

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
June 21, 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: Mr. Ryan gave the invocation.

PLEDGE: Mr. Schwartzkopf led in the pledge.

PUBLIC INPUT: No one came forward to speak.

CHANGES TO AGENDA:

Mr. Worley requested removal of Ordinance 85-05 from the Consent Agenda.

Mr. Worley requested removal of Ordinance 103-05 from the Consent Agenda and would ask to defer to the Planning Commission later in the meeting.

Mr. Barnard moved to add discussion on the Airport under Old/New Business, seconded by Mr. Boyd. The motion passed unanimously.

Mr. Ryan requested removal of Ordinance 81-05 from the Consent Agenda.

Mr. Boyd requested removal of Ordinance 75-05 and Ordinance 95-05 from the Reading of Ordinances and placed under the Consent Agenda.

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

APPROVAL OF MINUTES: June 7, 2005: Mr. Hardee moved to approve the minutes as submitted, seconded by Mr. Prince. Mr. Hardee moved to reconsider the vote on the budget ordinance regarding the COLA for County employees. Mr. Weaver advised the COLA issue would be discussed later in the meeting when the Budget Ordinance was under consideration. The motion to approve the minutes passed unanimously.

MEMORIAL DEDICATION:

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

Flora Bell Frazier (Mr. Frazier)

Robert Burke (Mr. Foxworth)

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

- Third reading of **Ordinance 75-05** to amend the zoning ordinance so as to add Little River Neck Road to the protected road list.
- Third reading of the following ordinances to approve the request to amend the official zoning maps: **78-05** Jon Taylor, agent for Greg Hyman; **79-05** Robert Castles, Jr., agent for Leon Butler, Jr.; **80-05** James Shelley, agent for Irene O. Conner; **82-05** Scotty Smith, agent for Dennis & Deanna Scott; **83-05** Wallace D. Harper; **86-05** Jeff Miller, agent for Harry Pavilack et al.
- First reading of the following ordinances to approve the request to amend the official zoning maps: **95-05** Harvey & Mary Elizabeth Barnhill, Barnhill Demolition Derby Minor PDD. **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; and **105-05** Cheryl Trautman, agent for Bonnie A. Campbell.
- **Resolution R-94-05** declaring the service weapon of Lt. George K. West as surplus property and making it available to him at replacement cost.
- Resolutions to accept dedication of the roads and drainage at the following locations: **R-81-05** The Willows, Phase 2 (Ashleaf Dr., Willowbend Dr., Dragonfly Dr.; **R-82-05** Village Center Blvd.; **R-83-05** Southgate Phases 6 & 7 (Southgate Parkway, Sterling Dr.); and **R-84-05** St. Anne's Oaks Phase I (Island Oak Dr., Oak Lea Dr., Sean River Rd.); **R-85-05** Plantation Lakes 5A (Abingdon Dr., Awenda Ct., Crutchfield Ct., Antebellum Dr.); **R-86-05** The Oaks at Bellegrove Phase II (Bellegrove Dr., Cherry Bark Ct., Oakhurst Dr.); **87-05** International Dr.; and **R-88-05** Avalon Plantation 11B (Seneca Ridge Dr.)

- District Appointments:

Holly Kaufmann, Planning Commission; Phil Hucks, Planning Commission; Michael A. Parrotta, Planning Commission; Wilbur Neil James, Airport Advisory Committee; Blaine Garren, Airport Advisory Committee; Paula Hartmann, Library Board of Trustees; and Joseph Bellisario, Socastee Recreation Tax District Commission.

The motion passed unanimously.

RESOLUTIONS/PRESENTATIONS:

Resolution R-92-05 to authorize the administrator to accept June 19-26, 2005 as Amateur Radio Week. **Mr. Boyd moved to approve, seconded by Mr. Prince.** Randy Webster, Emergency Management Director, presented the resolution to Mr. Matt McGuire, who was representing the Amateur Radio Association. Mr. McGuire thanked Council. The motion passed unanimously.

Resolution R-91-05 to approve the submission of a grant application for a multi-jurisdictional drug task force. **Mr. Boyd moved to approve, seconded by Mr. Schwartzkopf.** The motion passed unanimously. Mr. Hembree thanked Council.

Resolution R-93-05 approving a Special Events Permit for “Mustang Week” on July 30, 2005. **Mr. Boyd moved to approve, seconded by Mr. Frazier.** The motion passed unanimously.

