



YORK COUNTY
COUNTY COUNCIL
MINUTES • JULY 19, 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

Appearances

(6:02pm) Council member Brandon Guffey recognized the Legion Collegiate Academy Softball and Baseball teams on winning their 2A State Championships.

(6:06pm) Kimberly Gaffney addressed Council regarding the history of William Mason Chisholm. Ms. Gaffney explained that Mr. Chisholm's grave was located on a piece of property that she has listed for her clients. Upon doing research, it was determined that Mr. Chisholm was a large contributor to York County and the African American citizens during the segregation era. Ms. Gaffney explained that Mr. Chisholm spent his own money to buy school buses so black children who lived in the county could attend school along with many other things to help the African American community. Ms. Gaffney reported that she has been in contact with Mr. Chisholm's family and they would like to move Mr. Chisholm's remains to a family cemetery in Rock Hill. Ms. Gaffney requested the help of York County in completing this task.

(6:18pm) Mike Moore, Assistant County Manager provided parks update. Mr. Moore reported that upgrades are in the process for Allison Creek Park with the addition of primitive and RV camping areas with restrooms, playground, upgraded boat ramp, etc. Also, there is a preliminary master plan for Nanny's Mountain Historical Park with a trail head plaza, renovated parking lot, open air picnic shelters with amenities, restrooms, ranger office, information center and additional trails. Also, Worth Mountain currently has no masterplan for development. Therefore, staff is recommending to Council that they move forward with a masterplan design, public input, potential costs, etc. Mr. Moore also reported that York Veterans Memorial Park has been partially completed there are still many elements of the masterplan that will be under consideration for construction based on additional funding that was provided by the City. Finally, Riverbend Park, the County is still in the masterplanning phases and is currently working with Greenway Designs and Dan Dodd Incorporated to complete this process.

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

(6:32pm) Johnny and William Chisholm and Wally Cathcart, 1082 Bel Air Drive, Rock Hill, South Carolina, 516 Bridgestone Lane, Rock Hill, South Carolina, addressed Council regarding their 2nd Cousin William Mason Chisholm and requested that Council recognize him in the County for his many contributions to the County.

(6:41pm) James Wesley Kinley, 786 Grant Lane, Clover, South Carolina addressed Council regarding creating roundabouts in Lake Wylie to assist with traffic flow. Mr. Kinley also requested that panhandling be legal in South Carolina.

Consent Agenda

(6:45pm)

Council requested that items #5 (Boards and Commission nominations), #23 (Nannys Mountain Contract Amendment) and #24 (Worth Mountain Masterplan) move to new business.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

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

1. Approval of June 15, 2021 Planning & Economic Development Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

2. Approval of June 21, 2021 Finance & Operations Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

3. Approval of June 21, 2021 Transportation Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

4. Approval of June 21, 2021 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

5. Council to approve FY 2021-2022 insurance premium services for the administration of York County's Worker's Compensation Insurance program by USI Insurance Services, for a total cost of \$368,713.16.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

6. COUNCIL TO APPROVE INSURANCE PREMIUM REGARDING VEHICLE REPLACEMENT COVERAGE FOR USE BY THE DEPARTMENT OF FIRE SAFETY, WITH CORRELL INSURANCE GROUP-GAFFNEY OF GAFFNEY SC, FOR A TOTAL COST OF \$60,124.00

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

7. Council to approve the purchase of 800 Mhz radios for Public Safety Communications

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

8. Council to approve a one year contract renewal option regarding Bid #2541 for lawn services for closed solid waste cells and construction and demolition cells at the York County Landfill, with Asset Management Association, of York, SC, for the total cost of \$47,560.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

9. Council to approve award regarding Bid #2754 for the purchase of a new landfill compactor, to the lowest responsive and responsible bidder, Sun Machinery of Lexington, SC for the total cost of \$766,570.47.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

10. Council to approve award regarding Bid #2758 for the construction of York County Landfill's Pump and Treat Force Main System project to the lowest responsive and responsible bidder, Chandler Construction Services, Inc. of Ninety Six, SC, for a total cost of \$490,464.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

11. Council to approve award regarding Bid #2759 for Overhead Roll-Up Door & Fire Shutter Preventative Maintenance Services, to the lowest responsive and responsible bidder, Cox Door Company of Indian Trail NC, for a total annual cost of \$10,225.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

12. Council to approve award of Bid #2760 regarding York County's Family Court Casework project, to the lowest responsive and responsible bidder, JM Cope Construction of Rock Hill, SC for a total cost of \$134,700.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

13. Council to approve award of Bid #2761 regarding York County Attorney's Office Upfit Project, to the lowest responsive and responsible bidder, SD Clifton Construction of Martinez, GA in the amount of \$227,119.20 which includes a 10% contingency.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

14. Council to approve the declaration of a 1985 Humvee as surplus and to donate the vehicle to South Carolina's Pageland Police Department.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

15. Council to approve autopsies to be performed by York Pathology for the Coroner's Office, for a total cost not to exceed \$200,000.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

