



YORK COUNTY
COUNTY COUNCIL
MINUTES • OCTOBER 16, 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.

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

Jeffrey Lyon, Culture and Heritage Commission (District 4)
Joel Fensch, Keep York County Beautiful (At Large) **ABSENT**

Appearances

(6:01pm) Sheriff Kevin Tolson provided the York County Sheriff's Office annual report. Sheriff Tolson reported on crime statistics, budget, finance & grants, administrative division, criminal investigations division (crime statistics and investigations), uniform patrol division (citations, warnings, DUI charges and mental health transports), technical services division (cybercrimes/digital forensics, DNA lab, drug lab, firearms ballistics lab), support services division (K-9 unit, SWAT team, crisis negotiations team), court security, mounted patrol, dive team aviation response team, and detention division (inmates, transports, staff medical) for 2022.

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

(6:24pm) Scott Couchenhour, 122 West Oak Street, Fort Mill, South Carolina apologized to Council for his last appearance before Council. Mr. Couchenhour stated that he felt his comments were a little out of hand. Mr. Couchenhour also requested that the speed limit on Hwy 21 be decreased to 45mph.

(6:26pm) David Buist, 4070 Country Overlook Drive, Fort Mill, South Carolina addressed Council regarding his concerns with the proposed Stormwater and Floodplain Ordinances that are on the agenda for tonight and requested that Council review the item very closely.

Consent Agenda

(6:29pm)

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

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

ABSENT: Allison Love

1. Approval of October 2, 2023 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

2. Rezoning Action: Consider Second Reading

Case #	23-36
Tax Map #	726-00-00-037
Zoning Request:	To rezone from UD to LI
Acres:	5.63 acres
Council District:	Seven (7) - Cloninger
Applicant:	Brothers Storage, Inc
Owner:	Brothers Storage, Inc
Location:	Flint Hill Road, Fort Mill
Planning Commission Date:	September 11, 2023
Staff Recommendation:	Approve
PC Recommendation:	Approve

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

3. Approve nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on October 2, 2023: Johnny Bouler, Board of Disabilities and Special Needs (District 7), Quay Williford, Lake Wylie Marine Commission, Raymond Williams, Lake Wylie Marine Commission, Janelle Stephens, Catawba Mental Health Board, Chip Hutchison, Rock Hill/York County Convention and Visitor's Bureau (At Large), Anne Violanti, Bethel/Lake Wylie Land Acquisition and Preservation Parks District Board, Jamie Henrickson, Bethel/Lake Wylie Land Acquisition and Preservation Parks District Board, Johnny Starnes, Oakdale Fire Tax District Board, and Donald Bechtler, Oakdale Fire Tax District Board.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

4. COUNCIL TO ADOPT A RESOLUTION IN SUPPORT OF COST OF ANIMAL CARE LEGISLATION, HOUSE BILL 3682 AND SENATE BILL 456.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

5. Council to authorize staff to apply for and to accept, if awarded, a Supplemental Local Emergency Management Performance Grant (LEMPG) in the amount of up to \$35,000 with a match of 50% that will achieved through in-kind services.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

6. Council to approve authorizing the expenditure of \$35,090 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) for expenses related to a Conservation Easement on the approximately 190 acres of property along Craig Road in Rock Hill and referred to as TMs 607-00-00-015, 607-00-00-016, and 609-00-00-028.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

7. Council to approve a one year contract renewal with PSD Software LLC of Marietta GA, regarding RFP #2610 for fleet & facility management software services for use by the Public Works Department, for a total cost of \$15,100.00.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

8. Council to approve two subsequent fiscal years renewal option with Elliott Davis LLC of Charleston SC, regarding RFP #2739 for professional auditing services of York County, the Cultural & Heritage Commission, and the York County Library, for use by the Finance Department, for fiscal years 2024 and 2025, for a total cost of \$209,000.00 over a two year term.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

9. Council to approve award regarding RFP #2839 for the replacement of York County's Voice Over Internet Protocol (VOIP) Phone System, to AT&T Corp. of Charlotte NC, for a total cost of \$442,621.75.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

10. Council to approve award regarding Bid #2881 for the replacement of Historic Brattonsville's Hightower Hall HVAC system, to the lowest responsive and responsible bidder, Harper Company of the Carolinas LLC, of York SC, for a total cost of \$112,000.00.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

11. Council to authorize contract negotiations regarding RFP #2889 for temporary staffing services for use by the York County Solid Waste Collection & Recycling Department.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

12. Council to reject all responses received regarding RFQ #2890 for Construction Materials Testing, Inspection and Construction Observation for multiple Capital Construction Projects that are anticipated to cost \$30,000 or more.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

13. Council to approve award regarding Bid #2891 for Ammonium Calcium Nitrate for Odor and Corrosion Control services for Waste Water Systems, to Southern Environmental System of Fort Mill SC, for a total amount of \$311,040.00 annually, for a three year term with the option to renew for up to two additional one year terms.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

14. Council to approve award regarding Bid #2894 for the Highway 557 road improvements project, to the lowest responsive and responsible bidder, Blythe Development Company of Charlotte NC, for a total cost of \$45,690,344.04.