Resolution R-95-05 approving the disposal of surplus property of the Department of Airports at Myrtle Beach Int’l Airport. **Mr. Hardee moved to approve, seconded by Mr. Prince.** The motion passed unanimously.

Resolution R-96-05 authorizing execution of an agreement to participate in the Waccamaw Home Investment Partnerships Consortium. **Mr. Frazier moved to approve, seconded by Mr. Boyd.** The motion passed unanimously.

Resolution R-89-05 to *disapprove* the request of Chester & Carole Skowronski as Trustees, agent for Specialized Construction Site & Service, Inc., to amend the official zoning maps. **Mr. Foxworth moved to approve the disapproval, seconded by Mr. Schwartzkopf.** The motion passed unanimously.

Resolution R-90-05 to *disapprove* the request of Pat Edwards, agent for Bonnie Nobles, agent for Specialized Construction Site & Service, Inc., to amend the official zoning maps. **Mr. Grabowski moved to table, seconded by Mr. Ryan.** The motion passed unanimously.

READING OF ORDINANCES:

Second reading and public review of **Ordinance 76-05** to approve the request of The LandArt Company & DDC Engineers, agents for Caro-Strand Corp., The Villages at Bay Tree PDD, to amend the official zoning maps. **Mr. Hardee moved to approve, seconded by Mr. Boyd.** The following people during the public hearing:

- 1.) Jim Oppedisano, Chairman of the Committee to Save Bay Tree.
- 2.) Jan Schuster, Golden Estates.
- 3.) Donna Phelps, Bay Tree II.
- 4.) Larry Butts, Bay Tree Golf & Racquet Club.
- 5.) Rev. Bob Evans, Bay Tree III.
- 6.) Charlotte Barman, Colonial Charters.
- 7.) John Highly, The Preserve at Little River.
- 8.) Jason Boyce, Palmetto Glens Subdivision.
- 9.) Mike Wooten, DDC Engineers.
- 10.) Rick Day, Wilbur & Associates.
- 11.) Hal Bellamy, Bellamy Law Firm and partner in the project.
- 12.) Gary Loftus, Coastal Carolina University.
- 13.) Buddy Hucks, EF Hucks.

Chairman Gilland called a recess at 8:20 p.m. The meeting reconvened at 8:35 p.m.

A lengthy discussion on stormwater and drainage issues followed. Mr. Worley requested Mr. Wooten attend a site meeting on the following Friday to review existing conditions and to provide solutions to the drainage problems. He also requested elevation drawings depicting water flow to the Intracoastal Waterway be made available at the next council meeting.

Ray Sulley, resident of Little River, spoke on the Economic Impact Analysis Report authored by Coastal Carolina University.

Mr. Prince moved to amend to reduce the number of units by 200, seconded by Mr. Schwartzkopf. The motion passed unanimously.

Mr. Lazarus moved to amend that the road improvements be completed in Phase I, seconded by Mr. Boyd. The motion passed unanimously.

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

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

Third reading of **Ordinance 85-05** to approve the request to amend the official zoning maps for Cornelius Ammons, Jr., agent for Alpha-Omega, Inc. **Mr. Worley moved to *disapprove*, seconded by Mr. Hardee.** The motion passed unanimously.

First reading of **Ordinance 103-05** to approve the request to amend the official zoning maps for Jon Taylor, agent for Cavendish Properties and Talmadge Reid et al. **Mr. Worley moved to refer to the Planning Commission, seconded by Mr. Boyd.** The motion passed unanimously.

Third reading of **Ordinance 88-05** to adopt a revised planning and zoning fee schedule as part of the FY06 budget. **Mr. Barnard moved to approve, seconded by Mr. Schwartzkopf.** The motion passed. The vote was as follows:

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

Third reading of **Ordinance 89-05** to adopt a revised business license fee schedule as part of the FY06 budget. **Mr. Barnard moved to approve, seconded by Mr. Schwartzkopf.** The motion passed. The vote was as follow:

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

Third reading of **Ordinance 74-05** to raise revenue, make appropriations and adopt a budget for FY ending June 30, 2006. **Mr. Barnard moved to approve, seconded by Mr. Boyd. Mr. Hardee moved to reconsider the budget workshop's motion on the reduction of 2 mils to one mil, which eliminated the COLA for the employees, seconded by Mr. Boyd.** The motion to reconsider passed. The vote was as follows:

