

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
October 4, 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; 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 6:02 p.m.

INVOCATION: Mr. Barnard gave the invocation.

PLEDGE: Mr. Hardee led in the pledge.

PUBLIC INPUT: There was none.

CHANGES TO AGENDA:

Mr. Grabowski requested to remove Ordinance 156-05 from the Consent Agenda.

Mr. Boyd moved to defer the Presentation and Recognition of William Altman to the next meeting, seconded by Mr. Grabowski. The motion passed unanimously.

Mr. Boyd requested to remove Ordinance 137-05 from the Consent Agenda.

Mr. Worley moved to discharge the Administration Committee from any further consideration of Ordinance 138-05 (LYMO), seconded by Mr. Lazarus. The motion passed. The vote was as follows:

In favor

**Worley
Lazarus
Foxworth
Ryan
Barnard**

**Grabowski
Frazier
Schwartzkopf
Hardee
Gilland**

Opposed

**Boyd
Prince**

Mr. Worley moved to bring Ordinance 138-05 to full Council for consideration for third reading, seconded by Mr. Lazarus. The motion passed. The vote was as follows:

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

Mr. Hardee moved to add discussion on the recent County Tax Bills under Old/New Business, seconded by Mr. Grabowski. The motion passed unanimously.

Mr. Barnard moved to add discussion on a Lawsuit that had just been received, seconded by Mr. Grabowski. The motion passed unanimously.

Mr. Foxworth moved to add Resolution R-133-05, seconded by Mr. Ryan. The motion passed unanimously.

Chairman Gilland requested to add a Legal Issue for Executive Session. Mr. Grabowski moved to approve, seconded by Mr. Schwartzkopf. Mr. Weaver stated it was a legal issue involving the Administration Division. The motion failed. The vote was as follows:

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

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

APPROVAL OF MINUTES: September 20, 2005 Regular Meeting and September 22, 2005 Workshop on Building Height Restrictions: Mr. Hardee moved to approve the minutes as submitted, seconded by Mr. Ryan. The motion passed unanimously.

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

Judge Sidney Thomas Floyd (Chairman Gilland)
Richard Gray (Chairman Gilland)
Aubrey Keefe "Buddy" Rogers, Jr. (Mr. Ryan)
Lynwood Spain (Mr. Frazier)
Thomas "T" Green (Mr. Frazier)
Chappelle Gause (Mr. Foxworth)
Larry "Ray" Edwards, Jr. (Mr. Boyd)
Lena Martin Johnson (Mr. Boyd)
Jesse Paul Chestnut, Jr. (Mr. Boyd)

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

Third reading of **Ordinance 140-05** authorizing the development of a jointly owned and operated industrial park to be located solely in Georgetown County between Horry County and Georgetown County.

First reading of **Ordinance 157-05** to amend the FY 2006 budget so as to authorize one part-time administrative assistant for the Coroner's Office.

Resolution R-127-05 recognizing and adopting the National Incident Management System.

Resolution R-129-05 to approve certain weapons as surplus property.

District Appointment of Larry Hyman to the Open Space Board.

The motion passed unanimously.

RESOLUTIONS/PRESENTATIONS:

Presentation- Annual Update on the Auditor's Office operations. Ms. Eargle, Horry County Auditor, presented an update on the operations of the Auditor's Office and introduced members of her staff.

Resolution R-130-05 declaring October as Domestic Violence Awareness Month. **Mr. Schwartzkopf moved to approve, seconded by Mr. Boyd. The motion passed unanimously.** Ms. Gale Olive, Board Member of CASA, spoke briefly and thanked Council.

Resolution R-131-05 relating to the disbursement of District Recreations funds authorized in the FY06 budget. **Mr. Worley moved to approve, seconded by Mr. Barnard. Mr. Prince moved to table, seconded by Mr. Grabowski. Mr. Worley stated his funds would be used for the North Strand Park. Mr. Prince called point of order. Mr. Grabowski withdrew his second to table. Mr. Foxworth seconded the motion to table. Chairman Gilland called for a vote to table with no discussion. The vote was as follows:**

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

Mr. Boyd moved to refer the resolution to the I&R Committee, seconded by Mr. Lazarus. The motion passed unanimously. Chairman Gilland suggested the issue be put on November's I&R meeting agenda.

