



**YORK COUNTY
COUNTY COUNCIL
AGENDA • JUNE 15, 2020**



County Council Meeting

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

6:00 PM

Call to Order

Michael Johnson, Chairman

Invocation and Pledge of Allegiance

Council member William "Bump" Roddey, District 4

Oath of Office for newly appointed Board and Commission Members

Appearances

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

Consent Agenda

1. Minutes of County Council - County Council Meeting - Jun 1, 2020 6:00 PM
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.

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

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

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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
17. Council to authorize the renewal of a maintenance agreement with RoundTower Technologies for the amount of \$113,985.47.
18. Council to authorize the renewal of a maintenance agreement with Infovision Software for the amount of \$39,650.
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.
20. Council to authorize annual maintenance agreement with PubliQ Software in the amount of \$137,588.12.
21. Council to authorize the renewal of a maintenance agreement with Data Network Solutions for VMware, in the amount of \$30,685.68.
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.
23. Council to authorize the annual maintenance renewal for network equipment, through Data Network Solutions, for the amount of \$45,944.10.
24. Council to authorize the renewal of a software maintenance agreement with Azteca for the amount of \$57,787.00.
25. Council to authorize the annual maintenance renewal with Harris Local Government in the amount of \$85,825.70.
26. Council to authorize the renewal of a maintenance agreement with ESRI GIS mapping software for the amount of \$77,315.53.
27. Council to authorize a maintenance agreement with BIS Digital for the amount of \$31,572.68.

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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.
29. Council to authorize a maintenance agreement with Performance Link Technologies for S2 Software and Cameras in the amount of \$36,060.15.
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.
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.
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.
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.
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
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.
36. Council to Approve the Fourth Amendment to the Declaration of Restrictive Covenants to the East York Industrial Park
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.
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.

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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.

Public Hearing(s)

1. 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

2. 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

3. 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

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Staff Recommendation: Approve
PC Recommendation: Deny (5-3)

4. 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

5. 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. 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.

7. 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.

8. 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.
9. 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.
10. 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.
11. 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.

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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.

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.

Committee and Other Reports

Zoning Committee Meeting, Thursday, June 11, 2020, 10:00am, Chairwoman Allison Love

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

Council Member New/Non-agenda Comments

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

Matters for consideration following Executive Session

Adjourn

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