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

Mr. Foxworth moved to go back to the 2 mils, seconded by Mr. Barnard. Chairman Gilland read the following which was the motion on the floor to reconsider: Provide the equivalent funding of 2 mils for Public Safety by making the following changes to the presented budget: Delete the 2.7% COLA for employees; Change the step plan to 2% of current salary rather than the entry level; Include employees at or near the maximum salary in the above plan for Fiscal Year 06 even if they go above the maximum of their grade; Direct the additional \$600,000 from Scenario Four of the Business License toward the funding for Public Safety; and reduce the millage from Public Safety from two additional mils to .5 mils. The motion failed. The vote was as follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Lazarus | Foxworth | Worley |
| | Ryan | |
| | Barnard | |
| | Grabowski | |
| | Frazier | |
| | Schwartzkopf | |
| | Prince | |
| | Hardee | |
| | Boyd | |
| | Gilland | |

Mr. Boyd moved to amend to approve the following: 2.7% Cost of Living Raise, Direct the additional \$600,000 from Scenario 4 of the business license toward the funding for public safety; and reduce the millage for public safety from 2 additional mils to 1.5 mils, seconded by Mr. Barnard.

Mr. Lazarus moved to amend increasing the revenue estimation by 2%, give the 2.7% COLA, increase Public Safety from ½ mil to 1 mil, leave step plan of 2% of current salary rather than entry level, continue to direct \$600,000 from Business License to Public Safety and reduce the mils for Public Safety from 2 mils to 1 mil instead of the half mil, seconded by Mr. Hardee.

Mr. Hardee withdrew his second to Mr. Lazarus' motion. The motion died for the lack of a second.

Chairman Gilland called for the vote on the Boyd/Barnard amendment. The motion passed. The vote was as follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Foxworth | Lazarus | Worley |
| Ryan | | |
| Barnard | | |
| Grabowski | | |
| Frazier | | |
| Schwartzkopf | | |
| Prince | | |
| Hardee | | |
| Boyd | | |
| Gilland | | |

Chairman Gilland spoke regarding funding for LYMO. Mr. Weaver stated that LYMO fell under the \$1.5 million supplemental funding cap, and adding any additional money to that would violate the ordinance. Mr. Boyd requested it be referred to committee.

Mr. Barnard stated he spoke with Rep. Witherspoon who indicated to him that Billy Alford would be happy to serve as their representative regarding NESAs.

Mr. Barnard moved to make a line change in the budget that placed the County Attorney under County Council, seconded by Mr. Foxworth. Mr. Weaver stated that under the Home Rule Act, the County Administrator had the authority to hire/fire the County Attorney. If Council chose to change his position to being directly answerable to Council, then an ordinance would be the appropriate means rather than a line change in the budget. However, he would seek a certified legal opinion as to the relationship of the County Attorney to Council under the Council/Administrator form of government and report back at a later meeting. **Mr. Barnard withdrew his motion.**

Chairman Gilland called for the vote on the main motion, which was to approve Third Reading of the budget as amended. The motion passed. The vote was as follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Barnard | Lazarus | Worley |
| Grabowski | Foxworth | |
| Frazier | Ryan | |
| Schwartzkopf | | |
| Prince | | |
| Hardee | | |
| Boyd | | |
| Gilland | | |

Third reading of **Ordinance 40-05** to approve the request of Jimmy Jordan, agent for Leon Butler, Cedar Creek Professional Center PDD, to amend the official zoning maps. **Mr. Boyd moved to approve, seconded by Mr. Hardee.** The motion passed. The vote was as follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Lazarus | | Worley |
| Foxworth | | |
| Ryan | | |
| Barnard | | |
| Grabowski | | |
| Frazier | | |
| Schwartzkopf | | |
| Prince | | |
| Hardee | | |
| Boyd | | |
| Gilland | | |

Second reading and public review of **Ordinance 77-05** to approve the request of Jon Taylor, agent for Larry Elliott, Magnolia Grande Resort PDD, to amend the official zoning maps. **Mr. Barnard moved to approve, seconded by Mr. Boyd.** There was no public review. The motion passed. The vote was follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Lazarus | | Worley |
| Foxworth | | |
| Ryan | | |
| Barnard | | |
| Grabowski | | |
| Frazier | | |
| Schwartzkopf | | |
| Prince | | |
| Hardee | | |
| Boyd | | |
| Gilland | | |

Second reading and public review of **Ordinance 48-05** authorizing the administrator to execute a lease agreement with Fratelli Granite, Inc. for property on MBIA premises. **Mr. Prince moved to approve, seconded by Mr. Schwartzkopf.** There was no public review. The motion passed. The vote was as follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Lazarus | | Worley |
| Foxworth | | |
| Ryan | | |
| Barnard | | |
| Grabowski | | |
| Frazier | | |
| Schwartzkopf | | |
| Prince | | |
| Hardee | | |
| Boyd | | |
| Gilland | | |

