

**MINUTES
HORRY COUNTY COUNCIL
REGULAR SESSION
April 19, 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; Paul Whitten; Steve Gosnell; Janet Carter; Beth Fryar; Westley Sawyer; Roland Meyer; 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: The Honorable Harold Worley gave the invocation.

PLEDGE OF ALLEGIANCE: The Honorable Mike Ryan led in the pledge.

PUBLIC INPUT:

1. Nelson Norwood spoke regarding Long Bay Road and construction traffic.
2. Pat Milley spoke regarding cutting trees in residential developments.

Chairman Gilland closed public input.

CHANGES TO THE AGENDA:

Mr. Boyd **moved to add Resolution R-57-05 to the agenda.** Mr. Foxworth **requested to add Resolution R-55-05 to the agenda.** There was no second to the motion. The motion to add passed unanimously.

Mr. Grabowski **requested to remove Ordinance 41-05 from the Consent Agenda.**

Mr. Barnard **requested to remove Ordinances 56-05 and 65-05 from the Consent Agenda.**

Mr. Grabowski **moved to add an announcement regarding the Animal Shelter and an announcement regarding the SC Register of Sex Offenders to the agenda,** seconded by Mr. Ryan. The motion passed unanimously.

Mr. Ryan **moved to add Resolution R-58-05 to the agenda**, seconded by Mr. Boyd. The motion passed unanimously.

Mr. Weaver stated that deferral of Ordinance 40-05 had been requested by the applicant. Mr. Foxworth **moved to defer Ordinance 40-05**, seconded by Mr. Barnard. The motion passed unanimously.

Mr. Weaver reported that Ordinance 36-05, which received Third Reading at the last meeting, had an erroneous tax map number and requested reconsideration to correct the error. Mr. Barnard **moved to add Ordinance 36-05 to the agenda for reconsideration**, seconded by Mr. Frazier. The motion passed unanimously.

APPROVAL OF AGENDA CONTENTS:

Mr. Grabowski **moved to approve the agenda contents as amended**, seconded by Mr. Ryan. The motion passed unanimously.

APPROVAL OF MINUTES: April 5, 2005: Mr. Barnard **moved to approve the minutes as submitted**, seconded by Mr. Boyd. The motion passed unanimously.

MEMORIAL DEDICATION OF MEETING:

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

Laura Ling (Chairman Gilland)
Henry Turner (Chairman Gilland)
Charles & Diane Parker (Chairman Gilland)
Nettie Ruth Jones (Mr. Frazier)

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

- Third reading of **Ordinance 37-05** to approve the request of Hackney Parker, agent for J. Charley Ray, Seaside Mulch PDD, to amend the official zoning maps.
- Third reading of **Ordinance 39-05** to revoke and rescind the sales price for 6.02 acres on Hwy. 50 in Little River and to accept the lesser sum of \$60,000.
- Third reading of the following ordinances to approve the request to amend the official zoning maps (PDD's); **42-05** John Richards, Thomas & Hutton Engineering, agent for Landbank Fund 7, DR Horton, Inc., The Farm PDD; **43-05** James Wooten, agent for Sinkoe Brothers, Little River Commons PDD.
- Third reading of the following ordinances to approve the request to amend the official zoning maps: **44-05** Duane Oliver, agent for WS Wellons Corp; **45-05** Roy Randolph Conner; and **46-05** Jonathan Vereen, agent for Johnice T. Vereen.

- Third reading of **Ordinance 47-05** approving the assignment of the concession previously awarded to Shipgolf.com to Joint Operating Company, LLC.
- First reading of **Ordinance 50-05** amending the county code pertaining to buildings and building regulations.
- First reading of **Ordinance 51-05** granting a quitclaim deed to the City of Conway for all of the county's interest in Collins Jollie Road.
- First reading of **Ordinance 52-05** amending the county code pertaining to vested development rights.
- First reading of the following ordinances to approve the request to amend the official zoning maps: **54-05** Jennifer Richardson, agent for Abbie Rose Development LLC et al; **55-05** Chris Sansbury, agent for Kenneth & Odessa Brown, Trustees; **57-05** Robert Moser, agent for Guy Properties, Inc.; **58-05** Judy C. Norris; **59-05** Jack Pretzell & Patricia Pretzell Harrop; **60-05** Glendale & Carolyn Faye Causey; **61-05** McArthur Bullard, Sr.; **62-05** Marilyn Hyman & Tammy Squires; **63-05** James Lewis, agent for Edward J. Lewis; and **64-05** Charles Allen, agent for CHEF, Inc.

