

Amended

Agenda

York County Council

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

Monday, May 4, 2009

6:00pm

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

Invocation and Pledge of Allegiance ..... Paul Lindemann, District 1

Oath of Office for newly appointed Board and Commission Members

Joan R. Garris - Accommodations Tax Advisory Committee  
Ann F. Skar - Accommodations Tax Advisory Committee  
Strauss M. Shiple - Accommodations Tax Advisory Committee  
Mark Cable- Catawba Regional Workforce Investment Board  
Paul Basha - Economic Development Board  
Gregory H. Rogers - Economic Development Board  
R. Raye Felder - Economic Development Board  
Fred Wetherell - Economic Development Board  
Martha White - Culture & Heritage Commission  
Kathy D. Smith - York County Disabilities and Special Needs Board

Public Hearing

1. Public hearing and consider 2<sup>nd</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. Public hearing and consider 2<sup>nd</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.

- Public hearing and consider 2<sup>nd</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.

### Old Business

Report from Zoning Committee Chairman, Curwood Chappell, regarding the following rezoning request (*Meeting on May 4, 2009 at 5:30pm*)

- Consider 3<sup>rd</sup> reading:  
Tax Map 146-01

Zoning request:	AGC to AGC-I
Acres:	352.32 +/-
Council district:	3 Cox
Applicant:	Thoroughbred Partners, Ltd
Owners:	Thoroughbred Partners, Ltd
Location:	Property is located on Locust Hill & McGill Road in the Sharon community.
Staff:	Approval
Planning Commission:	Approval
Zoning Committee:	

- Consider 3<sup>rd</sup> reading of an Ordinance entitled "AN ORDINANCE AMENDING AND ADOPTING THE YORK COUNTY 2025 COMPREHENSIVE PLAN - OPEN SPACE PLAN ELEMENT; TO AMEND THE 2025 YORK COUNTY COMPREHENSIVE PLAN AND 2025 LAND USE COMPREHENSIVE PLAN MAP OF YORK COUNTY BY AMENDING OPEN SPACE PROVISIONS THEREOF AND ADOPTING THE OPEN SPACE PLAN PROVISIONS CONTAINED IN THIS ORDINANCE; ADOPTING CHAPTER 1, OVERVIEW; CHAPTER 2, PUBLIC OPEN SPACES AND ASSETS; CHAPTER 3, RECOMMENDATIONS; CHAPTER 4, COSTS AND FINANCING; CHAPTER 5, GOALS AND STRATEGIES; APPENDIX A, DEFINITIONS; APPENDIX B, GREENWAY MODEL METHODOLOGY; APPENDIX C, CAROLINA THREAD TRAIL MASTER PLAN; APPENDIX D, POTENTIAL FUNDING SOURCES; AND APPENDIX E, NATIONAL RECREATION AND PARKS ASSOCIATION RECOMMENDED LEVELS OF SERVICE OF AN OPEN SPACE PLAN PREPARED BY THE YORK COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT DATED DECEMBER 2008, AS AMENDMENTS TO THE 2025 YORK COUNTY COMPREHENSIVE PLAN, AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; TO PROVIDE FOR THE AMENDMENT OF INCONSISTENT SECTIONS OF THE 2025 YORK COUNTY

COMPREHENSIVE PLAN; TO PROVIDE FOR A PUBLIC HEARING BEFORE FINAL ADOPTION OF THIS ORDINANCE; TO PROVIDE FOR THE AMENDMENT OF THE 2025 COMPREHENSIVE LAND USE MAPS, WHERE APPROPRIATE, TO CONFORM TO THE PROVISIONS OF THIS ORDINANCE; TO PROVIDE THE EFFECTIVE DATE UPON WHICH THIS ORDINANCE SHALL TAKE EFFECT; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO”.

3. Consider 2<sup>nd</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
4. Consider 2<sup>nd</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.
5. 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, 2008, ETC"; TO PROVIDE FOR SOUTH CAROLINA COORDINATING COUNCIL GRANT FUNDS TO BE USED FOR DIRECT ASSISTANCE FOR AN ECONOMIC DEVELOPMENT PROJECT; TO PROVIDE FOR A TRANSFER OF C FUNDS TO THE GENERAL FUND TO PROVIDE FOR HIGHWAY 21 BRIDGE ENHANCEMENTS AND TO APPROPRIATE GENERAL FUND BALANCE TO PROVIDE GRANT MATCH FUNDS TO A PLACE FOR HOPE FOR A SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION GRANT; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR MATTERS RELATING THERETO.”
6. Consider 3<sup>rd</sup> reading of an ordinance entitled, “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT AMONG YORK COUNTY, STEELFAB, INC, A NORTH CAROLINA CORPORATION, AND OTHER MATTERS RELATING THERETO INCLUDING , WITHOUT LIMITATION PAYMENT OF A FEE-IN-LIEU OF TAXES
7. Consider 3<sup>rd</sup> reading of an ordinance entitled, “TO AMEND THE YORK COUNTY CODE OF ORDINANCES BY INSERTING NEW SECTIONS 31.20.1 THROUGH 31.20.6 ENACTING NEW YORK COUNTY PRIVACY PROTECTION PROVISIONS PROVIDING FOR THE PROTECTION OF PERSONAL INFORMATION AS DEFINED HEREIN EXCEPT FOR A LEGITIMATE PUBLIC PURPOSE; TO REQUIRE THAT THE COLLECTION OF PERSONAL INFORMATION PERTAINING TO CITIZENS PF YORK COUNTY, SOUTH CAROLINA IS LIMITED TO SUCH PERSONAL INFORMATION REQUIRED BY ANY COUNTY AGENCY, BOARD, COMMISSION, INSTITUTION, DEPARTMENT, OFFICIAL OR EMPLOYEE

