

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
May 16, 2006
6:00 p.m.**

MEMBERS PRESENT: Liz Gilland, Chairman; Harold Worley; Mark Lazarus; Marion Foxworth; Mike Ryan; Howard Barnard; Carl Schwartzkopf; Paul Prince; and Kevin Hardee.

MEMBERS ABSENT: James Frazier; Bob Grabowski; and John Boyd.

OTHERS PRESENT: Danny Knight; Pat Hartley; John Weaver; 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 6:10 p.m.

INVOCATION: Mr. Hardee gave the invocation.

PLEDGE: Mr. Worley led in the pledge.

PUBLIC INPUT:

1. Benny Swans requested that the County participate in the 1% Children's Reinvestment Plan.
2. Dorothy Shock spoke on traffic on Meadow Lake Lane and requested the road be made private because of repair costs that she and her neighborhood had incurred.
3. Sherry Higginbottom spoke in opposition to Ordinance 81-06. Chairman Gilland requested that Council receive a copy of Ms. Higginbottom's presentation.

Chairman Gilland closed public input at 6:25 p.m.

CHANGES TO AGENDA:

Mr. Worley requested to move Ordinance 97-06 from the Reading of Ordinances to the Consent Agenda, seconded by Mr. Ryan. The motion passed. The vote was as follows:

In favor

Worley	Schwartzkopf
Lazarus	Prince
Foxworth	Hardee
Ryan	Gilland
Barnard	

Opposed

Absent

Grabowski
Frazier
Boyd

Mr. Foxworth moved to add Ordinance 98-06 to the agenda, seconded by Mr. Ryan. The motion passed. The vote was as follows:

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

Mr. Schwartzkopf requested to add an announcement regarding a recreation donation.

Mr. Hardee moved to defer to the next meeting the nomination for the SWA appointment, seconded by Mr. Prince. The motion failed. The vote was as follows:

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

Mr. Lazarus requested to add an announcement regarding a recreation expenditure for the City of Myrtle Beach.

Mr. Prince requested to remove from the Consent Agenda the following ordinances: Ordinance 67-06; 73-06 and 80-06.

Mr. Prince moved to defer Ordinance 90-06, seconded by Mr. Hardee. The motion passed. The vote as follows:

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

Mr. Prince moved to defer Ordinance 72-06, seconded by Mr. Ryan. Mr. Lazarus recused himself from voting. The motion passed. The vote was as follows:

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

Mr. Weaver requested Resolution R-66-06 be added. **Mr. Hardee moved to add Resolution R-66-06 to the agenda, seconded by Mr. Prince.** Mr. Weaver stated South Carolina Parks, Recreation, and Tourism requested that Myrtle Beach assume the responsibility for Myrtle Beach State Park lifeguard services for this year under a contract. They had discussed this with one of the franchisees and the ability to take that task on had been agreed to and the State had agreed to pay for it. The lifeguard service was through George Lack. **The motion passed. The vote was as follows:**

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

APPROVAL OF AGENDA CONTENTS: Mr. Ryan moved to approve the agenda as amended, seconded by Mr. Schwartzkopf. The motion passed. The vote was as follows:

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

APPROVAL OF MINUTES: Regular Meeting, May 2, 2006 and Budget Workshop, April 27, 2006. Mr. Worley moved to approve the minutes as submitted, seconded by Mr. Ryan. The motion passed. The vote was as follows:

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

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

Robert Jamison (Mr. Frazier)
Helen E. Morant (Mr. Frazier)
Bessie Brown (Mr. Foxworth)
William Richardson (Mr. Foxworth)
Tab Spivey (Mr. Hardee)
Janice Kay Dimsdale (Mr. Prince)

