



YORK COUNTY COUNTY COUNCIL

AGENDA • DECEMBER 20, 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

Oath of Office for newly appointed Board and Commission Members

Billy Hagner, York County Natural Gas Board

Janice Carlisle, Board of Assessment Appeals (District 1)

Ron Parks, York County Forever (District 6)

Stacey Moore, Catawba Regional Council of Governments

Robert Sweet, Veterans Memorial Park Advisory Committee

Appearances

Council and Sheriff Tolson to recognize Corporal Tracy Strickland on his service and retirement with York County Sheriff's Department.

Council and Sheriff Tolson to recognize Major Robbie Hudgins on his service and retirement with York County Sheriff's Department.

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

Consent Agenda

1. Minutes of Planning & Economic Development Committee - Planning & Economic Development Committee - Dec 6, 2021 5:00 PM
2. Minutes of County Council - County Council Meeting - Dec 6, 2021 6:00 PM
3. Minutes of County Council Workshop - Workshop - Dec 14, 2021 6:00 PM
4. Rezoning Action: Consider Second Reading
Case # 21-20
Tax Map # 714-00-00-023
Zoning Request: To rezone from AGC to LI
Acres: 9.92 +/- acres
Council District: Seven (7) - Hamilton
Applicant: Tim Helline
Owner: William and Doris Coltharp Limited Family Partnership

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Location:	2120 Coltharp Road, Fort Mill
Planning Commission Date:	November 8, 2021
Staff Recommendation:	Approve
PC Recommendation:	Approve (6-2)

5. COUNCIL TO CONSIDER THIRD READING OF AN ORDINANCE TO AMEND THE YORK COUNTY ZONING CODE SECTION 155.347 “TEMPORARY PROHIBITION OF NEW DEVELOPMENT” WITHIN THE LAKE WYLIE ZONING OVERLAY DISTRICT TO EXTEND THE TEMPORARY PROHIBITION ON APARTMENTS, CONDOMINIUMS, AND TOWNHOME DWELLINGS; TO EXTEND THE SECTION’S EXPIRATION DATE; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
6. COUNCIL TO PROVIDE FIRST READING OF AN ORDINANCE TO AMEND THE YORK COUNTY CODE OF ORDINANCES, CHAPTER 150, BUILDING REGULATIONS, IN ITS ENTIRETY, TO INCORPORATE CERTAIN PROVISIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, NATIONAL ELECTRICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL ENERGY CONSERVATION CODE, AND INTERNATIONAL EXISTING BUILDING CODE, AS MODIFIED AND ADOPTED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL FOR MANDATORY ENFORCEMENT BY ALL JURISDICTIONS WITHIN THE STATE OF SOUTH CAROLINA; TO REORDER, CLARIFY, AND RESTATE PROVISIONS OF THE EXISTING BUILDING REGULATIONS, INCLUDING, INTER ALIA, THE APPLICATION PROCEDURES, COMPLIANCE REQUIREMENTS, AND FEES FOR BUILDING PERMITS, THEIR SCOPE, REVOCATION, EXPIRATION, AND TERMINATION; THE INSPECTION PROCEDURES FOR CONSTRUCTION AND CERTIFICATES OF OCCUPANCY; THE ADMINISTRATION AND ENFORCEMENT REQUIREMENTS FOR THIS CHAPTER; THE POWERS AND DUTIES OF THE BUILDING OFFICIAL, INCLUDING BUT NOT LIMITED TO, RIGHTS-OF-ENTRY, THE ISSUANCE OF STOP WORK ORDERS, AND THE PROVISION OF ALTERNATIVE MATERIALS AND DESIGN; VARIANCES AND APPEALS RELATED TO THE CHAPTER; THE BUILDING APPEALS BOARD, ITS MEMBERSHIP, POWERS, PROCEDURES, AND RELATED DUTIES AND AUTHORITY; AND, THE PENALTIES AND POTENTIAL REMEDIES FOR VIOLATIONS OF THIS CHAPTER; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
7. Approve nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on November 15, 2021: Nicholas Ober, Riverview Fire Tax District and Justin Laroche, Riverview Fire Tax District.

