

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
May 2, 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; 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. Prince gave the invocation.

PLEDGE: Mr. Schwartzkopf led in the pledge.

PUBLIC INPUT:

1. Ms. Pam Creech announced the dates for the League of Women Voters' Candidate Forums.
2. Ms. Patricia Milley spoke on the need for playgrounds in new developments.
3. Mr. Lynn Wilson spoke regarding the need to pave Livingston Lane.
4. Ms. Cassandra Glenn thanked Council for help on resolving problems on Eva Road.

Chairman Gilland closed public input at 6:17 p.m.

CHANGES TO AGENDA:

Mr. Schwartzkopf requested to separate Ordinance 64-06 from the group of rezoning ordinances.

Mr. Foxworth requested that the record reflect that he was recusing himself from voting on Resolution R-57-06 which appeared on the Consent Agenda.

Mr. Foxworth moved to add a discussion on the Capital Project Sales Tax under Old/New Business, seconded by Mr. Prince. The motion passed. The vote was as follows:

In favor

Worley
Lazarus
Foxworth
Ryan
Barnard
Grabowski

Opposed

Frazier
Schwartzkopf
Prince
Hardee
Gilland

Absent

Boyd

Mr. Foxworth moved to add Resolution R-59-06 related to a funding contribution to NESA under Resolutions/Presentations, seconded by Mr. Ryan. The motion passed. The vote was as follows:

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

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

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

APPROVAL OF MINUTES: April 18, 2006: Mr. Lazarus moved to approve the minutes as submitted, seconded by Mr. Barnard. The motion passed. The vote was as follows:

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

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

Maxine Moore Sconier (Mr. Frazier)
Louise Tyler (Mr. Foxworth)
Ernest L. Prince (Mr. Prince)

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

- Third reading of **Ordinance 46-06** to approve the request of Propel Development, agent for Larry Prosser, to amend the official zoning maps.
- First reading of **Ordinance 82-06** to expand the boundaries of the Socastee Recreation Special Tax District so as to include entire lots when a portion is within the district.
- **Resolution R-39-06** to accept dedication of the roads and drainage at Cat Tail Bay (Cat Tail Bay Dr., Long Lake Cr, Little Lake Ln, Cutlip Ct., & Wild Blue Berry Ln.) into the County maintenance system.
- **Resolution R-56-06** declaring a service weapon surplus property and making it available to a retiring police officer.
- **Resolution R-57-06** authorizing a contribution of \$7500 to the Francis Marion Trail Commission as a match to a state appropriation of \$75,000 to fund historical & archaeological research. **Mr. Foxworth recused himself from voting.**

The motion to approve the Consent Agenda passed. The vote was as follows:

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

RESOLUTIONS/PRESENTATIONS:

Department of Airports Matters:

Presentation on the results of the Airport Management Study conducted by the Louis Berger Group. Steve Baldwin, Louis Berger Group, presented the results of the study. A copy of the report was distributed to Council. **Mr. Foxworth moved to accept the report as given and refer it to the Administration Committee for implementation, seconded by Mr. Grabowski. The motion passed. The vote was as follows:**

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

Resolution R-58-06 authorizing the administrator and his designated staff members to initiate contract negotiations with Corporate Wings for the operation of the Myrtle Beach Int'l Airport fixed base operations. **Mr. Prince moved to approve, seconded by Mr. Grabowski. (A voice vote was in progress when Mr. Barnard interrupted to ask a question. The Chairman allowed discussion and discontinued the vote.)**

Mr. Barnard asked if the Airport Advisory Committee and the Administration Committee had reviewed the report. Ms. Wright stated it had been presented to the Administration Committee. Mr. Weaver said he thought it would be appropriate to utilize the Louis Berger Group in the negotiations for the privatization of the FBO. He believed the Administration Committee decided to send the privatization issue of the FBO to full Council but to not include the Louis Berger Group's participation in the contract negotiations. The resolution stated the Administrator and his designated staff would begin contract negotiations with Corporate Wings and if the Administrator felt the need to utilize the Louis Berger Group, then he would seek input from the Administration Committee before doing so.

