

# Agenda

## York County Council

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

Tuesday, September 2, 2008

6:00 p.m.

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

Invocation and Pledge of Allegiance ..... Rick Lee, District 7

### Public Hearings

1. Public Hearing and consider 1<sup>st</sup> reading:

Tax Map 605-27

Zoning request	RC-I to BD-I
Acres	3.97 +/-
Council district	5 (Chappell)
Applicant	Patsy Mora
Owners	Patsy Mora, Dianne Crosby, Randy Dewitt, Doug Dewitt
Location	Property is located 2639 Saluda Road in the Rock Hill community
Staff	Denial
Planning Commission	Approval

2. Public Hearing and consider 1<sup>st</sup> reading:

Tax Map 439-3

Zoning request	RUD to RUD-I
Acres	54.26 +/-
Council district	4 (Blake)
Applicant	Ken & Karen Rodgers
Owners	Karen A. Rodgers
Location	Property is located on Gordon Road in the Rock Hill community
Staff	Approval
Planning Commission	Approval

3. Public Hearing and consider 1<sup>st</sup> reading:

Tax Map651-08

Zoning request	RD-I to BD-II
Acres	4 +/-
Council district	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

4. Public Hearing and consider 1<sup>st</sup> reading:

Tax Map 247-01

Zoning request	AGC/RUD to AGC-I
Acres	269 +/-
Council district	3 (Cox)
Applicant	Joe Metker & Tim Helline
Owner(s)	Smith-Lawson Farm LLC
Location	Property is located at Sutton Springs and Sierra Roads in the York community
Staff	Approval
Planning Commission	Approval

5. Public Hearing and consider 1<sup>st</sup> reading:

Tax Map 391-8, 82, 289-29, 352-4, 46

Zoning request	RUD to RUD-I
Acres	177 +/-
Council district	3 (Cox)
Applicant	Randy Austin and Debbie Ruth
Owners	Austin-Ruth, LLC
Location	Properties are located at 1450 Pioneer Road and 1550 Charlotte Highway in the York community
Staff	Denial
Planning Commission	Denial

6. Public Hearing and consider amending and giving 3<sup>rd</sup> reading to an ordinance entitled, "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF \$45,000,000 GENERAL OBLIGATION BONDS OF 2008 OF YORK COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO"

7. Public Hearing and consider 3<sup>rd</sup> reading of an ordinance entitled "TO AMEND CHAPTER 33 OF THE YORK COUNTY CODE ENTITLED 'PERSONNEL' IN CERTAIN PARTICULAR S IN ORDER TO PROVIDE FOR THE MORE ORDERLY ADMINISTRATION OF PERSONNEL CODES AND ORDINANCES BY YORK COUNTY; TO AMEND SECTION 33.018 OF THE YORK COUNTY CODE, RELATING TO PAY, IN CERTAIN PARTICULARS, TO AMEND SECTION 33.024 OF THE YORK COUNTY CODE RELATING TO DISCIPLINARY MEETINGS AND ATTENDANCE, INVESTIGATIONS, HEARINGS, AND TRIALS, SUSPENSION, ETC; TO AMEND SECTION 33.053 OF THE YORK COUNTY CODE RELATING TO COMPENSATORY LEAVE; TO AMEND SECTION 33.066 OF THE YORK COUNTY CODE RELATING TO STANDARD HEALTH/DENTAL INSURANCE FOR EMPLOYEES AND RETIRED EMPLOYEES; TO AMEND SECTION 33.072 OF THE YORK COUNTY CODE RELATING TO SICK LEAVE; TO AMEND SECTION 33.078 OF THE YORK COUNTY CODE, RELATING TO FAMILY AND MEDICAL LEAVE IN CERTAIN PARTICULARS; TO PROVIDE FOR A PUBLIC HEARING; TO PROVIDE FOR THE

AMENDMENT OF INCONSISTENT SECTIONS OF COUNTY CODES AND ORDINANCES; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

Old Business

Report from Zoning Committee Chairman, Curwood Chappell, regarding the following rezoning requests (*Meeting on September 2, 2008 at 5:30pm*)

1. Consider 3<sup>rd</sup> reading of an ordinance entitled, "AUTHORIZING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT BY AND BETWEEN CRESCENT RESOURCES, LLC, A GEORGIA LIMITED LIABILITY COMPANY, AS MORE PARTICULARLY DEFINED IN SUCH DEVELOPMENT AGREEMENT AND YORK COUNTY, SOUTH CAROLINA, A POLITICAL SUBDIVISION OF THE STATE OF SOUTH CAROLINA FOR THE DEVELOPMENT OF APPROXIMATELY FOUR HUNDRED SIXTY-TWO (462) ACRES, MORE OR LESS, LOCATED ON LAND ON OR NEAR S. C. ROUTE 152 AND S. C. ROUTE 49, 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 3<sup>rd</sup> reading (*Third reading was deferred from August 18 meeting*):  
Tax Map 559-21

