

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:  
CASE NUMBER

C 2022-057

COMPLAINT FORM

COMPLAINANT: Andrew Litten

RESPONDENT: Allison Love

ADDRESS: [REDACTED]

ADDRESS: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TITLE:

TITLE:

Set forth in detail specific facts upon which you based your complaint against above-named respondent (only detailed, clear factual allegations will be considered. If additional space is needed, attach supplemental sheets).

It is my belief that Allison Love has violated Section 8-13-700 of the South Carolina Code of Laws (failure to disclose a conflict of interest).

1. Allison Love is a member of the York County Council.
2. Allison Love is a member of the Nation Ford Land Trust (NFLT) Board of Directors. She became a member of the board in September 2019 according to the *about us* section of the Nation Ford Land Trust website. [www.nationfordlandtrust.org](http://www.nationfordlandtrust.org)
3. On 12/16/2019 - Ms. Love voted to provide funding to NFLT. See item 19 of the December 16, 2019 York County Council Meeting Minutes.
4. On 3/16/2020 - Ms. Love voted to provide funding to NFLT. See item 9 of the March 16, 2020 York County Council Meeting Minutes.
5. On 6/15/2020 - Ms. Love voted to provide funding to NFLT. See item 5 of the June 15, 2020 York County Council Meeting Minutes.
6. On 10/05/2020 - Ms. Love voted to provide funding to NFLT. See item 10 of the October 5, 2020 York County Council Meeting Minutes.
7. On 7/19/2021 - Ms. Love voted to provide funding to NFLT. See item 25 of the July 19, 2021 York County Council Meeting Minutes.

If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record.

STATE OF SOUTH CAROLINA  
COUNTY OF York

Personally appeared before me Andrew Litten who, first being duly sworn, says that he/she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of his/her own knowledge, except for those matters therein based upon information and belief, and as to those he/she believes them to be true.

Sworn to and subscribed before me this  
24 day of May, 2022

[REDACTED]  
Complainant Signature

[REDACTED]  
Notary Public for South Carolina  
My Commission expires 2.11.29

SEC-7 (Revised 3/2022)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192  
ELECTRONIC COPIES WILL NOT BE ACCEPTED

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF: )

Complaint C2022-057 )

Andrew Litten )  
Complainant. )

**NOTICE OF HEARING**

Allison Love )  
Respondent. )

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaint. The State Ethics Commission will, therefore, convene a formal hearing into the matters, in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, August 15, 2024 at 9:30 a.m. at the State Ethics Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegations will be heard:

**COUNT ONE**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(A), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That Allison Love, York County Councilmember, did in Richland County, knowingly use her official position to obtain an economic interest for a business with which she is associated when voting during a December 16, 2019 meeting to approve an expenditure of \$138,000.00 to Nation Ford Land Trust, in violation of Section 8-13-700(A).

**COUNT TWO**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(A), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That Allison Love, York County Councilmember, did in Richland County, knowingly use her official position to obtain an economic interest for a business with which she is associated when voting during a March 16, 2020 meeting to approve an expenditure of \$20,145.00 to Nation Ford Land Trust, in violation of Section 8-13-700(A).

**COUNT THREE**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(A), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That Allison Love, York County Councilmember, did in Richland County, knowingly use her official position to obtain an economic interest for a business with which she is associated when voting during a June 15, 2020 meeting to approve an expenditure of \$46,175.00 to Nation Ford Land Trust, in violation of Section 8-13-700(A).

**COUNT FOUR**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(A), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That Allison Love, York County Councilmember, did in Richland County, knowingly use her official position to obtain an economic interest for a business with which she is associated when voting during an October 5, 2020 meeting to approve an expenditure of \$45,000.00 to Nation Ford Land Trust, in violation of Section 8-13-700(A).

**COUNT FIVE**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(A), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That Allison Love, York County Councilmember, did in Richland County, knowingly use her official position to obtain an economic interest for a business with which she is associated when voting during a July 19, 2021 meeting to approve an expenditure of \$20,125.00 to Nation

Ford Land Trust, in violation of Section 8-13-700(A).

**COUNT SIX**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(A), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That Allison Love, York County Councilmember, did in Richland County, knowingly use her official position to obtain an economic interest for a business with which she is associated when voting during a July 19, 2021 meeting to approve an expenditure of \$21,125.00 to Nation Ford Land Trust, in violation of Section 8-13-700(A).

**COUNT SEVEN**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(A), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That Allison Love, York County Councilmember, did in Richland County, knowingly use her official position to obtain an economic interest for a business with which she is associated when voting during a February 21, 2022 meeting to approve an expenditure of \$39,575.00 to Nation Ford Land Trust, in violation of Section 8-13-700(A).

**COUNT EIGHT**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(A), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That Allison Love, York County Councilmember, did in Richland County, knowingly use her official position to obtain an economic interest for a business with which she is associated when voting during a September 6, 2022 meeting to approve an expenditure of \$29,617.00 to Nation Ford Land Trust, in violation of Section 8-13-700(A).

**COUNT NINE**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(A), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That Allison Love, York County Councilmember, did in Richland County, knowingly use her official position to obtain an economic interest for a business with which she is associated

when voting during a June 20, 2023 meeting to approve an expenditure of \$54,037.00 to Nation Ford Land Trust, in violation of Section 8-13-700(A).

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina, 1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976, as amended, the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan Walker Dayson, Executive Director  
State Ethics Commission

Dated this 16 day,  
of November 2023.

**Certificate of Service by Certified Mail**

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on Respondent's Attorney Geoffrey K. Chambers, 1201 Main Street, Suite 985, Columbia, SC 29201 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 22<sup>nd</sup> day of November 2023, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.

A black rectangular redaction box covers the signature of Rachael O'Bryan. A blue ink flourish is visible to the right of the redaction.

**Rachael O'Bryan, Administrative Assistant**  
State Ethics Commission

Columbia, South Carolina

(803) 253-4192



**YORK COUNTY  
COUNTY COUNCIL**



**MINUTES • DECEMBER 16, 2019**

**FINAL**

**County Council Meeting**

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

**6:00 PM**

Council Chairman District 1 Michael Johnson: Absent, District 2 Allison Love: Present, District 3 Robert Winkler: Present, District 4 William "Bump" Roddey: Present, District 5 Christi Cox: Present, District 6 Britt Blackwell: 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**

- Raymond Crabb, Hospitality Tax Advisory Committee (At Large) **ABSENT**
- Scott Childers, Board of Assessment Appeals (District 3)
- Stephen McArthur, Building Board of Appeals
- Doyle Roach, Building Board of Appeals **ABSENT**
- Cortney Peterson, Rock Hill/York County Convention & Visitor's Bureau (At Large)
- Caitlin Totherow, Rock Hill/York County Convention & Visitor's Bureau (At Large) **ABSENT**
- Daniel Holmes, Rock Hill/York County Convention & Visitor's Bureau (At Large) **ABSENT**
- Misty Burrell, Catawba Regional Workforce Investment Board
- Stacey Moore, Catawba Regional Workforce Investment Board **ABSENT**
- Annette Killian, Catawba Regional Workforce Investment Board **ABSENT**
- Mike Duralia, Catawba Regional Workforce Investment Board **ABSENT**

**Appearances**

(6:05pm) Council recognized Public Defender Harry Dest on his service and retirement with York County.

(6:05pm) Council recognized Quida Dest on her service and retirement with York County.

(6:20pm) Jim Britton with Cumming provided a construction report update.

(6:37pm) Emily Sobczak auditor with Greene Finney presented the annual audit for York County. Ms. Sobczak reported that no findings were noted and that York County is in strong financial condition as of June 30, 2019.

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

(7:00pm) Steve Hamilton, Executive Director of Nation Ford Land Trust addressed Council regarding his support for the expenditure of up to \$138,000 in York County Forever Commission

fund to Nation Ford Land Trust to pay for survey fees required for the placement of a conservation easement on approximately 3,741 contiguous acres.

**Consent Agenda**

(7:02pm)

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell  
**SECOND:** Allison Love  
**AYES:** Love, Winkler, Roddey, Cox, Blackwell, Hamilton  
**ABSENT:** Michael Johnson

1. Approval of December 2, 2019 County Council Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Britt Blackwell  
**SECOND:** Allison Love

2. Approval of December 10, 2019 Regular Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Britt Blackwell  
**SECOND:** Allison Love

3. Approval of December 10, 2019 Planning & Economic Development Committee Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Britt Blackwell  
**SECOND:** Allison Love

4. Approval of December 11, 2019 Workshop Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Britt Blackwell  
**SECOND:** Allison Love

5. Council to approve the 2020 County Council meeting dates calendar.

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

6. Council to consider a position reorganization plan for the Animal Control Department.

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

7. Rezoning Action: Consider Second Reading

Case # 19-24  
Tax Map # 6510000047 and 6510000438  
Zoning Request: To rezone from BD-I to BD-III  
Acres: 2.54 +/- acres  
Council District: One (1) Michael Johnson  
Applicant: C. Cooper Willis  
Owner: ABI Gold Hill Crossing, LLC/ ABI Dunkin Donuts  
Fort Mill, LLC  
Location: 827 and 855 Gold Hill Road, Fort Mill  
Planning Commission Date: November 11, 2019  
Staff Recommendation: Approve  
PC Recommendation: Approve

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

8. Rezoning Action: Consider Second Reading

Case # 19-27 (UD Rezoning Project)  
Council District: 4 (Roddey)  
Applicant: York County  
Planning Commission Date: November 11, 2019  
Staff Recommendation: Approve  
PC Recommendation: Approve

<b>TAX MAP #</b>	<b>PROPERTY OWNER(S)</b>	<b>STREET ADDRESS</b>	<b>NEW ZONING</b>	<b>2035 PLAN</b>
6700000003	MILLER CARRIE J & JOHNNY	351 PORTER RD	RC-II	NR
6700000004	KNOX MARY L	337 PORTER RD	RC-II	NR
6700000005	WILLEY DOUGLAS A II	313 PORTER RD	RC-II	NR
6700000006	WILLIAMSON DEIDRE M	307 PORTER RD	RC-II	NR
6700000012	CRAWFORD DORETHA C	328 ROCK GROVE AVE	RC-II	NR
6700000022	ANNE M MARSHALL IRREVOCABLE TRUST	NONE	RC-II	NR
6700000031	PLONK DAVID TORRENCE	239 PORTER RD	RC-II	NR
6700000040	BOBB JAMES	214 RIDLEY ST	RC-II	EC
6700000050	MCCULLOUGH CALVIN L & CLAUDIA	1424 ANNE ST	RC-II	EC
6700000058	NUNEZ MABEL BEATRIZ ALFONSO	1443 ANNE ST	RC-II	NR
6700000063	NUNEZ MABEL B	1438 CLARA ST	RC-II	NR
6700000064	ANNE M MARSHALL IRREVOCABLE TRUST	NONE	RC-II	NR
6700000166	HARRELL HOLT & ALEXANDER	218 RIDLEY ST	RC-II	EC

	MOORE			
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**APPROVED [Unanimous]**  
**MOVANT:** Britt Blackwell  
**SECOND:** Allison Love

9. Council to Adopt a RESOLUTION AUTHORIZING AND CONSENTING TO CERTAIN TRANSFERS BY ROSS DRESS FOR LESS TO ROSS DISTRIBUTION COMPANY IN RELATION TO CERTAIN FEE IN LIEU OF TAX AGREEMENTS AND TO THE EXTENSION OF CERTAIN TIME PERIODS UNDER THOSE AGREEMENTS

**APPROVED [Unanimous]**  
**MOVANT:** Britt Blackwell  
**SECOND:** Allison Love

10. Council to approve second reading of AN ORDINANCE TO AUTHORIZE THE SALE OF TWO SMALL, UNDEVELOPED PARCELS LOCATED ON JOE LOUIS BOULEVARD IN THE ARCHER HEIGHTS SUBDIVISION, IDENTIFIED BY TAX MAP NUMBERS 624-00-00-066 AND 624-00-00-067; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE THE PARCELS; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE CONTRACT OF SALE AND DEED; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

**APPROVED [Unanimous]**  
**MOVANT:** Britt Blackwell  
**SECOND:** Allison Love

11. Council to approve the 4th Amendment to the Contract of Purchase and Sale and Agreement between Five Star Holdings, LLC and York County in order to extend the due period applicable to the Speculative Building on Genthe Court until February 18, 2020

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

12. Council to approve purchase of an X ray machine and walk through metal detector device for use at the new Family Court Building, from Point Security Inc. of Lexington NC, for a total cost of \$56,634.74.

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

13. Council to authorize the purchase of technology equipment for use by the Sheriff's Office, from Dell Inc. of Round Rock TX, for a total cost of \$71,669.62.

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

14. Council to award Bid #2646 regarding landscaping and grounds care services for York County Government Properties, York County Library Properties, and Culture & Heritage Museum Properties to the following lowest responsive and responsible bidders for zones one through five: Caretaker Management Services Inc. of Rock Hill, SC; EarthClean LLC of Clover, SC; R&J of the Carolinas, LLC; Bethel Lawn & Landscaping of Clover, SC; and Premier Lawns LLC of Rock Hill, SC, for a total annual bid amount of \$320,640.00, for a two year term with the option to extend individual terms for up to three additional one year periods.

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

15. Council to approve an amendment with Kanawha Farms, LLC regarding a pedestrian tunnel associated with Pennies project 11149-008j.

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

16. Council to approve a traffic improvement agreement with "ABI Gold Hill Hotel, LLC" for road improvements identified within the TIA for the development of general and medical office space along Pleasant Road at Gold Hill Road (TM #651-00-00-434).

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

17. Council to Approve a Utility Relocation Agreement with the City of Rock Hill totaling \$787,362.77 for Pennies 2 Project 03020-012, Mount Gallant Road, and authorize the County Manager to execute the Relocation Agreement.

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

18. Council to approve the execution of Amendment #1 of an Engineering Contract with ESP Associates of Fort Mill, SC for \$85,250, plus a 10% contingency, to provide evaluations and recommendations for the Regent Park area sewer system.

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

19. Council to approve authorizing the expenditure of up to \$138,000 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) to pay for survey fees required for the placement of a conservation easement on approximately 3,741 contiguous acres, that spans from the intersection of Old Pinckney Road and Chester Highway in York, to the westernmost section of Hord Road south of Sharon. The property is owned by Robert and Deborah Stuck.

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

20. Council to approve the execution of an Engineering Professional Services Contract for the Fascia Replacement Project at the York Library to Clark Patterson Lee (CPL) of Greenville, SC in the amount of \$18,450.00.

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

21. Council to approve a contract with York Electric Cooperative accepting \$100,000 to be used for roads, water and sewer and other qualifying infrastructure on Genthe Court as a qualifying project under the South Carolina Rural Development Act

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

### **Public Hearing(s)**

1. **Public Hearing**

(7:03pm) There being no one interested in speaking for or against the proposed ordinance, a motion was made by Council member Britt Blackwell and seconded by Council member William "Bump" Roddey to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Britt Blackwell  
**SECOND:** William "Bump" Roddey  
**AYES:** Love, Winkler, Roddey, Cox, Blackwell, Hamilton  
**ABSENT:** Michael Johnson

COUNCIL TO HOLD A PUBLIC HEARING AND APPROVE THIRD 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 MULTICOUNTY PARK; TO REVISE TAX MAP NUMBERS, COMPANY NAMES, OR PROPERTY OWNERS ASSOCIATED WITH CERTAIN PARCELS; TO REMOVE PARCELS FROM THE PARK; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:03pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler  
**SECOND:** Joel Hamilton  
**AYES:** Love, Winkler, Roddey, Cox, Blackwell, Hamilton  
**ABSENT:** Michael Johnson

2. Public Hearing

(7:04pm) There being no one interested in speaking for or against the proposed ordinance a motion was made by Council member Britt Blackwell and seconded by Council member William "Bump" Roddey to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Britt Blackwell  
**SECOND:** William "Bump" Roddey  
**AYES:** Love, Winkler, Roddey, Cox, Blackwell, Hamilton  
**ABSENT:** Michael Johnson

Council to hold a public hearing and consider Third Reading of AN ORDINANCE TO SUSPEND THE SCHEDULED 2020 - 2026 WATER RATE AND SEWER RATE INCREASES AND 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, SECTIONS (B)(2) AND (B)(10), IN ORDER TO APPLY THE 2019 APPROVED RATES PROSPECTIVELY AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(7:04pm)

**APPROVED [Unanimous]**

**MOVANT:** William "Bump" Roddey  
**SECOND:** Britt Blackwell  
**AYES:** Love, Winkler, Roddey, Cox, Blackwell, Hamilton  
**ABSENT:** Michael Johnson

**Old Business**

1. Council to discuss purchase of the fire boat for Newport Fire District.

Motion to defer this item for the next 6-12 months to allow Chief Faulk to determine the usage of the older fire boat that was purchased and to proceed with the use of a state grant, if awarded.