READING OF ORDINANCES:

Second reading and public review of the following ordinances to approve the request to amend the official zoning maps: **142-05** Kevin Sansbury, agent for Southside Enterprises; **143-05** Tony Cox, agent for Burroughs & Chapin Co.; **145-05** James Wooten, agent for Eastern Shores Realty Holdings; **146-05** James Wooten, agent for Eastern Shores Realty Holdings; **147-05** Mark Giarusso, agent for EM-One; **148-05** Alexander Smalls and Cynthia Smalls McClure; **149-05** Danny Hardee, agent for Wellons Brothers General Partnership; **150-05** Garry & Judy Brewer; **151-05** Horry County Planning, agent for William Ambrose & Carpenter Properties; **152-05** James Robinson, agent for Columbia Farms. **Mr. Lazarus moved to approve, seconded by Mr. Frazier. There was no public review. The motion passed unanimously.**

Second reading and public review of **Ordinance 144-05** to approve the request of Joseph & Patricia Cuzzo to amend the official zoning maps. **Mr. Boyd moved to approve, seconded by Mr. Barnard.** Mr. Cuzzo spoke briefly about his plans for screening the property. There was no public review. **The motion passed unanimously.**

Second reading and public review of **Ordinance 155-05** to amend the 2006 Budget so as to provide additional funding and two new positions for a centralized drug court. **Mr. Grabowski moved to approve, seconded by Mr. Boyd. There was no public review. The motion passed. The vote was as follows:**

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

Second reading and public review of **Ordinance 154-05** to approve the request of James Wooten, agent for TRICO Property Investors, Windsor PDD, to amend the official zoning maps. **Mr. Ryan moved to approve, seconded by Mr. Prince.** The following people spoke at public review:

1. Art Linkletter spoke in opposition to the rezoning.
2. Jane Lipan spoke in opposition to the rezoning.
3. Mike Wooten, representing TRICO properties, spoke briefly on the issue and requested moving forward with second reading.
4. Steve Alger, Jackson Companies, spoke from the audience on the number of units proposed.

Mr. Boyd requested Mr. Wooten speak with the developer and report at third reading what type of fee would be provided, perhaps a combination of money and land for a road.

5. Dennis Wade, Jackson Companies, stated Mr. Howell did not have authority to enter into a contract with the planetarium group.

The motion to approve passed unanimously.

Third reading of **Ordinance 137-05** to approve the request of Jon Taylor, agent for South Carolina Coastal Development, Waterway Plantation Multifamily, to amend the official zoning maps. **Mr. Boyd moved to approve, seconded by Mr. Barnard.** Ms. Carter referred to an error in the ordinance that referenced 692 units for multi-family high-rise. The correct number is 776. **Mr. Boyd moved to defer and requested the developer be prepared to state at the next meeting what they would do in the local communities to help fund some of the projects, seconded by Mr. Grabowski. The motion to defer passed unanimously.**

First reading of **Ordinance 156-05** to amend the county code to allow the county administrator to stop construction where there has been a significant failure of the road pavement structure. **Mr. Boyd moved to approve, seconded by Mr. Barnard. Mr. Grabowski moved to defer to the I&R Committee, seconded by Mr. Hardee.** Mr. Gosnell stated the issue had been discussed at the last I&R Committee meeting and was forwarded with a recommendation. Mr. Hardee suggested looking at increasing the requirements of a road before accepting it into the county road system. Mr. Gosnell stated they had photographic evidence they could bring in that would illustrate the problem. Mr. Hardee also spoke on the development approval and requiring that they bond the road in case of damage. Mr. Gosnell stated he would discuss that with Ms. Carter and see if that were an option they could add in. Mr. Foxworth stated that if these were going to be done in phases, it seemed as part of the PDD, that the specifications for the road ought to also escalate so as not to allow the problem to create itself. Mr. Gosnell stated they could certainly look at the possibility of making an additional standard for those situations. Mr. Schwartzkopf spoke on warning the drivers and construction operators. Mr. Grabowski suggested that the Horry-Georgetown Homebuilders Association help. Mr. Barnard stated the I&R Committee had invited the homebuilders and realtors to sit with them and they had done so and were actively participating with them and were very helpful. **The motion to approve first reading passed. The vote was as follows:**

