

Agenda

York County Council

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

Monday, April 21, 2008

6:00 p.m.

Call to Order Houston O. Motz, Chairman

Invocation and Pledge of Allegiance Rick Lee, District 7

Oath of Office for newly appointed Board and Commission Members

Ronald Dunlap, Jr. - Board of Rural Fire Control
Bobby G. Thomas - Board of Rural Fire Control
Christopher W. Thompson - Board of Rural Fire Control
Kenny Gilfillan - Board of Rural Fire Control
Allen S. Gray - Riverview Fire District Board
Lisa B. Spangler - Library Board
Dawn C. Johnson - Culture & Heritage Commission

Appearances

Keith Pallesen in regards to outside burning

Steve Love in regards to the handling of a recent County personnel matter

Public Hearings

1. Public Hearing and consider 3rd 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, 2007, ETC"; TO APPROPRIATE FLINT HILL FIRE DISTRICT FUND BALANCE FOR PURCHASE OF A LADDER TRUCK; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR MATTERS RELATING THERETO."

Old Business

1. Consider giving 3rd reading:
Tax Map 592-51 & 53

Acres	1.2 +/-
Council District	6 (Motz)
Applicant	Susan R. Johnson
Owner	Susan R. Johnson

- | | |
|---------------------|--|
| Location | Property is located at 2185 India Hook Road and McGee Road in the Rock Hill community. |
| Zoning request | RC-I to BD-II |
| Staff | Approval |
| Planning Commission | Approval |
2. Consider giving 3rd reading:
Tax Map 559-25
- | | |
|---------------------|--|
| Acres | 13.56 +/- |
| Council District | 2 (Smith) |
| Applicant | Ronald Montgomery |
| Owner | LWMO, LLC |
| Location | Property is located at 5737 Charlotte Hwy in the Lake Wylie community. |
| Zoning request | RUD to BD-III |
| Staff | Approval |
| Planning Commission | Approval |
3. Consider giving 3rd reading:
Tax Map 655-19, 100
- | | |
|---------------------|--|
| Acres | 7.0 +/- |
| Council District | 1 (Lindeman) |
| Applicant | Kevin S. Casner |
| Owner | Robert Blake & Courtney Blake |
| Location | Property is located at Hwy160 and Edie Rose Lane in the Fort Mill community. |
| Zoning request | RD-II to BD-III |
| Staff | Approval |
| Planning Commission | Approval |
4. Consider amending and giving 2nd reading to the Kohl FILOT Agreement
5. Consider amending and giving 2nd reading to an ordinance entitled, "AN ORDINANCE TO AMEND THE 2025 LAND USE PLAN MAP OF THE 2025 YORK COUNTY COMPREHENSIVE PLAN AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO"
6. Consider amending and giving 2nd reading to an ordinance entitled, "AN ORDINANCE TO AMEND THE 2025 LAND USE PLAN MAP OF THE 2025 YORK COUNTY COMPREHENSIVE PLAN AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO"

Executive Session: Condemnations, Contractual Matters, and Legal Advisement

New Business

1. Consider adopting a resolution in support of Fair and Equitable Housing
2. Consider amendment to agreement for Capital Management & Engineering for services related to the 2002-2020 York County Facilities Expansion Program
3. Consider amendment to agreement with STV for design services related to Project 97-011: Albright Rd. Improvements as part of the 1997 York County Capital Projects Sales and Use Tax Program
4. Consider authorizing a resolution for the extension of the investment period under the fee agreement by and between York County, South Carolina and Champion Laboratories, Inc
5. Consider continuation of the Capital Sales and Use Tax Program (a.k.a. Pennies-for-Progress Program)
6. Consider award of bid for the Little Allison Creek Pump Station Project - Contract "A", Pump Station, Bid #1788
7. Consider award of bid for the Little Allison Creek Pump Station Project - Contract "B", Force Main, Bid #1789
8. Consider bids for 75 each vehicle prisoner seats for use by the Sheriff's Department, Bid #1785
9. Consider adopting an inducement resolution for Childress Klein, LLC #5
10. Consider adopting a Resolution of the York County Council Proclaiming the Existence of Drought Conditions in York County and Lessening of Water Restrictions and Conservation measures on the Use of Water Supplied by York County, South Carolina
11. Consider 1st 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, 2007, ETC"; TO APPROPRIATE GENERAL FUND BALANCE AND CAPITAL FACILITIES FUND BALANCE FROM INTEREST EARNINGS FOR THE PURPOSE OF FUNDING THE COSTS FOR THE NEW PRISON; TO APPROPRIATE WATER/SEWER RETAINED EARNINGS TO FUND ADDITIONAL COSTS FOR THE HIGHWAY 161 AND

HIGHWAY 274 WATERLINE RELOCATION PROJECTS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR MATTERS RELATING THERETO.

