



YORK COUNTY
COUNTY COUNCIL
MINUTES • MAY 17, 2021



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

Robin Peterson, Keep York County Beautiful, District 1
Lisa Moseley, Rock Hill/York County Convention and Visitor's Bureau, At Large
James Spratt, Riverview Fire Tax District Board
Don Clarke, Rock Hill/York County Airport Commission
Duncan Alford, Accommodations Tax Advisory Committee
Michael Drummond, York County Natural Gas Board **ABSENT**

Appearances

April Hershey with Keep York County Beautiful presented their annual report. Ms. Hershey reported that KYCB has contributed 489 volunteer hours which is a value of \$13,982+ to York County and \$12,000 in grants in 2021. Keep York County Beautiful participates in waste reduction and recycling by distributing recycling bins and tote bags to multi-family housing, Earth Day Birthday events. Litter prevention and beautification projects, such as, Polar Bear Litter Pickup and Spring Litter Pickup.

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

(6:11pm) Billy Dunlap, Executive Director of the Rock Hill/York County Convention and Visitor's Bureau addressed Council regarding the possibility of the CVB's budget being cut \$300,000 and how the CVB will move forward.

(6:13pm) Ronnie Taylor, 1411 Lincoln Road, York, South Carolina invited all Council members to the annual Memorial Day service on May 30, 2021.

(6:15pm) Billy Hagner, 1901 Voyager Road, York, South Carolina addressed Council regarding the sale of the speculative building. Mr. Hagner requested additional information regarding the building prior to Council's action.

(6:16pm) Trisha Conway, 749 Painted Lady Court, Rock Hill, South Carolina addressed Council regarding the traffic at Ebenezer Park and citizens parking in the Boatshore Subdivision.

(6:19pm) Arlynn Neal, 916 White Admiral Lane, Rock Hill, South Carolina addressed Council regarding the traffic at Ebenezer Park and citizens parking along Boatshore Drive. Ms. Neal requested that the trees and shrubs be trimmed to allow drivers additional viewing of traffic.

(6:21pm) Ann Morse, 912 White Admiral Lane, Rock Hill, South Carolina, addressed Council regarding the traffic at Ebenezer Park and citizens parking along Boatshore Drive. Ms. Morse requested speed humps be installed to help with speeding.

Consent Agenda

(6:23pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

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

1. Approval of May 3, 2021 Transportation Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

2. Approval of May 3, 2021 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

3. Rezoning Action: Consider Second Reading

Case #	21-06
Tax Map #	437-00-00-035
Zoning Request:	To rezone from AGC-I to AGC
Acres:	14.93 +/- acres
Council District:	Five (5) Christi Cox
Applicant:	Sam and Jennifer Dozier
Owner:	Sam and Jennifer Dozier
Location:	2850 Gordon Road, Rock Hill
Planning Commission Date:	April 12, 2021

Staff Recommendation: Approve
PC Recommendation: Approve

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

4. Rezoning Action: Consider Second Reading

Case # 21-07
Tax Map # 720-00-00-021; 720-00-00-023
Zoning Request: To rezone from RUD to BD-II
Acres: 8.80 +/- acres
Council District: One (1) Tom Audette
Applicant: Lev Saks, SS5PropCo LLC
Owner: Anthony Patania
Location: 3399 & 3409 Pleasant Road, Fort Mill
Planning Commission Date: April 12, 2021
Staff Recommendation: Approve
PC Recommendation: Approve

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

5. Council to consider Third Reading of an Ordinance to amend the York County Code of Ordinances, Chapter 151, Floodplain Management, to revise the chapter title to "Flood Damage Prevention", to add a definition for "Non-Encroachment Area" (NEA); to amend use of the term "Floodway" to include "Non-Encroachment Area"; to add a definition for "Special Flood Hazard Area" (SFHA); to clarify specific standards where lowest adjacent grade (LAG) applies to elevated building; to amend specific standards for accessory structures; to amend the establishment of an appeal board; to amend variance requirements for accessory and agricultural structures; to amend the York County Code of Ordinance, Chapter 152, Stormwater Management and Sediment Control, to amend the duties of the Stormwater Appeals Board; to provide for a Public Hearing; and to provide for other matters related thereto.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