8. COUNCIL TO APPROVE FIRST READING BY TITLE ONLY OF AN ORDINANCE TO REVISE TIMING AND APPROVAL OF RECLASSIFICATION OF COUNTY POSITIONS, GRADE LEVELS AND SALARY RANGES AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.
9. COUNCIL TO PROVIDE 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 OR COMPANIES KNOWN TO THE COUNTY AT THIS TIME AS “PROJECT WALKER” 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.
10. COUNCIL TO ADOPT A RESOLUTION COMMITTING YORK COUNTY TO ENTER INTO A FEE AGREEMENT WITH A COMPANY IDENTIFIED UNDER THE CODE NAME “PROJECT SIMA” AND OTHER MATTERS RELATED THERETO.
11. COUNCIL TO PROVIDE 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 OR COMPANIES IDENTIFIED AT THIS TIME UNDER THE CODE NAME “PROJECT SIMA” 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.
12. Council to approve a request from Sheriff Tolson to allow retired Sheriff's Office Deputy James Hager to retain his service weapon.
13. Council to approve a request from Sheriff Tolson to allow retired Sheriff's Office Employee Jesse Pete Branham to retain his service weapon.
14. Council to approve a request from Sheriff Tolson to allow retired Sheriff's Office Deputy Kevin Jones to retain his service weapon.
15. Council to approve NV5' s Contract Amendment No. 1 totaling \$246,950.00 for Project 17228-011: Flint Hill Street Community Drainage Improvement
16. Council to approve CDM Smith Inc.' s Contract Amendment No. 2 totaling \$33,877.94 for Project 17228-012: Cherry Road/Celanese Road Intersection Design

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17. Council to approve the execution of Amendment 3 of an Engineering Contract with ESP Associates, Inc. of Fort Mill, SC for \$81,955.00, plus a 10% contingency for professional services finalizing plans and providing easement acquisition for a relief sewer route for the northeast section of Regent Park.
18. Council to approve Utility Reimbursement Agreement with the City of Rock Hill totaling approximately \$787,950.00 for Pennies 3 Project 11149-012: Riverview Road.
19. Council to approve the execution of a contract with ADC Engineering, Inc for \$36,720.00. plus 10% contingency to prepare preliminary engineering plans for Ebenezer Park Phase 2 Upgrades.
20. Council to consider declaring 5+/- acres of County-owned real estate as surplus and authorizing the sale of property at Parcel Number 401-00-00-002, located on McFarland Road in York, SC.
21. Council to authorize annual payment for the Microsoft Enterprise Agreement to Software One in the amount of \$125,067.40.
22. Council to authorize contract renewal negotiations and to further authorize the County Manager to approve negotiations regarding Bid #2646 for landscaping and grounds care services for York County Government Properties, York County Library Properties, and Culture & Heritage Museum Properties, with the following lawn service providers: Caretaker Management Services Inc. of Rock Hill, SC; EarthClean LLC of Clover, SC; R&J of the Carolinas LLC, of Rock Hill, SC; Bethel Lawn & Landscaping of Clover, SC; and Premier Lawns LLC of Rock Hill, SC.
23. Council to approve award of Bid #2780 for the purchase of fifteen new, unused, 2022 model, Marked, AWD, Ford Police Interceptor SUVs, to the lowest responsive and responsible bidder, Santee Ford of Manning, SC, for the total cost of \$550,395.00.
24. Council to approve award of Bid #2781 for the purchase of two new, unused, 2022 Model, Unmarked, AWD, Ford Police Interceptor SUVs totaling \$48,485.00, and to further approve the purchase of four additional SUVs totaling \$143,740.00 for use by the Sheriff's Office, as provisioned by the original bid solicitation, to the lowest responsive and responsible bidder, Friendship Ford of Bristol TN, for the total cost of \$217,085.00.
25. Council to reject all bid responses received regarding Bid #2782 for the purchase of one new, unused, 2022 model, 4x2, Full Size, Police Pursuit SUV for use by the Sheriff's Office.

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26. Council to approve award of Bid #2783 for the purchase of two new, unused, 2022 model, 2-Passenger Mini-Cargo Vans to the lowest responsive and responsible bidder, Friendship Ford of Bristol, TN for the total cost of \$50,390.00.
27. Council to approve award of Bid #2785 for the purchase of two new, unused, 2022 model, Crossover SUVs to the lowest responsive and responsible bidder, Palmetto Chevrolet of Conway, SC for the total cost of \$49,434.00.
28. Council to approve award of Bid #2786 for the purchase of two new, unused, 2022 model, Intermediate SUVs to the lowest responsive and responsible bidder, Palmetto Chevrolet of Conway, SC, for the total cost of \$59,146.00.
29. Council to approve award of Bid #2787 for the purchase of two new, unused, 2022 model, Full Size SUVs, 4x4 to the lowest responsive and responsible bidder, Friendship Ford of Bristol, TN for the total cost of \$86,088.00.
30. Council to approve award of Bid #2788 for the purchase of one new, unused, 2022 model, Full Size, 4x4, Extended Cab Truck with 6' bed to the lowest responsive and responsible bidder, Vic Bailey Ford of Spartanburg, SC for the total cost of \$32,376.00.
31. Council to approve award of Bid #2789 for the purchase of two new, unused, 2022 model, Full Size, 4x4, Standard Cab Trucks w/6" bed to the lowest responsive and responsible bidder, Friendship Ford of Bristol, TN for the total cost of \$64,246.00.
32. Council to approve award of Bid #2791 for the purchase of one unused, 2022 model, 3/4 Ton, 4x4, Crew Cab truck, w/6' Bed to the lowest responsive and responsible bidder, Vic Bailey Ford of Spartanburg, SC for the total cost of \$35,058.00.
33. Council to approve award of Bid #2792 for the purchase of four unused, 2022 model, Full Size, 4x4, Crew Cab trucks, w/6' bed to the lowest responsive and responsible bidder, Friendship Ford of Bristol, TN for the total cost of \$142,962.00.
34. Council to approve award of Bid #2793 for the purchase of one new, unused, 2022 model, 9,500 GVWR, Cab & Chassis with Animal Transport Body to the lowest responsive and responsible bidder, Friendship Ford of Bristol, TN, for the total cost of \$53,988.00.
35. Council to approve award of Bid #2794 for the purchase of Bid for one new, unused, current production, Front End Skid Steer Loader to the lowest responsive and responsible bidder, James River Equipment of Rock Hill, SC for the total cost of \$47,507.58.

