

Agenda

York County Council

Council Chambers, Agricultural Bldg, 6 S. Congress St., York, SC

Monday, March 16, 2009

6:00pm

Call to Order Houston O. Motz, Chairman

Invocation and Pledge of Allegiance Curwood Chappell, District 5

Appearances

Dr. Robert Sweet - Award Presentation to Master Deputy Mark Motz

Kevin Tolson, Forensic Supervisor - requesting permission to apply for a forensic related SANE grant - *Permission to apply is included in the "New Business" section of this agenda.*

Bruce Bryant, Sheriff - requesting permission to apply for 3 grants. - *Permission to apply is included in the "New Business" section of this agenda.*

Kevin Brackett, Solicitor and Harry Dest, Public Defender - requesting permission to jointly apply for a JAG grant - *Permission to apply is included in the "New Business" section of this agenda.*

Pastor Matt McGue - LifePointe Christian Church

Fred Faircloth regarding a Children's Museum

Old Business

1. Consider amending and giving 2nd reading to an ordinance entitled, TO AMEND THE CODE OF THE COUNTY OF YORK BY CREATING CHAPTER 156, TEMPORARY DWELLING PERMITS, SECTIONS _____ THROUGH _____, UNDER THE COUNTY'S AUTHORITY CONFERRED BY THE SOUTH CAROLINA LOCAL GOVERNMENT COMPREHENSIVE PLANNING ENABLING ACT, TITLE 6, CHAPTER 29, AS AMENDED, AND ITS AUTHORITY TO PROVIDE FOR THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF YORK COUNTY, BY ESTABLISHING TEMPORARY ALLOWANCES FOR SECONDARY DWELLINGS, THE NEED FOR WHICH IS CREATED UNDER EXIGENT CIRCUMSTANCES AND PERSONAL HARDSHIP, WHERE AN APPLICANT FOR A

TEMPORARY DWELLING PERMIT DEMONSTRATES: THE NEED FOR THE PROVISION OF CONTINUOUS MEDICAL CARE OR ASSISTANCE TO AN INDIVIDUAL, OR THAT THE OWNERS OF THE PARCEL IN ISSUE ARE IN THE PROCESS OF BUILDING A PERMANENT DWELLING UPON THE PARCEL, OR THAT THE OCCUPANT OF THE TEMPORARY DWELLING IS AN IMMEDIATE FAMILY MEMBER WHO IS EXPERIENCING FINANCIAL HARDSHIP; AND, WHERE THE APPLICANT FOR THE TEMPORARY DWELLING PERMIT CAN MEET CRITERIA REQUIRING