

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
February 16, 2010
6:00 p.m.**

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

MEMBERS ABSENT:

OTHERS PRESENT: Pat Hartley; John Weaver; Anne Wright; 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. Loftus gave the invocation.

PLEDGE: Mr. J. Prince led the pledge.

PUBLIC INPUT:

1. Lois Eargle and Shelby Anderson spoke on the Homestead Exemption.
2. Stephen Thompson spoke on the Solid Waste Authority.
3. Skip McKenna spoke on the Solid Waste Authority.
4. Jack Nixon spoke on the Solid Waste Authority.

Chairman Gilland closed public input at 6:28 p.m.

CHANGES TO AGENDA:

Mr. Loftus moved to defer Ordinance 13-10 to the March 2nd meeting, seconded by Mr. Schulz. The motion passed unanimously.

Mr. Grabowski requested to remove Ordinance 14-10 from the Consent Agenda.

Mr. Grabowski moved to defer Resolution R-17-10, seconded by Mr. Foxworth. The motion passed unanimously.

Mr. Grabowski moved to add discussion under Old/New Business on the Horry County Humane Society Audit Request, seconded by Mr. Allen. The motion passed unanimously.

Mr. P. Prince moved to move Resolution R-20-10 and R-21-10 to the Consent Agenda, seconded by Mr. Allen. Mr. J. Prince stated he wanted to discuss it. Ms. Gilland said the resolutions would not be moved to the Consent Agenda.

Mr. Allen moved to move Resolution R-14-10 and R-15-10 to the Consent Agenda, seconded by Mr. Frazier. The motion passed unanimously.

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

APPROVAL OF MINUTES: Regular Meeting February 2, 2010 and Budget Workshop February 2, 2010. Mr. Barnard moved to approve the minutes as submitted for the Regular Meeting on February 2, 2010, seconded by Mr. Schwartzkopf. Mr. Loftus pointed out a correction in the spelling of a name for a memorial which should read Lt. Col. Willard E. Kreidler. The motion passed unanimously.

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

George Jensen Aakjer, Jr.
Robert Lee Carlson
Edward "Tex" Vodvarka
Deborah "Nikki" Hummel
Ruth Ann Haag
Richard L. "Dickie" Martin
Margo Karetas Monroe
Victor "VJ" Jones
Amanda Jane Burgess
Elder Andrew L. Mason, Jr.
Ludelas "Lou" Turner Simmons
Robert Hal Norton
George Marion Inabinet
Phillip K. Dougherty
Kenneth Choate Kepley
Donald Michael Ruff
Rev. Dr. Ronnie Ford
Martha Simmons
Roy Mills
Harry Fennelle
Tommy C. Deese
Jeffrey H. Byrd
Jennings Chestnut, Sr.
Matilda Hussey

CHARACTERISTIC OF THE MONTH: Resourcefulness: Finding practical uses for that which others would overlook or discard.

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

Third reading of the following ordinances to approve the request to amend the official zoning maps: **06-10** Beazer Homes, Fox Horn Phase 2-C PDD; **07-10** Stephen Saxon, agent for Shirley Suggs et al and **08-10** Jonathan Boling, agent for Benjamin Pinckney.

First reading of **Ordinance 10-10** authorizing the county administrator to quit claim two drainage easements back to Earl Glenn Holmes as located off David Road.

First reading of **Ordinance 11-10** authorizing the issuance and sale of not-to-exceed \$350,000 general obligation bonds, fixing the form and details of the bond, authorizing the interim county administrator to determine certain matters relating to the bond, providing for the payment of the bond and the disposition of the proceeds thereof.

First reading of **Ordinance 12-10** to amend the FY 2010 budget so as to recognize bond proceeds and expenditure for land acquisition in the amount of \$350,000.

First reading of Ordinance **Ordinance 15-10** to approve the request of Bob Weaver, agent for Farrar Family LTD Partnership to amend the official zoning maps.

Resolution R-14-10 supporting the development of a community center in the Aynor area by the Levister Development and Activity Board.

Resolution R-15-10 to designate the road known as the Aynor Overpass as the Julius H. "Duke" Goodson Overpass.

The motion passed unanimously.

APPROVAL OF MINUTES: Budget Workshop, February 2, 2010: Mr. Schwartzkopf moved to approve the minutes as submitted, seconded by Mr. Grabowski. The motion passed unanimously.