(7:05pm)

**ALLOWED [5 to 1]**

**MOVANT:** Britt Blackwell  
**SECOND:** William "Bump" Roddey  
**AYES:** Winkler, Roddey, Cox, Blackwell, Hamilton  
**NAYS:** Allison Love  
**ABSENT:** Michael Johnson

**New Business**

1. COUNCIL TO APPROVE A RESOLUTION (1) APPROVING AND RATIFYING THE TRANSFER AND ASSIGNMENT TO ALPHA Z CHARLOTTE INDUSTRIAL 1, LLC ("ALPHA Z") OF (i) ALL OF THE RIGHTS, INTERESTS AND OBLIGATIONS OF CRESCENT LAKEMONT II, LLC (AS SUCCESSOR IN INTEREST TO CRESENT COMMUNITIES, LLC) ("CRESCENT") UNDER A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT WITH YORK COUNTY, SOUTH CAROLINA (THE "COUNTY") AND BLACK & DECKER (U.S.) INC. ("BLACK & DECKER") DATED AS OF DECEMBER 4, 2017 (THE "FILOT AGREEMENT"); AND (ii) ALL OF CRESCENT'S RIGHT, TITLE AND INTEREST IN THE PROPERTY TO WHICH THE FILOT AGREEMENT RELATES; (2) AUTHORIZING THE COUNTY'S EXECUTION AND DELIVERY OF AN AGREEMENT AS TO ASSIGNMENT AND ASSUMPTION OF FILOT AGREEMENT IN CONNECTION WITH SUCH TRANSFER AND ASSIGNMENT; AND (3) AUTHORIZING OTHER MATTERS RELATING THERETO.

(7:15pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Joel Hamilton

**AYES:** Love, Winkler, Roddey, Cox, Blackwell, Hamilton

**ABSENT:** Michael Johnson

### **Committee and Other Reports**

(7:16pm) Zoning Committee Meeting, Tuesday, December 10, 2019, 12:30pm, Chairwoman Allison Love

(7:19pm) Economic Development Committee Meeting, Tuesday, December 10, 2019, 6:00pm, Chairman Robert Winkler

### **Council Member New/Non-agenda Comments**

(7:22pm) Council member William "Bump" Roddey requested that we not have a construction update at the last meeting in December. Council member Roddey also wished everyone a Merry Christmas.

(7:23pm) Council member Christi Cox addressed the volunteer incentive program for the firefighters that has resulted in the volunteers losing their tax credits that they qualify for. Council member Cox has requested staff to continue to look into this issue.

### **Citizen Concerns**

### **Executive Session**

Contractual Matter: 529 South Cherry Road Building

Receipt of Legal Advice: Blue Granite rate case

Contractual Matter: Project Avalanche

Receipt of Legal Advice: Conflict Waiver Request

**Matters for consideration following Executive Session**

1. Motion to direct the County Manager and County Attorney to move forward with the sale of the 529 South Cherry Road property.

(8:45pm)

**ADOPTED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

**AYES:** Love, Winkler, Roddey, Cox, Blackwell, Hamilton

**ABSENT:** Michael Johnson

2. Motion to allow the County Attorney to intervene in the Blue Granite rate case.

(8:45pm)

**ADOPTED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Joel Hamilton

**AYES:** Love, Winkler, Roddey, Cox, Blackwell, Hamilton

**ABSENT:** Michael Johnson

**Adjourn**

There being no further business, the meeting adjourned at 8:45pm.



Karen M. Brogdon, Clerk to Council



**YORK COUNTY  
COUNTY COUNCIL**

**MINUTES • MARCH 16, 2020**

**FINAL**



**County Council Meeting**

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

**6:00 PM**

Council Chairman District 1 Michael Johnson: Present, District 2 Allison Love: Present, District 3 Robert Winkler: Present, District 4 William "Bump" Roddey: Present, District 5 Christi Cox: Present, District 6 Britt Blackwell: 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.

1. Motion to amend the agenda packet to include the full text of the Fee in Lieu of Taxes ordinance hearing an item #2 in Old Business pertaining to GT Real Estate Holdings, LLC in the same form and substance as was presented to County Council in its March 11 agenda packet as the ordinance text was inadvertently omitted in the formation of tonight's packet of information.

(6:01pm)

**ADOPTED [Unanimous]**

**MOVANT:** Christi Cox

**SECOND:** Robert Winkler

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

2. Due to the Coronavirus issues and the recommendations from the CDC, a motion to suspend the rules in order to eliminate public participation components of County Council meetings, not otherwise required by law, in order to eliminate Oath of Office, Appearances, Public Forum and Citizen Concerns, for tonight's County Council meeting and for all subsequent meetings of County Council until such time as the COVID-19 threat has ended.

(6:01pm)

**ADOPTED [Unanimous]**

**MOVANT:** Christi Cox

**SECOND:** Joel Hamilton

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

**Oath of Office for newly appointed Board and Commission Members**

Brian Musgrave, Keep York County Beautiful (District 1) **RESCHEDULED TO ANOTHER DATE**

**Appearances**

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

**Consent Agenda**

(6:01pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

1. Approval of March 2, 2020 Finance & Operations Committee Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

2. Approval of March 2, 2020 Transportation Committee Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

3. Approval of March 2, 2020 County Council Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

4. Approval of March 11, 2020 Special Called Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

5. Rezoning Action: Consider Second Reading

Case #

19-30

Tax Map #

1710000010

Zoning Request: To rezone from PD to LI  
 Acres: 22.75 acres  
 Council District: Three (3) Robert Winkler  
 Applicant: Duane F. Christopher & Assoc., LLC  
 Owner: Jose Luis Sugashima Poma  
 Location: 130 Highway 161 North, Clover  
 Planning Commission Date: February 10, 2020  
 Staff Recommendation: Approve  
 PC Recommendation: Approve

**APPROVED [Unanimous]**  
**MOVANT:** Robert Winkler  
**SECOND:** Britt Blackwell

6. Rezoning Action: Consider Second Reading

Case # 20-03 (UD Rezoning Project)  
 Council District: 4 (Roddey) 5(Cox)  
 Applicant: York County  
 Planning Commission Date: February 10, 2020  
 Staff Recommendation: Approve  
 PC Recommendation: Approve

TAX MAP #	PROPERTY OWNER(S)	STREET ADDRESS	ACRES	NEW ZONING	2035 PLAN
6240000046	THOMPSON MAE RUTH	NONE	0.16	RC-II	MI
6240000047	THOMPSON MAE RUTH	NONE	0.16	RC-II	MI
6240000064	THOMPSON PRISCILLA A	NONE	0.16	RC-II	MI
6240000104	HENDERSON JANET	1040 JOE LOUIS BLVD	0.16	RC-II	MI
6240000105	HENDERSON JANET	1036 JOE LOUIS BLVD	0.16	RC-II	MI
6240000106	WELDON RAY CHARLES	NONE	0.16	RC-II	MI
6240000108	MCFADDEN GLENICE, GRAHAM, &	NONE	0.10	RC-II	MI

	PAUL				
6240000109	MCFADDEN GLENICE, GRAHAM, & PAUL	NONE	0.10	RC-II	MI
6240000113	MCFADDEN GLENICE, GRAHAM, & PAUL	NONE	0.29	RC-II	MI
6240000138	WHITLOCK HELEN	1067 ARCHER DR	0.23	RC-II	MI
6240000142	KIRK CLEVELAND J II	1081 ARCHER DR	0.23	RC-II	MI
6240000185	MCFADDEN GLENICE, GRAHAM, & PAUL	NONE	0.16	RC-II	MI
6240000139	WALKER ALICE GENEVA	NONE	0.23	RC-II	MI
6240000066	THE COUNTY OF YORK / TEMPLE OF AMUN	NONE	0.16	RC-II	MI
6240000067	THE COUNTY OF YORK / TEMPLE OF AMUN	NONE	0.16	RC-II	MI
6770000039	WFRI LLC	NONE	60.03	RUD	SFR
6770000026	WFRI LLC	NONE	35.80	RUD	I-77 CE

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

7. Council to Provide 2nd Reading of AN ORDINANCE TO AMEND CHAPTER 33 OF THE YORK COUNTY CODE OF ORDINANCES SECTION 33.119(A) TO CLASSIFY THE EMPLOYMENT STATUS OF PAID STUDENT INTERNS, PROVIDE FOR DRUG SCREENINGS, ASSIGN MANAGEMENT OF THE INTERN PROGRAM TO HUMAN RESOURCES, AND CLARIFY EDUCATIONAL REQUIREMENTS FOR PAID INTERNS; SECTION 33.119(B) TO REMOVE NON-PAID STUDENT INTERNS AND PROVIDE A TIME PERIOD FOR PAID INTERNSHIPS; TO DELETE SECTIONS 33.119(C), (D), (E), AND (F) PROVIDING FOR PROCEDURES AND CRITERIA FOR UNPAID STUDENT INTERNS; TO ADD SECTION 33.120 ENTITLED VOLUNTEER PROGRAM; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

8. Consider approval of nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on March 2, 2020, along with nominations from the floor: Shea Maple, Rock Hill/York County convention & Visitor's Bureau (At Large), Jeffrey Hunter, Zoning Board of Appeals (District 1), John Gast, Zoning Board of Appeals (District 7), Mark Shumpert, Keep York County Beautiful (District 6), Al Hanlon, York County Natural Gas Board, Mike Fuesser, Catawba Regional Council of Governments, Bill Gamble, Accommodations Tax Advisory Committee, Brant Henkel, Accommodations Tax Advisory Committee and Andy Stahr, Accommodations Tax Advisory Committee.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

9. Council to approve authorizing the expenditure of up to \$20,145 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) to cover the appraisal, legal fees and land trust stewardship costs required for the placement of a conservation easement on approximately 24 acres (TM 484-00-00-013). The property is located on the east side of Charlotte Highway, north of Charter Oaks Lane. The property is owned by DCP, LLC.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

10. Council to approve the Sheriff's Office request to apply for and accept if awarded the 2020/2021 Victims of Crime Act (VOCA) grant in the amount of \$52,127. Grant consists of 80% grantor funding (\$41,702) with a 20% in-kind match (\$10,425). The grant will fund the 6th year of continuing operations for a Sheriff's Office Law Enforcement Victim Advocate.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

11. Council to approve the Solicitor's Office request to apply for, and to accept if awarded, a fiscal year 2020-2021 Victims of Crime Act Continuation Grant in the amount of \$129,620.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

12. Council to approve amendment to increase the purchase amount for law enforcement equipment for use by the Sheriff's Office, to Craig's Firearm Supply Inc. of Columbia SC, for a total amount of \$45,000.00.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

13. Council to approve purchase requisition of approximately \$310,750 for a software and instrumentation upgrade project. The project will be funded entirely through the FY 2018 and 2019 DNA Capacity Enhancement and Backlog Reduction Program with no required matching funds.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

14. Council to approve contract renewal agreement with Southern Disaster Recovery LLC, of Simpsonville SC regarding RFP #2394, for on call Disaster Debris Management Services.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

15. Council to approve award of Bid #2647 regarding the purchase of one new 2020 model, Sprinter Van for use by the York County Library, to the lowest responsive and responsible bidder, Matthews Specialty Vehicles of Greensboro, NC, for the total cost of \$159,559.00.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

16. Council to approve award of Bid #2670 regarding the HVAC replacement at the Fort Mill Library, to the lowest responsive and responsible bidder, Salem Builders LLC of York, SC, for a total cost of \$118,900.00.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

17. Council to approve Utility Relocation Agreements with York Electric Cooperative, York County Natural Gas and AT&T totaling \$155,529.55 for Pennies 4 Project 17228-014, Bate Harvey Road Rehabilitation, and authorizing The County Manager to execute the Relocation Agreements.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

18. Council to declare County-owned Real Property, a portion of parcel number 020-20-01-057 and parcel number 020-06-01-068, as surplus, and authorize its sale in accordance with the County Code regarding the disposition of County property.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

19. Council to Approve a Utility Relocation Agreement with AT&T totaling \$21,501.05 for Pennies 4 Project 17228-008, US 321/Kings Mountain Road Intersection, and authorize the County Manager to execute the Relocation Agreement.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

20. Consider approval for the County to enter into an Agreement with Taylors Creek Associates, LLC and purchase mitigation credits for the Pennies 4 Project 17228-003 Cel River Road/Galleria Blvd.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

21. Council to Approve First Reading of AN ORDINANCE TO AUTHORIZE THE SALE OF TWO SMALL, UNDEVELOPED PARCELS LOCATED ON JOE LOUIS BOULEVARD IN THE ARCHER HEIGHTS SUBDIVISION, IDENTIFIED BY TAX MAP NUMBERS 624-00-00-045 AND 624-00-00-048; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE THE PARCELS; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE CONTRACT OF SALE AND DEED; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

**Public Hearing(s)**

1. Council to hold a Public Hearing and consider Second Reading of an ordinance to adopt the I-77 South Corridor Small Area Plan as an addition to York Forward, the 2035 York County Comprehensive Plan, pursuant to the Code of Laws of South Carolina, Title 6 Chapter 29 entitled "South Carolina Local Government Comprehensive Planning Enabling Act of 1994," to hold a public hearing, to provide for other matters related thereto.

No action taken on this item.

**Old Business**

1. Presentation regarding Project Avalanche

No presentation given

2. Council to Consider Second Reading of AN ORDINANCE AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND GT REAL ESTATE HOLDINGS, LLC, ITS AFFILIATES, RELATED ENTITIES, SUCCESSORS AND ASSIGNS (THE "COMPANY"), AS WELL AS THE ADDITION OF SPONSOR AFFILIATES MEETING THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, TO THE FEE IN LIEU OF TAX AGREEMENT ALL WITH RESPECT TO CERTAIN 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 AND/OR INFRASTRUCTURE IMPROVEMENT CREDITS AND/OR BONDS; PROVIDING FOR THE INCLUSION OF THE COMPANY'S AND SPONSOR AFFILIATES' DESIGNATED PROPERTY IN A MULTI-COUNTY INDUSTRIAL AND BUSINESS PARK AND THE ALLOCATION OF FEES IN LIEU OF AD VALOREM TAXES PAYABLE UNDER A MULTI-COUNTY INDUSTRIAL AND BUSINESS PARK ALL AS AN INCENTIVE TO THE COMPANY TO LOCATE ITS PROJECT WITHIN YORK COUNTY, SOUTH CAROLINA; AND OTHER ECONOMIC DEVELOPMENT INCENTIVES AND OTHER MATTERS RELATED THERETO.

(6:03pm) Motion to defer New Business items #2 and #3 until after executive session.

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** William "Bump" Roddey

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Following Executive Session a motion to amend the Ordinance and corresponding fee agreement to provide that casino gambling is not allowed on Economic Development or non-qualifying property as defined in the FILOT Agreement, whether or not in the MCIP, and violation of this provision shall void all incentives granted in the fee agreement and result in full disgorgement and payment of incentive previously received.

(9:07pm)

**ADOPTED [5 to 2]**

**MOVANT:** Christi Cox

**SECOND:** Allison Love

**AYES:** Johnson, Love, Winkler, Cox, Blackwell

**NAYS:** William "Bump" Roddey, Joel Hamilton

Following Executive Session a motion to approve second reading subject to the amendment that the FILOT ordinance and the corresponding FILOT agreement, to the extent necessary, so that the 1 mile radius provision for additions of property as set out within Section 3.01 of the FILOT agreement are removed.

(9:05pm)

**ADOPTED [6 to 1]**

**MOVANT:** Robert Winkler  
**SECOND:** Britt Blackwell  
**AYES:** Love, Winkler, Roddey, Cox, Blackwell, Hamilton  
**NAYS:** Michael Johnson

3. Council to Consider Second Reading of AN ORDINANCE AUTHORIZING AND APPROVING THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH CHESTER COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN YORK COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH CHESTER COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; TO PROVIDE FOR THE EXECUTION AND DELIVERY OF AN INTERLOCAL AGREEMENT WITH THE CITY OF ROCK HILL; AND OTHER MATTERS RELATED THERETO.

(9:23pm)

**APPROVED [6 to 1]**

**MOVANT:** William "Bump" Roddey  
**SECOND:** Joel Hamilton  
**AYES:** Love, Winkler, Roddey, Cox, Blackwell, Hamilton  
**NAYS:** Michael Johnson

4. Council to consider amending and approving third reading of an Ordinance AUTHORIZING A THIRD AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL AND YORK COUNTY RELATING TO THE TEXTILE CORRIDOR REDEVELOPMENT PLAN, THE AMENDED DOWNTOWN REDEVELOPMENT PLAN, THE RED RIVER REDEVELOPMENT PLAN, THE MANCHESTER VILLAGE REDEVELOPMENT PLAN; AND OTHER MATTERS RELATED THERETO

(6:05pm)

**APPROVED [5 to 2]**

**MOVANT:** William "Bump" Roddey  
**SECOND:** Allison Love  
**AYES:** Johnson, Love, Roddey, Blackwell, Hamilton  
**NAYS:** Robert Winkler, Christi Cox

**New Business**

1. Council to consider the payment of \$31,728.34 to the Rock Hill Economic Development Corporation for reimbursement through the Voluntary Cleanup Contract for the Good Motor site.

(6:07pm) A motion to approve was made by Council member Robert Winkler and seconded by Council member Joel Hamilton. However, after Council's discussion a motion to amend was made by Council member Christi Cox and seconded by Council member William "Bump" Roddey to defer this item until after Executive Session.

**APPROVED [Unanimous]**

**MOVANT:** Christi Cox  
**SECOND:** William "Bump" Roddey  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Following Executive Session a motion to defer to a future date to allow staff additional time to research discussions held in Executive Session.

(9:24pm)

**ADOPTED [Unanimous]**

**MOVANT:** Robert Winkler  
**SECOND:** William "Bump" Roddey  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

2. Council to Rescind the Award to Catalyst Construction issued on December 2, 2019 and authorize an Emergency Procurement with Providence Restoration related to water damage repairs at the Children's Museum in the amount of \$161,014.43.

(6:20pm)

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Allison Love

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

**Committee and Other Reports**

(6:21pm) Justice and Public Safety Committee Meeting, Friday, March 13, 2020, 2:00pm  
Chairman Britt Blackwell

**Council Member New/Non-agenda Comments**

(6:23pm) Council member William "Bump" Roddey explained that he would like to have a Public Works Committee meeting in the near future to discuss York County looking into the water treatment business.

