

Agenda

York County Council

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

Monday, February 2, 2009

6:00pm

Call to Order Houston O. Motz, Chairman

Invocation and Pledge of Allegiance Joseph Cox, District 3

Appearances

Betty Miller, Deputy Solicitor - requesting permission to apply for a VOCA grant and a Highway Safety Grant - *Permission to apply for these grants is included in the "New Business" section of this agenda.*

Virginia Faircloth - Immigration Reform

Old Business

- 1. Consider 2nd reading:
Tax Map651-08

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| Zoning request: | RD-I to BD-II Acres 4 +/- 1 (Lindemann) Applicant Rockford Healthcare, LLC/Michael A. Maier |
| Owner(s) | Magdalene P. McConnell |
| Location: | Property is located at 1075 Gold Hill Road in the Fort Mill community |
| Staff: | Approval |
| Planning Commission: | Approval |

- 2. Consider 2nd reading:
Tax Map 565-169

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| Zoning request: | RUD to RUD-I |
| Acres: | 3 +/- acres |
| Council district: | 2 Cox |
| Applicant: | David Chapman |

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| Owners: | Donald & Michele Broome |
| Location: | Property is located on Stateline Road and Hidden Oaks Lane in the Clover community. |
| Staff: | Approval |
| Planning Commission: | Approval |
| Zoning Committee: | |

3. Consider 3rd reading:
Tax Map 146-9

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| Zoning request | AGC to AGC-I |
| Acres | 82.13 +/- |
| Council district | 3 Cox |
| Applicant | Michael S. Petty |
| Owners | Michael S. Petty |
| Location | Property is located on Locust Hill Road in the Sharon community. |
| Staff | Denial |
| Planning Commission | Approval |
| Zoning Committee | Approval |

4. Consider 3rd reading:
Tax Map 408-14

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| Zoning request | AGC to RUD |
| Acres | 10.15 +/- |
| Council district | 5 Chappell |
| Applicant | Ralph W. Adams |
| Owners | Ralph W. and Rebecca A. Adams |
| Location | Property is located at 4770 McConnells Highway in the York community. |
| Staff | Approval |
| Planning Commission | Approval |
| Zoning Committee | Approval |

5. Consider 3rd reading:
Tax Map 196-48

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| Zoning request | AGC to AGC-I |
| Acres | 105.67 +/- |
| Council district | 3 Cox |
| Applicant | David Michael Broome |
| Owners | David Michael Broome |
| Location | Property is located at 1040 King Road in the York community. |
| Staff | Denial |
| Planning Commission | Approval |
| Zoning Committee | Approval |

6. Consider 3rd reading:
Tax Map 717-3-P, 20-P

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|---------------------|---|
| Zoning request | AGC to BD-III |
| Acres | 5.38 of 12.38 and 5.5 of 44.08 +/- acre parcels |
| Council district | 1 Lindemann |
| Applicant | Mark Ullmer/Chaplin Spencer, ESP for DEDG, LLC and Mark Ullmer/Chaplin Spencer Esq. for Dennis Getter |
| Owners | Anne Springs Close, Ben Floyd & Edward Niven Family Trust |
| Location | Properties are located at 1890 highway 21 Bypass North in the Fort Mill community. |
| Staff | Approval |
| Planning Commission | Approval |
| Zoning Committee | Approval |

7. Consider 3rd reading:
Tax Map 655-56

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| Zoning request: | RD II to BD-II |
| Acres: | 1.095 +/- acres |
| Council district: | 1 Lindemann |
| Applicant: | George Crouch |
| Owners: | Business Development of SC |
| Location: | Property is located at 1787 Pleasant Road in the Fort Mill community. |
| Staff: | Approval |
| Planning Commission: | Approval |
| Zoning Committee: | Approval |

8. Consider amending and giving 3rd reading to an ordinance entitled, "TO AMEND THE YORK COUNTY CODE OF ORDINANCE BY INSERTING NEW SECTIONS THERE IN REGULATING SMOKING IN PUBLIC PLACES IN ORDER TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC; TO DEFINE THE TERMS USED IN THIS ORDINANCE; TO PROHIBIT SMOKING IN PLACES OF EMPLOYMENT IN THE UNINCORPORATED AREAS OF YORK COUNTY; TO PROVIDE EXEMPTIONS IN UNINCORPORATED AREAS OF YORK COUNTY FROM THE PROVISIONS OF THIS ORDINANCE; TO PERMIT OWNERS, OPERATORS, MANAGERS OR PERSON IN CONTROL OF AN ESTABLISHMENT, FACILITY OR OUTDOOR AREA TO DECLARE THE ENTIRE ESTABLISHMENT, FACILITY, OR OUTDOOR AREA AS A NONSMOKING PLACE; TO REQUIRE THE POSTING OF NO SMOKING SIGNS IN EVERY PUBLIC PLACE AND PLACE OF EMPLOYMENT WHERE SMOKING IS PROHIBIT RETALIATION AGAINST EMPLOYEES, APPLICANTS FOR EMPLOYMENT OR CUSTOMERS FOR THE EXERCISE OF ANY RIGHTS PROTECTED BY THIS ORDINANCE; TO PROVIDE FOR THE ENFORCEMENT OF THIS ORDINANCE; TO PROVIDE THAT VIOLATIONS OF THIS ORDINANCE SHALL

