

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
August 16, 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 6:00 p.m.

INVOCATION: Chairman Gilland gave the invocation.

PLEDGE: Mr. Grabowski led in the pledge.

PUBLIC INPUT:

1. John Hiley spoke on Mass Transit. He proposed the County form a separate department for mass transit. Chairman Gilland suggested Mr. Hiley contact Mr. Meyers Rollins, Director of LYMO.
2. June Bannan spoke on Commercial Mining and requested County Council approve mining operations through a three reading ordinance. Mr. Boyd suggested the issue be reviewed by the I&R Committee. Mr. Lazarus requested to add discussion about mining operations to the agenda. Chairman Gilland stated she may schedule a workshop on the issue.
3. Renee Hill spoke on Mining operations and the recent actions of the Board of Zoning Appeals.
4. John Milford spoke on Height Restrictions in Little River and presented slides of the area.
5. Pam Creech spoke on Council review of the mining ordinance.

Chairman Gilland closed public input.

CHANGES TO AGENDA:

Mr. Lazarus moved to add discussions on the Airport FBO and Mining operations. There was no second but the motion passed unanimously.

Mr. Foxworth moved to defer Ordinance 137-05 for one meeting. There was no second but the motion passed unanimously.

Mr. Ryan requested removal of Ordinance 131-05 from the Consent Agenda.

Mr. Barnard moved to defer Ordinance 77-05 to the next meeting. There was no second but the motion passed unanimously.

Mr. Boyd moved to add discussion on the Open Space Board-Trail Network. There was no second but the motion passed unanimously.

APPROVAL OF AGENDA CONTENTS: No motion was made to approve the agenda. The agenda was approved by unanimous consent.

APPROVAL OF MINUTES: July 28, 2005: Mr. Boyd moved to approve the minutes as submitted, seconded by Mr. Prince. The motion passed unanimously.

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

Bessie Russ Griffin (Mr. Foxworth)
Jennings Ambrose (Mr. Boyd)
Erica Lynn Wilson (Chairman Gilland)
Howard Darst Barnard, Jr. (Chairman Gilland)

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

Third reading of the following ordinances to approve the request to amend the official zoning maps: **96-05** Levi Crawford, Jr.; **97-05** Robert Castles, agent for Crown Park Golf Club LLC & Robert Byers; **98-05** Larry Goodman, Sr. et al; **99-05** Charley Ray, agent for Hubert C. Watson; **100-05** William E. Butler, agent for Eugene W. Frazier; **101-05** John Stephen Hughes; **102-05** Billy M. Best; **104-05** Scott Smith, agent for Danny Ervin, Personal Representative; **105-05** Cheryl Trautman, agent for Bonnie A. Campbell.

First 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 Deetrack 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.

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

Resolution R-110-05 recognizing the recipients of the Concerned Citizens Operation Reach-Out Organization's awards for community contributions.

Resolution R-117-05 to approve certain emergency medical service accounts to be written off.

The motion passed unanimously.

RESOLUTIONS/PRESENTATIONS:

Presentation of Appreciation Plaque to Ari Peniek for his service on the Airport Advisory Committee. Mr. Grabowski presented a plaque to Mr. Peniek and thanked him for his service. Mr. Peniek thanked Council for the recognition. **Mr. Hardee moved to approve, seconded by Mr. Boyd. The motion passed unanimously.**

Resolutions recognizing the following Horry County Girl Scouts on attaining the Girl Scout Gold Award: 111-05 Sabrena Beale; 112-05 Stephanie Tuck; 113-05 Brittany Danielle Peake; 114-05 Grace M. Vahey; 115-05 Margaret Louise Pardue. Mr. Schwartzkopf presented the resolutions. Mr. Boyd moved to approve, seconded by Mr. Schwartzkopf. The motion passed unanimously.

Presentation by the Myrtle Beach Area Chamber of Commerce on results of a May Bike Month survey of the business Community. Wayne Gray, Chairman 2005-2006 Board of Directors Myrtle Beach Area Chamber of Commerce, spoke on the results of the May Bike Month survey and suggested scheduling a community forum to address the impact on the business community. Mayor Mark McBride spoke briefly and introduced Gene Lumus, President of the Carolinas Harley Davidson Dealer Association, who, on behalf of the Association, requested a reduction to a three-day bike weekend.

Resolution R-109-05 to *disapprove* the request of Benjamin & Doris Floyd to amend the official zoning maps. Mr. Ryan moved to approve the disapproval, seconded by Mr. Boyd. The motion passed unanimously.