(6:24pm) Chairman Michael Johnson thanked County Manager, David Hudspeth and all Department Heads for their quick thinking and planning regarding the COVID-19 threat.

**Citizen Concerns**

Ethan Gwartz to address Council regarding the Sutton Road/New Gray Rock Road/Sam Smith intersection improvements. **RESCHEDULED TO ANOTHER DATE**

Ed Sniadecki to address Council regarding Senior Community Growth in York County  
**RESCHEDULED TO ANOTHER DATE**

**Executive Session**

Personnel Matter: Clerk to Council Performance Review

Receipt of Legal Advice/Contractual Matter: Good Motor Company Property

Contractual Matter: PopeFlynn Public Finance Representation

Contractual Matter: Bid #2665 Protest of Award

Contractual Matter: Project Avalanche

**Matters for consideration following Executive Session**

(8:44pm)

1. Council to consider protest of award regarding Bid #2665.

(8:44pm) Motion to affirm Bid #2665.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Allison Love

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

2. Motion to go back into Executive Session for Receipt of Legal Advice on Project Avalanche  
(8:44pm)

**ALLOWED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Britt Blackwell

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

3. Motion to authorize the County Manager to approve an amended contract with Good Motor Corporation property as discussed in Executive Session.  
(9:25pm)

**ADOPTED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Joel Hamilton

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

4. Motion to approve PopeFlynn as Government Law and Public Finance Counsel.  
(9:25pm)

**ADOPTED [Unanimous]**


**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

**Adjourn**

There being no further business, the meeting adjourned at 9:25pm

  
Karen M. Brogdon, Clerk to Council



**YORK COUNTY  
COUNTY COUNCIL**

**MINUTES • JUNE 15, 2020**

**FINAL**



**County Council Meeting**

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

**6:00 PM**

Council Chairman District 1 Michael Johnson: Present, District 2 Allison Love: Present, District 3 Robert Winkler: Present, District 4 William "Bump" Roddey: Present, District 5 Christi Cox: Present, District 6 Britt Blackwell: 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**

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

(6:02pm) Sheila Quinn, Superintendent of Clover School District addressed Council regarding her support for the proposed Clover School District Impact Fee.

(6:04pm) Billy Dunlap, Director of the Rock Hill/York County Convention and Visitor's Bureau addressed Council regarding his proposed budget.

(6:08pm) Marissa Harris, 1766 South Paraham Road, York, SC addressed Council regarding her request for assistance with the rezoning of her property.

(6:11pm) Michael Schonfield, addressed Council regarding his support for the proposed Clover School District Impact Fee.

**Consent Agenda**

(6:14pm)

Council member Britt Blackwell stated that he does not agree with the requested amount of the Clover School District Impact Fee request but will approve tonight.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

1. Approval of June 1, 2020 County Council Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

2. Council to give third reading of an ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 34, FUNDS: SECTION 34.01, VEHICLE/EQUIPMENT REPLACEMENT FUND; TO AMEND 34.01(D) TO PROVIDE FOR AN ANNUAL RATE UPDATE BY THE EQUIPMENT MAINTENANCE DEPARTMENT (“EQUIPMENT MAINTENANCE”) PRIOR TO COUNTY MANAGER APPROVAL; TO AMEND 34.01(E)(4) TO PROVIDE FOR AN ANNUAL PERIOD OF USE UPDATE BY EQUIPMENT MAINTENANCE PRIOR TO COUNTY MANAGER APPROVAL; TO AMEND 34.01(F)(2) and (4)(A – D) TO REMOVE STATION WAGONS AS A REPLACEMENT VEHICLE, TO PROVIDE FOR THE ACQUISITION OF SIMILAR VEHICLES AND EQUIPMENT WITHIN EACH CATEGORY DETAILED THEREIN, AND REPLACE “SPECIAL CATEGORIES” WITH “OFF-ROAD EQUIPMENT” AND PROVIDE FOR THE ACQUISITION OF MOTOR-GRADERS, BACK HOES, AND TRACTORS WHILE REMOVING TRANSFER TRAILERS AS REPLACEMENT OFF-ROAD EQUIPMENT; TO AMEND 34.01(F)(5) TO PROVIDE FOR AN ANNUAL COST UPDATE BY EQUIPMENT MAINTENANCE PRIOR TO COUNTY MANAGER APPROVAL; TO AMEND 34.01(G)(3) TO PROVIDE FOR AN ANNUAL PROJECTED VALUE UPDATE BY EQUIPMENT MAINTENANCE PRIOR TO COUNTY MANAGER APPROVAL; TO AMEND 34.01(K) IN ORDER TO REVISE THE COMPOSITION OF THE REVIEW/REPLACEMENT COMMITTEE AND TO REQUIRE AN ANNUAL REVIEW; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

3. Council to Approve Third Reading of an ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 34, FUNDS, TO CREATE AND ESTABLISH SECTION 34.011, RADIO REPLACEMENT FUND; TO CREATE AND ESTABLISH THE YORK COUNTY COMMUNICATIONS SYSTEM EXECUTIVE COMMITTEE, ITS COMPOSITION, AND POWERS; TO ESTABLISH RADIO AND RADIO SUPPORT EQUIPMENT CRITERIA, REPLACEMENT RATES, AN ESTIMATED PERIOD OF USE, AND REPLACEMENT COST FOR EACH EQUIPMENT ITEM; TO CREATE THE RADIO REPLACEMENT FUND AND ESTABLISH THE FORMULAIC CRITERIA FOR THE REPLACEMENT OF EACH EQUIPMENT ITEM, WITH PERMISSIBLE SURPLUS AND DEFICIT REPLACEMENT RANGES, ALONG WITH PROCEDURES FOR CORRECTIVE ADJUSTMENTS FOR FUND MAINTENANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

4. Council to consider a request from Sheriff Tolson to allow retiring Sheriff's Office Corporal Russell Yeager to retain his service weapon.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

5. Council to approve authorizing the expenditure of up to \$46,175 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) to cover the appraisal, survey, legal fees, and land trust stewardship costs required for the placement of a conservation easement on approximately 458 acres (TM 007-00-00-003, 004 and 008). The property is located on Smith Road, adjacent to the Broad River, in the Hickory Grove area. The property is owned by Joseph and Annie Hamrick.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

6. COUNCIL TO CONSIDER FIRST READING OF AN ORDINANCE ADOPTING A PUBLIC EDUCATION FACILITIES IMPACT FEE ("IMPACT FEE") TO BE IMPOSED ON ALL NEW RESIDENTIAL DEVELOPMENT IN THE CLOVER SCHOOL DISTRICT NO. 2 PURSUANT TO YORK COUNTY ORDINANCE NO. 2718: IMPACT FEE PROCEDURES, TO ENSURE THAT PUBLIC EDUCATION FACILITIES WILL BE AVAILABLE AND ADEQUATE TO ACCOMMODATE THE NEED FOR PUBLIC EDUCATION FACILITIES EXPECTED TO BE GENERATED FROM THE SCHOOL CHILDREN IN NEW RESIDENTIAL DEVELOPMENTS IN THE SCHOOL DISTRICT, BASED ON THE DISTRICT'S LEVEL OF SERVICE STANDARDS AND CAPITAL IMPROVEMENTS PLAN; TO ASSIGN THE COSTS OF SUCH PUBLIC EDUCATION FACILITIES ON A PROPORTIONATE SHARE BASIS TO NEW RESIDENTIAL DEVELOPMENT WITH AN ESTABLISHED IMPACT FEE FOR A SINGLE FAMILY DETACHED DWELLING UNIT AT \$15,035, AN ESTABLISHED IMPACT FEE FOR A MULTI-FAMILY DWELLING UNIT AT \$7,430, AND AN ESTABLISHED IMPACT FEE FOR A MOBILE HOME AT \$9,842; TO AUTHORIZE INTERGOVERNMENTAL AGREEMENTS BETWEEN YORK COUNTY AND THE CLOVER SCHOOL DISTRICT, AND YORK COUNTY AND THE TOWN OF CLOVER, DEFINING THE RESPECTIVE RIGHTS, RESPONSIBILITIES, AND OBLIGATIONS OF THE PARTIES REGARDING THE IMPACT FEE; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

7. Council to approve award regarding RFP #2676 for food services at York County's Detention Center and Prison to Trinity Services Group, Inc., of Oldsmar, FL for a total cost not to exceed \$1.50 per meal.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

8. Council to approve award of RFP #2679 regarding photocopier/multifunctional services to Toshiba Business Solutions of Mt. Gilead, NC. for the cost of \$0.0259 per mono copy and \$ 0.0497 per color copy, or an estimated cost of \$13,000.00 per month, or approximately \$156,000.00 per year, for an initial three year period with an option to renew the contract for a maximum of two consecutive one year periods.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

9. Council to approve award of Bid #2681 regarding the purchase of one new custom tanker for use by the Bethel Fire Department to the lowest responsive and responsible bidder, Kovatch Mobile Equipment Corporation (KME) of Nesquehoning PA, for a total bid amount of \$ 764,948.00.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

10. Council to approve award of Bid #2683 regarding the purchase and installation of two new, unused, overhead roll up steel door systems for the Public Works Material Recovery Facility, to the lowest responsive and responsible bidder, Rock Hill Industrial Piping of Catawba SC, for the total cost of \$72,904.00.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

11. Council to authorize contract negotiations regarding RFP #2684 for Coroner transport services commencing in Fiscal Year 2021.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

12. Council to approve award of Bid #2685 regarding the installation of data cabling and security equipment for use at the Lake Wylie Recreation Park, to the lowest responsive and responsible bidder, Performance Link Technologies, of Fort Mill SC, for a total amount of \$44,647.56.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

13. Council to approve award of Bid #2686 regarding the purchase of McAdam Base Materials to the lowest responsive and responsible bidder, Hanson Aggregates Lowrys of McConnells SC, for the total cost of \$9.00 per ton.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

14. Council to approve award of Bid #2687 regarding the purchase of Driving Surface Aggregate Material to the lowest responsive and responsible bidder, Martin Marietta of Charlotte NC, for the total cost of \$11.50 per ton.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

15. Council to approve award of Bid #2688 regarding the construction of the Eastern Maintenance Facility to the lowest responsive and responsible bidder, Southern Builders of York County Inc. Rock Hill SC for a total bid amount of \$1,974,000.00, plus contingency.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

16. Council to approve the Permanent Maintenance and Responsibility Agreement to the City of Rock Hill for the Stormwater management device located at the New Family Court Facility

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

17. Council to authorize the renewal of a maintenance agreement with RoundTower Technologies for the amount of \$113,985.47.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

18. Council to authorize the renewal of a maintenance agreement with Infovision Software for the amount of \$39,650.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

19. Council to approve the execution of a Materials testing and inspection and general inspections contract with Summit Engineering Laboratory, & Testing, PC of Fort Mill SC in the amount of \$115,506.25 which includes a 25% contingency.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

20. Council to authorize annual maintenance agreement with PubliQ Software in the amount of \$137,588.12.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

21. Council to authorize the renewal of a maintenance agreement with Data Network Solutions for VMware, in the amount of \$30,685.68.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

22. Council to authorize the renewal of a maintenance agreement with Data Network Solutions for York County's firewalls, for the amount of \$111,978.45.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

23. Council to authorize the annual maintenance renewal for network equipment, through Data Network Solutions, for the amount of \$45,944.10.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

24. Council to authorize the renewal of a software maintenance agreement with Azteca for the amount of \$57,787.00.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

25. Council to authorize the annual maintenance renewal with Harris Local Government in the amount of \$85,825.70.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

26. Council to authorize the renewal of a maintenance agreement with ESRI GIS mapping software for the amount of \$77,315.53.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

27. Council to authorize a maintenance agreement with BIS Digital for the amount of \$31,572.68.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

28. Council to approve the renewal of a maintenance agreement for computer software with the South Carolina Judicial Department for a total amount of \$75,000.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

29. Council to authorize a maintenance agreement with Performance Link Technologies for S2 Software and Cameras in the amount of \$36,060.15.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

30. Council to approve a purchase request to Mansfield Oil for the purchase of gasoline made through the use of the South Carolina State Fuel Card Program for York County vehicles, for a total amount of \$144,000.00.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

31. Council to approve purchase, installation, and configuration of Audio Visual equipment for two courtrooms and two jury rooms at York County's Heckle Complex to BIS Digital Inc. of Fort Lauderdale FL, for a total of \$181,350.28, plus contingency.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

32. Council to approve purchase of asphalt materials for use by the Public Works and Engineering Departments to Blythe Brothers Asphalt Company of Charlotte, NC and Sloan Construction of McConnells, SC for FY20-21.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

33. Council to approve purchase request in the amount of \$50,000.00 to York County Natural Gas Authority for the purchase of compressed Natural Gas (CNG) for use in the County's CNG-powered vehicles.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

34. Council to approve on call veterinarian services for use by the Animal Control Department in the care of animals at York County's Animal Shelter, for a total cost not to exceed \$150,000.00

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

35. Council to approve the purchase of veterinary medical supplies for use by the Animal Control Department in the care of animals at York County's Animal Shelter, for a total cost not to exceed \$175,000.00.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

36. Council to Approve the Fourth Amendment to the Declaration of Restrictive Covenants to the East York Industrial Park

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

37. Council to approve award for the disposal of municipal solid waste at Republic Services Fort Mill Transfer Station, for a total cost of \$450,000.00.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

38. Council to Approve the AGREEMENT FOR THE PERFORMANCE OF STRUCTURAL ENGINEERING SERVICES with MCC 1200 Architectural Engineers in furtherance of Phased Work contemplated in the March 2018 Agreement between the parties.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

39. Approve the establishment of an Ad Hoc Committee to research/study/explore and report back to County Council with options and recommendations on: the formal structure for a future Riverbend park board; public/private/grant funding options to support the initiatives of the park; marketing plan/public communications plan to support the purpose and initiatives of Riverbend park; volunteer programming for the Park; and related matters, with the Chairman appointing the membership of the Committee.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler  
**SECOND:** Christi Cox

**Public Hearing(s)**

1. Public Hearing

The following individuals spoke in favor of the proposed ordinance:

(6:16pm) Maxie Gaston, A-1 Fence Company addressed Council regarding her support for the proposed rezoning and stated that the company would just like to move their location.

(6:17pm) There being no one else interested in speaking for or against the proposed ordinance a motion was made by Council member Robert Winkler and seconded by Council member Christi Cox to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Robert Winkler  
**SECOND:** Christi Cox  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Rezoning Action: Public Hearing and Consider First Reading

Case #	19-21
Tax Map #	6180000060
Zoning Request:	To rezone from BD-III to LI
Acres:	9.27 +/- acres
Council District:	Five (5) Christi Cox
Applicant:	Robert Rayfield
Owner:	Robert Rayfield
Location:	3541 Lazy Hawk Road, Rock Hill
Planning Commission Date:	May 11, 2020
Staff Recommendation:	Approve
PC Recommendation:	Approve

(6:17pm)

**APPROVED [Unanimous]**

**MOVANT:** Christi Cox  
**SECOND:** Robert Winkler  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

2. Public Hearing

The following individuals spoke in opposition of the proposed ordinance;  
(6:17pm) Carmen Hamilton, addressed Council regarding her opposition to the proposed rezoning.

The following individuals spoke in favor of the proposed ordinance:  
(6:19pm) Julio Marino, owner of the property 1850 N. Doby's Bridge Road, Fort Mill, SC addressed Council regarding his support for the proposed rezoning. Mr. Marino stated that the surrounding property is commercial and he would like to install a baseball hitting facility on the property.

(6:27pm) There being no one else interested in speaking for or against the proposed ordinance a motion was made by Council member Christi Cox and seconded by Council member Robert Winkler to close the public hearing.

<b>ALLOWED [Unanimous]</b>
<b>MOVANT:</b> Christi Cox
<b>SECOND:</b> Robert Winkler
<b>AYES:</b> Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Rezoning Action: Public Hearing and Consider First Reading

Case #	19-26
Tax Map #	738-00-00-042
Zoning Request:	To rezone from RD-II to BD-I
Acres:	1.101 +/- acres
Council District:	Five (5) Christi Cox
Applicant:	Marisol and Julio Moreno
Owner:	Marisol and Julio Moreno
Location:	1850 Doby's Bridge Road, Fort Mill
Planning Commission Date:	May 11, 2020
Staff Recommendation:	Deny
PC Recommendation:	Deny

(6:27pm)

<b>DENIED [Unanimous]</b>
<b>MOVANT:</b> Christi Cox
<b>SECOND:</b> Allison Love
<b>AYES:</b> Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

3. Public Hearing

The following individuals spoke in opposition of the proposed ordinance:

(6:35pm) Jane Bagley, addressed Council regarding the proposed rezoning and requested additional information regarding the request.

(6:36pm) Steven Huffstедdler, Williamson Road stated that he is a surrounding land owner and he addressed Council regarding the proposed rezoning and requested additional information regarding the request.

The following individuals spoke in favor of the proposed ordinance:

(6:37pm) Michael Newman, 5136 Green Meadow Drive, Engineering Firm addressed Council regarding the proposed rezoning. Mr. Newman explained that the property owner would like to use the property for a warehouse and/or office space for his current business that is located in York County.