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36. Council to approve award of Bid #2795 for the purchase of one new, unused, current production, Track Skid Steer Loader to the lowest responsive and responsible bidder, Comer Equipment Co. of York, SC for the total cost of \$69,229.00.
37. Council to approve award of Bid #2796 for the purchase of one new, unused, current production, 40,000 lb Landfill Dozer to the lowest responsive and responsible bidder, Blanchard Machinery of Rock Hill, SC for the total cost of \$416,124.58.
38. Council to approve award of Bid #2797 for the purchase of one new, unused, current production, 19,000 lb Excavator to the lowest responsive and responsible bidder, Comer Equipment Co. of York, SC for the total cost of \$102,987.50.
39. Council to approve award of Bid #2798 for the purchase of one new, unused, current production, Lowboy Trailer to the lowest responsive and responsible bidder, Globe Trailer Mfg. Inc. of Bradenton, FL for the total cost of \$77,956.40.
40. Council to reject all responses received regarding Bid #2799 for the purchase of one new, unused, 2022 Model, 60,000 lb. Cab & Chassis Roll-Off Truck for use by Solid Waste Collections.
41. Council to approve award of Bid #2800 for the purchase of two new, unused, 2022 Model, 33,000 GVW, Cab & Chassis Trucks with Flat Dump to the lowest responsive and responsible bidder, Carolina International of Columbia, SC for the total cost of \$214,422.36.
42. Council to approve award of Bid #2801 for the purchase of one (1) each, new, unused, 2022 Model, Cab & Chassis Tandem Dump Truck to the lowest responsive and responsible bidder, Carolina International of Columbia, SC for the total cost of \$118,532.10.
43. Council to approve award of Bid #2802 for the purchase of one new, unused, 2022 Model, 30 Ton Articulated Dump Truck to the lowest responsive and responsible bidder, Hills Machinery of Columbia, SC for the total cost of \$396,393.20.
44. Council to approve award of Bid #2803 for the purchase of two new, unused, 2022 Model, 26' Box Trucks to the lowest responsive and responsible bidder, Carolina International of Columbia, SC for the total cost of \$199,668.70.

Public Hearing(s)

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1. COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER THIRD READING OF AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "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 CHANGE APPROPRIATION OF UNASSIGNED FUND BALANCE AND TO INCREASE BETHEL RURAL FIRE DISTRICT TOTAL APPROPRIATIONS.
2. COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER THIRD READING OF AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "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 CHANGE APPROPRIATION OF UNASSIGNED FUND BALANCE AND TO INCREASE RIVERVIEW FIRE DISTRICT TOTAL APPROPRIATIONS.
3. COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER SECOND READING OF AN ORDINANCE TO AMEND THE EXISTING AGREEMENT GOVERNING THE YORK-CHESTER INDUSTRIAL PARK TO ADD PARCELS WITHIN THE GEOGRAPHICAL BOUNDARIES OF YORK COUNTY TO THE MULTI-COUNTY PARK TO ACCOUNT FOR PARCELS ADDED TO THE PARK IN YEAR 2021; TO REVISE TAX MAP NUMBERS, COMPANY NAMES, OR PROPERTY OWNERS ASSOCIATED WITH CERTAIN PARCELS; TO REMOVE PARCELS FROM THE PARK, IF NECESSARY; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
4. COUNCIL TO HOLD A PUBLIC HEARING AND PROVIDE THIRD READING OF AN ORDINANCE TO CONVEY ITS INTEREST, IF ANY, IN HINSON LANE BY QUIT CLAIM DEED TO SUNSET COVE MANAGEMENT GROUP, INC., AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Old Business