16. Council to approve toxicology testing of decedent's for use by the Coroner's Office to Forensic Science Network, for a total cost not to exceed \$37,500.00

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

17. Council to approve toxicology testing services for use by the Coroner's Office to NMS Labs, for a total amount of \$37,500.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

18. Council to approve transport services for use by the Coroner's Office to transport decedent's as needed in the amount of \$171,000.00

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

19. Council to approve consulting services for use by the Coroner's Office to Forensic Pathology Consultants, for a total cost not to exceed \$60,000.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

20. Council to Approve the Acceptance for Roadway Maintenance of specific roads Habersham Phases 1-5 and Newport Lakes Phases 25, 28-31

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

21. Council to approve award of Bid #2763 regarding York County's Pennies for Progress 3; 2011 Capital Projects Sales and Use Tax Program: Project 11149-011A: Devinney Road paving project, to the lowest responsive and responsible bidder, Sloan Construction of Cornelius NC, for a total cost of \$436,526.75.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

22. Council to approve budget transfer of \$1,300,000.00 for Pennies Project 11149-002: Hwy. 274/Pole Branch Road.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

23. Council to approve Utility Relocation Agreements with York County Natural Gas Authority and AT&T totaling \$233,913.66 for Pennies 3 Project 11149-008c, US321/Railroad Intersection Improvement, and authorizing The County Manager to execute the Relocation Agreements.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

24. Council to approve the execution of an Agreement for Professional Engineering Services with CPL of Greenville, SC in the amount of \$23,600 for the HVAC Replacement and Upgrades Project at the York County Animal Shelter.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

25. Council to approve authorizing the expenditure of \$20,125 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) for expenses related to a Conservation Easement on the 70.4 acres of property along Sierra Road in York and referred to as TM 249-00-00-062, 249-00-00-064, 249-00-00-066, 249-00-00-067, 249-00-00-068, and 249-00-00-071.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

26. Council to approve authorizing the expenditure of \$21,125 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) for expenses related to the Conservation Easement on the 46 acre property at 2743 Catawba Church Road, Rock Hill referred to as TM 694-00-00-096.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

27. Council to declare a 2008 Chevrolet Uplander van as surplus and approve its donation to Pathways Community Center.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

28. Council to consider First Reading by Title Only of AN ORDINANCE TO APPROVE AN EXPANSION OF THE CATAWBA INDIAN RESERVATION BY ADDING TAX MAP PARCELS 768-00-00-002, 767-00-00-018, 767-00-00-022, 767-00-00-029, AND 767-00-00-047 TO THE RESERVATION PURSUANT TO THE 1993 CATAWBA INDIAN TRIBE LAND CLAIMS SETTLEMENT AGREEMENT, SOUTH CAROLINA CODE SECTIONS 27-16-10 ET SEQ., AND PUBLIC LAW 103-116-OCT. 27, 1993; TO APPROVE PROSPECTIVELY ANY FUTURE EXPANSION OF THE RESERVATION INVOLVING SOLELY THE ADDITION OF CONTIGUOUS PARCELS IN ACCORDANCE WITH THE FEDERAL AND STATE LEGISLATION IMPLEMENTING THE 1993 CATAWBA INDIAN TRIBE LAND CLAIMS SETTLEMENT AGREEMENT; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

29. Council to determine the need for and to authorize an emergency procurement and approve the execution of the contract subject to final review and approval of the County Attorney, regarding a structural assessment and contract administration services by Bennett Preservation Engineering of Charleston, SC and to further authorize negotiations for construction shoring of McCelvey Center's Historic Auditorium for roof repairs, for a total cost not to exceed \$101,858.45.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

30. Council to approve the award of RFP #2742 for professional water quality testing services for use by York County's Planning and Development Services Department, to Pace Analytical of West Columbia SC, for a total annual cost of \$32,220.00.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

31. Council to Consider Second Reading of AN ORDINANCE TO AMEND SECTION 35.009 OF THE YORK COUNTY PROCUREMENT CODE, SO AS TO ADD NEW SUBSECTION 35.009(G)(1)(y) TO INCLUDE “MENTAL HEALTH WELLNESS SERVICES, INCLUDING BUT NOT LIMITED TO MEDICALLY RELATED SERVICES AND COUNSELING” AS PART OF THE EXPRESS EXCEPTIONS TO THE YORK COUNTY PROCUREMENT CODE AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Tom Audette

Public Hearing(s)

1. Public Hearing

(6:46pm) Jonathan Buono, Planning and Development Director provided a brief overview of the proposed rezoning and the proposed conditions.

The following individuals spoke in favor of the proposed rezoning:

(6:47pm) Antonio Wade addressed Council regarding his support for the proposed rezoning.