APPROVAL OF CONSENT AGENDA: Mr. Worley 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: **58-06** Frank Allen Harris; **59-06** Brightstar, LLC, agent for Ernest Herring & Steven Nixon; **60-06** ETD LLC, agent for Aley Custom Homes; **61-06** Randy & Sandra Conner; **62-06** Mickey Howell, agent for Brian Stamey; **63-06** Horry County Planning for Herbert & Barbara Baker; **64-06** Thomas & Jesse Brown; **65-06** Thomas & Hutton Engineering; **66-06** Thomas & Hutton Engineering, agent for James Sarvis; **68-06** James Wooten, agent for WCR Partnership; **69-06** Jerry Fehlig, agent for Donald Bellamy; **70-06** Jerry Fehlig, agent for Andy Duncan; **71-06** Carl Zrimsek; **74-06** Venture Engineering, agent for Chandler Properties; **75-06** Venture Holdings LLC, agent for PJ Investment; **76-06** Anthon Holmes, agent for Mary Pearl Shelley; **77-06** Jeff Solan Associates for James Shelley; **78-06** Peggy Snowden; and **79-06** Clifton Rogers, agent for Peter Horner & Larry Gasque.
- First reading of the following ordinances to approve the request to amend the official zoning maps: **87-06** Signature Homes of SC for T&J Builders; **88-06** Jeff Solan & Associates, agent for Roger Kyle Ely; **89-06** Jeff Solan & Associates, agent for Bucksville Oaks LLC; **91-06** Ruby Livingston & K. Charles Nash; **92-06** Loretta & James Vereen, agent for Margah B. Grissett; **93-06** Alfredo & Yvette Cruz; **94-06** Ashlei Tysinger, agent for William Henry & Tanya Anderson and **95-06** James Wooten, agent for Ernest & Juanita Baxley.
- First reading of **Ordinance 97-06** to approve an exchange of properties between Horry County and Myra Starnes Vereen.
- **Resolution R-60-06** to accept dedication of the roads and drainage at Avalon IIIB (Whetstone Ln, Hollybrooke Dr, Wickalow Way, Blackwolf Dr) into the county road system.

The motion passed. The vote was as follows:

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

RESOLUTIONS/PRESENTATIONS:

Presentation of historical preservation awards by the Horry County Board of Architectural Review.

David Douglas, Member of the Board of Architectural Review, presented four awards for outstanding contributions to Horry County's heritage. The first award went to the Allsbrook Rankin House and was presented to Jacqueline Mishoe. The second award went to C.B. Berry for his research of Horry County and his outstanding service to the County. The third award went to Morris Manor and was presented to Mayor Charles Dawsey and former Mayor John Dawsey. The fourth award went to Bear Bluff Plantation. The Vereen family was not present due to an illness and the award would be sent to them.

Resolutions to *disapprove* the request to amend the official zoning maps: **R-61-06** Ashton Development LCC; **R-62-06** Kevin Sansbury, agent for Pitch Landing Partnership; and **R-63-06** Timothy Koerner. **Mr. Hardee moved to approve the disapproval, seconded by Mr. Worley. The motion passed. The vote was as follows:**

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

Resolution **R-64-06** modifying the beach franchise agreement with South Strand Beach Service, LLC to include the beach area in front of the South Carolina State Park. **Mr. Foxworth moved to approve, seconded by Mr. Schwartzkopf.** Mr. Whitten stated South Carolina Parks, Recreation and Tourism asked the County to negotiate with the franchisee for lifeguard service and they had done that. They were passing the entire cost to the SCPRT and there was no cost to the County. **The motion passed. The vote was as follows:**

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

Chairman Gilland called a recess at 6:45 p.m. The meeting reconvened at 6:58 p.m.

READING OF ORDINANCES:

Third reading of **Ordinance 81-06** to approve the request of James Wooten, agent for Cypress Commons PDD, to amend the official zoning maps. **Mr. Hardee moved to approve, seconded by Mr. Lazarus.** Mr. Worley requested that Council deny the rezoning request. Mr. Gosnell stated staff recommended approval. **Mr. Foxworth moved to amend to reduce the units to 720, seconded by Mr. Hardee. The motion to amend passed. The vote was as follows:**

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

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

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

Mr. Worley requested to change his vote to a favorable vote in order to bring the ordinance back for reconsideration at the next meeting. The final vote was:

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

Mr. Foxworth left the meeting at 7:15 p.m.

Second reading and public review of **Ordinance 82-06** to expand the boundaries of the Socastee Recreation Special Tax District so as to include entire lots when a portion is within the district. **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>Absent</u>
Worley	Prince		Grabowski
Lazarus	Hardee		Frazier
Ryan	Gilland		Boyd
Barnard			Foxworth
Schwartzkopf			

Second reading and public review of **Ordinance 83-06** to alter the boundaries of the B&C Multi-County Business Parks so as to incorporate approximately 10.05 acres and to remove approximately 25.55 acres. **Mr. Hardee 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>Absent</u>
Worley	Prince	Ryan	Grabowski
Lazarus	Hardee		Frazier
Barnard	Gilland		Boyd
Schwartzkopf			Foxworth

Second reading and public review of **Ordinance 84-06** authorizing the administrator to execute a concession and lease agreement (airport advertising concessions management) at the Myrtle Beach Int'l Airport. **Mr. Schwartzkopf moved to approve, seconded by Mr. Prince. There was no public review. The motion passed. The vote was as follows:**

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

Second reading and public review of **Ordinance 85-06** authorizing the administrator to execute an amendment to the lease between Horry County and Prime Times Golf, Inc. for premises located within the Myrtle Beach Int'l Airport. **Mr. Prince moved to approve, seconded by Mr. Lazarus. There was no public review. The motion passed. The vote was as follows:**

