

Amended

Agenda

York County Council

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

Monday, September 21, 2009

6:00pm

Call to Order ..... Houston O. Motz, Chairman

Invocation and Pledge of Allegiance..... Paul Lindemann, District 1

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

Brother David Boone, York County Community Relations Commission  
Barbara Guidry, York County Community Relations Commission  
Pastor Gene Feagin, York County Community Relations Commission  
Thi Le, York County Community Relations Commission  
Donald Rodgers, York County Community Relations Commission  
Manning Kimmel, York County Community Relations Commission  
Luis Machicao, York County Community Relations Commission  
Edwina Roseboro Barnes, York County Community Relations Commission  
Robert Copeland, York County Community Relations Commission  
Maria Duncan, York County Community Relations Commission  
Scott Huffmon, York County Community Relations Commission  
Diane Wells, York County Community Relations Commission  
Rob Youngblood, York County Community Relations Commission  
Debbie Abels, York County Community Relations Commission  
Sheriff Bruce Bryant, York County Community Relations Commission

**Appearances**

Christy Brown - Smoking Ban Ordinance

Van Shields - Report on the status of the Museum Project

**Public Hearing(s)**

1. Public hearing and consider 3<sup>rd</sup> reading of an ordinance entitled, "AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR YORK COUNTY GOVERNMENT OF SOUTH CAROLINA

2. Public hearing and consider 3<sup>rd</sup> reading of an ordinance entitled, "AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE TRANSFER OF AUTHORITY FOR CONDUCTING MUNICIPAL ELECTIONS IN THE TOWN OF SMYRNA TO THE REGISTRATION AND ELECTIONS COMMISSION FOR YORK COUNTY; TO DEFINE THE POWERS, DUTIES AND RESPONSIBILITIES ASSUMED BY THE REGISTRATION AND ELECTIONS COMMISSION FOR YORK COUNTY FOR THE CONDUCT OF MUNICIPAL ELECTIONS IN THE TOWN OF SMYRNA; TO PROVIDE FOR REIMBURSEMENT OF ALL COSTS AND EXPENSES INCURRED BY THE REGISTRATION AND ELECTIONS COMMISSION FOR YORK COUNTY IN THE CONDUCT OF SUCH MUNICIPAL ELECTIONS; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
  
3. Public hearing and consider 3<sup>rd</sup> reading of an ordinance entitled, "TO AUTHORIZE THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BETWEEN YORK COUNTY, SOUTH CAROLINA AS LESSOR AND JOHN D. GOOD OR HIS NOMINEE AS LESSEE FOR THE LEASE OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 4.43 ACRES, MORE OR LESS, LOCATED AT 260 DAVE LYLE BOULEVARD, ROCK HILL, SOUTH CAROLINA; TO PROVIDE THE TERMS, CONDITIONS, AND OTHER PROVISIONS AND CONDITIONS UPON WHICH SUCH PROPERTY SHALL BE LEASED; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERTO.

**Old Business**

1. Consider 3<sup>rd</sup> reading:  
Tax Map 5270000061

Zoning request:	AGC to AGC-I
Acres:	23.5 +/-
Council district:	Five (5) Chappell
Applicant:	Kathleen Sullivan
Owners:	Kathleen Sullivan
Location:	Near Rambo Road and Skyline Road in the Rock Hill Community
Staff:	Approval
Planning Commission:	Approval
Zoning Committee:	Approval

2. Consider 3<sup>rd</sup> reading:  
Tax Map 7390000011

Zoning request:	RC-I to BD II
Acres:	3.0 +/-
Council district:	One (1) Lindemann
Applicant:	Stephen D. Trull
Owners:	Stephen D. Trull
Location:	Property is located at 1545 Williams Road in the Fort Mill Community.
Staff:	Denial
Planning Commission:	Approval
Zoning Committee:	Approval

**Executive Session:** Condemnation(s); Legal Issues - Waiver to permit Bond Counsel to represent applicant for FILOT and Landfill Update; Contractual Matters - York County Forever Property Acquisition, and Knights Stadium Lease Agreement

## New Business

1. Consider 1<sup>st</sup> 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, 2009, ETC"; TO PROVIDE FOR REVENUE FROM SUNDAY ALCOHOL SALE PERMITS TO FUND APPROPRIATIONS TO BE ALLOCATED BY KEYSTONE TO THE ALOCHOL ENFORCEMENT TEAM; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER FISCAL MATTERS RELATING THERETO."
2. Consider adopting a resolution in appreciation of Jim & Lynn Crane for an important collections gift made to the Culture & Heritage Museums
3. Consider adopting an INDUCEMENT RESOLUTION IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA, AS AMENDED, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY PROJECT ARROW AND SYKES INDUSTRIAL SOLUTIONS - FORT MILL, LLC TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE IN LIEU OF TAX ARRANGEMENT WITH YORK COUNTY, SOUTH CAROLINA; AND COMMITTING TO ENTER INTO SUCH NECESSARY AGREEMENTS WITH PROJECT ARROW AND SYKES INDUSTRIAL SOLUTIONS - FORT MILL, LLC TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND OTHER MATTERS RELATED THERETO.
4. Consider Contract Amendment No. 1 with Curt Davis Architects (CDA) for additional architectural design services associated with the Heckle Crossing Shopping Center -
5. Consider declaring property identified as Tax Parcel 448-00-00-050 (located along SC Route 161, previously owned by Tirzah AME Zion Church, and obtained by York County under the Pennies for Progress Program) as surplus property and advertise the property for sale
6. Consider approval of agreement with Duke Energy for relocation of electrical utilities for Project 97-012: SC Route 5 Bypass as part of the 1997 Capital Projects Sales and Use Tax Program
7. Consider bids for two (2) each, new, unused, 2010 model, 4x4 extended cab & chassis trucks, GVW 14,500 pound for use by the Department of Fire safety; Bid #1896
8. Consider Design Contract Amendment with McKim & Creed for extending the waterline to SC Route 160 as part of the Catawba River Waterline Project

9. Consider authorizing staff, in consultation with the Agri-tourism Committee to search for, evaluate and recommend to the Council a possible site or sites for their consideration as the best available location for a future fairground and multipurpose Agri-tourism facility.

## Committee Report

Planning & Economic Development Meeting - Tom Smith, Chairman  
(Meeting on September 21, 2009 at 5:00pm)

Finance & Operations Committee Meeting - Joseph Cox, Chairman  
(Meeting on September 21, 2009 at 5:30pm)

## Consent Agenda

<u>Item</u>	<u>Action</u>
a. Approve minutes of September 8, 2009 Council Meeting	Approve as written
b. Accept Adopt-a-Stream Program Policy as information only - Action scheduled for October 5 <sup>th</sup> Council Meeting	
c. Consider accepting the following roads into the County road maintenance system:  <u>Rosedale Subdivision Phase 2</u> Cedar Trace Drive Autumn Glen Court Virginia Pine Lane	

## Those wishing to appear not on the agenda

## Matters for consideration following Executive Session

1. Consider authorization of proposed Condemnations
2. Consider authorization of property acquisition by York County Forever
3. Waiver to permit Bond Counsel to represent applicant for FILOT
4. Consider Knights Stadium Lease Agreement
5. Consider authorizing a contract agreement with Economic Research Associates for consulting services regarding reuse opportunities for the Charlotte Knights Baseball Stadium.

## Adjourn