



YORK COUNTY
COUNTY COUNCIL
AGENDA • JULY 20, 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 Christi Cox, District 5

Oath of Office for newly appointed Board and Commission Members

Mark Shumpert, Keep York County Beautiful (District 6)
Brian Wacaster, York County Board of Disabilities & Special Needs (District 6)
Keith Martens, York County Board of Disabilities & Special Needs (District 7)

Appearances

Tracy Osborne to address Council regarding the proposed Mandatory Mask Ordinance.

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

Consent Agenda

- 1. Minutes of County Council - Special Called Meeting - Jun 10, 2020 6:00 PM
2. Minutes of Zoning Committee - Regular Meeting - Jun 11, 2020 10:00 AM
3. Minutes of Finance & Operations Committee - Finance & Operations Committee - Jun 15, 2020 5:30 PM
4. Minutes of County Council - County Council Meeting - Jun 15, 2020 6:00 PM

5. Rezoning Action: Consider Second 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

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6. Rezoning Action: Consider Second 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)

7. Rezoning Action: Consider Second 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

8. COUNCIL TO HOLD FIRST READING, BY TITLE ONLY, OF AN ORDINANCE AUTHORIZING THE COUNTY'S SALE OF ITS SPECULATIVE BUILDING LOCATED IN EAST YORK INDUSTRIAL PARK, LOCATED AT 1725 GENTHE COURT, YORK, SOUTH CAROLINA, 29745, DESCRIBED AS A +/- 40,000 SQUARE FOOT INDUSTRIAL BUILDING ON OR ABOUT 11.6 ACRES, SOLD "AS IS, WHERE IS" TO ANDY MOHR AUTOMOTIVE GROUP AND/OR IT'S ASSIGNED COMPANY AND IDENTIFIED BY TAX MAP NUMBERS 400-00-00-020, AS IS MORE PARTICULARLY SHOWN ON THE COMBINATION PLAT (WITH PART OF PARCEL 400-00-00-002) FILED IN THE YORK COUNTY REGISTER OF DEEDS PLAT BOOK 158, PAGE 368, WITH SUCH SALE EVINCED BY THE PURCHASE AND SALE AGREEMENT, ATTACHED HERETO; APPROVING THE AGREEMENT AND ITS EXECUTION; AUTHORIZING THE CHAIRMAN AND OTHER COUNTY OFFICIALS TO FURTHER EXECUTE SUCH DOCUMENTS INCIDENT TO THE CLOSING AND SALE OF THE PROPERTY, INCLUDING THE DEED FOR THE PROPERTY; PROVIDING FOR A PUBLIC HEARING, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

9. Council to consider Third 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.
10. Approve nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on June 15, 2020: James Neely, Keep York County Beautiful (At Large), Charles Robinson, York County Library Board (District 4), Steven Tripi, Bethel Fire Tax Board, Nancy Craig, York County Culture and Heritage Commission (District 5), Daniel Hills, Board of Disabilities and Special Needs (Maxabilities) (District 2), Lee Green, Board of Disabilities and Special Needs (Maxabilities) (At Large), Peter MacVean, Hospitality Tax Committee (District 6), and Ryan Murray, York County Forever (District 4).
11. REQUEST AUTHORIZATION TO APPLY AND TO ACCEPT IF AWARDED, A SOUTH CAROLINA COORDINATING COUNCIL GRANT IN THE AMOUNT OF \$250,000 FOR PROJECT DON. NO LOCAL MATCH IS REQUIRED.
12. Recommend Council authorize staff to apply for, and accept if awarded, fiscal year 2021 Solid Waste Grants in the total amount of \$31,150.00 with no matching funds required.
13. Council to approve contract extension regarding RFQ #2418 for temporary staffing services provided by Marathon Staffing Services of Tyngsboro MA, for a total cost not to exceed \$201,250.00.
14. Council to approve contract renewal regarding Bid #2472 for billing and printing services for use by York County's Water and Sewer Department, to Tailord Business Systems dba Harris Local Government of Easley SC, for an estimated cost of \$11,520.00, for a twelve month term.
15. Council to approve contract renewal regarding RFP #2542 for consulting services for the Adult Drug Treatment Program with Good Success Consulting Group of Columbia SC, for use by the Solicitor's Office, for a total cost of \$52,318.00.
16. Council to approve contract renewal regarding RFP #2543 for consulting services for the Juvenile Drug Treatment Court program with Three Trees Center for Change, LLC, of Rock Hill SC, for use by the Solicitor's Office, for a total cost of \$62,000.00.

