

## Agenda

### York County Council

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

Monday, May 19, 2008

6:00 p.m.

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

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

### Appearances

Vernon Terry, Chester County, in appreciation of fire truck

Kevin Tolson, Solicitor's Office - to request authorization to apply for Sexual Assault Nurse Examiner's Grant for 2<sup>nd</sup> year.

### Public Hearings

1. Public Hearing and consider 3<sup>rd</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, 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.
2. Public Hearing and consider amending and giving 3<sup>rd</sup> reading to an ordinance entitled, "TO AMEND THE 2025 YORK COUNTY COMPREHENSIVE PLAN AND 2025 LAND USE COMPREHENSIVE PLAN MAP FOR PARCELS 607-15 AND 607-16; TO PROVIDE FOR A PUBLIC HEARING; TO PROVIDE FOR THE AMENDMENT OF INCONSISTENT SECTIONS OF THE YORK COUNTY CODE AND COUNTY ORDINANCES; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO."
3. Public Hearing and consider amending and giving 3<sup>rd</sup> reading to an ordinance entitled, "TO AMEND THE 2025 YORK COUNTY COMPREHENSIVE PLAN AND 2025 LAND USE COMPREHENSIVE PLAN MAP FOR THE URBAN SERVICES BOUNDARY TO FULLY CONTAIN ALL OF PARCEL 607-15; TO PROVIDE FOR A PUBLIC HEARING; TO PROVIDE FOR THE AMENDMENT OF INCONSISTENT SECTIONS OF THE YORK

COUNTY CODE AND COUNTY ORDINANCES; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO”

Old Business

1. Consider 2<sup>nd</sup> reading:  
Tax Map 539-134

Acres	7.05 +/-
Council district	4 (Blake)
Applicant	Major Lewis Mitchell
Owners	Major Lewis Mitchell
Location	Property is located at 1079 Leach Road in the Rock Hill community
Zoning request	RD-I to RUD
Staff	Denial
Planning Commission	Denial

2. Consider 3<sup>rd</sup> reading:  
Tax Map 607-14,15,16,& 17

Acres	207.5 +/-
Council district	5 (Chappell)
Applicant	Frank Ragin Craig/William F. Craig III
Owners	Frank Ragin Craig/William F. Craig III
Location	Property is located on Craig Road in the Rock Hill community
Zoning request	AGC to RC-I
Staff	Approval
Planning Commission	Approval

3. Consider 3<sup>rd</sup> reading:  
Tax Map 426-11

Acres	216 +/-
Council district	5 (Chappell)
Applicant	Curwood Chappell
Owners	Curwood Chappell
Location	Property is located at 925 E. Chappell Road in the Rock Hill community
Zoning request	AGC to AGC-I
Staff	Approval
Planning Commission	Approval

4. Consider 3<sup>rd</sup> reading:  
Tax Map 289-27 & 30

Acres	34.75 +/-
Council district	3 (Cox)

Applicant	Thomas G. Dickson
Owners	Thomas G. Dickson
Location	Property is located at the corner of Mason Dickson Road and Springlake Road in the York community
Zoning request	RUD to RUD-I
Staff	Approval
Planning Commission	Approval

5. Consider 3<sup>rd</sup> reading:  
Tax Map 142-34

Acres	70.6 +/-
Council district	3 (Cox)
Applicant	Lotsales Inc. /Dennis Settlemyre
Owners	Lotsales Inc. /Dennis Settlemyre
Location	Property is located on Ramsey Road near the intersection with Wycoff Road in the Sharon community
Zoning request	RUD to AGC-I
Staff	Approval
Planning Commission	Approval

6. Consider 3<sup>rd</sup> reading:  
Tax Map 655-17, 18, 42, & 44

Acres	32.81 +/-
Council district	1 (Lindemann)
Applicant	Lynn Stephenson
Owners	Fort Mill 160, LLC
Location	Property is located at 1916 Hwy 160 in the Fort Mill community
Zoning request	RD-II to PD
Staff	Approval
Planning Commission	Approval

