

Agenda

York County Council

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

Monday, June 15, 2009

6:00pm

Call to Order Houston O. Motz, Chairman

Invocation and Pledge of Allegiance Roy Blake, District 4

Oath of Office for newly appointed Board and Commission Members

Philip Keenan - Board of Assessment Appeals
Claudette Shue - Culture & Heritage Commission

Appearances

Barbara Kurz, Chairman of Accommodations Tax Advisory Committee - To present the Committee's recommendation regarding Accommodations Tax Funding for FY 2009-2010.

Wendy Duda, Executive Director for the Council on Aging - To discuss Demand Response transportation contract

David Jennings, Flint Hill Fire District Chief - To request permission to apply for a Staffing for Adequate Fire and Response (SAFER) grant; the request is included in the "New Business" section of this agenda.

Old Business

1. Consider 2nd 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."

2. Consider 3rd 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:	Approval

3. Consider 3rd 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: Approval

4. Consider 3rd 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: Approval

5. Consider 3rd 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: Approval

6. Consider 3rd 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: Approval

7. Consider 3rd 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:	Approval

8. Consider **3rd 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."

9. Consider **amending and 3rd 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."

10. Consider **3rd reading** of an ordinance to authorize intergovernmental agreement for water and sewer service in designated area of Fort Mill

11. Consider **2nd 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."

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

13. Consider approval of contract for York County Council on Aging

Executive Session: Condemnation(s); Property Acquisition; and Contractual Matter

New Business

1. Consider approval of an Agreement to Terminate the agreement for transportation services (demand response) with the City of Rock Hill.
2. Consider contract amendment with Florence and Hutcheson (F&H) for design phase services associated with the hydraulic studies and environmental permitting for Project 97-012: SC Route 5 Bypass as Part of the 1997 Capital Projects Sales and Use Tax Program
3. Consider bids for detention grade mattresses as part of the furniture, fixtures, and equipment (FF&E) to accommodate the Detention Center Expansion Project; bid #1876
4. Consider bids for the removal and installation of a cooling tower and air handlers for use by the York County Library, Bid #1877
5. Consider bids for one new, unused bullet comparison microscope for use by the York County Multijurisdictional Forensic Services Unit; Bid #1878
6. Consider approval of Contract Amendment for Moseley Architects for design phase services associated with the new Detention Center Expansion Project, new main electrical service
7. Consider construction Change Order #2 for JM Cope for the Moss Justice Detention Center Expansion Project
8. Consider declaring county property surplus and authorizing staff to dispose of the property
9. Consider bids for roof replacement of the Rock Hill Army Reserve Building for use by the Sheriff's Office; Bid #1881
10. Consider authorizing a grant application for an "Energy Efficient Conservation Block Grant" up to \$586,000
11. Consider authorizing the Sheriff's Department to apply, and accept if awarded a Justice Assistance Grant in the amount of \$72,044
12. Consider approving transfer of FY 2009 Retiree Health Insurance funds to an irrevocable trust created for this purpose by the South Carolina Association of Counties

13. Consider adopting a resolution allowing the County Council Chairman to approve documents related to the SC Association of Counties OPEB trust fund.

14. Consider authorizing Flint Hill Fire District to apply, and accept if awarded a Staffing for Adequate Fire and Emergency Response (SAFER) grant, which is funded through FEMA.

15. Consider authorizing a request for qualifications for real estate/tax attorneys to participate in a plan to provide legal advise in conjunction with land transactions involving York County Forever

16. Update and status report of the York County Construction and Demolition Landfill Expansion Permit

Committee Report

Finance & Operations Committee Meeting - Joseph Cox, Chairman
(Meeting on June 15, 2009 at 5:30pm)

Consent Agenda

<u>Item</u>	<u>Action</u>
a. Approve minutes of June 1, 2009 Council Meeting	Approve as written
b. Approve minutes of June 1, 2009 Finance & Operations Committee Meeting	Approve as written
c. Approve minutes of June 3, 2009 Special Called Council Meeting	Approve as written
d. Approve minutes of June 8, 2009 Special Called Council Meeting	Approve as written
e. Approve reimbursement costs for City of Rock Hill utility relocations as part of the 2003 Capital Projects Sales and Use Tax Program	Approve as written

Those wishing to appear not on the agenda

Adjourn