



**YORK COUNTY
COUNTY COUNCIL**

MINUTES • JANUARY 17, 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

Katie Rutland, Culture and Heritage Commission (Ex Officio)
Brittnay Brown, Keep York County Beautiful (District 6) **ABSENT**

Appearances

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

(6:14pm) Daniel Watson, 1417 Whirlaway Court, York, South Carolina addressed Council regarding his opposition to the proposed McAfee Court rezoning.

(6:16pm) Spencer Watson, 1417 Whirlaway Court, York, South Carolina addressed Council regarding his opposition to the proposed McAfee Court rezoning.

(6:17pm) Brian Myrup, 1051 Hawks Nest Road, York, South Carolina addressed Council regarding his support for the permit requested to expand York Preparatory School and requested Council's assistance in expediting the permit.

(6:19pm) Lanny Adamson, 1061 Hawks Nest Road, York, South Carolina addressed Council regarding his support for the permit requested to expand York Preparatory Academy and requested Council's assistance in expediting the permit.

(6:22pm) Scott Childers, 1349 Filbert Highway, York, South Carolina addressed Council regarding his request to amend the new recode ordinance. Specifically, special exceptions and existing land uses.

(6:24pm) Christian Castro, 1260 Soulsville Street, Rock Hill, South Carolina, addressed Council regarding his support for the permit requested to expand York Preparatory Academy and requested Council's assistance in expediting the permit.

(6:27pm) Scott Smith, 1506 Crestdale Road, Rock Hill, South Carolina addressed Council regarding his support for the permit requested to expand York Preparatory Academy and requested Council's assistance in expediting the permit.

Consent Agenda

(6:29pm) Remove item #2 (Carolina Lift Stations) and move to item #3 in New Business.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

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

1. Council to Consider Amending and Providing Second Reading to an Ordinance to Authorize the sale of a 3,250 square foot (0.075 acres, more or less) Parcel of Land located in Fort Mill, identified by Tax Map Number 723-00-00-044 with an address of 3643 Foothills Way; to entertain and existing offer to purchase the parcel; to authorize the Chairwoman to execute the contract of sale and Deed; to provide for a public hearing; and to provide for other matters related thereto.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

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

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

3. Council to approve insurance premium regarding property and liability coverage for the Culture and Heritage Museums, with the South Carolina State Fiscal Accountability Authority Insurance Reserve Fund, for a total premium cost in the amount of \$68,749.74.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

4. Council to approve contractual agreement with Buford Goff & Associates of Columbia SC, regarding RFQ #2838 for mechanical engineering services for York County's HVAC replacement/upgrade at the Moss Annex Prison, for a total cost of \$116,520.00.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

5. Council to approve award regarding Bid #2845 for the Allison Creek Park security cameras and data cabling project to the lowest responsive and responsible bidder, Performance Link Technologies of Ft Mill SC, for a total cost not to exceed \$108,198.23, including contingency.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

6. Consider approval to proceed with applying for, and accepting if awarded, the 2023 Recreation Trails Program Grant to assist with construction of a natural trail at Catawba Bend Preserve and committing to the 20% of local investment and any costs that exceed the grant funding to complete the project.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

7. Council to consider declaring 1.153+/- acres of County-owned real estate as surplus and authorizing the sale of property at Parcel Number 020-06-01-068, located on Kanawha Street in Fort Mill, SC.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

8. COUNCIL TO AMEND AND APPROVE SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA (THE “COUNTY”) AND A COMPANY IDENTIFIED FOR THE TIME BEING AS “PROJECT TULLAMORE OPERATING COMPANY” AND A COMPANY IDENTIFIED FOR THE TIME BEING AS “PROJECT TULLAMORE EXISTING REAL PROPERTY OWNER”, WITH RESPECT TO CERTAIN PROPERTY, INCLUDING, WITHOUT LIMITATION, ECONOMIC DEVELOPMENT PROPERTY, IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF AD VALOREM TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE CREDITS; AND OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

9. COUNCIL TO CONSIDER FIRST READING BY TITLE ONLY OF AN ORDINANCE AMENDING THE SUBCHAPTER TITLE OF SECTION 131.03, WHICH IS CURRENTLY ENTITLED PROHIBITED BEHAVIOR ON PUBLIC PROPERTY, TO “PROHIBITED BEHAVIOR ON PUBLIC OR PRIVATE PROPERTY”; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Tom Audette

SECOND: Allison Love

Public Hearing(s)

1. Council to hold a Public Hearing regarding an ordinance to adopt a five-year update to York Forward, the York County Comprehensive Plan, including amendments to the Future Land Use Plan Map, all Plan elements, and appendices pursuant to the South Carolina Local Government Comprehensive Planning Enabling Act of 1994; to hold a public hearing, and to provide for other matters related thereto.