(6:48pm) 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 Robert Winkler to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Robert Winkler

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

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	21-09
Tax Map #	511-00-00-013
Zoning Request:	To rezone from AGC to RUD

Acres:	5.0 +/- acres
Council District:	Five (5) Christi Cox
Applicant:	Antonio Wade
Owner:	Ralph and Kathy George
Location:	5336-5346 Sugar Loaf Lane, Rock Hill
Planning Commission Date:	June 14, 2021
Staff Recommendation:	Approve, subject to conditions
PC Recommendation:	Approve, subject to conditions

(6:48pm) Motion to approve subject the following conditions:

The property must be subdivided so that no more than one primary dwelling is located on each resulting parcel zoned RUD. An approved subdivision plat shall be recorded with the York County Register of Deeds within 90 days of the rezoning approval.

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Joel Hamilton

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

2. Public Hearing

(6:48pm) Jonathan Buono, Planning and Development Director provided a brief overview of the proposed rezoning.

(6:50pm) 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 Joel Hamilton to close the public hearing.

ALLOWED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Joel Hamilton

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

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	21-10
Tax Map #	738-00-00-044
Zoning Request:	To rezone from RD-II to BD-I
Acres:	0.5 +/- acres
Council District:	Five (5) Christi Cox
Applicant:	Lauren Samra/Connie Long/ Springhaven Development LLC
Owner:	Same as applicant

Location: 1988 Haire Road, Fort Mill
Planning Commission Date: June 14, 2021
Staff Recommendation: Approve
PC Recommendation: Approve

(6:50pm)

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

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

Old Business

New Business

1. Council to ratify a three month contract extension regarding Bid #2548 for HVAC support services for York County facilities, with Johnson Controls of Charlotte NC, for a total cost of \$53,136.00.

(6:50pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Joel Hamilton

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

2. Approve nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on June 21, 2021: Ed Stewart, York County Culture and Heritage Commission (District 2), Cherie Barton, Catawba Mental Health Board, Chelsea Padgett, York County Library Board (At Large), Teleia White, York County Library Board (At Large), Jennifer Scott, York County Library Board (At Large), Flint Holbrook, Stormwater Appeals Board, Andrew Jones, Board of Disabilities and Special Needs (District 1), and Debi Cloninger, York County Planning Commission (At Large).

(6:51pm) Motion to approve all recommendations with the exception of the 3 York County Library Board positions.

APPROVED [Unanimous]

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

3. Council to approve Amendment No. 1 with Stewart Engineering Inc. of Charlotte NC for \$91,400.00 plus approximately 10% contingency for a total of \$100,00.00 to prepare construction plans for Phase 1 Trailhead Area for Nanny's Mountain.

(6:52pm) Motion to defer for 90 days

DEFERRED [Unanimous]

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

4. Council to approve the execution of a contract with John R. McAdams Company, Inc of Charlotte NC for \$50,370.00. plus 10% contingency for a total of \$55,407.00 to prepare a Master Plan for Worth Mountain.

(6:54pm)

APPROVED [Unanimous]

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

Committee and Other Reports

(7:00pm) Finance and Operations Committee Meeting, Monday, July 19, 2021, 5:30pm
Chairman Robert Winkler

Council Member New/Non-agenda Comments

(7:03pm) Chairwoman, Christi Cox stated that Watts Huckabee, former Chairman of the Ad Hoc Agri-Tourism Committee reached out to her requesting to meet with Council regarding the Agri-Tourism Committee recommendations and Chairwoman Cox referred this item to the Health and Environmental Protection Committee for further review.

Citizen Concerns

(7:04pm) Sonny McRorie addressed Council regarding the Encourage and Serve Club of America and the World. Mr. McRorie explained that his program is about, faith, ethics, and honesty.

Executive Session

Contractual Matter: Project Llama, Yodel

Contractual Matter: Consideration of retaining Gary Pope as bond counsel for Bethel-Lake Wylie Parks and Preservation District.

Receipt of Legal Advice: Opioid Litigation Update

Receipt of Legal Advice: Request for Settlement Authority for County Engineering Project #16245 Tracts 135, 137 and 138.

Matters for consideration following Executive Session

1. Motion to authorize negotiations with Nation Ford Land Trust to finalize and perfect the acquisitions of Project Llama.

(7:55pm)

ADOPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

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

2. Motion to authorize the expenditure of \$39,200 to cover survey appraisal, legal fees and land trust stewardship costs related to Project Llama.

(7:56pm)

ADOPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

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

3. Motion to authorize acquisition for Project Yodel.

(7:56pm)

ADOPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

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

4. Motion to authorize the retainment of Pope Flynn as bond counsel for the Bethel-Lake Wylie Land Acquisition Parks and Preservation District.

(7:56pm)

ADOPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

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

5. Motion to authorize the County Attorney to endorse a potential opioid litigation approach as discussed in Executive Session.

(7:56pm)

ADOPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

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

6. Motion to authorize the settlement for County Engineering Project #16245 Tracts 135, 137 and 138.

(7:57pm)

ADOPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Allison Love

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

Adjourn

There being no further business, the meeting adjourned at 7:57pm.

Karen M. Brogden

Karen M. Brogdon, Clerk to Council