

Agenda

York County Council

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

Monday, December 1, 2008

6:00 p.m.

Call to Order Houston O. Motz, Chairman

Invocation and Pledge of Allegiance Houston O. Motz, District 6

Oath of Office for newly appointed Board and Commission Members

Don Janus - Catawba Regional Workforce Investment Board
Karen Craig - Catawba Regional Workforce Investment Board
Robert Worley - Building Board of Appeals
Carolyn Rogers - Zoning Board of Appeals
Rene Kennedy - York County Planning Commission
Paige Graham - Culture & Heritage Commission
Robert Sullivan - Culture & Heritage Commission
Jim Johnston - Culture & Heritage Commission
Diane Wells - Culture & Heritage Commission
Fred Faircloth - Culture & Heritage Commission

Appearance

John Thomas - Smoking Ban Ordinance

Public Hearing

1. Public Hearing and consider 2nd reading of an ordinance entitled "TO FURTHER AMEND AN ORDINANCE ENTITLED "TO ESTABLISH OPERATING AND CAPITAL BUDGETS FOR THE OPERATION OF THE COUNTY GOVERNMENT OF YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2008, ETC"; TO PROVIDE FOR SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY GRANT FUNDS FOR APPROPRIATIONS FOR ROADWAY SAFETY EDUCATION AND ENFORCEMENT ACTIVITIES; TO PROVIDE REVENUE FROM NEXTEL FOR APPROPRIATIONS REQUIRED FOR 800 MHZ REBANDING; AND TO PROVIDE ADDITIONAL CAPITAL IMPROVEMENT FUND INTEREST EARNINGS FOR ADDITIONAL BOND ISSUANCE COSTS, TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR MATTERS RELATING THERETO.

Old Business

1. Consider 3rd reading:
Tax Map 650-661, 662, 336, 38, 10

Zoning request	RC-I, RD-I & RD-II to PD
Acres	19.18 +/-
Council district	1 Lindemann
Applicant	The Tuttle Company
Owners	Coulston Enterprises & Stone Enterprises
Location	Properties are located on Highway 160 W in the Fort Mill community
Staff	Approval
Planning Commission	Approval
Zoning Committee	Approval

Executive Session: Condemnations and Contractual Matters

New Business

1. Renewal of the Lease with Duke Energy for Ebenezer Park
2. Introduction of 1st reading of an Ordinance to amend Chapter 55 of the York County Code entitled "Animals and Fowl" in order to provide for the more orderly administration of animal control ordinances and codes by York County.
3. Consider giving 1st reading by title only to an Ordinance to amend Chapter 33 of the York County Code entitled "Personnel" in certain particulars in order to provide for the more orderly administration of personnel codes and ordinances by York County.
4. Consider giving 1st reading by title only 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.

5. Consider giving 1st reading to an ordinance to amend SECTION 70.25 OF THE YORK COUNTY CODE ADOPTED NOVEMBER 3, 2008, BY ORDINANCE NO. 6008, DATED NOVEMBER 3, 2008, BY DELETING THE REQUIREMENT FOR LIABILITY INSURANCE FOR OFF-HIGHWAY VEHICLES UNLESS THE STATE OF SOUTH CAROLINA ADOPTS LEGISLATION REQUIRING SUCH INSURANCE; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
6. Consider request to enter into an agreement to accept funds from SC Department of Natural Resources
7. Consider proposals for the Standards and Procedures for Base Mapping (Orhtophotography) for the MIS Department.
8. Consider authorizing staff to negotiate with Jordan Jones and Goulding for the creation of a unified development ordinance for the county
9. Consider approving and executing the Nextel Frequency Reconfiguration Agreement

10. Consider approving and executing the Motorola Reconfiguration Implementation Agreement.

Consent Agenda

<u>Item</u>	<u>Action</u>
a. Approve minutes of November 17, 2008 Council Meeting	Approve as written
b. Approve minutes of November 17, 2008 Finance & Operations Committee Meeting	Approve as written

Those wishing to appear not on the agenda

Adjourn

****Presentation Immediately following Council Meeting on Route for the Fort Mill Southern Bypass****