

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
April 20, 2010
6:00 p.m.**

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

MEMBERS ABSENT: Bob Grabowski and J. Prince.

OTHERS PRESENT: John Weaver; Julie Suggs; 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 6:03 p.m.

INVOCATION: Mr. Schwartzkopf gave the invocation.

PLEDGE: Mr. Foxworth led the pledge.

PUBLIC INPUT:

1. James Butler spoke on the SELL Project.
2. Richard Knox spoke on the SELL Project.
3. Melvin Thompson was to speak on Time Warner Cable but was absent.
4. General Vaught spoke on International Drive.

Chairman Gilland closed public input at 6:22 p.m.

CHANGES TO AGENDA:

Mr. Loftus moved to add Resolution R-44-10 to the Consent Agenda and to defer Ordinance 31-10. He requested clarification on the ordinance and to put it on the regular agenda when it comes back to Council, seconded by Mr. Schwartzkopf. The motion passed unanimously.

Mr. Foxworth requested to remove Ordinance 28-10 and Ordinance 16-10 from the Consent Agenda.

Mr. Schulz requested to add under Announcements a \$30,000 recreation distribution for a boat landing project on Hwy. 22/ Hwy.17.

Mr. Schulz recused himself from voting on Ordinance 17-10 and Ordinance 18-10.

Mr. Barnard moved to remove Ordinance 32-10 from the Consent Agenda and after Ms. Carter gave a legal briefing later in the meeting they would get an opinion from her as to how to proceed, seconded by Mr. Schwartzkopf. The motion passed unanimously.

Mr. Barnard moved to add under Old/New Business a briefing regarding final contract negotiations between the County and MB Khan related to the new terminal project and a vote of approval by Council to enter into a contract amendment, seconded by Mr. Frazier. The motion passed unanimously.

Mr. P. Prince moved to add under Announcements a handout of the proposed contract of employment for the Administrator for their consideration, seconded by Mr. Loftus. The motion passed unanimously. Mr. Carotti stated they could take the handout with them and call or email him with any concerns and if not then Council could allow Ms. Gilland the authority to go ahead and enter into the contract.

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

APPROVAL OF MINUTES: Regular Meeting April 6, 2010: Mr. P. Prince moved to approve the minutes as submitted, seconded by Mr. Allen. The motion passed unanimously.

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

Mrs. Gloria Lindsay Sapp
Mrs. Clyde Helms Thomas
Lydia Hussey Banks
Thomas Wayne Miller
Albertine J. Goff Jordan
Brad Lee Jones
Mark Tanner Heniford
Lucius Wells Jordan
Opal Virginia Cox Wood
John Waldon "Buzz" Darden III
Madge Stevens Hardee
Rev. Marion C. Cannon, Sr.
Carolyn Holden
Thurman White
Sarah Marie Shelley
Kay F. Hyatt
William Steve Hewitt
Athel Parmley
Billy Ray "Bill" Burnett
Danna Faye Todd
Dale Grainger
Myra James

Dr. Keith E. Gawith
Gloria Hayes Coleman
Leila Belle Cox
Nesbert O'Neal Carter
Betty Sue Allen

Ms. Gilland called a recess at 6:36 p.m. in order to correct an audio malfunction in Chambers. The meeting reconvened at 6:41 p.m.

CHARACTERISTIC OF THE MONTH: Creativity: approaching a need, a task, or an idea from a new perspective.

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

Third reading of the following ordinances to approve the request to amend the official zoning maps: **13-10** Adam Parness, agent for Robert & Teresa Farrar; **17-10** James Wooten and Mike Hogan, Glenn's Bay Rd.; **18-10** James M. Wooten, agent for Jeffrey S. Rogers, Jr., Tidewater Rd Recycling Center-Minor PDD and **19-10** Felix Pitts, agent for Sandhills Bank, Bridgeway Park II PDD.

Third reading of **Ordinance 21-10** authorizing the transfer of right-of-way property located along Highway 707 to the South Carolina Department of Transportation (SCDOT).

