

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
September 20, 2005
6:00 p.m.**

MEMBERS PRESENT: Liz Gilland; Chairman; Harold Worley; Mark Lazarus; Marion Foxworth; Mike Ryan; Howard Barnard; Bob Grabowski; James Frazier; Carl Schwartzkopf; Paul Prince; Kevin Hardee; and John Boyd.

MEMBERS ABSENT:

OTHERS PRESENT: Danny Knight; Pat Hartley; John Weaver; Anne Wright; Steve Gosnell; Paul Whitten; Janet Carter; Beth Fryar; Roland Meyer; Westley Sawyer; and Lisa Bourcier.

In accordance with the FOIA, notices of the meeting were provided to the press stating the time, date, and place of the meeting.

CALL TO ORDER: Chairman Gilland called the meeting to order at approximately 6:05 p.m.

INVOCATION: Mr. Prince gave the invocation.

PLEDGE: Mr. Boyd led in the pledge.

PUBLIC INPUT:

1. Neal Seaman spoke on the Kennesaw gun ordinance.
2. Joe Belasario spoke on Hurricane evacuation routes.
3. Jane Lipan, Linkletter Group, gave an update on the Planetarium and requested that the record reflect that Mr. Linkletter and his group adamantly opposed the rezoning of the acreage of Hwy. 544, which was approved by the Council to be the site for the Linkletter Planetarium.

Chairman Gilland stated that ended public input. Mr. Seaman stated that his wife signed up to speak and wasn't being allowed to. Chairman Gilland stated there was only one that had signed up. Mr. Foxworth pointed out there was an alternate speaker's list. Chairman Gilland called on the first alternate, Mr. Vincent Lehotsky. Mr. Lehotsky stated he was present but was told he couldn't speak because of a 60-day rule, which he felt was preposterous and further stated, because of that Mrs. Seaman should speak.

4. Melissa Seaman spoke on the Kennesaw gun ordinance.

Chairman Gilland closed public input.

CHANGES TO AGENDA:

Mr. Lazarus requested to defer Ordinance 153-05 at the request of the developer and requested to add an Appointment to the Open Space Board of Dan Gray, for District Two, to the Consent Agenda. Mr. Schwartzkopf moved to defer Ordinance 153-05 and to add the Appointment to the Open Space Board, seconded by Mr. Boyd. The motion passed unanimously.

Mr. Foxworth requested to remove Resolution R-126-05 from the Consent Agenda.

Mr. Schwartzkopf moved to send Resolution R-123-05 back to the Planning Commission, seconded by Mr. Ryan. The motion passed unanimously.

Mr. Frazier requested to remove Ordinance 142-05 from the Consent Agenda.

APPROVAL OF AGENDA CONTENTS: There was no motion made but a unanimous vote to approve was taken.

APPROVAL OF MINUTES: September 6, 2005: Mr. Boyd moved to approve the minutes as submitted, seconded by Mr. Barnard. The motion passed unanimously.

MEMORIAL DEDICATION: It was requested that upon adjournment, Council adjourn in memorial of the following individuals:

Jack Taylor (Mr. Frazier and Chairman Gilland)
Hamp Hardwick (Mr. Frazier and Chairman Gilland)
Charles King (Mr. Frazier)
Ellvira Rogers (Mr. Frazier)
Elwood Fore (Mr. Frazier)
Elloree Alford Brantley (Mr. Frazier)
Dorothy Gore Carter (Mr. Prince)
Charles Todd (Mr. Prince)
Dilicia Lavigne (Mr. Boyd)
Bobby Johnson (Mr. Boyd)

APPROVAL OF CONSENT AGENDA: Mr. Frazier moved to approve the Consent Agenda, seconded by Mr. Boyd. The Consent Agenda consisted of the following items:

Third reading of **Ordinance 84-05** to approve the request of Carolina Forest Storage, LLC, agents for International Paper Realty, Carolina Forest Storage PDD, to amend the official zoning maps.

