

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
September 19, 2006
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; and Kevin Hardee.

MEMBERS ABSENT: John Boyd.

OTHERS PRESENT: Danny Knight; Pat Hartley; John Weaver; Anne Wright; Steve Gosnell; Paul Whitten; Janet Carter; Beth Fryar; 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 6:00 p.m.

INVOCATION: Mr. Frazier gave the invocation.

PLEDGE: Mr. Hardee led in the pledge.

PUBLIC INPUT:

1. Bob Weldon, Community Coalition of Little River, spoke on Growth and asked that Council look beyond district lines and consider passage of an adequate public facilities ordinance.
2. James Millward spoke on the need for sidewalks for pedestrian traffic on Hwy. 501 Bridge and the Fantasy Harbor Bridge over the Intracoastal Waterway; adding traffic arrows on Hwy. 544; and the obsessive fee for prank phone calls assessed by Horry Telephone.
3. Dale Betty spoke on the permanent closure of Myrtle Trace Drive. The I&R Committee will discuss at a future committee meeting the issue of subdivision corridors being used by pass-through traffic in the Myrtle Trace, Hidden Lakes and Stonebridge communities.
4. William Cowell spoke on Myrtle Ridge Road requesting the gates be opened.

Chairman Gilland closed public input at 6:35 p.m.

CHANGES TO AGENDA:

Chairman Gilland requested to remove from the Consent Agenda Ordinance 192-06 and Ordinance 153-06.

Mr. Grabowski moved to add to the agenda Resolution R-126-06 and Resolution 127-06, seconded by Mr. Prince. The motion failed. The vote was as follows:

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

Mr. Foxworth requested to remove from the Consent Agenda Resolution R-122-06 and Resolution R-125-06.

Mr. Foxworth moved to defer Resolution R-116-06, seconded by Mr. Barnard. The motion passed. The vote was as follows:

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

Mr. Foxworth moved to defer Ordinance 177-06, seconded by Mr. Ryan. The motion passed. The vote was as follows:

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

Mr. Schwartzkopf requested to take Resolution R-124-06 separately for discussion.

Mr. Hardee moved to remand Resolution R-123-06 back to the Planning Commission, seconded by Mr. Barnard. The motion passed. The vote was as follows:

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

Mr. Hardee moved to defer Ordinance 164-06 and requested staff to get a development plan, seconded by Mr. Barnard. The motion passed. The vote was as follows:

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

Mr. Hardee moved to add discussion under Old New Business regarding Possible Permits for Timber Harvesting, seconded by Mr. Lazarus. The motion passed. The vote was as follows:

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

Mr. Ryan requested to change his nay vote on adding Resolution R-126-06 and Resolution R-127-06 to a favorable vote. Chairman Gilland stated they would include the Resolutions on the agenda. Mr. Worley objected but then withdrew his objection. The resolutions were added to the agenda.

Mr. Prince requested to remove from the Consent Agenda Ordinance 184-06.

Mr. Schwartzkopf moved to defer Ordinance 134-06 as requested by the applicant, seconded by Mr. Grabowski. The motion passed. The vote was as follows:

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

Mr. Frazier moved to defer Ordinance 169-06 as requested by the applicant, seconded by Mr. Grabowski. The motion passed. The vote was as follows:

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

Mr. Schwartzkopf moved to withdraw Ordinance 181-06 as requested by the applicant, seconded by Mr. Barnard. The motion passed. The vote was as follows:

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

Mr. Weaver requested to add under Old/New Business a brief statement regarding Surplus Real Property at Myrtle Beach International Airport. Mr. Weaver also requested to add under Announcements a brief announcement regarding the September 25th Administration Committee meeting. Mr. Grabowski moved to add the requests, seconded by Mr. Worley. The motion passed. The vote was as follows:

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

Mr. Prince moved to reconsider Third reading of Ordinance 132-06 in that information was left out of the ordinance that had been agreed upon, seconded by Mr. Grabowski. The motion passed. The vote was as follows:

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

Mr. Ryan moved to add under Old/New Business discussion on Deerfield Golf Courses rezoning issues, seconded by Mr. Barnard. The motion passed. The vote was as follows:

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

Third reading of Ordinance 132-06 to approve the request of Margaret Gray, agent for Red Apple Group Commercial PDD to amend the official zoning maps. Mr. Prince moved to defer to the next meeting to add proper language, seconded by Mr. Barnard. The motion passed. The vote was as follows:

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

APPROVAL OF AGENDA CONTENTS: Mr. Barnard moved to approve the agenda as amended, seconded by Mr. Grabowski. The motion passed. The vote was as follows:

