



YORK COUNTY COUNTY COUNCIL



AGENDA • SEPTEMBER 7, 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 Tom Audette, District 1

Oath of Office for newly appointed Board and Commission Members

Victoria Nolph, Catawba Mental Health Board

Angie Clinton, Bethel-Lake Wylie Land Acquisition and Preservation Parks District Board

Penny Sheppard, York County Culture and Heritage Commission (District 1)

Flint Holbrook, Stormwater Appeals Board

Appearances

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

Consent Agenda

1. Minutes of County Council Workshop - Workshop - Aug 10, 2021 6:00 PM
2. Minutes of Finance & Operations Committee - Finance & Operations Committee - Aug 16, 2021 5:30 PM
3. Minutes of County Council - County Council Meeting - Aug 16, 2021 6:00 PM
4. Approve nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on August 16, 2021: Kyle Eller, Bethel Fire Tax District Board, Jule Rogers, Bethesda Fire Tax District Board, Marlo Dykes, Bethesda Fire Tax District Board, Anne Witte, York County Library Board (District 3), April Hershey, York County Library Board (District 7), Chelsea Padgett, York County Library Board (At Large), Tiffany Moeller, York County Library Board (At Large), and Teleia White, York County Library Board (At Large).

5. Rezoning Action: Consider Third 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

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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. Rezoning Action: Consider Third 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

7. Council to give First Reading by Title Only of AN ORDINANCE AMENDING CHAPTER 56 OF THE YORK COUNTY CODE OF ORDINANCES, NUISANCES; LITTERING, TO CLARIFY THE DEFINITION OF PUBLIC NUISANCE; TO CLARIFY REQUIREMENTS REGARDING MAINTENANCE OF LAND, LOTS, OR PROPERTY; TO CLARIFY PROCEDURES BY WHICH UNCLEAN, UNSAFE, OR DERELICT PROPERTY MAY BE DECLARED A NUISANCE; TO CLARIFY AND AMEND THE PROCEDURES FOR SERVING NOTICE OF NUISANCE ORDINANCE VIOLATIONS; TO CLARIFY AND AMEND THE PENALTIES FOR FAILURE TO ABATE A NUISANCE INCLUDING, BUT NOT LIMITED TO, FINES AND COUNTY ABATEMENT IN CONJUNCTION WITH THE PLACEMENT OF A LIEN FOR THE COST OF ABATEMENT TO BE COLLECTED IN THE SAME MANNER AS DELINQUENT TAXES; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

8. Council to authorize the approval of the maintenance & warranty agreement with Elections Systems & Software, Inc. of Omaha, NE for York County's election management system and voting equipment, for the amount of \$110,252.80.

9. Council to Consider First Reading of AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF YORK COUNTY, SOUTH CAROLINA, TO DEFRAY THE COSTS OF ACQUIRING PROPERTIES FOR GREENSPACE, CONSERVATION, HISTORIC RESTORATION, PASSIVE RECREATION, AND INTERACTIVE COMMUNITY USES IN THE BETHEL-LAKE WYLIE LAND ACQUISITION AND PRESERVATION PARKS DISTRICT, AND THE COSTS OF ISSUANCE THEREOF; AND OTHER MATTERS RELATING THERETO
10. Council to approve a Mitigation Agreement with Amisub of South Carolina, Inc. for road improvements identified within the TIA for the development of Fort Mill Medical Center located on Highway 160 E, referred as Tax Map numbers 020-09-01-015 and 020-09-01-014.
11. Council to approve a Mitigation Agreement with Atlantic Beach, Inc. for road improvements identified within the TIA for the development of Vista Road Townhomes, a residential subdivision located on Vista Road, referred as Tax Map numbers 020-09-01-031, 020-09-01-032, 020-09-01-033, and 716-00-00-028.
12. Council to approve a Mitigation Agreement with OSW IV for road improvements identified within the TIA for the development of mixed-use project on Dave Gibson Boulevard and Patricia Lane in Fort Mill, referred as Tax Map number 652-00-00-118.
13. Council to authorize acceptance of insurance settlement regarding a wrecked 2020 Ford Explorer SUV vehicle.
14. Council to award the purchase of an Intercept Body Scanner for use by the York County Prison, from Tek 84 of Poway CA, for a total purchase amount of \$164,000.00.
15. Council to rescind award regarding Bid #2759 for Overhead Roll-Up Door & Fire Shutter Preventative Maintenance Services, for a total annual cost of \$10,225.00.
16. Council to award Bid #2759 for Overhead Roll-Up Door & Fire Shutter Preventative Maintenance Services, to the lowest responsive and responsible bidder, DH Pace Door Services of Charlotte, NC for a total annual cost of \$12,906.00.
17. Council to authorize contract negotiations regarding RFP #2764 for the purchase of contract management software for use by the Procurement Department.

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18. Council to approve award regarding Bid #2769 for HVAC maintenance services to lowest responsive and responsible bidder, MSS Solutions LLC of Charlotte, NC, for an annual cost of \$176,889.00 and authorize York County to enter into a three year contract for the services with the option to extend two additional one year periods.
19. Council to Consider Third Reading 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 PROSPECTIVE EXPANSION OF THE RESERVATION INVOLVING SOLELY THE ADDITION OF PARCELS CONTIGUOUS TO THE EXISTING OR EXPANDED RESERVATION AND 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.
20. Council to approve an Agreement with Summit Engineering, Laboratory & Testing, Inc of Fort Mill, SC to perform Construction Inspection and Materials Testing on Hubert Graham Way Extension Project and approve the transfer of funds.
21. Council to approve entering into a Financial Participation Agreement totaling \$3,576,371.98 with the South Carolina Department of Transportation for improvements to the Carowinds Blvd./Pleasant Road intersection.
22. Council to approve the execution of an Engineering Contract with Labella Associates, PC of Charlotte, NC for \$1,019,000.00 plus 10% contingency for Design of Crowders Creek Pump Station and Force Main Replacement.