Third reading of the following ordinances to approve the request to amend the official zoning maps: **124-05** Joyce Ann Williams; **125-05** Eric Grey, agent for Dotlyn Limited Partnership; **126-05** Ken Strand, agent for JoAn Carolyn Doyle; **127-05** Roger Williams, Jr.; **128-05** Frances M. Oliver; **129-05** The Earthworks Group, agent for Scalise Development; **130-05** Scotty Smith, agent for Deertrack Golf, Inc.; **132-05** Willie Lee Todd; **133-05** Max Smith, agent for Ruby Lee Smith; **134-05** Tony Cox, agent for Burroughs & Chapin, Co.; and **135-05** Kenneth W. Todd.

Third reading of **Ordinance 136-05** to approve the request of Shaftesbury Glen Golf & Fish Club, LLC, agent for Stevie R. Smith, Shaftesbury Glen PDD, to amend the official zoning maps.

Third reading of **Ordinance 139-05** to transfer funds from retained earnings to an account for a required capital project.

First reading of the following ordinances to approve the request to amend the official zoning maps: **143-05** Tony Cox, agent for Burroughs & Chapin, Co., **144-05** Joseph & Patricia Cuzzo; **145-05** James Wooten, agent for Eastern Shores Realty Holdings; **146-05** James Wooten, agent for Eastern Shores Realty Holdings; **147-05** Mark Giarusso, agent for EM-One; **148-05** Alexander Smalls and Cynthia Smalls McClure; **149-05** Danny Hardee, agent for Wellons Brothers General Partnership;

150-05 Garry & Judy Brewer; **151-05** Horry County Planning, agent for William Ambrose & Carpenter Properties; and **152-05** James Robinson, agent for Columbia Farms.

First reading of **Ordinance 155-05** to amend the 2006 Budget so as to provide additional funding and two new positions for a centralized drug court.

Appointment of Dan Gray to the Open Space Board.

The motion passed unanimously.

RESOLUTIONS/PRESENTATIONS:

Recognition of Horry County Emergency Management Personnel. Mr. Randy Webster, Director of Emergency Management, spoke on the efforts during Hurricane Ophelia and introduced Carissa Medeiros, Jerry Williams, Ranessa Norton, and Alicia Bastian.

Presentation- Status of Horry County Investments. Roddy Dickinson, Treasurer, gave a presentation on investments.

Presentation- Report on Savings in Bond Refinancing. Ms. Wright announced that on August 31, 2005 the County sold \$35,010,000.00 of bonds, which were in an escrow account to advance refund two debt issues. By doing this, the County saved a total of \$1.6 million of future debt service payments.

Presentation and **Resolution R-118-05** to enlarge the boundaries of the multi-county business park by 10.05 acres to include the Grande Dunes Marina Hotel and village commercial development. Mr. Doug Wendel, Burroughs and Chapin Co., gave a presentation on the proposed adjustment. Mr. Worley spoke on the unlimited height in the business park and asked if B&C were willing to compromise on the unlimited height in Little River. Barry Spivey spoke on the property. Mr. Boyd stated he would like to see this done in ordinance format with the exchange. Mr. Lazarus requested information as to how much property in the multi-county business park was actually within the city limits of Myrtle Beach and how much was within the County. Mr. Foxworth spoke on the possibility of extending the development agreements. Mr. Wendel stated they could take a look at it. With regard to Mr. Worley's question on limiting heights on B&C owned property in Little River, Mr. Wendel answered that B&C would propose a range of 8-12 stories. He further stated eight living floors and maybe one floor for underground parking, eight and one-half or nine. Mr. Worley stated he could deal with eight floors. **Mr. Hardee moved to approve Resolution R-118-05, seconded by Mr. Lazarus. The motion failed. The vote was as follows:**

In favor

**Worley
Lazarus
Grabowski
Frazier
Prince
Hardee**

Opposed

**Barnard
Schwartzkopf
Boyd
Foxworth
Ryan
Gilland**

Chairman Gilland called a recess at 8:06 p.m. The meeting reconvened at 8:21 p.m.

