

**MINUTES
HORRY COUNTY COUNCIL
REGULAR SESSION
January 18, 2005
6:00 pm**

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; Paul Whitten; Steve Gosnell; Janet Carter; Beth Fryar; Westley Sawyer; 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. and welcomed everyone.

INVOCATION: The Honorable Howard Barnard gave the invocation.

PLEDGE OF ALLEGIANCE: The Honorable Paul Prince led in the pledge.

Mr. Boyd introduced Ms. Connie Christy, the music teacher at Aynor Elementary School, along with the members of the Aynor Blue Jam Pan Band- steel drum band, who played before the Council meeting. He thanked them for coming.

PUBLIC INPUT:

1. Mariam Carroll spoke in opposition to Ordinance 1-05, rezoning request of Fred Fleming, agent for Glenwood LLC .
2. Vinnie Moskovich was to speak regarding Golf Carts at Garden City Beach and School Traffic at St. James Elementary School but wasn't present.
3. Pam Creech spoke regarding Citizens and Council Relationship.

Chairman Gilland closed public input.

CHANGES TO THE AGENDA:

Mr. Lazarus **requested to remove Ordinance 22-05 from the Consent Agenda to recuse himself from discussion and voting.**

Mr. Frazier **moved to remove Resolution R-11-05 from the agenda**, seconded by Mr. Boyd. The motion passed unanimously.

Mr. Grabowski **moved to add the Appointment of Mary Anne Dorio to the Board of Assessment Appeals**, seconded by Mr. Hardee. The motion passed unanimously.

Mr. Grabowski **requested to remove Ordinance 17-05 from the Consent Agenda**.

Mr. Grabowski **moved to add under Old/New Business a discussion on the Impact Fee Issue and discussion on starting a citizen committee to look at the issue**, seconded by Mr. Lazarus. The motion passed unanimously.

Chairman Gilland **removed Resolution R-09-05 from the Consent Agenda**.

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

APPROVAL OF MINUTES:

January 4, 2005 Regular Session: Mr. Boyd **moved to approve the minutes as submitted**, seconded by Mr. Barnard. The motion passed unanimously.

MEMORIAL DEDICATION OF MEETING: Mr. Frazier **moved that upon adjournment Council adjourn in memorial of Peggy Cox; Janelle Parker; and Mildred Thompson. Mr. Boyd requested that they also adjourn in memorial of James Mitchell Prince; Joe Martin; Lonnie King and Herman Lambert.**

ELECTION OF COUNCIL VICE-CHAIRMAN:

Mr. Frazier **moved to nominate Marion Foxworth as Vice-Chairman**, seconded by Mr. Ryan. Mr. Worley **moved to close nominations and elect Councilman Foxworth by acclamation**, seconded by Mr. Boyd. The motion passed unanimously to close nominations and elect Mr. Foxworth as Vice Chairman. Mr. Foxworth thanked Council.

Chairman Gilland reminded Council of the annual Budget Retreat coming up February 24-26th.

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

- Third reading of the following ordinances to approve the request to amend the official zoning maps: **Ordinance 136-04** Joseph Edward James; and **Ordinance 137-04** Carol Ann Stevens, agent for Wayne R. Stevens.

- Third reading of **Ordinance 139-04** approving the acceptance of a deed evidencing the transfer of Building 352 from the MBAFB Redevelopment Authority to the Horry County Dept. of Airports.

- First reading of the following ordinances to approve the request to amend the official zoning maps: **16-05** Alice & Merlin Woodward, Jr.; **18-05** James M. Wooten, agent for Alford & Isaac Properties; **19-05** Tonja Morton, agent for Carl, Benjamin, Leo & Becky Vereen; **20-05** TEG LLC; **21-05** Mark Greene, agent for Blanchard Machinery Co.; **23-05** Billy D. Gore, Trustee; **24-05** Olease Cannon; and **25-05** Horry County Planning, agent for Willa Bell, Hazel Milligan & Daisy Hardee.
- First reading of **Ordinance 26-05** to amend the FY 2005 budget so as to approve the purchase of 8 vehicles for beach patrol.
- **District Appointment** Appointment of Robert L. Boyd to the Stormwater Advisory Committee representing District 9.
- **District Appointment** Appointment of Mary Anne Dorio to the Board of Assessment Appeals.