17. Council to approve a revised Planned Service Renewal regarding Bid #2548 to include maintenance of approximately 82,500 square feet of additional space at the Moss Justice Center, to Johnson Controls of Charlotte, NC, for a total cost of \$34,278.00.
18. Council to approve purchase request regarding Bid #2630 for the purchase of calcium chloride road base stabilizer for York County's road system, from South Eastern Road Treatment of Evans GA, for a total cost not to exceed \$310,744 in Fiscal Year 2021.
19. Council to authorize contract negotiations regarding RFP #2682 for multiple short term leases of Lake Wylie Recreation Park's Multi-Purpose and Baseball/Softball Fields.
20. Council to approve contract regarding RFP #2684 for Coroner transport services to Carolina Bio Cleanup of Rock Hill, SC.
21. Council to approve change order request regarding Bid #2668 to include the purchase and installation of an additional 3 phase electrical panel as part of the K-9 Housing Ventilation Improvements Project to Salem Builders, LLC of Rock Hill, SC for a total amount of \$2,016.00.
22. Council to approve rejection of all responses received regarding Bid #2689 for Concrete-Asphalt-Masonry Waste Crushing services at the County Landfill.
23. Council to approve pharmaceutical services by Kendra Martin for use at the Detention Center, for an amount not to exceed \$48,600.00.
24. Council to approve insurance premium regarding vehicle replacement coverage for use by the Department of Fire Safety, with Correll Insurance Group-Gaffney of Gafney SC, for a total cost of \$54,688.00.
25. Council to consider the Sheriff's Office request for permission to apply for, and accept if awarded DNA Grant in the amount of \$250,000, with no match required.
26. Council to consider approval of the 2020 York County Emergency Operation Plan Promulgation Statement.
27. Council to approve toxicology services for use by the Coroner's Office to National Medical Services (NMS Labs), for a total cost not to exceed \$60,000.00.

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28. Council to approve toxicology testing of decedents for use by the Coroner's Office to Forensic Science Network, for a total cost not to exceed \$40,000.00.
29. Council to approve consulting services for use by the Coroner's Office to Forensic Pathology Consultants, for a total cost not to exceed \$50,000.00.
30. Council to approve autopsy services for use by the Coroner's Office to York Pathology Associates, for a total amount not to exceed \$200,000.00.
31. Council to approve contract renewal payment regarding services by the South Carolina Department of Juvenile Justice for an amount not to exceed \$40,000.00.
32. Council to approve award regarding request for medical services for use by the York County Detention Center to Cardinal Health Pharmacy Distribution of Atlanta GA, for a cost not to exceed \$100,000.00.
33. Council to consider a request from Sheriff Tolson to allow retiring Sheriff's Office Corporal David Gunn to retain his service weapon.
34. Council to Approve Change Order in the Amount of \$30,201.11 to the Contract with Catalyst Construction for the Pleistocene Hall Renovation.
35. Council to authorize the Coroner's Office request for a grant renewal that was originally awarded in 2019 to hire a Deputy Coroner that specializes in opioid related deaths.
36. Approve staff to apply for and to accept, if awarded, a Local Emergency Management Performance Grant - Supplemental (LEMPG-S) in the amount of \$24,659 with a match of 50% that will be achieved through in-kind services.
37. Approve staff to apply for and to accept, if awarded, a Local Emergency Management Performance Grant (LEMPG) in the amount of \$73,347 with a match of 50% that will be achieved through in-kind services.
38. Council to approve a Mitigation Agreement with "Fielding Homes" for road improvements identified within the TIA for the development of Lakeside Glen, a residential subdivision located on Allison Creek Road, referred as tax map number #555-00-00-182.

