

MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
April 4, 2006
6:00 p.m.

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

MEMBERS ABSENT: Howard Barnard and John Boyd.

OTHERS PRESENT: Danny Knight; Pat Hartley; 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 6:06 p.m.

INVOCATION: Mr. Lazarus requested a moment of silence in honor of the men and women serving in our armed forces overseas and then gave the invocation.

PLEDGE: Mr. Ryan led in the pledge.

PUBLIC INPUT:

1. Bob Weldon, Community Coalition of Little River, spoke on preserving the history of Little River.
2. Don Shanks was to speak on Shark Fishing but was absent.
3. Deloris Willabob spoke on Ordinance 27-06 and a situation with people having to move their homes that were not financially able to do so.
4. Cassandra Glen spoke on speeding on Eva Road.

Chairman Gilland closed public input at 6:23 p.m.

CHANGES TO AGENDA:

Mr. Foxworth requested to move Resolution R-27-06 from Resolutions/Presentations to the Consent Agenda.

Mr. Grabowski moved to defer the District Appointment of Justin Wyatt to the Socastee Recreation Special Tax District Commission to the next meeting, seconded by Mr. Schwartzkopf. The motion passed. The vote was as follows:

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

Mr. Worley moved to add Resolutions R-41-06 and R-41-06A 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	Frazier	Barnard
Lazarus	Schwartzkopf	Boyd
Foxworth	Prince	
Ryan	Hardee	
Grabowski	Gilland	

Mr. Foxworth moved to add a Presentation from Hugh Owens, MBREDC, in Executive Session, which resulted from the Special Administration Committee meeting that day, seconded by Mr. Schwartzkopf. The motion passed. The vote was as follows:

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

Mr. Prince moved to defer Resolutions R-37-06 and R-39-06, seconded by Mr. Ryan. The motion passed. The vote was as follows:

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

Mr. Prince requested to remove Ordinance 31-06 from the Consent Agenda. Ms. Carter spoke briefly on the site plan from the developer.

Mr. Prince requested to remove Ordinance 33-06 from the Consent Agenda.

Mr. Prince moved to defer Ordinance 30-06, seconded by Mr. Grabowski. The motion passed. The vote was as follows:

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

Ms. Carter pointed out that Resolution R-41-06 was already on the agenda.

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

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

APPROVAL OF MINUTES: March 14, 2006: Mr. Prince moved to approve the minutes as submitted, seconded by Mr. Hardee. The motion passed. The vote was as follows:

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

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

Frances D. Wilson (Mr. Frazier)
Gussie B. Anderson (Mr. Frazier)
Johnny H. Belcher (Mr. Frazier)
George Richardson (Mr. Frazier)
Anthony Chad Owens (Mr. Frazier)
John Henry Jackson (Mr. Prince)

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

- Third reading of the following ordinances to approve the request to amend the official zoning maps: **21-06** Robert Gallagher, agent for Case Development, Inc.; **22-06** Castles Engineers, agent for Bear Bone & Bear Claw Associates; **23-06** Moses & Verian Ladson; **24-06** Dennis Permenter; **25-06** Innovative Design, agent for David Frick and Paul & Sarah Urban; **26-06** Robert Guyton, agent for Dan & Denise Lagaly and Arthur & Mary Kindle; **27-06** Helen & Gene Smith; **28-06** Thomas & Hutton, agent for DR Horton; **29-06** Shannon Jordan, agent for Daryl Hucks; **32-06** Retha Walters; **35-06** Randy Pigate Construction Co.; **36-06** Tommy & Janice West; and **37-06** Bobby Miller, agent for Nell Johnson et al.
- Third reading of **Ordinance 38-06** to approve the request of JWH Engineering, agent for George Townsend, Prado Verde PDD, to amend the official zoning maps.
- Third reading of **Ordinance 17-06** to amend the zoning ordinance pertaining to application procedures for amendments to the zoning ordinance.
- First reading of **Ordinance 57-06** approving the conveyance of a right-of-way known as Park Street & Lake Drive in the Dunes Cove section of the city of Myrtle Beach and authorizing the execution of a quit claim deed.
- First reading of **Ordinance 18-06** amending the zoning ordinance pertaining to administrative procedures for rezoning to GRn zoning district.
- Resolutions to accept dedication of the roads and drainage in the county system at the following locations: **R-35-06** Park Street, North Myrtle Beach; **R-36-06** Willard Street, North Myrtle Beach; and **R-38-06** Plantation Lakes Phase VIA, Carolina Forest (Juxa Dr., Caldee Ct., Windsong Ct., Rivolo Ct.)
- **Resolution R-42-06** approving the policy for public use of county-owned facilities.
- **Resolution R-27-06** recognizing and honoring Myrtle Beach Intermediate School for its selection as 2006 Carolina First Palmetto's Finest School.