(6:41pm) There being no one else interested in speaking for or against the proposed ordinance 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:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Rezoning Action: Public Hearing and Consider First Reading

Case #	20-01
Tax Map #	531-00-00-005
Zoning Request:	To rezone from AGC to LI
Acres:	2.79 +/- acres
Council District:	Four (4) Bump Roddey
Applicant:	NFF Outlet, LLC
Owner:	NFF Outlet, LLC (Mac Alavi)
Location:	1030 Milling Road, Rock Hill
Planning Commission Date:	May 11, 2020
Staff Recommendation:	Approve
PC Recommendation:	Deny (5-3)

(6:41pm)

**APPROVED [Unanimous]**

**MOVANT:** William "Bump" Roddey  
**SECOND:** Allison Love  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

4. Public Hearing

The following individuals spoke in favor of the proposed ordinance:

(6:45pm) Pamela Tate addressed Council regarding her support for the proposed rezoning.

(6:45pm) There being no one else interested in speaking for or against the proposed ordinance a motion was made by Council member William "Bump" Roddey and seconded by Council member Christi Cox to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** William "Bump" Roddey  
**SECOND:** Christi Cox  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Rezoning Action: Public Hearing and Consider First Reading

Case #	20-04
Tax Map #	670-00-00-043
Zoning Request:	To rezone from UD to RC-II
Acres:	0.206 +/- acres
Council District:	Four (4) Bump Roddey
Applicant:	Pamela Tate
Owner:	Pamela Tate
Location:	236 Ridley Street, Rock Hill
Planning Commission Date:	May 11, 2020
Staff Recommendation:	Approve
PC Recommendation:	Approve

(6:45pm)

**APPROVED [Unanimous]**

**MOVANT:** William "Bump" Roddey  
**SECOND:** Christi Cox  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

5. Public Hearing

(6:46pm) There being no one interested in speaking for or against the proposed ordinance a motion was made by Council member Britt Blackwell and seconded by Council member Christi Cox to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** Christi Cox

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Council to hold a Public Hearing and consider Second Reading of an ordinance to amend the York County Code of Ordinances, Chapter 155, Section 155.347 "Temporary Prohibition of New Development," in order to allow the acceptance of certain rezoning requests that the Planning and Development Services Director has determined to not substantially change the existing land use; to provide for a public hearing; and to provide for other matters relating thereto.

(6:46pm)

**APPROVED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** Christi Cox

**AYES:** Johnson, Love, Winkler, Cox, Blackwell, Hamilton

**ABSENT:** William "Bump" Roddey

6. Public Hearing

The following individuals spoke in favor of the proposed ordinance:

(6:47pm) John Hunter, representative of DIRTT Environmental Solutions addressed Council regarding his support of the proposed ordinance.

(6:48pm) There being no one else interested in speaking for or against the proposed ordinance a motion was made by Council member Christi Cox and seconded by Council member Robert Winkler to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Christi Cox  
**SECOND:** Robert Winkler  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Council to hold a Public Hearing and Consider Third Reading of AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO FEE IN LIEU OF TAX AGREEMENT AND INCENTIVE AGREEMENT BY AND AMONG YORK COUNTY, SOUTH CAROLINA DIRTT ENVIRONMENTAL SOLUTIONS, INC. AND SP ROCK HILL LEGACY EAST #1, LLC; AND OTHER MATTERS RELATED THERETO.

(6:48pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler  
**SECOND:** Britt Blackwell  
**AYES:** Johnson, Love, Winkler, Cox, Blackwell, Hamilton  
**ABSENT:** William "Bump" Roddey

7. Public Hearing

(6:50pm) There being no one interested in speaking for or against the proposed ordinance a motion was made by Council member Robert Winkler and seconded by Council member Britt Blackwell to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Robert Winkler  
**SECOND:** Britt Blackwell  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Council to Hold a Public Hearing and Consider Third Reading of AN ORDINANCE AUTHORIZING PURSUANT TO CHAPTER 44 OF TITLE 12, SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE AGREEMENT AND TWO JOINDER AGREEMENTS AMONG YORK COUNTY, SOUTH CAROLINA, ROSS DRESS FOR LESS, INC. AND ROSS DISTRIBUTION COMPANY, LLC; THE AMENDMENT OF A 2002 FEE AGREEMENT BETWEEN YORK COUNTY AND ROSS STORES, INC.; AND MATTERS RELATING THERETO.

(6:50pm)

**APPROVED [6 to 1]**

**MOVANT:** Robert Winkler  
**SECOND:** Joel Hamilton  
**AYES:** Johnson, Love, Winkler, Roddey, Blackwell, Hamilton  
**NAYS:** Christi Cox

8. Public Hearing

(6:51pm) There being no one interested in speaking for or against the proposed ordinance a motion was made by Council member Britt Blackwell and seconded by Council member Christi Cox to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Britt Blackwell  
**SECOND:** Christi Cox  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

COUNCIL TO HOLD A PUBLIC HEARING, AMEND, AND GIVE THIRD READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 90, PARKS AND RECREATION; TO CREATE A NEW SECTION 90.02 ENTITLED "RATES, FEES, AND CHARGES FOR PUBLIC PARK FACILITIES, SERVICES, OR SPONSORSHIPS," IN ORDER TO ESTABLISH FEES FOR SPONSORSHIPS, NAMING RIGHTS, AND RESERVATION OF PARK FACILITIES, INCLUDING CAMPING SITES, ATHLETIC FIELDS, COMMUNITY CENTER, AND COVERED SHELTERS AT LAKE WYLIE RECREATION PARK AND EBENEZER PARK; TO OTHERWISE REFORMAT SECTION 90; TO HOLD A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:51pm)

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Christi Cox  
**AYES:** Johnson, Love, Roddey, Cox, Blackwell, Hamilton  
**ABSENT:** Robert Winkler

9. Public Hearing

(6:52pm) There being no one interested in speaking for or against the proposed ordinance a motion was made by Council member William "Bump" Roddey and seconded by Council member Britt Blackwell to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** William "Bump" Roddey

**SECOND:** Britt Blackwell

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Council to Hold a Public Hearing and Consider Third Reading of AN ORDINANCE TO AUTHORIZE THE SALE OF TWO SMALL, UNDEVELOPED PARCELS LOCATED ON JOE LOUIS BOULEVARD IN THE ARCHER HEIGHTS SUBDIVISION, IDENTIFIED BY TAX MAP NUMBERS 624-00-00-045 AND 624-00-00-048; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE THE PARCELS; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE CONTRACT OF SALE AND DEED; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:52pm)

**APPROVED [Unanimous]**

**MOVANT:** William "Bump" Roddey

**SECOND:** Allison Love

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

10. Public Hearing

(6:53pm) There being no one interested in speaking for or against the proposed ordinance a motion was made by Council member William "Bump" Roddey and seconded by Council member Britt Blackwell to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** William "Bump" Roddey

**SECOND:** Britt Blackwell

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Council to Hold a Public Hearing and Consider Third Reading of an Ordinance TO AUTHORIZE THE SALE OF THE FORMER JAIL AND MAGISTRATE PROPERTY LOCATED AT 529 SOUTH CHERRY ROAD IN ROCK HILL, IDENTIFIED BY TAX MAP NUMBER 598-06-02-002 ("PARCEL"); TO ACCEPT AN EXISTING OFFER TO PURCHASE THE PARCEL FOR \$540,000.00, and ACCEPT A RIGHT OF FIRST REFUSAL FOR THE NEIGHBORING PROPERTY IDENTIFIED BY TAX MAP NUMBER 598-06-02-001; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE CONTRACT OF SALE AND DEED FOR THE PARCEL; TO AUTHORIZE THE CHAIRMAN AND COUNTY STAFF TO AUTHORIZE SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO CLOSE ON THE PROPERTY; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:53pm)

**APPROVED [Unanimous]**

**MOVANT:** Britt Blackwell

**SECOND:** William "Bump" Roddey

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

**11. Public Hearing**

(6:54pm) There being no one interested in speaking for or against the proposed ordinance a motion was made by Council member Britt Blackwell and seconded by Council member William "Bump" Roddey to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Britt Blackwell  
**SECOND:** William "Bump" Roddey  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

Council to conduct a Public Hearing and provide Second Reading of an Ordinance TO AUTHORIZE THE SALE OF THE PROPERTY COMMONLY KNOWN AS 1390 HENSLEY ROAD WITH TAX MAP NUMBER 736-00-00-014, THE SITE OF THE FORMER FORT MILL CONVENIENCE CENTER, WITH 0.5 ACRES, MORE OR LESS, IN THE AMOUNT OF \$75,000 AS CONTEMPLATED IN THE PURCHASE AND SALE AGREEMENT ENTERED BY THE COUNTY ON MARCH 20, 2017; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE DEED FOR THE PARCEL; TO AUTHORIZE STAFF TO EXECUTE ANY OTHER RELATED DOCUMENTS AS MAY BE REQUIRED TO CLOSE ON THE SALE; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:54pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler  
**SECOND:** Allison Love  
**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

**Old Business**

1. Council to consider amending and third reading 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, 2020; TO PROVIDE FOR THE LEVY OF TAXES FOR YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2020; TO PROVIDE FOR THE EXPENDITURE OF TAX REVENUES AND OTHER COUNTY FUNDS; TO RESCIND THE TECHNOLOGY REPLACEMENT ORDINANCE #2403; AND TO PROVIDE FOR OTHER FISCAL MATTERS RELATING TO COUNTY GOVERNMENT.

(6:55pm) Motion to approve with a removal of the .1 mil increase to the solid waste collection fund and a reduction in millage to the Bethel Volunteer Fire Department from 2.8 to 2.4 mils.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** William "Bump" Roddey

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

**New Business**

1. COUNCIL TO RATIFY A GRANT APPLICATION FOR THE PUBLIC DEFENDER OFFICE AND TO ACCEPT IF AWARDED, A JUSTICE ASSISTANCE GRANT, NOT TO EXCEED \$73,000 VIA THE SC DEPARTMENT OF PUBLIC SAFETY, OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS.

(7:04pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Joel Hamilton

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

**Committee and Other Reports**

(7:05pm) Zoning Committee Meeting, Thursday, June 11, 2020, 10:00am, Chairwoman Allison Love

(7:06pm) Finance & Operations Committee Meeting, Monday, June 15, 2020, 5:30pm, Chairwoman Christi Cox

**Council Member New/Non-agenda Comments**

(7:08pm) Council member William "Bump" Roddey stated that he would like to have a Public Works Committee meeting as quickly as possible to discuss the water study for York County.

(7:08pm)n Council member Christi Cox stated that the update from the SCAC regarding the legislative audit may be a good thing for the County review and see if it is something that should be applied locally.

**Citizen Concerns**

**Executive Session**

Personnel Matter: Clerk to Council Annual Review, Follow Up

Receipt of Legal Advice: Request for Authorizations for Condemnation regarding County Engineering Project # 16245, Tracts 125, 126, 128, 135, 137, 138, 150, 159, and 162.

Receipt of Legal Advice: Partial Release of Lien request

Receipt of legal advice: tax billing of boats, boat motors, and watercraft

Receipt of legal advice: request for settlement authority in LBSC-11, LLC tax sale case

Receipt of legal advice: impact fee public hearing date and venue

**Matters for consideration following Executive Session**

1. Motion to authorize Condemnations regarding County Engineering Project # 16245, Tracts 125, 126, 128, 135, 137, 138, 150, 159, and 162.

(7:50pm)

**ADOPTED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

2. Motion to authorize execution of partial release of lien request tax map number 643-10-01-023.

(7:50pm)

**ADOPTED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

3. Motion to authorize settlement authority on LBSC-11, LLC tax sale as discussed in Executive Session

(7:51pm)

**ADOPTED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Christi Cox

**AYES:** Johnson, Love, Winkler, Roddey, Cox, Blackwell, Hamilton

**Adjourn**

There being no further business, the meeting adjourned at 7:51pm.



Karen M. Brogdon, Clerk to Council



**YORK COUNTY  
COUNTY COUNCIL**



**MINUTES • OCTOBER 5, 2020**

**FINAL**

**County Council Meeting**

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

**6:00 PM**

Council Chairman District 1 Michael Johnson: Present, District 2 Allison Love: Present, District 3 Robert Winkler: Present, District 4 William "Bump" Roddey: Absent, District 5 Christi Cox: Present, District 6 Britt Blackwell: 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**

(6:01pm) Anna Mooney, Hospitality Tax Advisory Committee (At Large)

**Appearances**

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

**Consent Agenda**

(6:03pm)

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton

**SECOND:** Robert Winkler

**AYES:** Johnson, Love, Winkler, Cox, Blackwell, Hamilton

**ABSENT:** William "Bump" Roddey

1. Approval of September 21, 2020 Finance & Operations Committee Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Joel Hamilton

**SECOND:** Robert Winkler

2. Approval of September 21, 2020 County Council Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Joel Hamilton

**SECOND:** Robert Winkler

3. Approval of September 24, 2020 Workshop Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Joel Hamilton

**SECOND:** Robert Winkler

4. COUNCIL TO CONSIDER THIRD READING OF AN ORDINANCE TO AMEND THE YORK COUNTY CODE OF ORDINANCE, CHAPTER 152, STORMWATER MANAGEMENT AND SEDIMENT CONTROL CODE SO AS TO AMEND THE COUNTY DESIGNEE PRIMARILY RESPONSIBLE FOR COORDINATION AND ENFORCEMENT OF THE ORDINANCE, TO AMEND THE EXEMPTION FOR SINGLE-FAMILY RESIDENCES OR THEIR ACCESSORY BUILDINGS WHICH ARE SEPARATELY BUILT AND NOT PART OF A LARGER COMMON PLAN; TO AMEND THE EXEMPTION FOR AGRICULTURAL STRUCTURES; TO PROVIDE FOR A NEW EXEMPTION FOR EMERGENCY REPAIRS; TO AMEND AND ADD DEFINITIONS; TO AMEND SUBMITTAL REQUIREMENTS FOR THE SIMPLIFIED STORMWATER MANAGEMENT AND SEDIMENT CONTROL PLAN (SMSCP); TO AMEND PROVISIONS FOR BASIC GRADING AND SEDIMENT CONTROL REQUIREMENTS; TO AMEND REGULATORY INSPECTION AND ENFORCEMENT PENALTY PROVISIONS RELATED THERETO; TO AMEND THE PROVISIONS FOR THE APPEALS PROCESS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton

**SECOND:** Robert Winkler

5. Rezoning Action: Consider Third Reading

Case #	19-32
Tax Map #	4560000016
Zoning Request:	To rezone from AGC to RUD-I
Acres:	4.70 +/- acres
Council District:	Two (2) Allison Love
Applicant:	Samuel and Marissa Harris
Owner:	Samuel and Marissa Harris

Location: 1766 S. Paraham Road, York  
Planning Commission Date: August 10, 2020  
Staff Recommendation: Approve  
PC Recommendation: Approve

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

6. Approve nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on September 21, 2020: Johnny Neelands, Building Board of Appeals, Jason Whitesell, Building Board of Appeals, Randy Crenshaw, Building Board of Appeals, Carolyn Johnson, Building Board of Appeals, Edward Luczak, Board of Assessment Appeals (District 4), PN Saksena, Catawba Regional Council of Governments, Wes Burton, Catawba Regional Council of Governments, Wendi Michael, York County Library Board (District 1), Chip Hutchison, Rock Hill/York County Convention & Visitor's Bureau (District 7), Thomas Muller, Catawba Mental Health Board, Karen Nichols, Catawba Mental Health Board, Alexandra Esposito-Biniasz, Catawba Mental Health Board, Holly Ritger, Catawba Mental Health Board, Paul Cornley, Catawba Mental Health Board, Georgette Fuhr, Catawba Mental Health Board, and Quay Williford, Lake Wylie Marine Commission.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

7. Council to consider ratifying a grant application and authorizing acceptance of a grant applied for by the Voter Registration and Elections Office of York County in the amount of \$143,356, no match required.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

8. Council to authorize the Sheriff's Department to apply for and accept if awarded 2020 Coverdell Science Improvement Grant in the amount of approximately \$50,000. Funds will be used to pursue and obtain accreditation for YCSO Digital Forensic Lab. 100% funding from S.C. Dept. of Public Safety, no match required.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

9. Council to authorize the Sheriff's Department to apply for and accept if awarded 2021 Coronavirus Emergency Supplemental Funding Program Grant in the amount of approximately \$30,000. Funds will be used to purchase additional PPE for the YCSO Enforcement and Detention Divisions. 100% funding from S.C. Dept. of Public Safety, no match required.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

10. Council to approve authorizing the expenditure of \$45,000 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) to purchase the development rights of Annie Laura and Joseph Hamrick for the 458 acre property (TM 0070000003, 0070000004, 0070000008). The property is located along the Broad River, approximately one mile north of Worth Mountain and 3.5 miles northwest of Hickory Grove.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

11. Council to approve the purchase of 250 copies of Microsoft Office 2019 from Software One of Waukesha WI, in the amount of \$69,520.00.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

12. Council to approve a sole source purchase of body worn cameras for use by the Sheriff's Office, from Axon Enterprise Inc. of Scottsdale AZ, for a total cost of \$144,407.88.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

13. Council to consider contract amendment regarding RFP #2667 for additional armed security services for use by the Sheriff's Office at the Moss Justice Center, to Allied Universal Security Service of Columbia SC, for an annual cost not to exceed \$70,000.00.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

14. Council to approve an amendment to the award of Bid #2646 to include the Landscaping and Grounds Care Services at the sixteen York County Collection and Recycling facilities, to Premier Lawns LLC of Rock Hill, SC in the annual amount of \$28,920.00 and to EarthClean LLC of Clover, SC in the annual amount of \$27,000.00.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

15. Council to approve award of Bid #2697 regarding the purchase of one new 2021 model, full size, 1/2 ton truck, 4x4, crew cab, 6.5' bed for use by the Riverview Fire Department, to the lowest responsive and responsible bidder, Cooper Motor Company of Clinton SC, for the total cost of \$30,787.00.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

16. Council to approve award of Bid #2698 regarding the purchase of one new 2021 Chevrolet Tahoe full size, 4x4, Police Pursuit SUV, to the sole bidder, Palmetto Chevrolet of Conway SC, for a total cost of \$38,600.00 and to declare the replacement of a 2006 Chevrolet Silverado as surplus.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton

**SECOND:** Robert Winkler

17. Council to approve an Engineering Design Contract for the Restroom Renovations Project at the York County Main Public Library in Rock Hill, SC to CPL of Greenville, SC in the amount of \$46,780.00.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton

**SECOND:** Robert Winkler

18. Council to approve the execution of Amendment 2 of an Engineering Contract with Black & Veatch International Company of Charlotte, NC for \$130,000, plus a 10% contingency to realign approximately 9000 linear feet of 20" waterline along Harper Road.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton

**SECOND:** Robert Winkler

19. Council to approve the execution of Amendment 2 of an Engineering Contract with ESP Associates, Inc. of Fort Mill, SC for \$295,810, plus a 10% contingency to design a relief sewer route for the northeast section of Regent Park along with minor changes for Carolina Container.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton

**SECOND:** Robert Winkler

20. Council to approve Acquisition and Relocation Agreement with Tract 7 for Pennies 4 Project 17228-006, Hubert Graham Way Extension (Dry Run Rd).