Mr. Barnard asked about the suggestion to consider offering more than one FBO. Mr. Baldwin stated the recommendation was that during negotiations, caution should be taken so as to not preclude themselves from the ability to bring on additional FBO services in the future, and as they planned the airport facility that they leave room for a second FBO.

Mr. Barnard asked about the fuel farm problem. Mr. Baldwin stated the solution would depend on whether the airport wanted to continue the FBO business on the commercial side. He suggested the County look into the matter in more detail and bring it to some conclusion.

Mr. Lazarus asked why suppliers and airlines had not been included in the interview process. Mr. Baldwin responded there were limited resources and Louis Berger had relationships with some of the people that Mr. Lazarus had asked them to interview.

Mr. Foxworth moved to send Resolution R-58-06 to the Administration Committee, seconded by Mr. Lazarus. Mr. Barnard moved to amend to ask the Administration Committee to decide if the Louis Berger Group should do the negotiations.

Mr. Weaver stated the resolution, if the vote was passed, would go back to the Administration Committee for the purpose of deciding whether to recommend approval of the resolution, and reconsideration on whether the Louis Berger Group should be permitted to be a participant in the contract negotiation.

Mr. Hardee moved to send all issues back to the Administration Committee, seconded by Mr. Schwartzkopf. The motion passed. The vote was as follows:

In favor

**Worley
Lazarus
Foxworth
Ryan
Barnard
Grabowski**

Opposed

**Frazier
Schwartzkopf
Prince
Hardee
Gilland**

Absent

Boyd

First reading of **Ordinance 84-06** authorizing the administrator to execute a concession and lease agreement (airport advertising concessions management) at the Myrtle Beach Int'l Airport. **Mr. Worley moved to approve, seconded by Mr. Prince. The motion passed. The vote was as follows:**

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

First reading of **Ordinance 85-06** authorizing the administrator to execute an amendment to the lease between Horry County and Prime Times Golf, Inc. for premises located within the Myrtle Beach Int'l Airport. **Mr. Worley moved to approve, seconded by Mr. Schwartzkopf. The motion passed. The vote was as follows:**

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

Multi-County Business Park Matters:

Resolution R-55-06 in support of the issuance by the SC Jobs-Economic Development Authority of its special source revenue bonds for the B&C multi-county business park in the amount not to exceed \$50 million. **Mr. Worley moved to approve, seconded by Mr. Hardee. The motion passed. The vote was as follows:**

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

First reading of **Ordinance 83-06** to alter the boundaries of the B&C Multi-County Business Park so as to incorporate approximately 10.05 acres and to remove approximately 25.55 acres. **Mr. Hardee moved to approve, seconded by Mr. Prince.** Mr. Weaver pointed out the areas on a map. Tony Cox, Burroughs & Chapin, presented an aerial photograph of the properties that were being added and deleted. **The motion passed. The vote was as follows:**

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

Resolution R-59-06 authorizing the expenditure of \$25,000 from certain Airport aviation trust fund money as a contribution to the Northeastern Strategic Alliance (NESA) for the cost of a feasibility study conducted for the regional airport concept. **Mr. Foxworth moved to approve, seconded by Mr. Lazarus.** Mr. Foxworth explained the \$25,000 would be split with the City of Myrtle Beach so the actual amount would be \$12,500. Mr. Weaver stated that when he wrote the resolution he was not aware of the split, thus an amendment would need to be made to reflect \$12,500. **Mr. Frazier moved to amend the funding to \$12,500, seconded by Mr. Schwartzkopf. The motion to amend passed. The vote was as follows:**

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

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

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

Chairman Gilland announced that the Capital Project Sales Tax Task Force held a public meeting the night before and would hold another meeting the next night from 6:00 p.m. to 8:00 p.m. The Southern Evacuation Lifeline Committee would be holding the following public meetings: Monday, May 8th from 5:00 p.m. to 8:00 p.m. at Inlet Affairs in Murrells Inlet, Thursday May 11th from 5:00 p.m. to 8:00 p.m. at Browns Chapel Church, May 15th at St. James High School Cafeteria in the South Strand area; and Monday, May 22nd at South Conway Elementary Gym. She encouraged the public to attend.