Third reading of **Ordinance 22-10** approving a lease agreement with Horry Telephone Cooperative (HTC) for the construction of a telecommunications tower at the J. Reuben Long Detention Center.

First reading of **Ordinance 26-10** approving the removal from the county's maintenance system and conveyance of a portion of Double R Circle to Ronald Dock and Joyce Rabon.

First reading of **Ordinance 27-10** approving the removal from the county's maintenance system and conveyance of a portion of Sandridge Road to Canal and Irene Armstrong.

First reading of the following ordinances to approve the request to amend the official zoning maps: **33-10** Forestbrook Rentals LLC; **34-10** James Brandon Sessions; **35-10** Thomas & Hutton, agent for Longview LLC; **36-10** Jill Hatchell, agent for Gail Watts Hatchell and **37-10** James Rasnake, agent for Bonnie & Ernest Rasnake.

Resolution R-36-10 to adopt the Horry County CDBG Final Annual Action Plan for FY 2010-11.

Resolution R-39-10 to approve the improvement of less than a 50' right-of-way on Dessie Drive.

Resolution R-40-10 to initiate a land use study and area/corridor plan for the Burgess Community.

Resolution R-42-10 recognizing Brenda Williams for her selfless and courageous actions by helping a stranger.

Resolution R-44-10 in support of South Carolina House of Representatives Bill H. 4663 providing that a building code provision requiring an automatic sprinkler system in new one and two family residential dwellings be optional instead of mandatory.

The motion passed unanimously.

RESOLUTIONS/PRESENTATIONS:

Resolution R-37-10 congratulating Muriel Roberts on being named the Rural Lady of the Year by Horry Electric Cooperative. Mr. Allen presented the resolution to Ms. Roberts. Ms. Roberts thanked Council. **There was no motion made but a vote was taken that passed unanimously.**

Presentation on Myrtle Beach Int'l Airport Terminal Expansion Program. Mr. Rick Ott introduced Steve Kepler; Chris Ion; Ken Cushine; Doreen Frasca; Don Fowler; and John Napier. He gave a brief update on the project stating they would be back in front of Council prior to selling bonds and present the final financial plan for the Airport. Ms. Frasca gave a brief update on the funding. The following people spoke briefly on the expansion: Brad Dean, Myrtle Beach Chamber; Bob Golden, Myrtle Beach Golf Holiday; John Napier; and Don Fowler. Ms. Gilland presented an award to Pat Apone for her certification as an accredited airport executive.

Resolution R-02-10 to disapprove the request of Margie Abernathy, agent for various owners, to amend the official zoning maps. **Mr. Schwartzkopf moved to approve, seconded by Mr. Barnard. The motion passed unanimously.**

READING OF ORDINANCES:

Second reading and public review of **Ordinance 14-10** to approve the request of Castles Engineering, agent for RCEE Corporation, to amend the official zoning maps. **Mr. Barnard moved to approve, seconded by Mr. Schulz. There was no public input. The motion passed unanimously.**

Second reading and public review of **Ordinance 23-10** authorizing the issuance and sale of not exceeding \$13.1 million general obligation refunding bonds. **Mr. Schwartzkopf moved to approve, seconded by Mr. Loftus. There was no public input. The motion passed unanimously.**

Second reading of **Ordinance 25-10** approving the issuance and sale of not exceeding \$5 million tax anticipation notes. **Mr. Frazier moved to approve, seconded by Mr. Foxworth. The motion passed with Mr. Barnard voting nay.**

First reading of **Ordinance 29-10** to amend the zoning ordinance to allow carnivals as a conditional use in the Highway Commercial Zoning District. **Mr. Schulz moved to approve, seconded by Mr. Worley. The motion passed unanimously.**

First reading of **Ordinance 30-10** to amend the zoning ordinance pertaining to food vending. **Mr. Schulz moved to approve, seconded by Mr. Schwartzkopf. The motion passed with Mr. Worley voting nay.**