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

21. Council to consider first reading by title only of an ordinance TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA TO AMEND SECTION 90.02 ENTITLED "RATES, FEES, AND CHARGES FOR PUBLIC PARK FACILITIES, SERVICES, OR SPONSORSHIPS" IN ORDER TO AMEND SUBSECTION (A) "ESTABLISHMENT OF RATES, FEES, AND CHARGES" TO ESTABLISH THE ONE TIME CHARGE ASSOCIATED WITH "DEDICATION BENCHES" AT THE LAKE WYLIE RECREATION PARK; TO HOLD A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

22. Council to Approve A RESOLUTION COMMITTING YORK COUNTY TO ENTER INTO A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT WITH A COMPANY IDENTIFIED UNDER THE CODE NAME "PROJECT JABBA", WHICH INCLUDES CERTAIN CREDITS AGAINST FEE IN LIEU OF TAX ("FILOT") PAYMENTS FOR CERTAIN INVESTMENTS IN INFRASTRUCTURE, COMMITTING YORK COUNTY TO ENTER INTO AN INFRASTRUCTURE CREDIT AGREEMENT PROVIDING CERTAIN CREDITS AGAINST AD VALOREM REAL PROPERTY TAXES FOR CERTAIN INVESTMENTS IN INFRASTRUCTURE AND OTHER MATTERS RELATED THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Joel Hamilton  
**SECOND:** Robert Winkler

**Public Hearing(s)**

**Old Business**

**New Business**

**Committee and Other Reports**

**Council Member New/Non-agenda Comments**

**Citizen Concerns**

**Executive Session**

Receipt of Legal Advice: Request for Authorization for Condemnation regarding County Engineering Project # 16245, Tract 158

Contractual Matter/Receipt of Legal Advice: Family Court Center

**Matters for consideration following Executive Session**

1. Motion to authorize condemnation regarding County Engineering Project #16245, Tract 158 (6:09pm)

**ADOPTED [Unanimous]**

**MOVANT:** Robert Winkler  
**SECOND:** Britt Blackwell  
**AYES:** Johnson, Love, Winkler, Cox, Blackwell, Hamilton  
**ABSENT:** William "Bump" Roddey

**Adjourn**

There being no further business, the meeting adjourned at 6:09pm.



Karen M. Brogdon, Clerk to Council



**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 contact 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. Brogdon, Clerk to Council



YORK COUNTY  
COUNTY COUNCIL



MINUTES • FEBRUARY 21, 2022

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

Kristin Kelly, Keep York County Beautiful (At Large) ABSENT  
Tabatha Jefferies, Keep York County Beautiful (At Large) ABSENT  
Anne Violanti, Bethel Lake Wylie Land Acquisition and Preservation Park District Board

Appearances

(6:03pm) Public Works Director, Eric Rekitt and Council recognized Bill Crute, Mel Laws, and Annette Wallace on their service and retirement with York County.

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

(6:06pm) Attorney Jonathan Yates, addressed Council regarding his concerns with the proposed recode and the communication tower portion of the ordinance. Mr. Yates requested that the communication tower section of the ordinance be deferred to a later date to allow additional time for vetting by staff.

(6:09pm) Keith Powell, Omni Towers addressed Council regarding his concerns with the proposed recode and the communication tower portion of the ordinance.

(6:11pm) Joey Deese, 1472 Hwy 324, Rock Hill, South Carolina addressed Council regarding his concerns with the proposed recode and the event venue portion of the ordinance.

(6:13pm) Dave Oxendine, 2550 Neely Store Road, Rock Hill, South Carolina addressed Council regarding his concerns with the proposed recode and the event venue portion of the ordinance.

(6:15pm) Steve Garrison, 3065 Moonlight Road, York, South Carolina addressed Council regarding a drug problem in his community and requested Council's help with this situation.

(6:18pm) Trisha Conway, 749 Painted Lady Court, Rock Hill, South Carolina addressed Council regarding the excessive traffic on Boatshore Drive entering and exiting Ebenezer Park.

(6:20pm) Elizabeth Crippen, 1795 Faires Road, Rock Hill, South Carolina addressed Council regarding her opposition to the rezoning at 1555 Faires Road.

**Consent Agenda**

(6:22pm) Move items #19 (Assignment - 782 Paragon Way) and #20 (Assignment - LEL Paragon Way) to #3 and #4 in new business.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** Joel Hamilton

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

1. Approval of February 7, 2022 Planning & Economic Development Committee Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** Joel Hamilton

2. Approval of February 7, 2022 County Council Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** Joel Hamilton

3. COUNCIL TO APPROVE THIRD READING OF AN ORDINANCE TO AMEND CHAPTER 33 OF THE YORK COUNTY CODE OF ORDINANCES SO AS TO REVISE TIMING AND APPROVAL OF RECLASSIFICATION OF COUNTY POSITIONS, GRADE LEVELS AND SALARY RANGES AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** Joel Hamilton

4. Rezoning Action: Consider Second Reading

Case #

21-24

Tax Map #

339-00-00-010

Zoning Request: To rezone from AGC to RUD  
Acres: 9.639 +/- acres  
Council District: Three (3) - Winkler  
Applicant: Travis Boyd  
Owner: Travis Boyd Construction, LLC  
Location: 2321 Chester Highway, York  
Planning Commission Date: January 10, 2022  
Staff Recommendation: Approve  
PC Recommendation: Approve

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

5. Rezoning Action: Consider Second Reading

Case # 21-25  
Tax Map # 434-00-00-019  
Zoning Request: To rezone from AGC to RUD  
Acres: 1.0 +/- acres  
Council District: Five (5) - Cox  
Applicant: Michael Delaney  
Owner: Julie Delaney  
Location: 1555 Faires Road, Rock Hill  
Planning Commission Date: January 10, 2022  
Staff Recommendation: Approve  
PC Recommendation: Approve

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

6. Council to approve the authorization of staff to apply for and accept, if awarded, for the 2022 Palmetto Pride Litter Prevention Grant in the amount up to \$5,000 with no matching funds required.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

7. Council to approve a one year contract renewal option regarding Bid #2671 for routine electronic recyclables transportation and processing services, with Powerhouse Recycling Inc., of Salisbury, NC, for a total cost of \$120,000.00.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

8. 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 \$64,543.50.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

9. Council to authorize the purchase of technology equipment from Dell Marketing LP., of Round Rock TX, for use by multiple York County Departments, for a total cost of \$180,657.99.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

10. Council to approve annual insurance premium coverage for use by the York County Volunteer Firefighters, with Correll Insurance Group-Gaffney of Gafney SC, for a total cost of \$42,895.00.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

11. Council to approve award of Bid #2807 for the purchase of two, new, unused, 2022 model, 19,500 GVW, crew cab & chassis, 4x4, dual rear wheel trucks to the lowest responsive and responsible bidder, Friendship Ford of Bristol, TN, for a total cost of \$140,844.00.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

12. Council to approve award of Bid #2808 for the purchase of five new, unused, 2022 model, 11,400 GVW, crew cab & chassis, 4x4, single rear wheel trucks, to the lowest responsive and responsible bidder, Friendship Ford of Bristol, TN for the total cost of \$335,060.00.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

13. Council to approve award regarding the purchase of one (1) each, new, unused, 2022 Chevrolet Tahoe, Police Pursuit SUV to Love Chevrolet of Columbia, SC for the total cost of \$36,282.00.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

14. Council to approve forensic software upgrades by The Computer Solution Company of Virginia LLC, for use by the Sheriff's Office, for a total cost of \$45,450.00.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

15. Council to approve a professional services agreement with Kimley Horne and Associates (KHA) for \$254,236.00 plus a 10% contingency to prepare preliminary engineering plans for Catawba Bend Preserve Greenway.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

16. Council to reject all bids received in response to Bid #2806 regarding the Avenue of the Carolinas/Carowinds Blvd Intersection Improvement Project.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

17. Council to approve the use of construction funds to purchase of US 21/SC 51 Pennies 3 and US 21 Pennies 4 Mitigation Credits in the amount of \$2,266,884.30 for use in the environmental permitting for these project.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

18. Council to approve authorizing the expenditure of \$39,575 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) for expenses related to a Conservation Easement on the 101 acres of property along Highway 324 in York and referred to as TM 437-00-00-007 and 437-00-00-008.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** Joel Hamilton

**Public Hearing(s)**

**Old Business**

1. COUNCIL TO CONSIDER THIRD READING OF AN ORDINANCE TO REPEAL AND REPLACE CHAPTERS 154: SUBDIVISION CODE AND 155: ZONING CODE; TO ADOPT A REVISED ZONING MAP WHICH RENAMES CERTAIN ZONING DISTRICTS AND PROVIDES FOR NEW ZONING DISTRICTS; 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.

(6:23pm) Motion to approve third reading

(7:36pm) After several motions to amend the main motion, the main motion passes

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Allison Love

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

(6:24pm) Motion to amend reserve section 155.765 to provide exemptions to event venue requirements for rural event venues classified as secondary to certain primary uses in the particulars as more specifically shown on the attachment herewith being presented to Council, but which allows a Zoning Compliance for Rural Event Venue when a proposed parcel is minimum of ten (10) acres in size, is zoned AGC, AGC-I, RUD or RUD-I, and has an agricultural structure on the property secondary to a principal farm or agritourism use; or alternatively, secondary to a primary farmhouse residence, where the farm or agritourism structure can be used intermittently as a rural event venue.

**ADOPTED [4 to 3]**

**MOVANT:** Robert Winkler  
**SECOND:** Tom Audette  
**AYES:** Tom Audette, Robert Winkler, Christi Cox, Brandon Guffey  
**NAYS:** Allison Love, William "Bump" Roddey, Joel Hamilton

(6:43pm) Motion to amend reserve section 155.265 of recode to provide recreational vehicle as a temporary dwelling during construction of a new principal dwelling in the particulars as more particularly shown on the attachment herewith being presented to Council, but which allows a Zoning Compliance for an RV to be used as a temporary dwelling for not more than 6 months, with one six month extension, on lots that are one acre or greater and for which the owner has a building permit for a single family detached principal dwelling.

**ADOPTED [5 to 2]**

**MOVANT:** Robert Winkler  
**SECOND:** Tom Audette  
**AYES:** Audette, Winkler, Cox, Guffey, Hamilton  
**NAYS:** Allison Love, William "Bump" Roddey

(7:00pm) Motion to amend the main motion with the following change: That **Section 155.656(B)**, within **Subpart 4.5: Backyard Chicken Keeping**, be revised to state "**Roosters Prohibited**. Except within the Lake Wylie Overlay, it shall be unlawful to keep a rooster, defined as a male chicken of at least one year of age

**ADOPTED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** William "Bump" Roddey  
**AYES:** Audette, Love, Winkler, Roddey, Cox, Guffey, Hamilton

(7:00pm) Motion that the main motion be amended with the following change: That Section 155.201, **Residential Development Standards - Single-Family Detached**, be revised to add a subparagraph (6) under (A) **Applicability** that states, "New homes intended for occupation by persons aged 55 or older, as stated in a subdivision's covenants, conditions, and restrictions (CCRs), constructed on lots that received preliminary plat approval prior to January 1, 2021 are exempt from the provisions of this Section."

**ADOPTED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** William "Bump" Roddey  
**AYES:** Audette, Love, Winkler, Roddey, Cox, Guffey, Hamilton

(7:06pm) Motion that the main motion be amended with the following changes: Section 155.934 **General Sign Standards**, paragraph (D), subparagraph (3)(a), regarding electronic reader boards, be revised to state "Signs may feature electronic reader boards as indicated in the sign standards for each

district. Signs in residential developments or the Lake Wylie Overlay Sign District may not include electronic reader boards and Table 155.935-4: **Freestanding Canopy Sign Standards** be revised to include a note that “Electronic reader boards are not allowed in the Lake Wylie Overlay Sign District and Table 155.935-5: **Ground Signs by District** and Table 155.936-1: **Incidental Signs by District** be revised to change the Electronic Reader Board row to a “No” in the Lake Wylie sign district column.

**ADOPTED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** William "Bump" Roddey

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

(7:10pm) Motion to amend the main motion for Setback Distances: Communications towers must be set back a distance equal to the lesser of 75% of their overall height, or the fall zone for the communications tower as certified by a South Carolina Professional Engineer from the lot line for any lot in a zoning district; however, guy-wire anchors need only comply with the provisions of subsection (A).

**ADOPTED [Unanimous]**

**MOVANT:** Brandon Guffey

**SECOND:** Tom Audette

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

(7:15pm) Motion to amend the main motion with the following change: That Table 155.271-2: *Use Table* in the Zoning Code be amended to include Landscape Supply Facilities as a permitted use in the General Commercial district.”

**ADOPTED [Unanimous]**

**MOVANT:** Brandon Guffey

**SECOND:** Robert Winkler

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

(7:16pm) Motion to amend the main motion with the following change: That Section 154.199 *Tree Conservation*, subsection (A)(3) *Non-residential Tree Save Requirements*, including Figure 154.199-3: *Non-Residential Tree Planting Requirement*, and Section 154.204 *York County Tree Fund Established* be removed in their entirety, and that sections be renumbered appropriately to accommodate the deletions.

**ADOPTED [Unanimous]**

**MOVANT:** Brandon Guffey

**SECOND:** Joel Hamilton

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

(7:17pm) Motion to amend the main motion as follows: Zoning Code Part 3: Conditional and Special Exception Uses, Subpart 3:36 Tattoo and Body Piercing Establishments be amended to modify the minimum separation distance in section 155.596(B) from 500 feet to 200 feet.

**ADOPTED [5 to 2]**

**MOVANT:** Brandon Guffey  
**SECOND:** William "Bump" Roddey  
**AYES:** Audette, Love, Roddey, Guffey, Hamilton  
**NAYS:** Robert Winkler, Christi Cox

2. COUNCIL TO CONSIDER THIRD 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.

(7:36pm)

**APPROVED [Unanimous]**

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

**New Business**

1. Council to approve a request from the York County Library to allow the painting of a mural on the Rock Hill Library building, owned by York County.

(7:37pm)

**APPROVED [Unanimous]**

**MOVANT:** Brandon Guffey

**SECOND:** Joel Hamilton

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

2. Council to consider approval of a purchase and sale agreement in the amount of \$1,200,000.00 plus brokerage fee of 2.5% between Natubhai G. Patel and York County for property located at 236 Northpark Drive, Rock Hill, SC 29730.

(7:37pm) County Manager, David Hudspeth clarified that the 2.5% brokerage fee does not apply.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Joel Hamilton

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

3. COUNCIL TO ADOPT A RESOLUTION CONSENTING TO AND RATIFYING THE ASSIGNMENT AND ASSUMPTION OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT FROM PARAGON 782, LLC TO LEL PARAGON WAY ASSOCIATES LLC; AND OTHER RELATED MATTERS.

(7:38pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Joel Hamilton

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

4. COUNCIL TO ADOPT A RESOLUTION CONSENTING TO AND RATIFYING THE ASSIGNMENT AND ASSUMPTION OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT FROM LEL PARAGON WAY ASSOCIATES LLC TO INDUS REALTY TRUST, INC.; AND OTHER RELATED MATTERS.

(7:39pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Joel Hamilton

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

**Committee and Other Reports**

(7:40pm) Finance & Operations Committee Meeting, Monday, February 21, 2022, 5:30pm  
Chairman Robert Winkler

(7:41pm) Chairwoman, Christi Cox reported that the Catawba Bend Committee met and received an update from staff on the status of the park.

**Council Member New/Non-agenda Comments**

(7:53pm) Council member Tom Audette reported that March 1st at 6:00pm is the next Health and Environmental Protection Committee meeting to receive an AgriTourism update, an update on the Data Walk and to receive an update on Catawba Bend Preserve.

(7:54pm) Council member Brandon Guffey requested that the County consider a local bid preference.

(7:55pm) Council member William "Bump" Roddey expressed his concerns with the litter along the roadways, reminded everyone to control their trash and encouraged citizens to get involved with cleaning up the County.

