

**HORRY COUNTY COUNCIL
REGULAR MEETING
February 21, 2006
6:00 p.m.**

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

MEMBERS ABSENT: Harold Worley and James Frazier.

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 6:02 p.m.

INVOCATION: Mr. Boyd gave the invocation.

PLEDGE: Mr. Foxworth led in the pledge.

STATE OF THE COUNTY ADDRESS: Ms. Gilland gave an overview of the County's operations and programs. She spoke on several issues including the new Library, public safety, infrastructure and regulation, Myrtle Beach Airport, information technology, jail expansion, police precincts, as well as providing statistics on the growth population and property taxes.

CHANGES TO AGENDA:

Mr. Grabowski moved to add Resolution R-24-06 and R-25-06, seconded by Mr. Ryan. The motion passed. The vote was as follows:

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

Mr. Boyd moved to add a discussion on Casino Boats, seconded by Mr. Ryan. The motion passed. The vote was as follows:

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

Mr. Boyd moved to add a discussion on Interstate 73, seconded by Mr. Grabowski. The motion passed. The vote was as follows:

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

Mr. Lazarus moved to remove from the Consent Agenda Ordinances 17-06, 18-06, 19-06 and 20-06, seconded by Mr. Boyd.

Mr. Lazarus moved to remove Ordinance 33-06 from the Consent Agenda.

Mr. Ryan moved to remove Ordinance 24-06 from the Consent Agenda.

Mr. Boyd moved to defer Resolution R-23-06 until the next meeting, seconded by Mr. Ryan. The motion passed. The vote was as follows:

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

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

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

APPROVAL OF MINUTES: February 7, 2006: Mr. Prince moved to approve, seconded by Mr. Grabowski. The motion passed. The vote was as follows:

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

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

- Austin Michael Enzor (Mr. Frazier)
- Arthur M. Dozier (Mr. Frazier)
- Claudia B. Duval (Mr. Frazier)
- J. Stanley Bird, Sr. (Ms. Gilland)
- Rita Shelley Timbes (Ms. Gilland)
- Ivan S. Mishoe (Mr. Frazier)
- Emory Vance Cox (Mr. Foxworth)

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

- Third reading of **Ordinance 153-05** to approve the request of James Wooten, agent for Partners of Associates 90, Heritage Downs PDD, to amend the official zoning maps.
- Third reading of **Ordinance 14-06** to approve the request of William Oram, agent for Holmestown Center LLC, Holmestown Center PDD, to amend the official zoning maps.
- Third reading of the following ordinances to approve the request to amend the official zoning maps: **03-06** Wallace Clardy, agent for White Oak Forest LLC; **04-06** Tony Cox, agent for Myrtle Beach Farms; **05-06** Tony Cox, agent for Broadway Station LLC; **06-06** Liston Wells, agent for Teresa Diane Wells; **07-06** Ashton Development, agent for Karen D. Wart, Trustee; **08-06** Kevin Covington; **10-06** Michael Bessent, agent for Richard & Wanda Harrelson; **12-06** Nigel Horoney, agent for Karl Nemeth; & **13-06** Ken Watson, agent for Diversified Partners LLC.
- First 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 Development, Inc.; **23-06** Moses & Verian Ladson; **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; **30-06** Mary Thompson-Lesesne, agent for Linda Faye Hickman; **31-06** James Wooten, agent for M&D Development; **32-06** Retha Walters; **34-06** Artan Xhokola; **35-06** Randy Pigate Construction Co.; **36-06** Tommy & Janice West; & **37-06** Bobby Miller, agent for Nell Johnson etal.
- Resolutions accepting dedication of the roads and drainage at the following locations: **R-17-06** Sugarmill Phases I-III (Sugarmill Loop, Luke Lane); **R-18-06** International Club Drive and Pickering Drive; & **R-19-06** Limestone II at Arrowhead Village (Falkirk St., Easton Ct., Abcaw Blvd.)

