

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
January 20, 2009
8:40 p.m.**

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

MEMBERS ABSENT:

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 8:40 p.m. stating a workshop had been held at 6:00 p.m.

INVOCATION: Mr. Schulz gave the invocation.

PLEDGE: Mr. Loftus led the pledge.

PUBLIC INPUT:

1. Michael Visnich spoke on public safety and illegal aliens.
2. Ed Suggs/Sheila Bond were to speak on flow control but was absent.

Chairman Gilland closed public input at 8:50 p.m.

CHANGES TO THE AGENDA:

Mr. Schulz recused himself from voting on Ordinance 07-09 and Resolution R-17-09.

Mr. Schulz moved to defer Resolution R-09-09 to the next meeting. There was no second to the motion but a vote was taken that passed unanimously.

Mr. J. Prince moved to defer Ordinance 129-08 to the next meeting, seconded by Mr. Schwartzkopf. The motion passed unanimously.

APPROVAL OF AGENDA CONTENTS: There was no motion nor a second to approve the agenda as amended but a vote was taken that passed unanimously.

APPROVAL OF MINUTES: Regular Meeting January 6, 2009: Mr. J. 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:

Darla Backus
Janet McCormack
Robert Young
Roynal Seymour, Jr.
James Hendrick, Jr.
Holly Edge
William Davis, Jr.
Wilbert Wilkes
Bernie Hardwick
William Viers
Derl Hinson
Joe McIntyre, Sr.
Reba Buffkin
Linsey Gasque
Stacy Grainger
Juanita Ray
Carmelia Alston
Chalmer Stalvey

CHARATERISTIC OF THE MONTH: Orderliness: arranging myself and my surroundings to achieve greater efficiency.

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

Third reading of **Ordinance 143-08** providing for the offense of defrauding and refusing to pay an operator of a vehicle for hire.

Third reading of the following ordinances to approve the request to amend the official zoning maps: **144-08** Timmy Thompkins and **145-08** Castle Engineering, agent for Waccamaw Distribution Center PDD.

Third reading of **Ordinance 146-08** to amend the FY 2008 budget so as to reduce the authorized transfer from the general fund to the capital projects fund by \$2.8 million and to delete that portion of the projects from the capital projects fund.

First reading of **Ordinance 05-09** amending the FY 2009 budget so as to include state funding for the Public Defender and to incorporate the Public Defender's Office as a county department.

First reading of **Ordinance 06-09** amending the FY 2009 budget so as to include funding for the Public Defender Georgetown Division and to incorporate the Public Defender's Georgetown Office into the county budget.

First reading of **Ordinance 07-09** to amend the FY 2009 budget so as to authorize the appropriation and transfer of \$500,000 from the Industrial Park Fund to the Airport Fund for the purpose of providing infrastructure for the Myrtle Beach Int'l Commerce Park.

First reading of the following ordinances to approve the request to amend the official zoning maps: **08-09** Thomas & Hutton, agent for Landbank LLC and Horry County, Tract 20 PDD; **09-09** Thomas & Hutton, agent for Landbank LLC and Horry County, Ten Oaks Tract PDD; **10-09** Robert Guyton, agent for Raccoon Run Golf Club; **11-09** Carolina Site Design, agent for Paddy Village PDD; **12-09** Gail Olive, agent for Habitat for Humanity and **13-09** James & Alice Allen.

First reading of **Ordinance 14-09** to add the following cemeteries to the Horry County Historic Property Register as individual historic properties: Rogers Cemetery, Stevenson Cemetery, Johnson Cemetery, Stroud Cemetery, Elliott Cemetery, Royals Cemetery, St. Peter AME Church Cemetery, St. Matthews Missionary Baptist Church Cemetery, Centenary United Methodist Church Cemetery, Sweetwater Baptist Church Cemetery, Socastee United Methodist Church Cemetery, Hughes Cemetery, Daniel Chestnut Cemetery, Barnhill/Martin Cemetery, Hamilton Cemetery, True Vine Missionary Baptist Church Cemetery, Ridgefield Baptist Church Cemetery, Noie Blanton Graveyard, Harrelson/Mills Cemetery, McCracken Cemetery, and the Waller Burying Ground.

First reading of **Ordinance 15-09** authorizing the administrator to execute and consummate a settlement agreement between the Myrtle Trace Homeowners Assn and Horry County which will include conveyance by the county to the homeowners association of roads located within the Myrtle Trace Retirement Community previously dedicated to the county.

Resolutions to accept dedication of the roads and drainage into the county maintenance system at the following locations: **R-10-09** Atlantic Center Tract H (Bohemia Ct); **R-11-09** Lafayette Park PH 2A (Enderby Way, Blackpepper Loop, Excelsior Dr); **R-12-09** Links PH 3 @ Int'l Club (Seville Dr, Castle Rock Ct); **R-13-09** Links PH 4 @ Int'l Club (Seville Dr, Whitechurch St); **R-14-09** Sommerset Cove PH 2 (Dowenbury Dr, Annese Dr, Battey Dr); **R-15-09** Southgate PH 8 (Pleasant Point Ln, Gatewick Ct); **R-16-09** Southgate PH 9 (Gatewick Ct) and **R-17-09** Clear Pond Ph 1 @ Myrtle Beach National (Gardner Lacy Rd, Marsh Wood Dr, Bramble Wood Dr, Vista Wood Dr, Marsh Vista Ct, Clear Pond Blvd, Bramble Glen Dr, Saddle Wood Cr, Reed Brook Dr, Vista Glen Ct, Briar Vista Dr, Briar Patch Ct, White Wing Cr).

The motion passed. (Mr. Barnard voted nay on Resolutions R-10-09 through R-17-09; Mr. Schulz recused himself from voting on Ordinance 07-09 and Resolution R-17-09.)