(7:57pm) Chairwoman Christi Cox stated that they York Technical College annual meeting has been cancelled and they have decided to come to speak to full Council at a future Council meeting.

**Citizen Concerns**

(7:42pm) Mike Duralia, 390 Pitts Road, Rock Hill, South Carolina on behalf of the Citizens for Preservation of York County addressed Council regarding development in York County and its impact on citizens. Mr. Duralia invited all Council member to the community meeting March 3rd.

**Executive Session**

Receipt of Legal Advice/Contractual Matter: GT Real Estate

Receipt of Legal Advice/Contractual Matter: Nuisance Property

**Matters for consideration following Executive Session**

Motion to direct County Management to explore the option that was presented in Executive Session.

(10:11pm)

**ADOPTED [5 to 2]**

**MOVANT:** Joel Hamilton

**SECOND:** William "Bump" Roddey

**AYES:** Love, Winkler, Roddey, Guffey, Hamilton

**NAYS:** Tom Audette, Christi Cox

**Adjourn**

There being no further business, the meeting adjourned at 10:11pm.



Karen M. Brogdon, Clerk to Council



**YORK COUNTY  
COUNTY COUNCIL**



**MINUTES • SEPTEMBER 6, 2022**

**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 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**

Bill Murray, Lake Wylie Parks and Recreation District  
Frank McKinney, Catawba Regional Workforce Investment Board

**Appearances**

(6:05pm) Neil Brennan provided the annual update for Lake Wylie Marine Commission.

(6:20pm) Sam Hall and Beth White with York County Farm Bureau thanked County Council for their continued support and explained how important and vital farming is in York County.

(:25pm) Dean Faile and Celeste Tiller with the York County Chamber of Commerce presented information on talent and workforce development initiatives and requested that Council consider a one time grant to assist with advancing the talent and workforce development program.

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

(6:41pm) Frank Trotta, 4971 Mill Creek Road, Rock Hill, South Carolina addressed Council regarding Crime Stoppers of York County and requested that York County sponsor a watercraft at the Rockin' and Racin' Event.

**Consent Agenda**

(6:44pm)

<b>APPROVED [Unanimous]</b>	
<b>MOVANT:</b>	Allison Love
<b>SECOND:</b>	Joel Hamilton
<b>AYES:</b>	Audette, Love, Winkler, Roddey, Cox, Guffey, Hamilton

1. Approval of August 9, 2022 Workshop Minutes

**ACCEPTED [Unanimous]**  
**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

2. Approval of August 15, 2022 Finance & Operations Committee Minutes

**ACCEPTED [Unanimous]**  
**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

3. Approval of August 15, 2022 County Council Meeting Minutes

**ACCEPTED [Unanimous]**  
**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

4. Rezoning Action: Consider Third Reading

Case # 22-13  
Tax Map # 654-00-00-008  
Zoning Request: To rezone from AGC to RSF-40  
Acres: 2.88 acres  
Council District: One (1) - Audette  
Applicant: New Old, LLC  
Owner: New Old, LLC  
Location: 2270 New Gray Rock Road, Fort Mill  
Planning Commission Date: June 13, 2022  
Staff Recommendation: Approve  
PC Recommendation: Approve

**APPROVED [Unanimous]**  
**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

5. Rezoning Action: Consider Third Reading

Case # 22-15  
Tax Map # 716-00-00-086  
Zoning Request: To rezone from LI to GC  
Acres: 6.69 +/- acres

Council District: One (1) - Audette  
Applicant: Michael S. Pitts  
Owner: TT of Fort Mill Property, LLC  
Location: 805 Gold Hill Road, Fort Mill  
Planning Commission Date: June 13, 2022  
Staff Recommendation: Approve  
PC Recommendation: Approve

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

6. Council to Provide Second Reading of AN ORDINANCE TO AMEND SECTION 33.018, PAY, IN ORDER TO AMEND SUBSECTION (A)(2)(a) TO PROVIDE FOR HIRING PAY ADJUSTMENTS BY THE COUNTY MANAGER UP TO THE MAXIMUM HIRING SALARY FOR THE GRADE; TO DELETE SUBSECTION (A)(2)(b) IN ITS ENTIRETY; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

7. Approved nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on August 15, 2022: Margaret Parson-Willins (Culture and Heritage Commission, moving from Ex Officio Seat to District 5 seat) and Stacie Harrison, Catawba Regional Workforce Investment Board.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

8. Council to consider the approval of brand proposal for Catawba Bend Preserve as recommended by the Catawba Bend Committee on August 22, 2022.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

9. Council to approve MOU between York County and the Catawba Regional Council of Governments (COG) for purposes of allocating COG staff resources to York County for management of the South Carolina Rural Infrastructure Authority's South Carolina Infrastructure Investment Program grant activities associated with the County's Crowder's Creek Pump Station Upgrade project.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

10. Council to amend award regarding Bid #2762 for additional generator repair & preventative maintenance services by RobRoy Energy Systems Inc. of Rock Hill SC, for a total annual cost of \$12,375.00.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

11. Council to approve award regarding Bid #2830 for the construction of the Pennies 4; 2017 Capital Projects Sales and Use Tax Program: S-49 (Sutton Rd/S-251 (New Gray Rock Rd) Intersection Improvements, to the lowest responsive and responsible bidder. Blythe Development Company of Charlotte NC, for a total cost of \$2,660,974.52.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

12. Council to approve the purchase of five new, unused 2022 Dodge Durango Pursuit AWD SUVs via state contract for use by the Sheriff's Office, from Santee Automotive LLC of Manning SC, as part of the SC Dept. of Public Safety Program, for a total cost of \$182,840.00.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

13. Council to approve change order requests #1 & #2 regarding Bid #2813 to include additional island curb repairs and replacement electrical conduit and wires from the panel to the tank connection for the Heckle Fuel Canopy Project in the amount of \$22,720.00.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

14. Council to approve authorizing the expenditure of \$29,617 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) for expenses related to a Conservation Easement on the 46 acres of property near the intersection of Catawba Church Road and Lesslie Highway and referred to as TM 694-00-00-096

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

15. Council to approve the renewal of a warranty and licensing fee and maintenance and service agreement with Election Systems & Software, Inc., of Omaha NE, for use by York County's Voter Registration and Elections Office, for a total cost of \$145,327.40.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

16. Council to approve annual maintenance agreement for an indexing and imaging software system (RFP #2366) and the microfilming of recorded land records for use by the Register and Deeds Office, with Business Information Systems, for a total cost of \$48,150.00.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

17. Council to authorize the renewal of maintenance and subscriptions with Central Square Technologies in the amount of \$251,829.41.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

18. Council to approve Utility Relocation Agreements with York County Natural Gas Authority, Comporium and Rock Hill Electric totaling \$286,225.85 for Pennies 4 Project 17228-012 Cherry Road/Celanese Road Intersection Improvements, and authorizing The County Manager to execute the Relocation Agreements.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

19. Council to approve entering into a Financial Participation Agreement totaling \$812,505.03 with the South Carolina Department of Transportation and Town of Fort Mill for sidewalk improvements on Whites Road.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

20. Council to approve granting a 70-foot permanent electric utility easement to Central Electric Power Cooperative, Inc., on property owned by York County situated between Campbell Road and Hands Mill Highway.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

21. Council to hold First Reading By Title Only of AN ORDINANCE AUTHORIZING THE SALE OF 0.075+/- ACRES OF LAND LOCATED AT 3643 FOOTHILLS WAY, FT MILL, IDENTIFIED BY TAX MAP NUMBER 723-00-00-044; TO ENTERTAIN AN 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 RELATING THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

22. Council to hold First Reading by Title Only of AN ORDINANCE AMENDING CHAPTER 130: GENERAL OFFENSES, OF THE YORK COUNTY CODE OF ORDINANCES TO ADD SECTION 130.03: PROHIBITION ON CERTAIN CONDUCT IN PUBLIC SPACES; TO PROVIDE FOR DEFINITIONS CONCERNING CONDUCT IN PUBLIC SPACES THAT IS RESTRICTED OR PROHIBITED, INCLUDING BUT NOT LIMITED TO, PANHANDLING, TRESPASSING, DAMAGING PUBLIC PROPERTY, OBSTRUCTING TRAFFIC, AND SOLICITATION; TO PROVIDE CERTAIN PROXIMITY AND LOCATION RESTRICTIONS ON PROHIBITED CONDUCT; TO PROVIDE PENALTIES FOR VIOLATIONS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love  
**SECOND:** Joel Hamilton

**Public Hearing(s)**

1. Public Hearing

(6:44pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

The following individuals spoke in opposition of the proposed rezoning:

(6:52pm) Gail Schwoebel, 2010 Citron Circle, Fort Mill, South Carolina addressed Council regarding her opposition to the proposed condition by having a left turn exiting the site onto Pleasant Road prohibited.

(6:55pm) Ellen Stempler, 402 Garnet Court, Fort Mill, South Carolina addressed Council regarding her opposition to the proposed condition by having a left turn exiting the site onto Pleasant Road prohibited

(7:00pm) 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 Allison Love to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** William "Bump" Roddey

**SECOND:** Allison Love

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

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	22-12
Tax Map #	651-00-00-027; 651-00-00-436; 651-00-00-051
Zoning Request:	To rezone from RMX-20 to RMX-6
Acres:	7.50 +/- acres
Council District:	One (1) - Audette
Applicant:	Calamar/RM80, LLC
Owner:	Linda Currance; Kimberly Hilton-Merritt
Location:	Pleasant Road, Fort Mill
Planning Commission Date:	August 8, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve (5-2 Simmons, Belton)

(7:00pm) Motion was made by Council member Tom Audette and seconded by Council member Allison Love to deny the rezoning.

(7:11pm) Council member Tom Audette withdrew his motion to deny.

(7:11pm) A new motion to approve was made by Council member Tom Audette and seconded by Council member William "Bump" Roddey.

**APPROVED [6 to 1]**

**MOVANT:** Tom Audette  
**SECOND:** William "Bump" Roddey  
**AYES:** Love, Winkler, Roddey, Cox, Guffey, Hamilton  
**NAYS:** Tom Audette

2. Public Hearing

(7:12pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

The following individuals spoke in favor of the proposed rezoning:

(7:22pm) Lloyd Hamilton, lives directly behind Nichols Store and he is concerned with what is going to happen on the backside of the property and he is concerned with the increased traffic on Mt. Holly Road.

(7:23pm) Harry Johnson, 3591 Enterprise Drive, Rock Hill, South Carolina addressed Council regarding his support for the proposed rezoning.

(7:26pm) There being no one else interested in speaking for or against the proposed rezoning a motion was made by Council member Robert Winkler and seconded by Council member William "Bump" Roddey to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Robert Winkler  
**SECOND:** William "Bump" Roddey  
**AYES:** Audette, Love, Winkler, Roddey, Cox, Guffey, Hamilton

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	22-20
Tax Map #	619-00-00-020; 619-00-00-022; 619-00-00-058
Zoning Request:	To rezone from RSF-40 and NC to GC
Acres:	6.77 +/- acres
Council District:	Five (5) - Cox
Applicant:	William D. Nichols
Owner:	William D. Nichols
Location:	Mount Holly Road, Rock Hill
Planning Commission Date:	August 8, 2022
Staff Recommendation:	Deny
PC Recommendation:	Approve

(7:26pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Joel Hamilton

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

3. Public Hearing

(7:26pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

(7:28pm) 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 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 #	22-23
Tax Map #	673-00-00-085 (portion) and 673-00-00-058 (portion)
Zoning Request:	To rezone from RMX-20 to RSF-40 and RSF-40 to RMX-20
Acres:	0.162 +/- acres
Council District:	Five (5) - Cox
Applicant:	Melanie Tinkler-Stuck
Owner:	Stuck/Tinkler-Stuck/Klepper/Bagley
Location:	Lesslie Highway/Willwood Road, Rock Hill
Planning Commission Date:	August 8, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve

(7:28pm) Motion to approve with the following conditions:

The properties must be recombined so that no more than one zoning district is applied to each parcel. An approved subdivision plat encompassing portions of the properties rezoned shall be recorded with the York County Register of Deeds within 90 days of the rezoning approval.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Allison Love

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

4. Public Hearing

(7:28pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

The following individuals spoke in favor of the proposed rezoning:

(7:34pm) Karen Collins, representing the Cato Corporation addressed Council regarding her support for the proposed rezoning.

(7:35pm) Ben Johnson, representing the Cato Corporation addressed Council regarding his support for the proposed rezoning.

(7:38pm) There being no one else interested in speaking for or against the proposed rezoning a motion was made by Council member Robert Winkler and seconded by Council member Tom Audette to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Tom Audette

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

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	22-25
Tax Map #	716-00-00- (002, 051, 057, 069, 076, 078, 079, 080, 081, 082, 083, 084) and 717-00-00-008
Zoning Request:	Major PD Amendment
Acres:	355 +/- acres
Council District:	One (1) - Audette
Applicant:	Cato Land Development, Inc.
Owner:	Cato Land Development, Inc./The Cato Corporation
Location:	Deerfield Drive/Springfield Parkway, Fort Mill
Planning Commission Date:	August 8, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve

(7:38pm)

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Robert Winkler

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

5. Public Hearing

(7:39pm) Jonathan Buono, Planning and Development Director provided an overview of the proposed rezoning.

The following individual spoke in opposition of the proposed rezoning:

(7:41pm) Steven Burst, 1275 Hines Road, Clover, South Carolina addressed Council regarding his concerns with the proposed rezoning and how many parcels will be created.

(7:42pm) 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 Allison Love to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** William "Bump" Roddey

**SECOND:** Allison Love

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

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	22-26
Tax Map #	282-00-00-029 (portion) and 282-00-00-059
Zoning Request:	To rezone from AGC to RUD
Acres:	14.50 +/- acres
Council District:	Two (2) - Love
Applicant:	Tim Helline
Owner:	James and Jennifer Stalford
Location:	Hines Road, Clover
Planning Commission Date:	August 8, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve

(7:42pm)

**APPROVED [Unanimous]**

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

**Old Business**

1. Rezoning Action: Consider Second Reading

Case # 22-19  
Tax Map # 723-00-00-079  
Zoning Request: To rezone from UD to LI  
Acres: 28.518 +/- acres  
Council District: One (1) - Audette  
Applicant: Adam Essink  
Owner: Lakemont Property Investors, LLC  
Location: Foothills Way, Fort Mill  
Planning Commission Date: July 11, 2022  
Staff Recommendation: Approve  
PC Recommendation: Approve

(7:43pm)

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette  
**SECOND:** Brandon Guffey  
**AYES:** Audette, Love, Winkler, Roddey, Cox, Guffey, Hamilton

**New Business**

1. Council to adopt a resolution creating a capital projects sales tax commission to consider capital projects for the capital project sales tax.

(7:43pm) Motion to approve without referral to a Council Committee.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** William "Bump" Roddey

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

2. Council to approve a Resolution to support York County's application for grant funding from the South Carolina Rural Infrastructure Authority, pledging matching local funds, and other matters related thereto.

(7:44pm) Motion to approve without referral to Council Committee.

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Tom Audette

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

3. Council to ratify a venue agreement with the City of York for Summerfest.

(7:45pm)

**APPROVED [Unanimous]**

**MOVANT:** Robert Winkler

**SECOND:** Tom Audette

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

4. Council to approve contractual amendment regarding award of Bid #2778 for the Highway 274 Sanitary Sewer Forcemain Project to include additional federal mandate requirement as part of the Coronavirus State And Local Fiscal Recovery Funds program.

(7:46pm)

**APPROVED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** Tom Audette

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

5. Council to approve contractual amendment regarding the purchase of six portable 9-1-1 operator positions and six portable 800MHz radio dispatch consoles to include additional federal mandate requirement as part of the Coronavirus State And Local Fiscal Recovery Funds program.

(7:46pm)

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Joel Hamilton

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

6. Council to approve contractual amendment regarding the purchase of 911 telephone system equipment, to include additional federal mandate requirements as part of the Coronavirus State And Local Fiscal Recovery Funds program.

(7:46pm)

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Joel Hamilton

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

7. Council to consider First Reading by Title Only of AN ORDINANCE AUTHORIZING THE DEFEASANCE OF CERTAIN WATER AND SEWER SYSTEM REVENUE BONDS OF YORK COUNTY, SOUTH CAROLINA, APPROPRIATING MONEYS TO PROVIDE FOR SUCH DEFEASANCE AND TO ACQUIRE CERTAIN WATER AND SEWER ASSETS, PROVIDING FOR THE REIMBURSEMENT OF CERTAIN OF SUCH MONEYS FROM THE PROCEEDS OF TAX-EXEMPT BONDS, AND PROVIDING FOR CERTAIN MATTERS RELATING THERETO.

(7:47pm)

**APPROVED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** Tom Audette

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

**Committee and Other Reports**

(7:48pm) Economic Development Committee Meeting, Tuesday, September 6, 2022, 5:00pm  
Chairman Joel Hamilton

**Council Member New/Non-agenda Comments**

(7:49pm) Council member Robert Winkler apologized to the Fire Chiefs and Special Tax Districts on his comment about none of the Special Tax Districts for not cooperating with the auditor. He stated that he misspoke and some of the tax districts were cooperating. Council member Winkler also explained that some of the tax districts are concerned with the County taking their "barbecue" funds. Mr. Winkler stated that the County has no intentions of ever taking their funds.

(7:52pm) Council member Tom Audette explained that there is a 5K walk/run event at Ebenezer Park for Fostering the Family and encouraged everyone to attend. Council member Audette also expressed his concerns with the Gender Identity Movement that is being pushed on our children in the school system and explained that there are books in the County Library that help address this movement.

