

Agenda

York County Council

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

Monday, July 20, 2009

6:00pm

Call to Order Houston O. Motz, Chairman

Invocation and Pledge of Allegiance Curwood Chappell, District 5

Oath of Office for newly appointed Board and Commission Members

David J. Hord - Board of Rural Fire Control
William Gregory - Council on Aging
Michael Thornwell - York County Forever Commission

Appearances

Linda Gaffney, Cross Road Bar & Grill in regards to the Smoking Ban Ordinance

Public Hearing(s)

1. Public hearing and consider 1st reading:

Tax Map 344-10

Zoning request:	RC-I to RCII
Acres:	4.82 +/-
Council district:	Three (3) Cox
Applicant:	Harold R. King
Owners:	Harold R. King
Location:	Property is located 535 Cap Connolly Road in the York community.
Staff:	Approval
Planning Commission:	Approval
Zoning Committee:	

2. Public hearing and consider 1st reading:

Tax Map 374-42

Zoning request:	AGC to RUD
Acres:	5 +/-

Council district:	Two (2) Smith
Applicant:	Bob Mobley
Owners:	Michael W. Mobley
Location:	Property is located at 1306 Love Road in the Clover community.
Staff:	Approval
Planning Commission:	Approval
Zoning Committee:	

3. Public hearing and consider 3rd 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."

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."

Executive Session: Condemnation(s) and Contractual Matters

New Business

1. Consider 1st reading of an ordinance to amend section 155.428, *Lot Development Standards*, of the County's Planning and Development Ordinance, related to accessory structure and use setbacks.
2. Consider 1st reading of an ordinance entitled "TO AMEND THE YORK COUNTY CODE OF ORDINANCES BY ADDING NEW SECTIONS 32.100 THROUGH 32.105 TO CREATE A NEW COMMISSION TO BE KNOWN AS THE YORK COUNTY HUMAN RELATIONS COMMISSION; TO PROVIDE FOR THE STRUCTURE, ORGANIZATION, COMPOSITION, PURPOSE, POWERS, DUTIES AND FUNCTIONS OF THE YORK COUNTY HUMAN RELATIONS COMMISSION; TO PROVIDE FOR THE APPOINTMENT AND TERMS OF OFFICE OF MEMBERS OF THE COMMISSION; TO PROVIDE FOR A PUBLIC HEARING BEFORE FINAL ADOPTION OF THIS ORDINANCE AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO."
3. Consider 1st reading of 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, 2009, ETC"; TO PROVIDE FOR THE LEVY OF TAXES FOR BETHEL RURAL FIRE DISTRICT AND FOR APPROPRIATIONS FOR BETHEL RURAL FIRE DISTRICT; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR MATTERS RELATING THERETO."
4. Consider adopting a resolution authorizing an inducement agreement between York County and a company identified as Project Clax in connection with a requested Fee-In-Lieu-of-Tax agreement.
5. Consider applying for a grant through the Lowe's Charitable & Educational Foundation for funding associated with the public/community outreach requirements of York County's NPDES/MS4 permit
6. Consider applying for a grant through SCDHEC's Champions of the Environment Grant Award Program for funding associated with the public/community outreach requirements of York County's NPDES/MS4 permit
7. Consider approval of construction Change Order No. 1 for Henley's Construction for the Lake Wylie Convenience Center Expansion Project

8. Consider granting of electrical utility easement to Duke Power Company for accommodating the new electric service for the Moss Justice Detention Center expansion
9. Consider agreement with WPC to complete follow-up testing services for the recently completed Prison construction
10. Consider bid for the construction of the York County Emergency Operations & Communications Center for the use by the Public Safety Department, Bid #1884
11. Consider agreement with Motorola to relocate all 800 MHZ and other radio equipment from the existing Emergency Communications Center in Rock Hill City Hall to the new Emergency Communications - Operations Center.
12. Consider granting of electrical and street lighting easements or rights-of-way to the City of Rock Hill for crossing the Emergency Operations Center Building property located at 149 West Black Street in Rock Hill
13. Consider approval of construction Change Order No. 1 for Boggs Paving, Inc. for the 2007-2008 Critical Needs Resurfacing Project
14. Consider approval of Reimbursement Agreement with Stonegate Holdings, LLC for Project 97-007: SC Route 901 as part of the 1997 Capital Projects Sales and Use Tax Program
15. Consider approval of construction Change Order No. 5 for U.S. Group, Inc. for Project 97-007: SC Highway 901 as part of the 1997 Capital Projects Sales and Use Tax Program
16. Consider Construction Contract for Project 03-002f: Ferguson Road Intersection Improvements Project as part of the 2003 Capital Projects Sales and Use Tax Program, Bid #1888
17. Consider approval of consultant Contract Amendment No. 1 for Mulkey Engineers and Consultants for Project 03-013: SC Route 557 Widening (Kingsbury Road to SC Route 49) as part of the 2003 Capital Projects Sales and Use Tax Program
18. Consider approval of contract with Summit Engineering for special inspections of EOC Building

19. Consider authorizing continuation of the agreement with the South Carolina Department of Corrections for housing of SCDC inmates with the same terms and conditions as our current agreement with the South Carolina Department of Corrections and ratify actions taken to continue said agreement
20. Consider approval of Right of Entry Agreement with ARM to conduct subsurface investigations and remediation activities at the EC Black Building
21. Consider bids for twenty-six each light-weight, durable defibrillators, complete with soft-cases, and children keys for use by the Sheriff's Office; Prop. #1880.
22. Consider bids for the resurfacing of truck bay floors for the use by the Flint Hill Fire Department, Station #2; Bid #1885
23. Consider offer by C.W. Williams Company to allow the county to add the two custom fire engines approved in the FY 09-10 Budget to the county's current contract with C.W. Williams for the two custom fire engines already approved in the 08-09 budget and currently being fabricated by C.W. Williams.
24. Consider acceptance of a Department of Justice grant award in the amount of \$295,930.
25. Consider approval of a lease agreement for the Highway 160 East Convenience Center
26. Consider bids for the 34.000+/- ton Macadam Base Material for use by the Road Maintenance Department; Bid #1887
27. Consider approval of the revised draft of the Rock Hill-York County Airport Vision Statement
28. Consider contract with York County Convention and Visitor's Bureau for provision of their Director's services to coordinate Park, Recreation and Tourism planning and activities and participate in making policy recommendations and otherwise assist County through the County Manager's Office.

Committee Report

Planning & Economic Development Committee and Zoning Committee Meeting -
Tom Smith and Curwood Chappell, Chairmen
(Meeting on July 20, 2009 at 5:00pm)

Consent Agenda

<u>Item</u>	<u>Action</u>
a. Approve minutes of June 15, 2009 Council Meeting	Approve as written
b. Approve minutes of June 15, 2009 Finance & Operations Committee Meeting	Approve as written

Those wishing to appear not on the agenda

Matters for consideration following Executive Session

1. Consider authorization of proposed Condemnations
2. Consider authorization of contract with the Conventions & Visitor's Bureau (CVB)
3. Consider approval of Honeywell FILOT Agreement
4. Consider approval of Lease for Leiner health Products Building
5. Consider approval of proposal from ERA regarding Knight's Study
6. Consider including a "right of first refusal" provision in our agreement to purchase a first floor condominium for use as a Children's Museum.

Adjourn

****Transportation Committee Meeting will convene immediately following the regular Council Meeting. The agenda includes reallocation consideration of C-Fund Monies****