

Agenda

York County Council

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

Monday, October 6, 2008

6:00 p.m.

Call to Order Houston O. Motz, Chairman

Invocation and Pledge of Allegiance Tom Smith, District 2

Appearance(s)

Jack Queen in regards to the proposed ATV Ordinance

Old Business

Report from Zoning Committee Chairman, Curwood Chappell, regarding the following rezoning requests (*Meeting on October 6, 2008 at 5:30pm*)

1. Consider 2nd 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. Consider 2nd 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. Consider 2nd reading:
Tax Map 651-08

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. Consider 2nd 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. Consider 2nd reading:
Tax Map 725-01

Zoning request	AGC to RD-I
Acres	105.36 +/-
Council district	1 (Lindemann)
Applicant	John Wieland Homes (McCullough)
Owner	Miller Heirs, LLC
Location	Property is located on Miller Farm Road in the Fort Mill community.
Staff	Approval
Planning Commission	Denial (April 25, 2006)

6. Consider 2nd reading of 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.

7. Council to receive update information on the status of the Bond Sale

Executive Session: Condemnations, Contractual Matter(s) and Legal Advisement

New Business

1. Consider 1st reading of revisions to the Stormwater Ordinance - Illicit Discharge Additions for an ordinance entitled, TO AMEND CHAPTER 152: STORMWATER MANAGEMENT AND SEDIMENT CONTROL, SECTIONS 152.01 THROUGH 152.10; 152.20 THROUGH 152.28; 152.40 THROUGH 152.42; 152.55 THROUGH 152.62; AND 152.99 OF THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, KNOWN AS "THE STORMWATER MANAGEMENT AND SEDIMENT CONTROL ORDINANCE OF YORK COUNTY, SOUTH CAROLINA;" TO DEFINE AND ESTABLISH MINIMUM STORMWATER MANAGEMENT REQUIREMENTS AND CONTROLS TO PROTECT THE NATURAL RESOURCES OF YORK COUNTY AND THE GENERAL HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF YORK COUNTY, SOUTH CAROLINA; TO PROVIDE THE AUTHORITY FOR THE ENACTMENT OF THIS STORMWATER MANAGEMENT AND SEDIMENT CONTROL ORDINANCE; TO DEFINE THE JURISDICTION AND PROVIDE FOR THE ADMINISTRATION OF STORMWATER MANAGEMENT AND SEDIMENT CONTROL REGULATIONS; TO PROVIDE FOR EXEMPTIONS AND WAIVERS FROM THIS ORDINANCE; TO PROVIDE RULES OF LANGUAGE, INTERPRETATION AND DEFINITIONS; TO PROVIDE FOR NOTIFICATION OF THE REQUIREMENTS OF THIS CHAPTER TO PERSONS APPLYING FOR GRADING PERMITS; TO PROVIDE FOR INSPECTION AND ENFORCEMENT OF PROVISIONS OF THE STORMWATER MANAGEMENT AND SEDIMENT CONTROL ORDINANCE; TO DEFINE THE RELATIONSHIP OF THIS ORDINANCE WITH OTHER LAWS, REGULATIONS AND ORDINANCES; TO DEFINE PROCEDURES FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS ORDINANCE; TO PROVIDE FOR THE PROTECTION OF EXISTING DISTURBED AREAS; TO ESTABLISH AN APPLICATION PROCESS FOR GRADING PERMITS, APPROVALS AND REVIEWS; TO ESTABLISH A FEE SCHEDULE FOR PERMITS, APPROVALS AND REVIEWS UNDER THIS CODE; TO PROVIDE FOR THE APPROVAL OR DISAPPROVAL OF APPLICATIONS FOR PERMITS OR APPROVALS; TO PROVIDE FOR VARIANCES, APPEALS AND ADMINISTRATIVE HEARINGS; TO DEFINE THE RESPONSIBILITY OF APPLICANTS FOR AUTHORIZATIONS, PERMITS, BONDS AND OTHER AUTHORIZATIONS, REQUIREMENTS OR APPROVALS; TO PROVIDE A MECHANISM FOR EXTENSIONS OF TIME; TO DEFINE THE RESPONSIBILITIES OF APPLICANTS AND OPERATORS; TO ESTABLISH MANDATORY STANDARDS AND PLAN REQUIREMENTS FOR STORMWATER POLLUTION PREVENTION PLANS; TO PROVIDE PLAN REQUIREMENTS FOR STORMWATER MANAGEMENT AND SEDIMENT CONTROL PLANS; TO PROVIDE REFERENCES AND RESOURCES TO ASSIST APPLICANTS IN MEETING MANDATORY STANDARDS AND REQUIREMENTS; TO DEFINE MAINTENANCE REQUIREMENTS DURING CONSTRUCTION; TO DEFINE MAINTENANCE RESPONSIBILITIES AFTER DEVELOPMENT; TO REQUIRE THE AMENDMENT AND MAINTENANCE OF SWPPP PLANS AND MAPS; TO PROVIDE FOR THE TERMINATION OF COVERAGE AND THE ISSUANCE OF NOTICES OF TERMINATION AND PRESCRIBE THE TERMS AND CONDITIONS THEREOF; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS CODE; TO PROVIDE FOR A PUBLIC HEARING BEFORE FINAL ADOPTION OF THIS ORDINANCE; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
2. Consider 1st reading of an ordinance to amend the Airport Overlay District Ordinance.
3. Consider 1st reading of an amendment to an ordinance entitled, "AN ORDINANCE TO AMEND SECTIONS 54.01 THROUGH 54.99 OF THE YORK COUNTY CODE OF ORDINANCES RELATING TO WATER CONSERVATION AND THE YORK COUNTY DROUGHT RESPONSE PLAN; TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE; TO DEFINE TERMS USED IN THE YORK COUNTY WATER CONSERVATION AND DROUGHT