(7:53pm) Council member Brandon Guffey reminded everyone that September is Suicide Prevention Awareness month.

(7:54pm) Council member Allison Love thanked everyone on Council and staff for their support and hard work on the purchase of Blue Granite Water Systems.

(7:54pm) Council member William "Bump" Roddey stated that there is a Justice and Public Safety Committee meeting and requested that a discussion be added to the agenda on how tax districts can increase their millage rates through a referendum. Council member Roddey also stated that if anyone is looking for employment, there are plenty of available jobs in York County. Council member Roddey also challenged staff to participate in the October 1st, Float the Boat Competition.

**Citizen Concerns**

**Executive Session**

Receipt of Legal Advice/Contractual Matter: EMS Services

Receipt of Legal Advice: Ongoing Litigation Updates

**Matters for consideration following Executive Session**

**Adjourn**

There being no further business, the meeting adjourned at 9:17pm.



Karen M. Brogdon, Clerk to Council



**YORK COUNTY  
COUNTY COUNCIL**

**MINUTES • JUNE 20, 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**

Candace Pixley, Keep York County Beautiful (District 1)  
James Lightsey, Flint Hill Fire Tax District Board  
Billy Hagner, York County Natural Gas Board

**Appearances**

(6:04pm) Newly appointed Clerk of Court, Angie Bryant and Council recognized Clerk of Court, David Hamilton on his service and retirement with York County.

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

(6:20pm) Linda Fisher, 334 Foxlair Court, Rock Hill, South Carolina addressed Council regarding her concerns with the funding to the York County Library funding with York County tax dollars.

(6:22pm) Denise Bach, 254 Hammond Road, Fort Mill, South Carolina addressed Council regarding her concerns with the York County Library funding with York County tax dollars.

(6:24pm) Elizabeth Simpson, 2105 Gwen Hall Road, Fort Mill, South Carolina addressed Council regarding her objections to reducing the Library Board membership and the censoring of library books.

(6:26pm) Lydia Morales, 1267 Clingman Drive, Fort Mill, South Carolina addressed Council regarding her support for the York County Library and the current placement of books.

(6:28pm) Mark Coralle, 430 Leisure Lane, Rock Hill, South Carolina addressed Council regarding his concerns with the placement of inappropriate library books in the children's section at the York County Library.

(6:30pm) Leslie Schrum, 142 Webbs Mill Drive, Fort Mill, South Carolina addressed Council regarding her objections to reducing the Library Board membership.

(6:32pm) Lacey Layne, Tompkins Knob Drive, Fort Mill, South Carolina addressed Council regarding her objections to reducing the Library Board membership.

(6:34pm) Nicole Ellis, 620 Victory Gallop Avenue, Clover, South Carolina addressed Council regarding her support for the York County Library and does not want the books moved to a different section of the library.

(6:36pm) Stephanie Griffith, Bookberry Court, Fort Mill, South Carolina addressed Council regarding her support for the York County Library.

(6:38pm) Paige Dayton, Shoreline Parkway, Fort Mill, South Carolina addressed Council regarding her support for the York County Library and her objection to reducing the Library Board membership.

(6:40pm) Danielle Graham, Fort Mill, South Carolina addressed Council regarding her concerns with the placement of inappropriate library books in the children's section at the York County Library.

(6:42pm) Scott Shirley, 16125 Tana Tea Circle, Tega Cay, South Carolina addressed Council regarding his concerns with the placement of inappropriate library books in the children's section at the York County Library.

(6:45pm) Deborah Feldman, 336 Newington Court, Fort Mill, South Carolina addressed Council regarding her objections to reducing the Library Board membership.

(6:47pm) John Gossett, Lake Wylie Road, Lake Wylie, South Carolina addressed Council regarding his support for the widening of Pennies for Progress 4 Highway 557 project.

(6:49pm) Amanda Houser, Rutledge Hills Drive, Lake Wylie, South Carolina addressed Council regarding her support for the widening of Pennies for Progress 4 Highway 557 project.

**Consent Agenda**

(6:52pm)

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

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

1. Approval of June 5, 2023 Transportation Committee Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Tom Audette  
**SECOND:** Allison Love

2. Approval of June 5, 2023 County Council Meeting Minutes

**ACCEPTED [Unanimous]**

**MOVANT:** Tom Audette  
**SECOND:** Allison Love

3. Rezoning Action: Consider Third Reading

Case # 22-12  
Tax Map # 651-00-00-027; 651-00-00-436; 651-00-00-051  
Zoning Request: To rezone from RMX-20 to RMX-6  
Acres: 7.50 +/- acres  
Council District: One (1) - Audette  
Applicant: Calamar/RM80, LLC  
Owner: Linda Currance; Kimberly Hilton-Merritt  
Location: Pleasant Road, Fort Mill  
Planning Commission Date: August 8, 2022  
Staff Recommendation: Approve  
PC Recommendation: Approve (5-2 Simmons, Belton)

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette  
**SECOND:** Allison Love

4. Rezoning Action: Consider Second Reading

Case # 23-11  
Tax Map # 577-00-00-070; - 148  
Zoning Request: To rezone from OI and RSF-40 to RMX-20  
Acres: 0.07 acres of OI and 0.54 acres of RSF-40  
Council District: Two (2) - Love  
Applicant: Rebecca Freiheit  
Owner: River Hills Marina/Rebecca and Andrew Freiheit  
Location: 54 and 68 Marina Road, Clover  
Planning Commission Date: May 8, 2023  
Staff Recommendation: Approve  
PC Recommendation: Approve

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette  
**SECOND:** Allison Love

5. Rezoning Action: Consider Second Reading

Case # 23-20  
Tax Map # 373-00-00-169  
Zoning Request: To rezone from UD to RUD  
Acres: 4.65 +/- acres  
Council District: Two (2) - Love  
Applicant: David and Gerri Dodd  
Owner: David and Gerri Dodd  
Location: 1830 Dulin Road, Clover  
Planning Commission Date: May 8, 2023  
Staff Recommendation: Approve  
PC Recommendation: Approve

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette  
**SECOND:** Allison Love

6. Rezoning Action: Consider Second Reading

Case # 23-22  
Tax Map # 437-00-00-035  
Zoning Request: To rezone from AGC to RUD  
Acres: 2-acre portion of a 14.93-acre parcel  
Council District: Five (5) - Cox  
Applicant: Jennifer Dozier  
Owner: Jennifer and Samuel Dozier  
Location: 2850 Gordon Road, Rock Hill  
Planning Commission Date: May 8, 2023  
Staff Recommendation: Approve  
PC Recommendation: Approve

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

7. Approve nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on June 5, 2023: Ricky Brake, Bethel Lake Wylie Land Acquisition and Preservation Park District Board and Jeff Monroe, Newport Fire Tax District Board.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

8. Council to Approve the Third Amendment to the Purchase and Sale Agreement dated December 5, 2022, as amended, by and between York County, South Carolina, a political subdivision of the State of South Carolina (“Seller”) and National Acquisition Company, LLC, a Delaware limited liability company (“Purchaser”)

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

9. Council to approve authorizing the expenditure of \$54,037 in York County Forever Commission funds to Nation Ford Land Trust (NFLT) for expenses related to a Conservation Easement on the approximately 373 acres of property along Smith Valley Road in York and referred to as TMs 217-00-00-004, 217-00-00-018, and 217-00-00-003.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

10. Council to authorize the renewal of a maintenance agreement with ESRI, of Redlands CA, in the amount of \$73,765.00.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

11. Council to authorize a maintenance agreement for audio visual equipment with BIS Digital, of Fort Lauderdale FL, in the amount of \$109,943.11.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

12. Council to authorize the renewal of a maintenance agreement with Data Network Solutions, of Chapin SC, for the county's firewalls and the county wide antivirus solution, in the amount of \$102,473.73.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

13. Council to authorize the purchase of maintenance renewal for the software that allows York County to utilize a virtual server environment, from Data Network Solutions, of Chapin SC, in the amount of \$51,798.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

14. Council to authorize the annual maintenance renewal with Harris Local Government, of Chicago IL, in the amount of \$92,373.07.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

15. Council to authorize the renewal of a maintenance agreement with Infovision Software, of Carlsbad CA, for York County's document management system in the amount of \$59,535.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

16. Council to authorize annual maintenance agreement with PubliQ Software, of Spartanburg SC, for billing and collections system in the amount of \$152,888.83.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

17. Council to authorize the renewal of a maintenance agreement with Ahead, Inc., of Chicago IL, in the amount of \$201,517.93.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

18. Council to authorize annual subscription renewal for the backup software, through Data Network Solutions, of Chapin SC, in the amount of \$48,463.52.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

19. Council to approve the renewal of a maintenance agreement for computer software with the South Carolina Judicial Department for a total amount of \$75,000.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

20. Council to approve South Data Printing Contract Extension for printing tax notices in the Auditor's and Tax Collection departments in the amount of \$0.1024 per copy but not to exceed \$55,000.00.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

21. Council to authorize a maintenance agreement with Performance Link Technologies, of Fort Mill SC, for camera licensing in the amount of \$51,330.08.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

22. Council to approve a one year contract renewal option regarding RFP #2679 for photocopier/multifunctional services to Toshiba Business Solutions of Mt. Gilead NC, for the cost of \$0.0259 per mono copy and \$ 0.0497 per color copy, or an estimated cost of \$13,000.00 per month, or approximately \$156,000.00 per year with an option to renew for an additional one year period.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

23. Council to approve Solicitor's Office purchase of computers from Dell (State Contract) in the amount of \$46,802.28.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

24. Council to approve service and maintenance agreement with Intrado Life and Safety Inc., of Chicago IL regarding 911 services, for a total amount of \$291,344.63.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

25. Council to approve service and maintenance agreement with Mobile Communications of America regarding 911 phone services, for a total amount of \$84,430.00

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

26. COUNCIL TO APPROVE RADIO SERVICE AND MAINTENANCE AGREEMENT WITH MOTOROLA SOLUTIONS INC. FOR A TOTAL AMOUNT OF \$2,310,250.00

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

27. Council to authorize contract negotiations regarding RFQ # 2868 for professional consulting services for the Catawba Bend Preserve Main Gatehouse and Trailhead Restroom Facilities Project.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

28. Council to authorize staff to apply for and to accept, if awarded, a Local Emergency Management Performance Grant (LEMPG) in the estimated amount of \$78,330 with a match of 50% that will be achieved through in-kind services.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

29. Council to approve a contractual agreement regarding RFQ #2853, for professional architectural services with CPL Architects and Engineers P.C. of Charlotte, NC for Architectural Improvements at the York County Planning Facility, for a total cost \$61,980.00.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

30. Council to consider authorization for contract negotiations regarding RFQ #2871 for professional engineering services associated with cost estimates and risk analysis for the Pennies for Progress 5 Program.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

31. Council to reject all bids received regarding Bid #2872 for the purchase of 15,000 tons +/- Driving Surface Aggregate Material.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

32. Council to approve award of Palmetto Posting Inc., of Spartanburg SC, as a sole source provider for the posting of levy sheets on designated parcels throughout York County on behalf of York County's Tax Collection Office, for approximately 1,500 +/- parcels, for the total cost of \$22.50 per parcel for year one, and \$25.00 per parcel for year two, with an option to renew for an additional two, one year periods.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

33. Council to approve declaration of a wrecked 2021 Ford F-150 truck as York County salvage, and approve acceptance of an insurance settlement from Allstate Insurance Company totaling \$50,357.26.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

34. Council to approve Campco Engineering Inc.'s Contract Amendment No. 1 totaling \$215,526.09 for Project 11149-012: Riverview Road, Pennies-3 Program

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

35. Council to approve the execution of Amendment 2 of an Engineering Contract with Dewberry Engineers Inc. of Charlotte, NC for \$84,990 for Easement Acquisition, Bid Support, Construction Administration and additional Construction Phase Services.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

36. COUNCIL TO APPROVE A RESOLUTION IN SUPPORT OF A “NO THRU TRUCK ROUTE” DESIGNATION UPON A SECTION OF GOLD HILL ROAD (S46-1726) FROM THE INTERSECTION OF SPRINGFIELD PARKWAY (S46-460) TO THE INTERSECTION WITH HIGHWAY 21 BYPASS NORTH (HWY 21 N), IN YORK COUNTY, SOUTH CAROLINA, AND IN SUPPORT OF THE YORK COUNTY PUBLIC WORKS DEPARTMENT POSTING NOTICES LIMITING THE OPERATION OF SPECIFIED CLASSES, SIZES, AND WEIGHTS OF MOTOR VEHICLES, TRAILERS, OR SEMI-TRAILERS UPON THIS PORTION OF GOLD HILL ROAD (S46-1726).

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

37. Council to Approve the Acceptance of the Grants of Rights of Way for the roads in Lauren Pines Phase 2 in Council District 3, located northwest of the City of York, adjacent to Hwy 161, as part of the County roadway inventory, and to authorize the filing of the Grants of Rights of Way with the Register of Deeds.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

38. Council to consider approval of support and matching funds towards the City of Rock Hill's SC Emergency Management FEMA Hazard Mitigation Grant application that will protect and improve water quality in our local waterways through advocacy, education, and infrastructure.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

39. Council to approve award regarding Bid #2876 for the purchase of 25 +/- sets of firefighting turnout gear and additional sets on an "as need" basis through December 31, 2023 for use by the Department of Fire Safety, to the lowest responsive and responsible bidder, Safe Industries of Easley SC, for a total cost of \$91,751.16.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

40. Council to Consider Third Reading of AN ORDINANCE TO AMEND SECTION 30.09 OF THE YORK COUNTY CODE OF ORDINANCES, "ELECTION AND APPOINTMENT TO BOARDS AND COMMISSIONS," TO ADD NEW SUBSECTION (E)(3) TO SPECIFY THAT ALL DISTRICT-SPECIFIC APPOINTMENTS TO ANY YORK COUNTY BOARD OR COMMISSION, WHETHER BY DIRECT COUNTY COUNCIL APPOINTMENT OR BY RECOMMENDATION FOR APPOINTMENT, SHALL BE REQUIRED TO MAINTAIN THEIR RESIDENCE IN THE DISTRICT OF APPOINTMENT THROUGHOUT THE DURATION OF THE TERM OF APPOINTMENT, OR BE SUBJECT TO IMMEDIATE REMOVAL AND REPLACEMENT, TO CLARIFY THAT ANY COUNTY-WIDE APPOINTEE MOVING OUT OF THE COUNTY SHALL BE GROUNDS FOR A BOARD MEMBER'S IMMEDIATE REMOVAL AND REPLACEMENT, UNLESS AN EXTRA-COUNTY DOMICILE IS SPECIFICALLY PERMITTED BY ORDINANCE, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

**Public Hearing(s)**

1. Public Hearing

(6:54pm) There being no one 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.

**ALLOWED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** William "Bump" Roddey

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

Council to Hold a Public Hearing and Consider Third Reading of AN ORDINANCE TO RESCIND AND REPEAL YORK COUNTY ORDINANCE NUMBER 3195 ("ORDINANCE 3195") AND THEREBY RETURN AUTHORITY FOR CONDUCTING MUNICIPAL ELECTIONS IN THE CITY OF ROCK HILL FROM THE YORK COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS (THE "BOARD") TO THE CITY OF ROCK HILL; TO AUTHORIZE THE BOARD TO RELINQUISH ALL POWERS, DUTIES AND RESPONSIBILITIES AS OTHERWISE CONFERRED UPON THE BOARD BY ORDINANCE NUMBER 3195 TO THE CITY OF ROCK HILL AND TAKE SUCH OTHER NECESSARY AND RELATED ACTION AS MAY BE NECESSARY TO PERFECT THE RELINQUISHMENT OF POWERS, DUTIES, AND RESPONSIBILITIES FOR ITS OWN MUNICIPAL ELECTIONS TO THE CITY OF ROCK HILL, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(7:00pm)

**DEFERRED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** Tom Audette

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

2. Public Hearing

(7:01pm) The following individuals spoke in opposition of the proposed ordinance:

(7:08pm) Scott Childers, 1349 Filbert Highway, addressed Council regarding his concerns with the conservation requirements and mitigation policies and his concerns with the tree save policy.

(7:13pm) There being no one else interested in speaking for or against the proposed ordinance a motion was made by Council member William "Bump" Roddey and seconded by Council member Allison Love to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** William "Bump" Roddey

**SECOND:** Allison Love

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

COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER SECOND READING OF AN ORDINANCE TO AMEND CHAPTER 154: LAND DEVELOPMENT CODE TO CLARIFY CLUSTER SUBDIVISION DESIGN REQUIREMENTS, TO CLARIFY TRAFFIC SIGNS INSTALLATION RESPONSIBILITY, TO MODIFY TREE CONSERVATION REQUIREMENTS AND MITIGATION, TO ESTABLISH THE YORK COUNTY TREE FUND, AND TO CLARIFY THE APPLICABILITY OF A TRAFFIC IMPACT ANALYSIS; TO AMEND CHAPTER 155: ZONING CODE TO REVISE THE DEFINITION OF "LARGE CAPACITY EVENT VENUE", TO ALLOW EVENT VENUES AS A CONDITIONAL USE IN AGC, AGC-I, RUD, AND RUD-I, TO AMEND THE DEVELOPMENT STANDARDS FOR EVENT VENUES, TO ELIMINATE RURAL EVENT VENUES AS A TEMPORARY USE, TO MODIFY THE MAXIMUM DURATION OF TEMPORARY SPECIAL EVENTS USES, AND TO CLARIFY NON-CONFORMING STRUCTURES ALLOWED IN THE RIPARIAN BUFFER; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:13pm)

(7:21pm) Motion was made by Council member Allison Love and seconded by Council member Watts Huckabee to approve 2nd reading with instruction to management and legal to come back to Council in July with some alternatives with the lack of discretion issue.