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

APPROVAL OF MINUTES: Regular Meeting September 5, 2006: Mr. Ryan moved to approve the minutes as submitted, seconded by Mr. Lazarus. The motion passed. The vote was as follows:

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

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

Marcena B. Powell (Mr. Frazier)
James Leon Cannon (Mr. Frazier)
Dollie Hucks Allen (Mr. Frazier)
James T. Randall (Mr. Frazier)
Jerry Cox Ausband (Mr. Schwartzkopf)
Barbara Bullock (Mr. Foxworth)
JoAnn Holmes (Mr. Prince)
William A. Clinkscale, Jr. (Mr. Prince)
Dick M. Johnson (Mr. Barnard)
Vander Leroy Stevens (Mr. Worley)

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

- Third reading of the following ordinances to approve requests to amend the official zoning maps: **146-06** Rob Wilfong, agent for Violet Gore; **148-06** Halbert & Colleen West; **149-06** Kevin Sansbury, agent for Pitch Landing Partnership; **150-06** Robert Weaver, agent for Eagle South LLC; **151-06** Steve Powell, agent for Ashford LLC; **152-06** Eddie White, agent for Home Team Construction; **154-06** T. Van Davenport, agent for Kathleen Schulin; **155-06** Alex Murphy; **156-06** Rob Wilfong, agent for Scott & Holly Kaufmann; **157-06** Rob Wilfong, agent for Sidney Green Heirs at law; **158-06** Horry County Planning, agent for Agnes Little; **159-06** Horry County Planning, agent for Cox Investments; **166-06** Davant Malphrus, agent for Wate, LLC; and **167-06** Jerry & Alice Edge.
- Third reading of **Ordinance 141-06** to approve the request of Mike Wooten, agent for The Park at Long Bay PDD, to amend the official zoning maps.
- Third reading of **Ordinance 145-06** authorizing the administrator to execute title to real estate to finalize agreement with SCDOT regarding the Fantasy Harbor interchange.
- Third reading of **Ordinance 168-06** to approve the request of Dale Gaff, agent for RiverGrand PDD, to amend the official zoning maps.
- First reading of the following ordinances to approve the request to amend the official zoning maps: **176-06** Stan Parker, agent for B.H. Todd & Eloise Little; **178-06** Huck Thieken, agent for Development Southeast LLC; **179-06** Daniel Gordon; **180-06** William & Paula Gibbons; **182-06** Gregory Weathers, agent for Albert & Rosa Hoffman; **183-06** Robert Castles, agent for Sandridge Land LLC; **185-06** Venture Engineering, agent for Strand Design Associates LLC; **186-06** David Cox, agent for Elton Cox & Fannie Hickman; **187-06** Terry Ellis, agent for Virginia Davis et al; **188-06** Eddie White, agent for James Sarvis; **189-06** Robert Messier; **190-06** David Avant, agent for Paula Edwards; and **191-06** Wayne Strickland, agent for Double J Investments LLC.

- Resolutions to accept dedication of the roads and drainage at the following locations: **R-117-06** Cypress Keyes III (Cypress Estates Dr, Cypress Keyes Ln, Seven Cr); **R-118-06** Cypress Keyes IV (Andros Ln); **R-119-06** Feldspar Phase II (Arrowhead Blvd, Sadler Way); **R-120-06** Madison Meadows I&II (Hilmont Ct.); and **R-121-06** Willows Place IV (Willowbend Dr).

The motion passed. The vote was as follows:

<u>In favor</u>		<u>Opposed</u>	<u>Absent</u>
Lazarus	Schwartzkopf	Worley	Boyd
Foxworth	Prince	(Ords. 146-06; 149-06;	
Ryan	Hardee	150-06; 151-06; 152-06;	
Barnard	Gilland	155-06; 156-06; 157-06;	
Grabowski		159-06; 167-06; 141-06;	
Frazier		145-06; 168-06; 176-06;	
		178-06; 179-06; 180-06;	
		182-06; 183-06; 185-06;	
		186-06; 187-06; 188-06;	
		189-06; 190-06; and 191-06.)	

RESOLUTIONS/PRESENTATIONS:

Announcements of the Employees of the Quarter. Mr. Knight announced the following employees of the quarter: Elizabeth Calhoun, Administration Division; Randall Faulk, I&R Division; and Randy Lack, Public Safety Division.

Budget Department Award for FY 2006 Budget. Chairman Gilland announced that the Budget Department had received the award for the FY 2006 budget for the seventeenth year.

Finance Department Award for FY 2005 Financial Statements. Chairman Gilland announced that the Finance Department had received the award for the FY 2005 Financial Statements for the nineteenth year.