RESOLUTIONS/PRESENTATIONS:

Ms. Gilland read an email that she had received from Mr. Whitten from a citizen thanking E911 for their assistance in dispatching a call to the E911 center in Pennsylvania who helped her friend that was having a stroke while they spoke on the telephone. She wanted to thank the E911 folks for all that they do.

Resolution R-16-10 and Public Hearing to approve the request for a mining permit on property located on Hwy 378 and Pee Dee Hwy. **Mr. Allen moved to approve, seconded by Mr. Frazier. There was no public review. The motion passed unanimously.**

Resolution R-19-10 to name the Savannah Bluff Boat Landing to the Rep. Billy Witherspoon Boating Facility. Mr. Schwartzkopf presented the resolution to Rep. Witherspoon. **Mr. J. Prince moved to approve, seconded by Mr. Schulz. The motion passed unanimously.** Rep. Witherspoon spoke briefly thanking Council.

Resolution R- 18-10 to disapprove the request of Paola Pinzon, agent for Luis Pinzon & Elizabeth Munoz-Pinzon to amend the official zoning maps. **Mr. Schwartzkopf moved to approve the disapproval, seconded by Mr. Grabowski. The motion passed unanimously.**

Resolution R-20-10 to authorize County Staff to pursue development of a recreation center in the Loris area and **Resolution R-21-10** to authorize County Staff to pursue development of a recreation center in the Aynor area. **Mr. P. Prince moved to approve, seconded by Mr. Schwartzkopf. Mr. P. Prince moved to amend both resolutions to include the Loris area, Aynor area, and Green Sea area and to change “development” to “study”, seconded by Mr. J. Prince.** Mr. P. Prince said the study should be an area survey of all the area. **The motion passed unanimously.**

Resolution R-22-10 adopting the recommendations of the Horry County Solid Waste Authority pertaining to the FIN process. **Mr. J. Prince moved to approve, seconded by Mr. Grabowski. John Long, Chairman of the SWA Board, spoke briefly on the process. Art Brasswell spoke briefly on the DHEC permit application. Mr. Knight spoke briefly on the process and a turn lane as well as recycling.** Mr. Schulz suggested doing a pilot program for recycling in the incorporated areas and requested the cost figure for mandatory recycling. **The motion passed unanimously.**

READING OF ORDINANCES:

Second reading and public review of **Ordinance 02-10** to amend the County Code to repeal existing ordinances relating to county procurement and to enact the Horry County Procurement Code as Appendix E to the Horry County Code of Ordinances. **Mr. Allen moved to approve, seconded by Mr. Frazier. There was no public review. Mr. Loftus moved to amend to include the revisions presented in the packet, seconded by Mr. Allen. The motion passed unanimously. The main motion as amended passed unanimously.**

Second reading of **Ordinance 09-10** to approve the request of Karen L. Tidik to amend the official zoning maps. **Mr. Frazier moved to approve, seconded by Mr. P. Prince. The motion passed unanimously.**

First reading of **Ordinance 14-10** to approve the request of Castle Engineering, agent for RCEE Corp to amend the official zoning maps. **Mr. Grabowski moved to approve, seconded by Mr. Schwartzkopf.** Carol Coleman, Planning, spoke briefly on the request. **Mr. Grabowski moved to defer to the Planning Commission, seconded by Mr. J. Prince. The motion passed unanimously.** Robert Castles spoke briefly on the project. Mr. Grabowski suggested they set up a community meeting at the Socastee Library.

OLD/NEW BUSINESS:

Humane Society Audit Request. Mr. Grabowski moved to approve a verbal resolution requesting the immediate delivery of the Horry County Humane Society's audit that had been completed and was ready for distribution, seconded by Mr. Schwartzkopf. The motion passed unanimously.

New Administrator Search Process. Mr. Patrick Owens said they all received a packet that included candidate rankings, an explanation of how the rankings worked, extra information that folks wanted to submit, a candidate list for voting, and a voting ballot. He contacted all the candidates and a few of them conveyed to him that if they were not in the final three, they preferred their name not be released. That was the motivation behind the list with the letters. He said he had no idea how they wanted to vote so he included the ballot page. They could all vote for a letter. They could use it to do multiple rounds if they wanted to vote for a person on the list one at a time. For example if they had a tie, the first round could be the first two on the list and then could vote again. If they got a tie the second time, it became that tricky thing again whether they wanted four candidates, or two candidates, which the resolution permitted or if they wanted to vote again. He said that was the motivation behind that and nothing else. He said he didn't pretend to have the wisdom on how to do a good vote and would leave it at that.