Chairman Gilland requested clarification from Mr. Wendel on whether he and Mr. Worley had an agreement on the building height if Mr. Worley voted yes, even though Council had rejected the marina hotel request. Mr. Wendel stated he wasn't doing a quick pro quo and had nothing to do with Mr. Worley's vote. He further stated that Mr. Worley asked if they could live with a lower height level and he told him eight stories and the opportunity to get in the underground parking. He had no problem with that.

Resolution R-124-05 to *disapprove* the request of Brian Taylor, agent for Charlene Taylor, Wilbert Bellamy and Tony Bellamy to amend the official zoning maps. **Mr. Boyd moved to approve the disapproval, seconded by Mr. Hardee.** Ms. Carter spoke briefly on the request. **Mr. Frazier moved to defer, seconded by Mr. Boyd. The motion to defer passed unanimously.**

Resolution R-125-05 to *disapprove* the request of John Poston, agent for Lionell G. Duncan to amend the official zoning maps. **Mr. Prince moved to approve first reading of an ordinance and send to the Planning Commission, seconded by Mr. Lazarus.** Ms. Carter spoke on the request. **The motion passed unanimously.**

Resolution R-126-05 proclaiming the month of October as National Colonial Heritage Month. **Mr. Foxworth moved to approve, seconded by Mr. Ryan. The motion passed unanimously.**

READING OF ORDINANCES:

Third reading of **Ordinance 102-03** to approve the request of Greg Lipscomb, agent for FHTP, LLC, Fantasy Harbour PDD, to amend the official zoning maps. **Mr. Grabowski moved to approve, seconded by Mr. Boyd.** Mr. Steve Goodwin spoke on the project. **Mr. Barnard moved to amend to add the reversion clause and reduction of five acres, seconded by Mr. Schwartzkopf.** Mr. Ryan moved to discuss the ordinance and defer third reading to the next meeting, seconded by Mr. Foxworth. Mr. Prince moved to amend to pass the ordinance. The motion died for lack of a second. Mr. Ryan's motion to defer failed. The vote was as follows:

In favor

**Ryan
Foxworth
Hardee
Worley**

Opposed

**Lazarus
Barnard
Grabowski
Frazier
Schwartzkopf
Prince
Boyd
Gilland**

Mr. Barnard's motion to amend passed unanimously.

The main motion as amended passed. The vote was as follows:

<u>In favor</u>	<u>Opposed</u>
Worley	Ryan
Lazarus	Hardee
Barnard	
Grabowski	
Frazier	
Schwartzkopf	
Prince	
Foxworth	
Boyd	
Gilland	

Third reading of **Ordinance 138-05** to amend the FY 2006 budget so as to provide additional funding for Waccamaw Regional Transportation Authority (LYMO). Mr. Meyers Rollins spoke on LYMO and introduced the Board Members. **Mr. Boyd moved to send the issue to the Administration Committee to look at funding and come up with an amount. There was no second to the motion.** Chairman Gilland stated Mr. Barnard had volunteered to sit on the board for LYMO if Council agreed. **Mr. Grabowski moved to approve Mr. Barnard to sit on the board for LYMO, seconded by Mr. Frazier. Mr. Barnard requested to be deleted from the LYMO Board so there was no conflict of interest per the County Attorney. Mr. Grabowski moved to disapprove the request to allow Mr. Barnard to sit on the LYMO board. Chairman Gilland stated she didn't take an official vote and there was no harm done. There was no motion to approve but a vote to approve was taken, which failed. The vote was as follows:**

<u>In favor</u>	<u>Opposed</u>
Lazarus	Hardee
Foxworth	Worley
Ryan	Boyd
Barnard	Prince
Grabowski	
Frazier	
Schwartzkopf	
Gilland	

Chairman Gilland stated it took a three quarters vote because they were amending the budget.