The motion passed unanimously with Mr. Hardee recusing himself from voting.

RESOLUTIONS/PRESENTATIONS:

Resolution R-55-05 dedicating Carolina Forest Blvd. as the Charles McNeill Memorial Blvd. Mr. Boyd spoke briefly on the resolution. Mrs. Jeanwood McNeill Daniel introduced family members. Mr. Foxworth presented the resolution to the family. Mr. Boyd **moved to approve**, seconded by Mr. Foxworth. Mrs. Daniel thanked Council. Mr. Stan Woodlee, SCDNR, spoke briefly thanking Council. Mr. Hardee recognized Mike Prosser and thanked him for being there. Mr. Mark Bara introduced staffers from SCDNR and spoke on the resolution. Mr. Boyd stated there would be a ceremony on May 4th at 11:00 at the Fire Station on Carolina Forest Boulevard.

Resolution R-44-05 recognizing Doris Johnson for her contributions to her community. Police Chief Johnny Morgan presented the resolution to Ms. Johnson. Ms. Johnson spoke briefly thanking Council. Mr. Hardee **moved to approve**, seconded by Mr. Prince. The motion passed unanimously.

Resolution R-45-05 supporting the County Stormwater Management Strategic Plan. Mr. Barnard **moved to approve**, seconded by Mr. Frazier. The motion passed unanimously.

Resolutions accepting dedication of the roads and drainage in the county road system at the following locations: **R-46-05** Hidden Lakes Village Phase I (Vermillion Dr., Jacassee Dr., Sultant Dr., Leowee Ct. & Waterwee Dr.); **R-47-05** Moss Park (Reindeer Moss Ct., Horesetail Moss Ct. & Lichen Ct.); **R-48-05** Kingston Greens Phase II (Timber Ridge Rd.) and **R-49-05** Myrtle Trace South II (Helms Way). Mr. Barnard **moved to approve**, seconded by Mr. Frazier. The motion passed unanimously.

Resolutions to amend certain portions of resolutions adopted by County Council so as to bring them into agreement with the local accommodations tax ordinance. **R-50-05** amending Resolution R-130-04; **R-51-05** amending Resolution R-149-03. Mr. Foxworth **moved to approve**, seconded by Mr. Schwartzkopf. The motion passed unanimously.

Resolution R-52-05 to approve proceeding with the Fantasy Harbour Bridge and North Myrtle Beach Connector as identified in RIDE II. Mr. Barnard **moved to approve**, seconded by Mr. Frazier. Rob Hamzy, SCDOT, provided an update on the projects. The motion passed unanimously.

Resolution R-53-05 requesting additional funding from the County Transportation Committee for improvements to county roadways. Mr. Boyd **moved to approve**, seconded by Mr. Frazier. The motion passed unanimously.

Resolution R-54-05 to *disapprove* the request of Rashe Simpson, agent for Michael Fore, to amend the official zoning maps. Mr. Boyd **moved to approve the disapproval**, seconded by Mr. Barnard. The motion passed unanimously.

Resolution R-57-05 approving a “Special Events Permit” for “Grumpy Productions” on or about Wednesday, May 18, 2005. Mr. Boyd **moved to approve**, seconded by Mr. Hardee. The motion passed unanimously.

Resolution R-58-05 to approve the Socastee Recreation Commission, Inc., entering into a loan with Bank of America for an amount of Seven Hundred Thousand (\$700,000) dollars, the proceeds of which will be used for the refinancing of certain outstanding debt obligations and the expansion of various recreational facilities upon the commission’s property. Mr. Grabowski **moved to approve**, seconded by Mr. Barnard. The motion passed unanimously.

Chairman Gilland called a recess at 7:00 p.m. The meeting reconvened at 7:15 p.m.

READING OF ORDINANCES:

First reading of **Ordinance 65-05** to approve the request of Jimmy Jordan, agent for Gladys M. McNeill to amend the official zoning maps. Mr. Lazarus **moved to approve**, seconded by Mr. Worley. Mr. Barnard requested that in the future an explanation be given in the packet when the Planning Commission and planning staff's recommendations differ. The motion passed. The vote was as follows:

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

First reading of **Ordinance 56-05** to approve the request of L.C. Barnaba, agent for Nathalie Flowers Edge to amend the official zoning maps. Mr. Worley **moved to approve**, seconded by Mr. Barnard. Mr. Barnard requested that Mr. Gosnell and Ms. Carter meet with Mr. Kemp and Airport staff regarding the flight zone approach minimum to decide a coordinating position. The motion passed unanimously.