Resolution R-118-05 to enlarge the boundaries of the multi-county business park by approximately 10 acres to accommodate the entire Grande Dunes marina and hotel/village commercial development. Mr. Lazarus moved to approve, seconded by Mr. Hardee. Mr. Hardee moved to defer until a presentation by B&C was given, seconded by Mr. Lazarus. The motion to defer passed unanimously. Mr. Lazarus requested to add to the deferral motion that a presentation be given either at a workshop or Council meeting. Chairman Gilland stated she would place it on the Administration Committee agenda and any Council member who wasn't on the committee was welcome to attend. Mr. Will Garland, Horry County School Board Chairman, stated the School Board had received the MCBP presentation for the last two years.

READING OF ORDINANCES:

Second reading of **Ordinance 107-05** to amend the zoning ordinance pertaining to the establishment of an overlay in the northeastern section of Horry County along certain portions of Highway 17 and the Intracoastal Waterway. **Mr. Worley moved to approve, seconded by Mr. Ryan.** Mr. Foxworth called point of order and stated that at second reading there was usually a public hearing. Ms. Gilland stated there was insufficient time to advertise for a public hearing and she would allow public input. The following people spoke:

1. Julie Griessinger, Eastport, spoke in support.
2. Carlyle Dawsey, Coastal Carolina Association of Realtors, spoke in opposition.
3. Jackie Osbold, owner of Umbertos, spoke in opposition.
4. Rick Casselway, Tidewater, spoke in support.
5. Steve Spiros, Little River area.
6. Sam Pragner, River Hills, spoke in support.
7. Howell Bellamy, Attorney, spoke in opposition.
8. Charlie Brendell, Homebuilders & the Association of Realtors, spoke in opposition.
9. Gloria Franelli, Eastport, spoke in support.

Mr. Barnard suggested the issue be deferred to the I&R Committee and schedule a workshop with public input. He would like to see drawings of what was being planned, and requested staff address unintended consequences. Mr. Lazarus suggested that RC zoned properties be excluded and the height limit be reduced to a maximum of 145 ft.

Mr. Worley moved to defer and send to the I&R Committee, seconded by Mr. Prince. The motion passed. The vote was as follows:

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

Chairman Gilland called a recess at 8:50 p.m. The meeting reconvened at 9:05 p.m.

Second reading of **Ordinance 87-05** to amend the official zoning maps so as to rezone certain parcels on Forestbrook Road from highway commercial and residential to community retail services (RE2). **Mr. Grabowski moved to approve, seconded by Mr. Ryan. The motion passed unanimously.**

Second reading and public review of **Ordinance 94-05** to approve the request of Jon Taylor, agent for Classic Properties of Charleston, The Gates Track "K" PDD, to amend the official zoning maps. **Mr. Barnard moved to approve, seconded by Mr. Frazier. There was no public review. The motion passed unanimously.**

Second reading and public review of **Ordinance 108-05** to amend the county code allowing vehicle sales and mini-warehouse facilities as conditional uses in zoning district RE3. **Mr. Hardee moved to approve, seconded by Mr. Prince. There was no public review. Mr. Hardee withdrew his motion to approve. Mr. Prince moved to approve. The motion died for lack of a second.**

Second reading and public review of the following ordinances to approve the request to amend the official zoning maps: **109-05** Brian Baldonado, agent for Ronald T. Elvis, Sr.; **110-05** Jason Merritt, agent for Myrtle Beach Abstract & Title Agency; **111-05** Brian Baldonado, agent for Charles V. France; **112-05** American AAA Properties, agent for Lou Martin Chestnut; **113-05** Thomas & Hutton Engineering Co., agent for Garrell Portfolio LLC; **114-05** Lacrechia Bilbrey, agent for James Binder, Trustee; **115-05** James Wooten, agent for Larry D. Young; **116-05** Stephen R. Parker; **117-05** James W. Stevens; and **118-05** Alma Doyle. **Mr. Boyd moved to approve, seconded by Mr. Frazier. There was no public review. The motion passed unanimously.**

Mr. Weaver advised that no action was taken on ordinance 108-05. Second reading and public review of **Ordinance 108-05** to amend the county code allowing vehicle sales and mini-warehouse facilities as conditional uses in zoning district RE3. **Mr. Prince moved to approve, seconded by Mr. Barnard. The motion failed. The vote was as follows:**

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

Second reading and public review of **Ordinance 119-05** authorizing the execution of a multi-county business park agreement between Georgetown and Horry Counties. **Mr. Foxworth moved to approve, seconded by Mr. Lazarus. There was no public review. The motion passed unanimously.**