Mr. Barnard thanked Mr. Owens for doing a great job. **He said with Council's approval he moved that they interview the top three candidates, seconded by Mr. J. Prince.**

Mr. Foxworth said that was fine and he didn't have a problem with that but one of the things he noticed in looking through the packet was they ranked the candidates in accordance with how many votes they got but didn't tell them how many votes that was. He was expecting the names to get numbers, just the other way. But because they didn't know how many votes a particular candidate got, just picking a number at random like three, if they went with four, for instance, then the confidentiality provision was still in effect and the most recent ballot would not be FOIA-able. If they went three or less, then their most recent ballots were FOIA-able and the names were immediately released. Since he didn't tell them how many votes each candidate got, he was going to ask a couple of general questions and asked that Mr. Owens answer them very succinctly. He asked if any of the candidates received more than a majority of votes, six or more. Mr. Owens said "yes". Mr. Foxworth asked if there were multiple candidates. Mr. Owens said "yes". Mr. Foxworth said they had multiple candidates that received at least a vote from more than half of Council to take a stronger look at. Mr. Owens said that was correct. Mr. Foxworth said rather than three, he asked how Mr. Barnard felt about bringing back the ones that got a majority. Mr. Barnard said his only concern was the expense in doing that and what they gained from that without going into the confidential aspect of this. He would argue that they couldn't go to four and had to be some number greater than that, at least what he could determine the vote was, so why don't they look at three to save the expense of bringing in additional people and see where that went. He asked what would they gain from the additional people. Mr. Foxworth said they didn't know that it was additional people. It could be less. That was the thing. They didn't know how many votes each candidate got but if the ones they brought back had already received a majority of votes from Council, that put them in a good position to move forward. Mr. Barnard said he was willing to vote on it. Mr. Foxworth asked to vote on what, (inaudible) three. Mr. Barnard said yes. Mr. Owens

said the resolution that stood now said no more than three so to do more than three, they would have to do a new resolution. Ms. Gilland said three for the final. Mr. Foxworth said that didn't mean this had to be the final either. Ms. Gilland said looking at the three, she would rather do more than three. She said in looking at the three it was obvious why. They had incredible applicants and every one of them was impressive to her (inaudible). She didn't think expenses were...she thought this was the most important decision that they were going to make for the rest of the time they were on Council and couldn't pick a more important person than the administrator for the entire County. She didn't want to shortchange interviewing some exceptional candidates because they were looking at a few hundred dollars. She knew times were tight but this was too important to watch pennies over.

Mr. Foxworth moved to amend to call back those candidates that received more than a majority of votes, seconded by Mr. Grabowski.

Mr. Loftus said to Mr. Foxworth's point, to just send it to those that had a majority, were they saying six or seven. Mr. Foxworth said more than six. Mr. Loftus said so they were accepting and rejecting on the basis of their resume and had no idea who the individuals were because they had never met them. He thought voting on the majority vote on basis of the resumes was excluding possibly some outstanding candidates. He didn't know whether it was two, three or four that got seven or more votes, he had no idea, but to limit it to just those that got seven or more based on just reading a resume and cancelling three to five, he had no problem with either one. He said it would do a disservice not only to the candidates but more so to Horry County and he could not support his amendment.

Ms. Gilland asked if Mr. Loftus was not in favor of Mr. Foxworth's amendment. Mr. Loftus said he wasn't in favor of Mr. Foxworth's amendment. Ms. Gilland said she thought he was arguing it the other way so she didn't understand where she lost him. She asked him to do it again. Mr. Loftus said Mr. Foxworth's amendment, if he understood it correctly, was to only accept those with seven or more votes from Council. Mr. Foxworth said correct. He said for the next round and not meaning this was the final round. Mr. Loftus said he understood. Mr. Foxworth said they didn't know how many that would be, it could be two and they knew it was more than one. Mr. Loftus said his statement was that given the statistics and the math it probably wasn't going to be more than three. Ms. Gilland asked if they could ask. Mr. Loftus said no, he would rather not know. He said if they limited it to just those receiving a majority, then they had possibly not included a candidate that may be better than the ones that received a majority based on just reading resumes. Ms. Gilland said so he would just rather interview three. Mr. Loftus said three or five, he had no problem with that. Ms. Gilland said she would rather do five at least. Mr. Loftus said looking at the tally it had to be at least three or five to be totally fair.