39. Council to approve the execution of an engineering contract with Armstrong Glenn, PC of Charlotte, NC for \$55,700.00, to provide the design for the paving of Devinney Road, as a part of the Pennies for Progress 3 Program, Project 1149-011A.
40. Council to approve the State Utility Contractor, Progressive Design Build Contract in a not-to-exceed amount of \$1,705,367.00 plus 10% contingency for Project 19301 Steele Creek Force Main Replacement.
41. Council to approve the execution of Amendment #1 with Michael Baker International in the amount of \$243,467.59 for Project 17228-010: Sutton Road Intersection Improvements.
42. Council to approve granting a 30-foot permanent sanitary sewer in the vicinity of 933 Heckle Blvd, approximately 580 feet north of the Heckle/McConnells Hwy. For the O'Reilly Auto Parts project as shown on the attached exhibit.
43. Council to approve the execution of a Design Contract for the Blankmanship Sewer Subbasin Hydraulic Evaluation and Capacity Study Project to STV Engineers, Inc of Charlotte NC for the amount of \$122,500.00 plus approval to utilize a 10% contingency if necessary.
44. Council to approve amendment No. 4 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 \$316,193 for Tasks 1-7 & 9 related to monitoring and reporting in Fiscal Year 2021.
45. Consider First Reading by Title Only of AN ORDINANCE TO AUTHORIZE THE SALE OF A 74,400 SQUARE FOOT (1.708 ACRE, MORE OR LESS) PORTION OF ONE UNDEVELOPED PARCEL LOCATED IN FORT MILL IN THE PROXIMITY OF THE INTERSECTION OF SPRATT STREET AND FORT MILL PARKWAY, IDENTIFIED BY TAX MAP NUMBER 020-20-01-057; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE THE PARCEL; 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.

46. Consider First Reading by Title Only of AN ORDINANCE TO AUTHORIZE THE SALE OF 0.22 OF A MILE OF RIGHT OF WAY (0.814 OF AN ACRE, MORE OR LESS) LOCATED IN YORK BETWEEN THE INTERSECTIONS OF RAILROAD AVENUE AND GALILEAN ROAD (SCDOT S-35) AND RAILROAD AVENUE AND JOHNSON ROAD, IDENTIFIED AS A PORTION OF TAX MAP NUMBER 070-15-01-001; TO ENTERTAIN AN EXISTING OFFER TO PURCHASE THE PROPERTY IN EXCHANGE FOR GRANTING THE COUNTY PORTIONS OF TAX MAP NUMBERS 070-15-01-001 AND 070-10-07-017 BY DEED; TO ALLOW FOR RELOCATION OF THE RAILROAD AVENUE CURVE IN ORDER TO IMPROVE THE INTERSECTION OF US HWY 321 (CHESTER HIGHWAY), RAILROAD AVENUE, JOHNSON ROAD, AND GALILEAN ROAD (SCDOT S-35); TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE PROPERTY EXCHANGE AGREEMENT AND DEEDS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

47. Council to provide Third 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.

48. Consider approval for the County to purchase 1.55 wetland credits from Congaree Creek Mitigation Bank for the Pennies 4 Project 17228-003 Cel River Road/Galleria Blvd.

49. Council to Authorize a correction to the text of Ordinance No. 1420 and related Joinder Agreement approved by County Council on June 1, 2020 in order to accommodate a corporate name change from Mining, Rock Excavation and Construction LLC to Epiroc USA LLC communicated to the County after third reading, with all other substantive terms remaining the same.

50. Council to approve and authorize the execution of a quitclaim deed to convey to Stephen T. Turney any interest of the County in an overlapping property section, approximately 0.573 acres, of the Riverbend site as was carried forward from a prior boundary line platting designation.

