

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
June 5, 2007
6:00 p.m.**

MEMBERS PRESENT: Liz Gilland, Chairman; Harold Worley; Brent Schulz; Marion Foxworth; Mike Ryan; Howard Barnard; Bob Grabowski; James Frazier; Carl Schwartzkopf; Paul Prince; Kevin Hardee; and Al Allen.

MEMBERS ABSENT:

OTHERS PRESENT: Danny Knight; Pat Hartley; John Weaver; Anne Wright; Steve Gosnell; Paul Whitten; Janet Carter; 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. Allen gave the invocation.

PLEDGE: Mr. Schulz led the pledge.

PUBLIC INPUT:

1. Marvin Heyd spoke regarding the Soccastee Recreation Park.
2. Phillip Keyserling spoke on the Incorporation of Horry County into the City of Myrtle Beach.
3. Bill Gergoski spoke on the operations of the Auditor's Office.
4. Ervin Kruetter spoke on US Governmental Fraud.

Chairman Gilland closed public input at 6:25 p.m.

CHANGES TO AGENDA:

Mr. Schwartzkopf moved to accept the revised version of Resolution R-92-07, seconded by Mr. Frazier. The motion passed unanimously.

Mr. Schulz moved to defer Ordinance 64-07, seconded by Mr. Ryan. The motion passed unanimously.

Mr. Worley moved to reconsider second reading of Ordinance 65-07, seconded by Mr. Ryan. The motion passed unanimously.

APPROVAL OF AGENDA CONTENTS: Mr. Hardee moved to approve the agenda as amended, seconded by Mr. Ryan. The motion passed unanimously.

APPROVAL OF MINUTES: Regular Meeting May 15, 2007: Mr. Ryan moved to approve the minutes as submitted, seconded by Mr. Frazier. The motion passed unanimously.

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

Shannon Strickland Maherg (Mr. Allen)
Mrs. Honor C. Estep (Mr. Allen)
Mrs. Marie S. Graham (Mr. Allen)
Joyce Irene Rabon Rheuark (Mr. Allen)
James T. Jones, Jr. (Mr. Allen)
Mrs. Thelma G. Johnson (Mr. Allen)
Cleve Allen (Mr. Allen)
Mrs. Genevieve Floyd (Mr. Allen)
Mrs. Dinah Sue Hardwick (Mr. Allen)
Kelly Taylor (Mr. Allen)
Mrs. Annie Laura C. Gore (Mr. Prince)
Davis L. Livingston, Sr. (Mr. Hardee)
127 Armed Service Members who gave their lives last month (Mr. Ryan)

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

Third reading of **Ordinance 85-07** approving an exchange of properties by and between Horry County and Burroughs & Chapin Company.

Third reading of **Ordinance 86-07** to amend the zoning ordinance to establish a Traditional Neighborhood District (TND).

First reading of **Ordinance 106-07** to provide special property assessments to rehabilitated historic property.

District 7 Board Appointment- Harold Phillips to the Airport Advisory Committee.

The motion passed unanimously.

RESOLUTIONS/PRESENTATIONS:

Presentation on Electronic Gaming at Libraries. Mr. Gaumer spoke briefly on console gaming at the library. Mr. Worley requested the matter be referred to the Administration Committee.

R-94-07 recognizing Cathy Vaughn as Horry County's Teacher of the Year. Mr. Allen presented the award to Ms. Vaughn. **Mr. Frazier moved to approve, seconded by Mr. Hardee. The motion passed unanimously.**

R-91-07 declaring the week of June 29, 2007 as National Clean Beaches Week. **Mr. Schwartzkopf moved to approve, seconded by Mr. Schulz. The motion passed unanimously.**

Resolutions relating to salary increases for certain elected officials: **R-60-A-07** Sheriff; **R-60-B-07** Clerk of Court; **R-60-C-07** Probate Judge; **R-60-D-07** Auditor and **R-60-E-07** Coroner. Judge Deirdra Edmonds spoke briefly to Council. **Mr. Prince moved to defer to the June 12th Budget Workshop, seconded by Mr. Ryan. The motion passed unanimously.**

Resolution R-90-07 expressing support and encouragement for Santee Cooper's proposal to permit, construct and operate a 600-megawatt coal-fired generation unit in the Kingsburg area of Florence County. **Mr. Frazier moved to approve, seconded by Mr. Worley. The motion passed with Messrs. Ryan and Foxworth voting nay.**

