



**YORK COUNTY  
COUNTY COUNCIL  
AGENDA • MAY 18, 2020**



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**County Council Meeting**

**Virtual  
Virtual  
York, SC 29745**

**6:00 PM**

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**Call to Order**

Michael Johnson, Chairman

**Invocation and Pledge of Allegiance**

Council member Allison Love, District 2

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

**Appearances**

**Consent Agenda**

1. Minutes of County Council - County Council Meeting - Apr 20, 2020 6:00 PM
2. Minutes of County Council Workshop - Workshop - May 4, 2020 6:00 PM
3. Minutes of County Council Workshop - Workshop - May 11, 2020 6:00 PM
4. Minutes of County Council - Special Called Meeting - May 11, 2020 7:00 PM
5. Council to Consider Second Reading of AN ORDINANCE DESIGNATING AND APPROVING POWER TECHNIQUE NORTH AMERICA LLC (F/K/A CONSTRUCTION EQUIPMENT NORTH AMERICA LLC) AS A SPONSOR AFFILIATE PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, SO AS TO EXTEND TO SUCH SPONSOR AFFILIATE THE BENEFITS OF AN EXISTING FEE AGREEMENT WITH YORK COUNTY, SOUTH CAROLINA; APPROVING THE JOINDER AGREEMENT REFERENCED HEREIN; AND PROVIDING FOR OTHER MATTERS RELATED THERETO.
6. Council to Consider First Reading By Title Only 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.

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7. Council to Consider First Reading by Title Only 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.
8. COUNCIL TO CONSIDER SECOND 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.
9. Council to approve a Resolution naming the park in Lake Wylie "FIELD DAY PARK AT LAKE WYLIE"
10. Council to consider First 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.
11. Council to authorize the Sheriff's Office to apply for and accept if awarded 2020 Coronavirus Emergency Supplemental Funding Program in the amount of \$89,406, with no match required by the County.
12. Authorize the Solicitor's Office to apply for and accept if awarded, a Justice Assistance Grant, not to exceed \$50,000 via the SC Department of Public Safety, Office of Highway Safety and Justice Programs.
13. Council to approve the purchase of additional Sound Masking for Solicitor's third floor common area and offices for a total amount of \$5,067.53.

14. Consider First Reading by Title Only 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 THE YORK COUNTY COMMUNICATIONS SYSTEM EXECUTIVE COMMITTEE AND ESTABLISH ITS FUNCTION, COMPOSITION, AND POWERS; TO ESTABLISH RADIO AND RADIO SUPPORT EQUIPMENT REPLACEMENT CRITERIA, INCLUDING REPLACEMENT RATES, ESTIMATED PERIODS OF USE, AND REPLACEMENT COSTS FOR EQUIPMENT ITEMS; TO CREATE THE RADIO REPLACEMENT FUND AND ESTABLISH THE FORMULAIC CRITERIA FOR THE REPLACEMENT OF EQUIPMENT ITEMS, DESIGNATE PERMISSIBLE SURPLUS AND DEFICIT RANGES IN THE FUND, AND PROVIDE PROCEDURES FOR CORRECTIVE ADJUSTMENTS TO THE FUND; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
  
15. Council to approve the execution of an engineering contract with Armstrong Glenn, PC of Charlotte, NC for \$37,500.00, plus 10% contingency to provide the design for the relocation of the sanitary sewer in association with the Carowinds Blvd turn lane project #18282.
  
16. Council to approve \$35,193.53 for Comporium's additional utility relocations for Pennies 3 Program project 11149-001: SC 160 West.
  
17. Council to approve the Title to Real Estate agreement to Rockefeller Group for project State Line.

18. Council to Consider First Reading by Title Only 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)(4) 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)(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)(2) AND (3) 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.
  
19. Council to Approve Renewal of SCDHEC Drinking Water Distribution Permit Fees exceeding the \$30,000 threshold, but unsuitable for competitive bidding.
  
20. Council to Approve the 2020 Amendment to the Agreement by, between, and among the York County Public Defender, the Town of Fort Mill, the City of Tega Cay, the Town of Clover, the City of York, and York County to Fund the Municipal Court Public Defender position
  
21. Council to provide First Reading by Title Only 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.

22. Council to Consider Amending and Second 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.
23. York County Council to authorize staff to apply for Spring 2020 Carolina Thread Trail Regional Trail Implementation grant funding for up to \$30,000, for the preliminary trail network in Riverbend Park.

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

1. Council to hold a Public Hearing and consider Third 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."

### **Old Business**

1. COUNCIL TO CONSIDER SECOND 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; AND PROVIDE FOR OTHER FISCAL MATTERS RELATING TO COUNTY GOVERNMENT.

### **New Business**

1. Council to approve amendment No. 3 to the agreement for Professional Engineering Services for Various Solid Waste Management and Environmental Monitoring Services with Smith Gardner, Inc in the amount not to exceed \$177,093.00

2. COUNCIL TO CONSIDER THE ACCOMMODATIONS TAX ADVISORY COMMITTEE'S RECOMMENDATION FOR FY 2021 FUNDING IN THE TOTAL AMOUNT OF \$61,750.00.

## **Committee and Other Reports**

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

### **Citizen Concerns**

### **Executive Session:**

Receipt of Legal Advice: Opioid Litigation and proposed Resolution to opt-out of the nationwide class certified for negotiation purposed in re: National Prescription Opiate Litigation, MDL 2804

Receipt of Legal Advice: Settlement of Condemnation Pennies Project 11149-009 Tract 31

Receipt of Legal Advice: Settlement of Condemnation Pennies Project 11149-004 Tract 114

Receipt of Legal Advice: Condemnation Settlement Project 11149-004 Tract 162

Receipt of Legal Advice: Consider Conflict Waiver Request regarding Legal Representation

Economic Development Update: Project Jet

### **Matters for consideration following Executive Session**

### **Adjourn**

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