The motion passed. The vote was as follows:

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

RESOLUTIONS/PRESENTATIONS:

Resolution R-20-06 recognizing Kingston Plantation as an outstanding corporate citizen. **Mr. Boyd moved to approve, seconded by Mr. Hardee.** Mr. Whitten and Chief Alderman presented the resolution. Mr. Greg Davis accepted the award. **The motion passed. The vote was as follows:**

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

Resolution R-131-05 relating to the disbursement of district recreation funds authorized in the FY06 budget. **Mr. Barnard moved to approve, seconded by Mr. Prince. The motion failed. The vote was as follows:**

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

Mr. Schwartzkopf was concerned about carrying the money beyond the deadline. Mr. Weaver explained that paragraph 2 showed the amendment, “of funds be fully dispersed or committed to a specific recreation project on or before June 30, 2006.” **Mr. Grabowski moved to reconsider, seconded by Mr. Lazarus. The motion passed. The vote was as follows:**

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

Mr. Hardee moved to remove paragraph 2 from the resolution, seconded by Mr. Barnard. The motion passed. The vote was as follows:

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

Mr. Hardee moved to remove the third whereas clause, “whereas, it is a sound financial principle that governmental expenditures for such recreational purposes be accomplished in the same fiscal year as the appropriation,” seconded by Mr. Boyd. The motion passed. The vote was as follows:

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

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

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

Resolution R-14-06 to *disapprove* the request of Larry Williams to amend the official zoning maps. Mr. Grabowski 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>
Lazarus	Schwartzkopf		Worley
Foxworth	Prince		Frazier
Ryan	Hardee		
Barnard	Boyd		
Grabowski	Gilland		

Resolution R-21-06 approving and authorizing the county administrator to execute a contract for professional services for governmental relations consulting services. Mr. Barnard moved to approve, seconded by Mr. Schwartzkopf. Mr. Lazarus moved to amend the 60-day termination clause to a 30-day termination clause, seconded by Mr. Boyd. The motion passed. The vote was as follows:

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

Mr. Lazarus moved to approve as amended, seconded by Mr. Boyd. The main motion as amended passed. The vote was as follows:

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

Resolution R-22-06 to appoint the management committee for the Pine Ridge Business Center. **Mr. Boyd moved to approve, seconded by Mr. Schwartzkopf. Mr. Boyd moved to change 2 ex-officio members to 3 ex-officio members and add the Mayor of Conway as an ex-officio on the committee, seconded by Mr. Barnard. Mr. Prince moved to change to two citizens from one citizen, from district 7 and one from district 9, seconded by Mr. Hardee. The motion passed. The vote was as follows:**

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

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

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

Resolution R-24-06 to approve a proposed contract for the purchase of real property identified as an 11.6 acre tract off of Hwy 90 from Jimmy Bagwell and Charles H. Davis to the Horry County Solid Waste Authority Inc. for \$10,000 and **Resolution R-25-06** to approve a proposed contract for the purchase of real property identified as a portion of a 23 acre tract off of Hwy 90 from Maria L. Jones to the Horry County Solid Waste Authority Inc. for \$46,000. **Mr. Hardee moved to approve, seconded by Mr. Prince.** Mr. Weaver explained the resolutions. The purpose of the purchase was for wetlands mitigation. It was time sensitive and had to be voted on that evening to meet deadlines. Mr. Boyd was concerned about the way the properties were purchased. Mr. Barnard was concerned with it being time sensitive since they just received it. Ms. Marguerite McClam stated the Corp of Engineers had told the Brigham Company they had to have credits of mitigation by a certain date for their permit. Mr. Hardee requested to move forward with both resolutions. The terms were 60 days and 90 days, and if a Council member had concerns, they could ask for 30 days to look into it. Mr. Schwartzkopf requested approving Resolution R-24-06 and deferring Resolution R-25-06 so the I&R Committee could review it further.

