

Amended

Agenda

York County Council

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

Monday, June 1, 2009

6:00pm

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

Invocation and Pledge of Allegiance ..... Joseph Cox, District 3

Appearances

Kevin Tolson - to request permission to apply and accept, if awarded, a continuation of an Office of Justice Programs grant for the Sexual Assault Nurse Examiner program. The request is included in the "New Business" section of this agenda.

Sharon Stegall - Sale of Land on Patterson Road

Public Hearing

Report from Zoning Committee Chairman, Curwood Chappell, regarding the following rezoning request (*Meeting on June 1, 2009 at 5:30pm*)

1. Consider 2<sup>nd</sup> reading:

Tax Map 291-43

Zoning request:	RD-I to BD-III
Acres:	5.21 +/-
Council district:	Three (3) Cox
Applicant:	Martin/Clinton
Owners:	Timothy O. Martin/Dale Clinton
Location:	Property is located on Sutton Springs Road in the York community.
Staff:	Approval
Planning Commission:	Approval
Zoning Committee:	

2. Consider 2<sup>nd</sup> reading:

Tax Map 281-23

Zoning request:	AGC to RUD
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Acres: 2.65 +/-  
Council district: Two (2) Smith  
Applicant: Terry W. & Janet Geman  
Owners: Terry W. & Janet Geman  
Location: Property is located at 1976 Lawrence Road in the Clover community.  
Staff: Approval  
Planning Commission: Approval  
Zoning Committee:

3. Consider 2<sup>nd</sup> reading:  
Tax Map 281-33

Zoning request: AGC to RUD  
Acres: 5 +/-  
Council district: Two (2) Smith  
Applicant: Michael H. & Louise B. Falls  
Owners: Michael H. & Louise B. Falls  
Location: 750 Brian Road in the Clover community.  
Staff: Approval  
Planning Commission: Approval  
Zoning Committee:

4. Consider 2<sup>nd</sup> reading:  
Tax Map 693-76

Zoning request: BD-III to RC-I  
Acres: 1 +/-  
Council district: Five (5) Chappell  
Applicant: Mendel L. Lewis  
Owners: Mendel L. Lewis  
Location: Property is located at 4187 Buice Drive in the Rock Hill community.  
Staff: Approval  
Planning Commission: Approval  
Zoning Committee:

5. Consider 2<sup>nd</sup> reading:  
Tax Map 544-16

Zoning request: RC-I to LI  
Acres: 0.61 +/-  
Council district: Six (6) Motz  
Applicant: Silver Linings Investments, LLC  
Owners: Silver Linings Investments, LLC  
Location: Property is located at 4186 Old York Road in the Rock Hill community.  
Staff: Approval  
Planning Commission: Approval  
Zoning Committee:

6. Consider 2<sup>nd</sup> reading:

Tax Map 146-11

Zoning request:	AGC to AGC-I
Acres:	92 +/-
Council district:	Three (3) Cox
Applicant:	Michael Broome
Owners:	Michael Broome
Location:	Property is located on Locust Hill & Beersheba Road in the Sharon community.
Staff:	Approval
Planning Commission:	Approval
Zoning Committee:	

7. Public hearing and consider 2<sup>nd</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."

8. Public hearing and consider 2<sup>nd</sup> reading of an ordinance to authorize intergovernmental agreement for water and sewer service in designated area of Fort Mill

Old Business

1. Consider 3<sup>rd</sup> reading of 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. Consider 3<sup>rd</sup> reading of 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

Executive Session: Condemnation(s), Contractual Matters, and Legal Advisement

## New Business

1. Consider 1<sup>st</sup> reading of an ordinance entitled, "AN ORDINANCE TO ESTABLISH AND CREATE A SPECIAL TAX DISTRICT TO BE KNOWN AS BETHEL RURAL FIRE DISTRICT IN YORK COUNTY, SOUTH CAROLINA; TO DEFINE ITS AREAS AND BOUNDARIES; TO DEFINE THE NATURE OF THE SERVICES TO BE RENDERED THEREIN; TO FIX THE MAXIMUM LEVEL OF TAXES WHICH MAY BE LEVIED TO PROVIDE FOR THE OPERATION AND MAINTENANCE OF THE BETHEL RURAL FIRE DISTRICT; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO."
2. CONSIDER ADOPTING A RESOLUTION IDENTIFYING A PROJECT IN ORDER TO SATISFY THE REQUIREMENTS OF SOUTH CAROLINA CODE SECTION 12-44-40, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY MERITOR HEAVY VEHICLE SYSTEMS, LLC, INCLUDING THEIR AFFILIATED AND RELATED ENTITIES, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH YORK COUNTY, SOUTH CAROLINA; THE INCLUSION OF THE COMPANY IN A MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK; AND COMMITTING TO ENTER INTO SUCH NECESSARY AGREEMENTS WITH THIS COMPANY TO EFFECTUATE THE INTENT OF THIS RESOLUTION, AND OTHER MATTERS RELATED THERETO.
3. Consider contract amendment with Florence and Hutcheson (F&H) for design phase services associated with the relocation of the City of York's waterlines for Project 97-012: SC Route 5 Bypass as Part of the 1997 Capital Projects Sales and Use Tax Program
4. Consider agreement with SCDOT for Construction Engineering and Inspection (CE&I) services for Phase 1A of Project 03-004: Fort Mill Southern Bypass for early roadway access to the new Fort Mill School District's Banks Street Middle School as Part of the 2003 Capital Projects Sales and Use Tax Program
5. Consider construction Change Order #1 for Dellinger, Inc. for the Goose Hollow Road Replacement Bridge over Guyon Moore Creek Project
6. Consider sanitary sewerage easement abandonment at Regent Park
7. Consider Renewal of Lease for Hickory Grove Magistrate
8. Consider authorizing the Solicitor's office to apply for, and accept if awarded, an Office of Justice Programs Grant for the Sexual Assault Nurse Examiner's program
9. County Manager's Report concerning the York County Library

## Committee Report

Finance & Operations Committee Meeting - Joseph Cox, Chairman  
(Meeting on June 1, 2009 at 5:00pm)

## Consent Agenda

<u>Item</u>	<u>Action</u>
a. Approve minutes of May 18, 2009 Council Meeting	Approve as written
b. Approve minutes of May 18, 2009 Transportation Committee Meeting	Approve as written
c. Approve minutes of May 27, 2009 Public Hearing Meeting	Approve as written

Those wishing to appear not on the agenda

Adjourn