DESIGN, CONSTRUCTION AND MAINTENANCE STANDARDS, PROVIDE CURRENT VEHICULAR LICENSES FOR RECREATIONAL VEHICLES USED AS TEMPORARY DWELLINGS, DEMONSTRATE ONLY ONE TEMPORARY DWELLING PER PARCEL, AFFIRM THAT NO RENT, FEE, OR PAYMENT OF ANY KIND WILL BE RECEIVED FOR THE PROVISION OF THE TEMPORARY DWELLING, DEMONSTRATE THAT THE DWELLING MEETS SCDHEC REQUIREMENTS FOR WATER AND WASTEWATER AND MEETS YORK COUNTY REQUIREMENTS FOR TEMPORARY ELECTRICAL SERVICE, AND DEMONSTRATE THAT THE TEMPORARY DWELLING MEETS THE SETBACK REQUIREMENTS FOR THE PRINCIPAL STRUCTURE ON THE PARCEL; AND, WHERE THE PARCEL OWNER SEEKING THE TEMPORARY DWELLING PERMIT SUBMITS AN APPLICATION TO THE YORK COUNTY PLANNING AND DEVELOPMENT DEPARTMENT WHICH INCLUDES A SITE PLAN FOR THE PARCEL, A DESCRIPTION FOR THE PROPOSED DWELLING, A NOTARIZED STATEMENT SIGNED BY ALL OWNERS OF THE PARCEL SETTING FORTH THE CIRCUMSTANCES NECESSITATING THE TEMPORARY DWELLING, PAYMENT OF THE APPLICATION FEE AS ESTABLISHED BY YORK COUNTY COUNCIL, AND, IN THE CASES OF MEDICAL EMERGENCY, A STATEMENT FROM A PHYSICIAN SUBSTANTIATING THE NEED FOR CONTINUOUS CARE FOR A PERSON RESIDING ON THE PARCEL IN ISSUE; AND, TO ESTABLISH THE PROCEDURE FOR WHICH THE YORK COUNTY COUNCIL IS TO HEAR THE APPLICATION FOR THE PERMIT, MAKE ITS FINDINGS CONCERNING HARDSHIP AND CRITERIA, AND RENDER ITS DECISION; TO PROVIDE FOR COUNTY COUNCIL TO ATTACH REASONABLE CONDITIONS TO THE APPLICATION REQUEST, IF GRANTED; TO PROVIDE FOR A DEFINITE SIX MONTH TERM FOR THE TEMPORARY DWELLING PERMIT, AND A PROCESS FOR RENEWING THE PERMIT FOR AN ADDITIONAL SIX MONTH TERM; TO PROVIDE FOR THE REVOCATION OF THE PERMIT; TO PROVIDE FOR THE EXPIRATION OF THE PERMIT AND THE REVERSION OF THE DWELLING TO ITS PRIOR USE BEFORE THE ISSUANCE OF THE PERMIT; TO PRONOUNCE THAT THE ISSUANCE OF A TEMPORARY DWELLING PERMIT DOES NOT CONFER A PERMANENT OR VESTED RIGHT; TO PROVIDE FOR THE ULTIMATE RECISSION OF THIS ORDINANCE BY ACTION OF THE COUNCIL; AND, TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