7. Consider amending and giving 3<sup>rd</sup> reading on an ordinance entitled, "AN ORDINANCE TO AMEND THE 2025 LAND USE PLAN MAP OF THE 2025 YORK COUNTY COMPREHENSIVE PLAN FOR AN AREA INCLUDING AND SURROUNDING THE INTERSECTION OF HIGHWAY 49, HIGHWAY 274, AND HIGHWAY 55; AN AREA INCLUDING AND SURROUNDING THE INTERSECTION OF GOLD HILL ROAD AND PLEASANT ROAD, AN AREA INCLUDING AND SURROUNDING THE INTERSECTION OF CELANESE ROAD AND HANDS MILL ROAD, AND AN AREA ADJACENT TO AND SURROUNDING J.W. WILSON ROAD, AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO."

8. 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, 2008: TO PROVIDE FOR

THE LEVY OF TAXES FOR YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2008; TO PROVIDE FOR THE EXPENDITURE OF TAX REVENUES AND OTHER COUNTY FUNDS; TO PROVIDE FOR OTHER FISCAL MATTERS RELATING TO COUNTY GOVERNMENT."

## Executive Session: Condemnations and Contractual Matters

### New Business

1. Consider 1<sup>st</sup> reading of an ordinance entitled "AUTHORIZING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT BY AND BETWEEN CRESCENT ALLISON CREEK, LLC, AS MORE PARTICULARLY DEFINED IN SUCH DEVELOPMENT AGREEMENT AND VARIOUS ENTITIES WHO ARE RELATED PARTIES TO ONE OR MORE MEMBERS OF THE MASTER DEVELOPER AND YORK COUNTY, SOUTH CAROLINA, A POLITICAL SUBDIVISION OF THE STATE OF SOUTH CAROLINA FOR THE DEVELOPMENT OF APPROXIMATELY ONE THOUSAND FOUR HUNDRED THIRTY-SEVEN (1,437) ACRES, MORE OR LESS, LOCATED ON LAND ON OR NEAR S.C. ROUTE 274 AND S.C. ROUTE 49 IN YORK COUNTY, SOUTH CAROLINA, MORE PARTICULARLY DESCRIBED IN SUCH DEVELOPMENT AGREEMENT PURSUANT TO THE SOUTH CAROLINA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT, S.C. CODE ANN. § 6-31-10 ET SEQ.; TO DEFINE THE TERMS USED IN SUCH DEVELOPMENT AGREEMENT; TO APPROVE THE TERMS, PROVISIONS AND CONDITIONS OF SUCH DEVELOPMENT AGREEMENT; TO PROVIDE FOR AND PRESCRIBE THE MATTERS WHICH MUST BE ADDRESSED AND INCLUDED IN SUCH DEVELOPMENT AGREEMENT; TO PROVIDE FOR ZONING, VESTED RIGHTS AND FEES UNDER SUCH DEVELOPMENT AGREEMENT; TO PROVIDE THE TERM OF AND AMENDMENTS TO SUCH DEVELOPMENT AGREEMENT; TO PROVIDE FOR THE PROVISION OF PUBLIC FACILITIES AND SERVICES; TO PROVIDE FOR THE ASSUMPTION OF RESPONSIBILITY AND LIABILITY FOR LOSSES, EXPENSES, DEMANDS AND CLAIMS; TO PRESCRIBE A DEVELOPMENT SCHEDULE FOR THE DEVELOPMENT OF THE PROPERTY DESCRIBED IN SUCH DEVELOPMENT AGREEMENT; TO PROVIDE FOR THE ISSUANCE OF DEVELOPMENT PERMITS AND OTHER APPROVALS; TO REQUIRE THE DEDICATION OF LAND FOR PUBLIC PURPOSES, THE RESERVATION OF LAND FOR CIVIC USES AND AMENITIES; TO PROVIDE FOR ARCHITECTURAL AND ZONING ADMINISTRATOR REVIEWS; TO REQUIRE PERIODIC REVIEW TO ASSESS COMPLIANCE WITH THE TERMS AND PROVISIONS OF SUCH DEVELOPMENT AGREEMENT; TO PROVIDE FOR THE AMENDMENT, MODIFICATION, CANCELLATION OR TERMINATION OF SUCH DEVELOPMENT AGREEMENT; TO PROVIDE FOR PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.
2. Consider 1<sup>st</sup> reading of an ordinance entitled "TO AMEND SECTION 55.59 (C) OF THE YORK COUNTY CODE OF ORDINANCES TO PROVIDE THE SCHEDULE OF RATES, FEES AND CHARGES FOR VARIOUS FUNCTIONS IN THE ADMINISTRATION, ENFORCEMENT, IMPOUNDMENT, REDEMPTION AND ADOPTION OF PETS AT THE YORK COUNTY ANIMAL SHELTER OR THE YORK COUNTY ANIMAL CONTROL PROGRAM; TO PROVIDE FOR A PUBLIC HEARING; TO AMEND INCONSISTENT SECTIONS AND ORDINANCES; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO."