Chairman Gilland called a recess at 7:20 p.m. The meeting reconvened at 7:35 p.m.

READING OF ORDINANCES:

Third reading and public review of **Ordinance 34-06** to approve the request of Artan Xhokola to amend the official zoning maps. **Mr. Hardee moved to approve, seconded by Mr. Prince.** There was no public review. **The motion passed. The vote was as follows:**

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

Third reading and public review of **Ordinance 57-06** approving the conveyance of an improved Horry County right-of-way known as Cove Drive, Marsh Court, Cove Court, Park Street & Lake Drive located in the Dunes Cove section of the city of Myrtle Beach and authorizing the execution of a quit claim deed. **Mr. Barnard moved to approve, seconded by Mr. Schwartzkopf.** Mr. Weaver stated at the last meeting a motion was made to amend to include the remaining part of a road and the ordinance in the packet was an amended version. **Mr. Barnard moved to amend to adopt the amended version, seconded Mr. Schwartzkopf. The motion passed. The vote was as follows:**

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

Chairman Gilland asked if there was any public review. There was none. **The main motion as amended passed. The vote was as follows:**

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

Third reading and public review of **Ordinance 18-06** amending the zoning ordinance pertaining to administrative procedures for rezoning to GRn zoning district. **Mr. Barnard moved to approve, seconded by Mr. Prince. There was no public review. The motion passed. The vote was as follows:**

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

Second reading and public review of the following ordinances to approve the request to amend the official zoning maps: **58-06** Frank Allen Harris; **59-06** Brightstar, LLC, agent for Ernest Herring & Steven Nixon; **60-06** ETD LCC, agent for Aley Custom Homes; **61-06** Randy & Sandra Conner; **62-06** Mickey Howell, agent for Brian Stamey; **63-06** Horry County Planning for Herbert & Barbara Baker; **65-06** Thomas & Hutton Engineering; **66-06** Thomas & Hutton Engineering, agent for James Sarvis; **67-06** Eddie White, agent for Angelina Patrick; **68-06** James Wooten, agent for WCR Partnership; **69-06** Jerry Fehlig, agent for Donald Bellamy; **70-06** Jerry Fehlig, agent for Andy Duncan; **71-06** Carl Zrimsek; **72-06** Robert Lazarus, agent for Land Hill Properties; **73-06** William Hunt & Ted Barker for Sharon Spivey & Joe Livingston; **74-06** Venture Engineering, agent for Chandler Properties; **75-06** Venture Holdings LLC, agent for PJ Investment; **76-06** Anthon Holmes, agent for Mary Pearl Shelley; **77-06** Jeff Solan Associates for James Shelley; **78-06** Peggy Snowden; and **79-06** Clifton Rogers, agent for Peter Horner & Larry Gasque. **Mr. Hardee moved to approve, seconded by Mr. Frazier. Mr. Lazarus recused himself from Ordinance 72-06.**

Chairman Gilland called for public input. The following people spoke:

1. Mr. Pat Liebitz spoke in favor of Ordinance 59-06.
2. Ms. Pam Creech spoke on the rezoning in the western part of the County and the lack of infrastructure.

Mr. Prince requested that staff check with SCDOT on the right-of-way and additional footage that may be needed for four-laning Hwy. 905 and 90. Mr. Gosnell stated he would check on it. Chairman Gilland requested that staff check with SCDOT on the existing right-of-way for all major thoroughfares. Mr. Prince requested the information be submitted to the I&R Committee.