The motion passed. The vote was as follows:

In favor

**Worley
Lazarus
Foxworth
Ryan
Grabowski**

**Frazier
Schwartzkopf
Prince
Hardee
Gilland**

Opposed

Absent

**Barnard
Boyd**

RESOLUTIONS/PRESENTATIONS:

Dick Rosen, partner with Hard Rock Theme Park, thanked Council for their support. Construction on the park would begin next month and would be open in two years. Steve Goodwin, Hard Rock Theme Park, spoke briefly thanking Council and staff. Chairman Gilland spoke on having enough staff in Planning to handle the workload coming up.

Resolution R-30-06 recognizing the late Virginia and Cornell Foy for their contributions to Myrtle Beach's recovering community. **Mr. Grabowski presented the resolution to Warren and Marsha Covington. Mr. Prince moved to approve, seconded by Mr. Schwartzkopf. Mr. Covington thanked Council for the recognition. The motion passed. The vote was as follows:**

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

Resolution R-32-06 establishing our county as a County of Character with the International Association of Character Cities. Larry Biddle explained the Character Cities Program. **Mr. Frazier moved to approve, seconded by Mr. Hardee. The motion passed. The vote was as follows:**

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

Resolution R-33-06 approving and authorizing a space use permit for the occupancy of office space in Building 326 at Myrtle Beach Int'l Airport by Hobbs Properties. **Mr. Worley moved to approve, seconded by Mr. Hardee. The motion passed. The vote was as follows:**

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

Resolution R-40-06 to approve exemption of approximately 23.96 acres located on SC Hwy. 707 within the southern leg of the Carolina Bays Parkway from the requirements of the official map ordinance. **Mr. Prince moved to approve, seconded by Mr. Hardee. The motion passed. The vote was as follows:**

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

Resolution R-41-06 authorizing and approving accommodations tax funding. **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	Ryan	Barnard
Lazarus	Foxworth	Boyd
Frazier	Grabowski	
Schwartzkopf	Gilland	
Prince		
Hardee		

Resolution R-41-06A authorizing and approving accommodations tax funding. **Mr. Prince moved to approve, seconded by Mr. Hardee. The motion passed. The vote was as follows:**

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

Chairman Gilland called a recess at 7:05 p.m. The meeting reconvened at 7:19 p.m.

Chairman Gilland referred to the ordinances that had been removed from the Consent Agenda.

Third reading of **Ordinance 31-06** James Wooten, agent for M&D development to amend the official zoning maps. **Mr. Prince moved to approve, seconded by Mr. Frazier.** Ms. Carter spoke briefly on the site plan stating that if this development did not reflect 42 lots when it came to the Planning Commission she would let Council know. **The motion passed. The vote was as follows:**

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

Third reading of **Ordinance 33-06** Venture Engineering, agent for Jack Lazarus to amend the official zoning maps. **Mr. Hardee moved to approve, seconded by Mr. Frazier. Mr. Lazarus recused himself from discussion and voting.** Steve Powell stated the developer had agreed to pave Long Acre Road to at least the third entrance. **The motion passed. The vote was as follows:**

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

Chairman Gilland requested that the I&R Committee or an ad hoc committee of Council members negotiate with developers on new development.

READING OF ORDINANCES:

Mr. Foxworth requested to take Ordinance 44-06 separately from the list of ordinances.