3. Consider 1<sup>st</sup> reading of an ordinance entitled "TO AMEND SECTION 35.035 OF THE YORK COUNTY CODE, RELATING TO THE USE OF REVENUE FROM THE LOCAL ACCOMMODATIONS TAX BY THE ADDITION OF A NEW SUBSECTION (F) TO PROVIDE FOR THE APPROPRIATION OF AN AMOUNT NOT TO EXCEED TWENTY PERCENT OF THE REVENUE IN THE PRECEDING FISCAL YEAR OF THE LOCAL ACCOMMODATIONS TAX FOR THE OPERATION AND MAINTENANCE OF FACILITIES AND INFRASTRUCTURE DESCRIBED IN S.C. CODE ANN. SECTION 6-6-530 (A), (1) THROUGH (6) INCLUDING POLICE, FIRE PROTECTION, EMERGENCY MEDICAL SERVICES AND EMERGENCY-PREPARADNESS OPERATIONS DIRECTLY ATTENDANT TO THOSE FACILITIES; TO PROVIDE FOR A PUBLIC HEARING BEFORE ADOPTION OF THIS ORDINANCE; TO PROVIDE FOR THE AMENDMENT OF INCONSISTENT SECTIONS OR ORDINANCES OF THE YORK COUNTY CODE; TO PRESCRIBE THE EFFECTIVE DATE OF THIS ORDINANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO."
  
4. Consider 1<sup>st</sup> reading of an ordinance entitled "TO AMEND YORK COUNTY ORDINANCE NO. 4506, RELATING TO THE LEVY AN IMPOSITION OF A COUNTY LOCAL HOSPITALITY TAX BY AUTHORIZING THE USE OF AN AMOUNT NOT TO EXCEED TWENTY PERCENT OF THE REVENUE IN THE PRECEDING FISCAL YEAR OF THE LOCAL HOSPITALITY TAX FOR THE OPERATION AND MAINTENANCE OF TOURISM RELATED BUILDINGS; TOURISM RELATED CULTURAL, RECREATIONAL OR HISTORIC FACILITIES; HIGHWAYS, ROADS, STREETS AND BRIDGES PROVIDING ACCESS TO TOURIST DESTINATIONS; ADVERTISEMENTS AND PROMOTIONS RELATED TO TOURISM DEVELOPMENT; AND WATER AND SEWER INFRASTRUCTURE TO SERVE TOURISM-RELATED DEMAND, INCLUDING POLICE, FIRE PROTECTION, EMERGENCY MEDICAL SERVICES AND EMERGENCY- PREPAREDNESS OPERATIONS DIRECTLY ATTENDANT TO THOSE FACILITIES, INFRASTRUCTURE AND ITEMS; TO PROVIDE FOR A PUBLIC HEARING BEFORE ADOPTION OF THIS ORDINANCE; TO PROVIDE FOR THE AMENDMENT OF INCONSISTENT SECTIONS OR ORDINANCES OF THE YORK COUNTY CODE AND YORK COUNTY ORDINANCE NO. 4506; TO PRESCRIBE THE EFFECTIVE DATE OF THIS ORDINANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO."
  