Mr. Schwartzkopf moved to amend to do the first round of interviews by video conferencing to reduce the costs involved. Ms. Gilland said they could do that on our end but didn't know if the candidates could. Mr. Schwartzkopf said he bet they could because of the modern place they lived in, they could do it. Ms. Gilland asked if he had a number with his. Mr. Schwartzkopf said no, if three showed up they would do three and if five showed up they would do five and if four showed up they would do four.

Ms. Gilland said there were three motions on the table. Mr. Schwartzkopf said his motion was an amendment to both Mr. Barnard's and Mr. Foxworth's motions. Ms. Gilland asked if there was a second for Mr. Schwartzkopf's idea to do it by video rather than in person. Mr. Foxworth said he trusted if they did it that way that somebody would give him, Mr. P. Prince and Mr. Foxworth a call.

Mr. Weaver stated there was a motion by Mr. Barnard and an amendment by Mr. Foxworth and he didn't know if it had had a second. He said if it had not, it needed a second and then they needed to vote on his. Ms. Gilland said they had a second from Mr. Schwartzkopf. Mr. Schwartzkopf said they had a second from Mr. Grabowski. Ms. Gilland said they were voting on the amendment that said all the candidates that received a majority vote. She asked if that was correct. Mr. Foxworth said they would call back for interviews those candidates receiving a majority of Council recommendation. Ms. Gilland asked if they wanted to know how many people that was. Mr. Grabowski said no, and didn't think that would be fair.

Mr. J. Prince said he was a brand new guy but he could tell them that they were looking at a stalemate 6-6 vote right here and that wasn't a good way to start.

Mr. P. Prince said he wasn't going to vote for a pig in the poke in the dark and didn't know who they were voting for. There may be two or three that he would like to interview.

Mr. Grabowski said he seconded it because it sounded like a good amendment and ensured the ones that were looked upon as favorably by a majority and it helped to ensure that they would not be in the position that they were prior to this and end up in a deadlock. He said it was good because that way whoever they were bringing back whether it was two, three, four- they were looked upon favorably by the Council (inaudible).

Mr. Schulz asked if they could vote. Mr. Worley asked for a roll call vote.

Ms. Gilland said they would vote on the amendment first on the board. This was Mr. Foxworth's amendment to bring back everyone that had a majority. Mr. J. Prince said not bring back the others. Ms. Gilland said right, those that had a majority vote which was six, seven. **The motion to amend failed. The vote was as follows:**

<u>In favor</u>	<u>Opposed</u>
Foxworth	P. Prince
Grabowski	Loftus
Schwartzkopf	J. Prince
Allen	Worley
Gilland	Schulz
	Frazier
	Barnard

Ms. Gilland said back to the original motion to bring back only the top three. **The motion passed unanimously.** Ms. Gilland said she would announce the top three candidates: Al Greene; Dale Surrent; and John Weaver.

Mr. Schwartzkopf withdrew his motion for video conferencing.

Mr. Carotti stated there was one other action for Council to take which was to set the date for the interviews. He said that Ms. Hartley had provided a list of dates for the next month and a half and had checked the schedule and found no conflict for Council meetings or committee meetings based on which most, if not all members, of Council would be available for interviews. Council needed to decide on one of the dates and if none of those dates were acceptable then he would be happy to work with Council to set another date. The proposed dates were March 15th, March 19th, March 22nd and March 26th. Mr. Grabowski asked if they knew the time of day for this. Mr. Carotti said it would be Council's discretion in that they were interviewing three. Ms. Gilland said she liked March 22nd. She asked if a Friday or Monday was better for them. She said they would do March 22nd. She asked if anybody had a problem with the 22nd. She said this was the last chance, the 22nd. There was no objection.

ANNOUNCEMENTS:

ADJOURNMENT: The meeting adjourned at 7:41 p.m. in memorial of George Jensen Aakjer, Jr.; Robert Lee Carlson; Edward "Tex" Vodvarka; Deborah "Nikki" Hummel; Ruth Ann Haag; Richard L. "Dickie" Martin; Victor "VJ" Jones; Amanda Jane Burgess; Elder Andrew L. Mason, Jr.; Ludelas "Lou" Turner Simmons; Robert Hal Norton; George Marion Inabinet; Phillip K. Dougherty; Kenneth Choate Kepley; Donald Michael Ruff; Rev. Dr. Ronnie Ford; Martha Simmons; Roy Mills; Harry Fennelle; Tommy C. Deese; Jeffrey H. Byrd; Jennings Chestnut, Sr.; and Matilda Hussey.