Second reading and public review of **Ordinance 120-05** to authorize and approve a revised list of qualifying public infrastructure to be funded through an intergovernmental agreement so as to delay the construction of the water tower at the Coastal Grand Mall. **Mr. Prince moved to approve, seconded by Mr. Hardee. There was no public review. The motion passed. The vote was as follows:**

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

Second reading and public review of **Ordinance 121-05** to authorize and approve a \$1.00 per year long-term lease to the Gray Oaks Estates property owners association of 5 lots located in that subdivision. **Mr. Boyd moved to approve, seconded by Mr. Prince. There was no public review. The motion passed unanimously.**

Second reading and public review of **Ordinance 122-05** authorizing the administrator to execute a quitclaim deed to Habitat to Humanity for the purchase of property located on Dunbar Street in Myrtle Beach. **Mr. Prince moved to approve, seconded by Mr. Foxworth. There was no public review. Mr. Barnard moved to amend to give the property to Habitat to Humanity, seconded by Mr. Lazarus. Mr. Weaver spoke on the issue. The motion to amend passed. The vote was as follows:**

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

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

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

First 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. **Mr. Lazarus moved to approve, seconded by Mr. Hardee. The motion passed unanimously.**

First 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. **Mr. Hardee moved to approve, seconded by Mr. Schwartzkopf. The motion passed unanimously.**

First reading of **Ordinance 138-05** to amend the FY 2006 budget so as to provide additional funding for Waccamaw Regional Transportation Authority (Lymo). **Mr. Barnard moved to approve, seconded by Mr. Grabowski. The motion passed. The vote was as follows:**

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

Chairman Gilland stated that Meyers Rollins provide a status report on LYMO at the next meeting. Mr. Prince requested staff look at money from ATAX.

First reading of **Ordinance 131-05** to approve the request of Angela Bigham to amend the official zoning maps. **Mr. Hardee moved to approve, seconded by Mr. Prince.** Gary Loftus spoke on the rezoning. **The motion passed. The vote was as follows:**

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

OLD/NEW BUSINESS:

Discussion on the implementation of House Bill 4220 (Kost Bill). Ms. Wright spoke on the bill and the impact on the tax roll. Mr. Kost spoke on the bill. Mr. Mincey spoke on the process that would take place if the bill were implemented. Mr. Boyd suggested Mr. Mincey review what it would take to get it back to the original form and then Council would meet with the Delegation to see if they would sponsor it and take it forward. Will Garland, School Board, spoke briefly. Mr. Boyd further stated that Rep. Barfield and Rep. Witherspoon would take the lead.

Airport FBO. Mr. Lazarus spoke on the RFP for a private company to take over the fixed base operation at the Myrtle Beach Airport and to upgrade the current facility. Mr. Stiers had offered \$300,000 toward the refurbishment of the FBO. The Advisory Committee reviewed the preliminary design of the current FBO and was asked to vote on finalizing the design. Mr. Lazarus requested the Chairman write a letter to the SC Aeronautics Commission stating the intent was to move forward with the refurbishment of the FBO. There was no objection from Council. Mr. Marlow spoke briefly on the issue.

Open Space Board. Mr. Boyd stated an inventory of open space and property was being put together by the Board. They wanted to create a network of trails for non-motorized, horseback, bike, and hiking. He spoke regarding vacancies on the board. Ms. Carter stated they had completed the inventory and were looking at ways to tie the space together and were going to propose ways for revenue to acquire the connections. Ms. Carter stated they would brief Council more thoroughly as to what they were doing and encouraged Council Members that had vacancies on the Board to appoint members. Chairman Gilland requested a list.

Mining. Chairman Gilland stated she would schedule a workshop on mining. Mr. Gosnell stated Ms. Carter would have the report on mining ready for the September I&R meeting. Mr. Barnard stated mining

would be added to the August 18th I&R agenda as a discussion item. Mr. Boyd requested staff look at the mining pits and conditions. Chairman Gilland requested the Board of Appeals be notified that Council was concerned about mining. The Board had approved 20 or so mines in two months and Council would like for them to hold off on approvals until the review of the ordinance was completed. Mr. Weaver stated he would discuss it with the correct people.

ADJOURNMENT:

Mr. Prince moved to adjourn. The meeting adjourned at 10:55 p.m. in memorial of Bessie Ruth Griffin; Jennings Ambrose; Erica Lynn Wilson; and Howard Darst Barnard, Jr.