5. Consider 1<sup>st</sup> reading of an ordinance entitled "TO AMEND SECTION 50.33 (B) (1) REALATING TO THE DEPOSIT OR DISPOSAL OF MUNICIPAL SOLID WASTE IN THE YORK COUNTY MUNICIPAL SOLID WASTE LANDFILL BY INCREASING THE RATES, FEES AND CHARGES FOR THE DEPOSIT OF SUCH MUNICIPAL WASTE TO \$37.50 PER TON; TO AMEND THE PROVISIONS OF SECTION 50.33 (B) (5) OF THE YORK COUNTY CODE OF ORDINANCES BY INCREASING THE RATES, FEES AND CHARGES FOR THE DEPOSIT OF CONSTRUCTION AND DEMOLITION DEBRIS IN THE YORK COUNTY MUNICIPAL SOLID WASTE LANDFILL TO \$25.00 PER TON; TO PROVIDE FOR A PUBLIC HEARING; TO AMEND INCONSISTENT ORDINANCES AND LAWS; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO."
  
6. Consider authorizing a contract extension through June 30, 2009 with the York County Council on Aging for providing urban Demand Response Services.

7. Consider authorizing a contract extension through June 30, 2009 with the York County Council on Aging for providing rural Demand Response Services.
8. Consider approval of additional York Fire Service agreement.
9. Consider bids for a new, unused, current production, stationary breathing air system for the Board of Rural Fire Control; Bid #1794
10. Authorize Solicitor's office to apply to the Office of Justice Programs for the Sexual Assault Nurse Examiner's Grant.
11. Consider 1<sup>st</sup> reading of an ordinance entitled, "TO AMEND SECTION 92.30 OF THE CODE OF YORK COUNTY, SOUTH CAROLINA, TO INCORPORATE BY REFERENCE THE 2006 INTERNATIONAL FIRE CODE AS MODIFIED AND ADOPTED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL FOR MANDATORY ENFORCEMENT BY ALL JURISDICTIONS WITHIN THE STATE OF SOUTH CAROLINA, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO."
12. Consider 1<sup>st</sup> reading of an ordinance entitled, "TO AMEND SECTIONS 150.04, 150.08, 150.09, 150.10, AND 150.11 OF THE CODE OF YORK COUNTY, SOUTH CAROLINA, TO INCORPORATE THE ADMINISTRATIVE PROVISIONS OF CONSTRUCTION RELATED CODES AS MODIFIED AND ADOPTED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL FOR MANDATORY ENFORCEMENT BY ALL JURISDICTIONS WITHIN THE STATE OF SOUTH CAROLINA, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO."
13. Consider approval of Right-of-Entry Agreement for conducting environmental remediation
14. Consider recommendations regarding the National Association of Counties prescription drug discount card program for underinsured and uninsured residents
15. Receipt of information on renaming county road H3-256, identified as "Blankenship Drive," in Stockbridge Village to "Grant Farm Drive"
16. Consider granting York County consent to an application by Time Warner Entertainment/Newhouse Partnership for a State cable television franchise for portions of York County

## Committee Report

Finance & Operations Committee - Rick Lee, Chairman

*(Meeting on May 19, 2008 at 5:30pm)*

Consent Agenda

<u>Item</u>	<u>Action</u>
a. Approve minutes of May 5, 2008 Council 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 2007-2008 C-Fund Road List.**