

**MINUTES**  
**HORRY COUNTY COUNCIL**  
**Regular Council Meeting**  
**July 6, 2004**  
**6:00 p.m.**

**MEMBERS PRESENT:** Liz Gilland, Chairman; Harold Worley; Mark Lazarus; Marion Foxworth; Mike Ryan; Howard Barnard; Gene Smith; James Frazier; Carl Schwartzkopf; Paul Prince; Kevin Hardee; and John Boyd.

**MEMBERS ABSENT:**

**OTHERS PRESENT:** Danny Knight; Pat Hartley; John Weaver; Steve Gosnell; Paul Whitten; Beth Fryar; Westley Sawyer; Janet Carter; 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 Kevin Hardee gave the invocation.

**PLEDGE OF ALLIGEANCE:** The Honorable Mike Ryan led in the Pledge.

**PUBLIC INPUT:**

1. Carolyn Buckley spoke regarding the Naming of Henry Norris Road. Chairman Gilland requested staff meet with Ms. Buckley to resolve the issue.
2. Rudy Hertz spoke regarding Merchandise Pickup at the Airport. Mr. Boyd stated the issue would be addressed at the July 26<sup>th</sup> Public Safety Committee meeting.
3. Tracy Epperton was to speak regarding Marathon Waste Services but didn't due to the issue being on the August 17<sup>th</sup> agenda.
4. Shep Guyton spoke regarding Ordinance 10-04, Time Share Fee. He requested the ordinance be deferred until a study could be completed by Coastal Carolina University.
5. J.J. Allen spoke regarding Ordinance 10-04, Time Share Fee.

**CHANGES TO THE AGENDA:**

Mr. Lazarus **moved to add to the Consent Agenda two appointments to the Arcadian Shores Special Tax District**, seconded by Mr. Frazier. The motion passed unanimously.

Mr. Worley **moved to add a briefing on the agreement between the Sun Cruise Casino Boat and Horry County**, seconded by Mr. Schwartzkopf. The motion passed unanimously.

Mr. Foxworth **requested to remove from the Consent Agenda Resolution R-95-04.**

Mr. Ryan requested to move up on the agenda Ordinance 73-04 due to the number of people present for that issue.

#### **APPROVAL OF AGENDA CONTENTS:**

Mr. Worley **moved to approve the agenda contents**, seconded by Mr. Boyd. The motion passed unanimously.

#### **APPROVAL OF MINUTES:**

**June 15, 2004 Regular Council Meeting, June 22, 2004 Special Meeting on Tax Increase and Special Meeting June 22, 2004:** Mr. Smith **moved to approve the minutes as submitted**, seconded by Mr. Worley. The motion passed unanimously.

#### **MEMORIAL DEDICATION OF MEETING:**

Mr. Foxworth **moved that upon adjournment that Council adjourn in memorial of Bill Tyler and Dewey Kirkley.** Mr. Frazier **moved that Council also adjourn in memorial of Dorothy Williams.** Mr. Boyd **moved that Council also adjourn in memorial of Ethell Elliott.**

#### **APPROVAL OF CONSENT AGENDA:**

Mr. Lazarus **moved to approve the consent agenda**, seconded by Mr. Hardee. The Consent Agenda consisted of the following:

- First reading of **Ordinance 75-04** authorizing the administrator to execute amendments to concession and service facility lease agreements with various rental car concessionaires to raise the contract facility charge from \$2 per contract day to \$4 per contract day.
- **Resolution R-93-04** approving the submission of a Community Development Block Grant application for workforce education and technology.
- District Appointments to Boards and Commissions:
  - Fred Archer to the Open Space Board
  - John B. Boyd to PARTNERS
  - Joyce Bull to Arcadian Shores Special Tax District.
  - D. Freeman to Arcadian Shores Special Tax District.

The motion passed unanimously.