2. Consider amending and giving 3rd reading of revisions to the Stormwater Ordinance - Illicit Discharge Additions for an ordinance entitled, TO AMEND CHAPTER 152: STORMWATER MANAGEMENT AND SEDIMENT CONTROL, SECTIONS 152.01 THROUGH 152.10; 152.20 THROUGH 152.28; 152.40 THROUGH 152.42; 152.55 THROUGH 152.62; AND 152.99 OF THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, KNOWN AS "THE STORMWATER MANAGEMENT AND SEDIMENT CONTROL ORDINANCE OF YORK COUNTY, SOUTH CAROLINA;" TO DEFINE AND ESTABLISH MINIMUM STORMWATER MANAGEMENT REQUIREMENTS AND CONTROLS TO PROTECT THE NATURAL RESOURCES OF YORK COUNTY AND THE GENERAL HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF YORK COUNTY, SOUTH CAROLINA; TO PROVIDE THE AUTHORITY FOR THE ENACTMENT OF THIS STORMWATER MANAGEMENT AND SEDIMENT CONTROL ORDINANCE; TO DEFINE THE JURISDICTION AND PROVIDE FOR THE ADMINISTRATION OF STORMWATER MANAGEMENT AND SEDIMENT CONTROL

REGULATIONS; TO PROVIDE FOR EXEMPTIONS AND WAIVERS FROM THIS ORDINANCE; TO PROVIDE RULES OF LANGUAGE, INTERPRETATION AND DEFINITIONS; TO PROVIDE FOR NOTIFICATION OF THE REQUIREMENTS OF THIS CHAPTER TO PERSONS APPLYING FOR GRADING PERMITS; TO PROVIDE FOR INSPECTION AND ENFORCEMENT OF PROVISIONS OF THE STORMWATER MANAGEMENT AND SEDIMENT CONTROL ORDINANCE; TO DEFINE THE RELATIONSHIP OF THIS ORDINANCE WITH OTHER LAWS, REGULATIONS AND ORDINANCES; TO DEFINE PROCEDURES FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS ORDINANCE; TO PROVIDE FOR THE PROTECTION OF EXISTING DISTURBED AREAS; TO ESTABLISH AN APPLICATION PROCESS FOR GRADING PERMITS, APPROVALS AND REVIEWS; TO ESTABLISH A FEE SCHEDULE FOR PERMITS, APPROVALS AND REVIEWS UNDER THIS CODE; TO PROVIDE FOR THE APPROVAL OR DISAPPROVAL OF APPLICATIONS FOR PERMITS OR APPROVALS; TO PROVIDE FOR VARIANCES, APPEALS AND ADMINISTRATIVE HEARINGS; TO DEFINE THE RESPONSIBILITY OF APPLICANTS FOR AUTHORIZATIONS, PERMITS, BONDS AND OTHER AUTHORIZATIONS, REQUIREMENTS OR APPROVALS; TO PROVIDE A MECHANISM FOR EXTENSIONS OF TIME; TO DEFINE THE RESPONSIBILITIES OF APPLICANTS AND OPERATORS; TO ESTABLISH MANDATORY STANDARDS AND PLAN REQUIREMENTS FOR STORMWATER POLLUTION PREVENTION PLANS; TO PROVIDE PLAN REQUIREMENTS FOR STORMWATER MANAGEMENT AND SEDIMENT CONTROL PLANS; TO PROVIDE REFERENCES AND RESOURCES TO ASSIST APPLICANTS IN MEETING MANDATORY STANDARDS AND REQUIREMENTS; TO DEFINE MAINTENANCE REQUIREMENTS DURING CONSTRUCTION; TO DEFINE MAINTENANCE RESPONSIBILITIES AFTER DEVELOPMENT; TO REQUIRE THE AMENDMENT AND MAINTENANCE OF SWPPP PLANS AND MAPS; TO PROVIDE FOR THE TERMINATION OF COVERAGE AND THE ISSUANCE OF NOTICES OF TERMINATION AND PRESCRIBE THE TERMS AND CONDITIONS THEREOF; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS CODE; TO PROVIDE FOR A PUBLIC HEARING BEFORE FINAL ADOPTION OF THIS ORDINANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

3. Consider award of services contract with Jordan Jones and Goulding for the creation of a unified development ordinance for the county.

Executive Session: Condemnation(s) and Contractual Matters

New Business

1. Consider 1st reading of an ordinance entitled, "To Amend the York County Code of Ordinances by inserting new sections 31.20.1 through 31.20.6 enacting new York County Privacy Protection Provisions providing for the protection of personal information as defined herein except for a legitimate public purpose; To require that the collection of personal information pertaining to citizens of York County, South Carolina is limited to such personal information required by any County Agency, Board, Commission, Institution, department, Official or Employee necessary to fulfill a legitimate public purpose; To prohibit the obtaining or use of York County public records for Commercial Solicitation; To require that York County and its Agencies, Boards, Commissions, institutions, Departments, Officials and Employees shall take reasonable measures to ensure that no person or private entity obtains or distributes personal information obtained from a public record for