APPROVED [Unanimous]

MOVANT: Tom Audette
SECOND: William "Bump" Roddey

15. Council to approve award regarding Bid #2896 for the York County and Rock Hill Meter Replacement Project, to the lowest responsive and responsible bidder, State Utility Contractors Inc. of Monroe NC, in the amount of \$412,500.00, which includes a 10% contingency.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

16. Council to approve the renewal of an annual software license and service agreement with Kamstrup Water Metering LLC of Roswell GA, regarding York County's Advanced Metering Infrastructure for the Eastern and Western Water Distribution Systems, for a total amount of \$30,964.08.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

17. County Council to grant an easement to Duke Energy Carolinas, LLC for purposes of installing overhead power facilities along Hwy. 557.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

18. COUNCIL TO PROVIDE FIRST READING BY TITLE ONLY OF AN ORDINANCE TO AMEND CHAPTER 35 OF THE YORK COUNTY CODE OF ORDINANCES TO AMEND § 35.008 PURCHASING PROCEDURES, AND § 35.009 METHODS OF SOURCE SELECTION, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

19. Council to authorize the annual maintenance of network equipment, through Data Network Solutions of Chapin, SC, for the amount of \$39,510.99.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

Public Hearing(s)

Old Business

1. Council to consider Second 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.

(6:29pm)

FAILED [0 to 7]

MOVANT: William "Bump" Roddey

SECOND: Allison Love

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

Motion was made by Council member William "Bump" Roddey and seconded by Council member Allison Love to amend the original motion to include other parcels that the violator may own.

(6:41pm)

FAILED [3 to 4]

MOVANT: William "Bump" Roddey

SECOND: Allison Love

AYES: Allison Love, William "Bump" Roddey, Watts Huckabee

NAYS: Tom Audette, Tommy Adkins, Christi Cox, Debi Cloninger

New Business

1. Council to consider initiating a rezoning pursuant to York County Code of Ordinances §155.1137(A)(1) to re-zone Tax Map parcels 7230000001, 02, 04, 05, 23, 24, 25, 47, 50, 60, 61, 63, 64, 65, 66, 75, 78, 80, 81, 83, and 85 to the Outdoor Amusements zoning district, as an implementation of the Exit 90/Carowinds Blvd Master Plan.

(6:44pm)

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Watts Huckabee

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

2. Council to consider First Reading of an ordinance to amend Chapter 151: Flood Damage Prevention, to adopt the Regent Park Flood Study and accompanying maps, to adopt the City of Rock Hill's flood prone streets and areas maps; to amend and adopt standards above the National Flood Insurance Program's minimum standards, based on a "no adverse impact" approach to floodplain management; to provide for a public hearing; and to provide for other matters related thereto.

(6:45pm)

(7:02pm) Motion was made by Council member Tom Audette and seconded by Council member Watts Huckabee to modify the original motion to defer to allow staff to reach out to the local homeowners and do additional research on the ordinance.

DEFERRED [Unanimous]

MOVANT: Tom Audette

SECOND: Watts Huckabee

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

3. Council to consider First Reading of an ordinance to amend Chapter 152: Stormwater Management and Sediment Control Code to provide for the evaluation, assessment, and protection of surface water impoundments, ponds, and lake coves impacted or threatened with impact by off-site sedimentation from land disturbance activities; to provide for a public hearing; and to provide for other matters related thereto.

(7:04pm)

DENIED [Unanimous]

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

4. Council to approve a contract amendment with DeVita & Associates, Inc. of Charlotte, NC, for construction management tasks and additional design and engineering services related to the construction services for the HVAC Replacement & Upgrades at the York County Heckle Complex as part of the Coronavirus State and Local Fiscal Recovery Funds program in the total amount of \$382,500.00

(7:05pm)

APPROVED [Unanimous]

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

5. Council to approve a contract amendment with DeVita & Associates, Inc. of Charlotte, NC for construction management tasks and additional design and engineering services related to the construction management services for the HVAC Replacement & Upgrades at the York County Planning Facility as part of the Coronavirus State and Local Fiscal Recovery Funds program in the total amount of \$107,300.00.

(7:06pm)

APPROVED [Unanimous]

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

6. County Council to authorize the County Manager to sign, on behalf of the County, a pending application for an amendment to the Allison Creek Development Agreement, as an owner of affected property per the terms of the agreement.

(7:06pm)

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Tom Audette

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

Committee and Other Reports

(7:12pm) Finance & Operations Committee Meeting, Monday, October 16, 2023, 5:30pm
Chairwoman Allison Love

Citizen Concerns

Council Member New/Non-agenda Comments

(7:13pm) Council member William "Bump" Roddey reminded everyone to support the activities and fundraisers for Breast Cancer Awareness month.

(7:14pm) Council member Allison Love would like to add to the next Executive Session a discussion regarding the SCAC and the Developer's Agreement.

(7:15pm) Council member Watts Huckabee would like to refer short/long range plans for parks in York County to the Health & Environmental Protection Committee for discussions

(7:15pm) Council member Debi Cloninger thanked Mr. Roddey for reminding everyone of Breast Cancer Awareness month, as she is a breast cancer survivor of 5 years.

(7:16pm) Council member Watts Huckabee reminded everyone that Council needs to discuss the grand tree ordinance and the 660-foot separation ordinance item at the next Council Workshop.

(7:17pm) Council member Tom Audette reminded everyone that you can text to 911 in the event of an emergency. Mr. Audette also reminded everyone of the Fight for the Family 5K race on October 28th.

Executive Session

Personnel Matter/Contractual Matter: County Manager Search

Receipt of Legal Advice: Litigation Update

Matters for consideration following Executive Session

1. Motion to authorize the County Attorney to retain outside counsel as discussed in Executive Session.

(8:13pm)

ADOPTED [Unanimous]

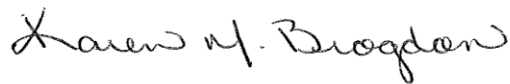
MOVANT: Tom Audette

SECOND: William "Bump" Roddey

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

Adjourn

There being no further business, the meeting adjourned at 8:31pm.

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