The following individuals spoke in favor of the proposed ordinance:

(6:32pm) Dr. Norma Gray, 407 Marshall Street, Rock Hill, South Carolina addressed Council regarding her support for the proposed Comprehensive Plan and the modifications that would be made to allow for affordable housing on McAfee Court.

The following individuals spoke in opposition of the proposed ordinance:

(6:36pm) Ragin Craig, 1804 Craig Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(6:44pm) Cindy Cox, 3390 Harmony Road, Rock Hill, South Carolina addressed Council regarding her opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(6:49pm) Charlie Steel, 2919 Harmony Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(6:52pm) Robert Collins, 3063 Harmony Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(6:57pm) Michael Palcher, 343 Nora Ridge, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:01pm) Cyndi Helms, 2276 Williford Road, Rock Hill, South Carolina addressed Council regarding her opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:05pm) Joni Raspa, 1585 George Dunn Road, Rock Hill, South Carolina addressed Council regarding her opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:07pm) George Pasley, 3292 Harmony Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:09pm) Brian Ballard, 2561 South Anderson Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:14pm) Meredith Fairey, 1040 Donnybrook Road, Rock Hill, South Carolina addressed Council regarding her opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:15pm) Patti Farrar, 3572 Harmony Road, Rock Hill, South Carolina addressed Council regarding her opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:16pm) Jinnilee Faulkenberry, 255 Dot Faris Road, Rock Hill, South Carolina addressed Council regarding her opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:18pm) Travis Beck, 840 Puddins Place, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:19pm) Thomas Maddox, 3461 Harmony Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:21pm) Jared Hilton, 3261 Harmony Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:24pm) Teresa Hogue, 3555 Penshurst Road, Rock Hill, South Carolina addressed Council regarding her opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:28pm) Roger Crump, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:30pm) Michael Schonfeld, Clover, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:32pm) Julia Curtis, 106 Sterling Drive, York, South Carolina addressed Council regarding her opposition to the proposed Comprehensive Plan, specifically the McAfee Court rezoning.

(7:34pm) Kelly Cox, Superintendent of York School District 1 addressed Council regarding her opposition to the proposed Comprehensive Plan, specifically the McAfee Court rezoning.

(7:35pm) Richard Gee, 136 Main Street, Pineville, North Carolina addressed Council regarding his support for the McAfee Court rezoning.

(7:39pm) Mary Potts, 5654 Liberty Hill Road, Rock Hill, South Carolina addressed Council regarding her opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:41pm) Laddie Parrish, 3116 McFarland Road, York, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the McAfee Court rezoning.

(7:43pm) Kasey Schuler, 5095 Whispering Woods Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:45pm) Bobby Parker, 2546 South Anderson Road, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(7:46pm) Christy Taylor, 975 McAfee Court, York, South Carolina addressed Council regarding her support for the McAfee Court rezoning.

(7:53pm) Randy McFarland, 1801 (unknown) Ridge Court, York, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the McAfee Court rezoning.

(7:56pm) Joseph Culp, 1020 Shady Oak Lane, Rock Hill, South Carolina addressed Council regarding his opposition to the proposed Comprehensive Plan, specifically the industrial classification on Harmony Road and Hall Spencer Road.

(8:01pm) Richard Gee, 136 Main Street, Pineville, North Carolina addressed Council again regarding clarification of a rumor about evicting current residents and they will have the first opportunity to purchase a new home.

(8:01pm) There being no one else interested in speaking for or against the proposed ordinance a motion was made by Council member Allison Love and seconded by Council member William "Bump" Roddey to close the public hearing. Motion Carried.

Old Business

1. Rezoning Action: Consider Second Reading

Case #	22-43
Tax Map #	437-00-00-040 (Portion)
Zoning Request:	To rezone from AGC to RUD
Acres:	2.0 +/- acres
Council District:	Five (5) - Cox
Applicant:	Lisa and Jerry Dozier
Owner:	Lisa and Jerry Dozier

Location: 2884 Gordon Road, Rock Hill
Planning Commission Date: December 12, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

(8:02pm)

APPROVED [Unanimous]

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

2. Rezoning Action: Consider Second Reading

Case # 22-45
Tax Map # 723-00-00-046
Zoning Request: To rezone from UD to LI
Acres: 4.0 +/- acres
Council District: One (1) - Audette
Applicant: Landis Pearce
Owner: Reynolds Industries, Inc.
Location: 3601 Foothills Way, Fort Mill
Planning Commission Date: December 12, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

(8:02pm)

APPROVED [Unanimous]

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

3. Rezoning Action: Consider Second Reading

Case # 22-46
Tax Map # 504-00-00-048
Zoning Request: To rezone from RMX-20 to RUD-I
Acres: 33.78 +/- acres
Council District: Four (4) - Roddey
Applicant: Sarah Love and William King
Owner: Sarah Love and William King
Location: Eastview Road, Rock Hill

Planning Commission Date: December 12, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

(8:03pm)

APPROVED [Unanimous]

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

New Business

1. COUNCIL TO CONSIDER FIRST READING OF AN ORDINANCE TO AMEND CHAPTER 155: ZONING CODE TO ALLOW SCHOOLS AS A PERMITTED USE IN THE OI DISTRICT; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(8:03pm) Motion to approve and amend to allow schools as a permitted use in OI and AGC Districts.