Second reading and public review of the following ordinances to approve the request to amend the official zoning maps: **42-06** Raymond Pugh; **43-06** Ken Watson, agent for Marvin Singleton; **45-06** Huck Thicken, agent for Match Point at Carolina Forest, LLC; **47-06** Jason White, agent for Ella Ann Boyd; **48-06** James Wooten, agent for Hucks Rice, LLC; **49-06** Castles Consulting Engineers, agent for Chestnut Farms, River Bluff LCC; **50-06** Venture Engineering, agent for F.W. Jordan & Albertine D. Jordan; **51-06** Paul Himmelsbach, agent for Westley Vereen; **52-06** Jack Ward; **53-06** Dianne Arrants; and **54-06** Felix Pitts, agent for Burroughs & Chapin Co. **Mr. Hardee moved to approve, seconded by Mr. Schwartzkopf.** The following people spoke:

1. Pam Creech spoke on the approval of new development in the western part of the County.
2. Henry Bell spoke on drainage issues related to Ordinance 49-06 and presented maps of the area. Chairman Gilland requested Mr. Garigen meet with Mr. Bell to address drainage concerns.

Mr. Worley requested to take Ordinance 49-06 separately from the list of ordinances.

The motion passed. The vote was as follows:

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

Second reading of **Ordinance 49-06** Castles Consulting Engineers, agent for Chestnut Farms, River Bluff LCC. **Mr. Hardee moved to approve, seconded by Mr. Schwartzkopf. The motion passed. The vote was as follows:**

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

Second reading and public review of **Ordinance 44-06** Derrick Blanton Construction, Inc. to amend the official zoning maps. **Mr. Prince moved to approve, seconded by Mr. Grabowski. The following people spoke:**

1. Charles Corbett spoke in opposition.
2. Ted Watts spoke in opposition.
3. Al Hitchcock spoke in opposition.
4. Burton Constance spoke in opposition.
5. George Graham spoke in favor.

The motion failed. The vote was as follows:

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

Second reading and public review of **Ordinance 19-06** to approve the request of the Horry County Planning Department to amend the zoning maps for the Little River Comprehensive Rezoning. **Mr. Worley moved to approve, seconded by Mr. Schwartzkopf.** The following people spoke:

1. Sam Dragner spoke in favor.
2. Brad Ingram spoke on his nursery business.

Mr. Hardee suggested that notification be mailed again when there were multiple properties being rezoned. Chairman Gilland suggested they repost the rezoning signs.

3. John Draughn spoke in opposition and about the notice process. He distributed letters to Council from property owners requesting RE-4 zoning.
4. Mr. Howell Bellamy spoke in opposition.
5. Mike Lewis spoke in opposition.

Chairman Gilland closed public review.

Mr. Lazarus moved to remand Ordinance 19-06 to the Planning Commission for further review, seconded by Mr. Hardee. The motion failed. The vote was as follows:

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

Chairman Gilland requested that Ms. Carter send out letters as soon as possible to the same list of people indicating the passing of second reading if it passed.

The main motion failed. The vote was as follows:

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

Mr. Foxworth moved to reconsider Second reading of Ordinance 19-06, seconded by Mr. Ryan. Chairman Gilland stated the vote failed for a lack of a majority and that Mr. Foxworth asked for something before they were finished voting so the motion failed.

Second reading and public review of **Ordinance 20-06** to adopt the Little River Overlay Zone. **Mr. Foxworth moved to approve, seconded by Mr. Worley.** Ms. Carter referred to a revised version that included a graphics package that illustrated the concepts that were included in the overlay. The following people spoke:

1. Mike Lewis spoke in opposition.
2. Sam Dragner spoke in favor.

Chairman Gilland closed public review.

The motion passed. The vote was as follows:

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

Mr. Hardee moved to reconsider Second reading and public review of Ordinance 19-06 and remand it to the Planning Commission, seconded by Mr. Foxworth. The motion to reconsider and remand passed. The vote was as follows:

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

Chairman Gilland stated they would send out letters again as well as post signs on the property. There would also be another public hearing.

Chairman Gilland called a recess at 9:25 p.m. The meeting reconvened at 9:35 p.m.