Mr. Boyd moved to recall and send to the Administration Committee, seconded by Mr. Barnard. Mr. Lazarus moved to approve the request to fund LYMO. Mr. Weaver spoke on the issue. Mr. Boyd withdrew his motion. Chairman Gilland stated they needed to get a vote on reconsideration. She called for the vote. The vote to reconsider passed by a vote of 11 ayes, and 1 nay (Mr. Worley). Mr. Boyd moved to send the issue to the Administration Committee and to look at funding for all of the agencies within this category, seconded by Mr. Barnard. The motion passed unanimously.

Second reading and public review of **Ordinance 140-05** authorizing the development of a jointly owned and operated industrial park to be located solely in Georgetown County between Horry County and Georgetown County. **Mr. Hardee moved to approve, seconded by Mr. Schwartzkopf. There was no public review. The motion passed unanimously.**

Second reading and public review of **Ordinance 137-05** to approve the request of Jon Taylor, agent for South Carolina Coastal Development, Waterway Plantation Multifamily, to amend the official zoning maps. **Mr. Hardee moved to approve, seconded by Mr. Barnard. There was no public review. The motion passed unanimously.**

First reading of **Ordinance 154-05** to approve the request of James Wooten, agent for TRICO Property Investors, Windsor PDD, to amend the official zoning maps. **Mr. Ryan moved to approve, seconded by Mr. Lazarus. The motion passed unanimously.**

Third reading of **Ordinance 77-05** to approve the request of Jon Taylor, agent for Larry Elliott, Magnolia Grande Resort PDD, to amend the official zoning maps. **Mr. Barnard moved to approve, seconded by Mr. Boyd.** Chairman Gilland requested consideration be given to reducing the number of homes and lowering height requirements. No motion was made. **Mr. Prince called the question. The motion to approve passed. The vote was as follows:**

<u>In favor</u>	<u>Opposed</u>
Worley	Foxworth
Lazarus	Gilland
Ryan	
Barnard	
Grabowski	
Frazier	
Schwartzkopf	
Prince	
Hardee	
Boyd	

Mr. Hardee left the meeting at 9:42 p.m.

First reading of **Ordinance 142-05** to approve the request of Kevin Sansbury, agent for Southside Enterprises. Ms. Carter spoke on the request. **Mr. Frazier moved to approve, seconded by Mr. Boyd. The motion passed. The vote was as follows:**

<u>In favor</u>	<u>Opposed</u>	<u>Absent</u>
Worley		Hardee
Lazarus		
Foxworth		
Ryan		
Barnard		
Grabowski		
Frazier		
Schwartzkopf		
Prince		
Hardee		
Boyd		
Gilland		

Legal Briefing on a contractual matter dealing with the Myrtle Beach Airport. Chairman Gilland stated this was an Executive Session item but staff would do the briefing in open session. Mr. Kemp stated there were two companies interested in Hangar 359. Company A was an international provider and Company B was a company that provided specialized services for the US military. He further stated that the subcommittee recommended pursuing Company A and requested guidance on how they wanted them to proceed. Mr. Barnard requested staff look at the possibility of building spec hangars. He further stated the legal research on Company B needed to be shared with Council. Chairman Gilland requested staff make that information available to anyone who was interested. **Mr. Worley moved to direct staff to negotiate with Company A, seconded by Mr. Frazier. The motion passed. The vote was as follows:**

In favor

Worley

Lazarus

Foxworth

Ryan

Barnard

Grabowski

Frazier

Schwartzkopf

Prince

Boyd

Gilland

Opposed

Absent

Hardee

ADJOURNMENT: The meeting adjourned at 10:10 p.m. in memorial of Jack Taylor; Hamp Hardwick; Charles King; Elvira Rogers; Elwood Fore; Ellore Alford Brantley; Dorothy Gore Carter; Charles Todd; Delicia Lavigne; and Bobby Johnson.