NECESSARY TO FULFILL A LEGITIMATE PUBLIC PURPOSE; TO PROHIBIT THE OBTAINING OR USE OF YORK COUNTY PUBLIC RECORDS FOR COMMERCIAL SOLICITATION; TO REQUIRE THAT YORK COUNTY AND ITS AGENCIES, BOARDS, COMMISSIONS, INSTITUTIONS, DEPARTMENTS, OFFICIALS AND EMPLOYEES SHALL TAKE REASONABLE MEASURES TO ENSURE THAT NO PERSON OR PRIVATE ENTITY OBTAINS OR DISTRIBUTES PERSONAL INFORMATION OBTAINED FROM A PUBLIC RECORD FOR COMMERCIAL SOLICITATION; TO PROHIBIT OR LIMIT THE USE OF SOCIAL SECURITY NUMBERS AND PERSONAL IDENTIFYING INFORMATION TO SUCH PERSONAL INFORMATION AS MAY BE REQUIRED BY YORK COUNTY OR ANY AGENCY, BOARD, COMMISSION, INSTITUTION, DEPARTMENT, OFFICIAL AND EMPLOYEE NECESSARY TO FULFILL A LEGITIMATE PUBLIC PURPOSE; TO REQUIRE THE ADOPTION AND IMPLEMENTATION OF A PERSONAL IDENTIFYING INFORMATION PRIVACY PROTECTION POLICY IN YORK COUNTY; TO REQUIRE THE DISPLAY OF THE YORK COUNTY PRIVACY POLICY ON THE YORK COUNTY WEB SITE; TO PROVIDE FOR A PUBLIC HEARING; TO PROVIDE THAT VIOLATIONS OF THE PROVISIONS OF THIS ORDINANCE SHALL CONSTITUTE MISDEMEANORS; TO PROVIDE FOR A FINE OR TERM OF IMPRISONMENT UPON CONVICTION FOR VIOLATIONS OF THIS ORDINANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO

8. Consider a contract with Culture & Heritage Museums for support of a Children's Museum

**Executive Session:** Condemnation(s), Contractual Matter, Litigation and Personnel Matter

**New Business**

1. Consider 1<sup>st</sup> reading:  
Tax Map 291-43

Zoning request:	RD-I to BD-III
Acres:	5.22 +/-
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 1<sup>st</sup> reading:  
Tax Map 281-23

Zoning request:	AGC to RUD
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 1<sup>st</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 1<sup>st</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 1<sup>st</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 1<sup>st</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. Consider 1<sup>st</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."
8. Consider adopting a proclamation for Teen Pregnancy Prevention Month
9. Consider bids for the Summer Food Service Program for use by the Summer Food Department; Bid #1872
10. Consider award of contract with Lord & Company, Inc. to prepare a Master Inventory Report of the Water and Sewer Utility's SCADA System
11. Consider cost share agreement with the Fort Mill School District to upsize a waterline to be installed along AO Jones Boulevard
12. Consider bids for a Steelcase Furniture as part of the Furniture, Fixtures, and Equipment (FF&E) to accommodate the Detention Center Expansion Project; Bid #1873
13. Consider Additional Services Agreement with Campco Engineering for providing Project Coordination Services for Project 97-009: Cherry Road (York Avenue to Heckle Boulevard), as part of the 1997 Capital Projects Sales and Use Tax Program
14. Consider Utility Relocation Cost Reimbursement Agreement with the City of Rock Hill for Project 03-002g: Porter Road / Firetower Road Intersection Improvement Project as Part of the 2003 Capital Projects Sales and Use Tax Program

15. Consider Additional Services Agreement with TranSystems for providing Project Coordination Services for Project 03-012: Mount Gallant Road (Dave Lyle Boulevard to Anderson Road), as part of the 2003 Capital Projects Sales and Use Tax Program

## Committee Report

Finance & Operations Committee Meeting - Joseph Cox, Chairman  
(Meeting on May 4, 2009 at 5:00pm)

## Consent Agenda

<u>Item</u>	<u>Action</u>
a. Approve minutes of April 20, 2009 Council Meeting	Approve as written
b. Approve minutes of April 20, 2009 Finance & Operations 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 use of C-Funds to cover expenses related to the enhancements to the US Route 21 bridge over the Catawba River.\*\***