Resolution R-124-06 Leon D. Todd, to *disapprove* the request to amend the official zoning maps. Mr. Schwartzkopf moved to amend the disapproval to a first reading by title only to approve, seconded by Mr. Frazier. The motion passed. The vote was as follows:

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

Resolution R-122-06 proclaiming October 2006 as Operation Helmet Month. **Mr. Prince moved to approve, seconded by Mr. Grabowski. The motion passed. The vote was as follows:**

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

Resolution R-125-06 to authorize acceptance of a Homeland Security grant of \$425,000 from the SC State Law Enforcement Division. **Mr. Prince moved to approve, seconded by Mr. Grabowski. The motion passed. The vote was as follows:**

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

Resolution R-126-06 approving a special events permit for SBB LLC for October 4-8, 2006 and **Resolution R-127-06** approving a special events permits of Hook and Fins Restaurant for October 4-8, 2006. **Mr. Grabowski moved to *disapprove*, seconded by Mr. Ryan. The motion passed. The vote was as follows:**

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

READING OF ORDINANCES:

Third reading of the following ordinances to approve the request to amend the official zoning maps: **160-06** Danny Hardee, agent for Belle Grove Plantation; **161-06** Jerry B. Boyd; **163-06** Craig & Gabriella Buis; **165-06** Todd Grinolds, agent for Dorothy & Daren Watson; and **153-06** Michael Bessent, agent for White & Associates. **Mr. Grabowski moved to approve, seconded by Mr. Hardee.** The following people spoke at public review:

1. Gene Prince spoke in opposition of Ordinance 160-06.
2. Brandy Watts spoke in opposition of 153-06; 160-06; and 165-06.
3. Patricia Milley spoke in opposition of Ordinance 153-06.
5. Pam Creech spoke in opposition of Ordinance 153-06; 160-06; and 165-06.

Ms. Carter gave an explanation of the GRn zoning district.

The motion passed. The vote was as follows:

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

Third reading and public review of **Ordinance 175-06** to approve the request of Steve Powell, agent for West River Properties, to amend the official zoning maps. **Mr. Frazier moved to approve, seconded by Mr. Grabowski.** There was no public review. **The motion passed. The vote was as follows:**

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

Chairman Gilland called a recess at 7:30 p.m. The meeting reconvened at 7:45 p.m.

Second reading and public review of **Ordinance 170-06** authorizing the administrator to execute an amendment to lease agreements with Ramp 66 to allow for the purchase/installation of fuel storage capacity at Grand Strand Airport. **Mr. Worley moved to approve, seconded by Mr. Lazarus. There was no public review. The motion passed. The vote was as follows:**

In favor

Worley
Lazarus
Foxworth
Ryan
Barnard
Grabowski
Frazier

Opposed

Schwartzkopf
Prince
Gilland

Absent

Boyd
Hardee

Second reading and public review of **Ordinance 171-06** granting a utility easement to the City of Myrtle Beach on Pampas Drive on the former MBAFB property. **Mr. Grabowski moved to approve, seconded by Mr. Schwartzkopf. There was no public review. The motion passed. The vote was as follows:**

In favor

Worley
Lazarus
Foxworth
Ryan
Barnard
Grabowski
Frazier

Opposed

Schwartzkopf
Prince
Hardee
Gilland

Absent

Boyd

Second reading and public review of **Ordinance 172-06** to approve the request of Eddie White, agent for Raymond Cleary, et al, to amend the official zoning maps. **Mr. Hardee moved to approve, seconded by Mr. Barnard. The following people spoke at public review:**

1. Rose Marie Hussey Ely spoke in opposition.
2. Derrick Cox spoke in opposition.
3. Eddie White, agent for the developer, spoke in favor.
4. Alvin Payne, developer, spoke in favor.
5. Raymond Cleary, developer, spoke in favor.
6. David Cooley spoke in opposition.

Mr. Lazarus moved to defer to the Planning Commission and that the parties get together and come up with a compromise, seconded by Mr. Prince. The motion passed. The vote was as follows:

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

Second reading and public review of **Ordinance 173-06** to amend the zoning ordinance to add a section pertaining to Tree Preservation and standards thereof. **Mr. Schwartzkopf moved to approve, seconded by Mr. Barnard.** The following people spoke during public review:

1. Sarah Jones spoke in favor.
2. Craig Morris spoke in opposition.

Mr. Barnard suggested second reading be given and delay third reading in order to have public comment at the next Infrastructure & Regulation Committee meeting. He requested that the forestry industry come to the October 5th I&R Committee meeting to present their views.