RESPONSE PLAN; TO PROVIDE FOR THE MANAGEMENT OF DROUGHT IN YORK COUNTY; TO PROVIDE FOR RESPONSES TO DROUGHT AND THE PROCLAMATION OF DROUGHT PHASES AND OTHER DROUGHT-RELATED RESTRICTIONS; TO PROVIDE FOR RATIONING OF WATER UPON THE EXISTENCE OF CERTAIN CONDITIONS; TO PROVIDE FOR THE CONSERVATION OF WATER RESOURCES; TO PROVIDE FOR THE ENFORCEMENT OF WATER USE RESTRICTIONS AND THE YORK COUNTY DROUGHT RESPONSE PLAN; TO PROVIDE A PROCEDURE AND THE TERMS AND CONDITIONS FOR VARIANCES UNDER THE YORK COUNTY DROUGHT RESPONSE PLAN; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ORDINANCE AND THE YORK COUNTY DROUGHT RESPONSE PLAN AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO."

4. Consider authorizing 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 PARAMOUNT PARKS, INC. D/B/A PARAMOUNT'S CAROWINDS, INCLUDING THEIR AFFILIATED AND RELATED ENTITIES, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH YORK COUNTY, SOUTH CAROLINA; AND COMMITTING TO ENTER SUCH NECESSARY AGREEMENTS WITH THE COMPANY TO EFFECTUATE THE INTENT OF THIS RESOLUTION, AND OTHER MATTERS RELATED THERETO.
5. Council to receive information regarding an update on the Capital Projects Sales and Use Tax Programs including tax collections, status of projects, transitioning plan (CME to County staff), and SCDOT Participation.
6. Consider agreement to allow SCDOT to provide the design and construction of a portion of Project 03-005: SC Route 49/211/97/Nimitz Road Loop as part of the 2003 Capital Sales and Use Tax program.
7. Consider compensatory mitigation (mitigation of stream and wetland impacts) for Project 97-011: SC Route 72/Albright Road (Black Street to Heckle Boulevard) and Project 97-012: SC Route 5 Bypass as part of the 1997 Capital Projects Sales and Use Tax Program.
8. Consider proposals for counseling services for juveniles and related family members participating in the Juvenile Drug Treatment Court Program for use by the Solicitor's Office
9. Consider amendment to the agreement with Campco Engineering for (Daimler Boulevard - f.k.a. DTNA Northern Parkway Turn Lanes) design services related to Project 97-006: SC Route 274 Phase I as part of the 1997 Capital Projects Sales and Use Tax Program.
10. Consider amendment to the agreement with STV/Ralph Whitehead and Associates for environmental design and permitting services related to Project 97-011: SC Route 72 /

Albright Road (Black Street to Heckle Boulevard) as part of the 1997 Capital Projects Sales and Use Tax Program.

11. Consider three representatives for the Capital Projects Sales Tax Act Commission.
12. Consider bids for shelving, storage cabinets, and accessories for the new prison.
13. Consider bids for furniture and furnishings for the new prison.
14. Consider bids for dental equipment for the new prison.
15. Consider bids for bunks, mattresses, and accessories for the new prison.
16. Consider bids for two each 2009 model 4x4 super cab and chassis trucks for use by Smyrna and Bethel Fire Departments; Bid #1822
17. Consider bids for Finger Print Machine and NIST archive equipment for the new prison.
18. Consider approval of Additional Software License Agreement with New World Systems to Upgrade the Public Safety Software.
19. Consider a request to negotiate a lease agreement for office space for the Tax Assessor's Department
20. Consider authorizing staff to apply for and accept if awarded, for a recycling grant offered by the Coca-Cola Company and the National Recycling Coalition

Committee Report

Finance & Operations Committee Meeting - Rick Lee, Chairman
(Meeting on October 6, 2008 at 5:00pm)

Consent Agenda

- | <u>Item</u> | <u>Action</u> |
|--|--------------------|
| a. Approve minutes of September 15, 2008 Council Meeting | Approve as written |

Those wishing to appear not on the agenda

Adjourn