6. COUNCIL TO APPROVE SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS PROJECT BEAR CLAW WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES AND OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

7. COUNCIL TO APPROVE SECOND READING OF 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 RECON” 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.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

8. Council to approve the purchase of 304.6 stream mitigation credits required by the Hubert Graham Way Extension Corps of Engineers Permit for a total of \$68,535.00 from Turners Branch Mitigation Bank.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

9. Council to approve a sole source FY 2021-2022 purchase for body worn and dash cameras for use by the Sheriff's office, from Axon Enterprise Inc. of Scottsdale AZ, for a total of \$357,286.87.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

10. Council to approve an annual renewal for forensic software licensing agreement with Grayshift LLC, of Atlanta GA, for a total cost of 64,065.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

11. Council to approve purchase of Safariland body armor gear for a cost not to exceed \$60,000.000 for FY 2022 via state awarded contract, from Lawmen's Safety Supply Inc. of Columbia SC.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

12. Council to approve FY 2021/2022 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 \$235,000.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

13. Council to approve a sole source procurement of supplies and chemistries from ThermoFisher Technologies/Life Technologies of South San Francisco CA, for an amount not to exceed \$100,000.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

14. Council to approve forensic software upgrades by The Computer Solution Company of Virginia LLC, of Winston Salem NC, for use by the Sheriff's Office, for a total cost of \$33,000.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

15. Council to authorize contract negotiations regarding RFQ #2738 for design services for the replacement of York County Animal Shelter's HVAC system.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

16. Council to approve award regarding Bid #2747 for the purchase of a TeeMark Super Paint/Aerosol and Oil Crusher for use by York County Solid Waste Collection and Recycling, to the lowest responsive and responsible bidder, Compactors Inc. of Hilton Head Island, SC for the total cost of \$46,622.74.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

17. Council to approve award regarding Bid #2746 for the purchase of two stationary compactors and four octagon receivers for use by York County Solid Waste Collection and Recycling, to the lowest responsive and responsible bidder, Bakers Waste Equipment of Lenoir NC, for a total cost of \$73,729.42.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

18. Council to approve authorization for contract negotiations regarding RFP #2742 for water quality testing services for use by York County's Planning and Development Services Department.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

19. Council to approve purchase of annotation presentation system and UPS through BIS Digital, Inc., of Fort Lauderdale Fl, for a total of \$13,877.07 for the Historic Courthouse.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

20. Council to approve an agreement with Sturgis Web Services of Fort Mill SC for processing of credit card payments

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

Public Hearing(s)

1. Public Hearing

The following individuals spoke in favor of the proposed ordinance:

(6:25pm) Dan Cacioppo, Project Manager for Northwest Lineman College addressed Council regarding his support for the proposed ordinance.

The following individuals spoke in opposition of the proposed ordinance:

(6:26pm) Billy Hagner, 1901 Voyager Drive, York, South Carolina requested Council to provide additional information regarding the proposed ordinance, such as, how was the purchase of the building funded and sale price, prior to voting on the item.

(6:29pm) 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 Allison Love to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

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

COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER SECOND READING OF AN ORDINANCE AUTHORIZING THE COUNTY'S SALE OF ITS SPECULATIVE BUILDING LOCATED IN EAST YORK INDUSTRIAL PARK, LOCATED AT 1725 GENTHE COURT, YORK, SOUTH CAROLINA, 29745, DESCRIBED AS A +/- 40,000 SQUARE FOOT INDUSTRIAL BUILDING ON OR ABOUT +/-11.6 ACRES AND IDENTIFIED BY TAX MAP NUMBERS 400-00-00-020, AS MORE PARTICULARLY SHOWN ON THE COMBINATION PLAT (WITH PART OF PARCEL 400-00-00-002) FILED WITH THE YORK COUNTY REGISTER OF DEEDS IN PLAT BOOK 158, PAGE 368, "AS IS, WHERE IS" TO GRID TRAINING CORPORATION, WITH SUCH SALE EVINCED BY THE PURCHASE AND SALE AGREEMENT, ATTACHED HERETO; APPROVING THE AGREEMENT AND RATIFYING ITS EXECUTION BY THE COUNTY MANAGER; AUTHORIZING THE CHAIRMAN AND OTHER COUNTY OFFICIALS TO FURTHER EXECUTE SUCH DOCUMENTS INCIDENT TO THE CLOSING AND SALE OF THE PROPERTY, INCLUDING THE DEED FOR THE PROPERTY; PROVIDING FOR A PUBLIC HEARING, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

