

## Agenda

### York County Council

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

Monday, May 18, 2009

6:00pm

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

Invocation and Pledge of Allegiance ..... Tom Smith, District 2

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

Mary J. Shuler - Library Board

Michael Simmons - Library Board (Oath administered 5/12/09)

Calvin L. Goodwin - Library Board

William L. Weaver - Library Board

William Stiles - Board of Assessment Appeals

Gregory H. Rogers - Economic Development Board

#### Appearances

UDO Consultants in regards to the Unified Development Ordinance for the county

Patti Pitzer in regards to a presentation for Foster Care Awareness Month

#### Public Hearing

1. Public hearing on an ordinance entitled, "AN ORDINANCE TO AMEND THE PLANNED DEVELOPMENT (PD) ZONING AND PLAN FOR CROWDERS CREEK SOUTH AS REFERRED TO AND DESCRIBED IN THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN YORK COUNTY AND CRESCENT RESOURCES, LLC, DATED AS OF SEPTEMBER 2, 2008 AS MODIFIED BY A FIRST MODIFICATION THERETO; TO REQUIRE A PUBLIC HEARING BEFORE FINAL LEGISLATIVE ACTION IS TAKEN FOR THE ADOPTION OF THIS ORDINANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO
2. Public hearing on an ordinance entitled, "AN ORDINANCE TO AMEND A DEVELOPMENT AGREEMENT BY AND BETWEEN YORK COUNTY AND CRESCENT RESOURCES, LLC, DATED AS OF SEPTEMBER 2, 2008, IN CERTAIN PARTICULARS; TO AUTHORIZE THE EXECUTION AND DELIVERY OF A FIRST MODIFICATION TO SUCH

DEVELOPMENT AGREEMENT; TO REQUIRE A PUBLIC HEARING BEFORE FINAL ADOPTION OF THIS ORDINANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO

3. Public Hearing, and consider amending and giving 2<sup>nd</sup> reading to an ordinance entitled, "TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 155, BY AMENDING SECTIONS 155.320, 155.321, 155.322, 155.323, 155.324, 155.325, 155.326, 155.327, 155.328, AND 155.329 AND TO INSERT NEW SECTIONS 155.330, 155.331, ET SEQ., FOR THE PURPOSE OF PROTECTING LAKE WYLIE AND THE CATAWBA RIVER, THEIR WATERS, TRIBUTARIES, AND THE PERENNIAL STREAMS WHICH DRAIN INTO LAKE WYLIE; TO DEFINE THE LAKE WYLIE AND CATAWBA RIVER BUFFERS AND OVERLAY ZONES; TO PROVIDE FOR NON-CONFORMING USES, EXEMPTIONS, AND ALTERNATE REQUIREMENTS TO THE LAKE WYLIE AND CATAWBA RIVER BUFFERS; TO DEFINE TERMS AND PHRASES USED IN THIS CHAPTER 155 OF THE YORK COUNTY CODE OF ORDINANCES; TO ESTABLISH BASIC REQUIREMENTS FOR ALL LOTS ADJACENT TO THE PROJECT BOUNDARY OF LAKE WYLIE AND THE CATAWBA RIVER; TO PROVIDE FOR WORK WHICH REQUIRES SUBMISSION, APPROVAL AND ISSUANCE OF LAKE WYLIE AND CATAWBA RIVER BUFFER COMPLIANCES; TO PROVIDE FOR WAIVERS FROM THE PROVISIONS OF THE LAKE WYLIE AND CATAWBA RIVER BUFFERS ESTABLISHED IN THIS CODE AS THEY PERTAIN TO CHANGES IN STRUCTURE DIMENSION, ADDITIONS TO NON-CONFORMING STRUCTURES, REPAIRS TO ATTACHED AMENITIES, AND LANDSCAPING; TO PROVIDE A PROCESS FOR APPROVAL PROCEDURES FOR PERMITTED ACTIVITIES WITHIN THE BUFFERS ESTABLISHED HEREIN; TO REQUIRE INSPECTIONS AND APPROVALS FOR WORK WITHIN THE LAKE WYLIE AND CATAWBA RIVER BUFFERS; TO REQUIRE A FULL BOUNDARY SURVEY AND ESTABLISH REQUIREMENTS FOR THE SALE OF ANY LOT, PLAT APPROVAL, ZONING COMPLIANCE OR BUILDING PERMIT SUBJECT TO THE PROVISIONS OF THIS CHAPTER; TO PROVIDE FOR APPEALS FROM DECISIONS OF THE ZONING ADMINISTRATOR TO THE YORK COUNTY ZONING BOARD OF APPEALS; TO ESTABLISH THE PROCESS, PROCEDURES AND REQUIREMENTS FOR APPLICATIONS FOR VARIANCES; TO PROVIDE THAT VIOLATIONS OF THIS CHAPTER SHALL CONSTITUTE A MISDEMEANOR AND TO PROVIDE FOR THE PENALTIES UPON CONVICTION OF SUCH VIOLATIONS OR OFFENSES; TO PROVIDE ADMINISTRATIVE REMEDIES FOR VIOLATIONS OF THIS CHAPTER; TO AUTHORIZE THE WITHHOLDING OF PERMITS FOR ANY LOT OR PROPERTY FOR WHICH THE OWNER OR OTHER ENTITY OR THE PROPERTY IS IN VIOLATION OF THE PROVISIONS OF THIS CHAPTER; TO PROVIDE FOR MITIGATION AND RESTORATION OF DAMAGE TO OR DESTRUCTION OF THE BUFFERS ESTABLISHED IN THIS CHAPTER; TO PROVIDE FOR APPEALS FROM MITIGATION OR RESTORATION DECISIONS OF COUNTY OFFICIALS UNDER THIS CHAPTER; AND, TO PROVIDE FOR OTHER MATTERS RELATING THERETO."