RESOLUTIONS/PRESENTATIONS:

Resolution R-10-05 honoring Connie Christy’s accomplishment of being chosen as one of the 20 teachers named to the 7th All-USA Teacher Team by *USA Today*. Mr. Boyd presented the resolution to Ms. Christy. Ms. Christy thanked Council for the recognition. Mr. Boyd **moved to approve**, seconded by Mr. Hardee. The motion passed unanimously.

Resolution R-07-05 favoring a 3-day hurricane forecast by the National Oceanic and Atmospheric Administration. Mr. Whitten requested the five-day forecast stay as is. Mr. Lazarus **moved to approve**, seconded by Mr. Prince. The motion passed. The vote was as follows:

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

Resolution R-08-05 to *disapprove* the request of Charles Allen, agent for Chef, Inc., to amend the official zoning maps. Mr. Hardee **moved to approve the disapproval**, seconded by Mr. Grabowski. Ms. Carter spoke briefly on the vote by the Planning Commission. The motion passed unanimously.

Resolution R-09-05 to accept dedication of the roads and drainage at Waterford Plantation Phase III (Angel Ct., Labrador Ct., Cocker Ct., Golden Ct., Bay Haven Dr., Harvest Dr.) into the county road system. Mr. Foxworth **moved to approve**, seconded by Mr. Hardee. Chairman Gilland stated she would be voting no from this point forward until a program was put together for maintenance of the roads. Mr. Barnard requested this issue be sent to the I&R Committee. The motion passed. The vote was as follows:

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

READING OF ORDINANCES:

Coastal Carolina Arena Items:

Third reading of **Ordinance 111-04** to develop a joint owned and operated business park with Marion County located at Coastal Carolina University; Third reading of **Ordinance 112-04** authorizing the issuance and sale of special source revenue bonds for the Coastal Carolina Arena project; and Third reading of **Ordinance 113-04** authorizing the execution of a fee in lieu of tax agreement with Coastal Carolina Arena LLC. Mr. Hardee **moved to approve**, seconded by Mr. Boyd. John Gandy spoke regarding the arena project. Mr. Boyd **moved to amend Ordinance 112-04 to include the following language which would be a new paragraph, "Paragraph Ten: It is specifically understood and emphasized by this Council that no entity, whether public or private, shall hereafter return to Horry County Council for the purpose of seeking additional bonding capacity or an additional millage increases for the purpose of either completing the arena's construction, stabilizing its operation or undertaking its ownership"**, seconded by Mr. Worley. The motion passed unanimously. Mr. Boyd **requested that the following information for dates for various entities be included in the ordinance: Two dates for the City of Conway; Two dates for Horry County; Five dates for Horry County School District; One date annually for Horry-Georgetown Technical College. Mr. Gandy agreed to these dates.** Mr. Weaver stated it was his opinion and the opinion of the outside independent bond counsel that it was okay for Council to pass all three ordinances jointly at third reading subject to a final review of approval of the completed documents. He stated that Council had not been presented with the letter of credit which they were told was forthcoming. Council had not been presented with the property description and there were a number of blanks left in the 99-page document that needed to be cleared up. He further stated it was advisable that Council pass it subject to that condition and then by resolution at a later time they could tell the folks that it had Council's full approval of the final documents. Mr. Weaver stated Mr. Gosnell's division would oversee the letter of credit annually.

Mr. Worley requested that Mr. Weaver add language that put the County on notice of any activity or change in the letter of credit. Mr. Gandy spoke regarding the letter of credit and briefly about Mr. David DeSpain's stepping down as the lead agent. The main motion as amended passed. The vote was as follows:

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

Second reading of **Ordinance 138-04** to amend the zoning ordinance pertaining to the establishment of new commercial and agricultural zoning districts. Mr. Boyd **moved to approve**, seconded by Mr. Hardee. The motion passed unanimously. Mr. Lacy Cannon thanked Council for hearing him at the last meeting.

Chairman Gilland called a recess at 7:10 p.m. The meeting reconvened at 7:20 p.m.

Second reading of the following ordinances to approve requests to amend the official zoning maps: **1-05** Fred Fleming, agent for Glenwood LLC; **2-05** Robert Bellamy & Assoc., agent for American Mining Company; **3-05** Palmetto Holdings Group LLC; **4-05** Frostie Gayle Royals Doyle; **5-05** Venture Engineering, agent for Conrad Gore; **6-05** Joseph D. Spivey; **7-05** Gene & Lora Merritt; **8-05** Debora King, agent for Earl & Mary King; and **9-05** Pamela Hardee, agent for Larue Royals. Mr. Hardee **moved to approve**, seconded by Mr. Frazier. The motion passed unanimously.