(6:29pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Joel Hamilton

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

2. Public Hearing

(6:36pm) Jonathan Buono, Planning and Development Director provided a brief summary of the ordinance modifications.

(6:37pm) There being no one interested in speaking for or against the proposed ordinance a motion was made by Council member Allison Love and seconded by Council member Robert Winkler to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Allison Love

SECOND: Robert Winkler

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

Council to hold a Public Hearing and approve Second Reading of an Ordinance to amend the York County Code of Ordinances, Chapter 155, Zoning Code, to clarify the separation requirement for tree save areas; to exempt residential developments which are in the Rural Development Districts and located entirely outside of the Urban Services Boundary from the tree survey requirement; to provide for a Public Hearing; and to provide for other matters related thereto.

(6:37pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

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

3. Public Hearing

(6:37pm) David Hudspeth, County Manager provided a brief update on the proposed Resolution.

The following individuals spoke in favor of the proposed Resolution:

(6:39pm) Alan Linkous, Bond Attorney in Charleston, South Carolina addressed Council regarding his support for the proposed Resolution.

(6:41pm) Gwen Mugabe, Board Chair for York Prep Academy addressed Council regarding her support for the proposed Resolution.

(6:44pm) There being no one else interested in speaking for or against the proposed Resolution a motion was made by Council member Robert Winkler and seconded by Council member Allison Love to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

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

Council to Hold a Public Hearing and consider adopting a RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS EDUCATIONAL FACILITIES REVENUE BONDS (YORK PREPARATORY ACADEMY PROJECT), PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$100,000,000 AND, PENDING ISSUANCE THEREOF, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN THE AMOUNT OF NOT TO EXCEED \$100,000,000 PURSUANT TO THE PROVISIONS OF TITLE 11, CHAPTER 17 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

(6:44pm)

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: William "Bump" Roddey

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

Old Business

1. COUNCIL TO CONSIDER SECOND READING OF AN ORDINANCE TO ESTABLISH OPERATING AND CAPITAL BUDGETS FOR THE OPERATION OF THE COUNTY GOVERNMENT OF YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2021; TO PROVIDE FOR THE LEVY OF TAXES FOR YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2021; TO PROVIDE FOR THE EXPENDITURE OF TAX REVENUES AND OTHER COUNTY FUNDS; AND PROVIDE FOR OTHER FISCAL MATTERS RELATING TO COUNTY GOVERNMENT.

(6:46pm) Motion to approve as presented.

After Council discussion and a vote on a motion to amend, motion passes 5-2.

APPROVED [5 to 2]

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

Motion to amend the main motion to redirect the \$300,000 assigned to the CVB to the parks capital projects fund.

(6:47pm)

ADOPTED [4 to 3]

MOVANT: Tom Audette
SECOND: Allison Love
AYES: Tom Audette, Allison Love, William "Bump" Roddey, Christi Cox
NAYS: Robert Winkler, Brandon Guffey, Joel Hamilton

2. Rezoning Action: Consider Second Reading

Case #	21-05
Tax Map #	633-07-03-002
Zoning Request:	To rezone from RC-I to BD-III (with conditions)
Acres:	0.76 +/- acres
Council District:	Six (6) Brandon Guffey
Applicant:	Dhirendra Patel
Owner:	Triangle Point, LTD.
Location:	2216 India Hook Road, Rock Hill
Planning Commission Date:	April 12, 2021
Staff Recommendation:	Approve with conditions
PC Recommendation:	Approve with modified conditions