### Old Business

1. Consider 3<sup>rd</sup> reading of an ordinance entitled, "AN ORDINANCE TO AMEND THAT CERTAIN AGREEMENT FOR THE DEVELOPMENT OF A JOINT INDUSTRIAL AND BUSINESS PARK BETWEEN YORK COUNTY AND CHESTER COUNTY DATED DECEMBER 5, 2005.

2. 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 HICKORY GROVE 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 HICKORY GROVE; 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. 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 McCONNELLS 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 McCONNELLS; 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.
  
4. Consider 2<sup>nd</sup> reading of 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: TO PROVIDE FOR THE LEVY OF TAXES FOR YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2009; TO PROVIDE FOR THE EXPENDITURE OF TAX REVENUES AND OTHER COUNTY FUNDS; TO PROVIDE FOR OTHER FISCAL MATTERS RELATING TO COUNTY GOVERNMENT."

Executive Session: Condemnation(s)

#### New Business

1. Consider adopting a proclamation for Foster Care Awareness Month
  
2. CONSIDER ADOPTING A RESOLUTION TO DECLARE THE RESULTS OF A SPECIAL ELECTION HELD ON MAY 2, 2009, FOR THE PURPOSE OF DETERMINING WHETHER OR NOT A SPECIAL TAX DISTRICT TO BE KNOWN AS BETHEL RURAL FIRE DISTRICT SHOULD BE CREATED IN ORDER THAT RURAL FIRE PROTECTION SERVICES MAY BE RENDERED THEREIN AND AN ANNUAL MILLAGE RATE OF NOT MORE THAN TEN (10) MILLS BE LEVIED AND COLLECTED IN ORDER TO PROVIDE FOR THE OPERATION AND MAINTENANCE OF THE FUNCTION OF THE SAID SPECIAL TAX DISTRICT.
  
3. Consider 1<sup>st</sup> reading of an Ordinance entitled: "TO AMEND SECTIONS 150.04(B)(INTERNATIONAL RESIDENTIAL CODE) AND 150.06 (NATIONAL ELECTRICAL CODE) OF THE CODE OF YORK COUNTY, SOUTH CAROLINA, TO INCORPORATE THE PROVISIONS OF THE CONSTRUCTION RELATED CODES AS MODIFIED AND ADOPTED BY

THE SOUTH CAROLINA BUILDING CODES COUNCIL AND TO INCORPORATE THE ADMINISTRATIVE PROVISIONS RELATED THERETO FOR MANDATORY ENFORCEMENT BY ALL JURISDICTIONS WITHIN THE STATE OF SOUTH CAROLINA, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO."

4. Consider 1<sup>st</sup> reading of an ordinance to authorize intergovernmental agreement for water and sewer service in designated area of Fort Mill
5. Consider proposals for a bullet recovery system for use by the York County Multijurisdictional Forensic Services; Prop. #1871
6. Consider a request to extend an agreement with Impact Community Church to provide space at Rawlinson Road Middle School for Sunday services
7. Consider a request to purchase "Agreed Value" coverage on the county's fleet of county owned fire trucks.
8. Consider design services contract with Weidman and Singleton, Inc. for conversion of a raw water main
9. Consider agreement with York Electric Cooperative (YEC) for utility relocation services for Project 97-012: SC Route 5 Bypass as Part of the 1997 Capital Projects Sales and Use Tax Program
10. Consider bids for detention grade tables with fixed seating, and armless one piece molded stacking chairs as part of the furniture, fixtures, and equipment (FF&E) to accommodate the Detention Center Expansion Project; Bid #1875
11. Consider installation of a new electrical service to the Moss Justice Center
12. Consider construction Change Order #1 for JM Cope for the Moss Justice Detention Center Expansion Project
13. Consider approval of request to apply for 2009 Congestion Mitigation and Air Quality program funds for road improvements on Spring Hill Farm Road
14. Consider bids for qualified professional dust suppression business that will provide calcium chloride product and installation service for use by the Road Maintenance Department; Bid #1874

15. Consider approval of summer schedule for Council Meetings

Committee Report

Planning & Economic Development Committee and Zoning Committee Meeting -  
Tom Smith and Curwood Chappell, Chairmen  
(Meeting on May 18, 2009 at 5:00pm)

Consent Agenda

<u>Item</u>	<u>Action</u>
a. Approve minutes of May 4, 2009 Council Meeting	Approve as written
b. Approve minutes of May 4, 2009 Finance & Operations Committee Meeting	Approve as written
c. Approve minutes of May 4, 2009 Transportation Committee Meeting	Approve as written

Those wishing to appear not on the agenda

Adjourn

**\*\*Transportation Committee Meeting will convene immediately following the regular Council Meeting. The agenda includes the approval of the 2008-2009 C-Fund Road List.**