- Commercial Solicitation; To prohibit or limit the use of social security numbers and personal identifying information to such personal information as may be required by York County or any County Agency, Board, Commission, institution, Department, Official or Employee necessary to fulfill a legitimate public purpose; To require the adoption and implementation of a Personal Identifying Information Privacy Protection Policy in York County; To require the display of the York County Privacy Policy on the York County Web Site; To provide for a Public Hearing; To provide that violations of the provisions of this ordinance shall constitute misdemeanors; To provide for a fine or term of imprisonment upon conviction for violations of this ordinance; And to provide for other matters relating thereto
2. Consider 1st reading of an ordinance entitled, "TO AMEND SECTIONS 153.30 THROUGH 153.32 OF THE CODE OF ORDINANCES OF YORK COUNTY, SOUTH CAROLINA TO EXPAND THE MEMBERSHIP OF THE YORK COUNTY ECONOMIC DEVELOPMENT BOARD TO SEVENTEEN MEMBERS; TO PROVIDE FOR THE APPOINTMENT AND TERMS OF OFFICE OF THREE ADDITIONAL MEMBERS OF THE YORK COUNTY ECONOMIC DEVELOPMENT BOARD WHO SHALL BE APPOINTED BY THE YORK COUNTY COUNCIL FROM THE MEMBERSHIP OF YORK COUNTY GROWTH PARTNERS, INC. AFTER RECEIVING RECOMMENDATIONS FROM YORK COUNTY GROWTH PARTNERS, INC.; TO AMEND SECTIONS 153.30 THROUGH 153.34 OF THE YORK COUNTY CODE RELATING TO THE COMPOSITION, ORGANIZATION AND TERMS OF OFFICE OF THE YORK COUNTY ECONOMIC DEVELOPMENT BOARD; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO."
 3. Consider bids for gas detection monitors, bottle gas, cradles and regulators for use by the York County Fire Board; Bid #1861
 4. Consider a request to replace 1 budgeted position in the Finance Department with a different classification.
 5. Consider authorizing staff to apply for and accept, if awarded, the Fiscal Year 2009/2010 Solid Waste Grants
 6. Consider amending the United Way Warming Center Contract and appropriate an additional \$6,000 in Contingency Funds to support the amendments
 7. Consider recommendation to select an organization to provide Demand Response Transit Services and authorization to negotiate a contract
 8. Consider declaring the Alexander elevated water storage tank as surplus property & advertise for sale

9. Consider bids for an animal transport body for use by the Animal Control Department; Bid #1863
10. Consider to declare the 1988 grass fire truck and equipment on said truck as surplus and award the fire truck and equipment to the Smyrna Fire Department.
11. Consider to declare the 1988 grass fire truck and equipment of the Bethel Fire Department as surplus
12. Consider cost share for enhancements to the US Route 21 bridge over the Catawba River
13. Consider reimbursement agreement with York School District One to design and construct three access drives to the proposed high school at Lincoln Road as part of the 1997 Capital Projects Sales and Use Tax Program, Project 97-012: SC Route 5 Bypass
14. Consider authorizing a grant application, and to accept if awarded, a "State Victim Assistance Program" grant on behalf of the Sheriff's Office
15. Consider authorizing the Sheriff's department to apply for a Justice Assistance Special Solicitation Grant for FY 2009-2010.
16. Consider authorizing the Sheriff's department to apply for a US Department of Justice COPS (Office of Community Oriented Policing Services) grant.
17. Consider authorizing the Sheriff's department to apply for a Justice Assistance Grant from the Department of Public Safety for FY 2009-2010.
18. Consider authorizing the Solicitor's Office and Public Defender's Office to apply for a new Justice Assistance Grant for FY 2009-2010.
19. Discussion of potential Access Agreement with LifePointe Christian Church
20. Consider authorizing negotiation regarding reuse opportunities for the Charlotte Knights Stadium

Committee Report

Finance & Operations Committee Meeting - Joseph Cox, Chairman
(Meeting on March 16, 2009 at 5:30pm)

Consent Agenda

<u>Item</u>	<u>Action</u>
a. Approve minutes of February 16, 2009 Council Meeting	Approve as written
b. Approve recommended alignment of the Project 03-004: Fort Mill Southern Bypass as Part of the 2003 Capital Projects Sales and Use Tax Program	
c. Consider accepting the following roads into the county maintenance system:	
<u>Baxter Parcel XXVI Phase XXV "A" Subdivision</u> Harvest Pointe Drive Perriwinkle Lane	
<u>Heron Cove Phase IV Subdivision</u> Yager Ridge Drive	
<u>Riverwood Subdivision</u> Millstream Drive Oakbourne Lane Crannog Way	
<u>Williamsburg Commons Phase 1</u> Amistead Avenue Parchment Boulevard	

Those wishing to appear not on the agenda

Adjourn