CONSTITUTE A MISDEMEANOR AND TO PROVIDE FOR FINES AND/OR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE; TO DECLARE THAT VIOLATIONS OF THIS ORDINANCE SHALL CONSTITUTE A PUBLIC NUISANCE; TO PROVIDE CIVIL AND ADMINISTRATIVE REMEDIES FOR VIOLATIONS OF THIS ORDINANCE; TO REQUIRE A CONTINUING PROGRAM OF PUBLIC EDUCATION; TO EXPRESS THE LEGISLATIVE INTENT OF COUNTY COUNCIL IN ENACTING THE ORDINANCE; TO REQUIRE A PUBLIC HEARING BEFORE THIS ORDINANCE SHALL BECOME EFFECTIVE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO

9. Consider amending and giving 3rd reading to 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.
10. County Manager's report regarding the suggestion that the County consider auditing area businesses for compliance with new federal law regarding the employment of illegal immigrants

Executive Session: Condemnations and Contractual Matters

New Business

1. Consider 1st 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. Consider 1st reading of an ordinance entitled, "TO PROVIDE FOR FOUR-YEAR STAGGERED TERMS FOR MEMBERS OF THE YORK COUNTY COUNCIL, SUBJECT TO APPROVAL IN A PUBLIC REFERENDUM; TO PROVIDE FOR A PUBLIC REFERENDUM ON CHANGING THE TERMS OF OFFICE OF MEMBERS OF THE YORKCOUNTY COUNCIL FROM TWO-YEAR TERMS TO FOUR-YEAR STAGGERED TERMS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO"
3. Consider authorizing a resolution to adopt the CONNECT Regional Vision and Action Agenda to proactively address growth and quality of life in the Greater Charlotte Bi-State Region which includes 17 counties, 12 in North Carolina and 5 in South Carolina, with populations expected to double by 2030
4. Consider approval of agreement with Stewart-Cooper-Newell Architects for architectural design services related to the Emergency Management Operations Center, Bid# 1813

5. Consider approval of agreement with McKim & Creed (Consulting Engineers) for design services related to the eastern water distribution system tie to the City of Rock Hill water system via Catawba River Crossing, Bid #1812
6. Consider approval of agreement with ESP Associates, P.A. (Consulting Engineers) for design services related to the Highway 51 Gravity Sewer Extension Project, Bid #1849
7. Consider Additional Services Agreement with HDR Engineering, Inc. of the Carolinas for providing Project Coordination Services for Project 03-003: SC Route 55 Widening East of Clover, as part of the 2003 Capital Projects Sales and Use Tax Program
8. Consider Agreement to release design phase services funding to the City of Rock Hill for Project 03-010: White Street, as part of the 2003 Capital Projects Sales and Use Tax Program
9. Consider License Agreement with Corinthian Properties for landscaping permission along Deerfield Road
10. Consider entering into a partnership agreement with Cultural and Heritage Commission for a grant for "Developing Effective Programs to Promote Watershed Stewardship"
11. Consider authorizing the Solicitor's Office to apply for, and to accept if awarded, a FY 2009/2010 Victims of Crime Act Grant which funds the Solicitor's Office Bi-Lingual Victim Advocate.
12. Consider authorizing the Solicitor's Office to apply for, and to accept if awarded, a Federal Fiscal Year 2010 Highway Safety Grant which funds one Assistant Solicitor to prosecute DUI cases.
13. Consider approval of Contract Amendment No. 1 to design services agreement with CDA Architects for Phase II services related to the renovation of the old Heckle Crossing Shopping Center in Rock Hill.
14. Consider approval of Change Order No. 1 with Stanley Security Solutions for the Moss Justice Center security systems upgrade project.

Committee Report

Finance & Operations Committee Meeting - Joseph Cox, Chairman
(Meeting on February 2, 2009 at 5:30pm)

Consent Agenda

| <u>Item</u> | <u>Action</u> |
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| a. Approve minutes of January 20, 2009 Council Meeting | Approve as written |

Those wishing to appear not on the agenda

Adjourn