R-95-07 authorizing and approving accommodations tax funding. **Mr. Barnard moved to approve, seconded by Mr. Grabowski. Mr. Prince moved to amend to raise the allocation for Aynor Chamber of Commerce and Loris Chamber of Commerce to \$10,000 each, seconded by Mr. Allen. The motion passed with Mr. Barnard, Mr. Schwartzkopf and Mr. Ryan voting nay. Mr. Barnard moved to accept the ATAX Advisory Committee recommendations and to add the \$10,000 for the Aynor Chamber of Commerce and Loris Chamber of Commerce, seconded by Mr. Hardee. Mr. Hardee moved to amend to include the Public Safety request of \$112,980 for Roadside Litter, seconded by Mr. Prince. The motion passed with Mr. Barnard voting nay. The main motion as amended passed with Mr. Barnard, Mr. Foxworth, Mr. Ryan and Mr. Worley voting nay.**

R-97-07 requesting and urging the SCDOT to transfer to Horry County ownership of the building being leased by Palmetto Motor Sports (PALM) so as to allow PALM to continue leasing the building at an affordable cost. **Mr. Schwartzkopf moved to approve, seconded by Mr. Prince. The motion passed unanimously.**

R-98-07 authorizing the use of grants received from various entities relating to general aviation facilities at MYR for the construction of a new general aviation terminal building and authorizing the Department of Airports to proceed with design and construction of such facility. **Mr. Worley moved to approve, seconded by Mr. Barnard. The motion passed with Mr. Hardee, Mr. Ryan and Mr. Foxworth voting nay.**

R-99-07 approving and authorizing the Director of Airports to enter into a space use permit with TEM Enterprises, DBA XTRA Airways, for a portion of Building 327 at MYR. **Mr. Grabowski moved to approve, seconded by Mr. Schwartzkopf. The motion passed unanimously.**

R-92-07 declaring the construction of the west side terminal project at Myrtle Beach Int'l Airport to be terminated. **Mr. Grabowski moved to approve, seconded by Mr. Barnard. The motion passed unanimously.** Chairman Gilland stated she would be forming an ad hoc committee to discuss the Airport.

Chairman Gilland called a recess at 7:35 p.m. The meeting reconvened at 7:55 p.m.

READING OF ORDINANCES:

Third reading and public review of **Ordinance 137-05** to approve the request of James Wooten, agent for Waterway Palms PDD, to amend the official zoning maps. **Mr. Foxworth moved to approve, seconded by Mr. Prince. There was no public review. The motion passed. (Mr. Schulz was absent.)**

Second reading and public review of **Ordinance 71-07** to raise revenue, make appropriations and adopt a budget for fiscal year ending June 30, 2008. **Mr. Worley moved to approve, seconded by Mr. Grabowski.** The following people spoke at public review:

1. Elizabeth Weins spoke on Coast RTA.
2. Lutie Floyd spoke on Coast RTA.
3. Victoria Stephens spoke on Coast RTA.
4. Carol Rahter spoke on the Childrens Recovery Center.
5. Shields Hunter spoke on Horry County Disabilities and Special Needs.
6. Joanne Patterson spoke on CASA.
7. Joseph Washington spoke on Shared Care.
8. Joyce Hart spoke on the Rape Crisis Center.
9. Valerie Hensley spoke on Step Up.
10. Vincent Lehotski spoke on expenditures within the County.

Mr. Barnard requested the following information before third reading of the budget: Explanation of the costs to operate the new jail; information on bonding for libraries; and re-rack to put the \$193,694 that was pulled out of the Police Department back in the supplemental budget and \$700,000 for the ambulance. **Mr. Barnard moved to direct the Administrator to do a zero based budget next year, seconded by Mr. Frazier. Mr. Schwartzkopf moved to do a zero based budget on one department that would be determined, seconded by Mr. Prince. Mr. Barnard withdrew his motion on zero based budgeting and directed the Administrator to direct Public Safety to do zero based budgeting in the next budget cycle. Mr. Schwartzkopf withdrew his motion. Mr. Worley moved to adjourn debate on the budget until the June 12th Budget Workshop, seconded by Mr. Hardee. The motion passed unanimously.** Chairman Gilland stated they could have second reading on June 19th and third reading at a special meeting June 26th. Mr. Prince requested that Mr. Sawyer come back with information on growth as to additional fund balance.