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

First reading of **Ordinance 86-06** to impose a 1% sales and use tax pursuant to the Capital Project Sales Tax Act; to provide for a county-wide referendum on the tax; to provide for the administration and payment of the tax; to provide for bonds to be issued; and to provide for other matters relating thereto. **Mr. Barnard moved to approve, seconded by Mr. Schwartzkopf.** Mr. Coupe DeVille, Chairman of the Capital Project Sales Tax Act Commission, provided an explanation of the process of selecting road projects and presented a list of projects in priority order. Mr. DeVille introduced Commission members Lee Sherman and Janice Cutts. **The motion to approve failed. The vote was as follows:**

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

First reading of **Ordinance 96-06** to approve the request of Thomas & Hutton Engineering, agent for Myrtle Grove PDD, to amend the official zoning maps. Mr. Prince requested that he and Chairman Gilland contact them regarding the PDD. **Mr. Prince moved to approve, seconded by Mr. Ryan. The motion passed. The vote was as follows:**

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

First reading of **Ordinance 98-06** to approve the request of Thomas & Hutton Engineering, agent for Landbank, LLC, Berkshire Village PDD, to amend the official zoning maps. **Mr. Hardee moved to approve, seconded by Mr. Prince. The motion passed. The vote was as follows:**

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

Third reading of **Ordinance 67-06** to approve the request of Eddie White, agent for Angelina Patrick to amend the official zoning maps. **Mr. Prince moved to approve, seconded by Mr. Hardee.** Chairman Gilland read a letter from Ms. Patrick stating they agreed to pay for paving a .10-mile stretch of Elbow Road leading into her property. Mr. Weaver stated the email represented a promise and good intentions but did not pass the legalities. He said it needed to be deferred and amended appropriately. Ms. Carter stated this was a R-4 rezoning and they could not condition the approval. She realized that putting it in the record showed the intent and when it came to the Planning Commission for development approval they would certainly point out that the promise was made and then the Planning Commission could chose to try to hold them to the promise at that time. That was the best they could do regarding enforcement. Ms. Carter would put the letter in the rezoning file. **The motion passed. The vote was as follows:**

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

First reading of **Ordinance 73-06** to approve the request of William Hunt & Ted Baker for Sharon Spivey and Joe Livingston to amend the official zoning maps. **Mr. Prince moved to approve, seconded by Mr. Hardee.** Ted Baker, applicant and Pastor in James Island, SC, stated that his company would like to donate \$10,000 to a request that was heard a few meetings ago in which a lady who was a volunteer for parks and recreation asked for funds to help provide adequate recreation needs for over 600 kids. He said there was a park on Hwy. 57 and Hwy. 90 that could benefit from their assistance. **The motion passed. The vote was as follows:**

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

Third reading of **Ordinance 80-06** to approve the request of Etd of SC, agent for Waterfall III PDD, to amend the official zoning maps. **Mr. Worley moved to approve, seconded by Mr. Prince.** Chairman Gilland had spoken to Senator Ray Cleary, a partner in the development. He was prepared to offer \$500 per unit for the development. There were to be 316 total units in the development. **Mr. Prince moved to amend to accept the \$500 per unit, seconded by Mr. Hardee. The motion to amend passed. The vote was as follows:**

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

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

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

OLD/NEW BUSINESS:

Nominations for Appointment to the Solid Waste Authority Board of Directors. Seat held by Rod Smith- term expiring 6/30/06. Nomination of Rod Smith was presented by Mr. Barnard. Mr. Hardee nominated Amelia Woods, seconded by Mr. Ryan. **Mr. Lazarus moved to defer, seconded by Mr. Hardee. The motion to defer passed. The vote was as follows:**

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

ANNOUNCEMENTS:

Employees of the Quarter. Mr. Knight said he appreciated the comments from Council regarding staff. He announced that the following employees were selected as the Employees of the Quarter: Lillian Oliver from E-911 Communications; Carolyn Wright from Stormwater and Helen Turner from the Assessor's Office. Each winner received \$250, a parking space of their choice, and would be included in the Christmas drawing for a chance to win \$1,000.

Distribution of Recreation Funds:

- Mr. Schwartzkopf - \$5000 for the Conway Marina Park for furniture and plant material.
- Mr. Lazarus- \$8000 to the City of Myrtle Beach to replace the scoreboard for the football field at the Old Air Base.

ADJOURNMENT: The meeting adjourned at 8:07 p.m. in memorial of Robert Jamison; Helen E. Morant; Bessie Brown; William Richardson; Tab Spivey; and Janice Kay Dimsdale.