#### **RESOLUTIONS/PRESENTATIONS:**

**Briefing on Agreement between Sun Cruise Casino Boat and Horry County.** Mr. Worley stated an agreement had been reached which was to allow the two existing boat operations in Little River to substitute boats, comparable boats providing they didn't exceed the existing capacity of 545 customers for Sun Cruise and 401 for Southern Elegance. He further stated that Sun Cruise had agreed to pay Horry County Treasurer's Office on the 20<sup>th</sup> of each month a \$2 fee for the first year and a \$3 fee thereafter for all customers boarding the boat. He requested this matter be referred to the Administration Committee to work with staff in drafting an ordinance for full Council approval. Chairman Gilland referred the issue to the Administration Committee.

**Resolution R-91-04** recognizing and honoring Demetrius A. Williams for her dedication to Horry County Schools. Mr. Frazier presented the resolution to Ms. Williams. Ms. Williams thanked Council for the recognition. Mr. Frazier **moved to approve**, seconded by Mr. Prince. The motion passed unanimously.

**Resolution R-92-04** recognizing and honoring Ebbie Gore for her dedication to Horry County Schools. Mr. Frazier presented the resolution to Ms. Gore. Ms. Gore thanked Council for the recognition. Mr. Frazier **moved to approve**, seconded by Mr. Prince. The motion passed unanimously.

**Resolution R-94-04** honoring Brandon Seymour on his achievement to the rank of Eagle Scout. Mr. Schwartzkopf presented the resolution to Mr. Seymour. Mr. Seymour thanked Council for the recognition. Mr. Schwartzkopf **moved to approve**, seconded by Mr. Smith. The motion passed unanimously.

**Resolution R-96-04** on placing a referendum question on the November 2004 ballot relating to development impact fees. Mr. Worley **moved to approve**, seconded by Mr. Boyd. Mr. Boyd **moved to amend to add a third whereas to read, "Whereas, it is the opinion of Council that the current law on development impact fees are inadequate to fully implement impact fees in Horry County,** seconded by Mr. Lazarus. The motion to amend passed unanimously. Mr. Barnard encouraged Chairman Gilland that if the referendum passed that she send a letter to the School Board offering the option that they had presented to them to participate in the study. The main motion as amended passed unanimously.

Second reading of **Ordinance 10-04** to create a resort fee of \$5.00 per day chargeable to all occupants of vacation timesharing accommodations other than the property owner. Mr. Worley **moved to approve**, seconded by Mr. Boyd. The following people spoke: Ken McKelvey, Shep Guyton and Gary Loftus. Mr. Hardee **moved to defer until October when the study by Coastal Carolina University would be completed**, seconded by Mr. Prince. Mr. Foxworth requested information on premiums, index, and numbers of loss versus gain in terms of motels versus timeshares. Mr. Hardee **withdrew his motion to defer and Mr. Prince withdrew his second.** Chairman Gilland spoke about the Administration Committee meeting in October and requested that Mr. Foxworth alter the date or have a special committee meeting for the purpose of receiving the results of the study. Mr. Barnard **moved to approve second reading and delay third reading until the first meeting in October**, seconded by Mr. Worley. Mr. Lazarus recused himself. The motion passed. The vote was as follows:

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

Chairman Gilland called a recess at 7:30 p.m. The meeting reconvened at 7:50 p.m.

First reading of **Ordinance 73-04** to approve the request of Berry Coggeshall, BEC2, agents for Longwood Island Investors LLC, Prince Creek West PDD, to amend the official zoning maps. Mr. Hardee **moved to approve**, seconded by Mr. Lazarus. Mr. Coggeshall and Mr. Jack Reel spoke regarding the project. Chairman Gilland requested that staff contact CTC for funds for a turn lane and to report back at the second reading of the ordinance. Ms. Julie Harbin spoke on behalf of the Blackmoor Community. The motion passed unanimously.

**Presentation on the East Coast Greenway Bike Path in Horry County.** James Bishoff from the Planning Department presented a powerpoint presentation on the bike path. Mark Howeller spoke briefly on the bike path. Mr. Barnard **moved to send the issue to the I&R Committee to review**, seconded by Mr. Ryan. The motion passed unanimously.

**Resolution R-67-04** approving the sale of 2.1 acres in the Atlantic Center to Spann Properties LLC. Mr. Boyd **moved to approve**, seconded by Mr. Schwartzkopf. The motion passed unanimously.