Second reading and public review of **Ordinance 87-07** to amend the County Code so as to authorize the reorganization and reconstitution of the Museum Board of Trustees. **Mr. Frazier moved to approve, seconded by Mr. Barnard.** There was no public review. **The motion failed. The vote was as follows:**

In favor

**Barnard
Grabowski
Frazier
Gilland**

Opposed

**Worley
Schulz
Foxworth
Ryan
Schwartzkopf
Prince
Hardee
Allen**

Second reading and public review of **Ordinance 88-07** to amend the FY 2007 budget so as to appropriate funding for the Sales Tax Capital Projects fund. **Mr. Prince moved to approve, seconded by Mr. Schwartzkopf.** There was no public review. **The motion passed. (Mr. Foxworth was absent.)**

Second reading and public review of the following ordinances to approve the request to amend the official zoning maps: **89-07** Mike Wooten, agent for Int'l Land Holding Co., Senior Living Community PDD; **90-07** Castles Engineering, agent for Bradford Meadows, LLC; **93-07** Scott Johnson, agent for Richard Carroll & Rosemary Smith; **94-07** Bill B. Cox; **95-07** Ronald Payne, agent for Cleton Carter, et al; **96-07** Marshall Properties One LLC; **97-07** Kevin Heniford, agent for Monica Duey Currie; **98-07** Thomas & Hutton Engineers, agent for Beverly Williams; **100-07** Shelia Singletary, agent for Bessie Jerlean Mae Gore; **101-07** Ed W. Prince, III; **102-07** James Arakas and **103-07** Jeff Solan, agent for James C. Shealy. **Mr. Schulz recused himself from discussion and voting on Ordinance 89-07. Mr. Hardee moved to approve, seconded by Mr. Prince.** Hoyt Stevens spoke in opposition to Ordinance 101-07. **Mr. Allen moved to defer Ordinance 103-07 to the meeting after July 1st, seconded by Mr. Schwartzkopf. The motion to defer passed. (Mr. Foxworth was absent.) The motion to approve passed on the remaining ordinances.**

Second reading and public review of **Ordinance 92-07** to approve the request of Silver Creek PDD to amend the official zoning maps. **Mr. Grabowski moved to amend to add the following language: Single family setbacks may be used in any combination to maintain a minimum 10 ft. building separation, seconded by Mr. Barnard. The motion passed unanimously.**

Second reading and public review of **Ordinance 99-07** to approve the request of Castles Engineering, agent for Calabay Park PDD to amend the official zoning maps. There was no public review. **Mr. Hardee moved to approve, seconded by Mr. Prince. The motion passed unanimously.**

Second reading of **Ordinance 104-07** to amend the County Code so as to revise and update Horry County's Beach Ordinance. **Mr. Foxworth moved to approve, seconded by Mr. Schwartzkopf. The motion passed unanimously.**

Second reading of **Ordinance 105-07** authorizing the issuance and sale of \$25 million capital projects sales tax limited obligation bond anticipation notes. **Mr. Ryan moved to approve, seconded by Mr. Barnard. The motion passed unanimously.**

Second reading of **Ordinance 65-07** to add a new provision to the Horry County Code, Chapter 12.5-91 through 12.5-116, Business License so as to add the Horry County, SC, lawful employment ordinance. **Mr. Worley moved to approve, seconded by Mr. Ryan. The motion failed. The vote was as follows:**

In favor

**Worley
Foxworth
Ryan**

Opposed

**Schulz
Barnard
Grabowski
Frazier
Schwartzkopf
Prince
Hardee
Allen
Gilland**

OLD/NEW BUSINESS:

Discussion on the US Supreme Court case relating to solid waste disposal. Mr. Weaver stated this was going to be a heavily debated issue and was far more complicated and complex than taking the trash out of Horry County. He further stated that before they made a decision he would make every effort to get any and every knowledgeable person in the solid waste field to speak to them. He further stated the case was a major issue and the Supreme Court case was a major change in the philosophical commerce clause as to how it had been interpreted. Chairman Gilland stated they would discuss this issue further in July after the budget was completed.

At Large appointments to Shoreline Behavioral Health Services. **Mr. Schwartzkopf moved to approve, seconded by Mr. Hardee. The motion passed unanimously.**

- Mark Singleton
- Joe Cunningham
- Kerry Harrah

ANNOUNCEMENTS:

Chairman Gilland announced there would be a budget workshop on Tuesday, June 12th at 9:00 a.m. The next regularly scheduled Council meeting would be June 19th in which they would have second reading of the budget.

ADJOURNMENT: The meeting adjourned at 10:05 p.m. in memorial of Shannon Strickland Maherg; Mrs. Honor C. Estep; Mrs. Marie S. Graham; Joyce Irene Rabon Rheuark; James T. Jones, Jr.; Mrs. Thelma G. Johnson; Cleve Allen; Mrs. Genevieve Floyd; Mrs. Dinah Sue Hardwick; Kelly Taylor; Mrs. Annie Laura C. Gore; Davis L. Livingston, Sr.; and 127 Armed Service members who gave their lives last month.