Zoning request	RUD to PD
Acres	462.59 +/-
Council district	2 (Smith)
Applicant	Crescent Resources, LLC
Owners	Crescent Resources, LLC
Location	Property is located at Highway 557 & Highway 49 in the Lake Wylie community
Staff	Approve with the condition
Planning Commission	Approve with the condition
Zoning Committee	Approve with the condition

3. Consider 3<sup>rd</sup> reading:  
Tax Map 067-14

Zoning request	AGC to RUD
Acres	13.24 +/-
Council district	3 (Cox)
Applicant	Tina Dennis
Owner(s)	Sandra D. Schmidt
Location	Property is located at 1826 Legion Road in the Hickory Grove community
Staff	Approval
Planning Commission	Approval
Zoning Committee	Approval

4. Consider 3<sup>rd</sup> reading:  
Tax Map 390-30

Zoning request	RC-I to RUD
Acres	9.3 +/-
Council district	2 (Smith)
Applicant	Judy B. Wood
Owner(s)	Judy B. Wood
Location	Property is located at 2514 Wood Road in the York community
Staff	Approval
Planning Commission	Approval
Zoning Committee	Approval

5. Consider 2<sup>nd</sup> reading:  
Tax Map 680-32

Zoning request	BD-III to RUD
Acres	1.52 +/-
Council district	5 (Chappell)
Applicant	William White, PoA
Owners	Mary White
Location	Property is located 1999 Barringer Road in the Rock Hill community
Staff	Approval
Planning Commission	Approval

6. Consider 2<sup>nd</sup> reading of an ordinance to create a Capital Project Sales Tax Act Commission

7. Consider amending and giving 2<sup>nd</sup> reading to an ordinance entitled "TO 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 APPROPRIATE NEWPORT FIRE DISTRICT FUND BALANCE TO PROVIDE APPROPRIATIONS FOR A USED SERVICE TRUCK, TO APPROPRIATE GENERAL FUND BALANCE IN ORDER TO PROVIDE ADDITIONAL APPROPRIATIONS FOR THE NEW PRISON, TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR MATTERS RELATING THERETO.

## Executive Session: Condemnations and Contractual Issues

### New Business

1. Consider 1<sup>st</sup> reading of an ordinance to amend the County's Planning and Development Ordinance providing for the Planning Commission to establish its regular meeting date and to permit deadlines associated with Planning Commission business to be adjusted relative to the regular meeting schedule.
2. Consider 1<sup>st</sup> reading of an ordinance to amend the County's Subdivision Ordinance to permit deadlines associated with Planning Commission business to be adjusted relative to the regular meeting schedule.
3. Consider 1<sup>st</sup> reading of an ordinance to provide water and sewer services to areas located within the Fort Mill Town Limits.
4. Consider storm drain easement abandonment at Williamsburg Commons.
5. Consider 1<sup>st</sup> reading to an ordinance to amend the York County Procurement Code to include telephone utilities with gas, electric, water and sewer utilities as an exception to the County Procurement Code.
6. Consider designating Keystone as the Act 301 Substance Abuse Authority for York County for one year to begin October 1, 2008
7. Consider amendment to the agreement with Florence and Hutcheson for design services related to Project 97-012: SC Route 5 Bypass (SC Route 161 to SC Route 5 West) as part of the 1997 Capital Projects Sales and Use Tax Program.
8. Consider amendment to the agreement with STV/Ralph Whitehead for design services related to Project 03-002i: Intersection Improvement Project at SC Route 324 at Cameron Gordon Road as part of the 2003 Capital Projects Sales and Use Tax Program
9. Consider bids for 34,000 +/- tons of macadam stone base material for gravel road maintenance
10. Consider proposals for food services for the Detention Center and the Prison; Prop. #1811

11. Consider approval of recommended changes in salary grade levels for positions in the Planning & Development Department to establish the Customer Service Division that has been previously discussed.
12. Consider authorizing staff to seek bids for replacement vehicles

## Committee Report

Finance & Operations Committee - Rick Lee, Chairman  
(Meeting on September 2, 2008 at 5:00pm)

## Consent Agenda

<u>Item</u>	<u>Action</u>
a. Approve minutes of August 18, 2008 Council Meeting	Approve as written
b. Design recommendation for Project 03-002i: SC Route 324/Cameron Road/Gordon Road intersection improvements as part of the 2003 Capital Projects Sales and Use Tax Program.	

Those wishing to appear not on the agenda

Adjourn