12. Consider 1st reading of an ordinance entitled, "TO PROHIBIT THE ISSUANCE OF PERMITS AND THE RESIDENTIAL, COMMERCIAL AND INDUSTRIAL DEVELOPMENT OF PROPERTY LOCATED WITHIN THE ONE HUNDRED YEAR FLOOD PLAIN AS SHOWN ON OFFICIAL FLOOD PLAIN MAPS AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN ITS FLOOD PLAIN INSURANCE STUDIES WITH ACCOMPANYING MAPS; TO GRANDFATHER EXISTING CONSTRUCTION WITHIN THE ONE HUNDRED YEAR FLOOD PLAIN; TOPROVIDE FOR VARIANCES; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ORDINANCE; TO PROVIDE FOR A PUBLIC HEARING BEFORE FINAL ADOPTION OF THIS ORDINANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO

13. Consider 1st reading of an ordinance entitled, "TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 155 BY INSERTING A NEW SECTION 155.330 ET SEQ., FOR THE PURPOSE OF PROTECTING THE WATERS AND TRIBUTARIES OF PERENNIAL STREAMS IN YORK COUNTY; TO FURTHER DEFINE THE PURPOSES AND INTENT OF THE PERENNIAL STREAMS BUFFER ESTABLISHED HEREIN AS AN OVERLAY ZONE; TO PROVIDE NON-CONFORMING USES, EXEMPTIONS FROM AND ALTERNATE REQUIREMENTS FOR THE PERENNIAL STREAMS BUFFER ORDINANCE; TO PROVIDE BASIC REQUIREMENTS FOR ALL LOTS ON PERENNIAL STREAMS IN YORK COUNTY; TO REQUIRE APPROVAL BEFORE CONSTRUCTION, TREE REMOVAL OR LAND DISTURBANCE ACTIVITY WITHIN THE DEFINED BUFFERS; TO PROVIDE PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; TO PROVIDE FOR MITIGATION; TO PROVIDE FOR APPEALS FROM DECISIONS OF THE ZONING ADMINISTRATOR; TO PROVIDE FOR VARIANCES; TO PROVIDE PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO

14. Consider 1st reading of an ordinance entitled, "TO AMEND SECTION 155.501, GENERAL COMMERCIAL DESIGN STANDARDS OF THE YORK COUNTY CODE RELATING TO DESIGN AND CONSTRUCTION STANDARDS FOR COMMERCIAL DEVELOPMENT IN YORK COUNTY , SOUTH CAROLINA TO PROVIDE THAT THE GENERAL COMMERCIAL DESIGN AND CONSTRUCTION STANDARDS OF SECTION 155.501SHALL APPLY TO ALLCOMMERCIAL CONSTRUCTION ALONG ARTERIAL ROADS OR HIGHWAYS IN YORK COUNTY; TO PROVIDE THAT EXISTING STANDARDS FOR COMMERCIAL DEVELOPMENT AND RELATED REQUIREMENTS FOR SITE LAYOUTS, PARKING LOT DESIGN, DEVELOPMENT PATTERNS, BUILDING LAYOUTS, PAD SITES, AMENITIES, BUILDING DESIGN VARIATIONS, MINIMUM WALL ARTICULATION, BUILDING MATERIALS, ENTRANCES, USE OF AWNINGS, ROOFS AND THE REUSE OF COMMERCIAL BUILDING SHALL BE SUBJECT TO THE PROVISIONS OF SECTION 155.501 OF THE YORK COUNTY CODE, AS AMENDED HEREIN, WITHOUT REGARD TO THE SIZE OF SUCH COMMERCIAL DEVELOPMENTS; TO REQUIRE HEARING ; TO AMEND INCONSISTENT SECTIONS AND ORDINANCES OF YORK COUNTY AND THE YORK COUNTY CODE TO THE EXTENT OF CONFLICT WITH THIS ORDINANCE; TO PROVIDE THE EFFECTIVE DATE OF THIS ORDINANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO

15. Consider 1st reading of an ordinance entitled, "TO AMEND THE CODE OF ORDINANCE OF YORK COUNTY, SOUTH CAROLINA, BY INSERTING A NEW SECTION 130.03 TO

PROHIBIT OPEN BURNING OF WASTE, DEBRIS, TRASH, STUMPS, TREE BRANCHES, YARD TRIMMINGS, CONSTRUCTION AND DEMOLITION WASTE, LAND CLEARING WASTE AND DEBRIS, HAZARDOUS WASTES AND MATERIALS IN THE UNINCORPORATED AREA OF YORK COUNTY, SOUTH CAROLINA, EXCEPT AS PROVIDED HEREIN; 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

16. Consider the disposition of a surplus Rural Fire Service fire engine and request from Chester County that it be made available to them

17. Consider directing staff to evaluate and make recommendations to the Council regarding the National Association of Counties prescription drug discount card program for underinsured and uninsured residents

Committee Report

Health & Environmental Protection - Tom Smith, Chairman
(Meeting on April 21, 2008 at 5:00pm)

Finance & Operations Committee - Rick Lee, Chairman
(Meeting on April 21, 2008 at 5:30pm)

Consent Agenda

- | | <u>Item</u> | <u>Action</u> |
|----|---|--------------------|
| a. | Approve minutes of April 7, 2008 Council Meeting | Approve as written |
| b. | Approve minutes of April, 7, 2008 Finance & Operations Meeting | Approve as written |
| c. | Consider design recommendation for Project 03-005: SC Route 49/97/211 Nimitz Loop as part of the 2003 Capital Projects Sales and Use Tax Program. | |

Those wishing to appear not on the agenda

Adjourn