Third reading of **Ordinance 16-10** approving and authorizing the administrator to execute a lease amendment with Huffman Helicopters, Inc. of property located at Myrtle Beach International Airport, for the enlargement of a currently existing leasehold, for the purpose of anticipated expanded operation of aviation activities related to the maintenance, repair, and operation of general aviation aircraft, to include flight training, aircraft charter, and aerial tours. **Mr. Loftus moved to approve, seconded by Mr. P. Prince. The motion passed unanimously.**

First reading of **Ordinance 28-10** to repeal and delete Section 16-2, Horry County Code, pertaining to emergency road maintenance on private property. **Mr. Foxworth moved to approve, seconded by Mr. Loftus. The motion passed with Mr. P. Prince voting nay.**

OLD/NEW BUSINESS:

Legal briefing on recent SC Supreme Court decision regarding Planned Development

Districts. Ms. Carter stated in March the SC Supreme Court issued a decision that changed the way PDD's had been dealt with and did a very strict interpretation of state law. PDD's can only be used if they were mixed use, meaning residential and commercial components, and that they include innovative sign techniques. She would be briefing the Planning Commission and making the suggestion that a committee be formed to bring forward to Council recommending ordinance amendments. **Mr. Barnard moved to defer and send Ordinance 32-10 back to the Planning Commission, seconded by Mr. Schulz. The motion passed unanimously.**

Contract with MB Kahn. Mr. Carotti stated now that they were entering into the actual construction phase of the airport terminal contract, it was time to revisit the contract to establish a defined detailed scope of work and a sum of certain cost for that work. MB Khan would be providing program management, construction management, and general contractor services. There was a significant cost savings to the County in doing the management this way. MB Khan had agreed to do the combined program management and construction management work for approximately \$8.5 million. They had agreed to do the extra general contracting work which primarily involved assisting in the procurement and coordinating the multiple contracts for an additional \$900,000. Thus far MB Kahn had done a considerable amount of work which would not be considered additional program management, construction management or general contracting work and had done that either directly or indirectly. For example, for the services of LPA and other local architects who worked on the initial design work, program definition, initial engineering programs and other professional services, MB Kahn had agreed to be paid and had already been paid the amount of \$2.75 million. The sum total contract package with MB Kahn (work already completed, work they were currently doing, and work they would do until the conclusion of the project) was \$12.175 million. He requested a vote of support and approval from Council on moving forward with MB Kahn under their contract originally and currently existing as they found it. **Mr. Schwartzkopf moved to approve, seconded by Mr. Worley. The motion passed unanimously.** Mr. Ott stated MB Khan would not be doing any of the actual bid work for any of the contractors.

All the work would be publically bid and was subject to the County procurement guidelines and in some cases FAA guidelines. They wanted to try to maximize the local contractor participation.

ANNOUNCEMENTS:

Distribution of Recreation Funds: \$1000 for the Racepath Summer Camp- Mr. Foxworth; and \$30,000 for the Hwy.22/17 boat landing- Mr. Schulz. **Mr. Schwartzkopf moved to approve, seconded by Mr. Loftus. The motion passed unanimously.**

Ms. Gilland reminded everyone to complete their Census form.

Ms. Gilland announced the following: May 17th at 10:00 a.m. Groundbreaking for the new terminal expansion on the east side and May 21st a celebration for the new general aviation terminal on the west side at 10:00 a.m.

ADJOURNMENT: The meeting adjourned at 7:53 p.m. in memorial of Mrs. Gloria Lindsay Sapp; Mrs. Clyde Helms Thomas; Lydia Hussey Banks; Thomas Wayne Miller; Albertine J. Goff Jordan; Brad Lee Jones; Mark Tanner Heniford; Lucius Wells Jordan; Opal Virginia Cox Wood; John Waldon “Buzz” Darden III; Madge Stevens Hardee; Rev. Marion C. Cannon, Sr.; Carolyn Holden; Thurman White; Sarah Marie Shelley; Kay F. Hyatt; William Steve Hewitt; Athell Parmley; Billy Ray “Bill” Burnett; Danna Faye Todd; Dale Grainger; Myra James; Dr. Keith E. Gawith; Gloria Hayes Coleman; Leila Belle Cox; Nesbert O’Neal Carter; and Betty Sue Allen.