**APPROVED [Unanimous]**

**MOVANT:** Allison Love

**SECOND:** Watts Huckabee

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

(7:13pm) Motion was made by Council member Tommy Adkins and seconded by Council member Tom Audette to defer until July 17, 2023 so that legal and management can address and propose alternative options regarding the mitigation process and the timing for the tree save and the grand tree review.

(7:18pm) Motion withdrawn by Council member Tommy Adkins

(7:18pm) A motion was made by Council member Allison Love and seconded by Council member William "Bump" Roddey to approve 2nd reading and refer the tree save fund and clarification of the non-conforming structures allowed in the riparian buffer back to the Planning and Zoning Committee for more discussion.

(7:21pm) Motion was withdrawn by Council member Allison Love

### 3. Public Hearing

The following individuals spoke in favor of the proposed ordinance:

(7:27pm) Sylvie Carey, Charlotte Street, York, South Carolina asked a question regarding what is allowed at the landfill.

The following individuals spoke in opposition of the proposed ordinance:

(7:28pm) Billy Hagner, 1901 Voyager Road, York, South Carolina stated that going from 2,000/lbs a month to 2,000/lbs annually is a bit extreme and should be reconsidered.

(7:29pm) Don Choate, 3138 Lake Wylie Drive, Rock Hill, South Carolina stated that going from 2,000/lbs a month to 2,000/lbs annually is a bit extreme and should be reconsidered.

(7:29pm) Motion was made by Council member William "Bump" Roddey and seconded by Council member Allison Love to close the public hearing.

**ALLOWED [Unanimous]**

**MOVANT:** William "Bump" Roddey

**SECOND:** Allison Love

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

COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER THIRD READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, DISPOSAL OF WASTE AT COUNTY LANDFILL, CHAPTER 33, SECTIONS 50.02 AND 50.33(B) AND (E); IN ORDER TO DEFINE PRIMARY RESIDENCE; TO PROVIDE FOR AN INCREASE IN FEES FOR THE DISPOSAL OF MUNICIPAL SOLID WASTE, CONSTRUCTION AND DEMOLITION DEBRIS, AND LAND CLEARING DEBRIS AT THE COUNTY LANDFILL; TO REMOVE FEES FOR CLEAN CONCRETE, BRICK, BLOCK AND ASPHALT; TO REVISE THE FEE EXEMPTION PROVISION AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:48pm) Motion was made by Council member Watts Huckabee and seconded by Council member Tom Audette to approve the Solid Waste ordinance revisions excluding the fee exemption of up to 2,000/lbs annually so staff can review data for 6 months and leave the ordinance how it currently reads.

Council adjourned and took a 5 minute break.

**APPROVED [4 to 3]**

**MOVANT:** Watts Huckabee  
**SECOND:** Tom Audette  
**AYES:** Tom Audette, Tommy Adkins, Christi Cox, Watts Huckabee  
**NAYS:** Allison Love, William "Bump" Roddey, Debi Cloninger

Motion to approve

(7:30pm) Motion Failed

**FAILED [3 to 4]**

**MOVANT:** William "Bump" Roddey  
**SECOND:** Allison Love  
**AYES:** Allison Love, William "Bump" Roddey, Debi Cloninger  
**NAYS:** Tom Audette, Tommy Adkins, Christi Cox, Watts Huckabee

**Old Business**

1. Council to consider second reading of AN ORDINANCE TO AMEND SECTION 91.05 OF THE YORK COUNTY CODE OF ORDINANCES, "COUNTY LIBRARY BOARD CREATED: COMPOSITION; OFFICERS; MEETINGS," IN ORDER TO REDUCE THE SIZE OF THE COUNTY LIBRARY BOARD, TO SEVEN (7) DISTRICT-SPECIFIC MEMBERS APPOINTED BY COUNTY COUNCIL, TO CLARIFY CONDITIONS FOR MEMBERSHIP TO THE BOARD; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(8:02pm)

**APPROVED [5 to 2]**

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

**New Business**

1. COUNCIL TO CONSIDER THE ACCOMMODATIONS TAX ADVISORY COMMITTEE'S RECOMMENDATION FOR FY 2024 FUNDING IN THE TOTAL AMOUNT OF \$123,750.00.

(8:06pm)

Motion to allocate Accommodations Tax as follows:

Culture and Heritage Museums - \$12,500  
Rock Hill/York County CVB - \$22,000  
Olde English District - \$13,000  
Rock Hill NAACP - \$7,250  
Fort Mill History Museum - \$4,000  
Catawba Bend Park - \$20,000  
Bethel Lake Wylie Parks District - \$20,000  
Ebenezer Park - \$10,000  
Allison Creek - \$15,000

\$123,750.00 Total

**APPROVED [6 to 1]**

**MOVANT:** Allison Love  
**SECOND:** William "Bump" Roddey  
**AYES:** Audette, Love, Adkins, Roddey, Cox, Cloninger  
**NAYS:** Watts Huckabee

2. Council to Approve the Memorandum of Understanding Between the City of Rock Hill, South Carolina and the County of York, South Carolina Regarding the Conduction of the 2023 Municipal Elections and the Amendment of the City Ordinance Regarding all Municipal Elections Thereafter

(8:30pm)

**APPROVED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** Watts Huckabee

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

3. COUNCIL TO ENTERTAIN A MOTION TO RECONSIDER 3RD READING AND ADOPTION, INCLUDING ANY AMENDMENTS THEREWITH, ON JUNE 5, 2023, OF ITS ORDINANCE ESTABLISHING THE OPERATING AND CAPITAL BUDGETS FOR THE OPERATION OF THE COUNTY GOVERNMENT OF YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2023; PROVIDING FOR THE LEVY OF TAXES FOR YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2023; PROVIDING FOR THE EXPENDITURE OF TAX REVENUES AND OTHER COUNTY FUNDS; AND PROVIDING FOR OTHER FISCAL MATTERS RELATING TO COUNTY GOVERNMENT.

(8:30pm)

**APPROVED [6 to 1]**

**MOVANT:** Debi Cloninger

**SECOND:** Allison Love

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

**NAYS:** Christi Cox

4. COUNCIL TO CONSIDER 3RD READING OF AN ORDINANCE, AS AMENDED ON JUNE 5, 2023, TO ESTABLISH OPERATING AND CAPITAL BUDGETS FOR THE OPERATION OF THE COUNTY GOVERNMENT OF YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2023; TO PROVIDE FOR THE LEVY OF TAXES FOR YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2023; TO PROVIDE FOR THE EXPENDITURE OF TAX REVENUES AND OTHER COUNTY FUNDS; AND PROVIDE FOR OTHER FISCAL MATTERS RELATING TO COUNTY GOVERNMENT.

(8:32pm) Motion to approve the budget

(10:08pm) After amendments, the main motion to approve the budget was unanimously passed.

**APPROVED [Unanimous]**

**MOVANT:** Debi Cloninger

**SECOND:** Allison Love

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

Motion to approve the budget with the condition that the firefighters stipend approval on June 5, 2023 be removed from the budget.

(8:34pm)

**FAILED [3 to 4]**

**MOVANT:** Debi Cloninger

**SECOND:** Allison Love

**AYES:** Allison Love, William "Bump" Roddey, Debi Cloninger

**NAYS:** Tom Audette, Tommy Adkins, Christi Cox, Watts Huckabee

Motion to clarify the previous amendment on June 5, 2023 on the stipend for the volunteer fire personnel for an increase to the stipend \$50,000 plus \$10,000 taxes paid and these funds should not come from equipment allotment, personnel, or any line item that may cause an ISO rate increase (example, fire hose testing must remain at once a year).

(8:50pm)

**ADOPTED [4 to 3]**

**MOVANT:** Tommy Adkins

**SECOND:** Tom Audette

**AYES:** Tom Audette, Tommy Adkins, Christi Cox, Watts Huckabee

**NAYS:** Allison Love, William "Bump" Roddey, Debi Cloninger

(9:03pm) Motion was made by Council member Watts Huckabee and seconded by Council member Tom Audette to amend the recreation tax funding allocation approved at the June 5, 2023 meeting with a \$181,691.94 shortfall for Lake Wylie and the difference be paid from section 1235 Lake Wylie Recreation fund for the tax year 2024 only.

(9:31pm) Council member Watts Huckabee withdrew the original motion

(9:32pm) Motion was made by Council member Watts Huckabee and seconded by Council member Tom Audette to approve the \$1,590,500.00 for recreation funding and refer this discussion to a council workshop for further discussion.

(9:35pm) Motion was made by Council member William "Bump" Roddey and seconded by Council member Watts Huckabee to go into executive session for receipt of legal advice. Motion Carried.

**Matters for consideration following Executive Session**

(10:01pm) Council member Watts Huckabee withdrew the motion

Motion to refer the recreation tax distribution to a council workshop with Lake Wylie receiving the original amount budgeted and the additional allocations of \$1,590,500.00 to be discussed further.

(10:02pm)

**ADOPTED [6 to 1]**

**MOVANT:** Tom Audette

**SECOND:** Allison Love

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

**NAYS:** Watts Huckabee

**Committee and Other Reports**

(10:08pm) Finance & Operations Committee Meeting, Tuesday, June 20, 2023 5:40pm  
Chairwoman Allison Love

**Citizen Concerns**

**Council Member New/Non-agenda Comments**

**Executive Session**

Receipt of Legal Advice: Request to Authorize Condemnation regarding Project No. 19301, Tracts 31 and 33 (Steele Creek Force Main Replacement)

Receipt of Legal Advice: Litigation Update

Contractual Matter: AMISUB and EMS

Contractual Matters: CHM (Brattonsville)

Contractual matter and receipt of legal advice: Pennies Hwy 557

**Matters for consideration following Executive Session**

**Adjourn**

1. Motion to authorize condemnation regarding Project No. 19301, Tracts 31 and 33 (Steele Creek Force Main Replacement) as discussed in Executive Session.

(11:46pm)

**ADOPTED [Unanimous]**

**MOVANT:** Tom Audette

**SECOND:** William "Bump" Roddey

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

**ABSENT:** Allison Love

2. Motion to approve two change orders with Midwest Maintenance for Historic Brattonsville Colonel Bratton and Homestead Houses in an amount not to exceed \$90,399 subject to authorization by CHM Director and/or the CHC Commission.

(11:47pm)

**ADOPTED [Unanimous]**

**MOVANT:** Tom Audette


**SECOND:** William "Bump" Roddey

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

**ABSENT:** Allison Love

**Adjourn**

There being no further business, the meeting adjourned at 11:47pm.



Karen M. Brogdon, Clerk to Council

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
COMPLAINT 2022-057 )  
Andrew Litten )  
Complainant. )  
Allison Love )  
Respondent. )  
\_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**DECISION AND ORDER**

Pursuant to Section 8-13-320(10) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act of 1991 (Ethics Act), the State Ethics Commission (Commission) reviewed the above-captioned complaint and found probable cause to charge Allison Love (Respondent) with nine (9) counts of violating Section 8-13-700(A) for use of official position to obtain an economic interest for a business with which she was associated. Present at the hearing held on August 15, 2024, were Commissioners Matthew N. Tyler, Mary Hunter B. Tomlinson, and Scott E. Frick, Hearing Panel Chair. Respondent was represented by Geoffrey Chambers, Esq. and the Commission was represented by Courtney M. Laster, Esq.

**FINDINGS OF FACT**

Having carefully reviewed the evidence presented, the Panel finds as fact:

1. At all times relevant, Respondent served on York County Council (Council)
2. At all times relevant, Respondent served in a volunteer capacity on the Board of Directors of the Nation Ford Land Trust (NFLT), a non-profit organization primarily dedicated to the preservation of land in York County.
3. At all times relevant, the York County Forever (YCF) Commission was a Council-created body existing for the purpose of making recommendations to Council regarding properties that should be preserved, protected, or maintained through funds appropriated by Council.

4. On December 16, 2019, Council unanimously voted to authorize the expenditure of up to \$138,000 in YCF Commission funds to NFLT to pay for survey fees required for the placement of a conservation easement on property located within the County. Respondent participated in the vote and voted in the affirmative.
5. On March 16, 2020, Council unanimously voted to authorize the expenditure of up to \$20,145 in YCF Commission funds to NFLT to cover the appraisal, legal fees and land trust stewardship costs required for the placement of a conservation easement on property located within the County. Respondent participated in the vote and voted in the affirmative.
6. On June 15, 2020, Council unanimously voted to authorize the expenditure of up to \$46,175 in YCF Commission funds to NFLT to cover the appraisal, legal fees and land trust stewardship costs required for the placement of a conservation easement on property located within the County. Respondent participated in the vote and voted in the affirmative.
7. On October 5, 2020, Council unanimously voted to authorize the expenditure of up to \$45,000 in YCF Commission funds to NFLT to purchase the development rights over property located within the County. Respondent participated in the vote and voted in the affirmative.
8. On July 19, 2021, Council unanimously voted to authorize the expenditure of up to \$20,125 in YCF Commission funds to NFLT for expenses related to a conservation easement on property located within the County. Respondent participated in the vote and voted in the affirmative.
9. Also on July 19, 2021, Council unanimously voted to authorize the expenditure of up to \$21,125 in YCF Commission funds to NFLT for expenses related to a conservation easement on property located within the County. Respondent participated in the vote and voted in the affirmative.
10. On February 21, 2022, Council unanimously voted to authorize the expenditure of up to \$39,575 in YCF Commission funds to NFLT for expenses related to a conservation easement on property located within the County. Respondent participated in the vote and voted in the affirmative.

11. On September 6, 2022, Council unanimously voted to authorize the expenditure of up to \$29,617 in YCF Commission funds to NFLT for expenses related to a conservation easement on property located within the County. Respondent participated in the vote and voted in the affirmative.
12. On June 20, 2023, Council unanimously voted to authorize the expenditure of \$54,037 in YCF Commission funds to NFLT for expenses related to a conservation easement on property located within the County. Respondent participated in the vote and voted in the affirmative.
13. During the hearing held on August 15, 2024, Respondent testified. Respondent stated that funds allocated to NFLT were intended to offset expenses that would otherwise be incurred by a participating landowner. Respondent further stated that NFLT served as a “pass through” because the allocated funds were ultimately paid to third-party vendors and service providers. Respondent stated she was uncompensated for her position on the Board of NFLT and believed she was permitted to participate in the aforementioned votes.

### CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Panel concludes, as a matter of law:

1. At all times relevant, Respondent was a public official as defined by Section 8-13-100(27). Accordingly, the Commission has personal and subject matter jurisdiction.
2. At all times relevant, NFLT was a “business with which [Respondent] is associated” as defined by Section 8-13-100(4).
3. At all times relevant, NFLT had an “economic interest” in each of the aforementioned votes as defined by Section 8-13-100(11)(a).
4. Section 8-13-700 states, in part:
  - (A) No [public official] may knowingly use his official [office] to obtain an economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated. This prohibition does not extend to the incidental use of public materials, personnel, or equipment, subject to or available for a [public official’s] use that does not result in additional public expense.

(B) No [public official] may make, participate in making, or in any way attempt to use his [office] to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest. A [public official] who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a family member, an individual with whom he is associated, or a business with which he is associated shall:

(1) prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision;

...

(4) if he is a public official, other than a member of the General Assembly, he shall furnish a copy of the statement to the presiding officer of the governing body of an agency, commission, board, or of a county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause the disqualification and the reasons for it to be noted in the minutes.

5. Sections 8-13-130 and 8-13-320(10)(l)(i) allow the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act and to require payment of a civil penalty of up to \$2,000 for each violation of the Ethics Act.

#### **DECISION**

NOW, THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, the Panel has determined, based on a preponderance of the evidence, that Respondent Allison Love is in violation of nine (9) counts of Section 8-13-700(A) as outlined in the Notice of Hearing and referenced herein. The Panel finds that NFLT’s actions once it received the allocated funds is irrelevant for purposes of establishing a violation of Section 8-13-700(A); the fact remains that Respondent participated in a matter in which County funds were dispersed directly to NFLT, an entity on which she served on the Board of Directors. However, in mitigation of Respondent’s actions, the Panel notes that NFLT is a non-profit entity and that Respondent’s service on its Board of Directors was

entirely voluntarily. The Panel further notes that there is no evidence that Respondent personally benefitted from any of the aforementioned votes.

THEREFORE, pursuant to Section 8-13-320(l)(i) of the Ethics Act, the Panel hereby issues a Public Reprimand and orders Respondent to pay a reduced civil penalty of \$4,500 (\$500 per violation) and an administrative fee of \$800, for a total of \$5,300;

AND, pursuant to Section 8-13-320 of the Ethics Act, if the \$5,300 is not paid within nine (9) months from Respondent's receipt of this Order, a judgment in the maximum possible amount of \$18,800 shall be entered against Respondent. In the event of a failure to pay, upon the Commission's filing of said Judgment with the Clerk of Court in the County of Respondent's last known residence, the Clerk of Court shall enter this Order in the amount of \$18,800 in its Judgment Rolls, without cost to the Commission.

FINALLY, Respondent Allison Love has ten (10) days from receipt of this Order to appeal to the full Commission.

AND IT IS SO ORDERED THIS 19<sup>th</sup> DAY OF September 2024.

STATE ETHICS COMMISSION



SCOTT E. FRICK, HEARING CHAIR

Columbia, South Carolina