The motion to approve failed. The vote was as follows:

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

Mr. Barnard supported sending the issue to the I&R Committee. Ms. Gilland suggested a special council meeting on March 2nd to approve the resolutions before the contract deadline.

READING OF ORDINANCES:

Second reading of **Ordinance 16-06** to approve the request of Brian Baldonado, agent for Pavilack Industries, to amend the official zoning maps. **Mr. Lazarus 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>
Lazarus	Schwartzkopf		Worley
Foxworth	Prince		Frazier
Ryan	Hardee		
Barnard	Boyd		
Grabowski	Gilland		

First 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. **Mr. Hardee moved to approve, seconded by Mr. Boyd. Mr. Ryan was concerned about increasing to 76 units. The motion passed. The vote was as follows:**

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

First reading of **Ordinance 17-06** to amend the zoning ordinance pertaining to application procedures for amendments to the zoning ordinance. **Mr. Barnard moved to approve, seconded by Mr. Prince. Ms. Carter explained the ordinance. The motion passed. The vote was as follows:**

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

First reading 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 and First reading of **Ordinance 20-06** to adopt the Little River Overlay Zone. **Mr. Hardee moved to defer, seconded by Mr. Boyd. The motion passed. The vote was as follows:**

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

First reading of **Ordinance 18-06** to amend the zoning ordinance pertaining to administrative procedures for rezoning to GRn zoning district. **Mr. Barnard moved to approve, seconded by Mr. Boyd.** Ms. Carter explained the ordinance. **Mr. Lazarus moved to send the issue back to the I&R Committee, seconded by Mr. Hardee. The motion passed. The vote was as follows:**

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

First reading of **Ordinance 33-06** to approve the request of Venture Engineering, agent for Jack Lazarus, to amend the official zoning maps. **Mr. Lazarus recused himself from voting and discussion. Mr. Hardee moved to approve, seconded by Mr. Prince.** Mr. Prince requested the road be paved and the number of homes in the project by second reading. **The motion passed. The vote was as follows:**

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

First reading of **Ordinance 24-06** to approve the request of Dennis Permenter to amend the official zoning maps. **Mr. Lazarus moved to approve, seconded by Mr. Boyd.** Mr. Ryan was concerned with “a buffer area required in a PDD may be considered to reduce potential conflict” in the comments area on the rezoning application. Ms. Carter stated that would need to be addressed when they reached the development stage of the project because there was some dissimilar zoning and the current regulations might not be sufficient to address. **Mr. Ryan moved to mandate the buffer area, seconded by Mr. Lazarus. The motion passed. The vote was as follows:**

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

The main motion passed. The vote was as follows:

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

OLD/NEW BUSINESS:

Casino Boats. Mr. Weaver gave a brief history on the issue of Casino Boats. He requested direction from Council whether to keep the casino boats and charge a fee or not allow casino boats to operate. **Mr. Hardee moved to defer until the next meeting, seconded by Mr. Lazarus.** Mr. Boyd thought this was a countywide issue. The guidance should be given to Mr. Weaver that evening so he could start preparing the ordinance. **The motion passed. The vote was as follows:**

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

Zoning Board of Appeals – Selection of Board Members who represent West of the Waccamaw for 4-year terms. Ms. Gilland stated there was a tie vote and the issue would be deferred to the next meeting.

Interstate 73 issue. Mr. Boyd moved to send a letter to the State and Federal Delegations and SCDOT supporting the Hwy 917 crossing for Interstate 73 stated by a previous resolution, seconded by Mr. Barnard. **The motion passed. The vote was as follows:**

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

ADJOURNMENT: The meeting adjourned at 8:35 p.m. in memorial of Austin Michael Enzor; Arthur M. Dozier; Claudia B. Duval; J. Stanley Bird; Rita Shelley Timbes; Ivan S. Mishoe and Emory Vance Cox.