Second reading and public review of **Ordinance 39-06** to approve the request of Ricky J. Doyle, Doyle Minor PDD, to amend the official zoning maps. **Mr. Hardee 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	Schwartzkopf	Barnard
Lazarus	Prince	Boyd
Ryan	Hardee	Foxworth
Grabowski	Gilland	
Frazier		

Second reading and public review of **Ordinance 40-06** to approve the request of Thomas & Hutton Engineers, agent for Prince Creek West PDD, to amend the official zoning maps. **Mr. Ryan 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	Schwartzkopf	Barnard
Lazarus	Prince	Boyd
Ryan	Hardee	Foxworth
Grabowski	Gilland	
Frazier		

Second reading and public review of **Ordinance 41-06** to approve the request of American Dream Homes LCC, Varin Vista PDD, to amend the official zoning maps. **Mr. Ryan 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	Schwartzkopf	Barnard
Lazarus	Prince	Boyd
Ryan	Hardee	Foxworth
Grabowski	Gilland	
Frazier		

First reading of **Ordinance 56-06** to raise revenues, make appropriations and adopt a budget for FY ending June 30, 2007. **Mr. Grabowski moved to approve, seconded by Mr. Schwartzkopf.** Mr. Knight spoke briefly on the budget and presented a handout on fund balances. **The motion passed.**
The vote was as follows:

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

OLD/NEW BUSINESS:

Direction to staff on the county's responsibilities relating to sexually-oriented businesses. Chairman Gilland stated she would place on an upcoming budget workshop agenda a discussion on what direction the Council should take on enforcement.

Discussion on the 701 Connector (Southern Evacuation Route). Chairman Gilland stated that the planning work on building a road that would connect the South Strand area to Hwy. 701 had begun. Public hearings would be held during the process.

Discussion on the long-term master plan for Horry County. Chairman Gilland announced that a memorandum of understanding had been signed by Coastal Carolina University and Clemson University to conduct a strategic master plan for the growth of the County.

ANNOUNCEMENTS:

Disbursements of District Recreation Funds:

Mike Ryan - \$3,000 for Burgess Community Center

John Boyd - \$10,000 for Michael Morris Park

Kevin Hardee- \$5,000 for Green Sea-Floyds High School Booster Club

Kevin Hardee- \$1,500 Carolina Youth Girls Travel Team

Mr. Foxworth stated they had received a memorandum from Mr. Weaver regarding an ethics committee ruling. He stated as they moved forward with the budget process, Council would be voting on things that members of Council had had a hand in. He requested that before the budget came back for second reading that Mr. Weaver address that issue and issue a follow-up memorandum as to whether or not they were okay or needed to do something different in the future.

Report on previous disbursements. There was no discussion.

Mr. Hardee left at 9:55 p.m.

Discussion on Fee-in-Lieu. Mr. Owens stated recently the MBREDC had been approached by two companies considering a location in Horry County. Company A was a company interested in locating a facility in Horry County to produce construction materials. In order to attract them to the area a fee-in-lieu of taxes agreement may be required. The company wanted Council to consider a fee-in-lieu of tax arrangement assuming a straight negotiated fee-in-lieu of taxes of 6% assessment ratio with a .1987 millage rate for five years. Mr. Owens stated he was not authorized by the company to provide information regarding their project in a public forum.

EXECUTIVE SESSION:

Mr. Grabowski moved to go into Executive Session, seconded by Mr. Schwartzkopf. The motion passed. The vote was as follows:

In favor

Worley

Lazarus

Foxworth

Ryan

Grabowski

Frazier

Schwartzkopf

Prince

Gilland

Opposed

Absent

Barnard

Boyd

Hardee

Mr. Prince moved to come out of Executive Session, seconded by Mr. Grabowski. The motion passed. The vote was as follows:

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

Ms. Carter stated Council went into Executive Session for the purpose of receiving a briefing from Mr. Owens regarding economic development prospects. She further stated no votes were taken and no decisions were made.

ADJOURNMENT:

Mr. Prince moved to adjourn, seconded by Mr. Schwartzkopf. The motion passed. The vote was as follows:

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

The meeting adjourned at 10:17 p.m. in memorial of Frances D. Wilson; Gussie B. Anderson; Johnny H. Belcher; George Richardson; Anthony Chad Owens; and John Henry Jackson.