New Business

1. COUNCIL TO CONSIDER FIRST READING AN ORDINANCE TO REDISTRICT AND REDEFINE THE VOTING DISTRICTS WITHIN YORK COUNTY THROUGH REAPPORTIONMENT, AS TO POPULATION, OF THE SEVEN SINGLE-MEMBER ELECTORAL DISTRICTS WITHIN THE COUNTY FOR THE ELECTION OF MEMBERS OF YORK COUNTY COUNCIL PURSUANT TO THE UNITED STATES CENSUS OF 2020 AND IN COMPLIANCE WITH SECTION 4-9-90 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED; TO AMEND SECTION 11.04 OF THE YORK COUNTY CODE TO CODIFY THE BLOCK INFORMATION PERTAINING TO THE NEW DISTRICTING; AND TO ADOPT THE CONFORMING REDISTRICTING MAP; AND TO PROVIDE FOR OTHER MATTERS RELATING TO THE REDISTRICTING AND REAPPORTIONMENT OF COUNTY COUNCIL DISTRICTS IN YORK COUNTY.

2. COUNCIL TO CONSIDER FIRST READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 30, SECTIONS 30.07 AND 30.11, IN ORDER TO CLARIFY THE ROLES OF COUNCIL COMMITTEES, ENUMERATION, APPOINTMENT THERETO, TO RENAME TWO STANDING COMMITTEES, TO CLARIFY THE PROCESS BY WHICH STANDING COMMITTEES RECEIVE AND PROMULGATE ORDINANCES; TO CLARIFY AND CONFORM THE CODE AND RULES OF COUNCIL TO THE COUNCIL'S CUSTOM AND PRACTICE REGARDING ORDINANCES, RESOLUTIONS AND ITS LEGISLATIVE PROCESS AND FURTHER CLARIFY THE COUNCIL REQUIREMENTS AS TO ORDINANCE AND RESOLUTION FORM, APPROVAL, WRITING, REFERRAL, READINGS, AND ADOPTION; TO DISTINGUISH EMERGENCY ORDINANCES; AND, TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

3. COUNCIL TO CONSIDER FIRST READING OF AN ORDINANCE TO REPEAL AND REPLACE CHAPTERS 154: SUBDIVISION CODE AND 155: ZONING CODE; TO ADOPT A NEW ZONING MAP WHICH RENAMES CERTAIN ZONING DISTRICTS, PROVIDES FOR NEW ZONING DISTRICTS, CONSOLIDATES THE AGC-I AND AGC DISTRICTS INTO A SINGLE AGC DISTRICT, AND CONSOLIDATES THE RUD-I AND RUD DISTRICTS INTO A SINGLE RUD DISTRICT; TO RELOCATE § 154.038 DEVELOPMENT AGREEMENTS TO CHAPTER 153: PLANNING AND DEVELOPMENT; TO RELOCATE CERTAIN CODE SECTIONS PERTAINING TO TAX DISTRICTS FROM THE ZONING CODE TO CHAPTERS 35: TAXATION AND FINANCE; TO APPROVE THE YORK COUNTY LAND DEVELOPMENT MANUAL RELATED TO THE IMPLEMENTATION OF THE REQUIREMENTS OF CHAPTER 154; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

4. COUNCIL TO CONSIDER FIRST READING OF AN ORDINANCE TO AMEND YORK COUNTY CODE OF ORDINANCES, CHAPTER 31: COUNTY POLICIES, SECTION 31.01, RATES, FEES AND CHARGES FOR ZONING APPEALS, APPLICATIONS FOR VARIANCES, REZONING REQUESTS, PERMITS, INSPECTIONS, PLAN REVIEWS AND OTHER APPLICATIONS, PROCEDURES AND SERVICES RENDERED BY THE YORK COUNTY PLANNING AND DEVELOPMENT DEPARTMENT AND THE YORK COUNTY ENGINEERING DEPARTMENT TO RETITLE THE SECTION “LAND DEVELOPMENT FEE SCHEDULE”; TO CREATE FEES FOR NEW PROCEDURES PURSUANT TO REVISIONS TO THE ZONING CODE AND LAND DEVELOPMENT CODE; TO REVISE AND REORDER THE FEE TABLE AND TABLE NOTES; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
5. COUNCIL TO ADOPT A RESOLUTION COMMITTING YORK COUNTY TO ENTER INTO A FILOT AGREEMENT WITH A COMPANY IDENTIFIED UNDER THE CODE NAME “PROJECT DONALD” AND OTHER MATTERS RELATED THERETO.

Committee and Other Reports

Finance and Operations Committee Meeting, Monday, December 20, 2021, 5:30pm Chairman Robert Winkler

Council Member New/Non-agenda Comments

Citizen Concerns

Executive Session:

Contractual Matters: Purchase of Property

Matters for consideration following Executive Session

Adjourn