Ordinance 60-06, Mr. Ryan asked the developer if R-4 would be acceptable. Frank Cantrow, ETD, LLC, spoke on the R4 zoning and the density. **Mr. Ryan moved to amend Ordinance 60-06 to R4, seconded by Mr. Schwartzkopf. The motion to amend passed. The vote was as follows:**

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

The main motion as amended on Ordinance 60-06 passed. The vote was as follows:

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

The motion to approve the remainder of the ordinances passed. The vote was as follows:

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

Second reading and public review of **Ordinance 64-06** to approve the request of Thomas & Jesse Brown to amend the official zoning maps. **Mr. Schwartzkopf moved to amend to GR 10, seconded by Mr. Hardee. The motion to amend passed. The vote was as follows:**

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

There was no public review. **Mr. Barnard moved to approve the main motion as amended, seconded by Mr. Hardee. The motion passed unanimously. The vote was as follows:**

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

Second reading and public review of **Ordinance 80-06** to approve the request of Etd of SC, agent for Waterfall III PDD, to amend the official zoning maps. **Mr. Prince moved to approve, seconded by Mr. Barnard. There was no public review. The motion passed. The vote was as follows:**

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

Second reading and public review of **Ordinance 81-06** to approve the request of James Wooten, agent for Cypress Commons PDD, to amend the official zoning maps. **Mr. Lazarus moved to approve, seconded by Mr. Hardee. The following people spoke during public review:**

1. Elaine Wiercioch spoke in opposition.

Carol Coleman, Planning Department, spoke on the project.

Mr. Worley spoke briefly stating that he had asked the developer to cut back and he had refused. He asked Council to not support the rezoning.

Ms. Carter spoke on the project.

2. Shep Guyton, representing the developer explained their proposal. He stated that regarding the folks that lived along the old landing strip area, they were asked to not do more multi-family there but to give them some other buffer. Mr. Guyton stated they had asked that they move the amenity center to that side of the project to give them some green space which they did. They also relocated the proposed multi-family from that side to the other side and put single-family that abutted the three story units on the other side. He stated they had compromised the viability of the project because he didn't know if they could sell single-family with three-story walkups looking into a back yard but they did that as a compromise for the community. He also stated the community had asked that storm drainage problems be addressed which they were doing. They had agreed to extend sewer service so those folks would have an opportunity to tap into that. Mr. Lazarus stated that not only were they offering to reduce the units to 800, they were also going to run the sewer and a road all the way through that would connect to Hwy. 111. They were doing a traffic study now for the front portion of the property to include any upgrades, and had also offered that they would, on a per unit basis, offer some dollars similar to Bay Tree that would be used for the area surrounding Cypress Bay for Stormwater, recreation, and other purposes for a public benefit. Mr. Guyton stated they were willing to participate at the same level that Bay Tree did, which was \$1,000 per unit at the time of the permitting.

Mr. Lazarus moved to amend to accept the proposed reduction to 800 units as proposed by Mr. Guyton and to accept the \$1,000 per unit as stated by the developer, seconded by Mr. Schwartzkopf.

3. Pam Creech spoke in opposition.

The motion to amend passed. The vote was as follows:

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

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

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

OLD/NEW BUSINESS:

Capital Project Sales Tax. Mr. Weaver presented an update on the activities of the Capital Projects Sales Tax Act Commission. He advised an ordinance authorizing a referendum question that would be placed on the November ballot would be forthcoming at the next meeting. The referendum question would list the road projects in priority order of construction and the construction cost for each project. Mr. Foxworth asked Mr. Weaver to advise the Commission of other road projects that Council was working to fund from other sources.

ANNOUNCEMENTS:

Chairman Gilland announced a Budget Workshop had been scheduled for Tuesday, May 9th at 1:00 p.m.

ADJOURNMENT: The meeting adjourned at 8:57 p.m. in memorial of Maxine Moore Sconier; Louise Tyler; and Ernest L. Prince.