This item is referred to the Planning and Zoning Committee for further review.

APPROVED [Unanimous]

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

2. COUNCIL TO CONSIDER FIRST READING BY TITLE ONLY OF AN ORDINANCE TO AMEND SECTION 155.1327, TECHNICAL STUDIES, OF THE YORK COUNTY CODE OF ORDINANCES, SO AS TO EXPAND THE APPLICABILITY OF THE TECHNICAL REPORTS AND STUDIES, TO ENHANCE THE SCOPE OF THE TECHNICAL REPORTS AND STUDIES; TO PROVIDE FOR THE IMPLEMENTATION OF THE CONCLUSIONS AND/OR RECOMMENDATIONS OF THE TECHNICAL REPORTS AND STUDIES; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(8:13pm)

This item is referred to the Planning & Zoning Committee for further review.

APPROVED [Unanimous]

MOVANT: Allison Love

SECOND: Tom Audette

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

3. Council to approve award regarding a sole source procurement exemption for the operation, maintenance, and repair of a newly acquired wastewater collection system in Lake Wylie, to Carolina Lift Stations LLC, of York SC, for a total cost not to exceed \$450,065.00.

(8:24pm)

APPROVED [Unanimous]

MOVANT: Watts Huckabee

SECOND: Allison Love

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

Committee and Other Reports

(8:26pm) Finance & Operations Committee Meeting, Tuesday, January 17, 2023, 5:40pm
Chairwoman Allison Love

Citizen Concerns

Council Member New/Non-agenda Comments

(8:27pm) Council member William "Bump" Roddey addressed his concerns with citizens perception that staff is proposing to rezone property on Harmony Road and Hall Spencer Road when it is not actually a rezoning.

(8:31pm) Council member Tom Audette thanked everyone that attended the meeting tonight and appreciated their comments and explained that additional modifications will be made to the proposed comprehensive plan.

(8:33pm) Council member Debi Cloninger stated that hearing from the community regarding the comprehensive plan was great and very needed and also explained that additional modifications will be made to the proposed comprehensive plan.

(8:36pm) Council member Watts Huckabee stated that he looks forward to learning more.

(8:36pm) Chairwoman Christi Cox stated that additional information needs to be provided to the residents in District 5 regarding the proposed changes to the comprehensive plan and explained that each council member will be reviewing their district in detail.

(8:38pm) Council member Allison Love thanked everyone that attended the meeting tonight and appreciated their comments. Also, Ms. Love stated that York County has acquired the formerly owned and operated Blue Granite Water and she is very excited about this acquisition and thanked staff and Council for their hard work on the acquisition.

(8:42pm) Chairwoman Christi Cox requested that all Council members notify everyone of committee meetings that may be coming up in the future.

(8:43pm) Council member William "Bump" Roddey stated that there will be a Public Works Committee meeting on January 24th at 5:30pm to discuss the convenience centers.

(8:44pm) Council member Debi Cloninger also stated that there will be a Planning & Zoning Committee meeting in the near future to discuss various topics.

Executive Session

Receipt of Legal Advice: Litigation Update

Contractual Matter: Pope Flynn Engagement

Receipt of Legal Advice: Consideration of Settlement Agreement for Project: US 21/SC 51, Project No. 11149-004, Tract No. 71

Matters for consideration following Executive Session

1. Motion to authorize amending of the Pope Flynn Engagement

(9:49pm)

ADOPTED [Unanimous]

MOVANT: Tom Audette

SECOND: William "Bump" Roddey

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

2. Motion to authorize the Settlement Agreement for Project: US 21/SC 51, Project No. 11149-004, Tract No. 71.

(9:49pm)

ADOPTED [Unanimous]

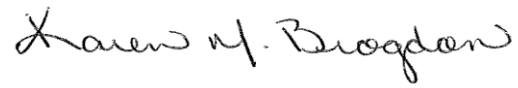
MOVANT: Tom Audette

SECOND: William "Bump" Roddey

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

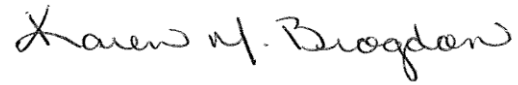
Adjourn

There being no further business, the meeting adjourned at 9:50pm.

A handwritten signature in cursive script, reading "Karen M. Brogdon".

Karen M. Brogdon, Clerk to Council

There being no further business, the meeting adjourned at 9:46pm.

A handwritten signature in cursive script, reading "Karen M. Brogdon".

Karen M. Brogdon, Clerk to Council