Public Hearing(s)

1. Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	21-08
Tax Map #	714-00-00-005; 714-00-00-006
Zoning Request:	To rezone from RD-I to ID
Acres:	3.5 +/- acres
Council District:	One (1) - Tom Audette
Applicant:	AME, Inc. (Nate Pierce)
Owner:	Gene and Donna Evans
Location:	1955 Luckadoo Road, Fort Mill
Planning Commission Date:	August 9, 2021
Staff Recommendation:	Approve

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PC Recommendation: Approve

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

Case # 21-14
Tax Map # 362-00-00-085
Zoning Request: To rezone from UD to RUD-I
Acres: 10.013 +/- acres
Council District: Two (2) Allison Love
Applicant: Terry Wilson
Owner: Terry Wilson
Location: Highway 321, Clover
Planning Commission Date: August 9, 2021
Staff Recommendation: Approve
PC Recommendation: Approve

3. Council to Hold a Public Hearing and Consider Third 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.

Old Business

1. Rezoning Action: Consider Second Reading

Case # 21-11
Tax Map # 536-00-00-101
Zoning Request: To rezone from RD-I to RUD
Acres: 13.71 +/- acres
Council District: Four (4) Bump Roddey
Applicant: Rita Pressley
Owner: The 2017 Rita Shaw Pressley Revocable Trust
Location: 1596 Oak Park Road, Rock Hill
Planning Commission Date: July 12, 2021
Staff Recommendation: Deny
PC Recommendation: Approve

2. Rezoning Action: Consider Second Reading

Case # 21-12
Tax Map # 448-00-00-002; 448-00-00-044; 448-00-00-083;
448-00-00-084; 448-00-00-149
Zoning Request: To rezone from BD-I, RUD-I, and AGC-I to RC-I
Acres: 16.278 +/- acres

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Council District:	Three (3) Robert Winkler
Applicant:	Lake Pointe Academy (Ken Rodgers)
Owner:	YMCA of Upper Palmetto and the Cotton Hall of York, LLC.
Location:	Carolina Crossing Drive, York
Planning Commission Date:	July 12, 2021
Staff Recommendation:	Approve, subject to conditions
PC Recommendation:	Approve, subject to conditions

3. Rezoning Action: Consider Second Reading

Case #	21-13
Tax Map #	535-00-00-155; 535-00-00-156; 535-00-00-157
Zoning Request:	To rezone from RC-II to RD-II
Acres:	3.67 +/- acres
Council District:	Four (4) Bump Roddey
Applicant:	Darby Rentals, LLC
Owner:	Darby Rentals, LLC
Location:	1883-1993 Corwin Drive and 1644-1692 Oak Ridge Meadows Ct., Rock Hill
Planning Commission Date:	July 12, 2021
Staff Recommendation:	Approve, subject to conditions
PC Recommendation:	Approve, subject to conditions

New Business

1. Council to reject all bids received regarding Bid #2768 for the Avenue of the Carolinas Carowinds Blvd Intersection Improvement Project.
2. Council to Consider Adoption of the YORK COUNTY COUNCIL EMERGENCY ORDINANCE RELATING TO THE CONTINUING AND PERSISTENT THREAT AND SPREAD OF COVID-19 AND COVID-19 DELTA VARIANT AND TEMPORARILY SUSPENDING CERTAIN ASPECTS OF THE RULES OF THE YORK COUNTY COUNCIL FOR THE CONDUCTION OF ITS COUNCIL MEETINGS, SPECIAL CALLED MEETINGS, WORKSHOPS, AND COUNCIL COMMITTEE MEETINGS AND RELATED COUNCIL RULES FOR THE CONDUCTION OF COUNTY COUNCIL BUSINESS; ESTABLISHING A REMOTE MEETING PARTICIPATION PROCESS INCLUDING THE RULES FOR THE CONSTITUTION OF A QUORUM OF COUNCIL AT REGULAR AND SPECIAL MEETINGS, WORKSHOPS, AND COMMITTEE MEETINGS; CALLING FOR THE APPLICATION OF THE REMOTE MEETING PROCESS TO APPLY SIMILARLY TO COUNTY BOARDS AND COMMISSIONS; AND PROVIDING FOR OTHER MATTERS RELATING THERETO

Committee and Other Reports

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Justice and Public Safety Committee Meeting, Tuesday, August 31, 2021, 3:00pm Chairman Brandon Guffey

Council Member New/Non-agenda Comments

Citizen Concerns

Executive Session:

Receipt of Legal Advice: Consideration of Mediated Settlement Agreement for Project: US 21/SC 51, Project No. 11149-004, Tract No. 162

Receipt of Legal Advice: Request to Authorize Condemnation regarding Project No. 11149-004, Tract 80 (US 21/SC 51)

Receipt of Legal Advice: Fort Mill School District Impact Fees

Receipt of Legal Advice: Opioid Litigation update

Receipt of Legal Advice: Morningstar litigation

Matters for consideration following Executive Session

Adjourn