The motion passed. The vote was as follows:

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

Second reading and public review of **Ordinance 174-06** to regulate gambling vessels that are berthed within the boundaries of the unincorporated areas of Horry County including, but not limited to, the assessment of various financial surcharges. **Mr. Worley moved to approve, seconded by Mr. Lazarus.** Dwight Drake, attorney with Nelson, Mullins, Riley & Scarborough representing Sun Cruise Casinos, spoke on whether the state and the county had the power to impose a tax outside jurisdictional boundaries. Ralph Haben, representing Sun Cruise Casinos, proposed a \$3 per passenger fee. **Mr. Lazarus moved to refer the matter back to the Administration Committee for further discussion and negotiation.** Chairman Gilland requested that second reading be given. She would name an Ad Hoc Committee to meet with the casino boat representatives before the next council meeting to negotiate and finalize a contract. **Mr. Lazarus withdrew his motion to refer.** Alvin Shuman, Diamond Casino Boat, requested consideration of the upcoming Jewish holidays be taken in scheduling the ad hoc committee meeting. Ms. Ramona Bloom informed Council that her family's business was dependent upon the operation of the casino boats. **The motion to approve second reading passed. The vote was as follows:**

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

First reading of **Ordinance 184-06** to approve the request of Adam Rooks, agent for Don & Kathy Kelley. **Mr. Prince moved to approve, seconded by Mr. Barnard.** Carol Coleman, Planning, spoke on the inadequate access to the property. **Mr. Prince moved to send it back to the Planning Commission to discuss a PDD, seconded by Mr. Hardee. The motion passed. The vote was as follows:**

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

OLD/NEW BUSINESS:

Building permits and illegal immigrants. Mr. Foxworth spoke briefly on illegal immigrants and green cards. The issue was sent to the Infrastructure & Regulation Committee for further discussion.

First reading of **Ordinance 192-06** to approve an increase in salary for the Council Chairman and Council members. **Mr. Ryan moved to approve, seconded by Mr. Grabowski.** Chairman Gilland stated a workshop would be held or the Administration Committee would hold discussions before coming back for second reading. **The motion passed. The vote was as follows:**

In favor

**Foxworth
Ryan
Grabowski
Frazier
Hardee
Gilland**

Opposed

**Worley
Lazarus
Barnard
Schwartzkopf
Prince**

Absent

Boyd

Community Benefits/Voluntary Impact Fees. Mr. Weaver stated over the last several months a number of fundraising efforts dealing with the rezoning PDD's had been accepted. He had given to Council an opinion written by him and Ms. Carter which recommended a change in course.

Beach Alliance and a Beach Renourishment Lobbyist. Chairman Gilland stated the coastal municipalities had formed an alliance to hire a lobbying firm to seek funding for beach renourishment projects. The alliance, through Mayor Marilyn Hatley, had invited the county to join their efforts. She would attend the next meeting of the alliance and make a report at an upcoming Council meeting.

Possible Permit for Timber Harvesting. Mr. Hardee requested Council to consider initiating a permit process for harvesting timber on land adjacent to County roads. The request was sent to the I&R Committee for further discussion.

Surplus on Real Property at Myrtle Beach International Airport. Mr. Weaver stated the County had begun the RFP process for the sale of property at the Myrtle Beach International Airport. No action was needed; for information only.

Mr. Hardee left the meeting at 10:40 p.m.

Deerfield Golf Courses. Mr. Ryan stated the owner of the golf courses at Deerfield had closed the courses because he wanted to develop them for residential purposes. **Mr. Ryan moved to approve a 60-day moratorium on accepting any rezoning applications on the north course, seconded by Mr. Worley. The motion passed. The vote was as follows:**

In favor

**Worley
Lazarus
Foxworth
Ryan
Barnard
Grabowski
Frazier**

**Schwartzkopf
Gilland**

Opposed

Absent

**Boyd
Hardee
Prince**

Chairman Gilland stated they would invoke pending ordinance as soon as it was advertised.

Council Members Hardee and Prince left the meeting during discussion.

ANNOUNCEMENTS:

Chairman Gilland announced that according to Food Lion and the National Center for Addiction and Substance Abuse, September 25th, 2006 was Family Day.

EXECUTIVE SESSION:

ADJOURNMENT:

The meeting adjourned at 11:10 p.m. in memorial of Marcena B. Powell; James Leon Cannon; Dollie Hucks Allen; James T. Randall; Jerry Cox Ausband; Barbara Bullock; JoAnn Holmes; William A. Clinkscale, Jr.; Dick M. Johnson; and Vander Leroy Stevens.