



YORK COUNTY
COUNTY COUNCIL
AGENDA • MAY 3, 2021



County Council Meeting

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

6:00 PM

Call to Order

Christi Cox, Chairwoman

Invocation and Pledge of Allegiance

Council member Allison Love, District 2

Oath of Office for newly appointed Board and Commission Members

Derrick Williams, Zoning Board of Appeals (District 4)

Appearances

Vice-Chairman, Robert Winkler to recognize the EC "Punk" Black family.

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

Consent Agenda

1. Minutes of County Council Workshop - Workshop - Apr 13, 2021 6:00 PM
2. Minutes of Finance & Operations Committee - Finance & Operations Committee - Apr 19, 2021 5:30 PM
3. Minutes of County Council - County Council Meeting - Apr 19, 2021 6:00 PM
4. Rezoning Action: Consider Third Reading
Case # 21-04
Tax Map # 613-00-00-025
Zoning Request: To rezone from UD to RUD-I
Acres: 20.75 +/- acres
Council District: Five (5) Christi Cox
Applicant: Reid Smith
Owner: Fincher/Smith
Location: Bechtler Road, Rock Hill
Planning Commission Date: March 8, 2021
Staff Recommendation: Approve
PC Recommendation: Approve
5. Council to approve a request from Sheriff Tolson to allow retiring Victim Assistant Supervisor, Kathy Nelson, to retain her service weapon.

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6. Council to approve a request from Sheriff Tolson to allow retiring Sheriff's Office Deputy Terry Wells to retain her service weapon.
7. Council to approve a request from Sheriff Tolson to allow retiring Sheriff's Office Sgt. Brent Mabry to retain both of his service weapons.
8. Authorize staff to apply for, and accept if awarded, fiscal year 2022 Solid Waste Grants in the total amount of \$35,550.00 with no matching funds required.
9. Council to approve the emergency procurement of services by Lear's Welding & Fabrication Inc., of Rock Hill SC regarding transfer station pit repairs for use by Solid Waste Disposal, for a total amount of \$40,800.00.
10. Council to approve First 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.
11. COUNCIL TO APPROVE FIRST READING BY TITLE ONLY 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 MATTERS RELATED THERETO.
12. COUNCIL TO APPROVE FIRST READING BY TITLE ONLY 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.

13. COUNCIL TO APPROVE FIRST READING BY TITLE ONLY 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.
14. Council to approve request from Lesslie's Fire Department to purchase a 2011 Crown Victoria from the County's inventory of surplus vehicles, for a total amount of \$2,000.00.
15. COUNCIL TO APPROVE FIRST 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.
16. COUNCIL TO CONSIDER APPROVAL OF FIRST 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.

17. Council to provide First Reading by Title Only 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.

Public Hearing(s)

1. COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER THIRD READING OF AN ORDINANCE APPROVING THE TRANSFER OF THE RIGHT OF WAY PURCHASED FROM PROPERTY OWNERS ALONG GUINN STREET EXTENSION, BETWEEN RD. S-4 (OLD N. MAIN) AND U.S. HWY 321 IN CLOVER TO THE TOWN OF CLOVER, NECESSARY FOR COMPLETION OF PENNIES 3 PROJECT 11149-003 (PHASE 1).

2. Rezoning Action: Hold a Public Hearing and Consider First 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

3. Rezoning Action: Hold a Public Hearing and Consider First 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

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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

4. Rezoning Action: Hold a Public Hearing and Consider First 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

5. Council to hold a Public Hearing and consider Second 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.

6. COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER THIRD READING OF AN ORDINANCE TO AMEND, AS A MINOR CHANGE, THE LAZY HAWK ROAD PLANNED DEVELOPMENT DISTRICT, COMPRISING 179.12 +/- ACRES OF LAND (OWNED BY TOM CAT TOO, LLC AND CAT REAL ESTATE HOLDINGS, LLC AND BLACKWELL FAMILY PROPERTIES, LLC AND LAZY HAWK PROPERTY OWNERS ASSOCIATION) AND LOCATED AT LAZY HAWK ROAD IN THE ROCK HILL COMMUNITY, REFERENCED BY TAX MAP 617; PARCELS 1, 26, 77, 84, AND 85 OF THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP(S), FOR PURPOSES OF CLARIFYING CERTAIN ASPECTS OF THE PD DISTRICT AND PLAN, INCLUDING BUT NOT LIMITED TO, THE ORIENTATION AND TREATMENT OF LOADING DOCKS AS INCLUDED IN THE PARKING NOTE FOR THE PD PLAN AND SEPARATION OF CERTAIN PERMITTED USES FROM ADJOINING PROPERTIES AS INCLUDED IN THE PERMITTED USES NOTE, THAT DO NOT ALTER THE OVERALL CHARACTERISTICS OF THE TOTAL PLAN AND THAT CREATE NO ADVERSE IMPACTS ON ADJACENT USES OR PUBLIC SERVICES AND FACILITIES; TO PROVIDE FOR A PUBLIC HEARING, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Old Business

New Business

1. COUNCIL TO CONSIDER FIRST READING BY TITLE ONLY 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.
2. Council to consider approval of nominated applicants and consider nominations from the floor for service for Boards & Commissions from the Finance & Operations Committee meeting on April 19, 2021: Joel Wood, York County Natural Gas Board, Robin Peterson, Keep York County Beautiful (District 1), Lisa Moseley, Rock Hill/York County Convention and Visitor's Bureau (At Large), Sandra Calhoun-White, Catawba Mental Health Board, Victoria Nolph, Catawba Mental Health Board, James Spratt, Riverview Fire Tax District Board, Don Clarke, Rock Hill/York County Airport Commission, and Duncan Alford, Accommodations Tax Advisory Committee.

Committee and Other Reports

Council Member New/Non-agenda Comments

Citizen Concerns

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Executive Session:

Receipt of Legal Advice: EEOC Charge/Mediation

Receipt of Legal Advice: Stormwater Litigation

Receipt of Legal Advice: Consideration of Mediated Settlement Agreement, New Heritage Phase 2 Sewer Project, Tract 6

Matters for consideration following Executive Session**Adjourn**