Public Hearing(s)

1. Rezoning Action: Public Hearing and Consider First Reading
Case # 20-06

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Tax Map #	726000071
Zoning Request:	To rezone from UD to RD-I
Acres:	1.09 +/- acres
Council District:	One (1) Michael Johnson
Applicant:	Eric and Brandalynn Stancil
Owner:	Eric and Brandalynn Stancil
Location:	359 Mark Trail Lane, Fort Mill
Planning Commission Date:	June 8, 2020
Staff Recommendation:	Approve
PC Recommendation:	Approve

- COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER FIRST 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.
- COUNCIL TO HOLD A PUBLIC HEARING AND CONSIDER FIRST READING OF AN ORDINANCE TO AMEND THE YORK COUNTY CODE OF ORDINANCES, CHAPTER 155, ZONING CODE, TO ADD A DEFINITION FOR “WAREHOUSING, WHOLESALE AND DISTRIBUTION ESTABLISHMENTS”; TO PROVIDE FOR SUCH ESTABLISHMENTS AS ACCESSORY USES TO A MANUFACTURING FACILITY; TO AMEND THE TABLE OF PERMITTED AND SPECIAL EXCEPTION USES TO REQUIRE A SPECIAL EXCEPTION FOR WAREHOUSING, WHOLESALE AND DISTRIBUTION ESTABLISHMENTS OF A CERTAIN SIZE; TO ESTABLISH CONDITIONS OF APPROVAL FOR SUCH A SPECIAL EXCEPTION; TO INVOKE THE PENDING ORDINANCE DOCTRINE; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Old Business

New Business

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1. Council to Consider the YORK COUNTY COUNCIL EMERGENCY ORDINANCE DECLARING REQUIREMENT TO WEAR FACE COVERINGS (Masks) IN PUBLIC PLACES, WITH EXCEPTIONS, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO with an effective date of July 22, 2020 at 12:01 AM.
2. Council to consider adopting A RESOLUTION ENCOURAGING INDIVIDUALS TO WEAR FACE COVERINGS IN IN PUBLIC PLACES AND IN CERTAIN CIRCUMSTANCES, AND MATTERS RELATED THERETO
3. Council to consider the use of FY2020 projected General Fund surplus for a one time COVID-19 bonus for all employees.
4. Council to discuss and vote regarding a proposed clear cutting ordinance to be added to the August 17, 2020 agenda.
5. Ratification of grant application and award by Rock Hill School District Three for a school resource officer.
6. Council to approve Change Order No. 2 in the amount of \$150,729.00 for the extended general conditions and additional site work associated with the Heckle Complex Renovations.
7. Council to approve agreement with SCDOT and City of Rock Hill to relocate the City of Rock Hill's sewer line in conjunction with the SCDOT Manchester Creek Bridge replacement project. (Estimated at \$553,959.30)
8. Council to ratify the procurement for disposal of municipal solid waste at Republic Services Transfer Station for a total amount of \$487,450.00.
9. Council to ratify procurement of flooring replacement at Baxter Crossing facility to Britton Flooring, LLC of Rock Hill SC, for a total cost of \$30,761.90.
10. Council to ratify procurement of water system sampling services to J.G. Environmental of Kershaw SC, for a total cost of \$32,095.00.

Committee and Other Reports

Public Works Committee Meeting, June 30, 2020, 6:00pm Chairman William "Bump" Roddey

Council Member New/Non-agenda Comments

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Citizen Concerns

Executive Session:

Personnel Matter: Clerk to Council Annual Review, Follow Up

Personnel Matter: Continued Representation of Outside Counsel: Emily Brown

Personnel Matter: Update on Assistant County Manager Hiring Process

Personnel Matter: Update on Auditor Hiring Process

Receipt of Legal Advice: Condemnation Pennies Project 11149-009 Tracts 26, 28 & 29

Receipt of Legal Advice: Condemnation Project Number: 15222 Tracts: 108 and 110 and Project Number: 17260 Tract 6

Contractual Matter: Project Avalanche

Receipt of Legal Advice: Request authorization to file suit on three stormwater cases: Palmetto West, Reserve at Gold Hill, and Mill Creek Falls

Matters for consideration following Executive Session

Adjourn