RESOLUTIONS/PRESENTATIONS:

Resolution R-08-09 congratulating Megan Kingsley on qualifying for the 2009 National Club Swimming Association Junior National Championship. **Mr. P. Prince moved to approve, seconded by Mr. Grabowski. The motion passed unanimously.** Chairman Gilland presented the resolution to Ms. Kingsley. Mr. Jim Smith, Coach, thanked Council.

READING OF ORDINANCES:

Second reading of **Ordinance 123-06** to approve the request of Tim Wilkes, agent for Seventeen South LLC, to amend the official zoning maps. **Mr. Loftus moved to approve, seconded by Mr. Grabowski. The motion passed unanimously.**

Second reading and public review of **Ordinance 01-09** amending the FY 2009 budget so as to authorize and provide funding for the design and construction of Harrelson Boulevard. **Mr. Grabowski moved to approve, seconded by Mr. Allen.** There was no public review. **The motion passed unanimously. (Mr. Foxworth was absent.)**

Second reading and public review of Ordinances granting beach franchises to designated franchises as follows: **03-09A** North Beach Service, Inc. for the North Beach area; **03-09B** South Strand Beach Services LLC for the Central Beach area and **03-09C** Beach Services LTD for the South Beach area. **Mr. Grabowski moved to approve, seconded by Mr. Allen.** There was no public review. **The motion passed unanimously. (Mr. Foxworth was absent.)**

Second reading of **Ordinance 131-08** to amend the zoning ordinance pertaining to temporary vending overlay zones and temporary vending fees and requirements. Chairman Gilland requested that Council suspend the rules to allow limited public comment with two speakers from each side for up to five minutes each. **Mr. Foxworth moved to suspend the rules, seconded by Mr. Barnard. The motion passed unanimously. Mr. Barnard moved to approve Ordinance 131-08, seconded by Mr. Schulz.** Janet Carter gave a briefing on the ordinance. The following people spoke: 1. Don Perry, Lakewood Camping Resort. 2. Connie Miller. 3. David Ankin, Dog House North and Irongate. 4. Paul Bennick. **Mr. Worley moved to amend to reduce permits in all areas by 25% of the total number of permits that were issued last year in each district; delete C.4 Temporary vending in the SSTVO and the NSTVO shall be limited to shopping malls that encompass at least 35 contiguous acres in the aggregate; 2.12 Increase from 5 days to 7 days to have one day to set up and one day to take down which would have 5 days for vending and the permit fees for all rallies Spring, Fall and Memorial Day weekend in all districts SSTVO and NWTVO be reduced from \$1500 to \$800 and for the SWTVO and the NWTVO reduce to \$500 along with the WTVO would be reduced to \$500, would be the same which was \$500, seconded by Mr. Grabowski.** Mr. Worley stated they could come back after the fall rally and revisit and if there were still problems they would adjust. Mr. Schulz stated he couldn't support this and requested that District Two be excluded. Mr. Barnard concurred with Mr. Schulz and stated this didn't do anything for his district and stated they could just go to zero permits. Mr. Weaver spoke on the new plan that outlined the five districts. Mr. Worley stated he would be

willing to put a sunset in the ordinance to revisit it. **The motion to amend failed. The vote was as follows:**

| | |
|------------------------|-----------------------|
| <u>In favor</u> | <u>Opposed</u> |
| Grabowski | Barnard |
| Worley | Schulz |
| Frazier | J. Prince |
| P. Prince | Loftus |
| Foxworth | Allen |
| Gilland | Schwartzkopf |

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

| | |
|------------------------|-----------------------|
| <u>In favor</u> | <u>Opposed</u> |
| Barnard | Worley |
| Schulz | Foxworth |
| Schwartzkopf | Grabowski |
| Allen | P. Prince |
| Frazier | |
| Loftus | |
| J. Prince | |
| Gilland | |

First reading of **Ordinance 04-09** to amend the County Code so as to provide for a revised system of special event permitting. **Mr. Barnard moved to approve, seconded by Mr. Loftus.** Mr. Whitten explained the ordinance. **Mr. Grabowski moved to defer until reviewed by committees, seconded by Mr. Worley.** Chairman Gilland stated she would prefer to have first reading and then move it to committee and resolve the issues. **Mr. Grabowski withdrew his motion to defer. Mr. Worley withdrew his second.** Chairman Gilland further stated that in committee she would like for them to look at the idea of setting it up much like they did the fireworks ordinance where the decision making came down to a Public Safety Committee as opposed to one person. **The motion to approve passed. The vote was as follows:**

| | |
|------------------------|-----------------------|
| <u>In favor</u> | <u>Opposed</u> |
| Schwartzkopf | Worley |
| Loftus | Grabowski |
| Schulz | P. Prince |
| Allen | |
| Frazier | |
| Barnard | |
| J. Prince | |
| Foxworth | |
| Gilland | |

Mr. Grabowski requested that Ordinance 04-09 be sent to the Public Safety Committee.

OLD/NEW BUSINESS:

Election of Vice Chairman. **Mr. Allen moved to nominate Bob Grabowski as Vice Chairman, seconded by Mr. Worley. Mr. Loftus moved to accept Mr. Grabowski by acclamation. The motion passed unanimously.**

ADJOURNMENT: The meeting adjourned at 10:15 p.m. in memorial of Darla Backus, Janet McCormack, Robert Young, Roynal Seymour, Jr., James Hendrick, Jr., Holly Edge, William Davis, Jr., Wilber Wilkes, Bernie Hardwick, William Viers, Derl Hinson, Joe McIntyre, Sr., Reba Buffkin, Linsey Gasque, Stacy Grainger, Juanita Ray, Carmelia Alston and Chalmer Stalvey.