Third reading of **Ordinance 41-05** to approve the request of Larry Ricks, Dixie Recycling PDD to amend the official zoning maps. Mr. Boyd **moved to approve**, seconded by Mr. Prince. Mr. Grabowski **moved to amend the hours of operation to 7:00 AM to 7:00 PM Monday- Saturday with no operations on Sunday**, seconded by Mr. Prince. The motion to amend passed unanimously. The motion to approve as amended passed. The vote was as follows:

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

Third reading of **Ordinance 36-05** to approve the request of Jon Taylor, agent for Dusenbury PDD to amend the official zoning maps. Mr. Weaver stated the ordinance that was passed previously had the incorrect TMS number and needed to be amended to include TMS# 160-000-3085. Mr. Barnard **moved to amend to include TMS# 160-000-3085**, seconded by Mr. Prince. The motion to amend passed unanimously. Mr. Hardee **moved to approve as amended**, seconded by Mr. Boyd. The motion passed unanimously.

Third reading of **Ordinance 22-05** to approve the request of Robert Lazarus, agent for Harold Wayne Stanley to amend the official zoning maps. Mr. Prince **moved to approve**, seconded by Mr. Hardee. Mr. Lazarus recused himself from voting. The motion passed unanimously.

Second reading and public review of **Ordinance 49-05** to initiate a land use study and recommendations as to appropriate land use, zoning and buffering for commercially developing areas in the northeastern section of Horry County along certain portions of Highway 17. Mr. Worley **moved to approve**, seconded by Mr. Hardee. Mr. Weaver stated proposed amendments had been made and asked Ms. Carter to explain. Ms. Carter stated the **amendments were as follows: Included an exception for repairs to property that didn't include any new construction or additions and to also include a provision that states the County Administrator would have the authority to suspend the moratorium to the extent necessary in the event of a natural disaster such as a hurricane.** Mr. Boyd **moved to amend as stated by Ms. Carter**, seconded Mr. Schwartzkopf. The motion to amend passed unanimously. The following individuals spoke during public review:

1. Gloria Alsop spoke in favor of the ordinance.
2. Lawrence Langdale, Home Builders Association, spoke in opposition of the ordinance.
3. Carlisle Dawsey, Coastal Carolinas Association, spoke in opposition of the ordinance.
4. Dr. Michael O'Conner, Vice President of Heather Lakes HOA, spoke in favor of the ordinance.
5. Dick Dardy, President of Heather Lakes HOA, spoke in favor of the ordinance.
6. Gene Nashion, resident of Heather Lakes, spoke in favor of the ordinance.
7. Bob Weldon, resident of Lake Vista Drive, spoke in favor of the ordinance.
8. Judy Kelly, resident of Heather Lakes, spoke in favor of the ordinance.
9. Linda Siceloff, landowner in the area, spoke in opposition to the ordinance.
10. John Draughn, representing Stanley Praholis, requested 75% in tax relief while the moratorium was in effect.
11. Gloria Franeli spoke in favor of the ordinance.

12. Joe Massey, Broker in Charge of Myrtle Beach Real Estate spoke requesting a compromise on both sides.

Chairman Gilland closed public review.

Mr. Barnard requested a Planner position and an Administrative Assistant position for Ms. Carter's office be advertised. Mr. Barnard **moved to amend the moratorium to six months and come back for an extension**, seconded by Mr. Lazarus. Mr. Worley suggested six months with an automatic three-month extension. Ms. Carter gave a timeline of the process. Mr. Worley suggested six months with thirty-day extensions. Mr. Lazarus suggested hiring temporary help to do some of the legwork. The motion to amend passed. The vote was as follows:

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

Mr. Schwartzkopf asked Mr. Langley if he were willing to present a solution or alternative to the moratorium before third reading. Mr. Langley answered but was inaudible.

Mr. Lazarus spoke regarding buffering.

General Howard Alsop spoke briefly regarding a comment made by Mr. Schwartzkopf.

Mr. Boyd **moved to amend to authorize the addition of a Planner and an Administrative Assistant position**, seconded by Mr. Barnard. Mr. Prince **moved to defer to committee**. The motion to defer died for a lack of a second. Mr. Knight spoke on the process of hiring the positions. Mr. Foxworth called point of order and spoke on the motions. Mr. Weaver addressed the issue. Mr. Boyd **withdrew his motion to amend**. Mr. Lazarus **moved to amend that there will be no other areas to be considered for a moratorium during the study period and would be limited to the Little River corridor that Mr. Worley had proposed**, seconded by Mr. Hardee. The motion to amend failed. The vote was as follows:

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

The motion to approve as amended passed. The vote was as follows:

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

Chairman Gilland called a recess. The meeting reconvened at 9:35 p.m.