In favor

**Worley
Lazarus
Ryan
Barnard
Grabowski**

**Frazier
Schwartzkopf
Prince
Boyd
Gilland**

Opposed

**Foxworth
Hardee**

Chairman Gilland called a recess at 7:52 p.m. The meeting reconvened at 8:03 p.m.

OLD/NEW BUSINESS:

Discussion on Property Tax Bills. Mr. Hardee requested staff explain the increase on the tax notices. Ms. Wright stated the appraisal of the property had increased. Mr. Mincey spoke on the tax billing and the value of the property. Mr. Hardee stated they needed to explain it better with a separate bill sent for the School District. Mr. Barnard requested staff come back to the next meeting and compare millage to millage and the property across the County where it went down, stayed the same, and went up. Chairman Gilland stated she had asked Mr. Mincey and Ms. Wright to be prepared to give a presentation at the next meeting. Mr. Hardee stated the presentation needed to be done over a series of meetings. Mr. Lazarus requested someone from Finance explain the School Board's taxes. He also requested a chart showing taxes from the municipalities. Mr. Boyd requested staff provide a balance and breakeven point.

Third reading of **Ordinance 138-05** to amend the FY06 budget so as to provide additional funding for Waccamaw Regional Transportation Authority, Inc. **Mr. Worley moved to approve, seconded by Mr. Lazarus.** Mr. Boyd reiterated Council's action that referred the issue to the Administration Committee at the last meeting. The Committee had not met since then. **Mr. Grabowski moved to defer to the Administration Committee, seconded by Mr. Boyd. Mr. Prince moved to amend the motion to send the issue back to the Administration Committee. The motion to amend to send it to the Administration Committee passed unanimously.**

Resolution R- 133-05 to recognize and congratulate the First Baptist Church of Myrtle Beach on the occasion of their 135th Anniversary of their organization as a church in Horry County. **Mr. Foxworth moved to approve, seconded by Mr. Barnard.** Mr. Foxworth spoke briefly on the resolution. **The motion to approve passed unanimously.**

Lawsuit Discussion. Mr. Barnard asked Mr. Weaver if he needed any financial or additional attorney assistance. Mr. Weaver stated at this point he didn't and if that changed he would not hesitate to ask. He further stated he would report to Council by October 25th as to the position and action the County would take.

ANNOUNCEMENTS:

Chairman Gilland announced that the next meeting would be October 25th. She also announced that she and Mr. Boyd would be going to Tokyo, Japan between now and the next meeting with the new president of Myrtle Beach Regional Economic Development and a few board members to lure businesses here and to also boost tourism. She would give a report to Council on October 25th.

Mr. Lazarus asked what would be the next step in the height restriction ordinance which precipitated the lawsuit. Mr. Weaver stated it would be before the I&R Committee on October 13th and would then come before Council for second reading and public hearing on October 25th. Chairman Gilland stated it was on the height restrictions.

Mr. Grabowski stated that he would be using funds from his District 6 travel account for cleanup of abandoned properties in his district.

ADJOURNMENT: The meeting adjourned at 8:40 p.m. in memorial of Judge Sidney Thomas Floyd; Richard Gray; Aubrey Keefe "Buddy" Rogers, Jr.; Lynwood Spain; Thomas "T" Green; Chappelle Gause; Larry "Ray" Edwards, Jr.; Lena Martin Johnson; and Jesse Paul Chestnut, Jr.