules without referral of the proposed Resolution to a Committee and Adopt the RESOLUTION OF THE YORK COUNTY COUNCIL DECLARING THE RESULTS OF THE REFERENDUM HELD ON NOVEMBER 5, 2024 ON THE IMPOSITION OR REIMPOSITION OF A ONE PERCENT SALES AND USE TAX PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT

(7:13pm)

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey
SECOND: Allison Love
AYES: Love, Adkins, Roddey, Cox, Huckabee, Cloninger
ABSENT: Tom Audette

3. Council to approve award regarding Bid #2947 for HVAC renovations at York County's Planning Building, to the lowest responsive and responsible bidder, Edison Foard LLC, of Charlotte NC, for a total project cost of \$1,686,435.00, as part of the Coronavirus State and Local Fiscal Recovery Funds.

(7:16pm)

APPROVED [Unanimous]

MOVANT: Watts Huckabee
SECOND: William "Bump" Roddey
AYES: Love, Adkins, Roddey, Cox, Huckabee, Cloninger
ABSENT: Tom Audette

4. Council to approve award regarding Bid #2943 for HVAC renovations at York County's Heckle Office Complex, to the lowest responsive and responsible bidder, Ferrara Buist LLC, of Indian Land SC, for a total cost of \$7,973,131.51, as part of the Coronavirus State and Local Fiscal Recovery Funds.

(7:16pm)

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey
SECOND: Watts Huckabee
AYES: Love, Adkins, Roddey, Cox, Huckabee, Cloninger
ABSENT: Tom Audette

5. Council to approve award regarding Bid #2945 for the Sheriff's Office District 3 Renovation Project, to the lowest responsive and responsible bidder, JNB Services LLC of Daleville AL, for a total cost of \$2,580,362.40, which includes county contingency, as part of the Coronavirus State and Local Fiscal Recovery Funds.

(7:17pm)

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey
SECOND: Allison Love
AYES: Love, Adkins, Roddey, Cox, Huckabee, Cloninger
ABSENT: Tom Audette

6. Council to authorize taxes included in Presidio Cyber Security Software invoice in the amount of \$13,527.60, through the Coronavirus State and Local Fiscal Recovery Funds.

(7:17pm)

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey
SECOND: Allison Love
AYES: Love, Adkins, Roddey, Cox, Huckabee, Cloninger
ABSENT: Tom Audette

7. Council to Provide First Reading of an ORDINANCE AUTHORIZING THE FIRST AMENDMENT OF THAT CERTAIN FEE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA, PERFORMANCE FRICTION CORPORATION, AND PFC REALTY LIMITED PARTNERSHIP, RELATING TO, WITHOUT LIMITATION, (1) UPDATING THE INVESTMENT REQUIREMENT OF THE PROJECT AND (2) EXTENDING THE INVESTMENT PERIOD OF THE PROJECT; AND OTHER RELATED MATTERS.

(7:18pm)

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey
SECOND: Allison Love
AYES: Love, Adkins, Roddey, Cox, Huckabee, Cloninger
ABSENT: Tom Audette

8. Council to approve the Pennies 5 Utility Relocation Policy.

(7:18pm) Original motion made by Council member Watts Huckabee and seconded by Council member Allison Love to defer to the next meeting.

(7:31pm) Council member Allison Love withdrew her second.

(7:31pm) Motion was made by Council member Allison Love and seconded by Council member William "Wump" Roddey to approve

APPROVED [5 to 1]

MOVANT: Allison Love
SECOND: William "Bump" Roddey
AYES: Love, Adkins, Roddey, Cox, Cloninger
NAYS: Watts Huckabee
ABSENT: Tom Audette

9. Council to approve Change Order #2 totaling \$119,496.98 for Leitner Construction Company regarding Bid #2882 (Project 21335) for Ebenezer Park Phase 2 to construct a turnaround at the Park Entrance.

(7:31pm)

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey
SECOND: Watts Huckabee
AYES: Love, Adkins, Roddey, Cox, Huckabee, Cloninger
ABSENT: Tom Audette

Committee and Other Reports

Citizen Concerns

Council Member New/Non-agenda Comments

(7:33pm) Council member William "Bump" Roddey stated that healthy discussions are good and he welcomes healthy debate between Council members. Mr. Roddey also wished everyone a Happy Thanksgiving.

(7:35pm) Chairwoman Christi Cox wished everyone a Happy Thanksgiving.

(7:35pm) Council member Watts Huckabee stated that the Health and Environmental Protection Committee will begin working on the Parks Masterplan recommendations in January.

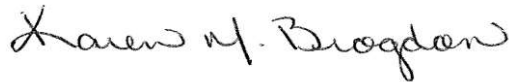
Executive Session

Receipt of Legal Advice: Legal/Litigation Update

Matters for consideration following Executive Session

Adjourn

There being no further business, the meeting adjourned at 7:36pm.

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