(7:16pm) Motion to approve with an additional condition #7 (remove spot lights on gas canopy and replace with code compliant lighting)

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Brandon Guffey

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

3. COUNCIL TO APPROVE SECOND READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, DISPOSAL OF WASTE AT COUNTY LANDFILL, CHAPTER 33, SECTION 50.33(B)(9), IN ORDER TO PROVIDE FOR AN INCREASE IN FEES FOR THE ACCEPTANCE OF RECYCLABLE MATERIAL DELIVERED TO THE YORK COUNTY MATERIAL RECOVERY FACILITY AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:17pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

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

4. COUNCIL TO CONSIDER 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, SECTION (B)(10) IN ORDER TO AMEND THE SEWER RATE SCHEDULE AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(7:18pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Allison Love

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

5. COUNCIL TO APPROVE SECOND READING OF AN ORDINANCE TO THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 90.02, "RATES, FEES, AND CHARGES FOR PUBLIC PARK FACILITIES, SERVICES, OR SPONSORSHIPS" IN ORDER TO ESTABLISH USAGE FEES FOR THE NEWLY CONSTRUCTED MULTIPURPOSE EVENT BUILDING AT EBENEZER PARK, TO REDUCE THE CAMPING AND SHELTER RENTAL RESERVATION FEES, TO REVISE THE DEFINITION OF SENIOR AND DISABILITY CATEGORIES AND ADD ACTIVE DUTY MILITARY CATEGORY FOR CAMPING RATES AND SEASON PASSES; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:18pm) Motion to approve with the following added conditions: amend the cost of benches at Field Day Park to \$2,000 and they will be referred to as commemorative rather than dedication benches.

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Joel Hamilton

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

New Business

1. Council to Consider approval of the Allison Creek Park Lease Agreement between York County and Duke Energy.

(7:19pm) Motion to approve subject to County Attorney final approval.

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Joel Hamilton

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

Committee and Other Reports

(7:20PM) Finance & Operations Committee Meeting, Monday, May 17, 2021, 5:45pm, Chairman Robert Winkler

Council Member New/Non-agenda Comments

(7:21pm) Council member William "Bump" Roddey commended Keep York County Beautiful on the tremendous job that they do to help keep York County clean.

(7:23pm) Council member Allison Love addressed Council regarding zoning on Hwy 274 and that she would like to discuss this at an upcoming Zoning Committee meeting.

(7:28pm) Council member Tom Audette stated that he would like the Council to focus on workforce readiness as businesses are having trouble finding qualified employees.

(7:28pm) Council Vice-Chairman Robert Winkler also invited everyone to the York Memorial Day Service on May 30, 2021.

(7:30pm) Council Chairwoman Christi Cox requested that staff look into the parking issues at Ebenezer Park.

Citizen Concerns

(7:31pm) Lonnie Harvey, 2264 Blue Ridge Way, Rock Hill, South Carolina addressed Council regarding redistricting the school board districts and requested that Council establish a committee to draw up lines for new districts and have it submitted to Council for approval. Mr. Harvey requested that citizens have more involvement in the process. (It was clarified by Council member William "Bump" Roddey that Mr. Harvey is referring to Council Districts not School Board Districts).

(7:33pm) Chris Johnson with Rock Hill Clean and Green addressed Council regarding the proposed increase in tipping fees. The Rock Hill Clean and Green Board believes that an increase in the recycling tipping fee will end curbside recycling collection in Rock Hill and other areas. It was requested for Council to consider removing the \$50/ton recycling tipping fee increase.

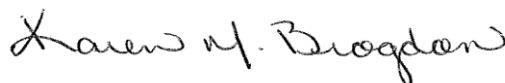
Executive Session

Receipt of Legal Advice/Contractual Matter: GT Real Estate FILOT

Matters for consideration following Executive Session

Adjourn

There being no further business, the meeting adjourned at 8:44pm.



Karen M. Brogdon, Clerk to Council