Second reading of **Ordinance 10-05** to approve the request of Claude M. Epps, agent for Charter Development Company, Kingston Professional Park PDD, to amend the official zoning maps. Mr. Hardee **moved to approve**, seconded by Mr. Prince. Chairman Gilland requested that Mr. Epps check on the curb cuts. Mr. Epps stated he would address that with the engineers and would report back to Council prior to third reading. The motion passed. The vote was as follows:

<u>In favor</u>	<u>Opposed</u>	<u>Not Present</u>
Worley		Foxworth
Lazarus		
Ryan		
Barnard		
Grabowski		
Frazier		
Schwartzkopf		
Prince		
Hardee		
Boyd		
Gilland		

Second reading of **Ordinance 11-05** to approve the request of The LandArt Company/DDC Engineers, agents for Alfred Brancifort III, S&W Ready Mix Concrete PDD, to amend the official zoning maps. Mr. Hardee **moved to approve**, seconded by Mr. Frazier. Mr. Benjamin Edge, Jr. spoke in opposition to the project. Mr. Worley **moved to table to give the residents and developer more time to discuss it**, seconded by Mr. Frazier. Ms. Carter spoke on the allowed uses. The motion to table passed unanimously.

Second reading of **Ordinance 12-05** to amend the zoning ordinance allowing non-commercial personal use buildings on properties as a principal structure. Mr. Boyd **moved to approve**, seconded by Mr. Barnard. The motion passed unanimously.

Second reading of **Ordinance 13-05** authorizing the administrator to execute a quitclaim deed to L&L Enterprises for excess right-of-way adjacent to its property on Chapel Lane. Mr. Hardee **moved to approve**, seconded by Mr. Boyd. The motion passed unanimously.

Second reading of **Ordinance 14-05** to establish a steering committee for the purpose of guiding the 2005 Horry County Comprehensive Plan Update. Mr. Schwartzkopf **moved to approve**, seconded by Mr. Barnard. Mr. Boyd **moved to delete under Environmental Interests- Department of Marine Science and insert the Department of Natural Resources, Mr. Alex Johnson's office, and to delete under Major Property Owners- Canal Holdings and insert the company that represented the Holiday Family**, seconded by Mr. Lazarus. The motion to amend passed unanimously. The main motion as amended passed unanimously.

First reading of **Ordinance 17-05** to approve the request to amend the official zoning maps for Horry County for John & Denise Anderson. Mr. Grabowski **moved to approve**, seconded by Mr. Schwartzkopf. Mr. Grabowski **moved to amend to allow three horses**, seconded by Mr. Hardee. The motion to amend passed unanimously. The main motion as amended passed unanimously.

First reading of **Ordinance 22-05** to approve the request to amend the official zoning maps for Horry County for Robert Lazarus, agent for Harold Wayne Stanley. Mr. Boyd **moved to approve**, seconded by Mr. Prince. Mr. Lazarus recused himself from voting. Ms. Carter spoke about the zoning requests. The motion passed unanimously.

OLD/NEW BUSINESS:

Hard Rock Theme Park. Chairman Gilland stated that a more detailed description would be given at the Administration Committee meeting Monday, January 24th at 6:00 p.m. Steven Goodwin, representative from the theme park, briefed Council on the progress of the design and development of the park.

Impact Fees/Citizen Committee. Mr. Grabowski suggested a committee be formed to review the current impact fee legislation. The committee should be comprised of members from the general population, the construction industry, as well as the local development and real estate companies. Chairman Gilland sent the issue to the I&R Committee.

Appointments to Council Committees. Chairman Gilland appointed the Council committees for 2005.

Public Safety Committee

John Boyd, Chairman
Paul Prince
Bob Grabowski
Kevin Hardee

I&R Committee

Howard Barnard, Chairman
Carl Schwartzkopf
James Frazier
Harold Worley

Administration Committee

Mike Ryan, Chairman
Marion Foxworth
Mark Lazarus

ADJOURNMENT: The meeting adjourned at 8:15 p.m. in memorial of Peggy Cox; Janelle Parker; Mildred Thompson; James Mitchell Prince; Joe Martin; Lonnie King; and Herman Lambert.