Continuation of Ordinance 49-05: Mr. Boyd **moved to approve a Planner position and an Administrative Assistant position**, seconded by Mr. Barnard. The motion passed unanimously.

First reading of Ordinance 53-05 to approve the request of James M. Wooten, agent for EEQ and BCW Family Limited Partnership & Raccoon Run Golf Club, to amend the official zoning maps. Mr. Lazarus **moved to approve**, seconded by Mr. Schwartzkopf. The motion passed unanimously.

First reading of **Ordinance 66-05** authorizing the administrator to execute a lease agreement with AvCraft Support Services for property on Airport premises. Mr. Prince **moved to approve**, seconded by Mr. Lazarus. Mr. Barnard requested information on tie down rates and the number of airplanes at the next meeting. Mr. Foxworth called attention to two different dates shown in the lease agreement for the anniversary date and requested clarification on the correct date. Ms. Schelin and Mr. Kemp spoke briefly on the lease components. Chairman Gilland requested Council members put in writing any concerns related to the lease agreement. The motion passed. The vote was as follows:

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

First reading of **Ordinance 67-05** authorizing the administrator to execute a Declaration of Restrictive Covenants as a condition of the Army Corps of Engineers Permit pertaining to the new airport terminal complex. Mr. Boyd **moved to approve**, seconded by Mr. Lazarus. The motion passed unanimously.

Resolution R-56-05 authorizing the Director of Airports to accept a permit from the Army Corps of Engineers for activities within the new airport terminal complex. Mr. Boyd **moved to approve**, seconded by Mr. Lazarus. The motion passed unanimously.

First reading of **Ordinance 68-05** authorizing the administrator to execute an amendment to the lease agreement between the General Services Administration for additional space at the airport. Mr. Boyd **moved to approve**, seconded by Mr. Grabowski. The motion passed unanimously.

Resolution R-39-05 approving and authorizing the administrator to execute a contract for professional services for governmental relations consulting services. Mr. Hardee **moved to approve**, seconded by Mr. Boyd. Mr. Schwartzkopf **moved to amend Paragraph Nine to Paragraph Ten and then add the following statement: The provider shall submit a monthly written report of their activity to Horry County. These reports are to include but not limited to meetings attended, conferences, correspondence and progress on the assigned activities**, seconded by Mr. Barnard. Chairman Gilland stated Mr. Napier and Mr. Fowler were already turning in monthly reports. It would be distributed to the entire Council. The motion to amend passed unanimously. **Mr. Foxworth recused himself from voting and left the room.** The motion to approve as amended passed. The vote was as follows:

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

First reading of the following ordinances amending the following sections of the Zoning Ordinance pertaining to home occupations: **Ordinance 69-05** to amend Section 437 of the zoning ordinance; **Ordinance 70-05** to amend Section 528 of the zoning ordinance; **Ordinance 71-05** to amend Section 529 of the zoning ordinance; **Ordinance 72-05** to amend Section 530 of the zoning ordinance; and **Ordinance 73-05** to amend Section 531 of the zoning ordinance. Mr. Barnard **moved to approve**, seconded by Mr. Grabowski. The motion passed unanimously.

First reading of **Ordinance 74-05** to raise revenue, make appropriations and adopt a budget for FY ending June 30, 2006. Mr. Boyd **moved to approve**, seconded by Mr. Grabowski. Chairman Gilland distributed a tentative budget workshop schedule and asked Council members to advise the Clerk of any possible conflicts. The motion passed unanimously.

ANNOUNCEMENTS:

County Animal Shelter. Mr. Grabowski stated Charlie Brindel, Association of Realtors, had volunteered to donate a hot water heater for the shelter. Mr. Lawrence Langdale, Home Builders Association, would be conducting a fundraiser to raise money for the shelter. He thanked them for their support.

SC Register of Sex Offenders. Mr. Grabowski stated there had been a lot of talk lately regarding child abduction by registered sex offenders. The public could find out where registered sex offenders lived in Horry County by accessing the web address www.sled.state.sc.

Mr. Boyd announced there would be a meeting in Aynor on Monday, April 25th at 7:00 p.m. regarding I-73. There would also be a Criminal Justice Banquet on Monday, April 25th.

ADJOURN: The meeting adjourned at 10:30 p.m. in memorial of Laura Ling, Henry Turner, Charles and Diane Parker and Nettie Ruth Jones.