**Resolution R-68-04** approving the sale of 1.86 acres in the Atlantic Center to John W. Harrelson. Mr. Boyd **moved to approve**, seconded by Mr. Hardee. The motion passed unanimously.

**Resolution R-97-04** on subdividing lots on first and second row beach property. Mr. Prince **moved to approve**, seconded by Mr. Ryan. Mr. Prince **moved to amend for the Garden City Beach area only**, seconded by Mr. Smith. Ms. Carter explained the resolution. The motion to amend passed unanimously. The main motion as amended passed unanimously.

**Resolution R-95-04** ratifying the submission of a grant application and accepting grants from the FAA to the Department of Airports. Mr. Smith **moved to approve**, seconded by Mr. Hardee. Mr. Foxworth **moved to amend Paragraph A, subset three to read as the following- “to reimburse the County for property already acquired”**, seconded by Mr. Lazarus. The motion to amend passed unanimously. The main motion as amended passed unanimously.

#### **READING OF ORDINANCES:**

Second reading and public review of the following ordinances to approve the request to amend the official zoning maps:

**Ordinance 63-04** Planning Commission for Billy N. Watts; **Ordinance 64-04** Jon Taylor, agent for George Sabella; **Ordinance 65-04** Michael Jenkins, agent for Johnnie Mae Timmons; **Ordinance 66-04** James Wooten, agent for D.R. Horton; **Ordinance 67-04** Thomas Rowley, agent for SEACAM LLC; **Ordinance 68-04** Kermit D. Todd; and **Ordinance 69-04** Floyd and Vicki Seay. Mr. Frazier **moved to approve**, seconded by Mr. Boyd. There was no public review. The motion passed unanimously.

Second reading and public review of **Ordinance 70-04** to amend the zoning ordinance providing clarification relating to vision clearance. Mr. Barnard **moved to approve**, seconded by Mr. Boyd. There was no public review. Mr. Meyer explained the rezoning. Chairman Gilland requested pictures of various car dealerships at third readings. The motion passed. The vote was as follows:

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

Second reading and public review of **Ordinance 71-04** to amend the zoning ordinance relating to off-premise signage. Mr. Smith **moved to approve**, seconded by Mr. Barnard. There was no public review. Mr. Smith **moved to amend (B) Spacing – to remove Neighborhood Commercial (NC) and to add RC, CR, RSC, and TRS**, seconded by Mr. Schwartzkopf. The motion to amend passed unanimously. Mr. Hardee and Mr. Lazarus recused themselves. The main motion as amended passed unanimously.

Second reading and public review of **Ordinance 72-04** amending the county code pertaining to the membership of the Planning Commission. Mr. Lazarus **moved to approve**, seconded by Mr. Barnard. There was no public review. Mr. Weaver spoke briefly on the ordinance. The motion passed. The vote was as follows:

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

Second reading of **Ordinance 74-04** to postpone by one year the implementation of the county's real property reassessment. Mr. Boyd **moved to approve**, seconded by Mr. Lazarus. The motion passed unanimously.

#### **OLD/NEW BUSINESS:**

**Discussion on the Request for Proposals for PARTNERS Efficiency Study.** Mr. Weaver stated the request for proposals for the efficiency study was prepared by the Procurement Office and was sent to the board of PARTNERS who made certain recommendations and amendments. These had been adopted into the document. The only change was the response deadline date would be moved to the end of July.

**Discussion on new state legislation on the discharge of fireworks.** Mr. Whitten stated there was new State legislation providing some level of relief in the fireworks area. The legislation had been reviewed by staff and it was determined that it didn't give Council the authority to regulate fireworks. It gave them the authority to receive requests that they could extend into public property. It had some significant administrative burdens on Council and had some difficulties in enforcement.

He recommended this issue be sent to the Public Safety Committee to provide a through briefing at that forum. Mr. Boyd **moved to send to the Public Safety Committee**, seconded by Mr. Frazier. Mr. Lazarus stated they needed to find a plan to handle enforcing the law as it would be written by state law. He thanked staff and Environmental Services for cleaning up the beach. The motion passed unanimously.

**ANNOUNCEMENTS:** There were none.

**ADJOURN:**

Mr. Hardee **moved to adjourn**. The meeting adjourned at 9:40 p.m.