Second reading and public review of **Ordinance 90-05** authorizing the administrator to execute a concession and lease agreement with Open Golf Tee Times at the MBIA. **Mr. Schwartzkopf 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> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Lazarus | | Worley |
| Foxworth | | |
| Ryan | | |
| Barnard | | |
| Grabowski | | |
| Frazier | | |
| Schwartzkopf | | |
| Prince | | |
| Hardee | | |
| Boyd | | |
| Gilland | | |

Second reading of **Ordinance 91-05** authorizing the sale and issuance of general obligation refunding bonds for the Government & Justice Building bond. **Mr. Schwartzkopf moved to approve, seconded by Mr. Boyd.** The motion passed. The vote was as follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Lazarus | | Worley |
| Foxworth | | |
| Ryan | | |
| Barnard | | |
| Grabowski | | |
| Frazier | | |
| Schwartzkopf | | |
| Prince | | |
| Hardee | | |
| Boyd | | |
| Gilland | | |

Second reading of **Ordinance 92-05** authorizing the sale and issuance of general obligation refunding bonds for the Horry County Fire Protection District bond and Second reading of **Ordinance 93-05** authorizing the sale and issuance of general obligation refunding bonds for the Hospitality Fee Special Obligation bonds. **Mr. Boyd moved to approve, seconded by Mr. Schwartzkopf.** The motion passed. The vote was as follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Lazarus | | Worley |
| Foxworth | | |
| Ryan | | |
| Barnard | | |
| Grabowski | | |
| Frazier | | |
| Schwartzkopf | | |
| Prince | | |
| Hardee | | |
| Boyd | | |
| Gilland | | |

First reading 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.** The motion passed. The vote was as follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Lazarus | | Worley |
| Foxworth | | |
| Ryan | | |
| Barnard | | |
| Grabowski | | |
| Frazier | | |
| Schwartzkopf | | |
| Prince | | |
| Hardee | | |
| Boyd | | |
| Gilland | | |

Third reading of **Ordinance 81-05** to approve the request of D.R. Horton, Inc. to amend the official zoning maps. **Mr. Boyd moved to approve. Mr. Ryan moved to defer to the next meeting, seconded by Mr. Barnard.** The motion to defer passed. The vote was as follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Lazarus | | Worley |
| Foxworth | | |
| Ryan | | |
| Barnard | | |
| Grabowski | | |
| Frazier | | |
| Schwartzkopf | | |
| Prince | | |
| Hardee | | |
| Boyd | | |
| Gilland | | |

OLD/NEW BUSINESS:

Appointments to the Solid Waste Authority Board of Directors. Chairman Gilland announced the results of the balloting for the election of two Board members. Danny Hardee and Basem Hilal were appointed.

Appointments to the Wacammaw Economic Opportunity Commission. Mr. Barnard moved to approve the appointments of James Frazier and Ulysses Dewitt, seconded by Mr. Grabowski. The motion passed. The vote was as follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Lazarus | | Worley |
| Foxworth | | |
| Ryan | | |
| Barnard | | |
| Grabowski | | |
| Frazier | | |
| Schwartzkopf | | |
| Prince | | |
| Hardee | | |
| Boyd | | |
| Gilland | | |

Airport. Mr. Barnard moved that an Airport sub-committee be appointed by the chairman and issue a RFP for a management inspection of the Airport to include but not be limited to finance, engineering, operations, personnel and the new terminal, seconded by Mr. Foxworth. The funding for the study would come from the Airport. The motion passed. The vote was as follows:

| <u>In favor</u> | <u>Opposed</u> | <u>Not Present</u> |
|-----------------|----------------|--------------------|
| Lazarus | Prince | Worley |
| Foxworth | | Hardee |
| Ryan | | |
| Barnard | | |
| Grabowski | | |
| Frazier | | |
| Schwartzkopf | | |
| Boyd | | |
| Gilland | | |

ANNOUNCEMENTS:

Chairman Gilland announced that Governor Mark Sanford would sign into law the mini-bottle legislation at the Liberty Tap Room on 79th Avenue North on June 23rd.

ADJOURNMENT:

The meeting adjourned at 10:05 p.m. in memorial of Flora Bell Frazier and Robert Burke.

